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Title of thesis: CLASH OF GOVERNMENTALITIES: LIBERAL PEACE, TAMIL FREEDOM AND THE  
2001-2006 PEACE PROCESS IN SRI LANKA

..... Degree PhD.....

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This dissertation argues that the dynamics, trajectories and outcomes of the Norwegian-led intervention in Sri Lanka from 2001 to 2006 to end the protracted armed conflict in the island can be productively understood as a 'clash of governmentalities', as the result of the simultaneous pursuit of competing idealizations of how populations, territory and forms of political rule should be organized. The first part of the study explores the concept of governmentality and sets out what is meant by a 'clash of governmentalities', a notion that turns on the different exercises of sovereignty, discipline and governmental modes of power in the service of competing rationalities of rule. Governmentality, it is argued, provides a novel and insightful way of looking at the consequences of international interventions in sites of 'internal' conflict such as Sri Lanka. The second part of the study explores the Norwegian-led peace process in Sri Lanka to show how two governmental rationalities, here termed Liberal Peace and Tamil Freedom, clashed via a myriad of micro-practices and ultimately produced an impasse which led not to lasting peace, but renewed war. The thesis thus examines the consequences of Liberal Peace, a political rationality which posits economic interdependence, democracy and the rule of law as constituting the sustainable foundations for world peace, encountering other, 'local' governmental projects which are also trying, sometimes violently, to reorder places in the global South according to their own rationalities of rule. The thesis concludes with a brief discussion of how the concept of a clash of governmentalities lends itself to further empirical and theoretical research.

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Clash of Governmentalities:  
Liberal Peace, Tamil Freedom and the  
2001-2006 Peace Process in Sri Lanka

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PhD



## Abstract

This dissertation argues that the dynamics, trajectories and outcomes of the Norwegian-led intervention in Sri Lanka from 2001 to 2006 to end the protracted armed conflict in the island can be productively understood as a ‘clash of governmentalities’, as the result of the simultaneous pursuit of competing idealizations of how populations, territory and forms of political rule should be organized. The first part of the study sets out what is meant by a ‘clash of governmentalities’, a concept that turns on the different exercises of sovereignty, discipline and governmental modes of power in the service of competing rationalities of rule. The excavation of competing governmentalities, it is argued, provides a novel and insightful way of looking at the consequences of international interventions in sites of ‘internal’ conflict such as Sri Lanka. The second part of the study explores the Norwegian-led peace process in Sri Lanka to show how two governmental rationalities, here termed Liberal Peace and Tamil Freedom, clashed via a myriad of micro-practices and ultimately produced an impasse which led not to lasting peace, but renewed war. The thesis thus examines the consequences of Liberal Peace, a political rationality which posits economic interdependence, democracy and the rule of law as constituting the sustainable foundations for world peace, encountering other, ‘local’ governmental projects which are also trying, sometimes violently, to reorder places in the global South according to their own rationalities of rule. The thesis concludes with a brief discussion of how the concept of a clash of governmentalities lends itself to further empirical and theoretical research.

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# 1. Governmentality in a warzone

## 1.1 Global peace and local wars

Contemporary international efforts to end the 'internal' conflicts of the global South take place within a framework of establishing what is now labelled 'liberal peace', which posits economic interdependence, democracy and the rule of law as constituting the sustainable foundations for world peace (Willett 2005).

Interventionist practices to this end, such as 'conflict transformation', 'peace building', 'democratisation' and so on, are thus part of a wider project of global reordering that has been increasingly pursued in the past two decades by powerful Western liberal states and their associated organizations, institutions and agencies. Whilst the growing literature on liberal peace has accorded the term different and seemingly incompatible meanings, Richmond (2007) notes that a 'peace-building consensus' has nonetheless emerged on what the objectives of international 'peace' interventions should be, as well as on what constitutes an end to conflict and how this is to be achieved. In other words, "there is concurrence on the main root causes of violence, how they should be addressed, and who should do so" (Ibid:85). Duffield (2001:11) has described this concurrence as a combination of liberal economic and political tenets ('liberal') and the international policy predilection towards conflict resolution and societal reconstruction ('peace') that has increasingly informed international approaches to Southern conflicts. Moreover, although Richmond sees 'liberal peace' as an over-stretched label applied today to a wide range of conceptions of peace, variations that result in international policy 'dissensus' (2006b:292), he notes that, nonetheless, what constitutes "peace, and its conditions, is commonly assumed to be well understood by all who make up what is often referred to as the international community" (2008:1).<sup>1</sup> At the same time, despite almost two decades of West-led

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<sup>1</sup> Richmond (2006b, 2007) categorizes liberal peace into four forms: 'victor's peace' (imposed by military force and hegemonic coercion), 'institutional peace' (resting on the efforts to anchor states within a liberal normative and legal context), 'constitutional peace' (turning on democracy, free trade and cosmopolitan values) and 'civil peace' (resting on individual agency, rather than state, multilateral or international agency). The nuances and merits of this categorization are less

efforts to end conflict in the global South, it is increasingly acknowledged that “there is still a huge gap between the grim reality of declared and undeclared wars, of frozen, latent and protracted conflicts and what conflict transformation approaches have been capable of delivering” (Ropers 2008:1). The string of failures in this ‘global’ experiment in social engineering (Paris 1997) has not prompted rethinking of the concept of liberal peacebuilding itself - i.e. why this ‘huge gap’ exists - but has instead led to considerable scholarly and policy debate over how it could yet be closed.<sup>2</sup>

This dissertation seeks to explain this gap between intent and outcome that emerges when strategic efforts to produce liberal peace in Southern warzones encounter other projects underway in these sites. The focus here is on contemporary international interventions to end the protracted ‘intra-state’ conflicts of the global South.<sup>3</sup> In other words, the thesis examines how international frameworks, combining themes of international security, development, peace, and liberal governance - which came together in the ‘War on Terror’, seek to eliminate perceived threats to a sought after global order, one now termed liberal peace, and the consequences of these powerful, multifaceted interventions.

This examination of global liberalism’s engagements in the ‘internal’ wars of the global periphery uses as a case study the Norwegian-led intervention from 2001 to 2006 to end the protracted armed conflict between the Sri Lankan state and the armed opposition movement, the Liberation Tigers of Tamil Eelam (LTTE). This

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important to this study, which focuses on the ‘political rationality’ that, as outlined in Chapter 4, informs all these forms.

<sup>2</sup> As Nobert Ropers, a senior international peacebuilding practitioner, notes, the majority of these efforts focus on “the complementarity of different levels of intervention (multi-track), the timing of interventions (multi-step), the interdependence of issues (multi-issue) – and particularly the interaction of peace-related interventions with other issue areas like relief and development, human rights and constitutional reform” (2008:1).

<sup>3</sup> As Mark Duffield (1998:97) has pointed out, the term ‘internal’ or ‘intra-state’ war is misleading. Not only have other states –neighbours or distant powers – often long been involved in such conflicts either indirectly, via proxies or favoured local actors (including the state in question), or sometimes directly, but a variety of armed challengers to the state have often relied on external linkages and global networks for military, economic and political sustenance of their projects, as has the conflict state itself. For the sake of convenience, however, the term is used in this dissertation.

intense and extensive West-led effort to end one of South Asia's longest running conflicts brought several major states and multi-lateral donors together in what has been described as a "more robust and multi-faceted international response to conflict and peace dynamics than has historically been the case" (Goodhand et al 2005:10). However, even before the Norwegian-led peace initiative began, Sri Lanka, a developing country gripped by ethnic violence yet demonstrating consistent economic growth and practicing electoral democracy, had long been an important site for the expansion of global liberal governance. The vision of global peace pursued by this project turns on an ideal of the modern state, its citizen and its society, which is held, once rendered ubiquitous, to lead inexorably to the emergence of a pacific, liberal world order. In 2002, despite the previous decades of deepening ethnic enmity, massacres and high intensity war, international actors were steadfastly of the view that Sri Lanka was a self-evident opportunity for "an internationally supported success story in liberal peacebuilding" (Goodhand et al 2005:67). However, despite 'robust and multi-faceted' international involvement, the Norwegian initiative did not succeed in moving Sri Lanka from a ceasefire to a permanent peace. Instead, simmering violence resumed in late 2003 and escalated into open, if then undeclared, hostilities by 2006. Even by 2004 various aspects of the international peace intervention – including Norway's conduct as facilitator – was being subject to a variety of diagnostic studies and sometimes harshly critical commentary by donor-funded researchers, international think tanks, conflict-resolution NGOs, peace scholars and others. What is striking about much of these disparate analyses is how the same conceptions of the conflict, its protagonists, the island's peoples and, especially, peace, are to be found embedded in them. What is equally striking is how analyses and commentary by those deemed to be outside the liberal peace community reflected different embedded conceptions of the same phenomena, conceptions that contrast sharply with those shared within. The content and consequences of these contrasts are the specific focus of this study. In short, the dissertation's research question is: how can we best explain the dynamics and seemingly perverse outcomes of the Norwegian-led international peace initiative in Sri Lanka from 2001 to 2006?



## 1.2 The argument in brief

Against conventional, top-down analyses that explain developments in ‘internal’ conflicts and international interventions in them in terms of the relative power of external and internal actors, or other structural factors, this dissertation argues that the dynamics, trajectories and outcomes of international interventions to produce peace in Southern warzones can be productively understood as a *clash of governmentalities* i.e. as the result of the simultaneous pursuit of competing idealizations of how populations, territory and forms of political rule *should* be organized so as to secure and foster the wellbeing of the population. While this may seem an obvious claim, given how the violence of war is often directed against enemy populations (and not just their political goals), the argument presented here refers to a much deeper condition, whereby competing governmental rationalities seek to order and invest the fabric of routine – i.e. non-violent, or ‘peace-time’ – politics, as well as war itself, and operating through diffuse networks and mundane practices, seek to make possible the flourishing of (these rationalities’ respective conceptions of the ‘good’, well behaved) population. Population here therefore does not refer to a self-evident or pre-formed ethnic or religious group, but to the human collective whose members conduct themselves in keeping with the ‘right disposition’ of people and things inherent to the governmental rationality in question. Those who do not, meanwhile, become targets for correction and reform, or for exclusion and elimination.

In other words, it is posited here that governmentality, and in particular the notion of competing governmentalities, provides a novel way of studying international interventions in Southern conflicts, one that has considerably more analytical utility than conventional approaches based on rational-actor calculations, clashes of ideology or ‘competing nationalisms’, which is how the conflict in Sri Lanka, for example, has typically been explored. In contrast to such conventional analyses, the dissertation argues that the sometimes perverse outcomes of international interventions in the global South are not mere programmatic failures (say of the use of sanctions, incentives and conditionalities) or self-interested

resistance to a self-evident liberal peace, but can in fact be traced to the active pursuit of differing *conceptions* of 'peace' i.e. the set of appropriate sociopolitical conditions deemed necessary for the wellbeing of the population. More precisely, a clash of governmentalities plays out in simultaneous attempts, undertaken within different governmental rationalities, to create new subjectivities and to alter or destroy 'existing' ones; or, rather, to elevate particular subjectivities above those others that the objects of government – individuals, organisations, human collectives - may be living or inclined to take up (Briggs 2001). As a senior Norwegian diplomat crisply put it, the international peace intervention in Sri Lanka sought "to create new realities" (NW01 August 16, 2006). Thus, a clash of governmentalities manifests in the development of new forms of disciplining that undermine or supplant ones already at play, the identification of 'achievements' or goals of one rationality as 'problems' for another rationality - and the associated devising of appropriate 'solutions', and, not least, the invocation of different exercises of sovereignty, all in the pursuit of conflicting governmental ends.

Beyond a framework for understanding how the competition between projects by protagonists and others in an 'internal conflict' are constitutive of political, social and territorial spaces, the notion of governmentality also helps analyse the dynamics of contemporary multifaceted, multi-actor, international interventions in these warzones to 'resolve conflict', 'build peace', promote 'ethnic reconciliation', 'fight terror', and so on. Not only are international interventions, more generally, situated within one political rationality or other, but they will, in all probability, encounter other political rationalities, embodying contradictory or sometimes overlapping conceptions of the 'right disposition' of people and things, already playing out in these places, including through violent conflict. International efforts to pursue 'peace', 'security', 'development', etc. in Southern warzones, inevitably are, or become, part of the complex dynamics of these places, and this dissertation seeks to demonstrate how dynamics and outcomes of international efforts to end 'internal' conflicts cannot be separated from the specific *governmental* ambitions inherent to such 'external' interventions which, even under the rubric of 'peace', seek to confront, alter and exploit the specificities of Southern warzones in the pursuit of a radical 'global' vision, that of liberal peace.

This introductory chapter first explains the dissertation's adoption of the analytical framework of governmentality, and then outlines the contours of the case study, Sri Lanka, with reference to the three political rationalities – two 'local', one 'global' - that continued to clash during the 2001-2006 international peace intervention. It ends with an outline of the chapters to follow.

## **1.3 The analytical approach**

### **Conventional analyses**

The point of departure for this study is that conventional ways of understanding international engagement with conflict zones in the global South are inadequate for a variety of reasons. To begin with, the state, as a centralized authority with a monopoly on the legitimate use of force, has come to have a commonsensically privileged role in analysis of '*internal*' conflict, in the search for 'root causes', and especially in strategies and efforts to end or resolve conflict and 'build' peace. The state also frequently occupies an important place in the legitimating narratives (Krishna 1999, Campbell 1998) put forward by various protagonists for their respective projects (for example, state oppression or protecting territorial integrity). 'Solutions' are also debated in terms of 'power-sharing' i.e. the appropriate form of state structure (such as federalism or devolution). The (foreign) state is also privileged in analyses of international engagements within Southern sites. Ranging from realist arguments turning on attributed geopolitical interests of 'great powers' to evaluations of the impact of aid donors' policies, much of such analyses, including supposedly critical ones, typically focus on the interests, motives and actions of neighbouring and distant states and their institutions and agencies. As Rose notes, this centrality of the state in conventional analyses of politics is perhaps inevitable, forged as these were at a time when the centralized nation-state with its monopoly of force seemed the natural frame for understanding political systems, and interactions between such entities constituted the realm of international politics (1999:1). Even the impacts of the celebrated phenomenon of 'globalisation' are often studied in terms of the

changes it is said to be wreaking on states and their interactions with each other and with a host of 'new' non-state actors said to be 'now' active in 'global' politics (e.g. Held et al 1999, Josselin and Wallace 2001).

Equally importantly, quite apart from a focus on institutions such as the state, as Rose (1999:1, see also Valverde 1996) also notes, conventional ways of thinking about politics often also embody particular ideas about the human beings who are subjects of power i.e. as individualized, autonomous and self-possessed political subjects of right, will and agency. They also take human collectivities (such as classes, races or interest groups) as singularities possessed of identities which provide the basis for interests and political actions. Thus conventional analysis also treats non-state actors – such as armed groups, NGOs, businesses, or faith groups – and even populations – for example 'local communities', 'Tamils', 'the poor' or 'nationalists' – as self-evident objects possessed of discernible interests, attitudes, needs, wants, lacks and degrees of rationality (or 'fanaticism'). Freedom, moreover, is taken in such analysis as the absence of coercion or domination i.e. as "a condition in which the essential subjective will of an individual, a group or a people could express itself and [is] not silenced, subordinated or enslaved by an alien power" (Ibid). Such analytical beginnings inevitably entrain certain lines of inquiry - Who holds power? In what and whose interests do they wield it? How is it legitimated? Who does it represent and serve? etc. – and turn on a variety of self-evident analytical dichotomies – such as international/ internal, state/ civil society, public/ private, legal/ illegal, coercion/ freedom and domination/ emancipation (Ibid, O' Malley et al 1997:503).

In sum, then, such analysis generates a variety of problems. Taking for granted the centrality of the state engenders realist and quasi-realist forms of analysis, whereby the outcomes of conflict and interventions are attributed primarily to the relative power of external and internal actors. Assuming the unity of the state and other non-state actors encourages adoption of a positivist epistemology and neglects the consequences of identity being contingent, rather than fixed. It is for such reasons important aspects of international politics, including the 'huge gap' between global peace efforts and local conflicts, "have proved highly troubling for

the social sciences, wedded as these often are to an understanding of social totalities and bounded spaces” (Larner and Walters 2004b:4).

## Studying ‘government’

This dissertation adopts a different approach, one which grew out of the writings of Michel Foucault and has since been developed extensively by a growing number of scholars dissatisfied with conventional understandings of politics, especially *power*, and concerned, as Foucault was, with unsettling the “self-evidences on which our knowledges, acquiescences and practices rest” (1991c:76, see 2008 2-3). This approach, which emerged from the rethinking of political rule set out by Foucault in three series of lectures delivered at the College de France (2003, 2007, 2008) in which he discussed the theme of ‘Governmentality’ (and the closely related one of ‘Biopolitics’), breaks with the assumptions inherent to theories of the state, the notion of ideology, questions of the possession and source of power, and so on, and instead regards the exercise of political power and authority as anything but self-evident. In this regard governmentality has significant continuity with Foucault’s better known observations about power/knowledge (Gordon 1980). In seeking out the history of the self-evident ‘truths’ produced by the practices of government, the growing literature inspired by the notion of governmentality “offers critical insights about the constitution of our societies and our present” (Larner and Walter 2004:2). To begin with, Foucault saw ‘government’ not just as rule by the state but more generally, as the ‘*conduct of conduct*’ i.e. the endeavour to shape, guide, direct, by different calculated means, the behaviors of others, be they the inhabitants of a territory, the crew of a ship, the members of a household, employees of a firm, or others (2007:193-5, 2008:1-2). In this regard, it is possible to talk about the government of a household, a religious order, the family, etc and thus the ‘state’ is but one mode of government, albeit a specific one to which all other forms of governing are ‘internal’ (2007:93, 2008 1-2), or rather, the state “is the correlative of a particular way of governing” (2008:6). Moreover, rather than being centralized and effected ‘top down’, political power is understood here as exercised through “a profusion of shifting alliances between diverse authorities pursuing projects

that govern a multitude of facets of economic activity, social life and individual conduct” (Rose and Miller 1992:174). As Foucault puts, it, “the term itself, power, does no more than designate a domain of relations” (2008:186). He adds, moreover, “what I have proposed to call governmentality, that is to say, the way in which one conducts the conduct of men, is no more than a proposed analytical grid for these relations of power” (Ibid).

The study of politics can therefore be more productively pursued by investigating the formation and transformation of *thought* (‘rationalities’) informing theories, proposals, strategies, etc and the means (‘technologies’) for the ‘conduct of conduct’, rather than concentrating on the specificity of institutions, including those making up the state or the realm of the ‘international’. In other words, the focus of such analysis is directed towards those specific kinds of reason which make possible the exercise of government, the ‘conduct of conduct’. Reason here does not refer to some transcendental form, but to *any* rationality informing calculations about how to conduct human conduct i.e. to any “reasonable and calculable measure of the extent, modes and objectives of governmental action” (2008 92). Analysis is thus directed at “the invention, contestation, operationalization and transformation of more or less *rationalized* schemes, programmes, techniques and devices which seek to shape conduct so as to achieve certain ends” (Rose 1999:3, emphasis added). How does federal partitioning of states come to be held as eminently preferable to the separation of warring peoples through states of their own? How does instituting charges for the supply of clean water become the *proper* action for a responsible state? How does free trade become accepted as a global boon and untrammelled immigration a global threat? How do Tamils come to see themselves as a ‘nation’, rather than a ‘minority’ and to pursue ‘national liberation’ instead of ‘minority rights’? With an ambition to ‘denaturalise’ the world, a governmentality approach also prompts consideration of how governing involves specific representations, knowledges and expertise regarding that which is to be governed (Larner and Walters 2004b:2). Moreover, - even though Foucault himself thought the term governmentality to be an ‘ugly’ one (2007:115) - Dean points out how the idea of a *mentality of government* emphasizes the way in which the thought involved in practices of

government is collective and taken-for-granted i.e. how it is not usually open to questioning by its practitioners (1999:16).

The state is not, of course, to be discarded from such analysis; it remains an important node in networks of governance. Rather, it should be relocated, situated within, rather than above, flows of power, and thus considered as the effect of such flows, rather than their source (Gordon 1980:4, Foucault 2002b). Such de-centering approaches - which have, after Foucault, sought to 'cut off the king's head' (1979:88-9, see discussion in 2008:77) - have been deployed with considerable explanatory force, for example in studies during the 1990s of the transformation in late modernity of rule in Western states i.e. of the superseding of welfarism by neoliberalism.<sup>4</sup> Although the concept of governmentality originally emerged in the context of explaining a particular form of political power emergent within the nation-state in Europe and has largely been deployed to this purpose until recently (see Chapter 2), it nonetheless also provides a particularly effective way to study the myriad interactions amongst the disparate actors in the international (see, for example, Walters and Haahr 2005 and the contributions to Larner and Walters 2004a). Dislocating institutions, including states, from the centre of political analysis, revealing these as one of many effects of power, and focussing instead on the rationalities guiding the practices of numerous official and unofficial actors that 'at a distance' shape the conduct of individuals, populations and other entities, governmentality lends itself to a novel analysis of the 'international', a realm supposedly constituted by political relations conducted in the absence of overarching authority. Indeed, Foucault's diffuse conception of power seems tailor-made for studying the workings of what David Held (cited in Guibernau 2001) describes as the contemporary world "of multilayered power, multilayered authority and complex forms of governance". Not all agree with this stance, of course, and such objections are taken up in Chapter 2. At a minimum, however, as Larner and Walters argue, such an approach enables us "to move the debate beyond the conventional view of power as something that is *possessed* by given actors (individual, capital, state) towards

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<sup>4</sup> See, for example, Burchell et al 1991, Barry et al 1996, Dean 1999, Hindess 1993, 1997, Miller and Rose 1990, O' Malley 1996, Rose 1999, Rose and Miller 1992, among others

an examination of the heterogeneous discourses and practices in terms of which power is *exercised*,” and thus to “disrupt and disturb accepted understandings and open up questions that might otherwise not be asked.” (2004b:17, emphases added).

## How and why questions

The positivist orientation of conventional analyses, which include (neo)realist, (neo)liberal and Marxist studies, take as self-evident the objects visible on their field of study and proceed to examine the interplay of interests, stated or hidden, which guide actions and interactions amongst them. As Doty (1996) has pointed out, such approaches obscure the *productivity* of practices i.e. how practices are *constitutive* of meanings and identities. Practices here includes scholarship, of course, despite attendant (self-)assertions of many thinkers’ ‘objectivity’. By contrast, a governmentality approach is among those that treat ‘reality’ as socially constructed (e.g. Campbell 1992). The importance of undertaking empirical studies that proceed from this conceptualisation of reality is that analysis moves away from (conventional) *why* questions to *how* questions (Doty 1996:4).<sup>5</sup> Moreover, such analyses look not only at how social identities and reality are constructed, but what practices and policies are thereby *made possible* (Ibid). For example, quite apart from how an individual comes to see herself as Tamil (and what exactly that means), whether she ‘is’ a member of a persecuted nation *or* a disadvantaged minority has very different consequences for understanding Sri Lanka’s armed conflict and, therefore, for what kind of resolution can and *should* be pursued. Thus, by focusing on the productive aspect of power neglected by why questions, how questions “highlight the way power constitutes particular modes of subjectivity and interpretative dispositions” (Ibid). What is incited and encouraged is thus as important as what is repressed and disciplined (Barry et al 1996). Having said this, the purpose of an analytics of government is not to expose ‘hidden’ motives or to uncover domination in disguise. As Li (2007:9)

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<sup>5</sup> As Foucault puts it: “Let us not ask why certain people want to dominate, what they seek, what is their overall strategy. Let us ask, instead, *how things work* at the level of ongoing subjugation, at the level of those continuous and uninterrupted processes which subject our bodies, govern our gestures, dictate our behaviors, etc.” (1980d:97, emphasis added. See also 1979:95).



points out, such a quest narrows analysis unnecessarily, obscuring much of what happens in the process of government *itself*.

There is, however, another important aspect of governmentality analysis. This dissertation is concerned not only with political rationalities, the production of subjectivities and the conduct of conduct 'at a distance', but also with the *consequent* effects i.e. with the decisions, actions and calculations engendered on the terrain of government by these rationalities, subjectivities and programmes of rule. Why, for example, did the LTTE insist on a specific sequencing of the 2002-3 negotiation agenda and the international community on another? Why was tipping the post-ceasefire military 'balance' in favour of the Sri Lankan military and against the LTTE a contribution to peace for international actors? In other words, the dissertation does not restrict itself to how questions, but also seeks to explain some of the important developments, trajectories and outcomes of the Norwegian-led peace process in Sri Lanka i.e. it attempts to answer some why questions also. A governmentality approach makes this possible. Indeed Valverde celebrates governmentality as an approach which promises to "finally lay to rest the old and fruitless divisions of labour between social researchers describing the how and theoreticians explaining the why" (1996:358, see also O' Malley et al 1997:503).<sup>6</sup>

This dissertation is interested in contestations also, specifically those that spring from the competing ambitions of different governmentalities. It attempts, therefore, to engage analytically with the unpredictable outcomes of what Foucault has termed the "witches' brew" of politics (1991c:81). In a context, as this study argues, of multiple governmental projects, informed by multiple rationalities, underway simultaneously in the same space ('Sri Lanka'), an attempt is made here to "examine the ways in which creativity arises out of the situation of human beings engaged in particular relations of force and meaning, and *what is made out of the possibilities of that location*" (Rose 1999:279, emphasis added). In short, the dissertation seeks to demonstrate how resistance to a given set of

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<sup>6</sup> Valverde's approach is in contrast, for example, to Rose's (1999) who, while acknowledging that an "analysis of the forms of contestations" that arise in politics is important, focuses in the main on excavating the rationalities embedded in governmental ambitions and projects.

governmental ambitions may be traced not to apathy, economic self-interests, irrationality or a priori opposition to government's sought after 'right disposition' of people and things (Foucault 2007:96), but to the pursuit of different conceptions of what constitutes this right disposition. To this end, the dissertation foregrounds empirical research which is concerned not only with rationalities – which are rarely explicit, but are to be found embedded in manifestos, policies, plans, white papers, expert reports, academic studies and other texts – but also with the practices which are informed by and thus render 'real' these rationalities.

## 1.4 Ordering Sri Lanka

### The island's conflict

The Sri Lankan conflict is one of the world's most protracted. Since long-simmering tensions between the island's Tamil community and the Sinhala-dominated state erupted into open confrontation between several militant groups and the Sri Lankan armed forces in the early 1980s, the conflict has grown steadily in intensity and complexity.<sup>7</sup> The LTTE, which, after a series of internecine clashes, established its dominance over the other Tamil militant groups by the mid-80s, since developed both a conventional military force and a civil administrative apparatus in those parts of the island it had established control over. These were subsequently destroyed in the high-intensity fighting of 2006-2009. The war between the government of Sri Lanka (GoSL) and the LTTE occurred in four phases (commonly referred to as the Eelam Wars I-IV) of

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<sup>7</sup> Tambiah, adopting a stance that "ethnicity is a man-made identity" (1986:128), summarises the island's ethnic makeup thus: "today most Sri Lankans would think of their population as divided into three 'ethnic' categories or communities: the Sinhalese, who are a majority, constituting 74%; the Tamils, the besieged minority, at about 18.2%; and the Muslims, who make up 7.4%. The Tamils themselves, are by general consent divided into two categories: the Sri Lankan Tamils, who comprise 12.6% of the population and consider themselves indigenous and whose migration from South India stretched from the early centuries AD to the fifteenth century or thereabouts, and the Indian Tamils, who make up about 5.6%, the majority of whom trace their origins to the waves of South Indian laborers brought by the British from 1825 onwards. ... The Muslims are distinguished [from Tamils] as an ethnic community on account of their religion alone" (Ibid:3-4). Although the island's population "has always been heterogeneous, ... the [Sri Lankan] Tamils have predominated the northern and eastern regions for centuries while the Sinhalese majority primarily lives in the central, western and southern parts. The Indian Tamils live on near the central highland estates, within the Sinhalese regions" (Winslow and Woost 2004:6, insert added).

increasing intensity and territorial scale: 1983-88, 1990-94, 1995-2001, and from 2006 to 2009.<sup>8</sup> Since the conflict began, there have been five formal attempts to resolve it through negotiations, in 1985, 1987, 1989-90, 1994-95 and the Norwegian-led peace process of 2001-2006. All have proved abortive, with the fighting resuming with greater ferocity each time. Inevitably, the origins, causes and character of Sri Lanka's conflict are intensely contested. The LTTE argued it is spearheading an armed struggle for self-determination and political independence (the state of Tamil Eelam) for the Tamil people in their homeland as a response to institutionalised racism and genocidal violence by the Sinhala-dominated Sri Lankan state. In short, the LTTE asserts it is waging a 'national liberation struggle'. On the other hand, describing itself as a beleaguered democracy, the Sri Lankan state denounced the LTTE as a terrorist challenge to its authority, unity and territorial integrity. The state therefore asserted it is 'fighting terrorism'.<sup>9</sup>

While the armed conflict is typically dated from 1983,<sup>10</sup> it is increasingly accepted that the antecedents to Sri Lanka's present-day problems began long before. Although there is inevitably disagreement as to which elements of the past matter and how much, the rise of Sinhala majoritarianism in the post-independence Ceylonese, later Sri Lankan, state and the attendant expansion in Tamil demands for greater political power, are generally accepted and have been extensively discussed through a range of analytical lenses.<sup>11</sup> The consequent search for

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<sup>8</sup> The period late 1987 to early 1990 also comprised high intensity conflict between the Indian Peace Keeping Force (IPKF) and the LTTE, concluding with the withdrawal of Indian forces which had sought to disarm the LTTE under the rubric of the 1987 Indo-Sri Lanka Accord.

<sup>9</sup> Apart from the conflict with the LTTE, the Sri Lankan state has also faced two armed insurrections – in 1971 and 1988-89 – by the Sinhala nationalist group, the Janatha Vimukthi Perumana (JVP). Both uprisings were violently crushed by the government of the time with enormous casualties. The JVP has since established itself as a right-wing political party and steadily increased its standing – it is now the third largest Sinhala party, behind the Sri Lanka Freedom Party (SLFP) and the United National Party (UNP).

<sup>10</sup> In July 1983 the LTTE carried out its first major attack, killing 13 soldiers of an army patrol. The anti-Tamil pogrom that erupted with the state funerals of the soldiers a week later is often posited as a reaction to the attack – though Tamils argue the massacre was preplanned and executed with state support (see Thornton and Niththyananthan 1984) – and the rapid expansion of Tamil militancy thereafter as a reaction to the pogrom.

<sup>11</sup> A number of authors have identified the political ascendancy of a majoritarian Sinhala Buddhist nationalism and the 'reactive' emergence of Tamil nationalism as initiating the armed conflict in the early 1980's. This literature has advocated a solution that recognizes in various forms Tamil

'origins', 'root' causes, 'underlying factors', drivers, and so on, has led to debates on the extent, form and causes of discrimination - indeed whether it is discrimination, as opposed to, say, simply state neglect or incapacity (e.g. as in reports by World Bank and other IFIs) - the reasonableness or otherwise of the Tamil demand for independence and armed struggle, what other solutions might be appropriate, what the 'Tamils' are (a 'minority', a 'nation', an 'ethnic group' or something else) - and hence what they are entitled to, whether there is such a thing as a 'Tamil homeland', and similar questions. Meanwhile, since the early nineties, a substantial and growing literature has sought to examine Sri Lanka's crisis via the analytical lenses that emerged from theorisation of 'internal' conflicts of the global South after the end of the Cold War.<sup>12</sup> In much of this recent literature, the conflict is most commonly characterised as the military pursuit of two extreme goals, by the LTTE and the Sinhala-dominated state respectively: creating an independent Tamil state and maintaining a unitary state. The 'solution' to the conflict is therefore commonsensically held to be a

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nationalist demands for greater self governance (e.g. Ponnambalam 1983, Tambiah 1986, 1992; Manogaran 1987, Wilson 1988, Bose 1994, Krishna 1999, Balasingham 2004). This argument has been fiercely contested by the historian K. M De Silva (1986) and Sinhala-Buddhist ideologues, who posit the rise of Sinhala Buddhist majoritarianism as legitimate and natural and blames the conflict largely on the Tamils, characterized as a privileged minority with an unjustified sense of entitlement. Other authors have suggested that Sinhala and Tamil nationalisms are ideologies instrumentally produced by ambitious political elites rather than outcomes of historical processes (e.g. Shastri 1994, Pfaffenberger 1994, Stokke 1998). A separate strand of scholarship has focused on the structural weaknesses and decay of Sri Lanka's political institutions as an explanation for the emergence and escalation of the ethnic conflict (e.g. Manor 1979, Moore 1985, Herring 2001, Dunham 2004, De Votta 2004). Since the early eighties a growing literature has historically and anthropologically unpacked the collective ethnic and political identities at play in the conflict. Characterizing identities as 'constructed' rather than 'real' this literature has sought to interrogate the veracity of identity claims by 'deconstructing' and 'de-stabilizing' the monolithic identities posited by the conflict's protagonists (e.g. Abeysekera and Gunasingha 1987, contributions to Spencer 1990, Jeganathan and Ismail 1995). The focus on ethnic identities has also produced work that has studied anthropological and historical roots of Sinhala Buddhist and Tamil identities as a means of understanding the ideological forces behind of Sri Lanka's conflict (e.g. Kapferer 1988, Kemper 1991, Gunasingham 1999, Wilson 2000, Bartholomeusz 2002, Indrapala 2005). Meanwhile, a 'post-ethnicity' literature suggests that "whatever the impetus for a war's development, whether rooted in the past or the consequence of twentieth century political and ideological underpinnings, *an explanation of origins no longer serves as an explanation of persistence*" (Winslow and Woost 2004:8, emphasis added).

<sup>12</sup> These include literatures in the categories of the 'security-development' nexus (e.g. World Bank 1999, 2003; Bastion 2003, 2005; Oftad 2002, Mayer et al 2003, Hyndman 2003), the political economy of conflict (e.g. Gamburd 1999, Arunatileke et al 2001, Bush 2003, Gunaratne 2003, Korf 2004), 'complex emergency' (e.g. Goodhand and Hulme 1999), and so on. Other literature examines the factors that render 'peace' elusive in Sri Lanka (e.g. Loganathan 1996, Bush 1999, Norell 2000, Lewer and William 2002, Social Indicator 2004, Samset 2004, Saravanamuttu 2003, Uyangoda 2003a, 2003b; CPA 2005, Frerks and Klem 2005).

‘compromise’ somewhere between these two constitutional extremes (e.g. CPA 2006, Ropers 2008)<sup>13</sup> or the ‘competing nationalisms’ (Goodhand 2001) underpinning these. Thus, centring on the post-colonial state, the LTTE, economic trajectories, the historical origins of the island’s peoples and so on, much of this literature reproduces many of the problems outlined earlier, taking for granted the identity of the actors involved in the Sri Lankan space and attributing various values, interests and tendencies to them. Meanwhile, the literature ‘deconstructing’ the identities involved in the conflict, while questioning the ‘reality’ of the narratives being put forward by the protagonists or ‘their supporters’, does not engage with the politics or dynamics of the armed conflict itself. In this context, it is worth noting, save some notable exceptions,<sup>14</sup> how Hellman-Rajanayagam’s observation fifteen years ago is still pertinent:

“few discussions of Tamil militancy have gone beyond horrified rejection of its methods and ‘barbarism’. It has never been taken seriously and its origins and ideological reasons laid bare. As a political movement it has been denied existence, it is a movement with no past and no future, just a sordid present” (1994:7).

As a result, much of the literature on Sri Lanka participates, deliberately or unselfconsciously, in specific ways in the various phenomenon they are trying to explain. As Uyangoda points out, “when people publish books, write articles or present seminar papers on the ethnic question of a particular state, they quite consciously take part in the events of the biography of the state” (1998:168).<sup>15</sup> While this text is no exception, in contrast to the bulk of the literature on Sri Lanka, it takes seriously the rationalities embedded in the violent projects

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<sup>13</sup> A statement on ‘The need for a national debate on the federal idea’ issued by the Centre for Policy alternatives (CPA), a leading liberal/neoliberal Sri Lankan think-tank, on behalf of 1,000 delegates of 25 organisations who met in Colombo on Feb 6, 2006, stated: “we believe ... that a federal Constitution offers a reasonable accommodation or compromise in a conflict where one side is committed to a unitary state and the other a separate state.”

<sup>14</sup> Including Bose 1994, Krishna 1999, Balasingham 2004, Stokke 2006 and O’ Duffy 2007

<sup>15</sup> In particular, as Uyangoda also points out, “a major problem associated with all leading Sri Lankan political science practitioners is that they have also been practitioners of politics, having closely aligned themselves with the state at some phase of its recent formation, though under different regimes and leaders” (1998:196).

underway in the island to reorder territory, populations and security and their relations. Specifically, it seeks to foreground the competing political rationalities and governmental projects undertaken in the island since independence in 1948 (chapter 4) and particularly after 2001 (chapters 5-8) – rationalities often to be found embedded within the scholarly literature itself - and make them and their interactions the object of analysis. This section briefly outlines Sri Lanka's post-independence history and the competing Tamil and Sinhala narratives, and thereafter engages, also briefly, with one notable explanation for the emergence of protracted armed conflict in the island: Stokke's (1998) study of Tamil and Sinhala nationalisms as "post-colonial political projects from 'above'."

### **Antecedents to war**

To begin with, the present Sri Lankan state is a colonial construct. Whilst there is scholarly disagreement over the island's pre-colonial history, the imposition in 1833 of a single administrative structure for its entirety was a British colonial decision, following centuries of incremental - Portuguese, Dutch and British - conquests and parallel rule of its parts. Nonetheless, at independence in 1948, Sri Lanka (then Ceylon), with high human development indicators and well-developed infrastructure, was expected to become a model democracy. Instead, as Orjuela puts it,

"Sri Lanka could be seen as a textbook example of an ethnic conflict, where economic, political and cultural deprivation and grievances of a minority have provoked a violent rebellion against a state that has come to be seen as representative of only the majority ethnic group" (2003:198).

Discrimination against the Tamils by the Sinhala-dominated state has been discussed in several scholarly works and paradoxically, for reasons discussed later, even in some donor studies.<sup>16</sup> Steady 'Sinhalaisation' of the post-colonial

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<sup>16</sup> See, for example, Bose 1994, Little 1994, Krishna 1999, Bartholomeusz 2002, Winslow and Woost 2004, De Votta 2004, World Bank 2003, JBIC 2003.

state since the fifties has resulted in a state bureaucracy, judiciary, police and military with an entrenched majoritarian ethos. Even by the mid seventies, well before the armed conflict began, Sri Lanka is held to have “regressed to an illiberal, ethnocentric regime bent on Sinhala superordination and Tamil subjugation” (De Votta 2004:6). Sri Lanka’s post-independence governments have alternatively been led by the two main Sinhala parties, the ‘rightist’ UNP (United National Party) and the ‘leftist’ SLFP (Sri Lanka Freedom Party), “with diametrically opposed approaches to economic policy, but sharing a tendency to compete for votes ... by appealing to Sinhala chauvinist sentiment” (Winslow 2004:32), a process De Votta (2004) has termed ‘ethnic outbidding.’ The gradual embedding of majoritarianism in state structures resulted in policies such as the imposition in 1956 of Sinhala as the official language (instead of English) and later the exclusion of Tamils from state jobs (then the largest employment sector) and from access to universities (Goodhand 2001, JBIC 2003:12-17). A policy of recruiting only Sinhalese into the military was introduced in 1962, the beginning of today’s ‘ethnically pure’ military (Blodgett 2004:54, Tambiah 1986) while state-sponsored Sinhala colonisation of Tamil and Muslim areas (Peebles 1990, Manogaran 1994) sought to radically alter the Northeast’s demography and undermine non-Sinhala claims for autonomy (Rampton and Nadarajah 2008, see especially Gunaratane 1988). Apart from this escalating structural violence, post-independence history has been marked by large-scale mob violence directed against the Tamils in 1956, 1958, 1977, 1981 and 1983 (Krishna 1999:67), a dynamic echoed in the various rounds of conflict, where massacres of Tamil civilians – by aerial and artillery bombardment, especially recently - have become routine. By the fifties Tamils were agitating through mass protests and civil disobedience for greater autonomy (in the Northeast) and in the mid-seventies the demand for a federal state became a call for independence. As the state responded with greater military repression, simmering militancy turned into armed struggle, exploding into open war in the wake of the 1983 state-backed anti-Tamil pogrom (Bose 1994:74).

There are, of course, competing Tamil and Sinhala narratives for the island’s pre-colonial history and post-independence developments. Both, however, “invoke the cultural-historical origins of the nations and the question of post-colonial

oppression of one nation by the other” (Stokke 1998:85). The empirical validity or otherwise of these narratives, summarised and well referenced in Stokke’s study, are of little consequence to this dissertation’s questions. However, they contain some useful signposts ahead of this study of competing mentalities of rule, and are thus briefly outlined here. The Sinhala narrative holds the Sinhalese to be the island’s first settlers and to be descendents of Aryan immigrants from North India, who subsequently defended the island against repeated invasions from South India. This mytho-narrative is set out most vividly in the Mahavamsa and Dipavamsa chronicles, written by Sinhala Buddhist monks, and holds Buddha to have ordained the (unified) island to have a special position as a redoubt for Buddhism and entrusted its safekeeping to the Sinhalese. History is thus a series of heroic defences of this unified sanctuary against invading Tamils seeking to subordinate or destroy the Sinhala nation. The Tamil narrative holds Tamils (in the Northeast) to predate the arrival of the Sinhalese (in the South). Successive European colonial conquests resulted in the subjugation, at different historical times, of the Tamil and Sinhala kingdoms, a narrative reinforced by the history of colonial rule: territories in the Northeast and the South were administered separately by even the British (who defeated the Dutch, who had defeated the Portuguese), until 1833. Post-independence narratives are also mirror images. In the Tamil narrative, the British handover to a Sinhala-majority state and polity in Ceylon set in train the present history of majoritarian discrimination, state-oppression and Tamil resistance. The Sinhala narrative holds the Tamils – who are a majority in the region, and thus posing a structural threat to the Sinhalese on the island - as having had a privileged position under colonial rule and what Tamils see as discrimination to be merely steps towards correcting the effects of colonial favouritism.

## **Competing projects**

In a close examination of Sinhala-Tamil dynamics from independence to the early eighties, Stokke (1998) argues Sinhala and Tamil nationalisms cannot be seen as a question of congruence between the territoriality of the Sri Lankan state and the claimed territoriality of *dhamma dipa* and Tamil Eelam respectively, or as an



outcome of exploitation and domination between two nations, but should instead be understood as “post-colonial political projects constituted by nationalist material and discursive practices.” Adopting a Marxian framework, and tracing post-independence socio-economic and political developments in the island, he argues, these practices “have been initiated by segments of the dominant class for the purposes of mobilization within political alliances[:] ethnic class alliances, political patron-client networks, and strategic government [i.e. ruling] alliances” (Ibid:109, inserts added). Moreover, Stokke attributes such alliances to have restrained escalation of ethnic tensions in early post-colonial period and argues that the later “neglect” of the material and discursive practices of ethnic class alliances and, especially, strategic ruling alliances undermined the legitimacy of the political system. This he holds, in turn, to have led to a “radicalisation” of Tamil nationalist demands in the seventies and the emergence of Tamil militancy (“from below”) in the eighties.

Unlike studies that seek to establish the veracity or otherwise of various aspects of Tamil and Sinhala narratives or, conversely, dismissing these wholesale, examine democratic and constitutional mechanisms, war economies, etc to explain the emergence of today’s ‘crisis of the state’ (Goodhand 2001), Stokke’s study is important as it takes seriously the impact and contingent nature of material and discursive practices. However, it ultimately relies on a structural (Marxian) framework focussing on dominant class interests, to arrive at the ‘real’ reasons for Sri Lanka’s inexorable slide into violent conflict. The collaboration, despite tensions, between Tamil and Sinhala elites in the period just before and after independence, as well as the fitful negotiations between them in the three decades after 1948 prompts his scepticism of both narratives and the proffered reasons for various actors’ political actions. However, the reduction of discursive and material practices to cynical projects forecloses examination of their content and their significant productive effects, including the production, reshaping and reproduction of dangerously polarised identities and subjectivities, both individual and collective, and the associated pursuit of increasingly powerful and violent programmes towards (re)ordering the nexus of security, population(s) and

territory on the island.<sup>17</sup> Moreover, it does not examine why these particular discursive practices, and not others, came to the fore; those of Sri Lanka's Muslims, the island's third largest community, for example, do not, unlike the Tamils', challenge dominant Sinhala ones. Nor does it explain why dominant class interests have not led to the emergence and uptake of new (ameliorative) discourses and practices, especially amid the inexorable disintegration of the island's socio-economic and socio-political fabrics due to protracted, high intensity and extremely 'dirty' conflict. Finally, it is also worth noting that the rationales proffered by today's protagonists do not rely in the first instance on historical narratives, but are quintessentially (late) modern: 'national liberation', 'state oppression', 'self-determination', etc. on the one hand and 'fighting terrorism', 'unity and territorial integrity', 'multi-ethnicity and democracy', etc. on the other.

This dissertation adopts a different framework, that of an analytics of rule (Dean 1999, see also Foucault 1979:82-91), which, rather than seeking out hidden interests, takes the will to govern seriously. As Li (2007:9), drawing on Ferguson's (1994) *'Anti-Politics Machine'* puts it, interests are part of the machine, but they are not its master term. The analytics of government undertaken by this dissertation frames Sri Lanka as the site of an ongoing clash of two rationalities of rule, two different visions of how population, territory and security should be organised so as to achieve a 'better world'. Adopted narratives, like other texts, are thus not the *source* of particular ways of thinking about rule, but are *embodiments* of them. These two political rationalities clashing in Sri Lanka, labelled here as 'Sinhala-Buddhism' and 'Tamil Freedom' respectively, both foreground collectives, the former seeing a hierarchy between Sinhalese and others as the 'right disposition' of things, the latter seeing equality between the Tamil and Sinhala collectives instead. Sinhala-Buddhism and Tamil Freedom are examined more thoroughly in Chapter 4. The focus of this dissertation is however on the clash between Tamil Freedom and that political rationality, here labelled

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<sup>17</sup> Krishna (1999:34-35) emphasizes the role of narrative in the production of identity, of providing people "with a way of being in this world" and points out how narrative achieves meaning as *lived practice* beyond the margins of text: "narratives not only discursively articulate social reality, but are central to its endless and agonistic reinterpretation."

'Liberal Peace' (and also discussed in Chapter 4), that has in recent decades informed international efforts to shape dangerous global borderlands (Duffield 2002) like Sri Lanka and to integrate them into a pacific world order.

## 1.5 Producing Liberal Peace

International interventions in the global South have today come to be based on converging conceptualisations of poverty, conflict, development and security: while poverty and underdevelopment are blamed for eruptions of violence, conversely, enduring conflict is deemed to retard development and, thus, the consolidation of peace.<sup>18</sup> In short, it is now taken-for-granted that "there will be no lasting security without development and no effective development without security and stability" (G8, cited in Willet 2005). The normative goal of establishing global liberal peace is thus deemed to require not only developing the periphery but also ending the conflicts (i.e. ensuring security) within it. Moreover, global liberal governance (Dillon and Reid 2000, 2001), while still conceptualising conflict as essentially an 'exogenous shock' to development (Willet 2005:573), does not see the process of ending conflict as merely securing a return to an earlier status quo so that interrupted processes of development can resume but, rather, as the *transformation* of the state and its society into a new mesh of internal and external relations in which the re-emergence of violence is actively precluded - even if the conditions for perpetual peace have not yet been reached. The imperative for liberal peace is therefore to "change the dysfunctional and war-affected societies it finds on its borders into cooperative, representative and, especially, stable entities" (Duffield 2001:11). It is in the pursuit of this "radical mission to transform societies as a whole, including the attitudes and beliefs of the people within them" (Ibid:258) - which Paris (2002) has termed a 'mission civilisatrice' - that the liberal peace comes to confront at its boundaries institutions, norms and practices that violently differ from its own (Dillon and

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<sup>18</sup> This conflation of 'Security' and 'Development' has now become orthodoxy in institutions like the World Bank, OECD, etc and has led to a vast literature of analysis and expertise generated, especially, by the policy hubs of global liberal governance (see, for example, OECD 2001 and the publications of international financial institutions like the IMF and World Bank). For critical accounts, see, for example, Buur et al (2007) and Duffield (2001, 2007).

Reid 2000:117). The ideal modern state is a liberal democracy, with a free market and globalized economy, progressive development strategies, and guaranteed human rights (Richmond 2004:132). It is of no matter that few developing states presently meet this standard. Engendered by a belief that “conflict in the South is best approached through a number of connected, ameliorative, harmonizing and, especially, *transformative* measures” (Duffield 2001:11 emphasis added), the project takes a universal, problem-solving approach towards producing global liberal peace. In other words, it matters less how the states or societies in question reached their present state of dysfunction and instability than how they *respond* when engaged by the numerous technologies of global liberal governance. Moreover, no state or society is too far beyond the pale to be engaged and transformed; the only question is *how* this is to be achieved.

The elements that comprise the liberal peace, the internal coherence of these concepts, the compatibility of their juxtaposition, and the theoretical underpinnings of the liberal peace, as well as the policy recommendations it engenders, have already been subject to a variety of critiques in vast range of literature, as has the project of global liberal governance itself.<sup>19</sup> Whilst drawing on some of these criticisms, this dissertation does not set out to add to those discussions but, instead, to examine the consequences at one site, Sri Lanka, of this project of global ordering. In other words, it sets out to examine the consequences of liberal peace as a global governmentality encountering other, ‘local’, governmentalities which are also trying to (re)order the warzones of the South according to their own rationalities of rule

## 1.6 Chapter Outline

In defense of the dissertation’s adoption of an ‘analytics of government’ approach to study, Chapter 2 overviews the field of governmentality studies to identify important analytical strengths and weaknesses, particularly with application to the ‘international’, and briefly sets out how this dissertation attempts to draw on the

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<sup>19</sup> See, for example, Dillon and Reid (2000, 2001), Duffield (2001, 2007), Chandler (2006), Richmond (2006, 2007).

former and guard against the latter. It also outlines how an analytics of government can be operationalised in scholarly analysis, through concepts such as problematizations, programmes and ‘fields of visibility’. In thus setting out the analytical approach adopted by this dissertation, the chapter addresses the viability of extending governmentality as a concept and theoretical approach derived from a study of political rationalities in Western – and Christian – settings to the non-West. It also sets out a defence of the dissertation of the thesis in the light of the author’s positionality in relation to Sri Lanka’s politics.

Ahead of the examination of the ‘clash of governmentalities’ that constituted the 2001-2006 international peace intervention in Sri Lanka, Chapter 3 elaborates what is meant, , politically and epistemologically, by the term itself. To this end, the chapter sets the out the notions of government (as the ‘conduct of conduct’) and governmentality as a mode of power which, alongside discipline and sovereignty, and informed by a specific rationality, seeks to foster the wellbeing of a population. In so doing, it discusses the closely related to governmentality concepts of biopower and biopolitics - and explains why the dissertation opts to focus, in its limited space, on examining those governmental rationalities competing in the Sri Lankan milieu and sketching their biopolitical implications, rather than a fuller exploration of the latter.

Chapter 4 discusses three competing rationalities – ‘Sinhala-Buddhism’, ‘Tamil Freedom’ and ‘Liberal Peace’ - that have long informed governmental projects and programmes of rule in Sri Lanka. Although, for reasons of space, the focus of the dissertation is only on the consequences of Liberal Peace and Tamil Freedom encountering each other in the context of the international peace intervention, these cannot be examined without an appreciation of Sinhala-Buddhism, the rationality that has informed the conduct of the Sri Lankan state and Sinhala polity since independence.

The next four chapters examine how these two rationalities informed the conduct of various international and local actors, and how the differences and overlaps between them played out within the 2001-2006 international peace intervention. They do so, in particular, by examining the production of specific objects,

behaviours and subjects within the Sri Lankan space.<sup>20</sup> To this end, they draw on key documents in which these clashing rationalities are to be found embedded and consider a number of constitutive 'speech acts', including, on the one hand, statements by key Western states and organisations, and, on the other, those by the LTTE, Tamil political parties and other Tamil actors. These chapters also examine a number of practices in which these rationalities are embedded, including third-party mediation, ceasefire monitoring, the contest over the agenda for negotiations, the idea of 'federalism', the 'Ponghu Tamil' mass rallies and internationally-funded 'local' initiatives for 'conflict transformation'.

Chapter 5 sets out firstly, to outline the main objects that appeared on the terrains of government for Liberal Peace and Tamil Freedom and, secondly, by contrasting the values, interests and capacities attributed to these objects, to illustrate how this engendered specific points of contradiction, specific clashes. In particular it looks at the problems of government ('problematizations') that confronted Liberal Peace and Tamil Freedom respectively at the start of the 2001-2006 international intervention in Sri Lanka.

Chapter 6 thereafter considers some of the ways in which solutions to the problematizations identified in Sri Lanka in 2002 were subsequently pursued during the Norwegian-led peace process i.e. how efforts were made to close the gap between the ideal and the lacks of the real. The objective here is not a comprehensive examination of the peace process, an impractical undertaking here, but a discussion of some of the more prominent sites of engagement between international and local actors i.e. how various programmes envisaged to address the problematizations engendered by Liberal Peace and Tamil Freedom respectively came to collide in different ways when put into practice during the Norwegian peace process.

Chapter 7 looks at the inculcation of very different subjectivities by Tamil Freedom and Liberal Peace respectively i.e. at how the activities of a range of

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<sup>20</sup> For an examination of how these rationalities compete in shaping the behaviour of Tamil Diaspora communities in Western host states, see Nadarajah 2009.

local and international actors after 2001 sought to shape, guide and direct individuals' and groups' behaviour and actions in particular directions and to define their fields of possibilities such that they could and would become self-governing subjects of Liberal Peace or Tamil Freedom. The chapter thus engages with an inherent contradiction of government: how categories to be governed appear at times as objective realities and at other times as collectivities that do not or do no longer properly exist and thus need to be (re)created.

Chapter 8 considers how seemingly straightforward international practices such as third party led peace processes, serve to constitute objects and subjects of global liberal governmentality. The chapter argues that the production of the LTTE as an actor precariously located on the fringes of political legitimacy gave international processes their import after 2001, enabling conduct of the LTTE's conduct by harnessing its desires and shaping its choices.

Chapter 9 summarises the 'clash of governmentalities' that constituted the 2001-2006 international peace intervention in Sri Lanka outlined in the preceding chapters and briefly examines how the concept of a 'clash of governmentalities' might enable understandings of resistance to governmental rule and on changing relations of force and order in contemporary North-South relations.

## 2. Using Governmentality

Foucault's reflections on governmentality and biopolitics, despite a very limited extent of these being readily available till recently, have since the early nineties increasingly influenced studies in numerous fields of the political and social sciences, but not without either dissimilarity amongst its enthusiasts or criticism, even scepticism, from others. Moreover, despite a plethora of insightful multi-disciplinary works, the efficacy of governmentality, and Foucault's ideas more generally, in studying 'the international' or 'the global' remains a source of disquiet (see, for example, Selby 2007). Whilst the theoretical content of governmentality, of 'rationalities of rule', and their linkages with discipline, sovereignty, subjectification and biopolitics are taken up in Chapter 3, this chapter overviews the field of governmentality studies to identify important analytical strengths and weaknesses, and briefly sets out how this dissertation attempts to draw on the former and guard against the latter. The chapter begins with a defence of the dissertation's use of governmentality and other ideas Foucault arrived at while studying politics *within* the European state, to study a prototypical aspect of contemporary *international* politics, external intervention to produce liberal peace in peripheral warzones. The second and third parts of the chapter, drawing especially on the works of Mitchell Dean, Nikolas Rose and Peter Miller amongst others, discusses briefly how governmentality and 'a clash of governmentalities' can be operationalised in scholarly analysis, through concepts such as problematizations, programmes and so on. The last section briefly sets out how this methodology has been applied in this dissertation to the Norwegian-led intervention in Sri Lanka from 2001 to 2006.

### 2.1 Governmentality Studies

Governmentality studies began flourishing in the 1990s (Larner and Walters 2004b:3), influenced by two important edited volumes (Burchell et al 1991, Barry et al 1996) and a seminal article by Rose and Miller (1992). The focus of many governmentality scholars of the time was an emergent rationality of rule that had been changing the social, economic and political landscape within Western states



since the late seventies: neoliberalism or advanced liberalism. Rather than treating neoliberalism as an ideology, philosophy, normative theory or refinement of the capitalist agenda, these studies examined it as a *rationality* of rule informing and directing the conduct of individuals as well as entities within and beyond the state, and thus configuring our political present (Larner and Walters 2004b:4).

Similarly, studies by Cruikshank (1994, 1999) and Fraser and Gordon (1994) examine how the conduct of disparate individuals and groups categorised together as 'the poor' is conducted by disparate actors – not just 'the state' - via arts of government such as 'empowerment', 'self-esteem' and 'dependency'. Dean (1999) and Rose (1999) have produced substantial works on power and rule in today's Western societies, studies which have also further developed governmentality as an analytical framework. In recent years, governmentality studies have received a powerful new impetus from the publication in English of three more of Foucault's lecture series - 'Society must be defended: lectures at the College de France, 1975-76' (2003), 'Security, Territory, Population. Lectures at the Collège de France 1977—1978' (2007) and 'The Birth of Biopolitics: Lectures at the College de France, 1978-1979' (2008) – in which governmentality and the closely related concept of biopower/biopolitics are laid out and extensively elaborated upon.

The use of governmentality to study aspects of 'the international', however, was slow in coming. As Larner and Walters (2004b:5) note in the introduction to '*Global Governmentality*', it is paradoxical that the study of the phenomenon of 'globalisation' was exploding in the same period as governmentality studies was flourishing, yet there was little intersection between them. They suggest one reason is the disciplinary backgrounds of the earlier governmentality scholars – such as sociology, education and criminology – which traditionally focus on local and national systems of rule. The slow uptake in international studies, however, is not due to a limitation of governmentality itself, as discussed below. Rose and Miller (1992:178), insisting that governmentality, as analytical approach, "applies as much to geo-political issues as to those within any national territory", point out that even war, the quintessential concern of International Relations, is itself dependent upon certain practices of conducting conduct, including the elaboration of notions of sovereignty over territory unified by language and law, the

constitution of persons as owing allegiance to specific identities and authorities and so on. Moreover, as the recently published lectures reveal, in Foucault's thinking through the history of emergence of governmental power (and especially its liberal and neoliberal forms), Foucault was also interested, even if he did not focus on them, in archetypical questions of the 'international': Westphalia and the 'balancing' of European powers, colonisation and imperial power, globalisation of markets and of politics, Europe as a 'collective subject', maritime law, international institutions and organisation, international aid and post-war reconstruction, and so on (see, for example, 2008:51-70,78-79, 2007:289-306). Indeed, he explicitly, albeit briefly, applies governmentality, and competing rationalities no less, to explain the rival strategies of England and Austria to shape the Congress of Vienna— the former seeing Europe as an economic region in a global market (between which England, as a world power, mediates), the latter seeing Europe as a set of great powers which must be balanced for a stable peace (2008:60).

In any case, this initial domestic orientation of governmentality studies has now changed. The eclectic contributions to *Global Governmentality* deal with many issues of traditional concern to international studies such as war, peace, refugees, world order and European integration. The number of articles and book-length works using governmentality to analyse international issues is growing, revealing important taken-for-granted aspects of international studies as contingent and transient.<sup>21</sup> Ferguson and Gupta (2002) use governmentality to examine how states came to be understood in the first place as entities with particular spatial characteristics. Walters and Haahr's (2005) study of the genealogy of European integration explains how 'Europe' became a calculable, administratable domain — and thus challenge foundational assumptions of the field of 'European studies'. Neumann and Sending (2007) even see 'the international' as governmentality, a conceptualisation revisited briefly later below.<sup>22</sup>

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<sup>21</sup> See for example, Bigo 2002, Brigg 2001, Duffield 2007, Fraser 2002, Hindess 2000, 2002, Larner and Walters 2002, Li 2007, Lipshutz with Rowe 2005, Lui-Bright 1997, Ong and Collier 2005, Salskov-Iverson et al 2000 amongst others.

<sup>22</sup> Foucaultian ideas, more generally, have influenced important studies of the international in fields as diverse as international security (Campbell 1992, Elbe 2006), asylum and migration (Bigo 2002, Husymans 2002), international regimes (Keeley 1990), international organisations

## Governmentality and 'the international'

Reflecting the discipline's positivist orientation and oft-overt resistance to Foucaultian and poststructuralist ideas more generally, the uptake of governmentality in IR has been slow. Selby, for example, argues emphatically that "there are clear limits to the use of Foucault in theorising international and world politics" and concludes that if Foucault's work is to be used "more effectively" within IR, it "needs to be situated within a framework which is cognisant both of the *structural* dimensions of power, and the *specificity and irreducibility* of the international" (2007:324, emphasis added). He also suggests that the enabling framework could be a Marxist one (Ibid). Whilst built on contestable foundations, not all of which can be engaged with here, Selby's acerbic charge is worth examining in defence of this dissertation as it turns on common, if not always so explicit, assumptions about Foucault's work: firstly that, conducted within the container of the nation-state, it does not translate or 'scale up' into the international arena and, secondly, that it is essentially a critique of liberal capitalist societies and thus, when applied to the international, brings inbuilt and thus untenable liberal assumptions with it. The latter criticism mirrors, on much the same grounds, an assumption 'governmentality' refers to a necessarily *liberal* rationality of rule, an assumption rendered erroneous by Foucault's own discussion of governmentality (2008:61, see discussion in Chapter 3 below).

To begin with, Foucault's ideas do not constitute a theory of politics; indeed he rejects the use of overarching ('global' or 'totalitarian') theories, arguing that whilst these provide 'useful tools', they rely on existing 'knowledges' and, thus, have ultimately "proved a hindrance to research" (1980d:80-1). Instead, he urges an approach of critical examination with a 'local character' - i.e. detailed empirical work - and celebrates the "insurrection of subjugated knowledges," which, he argues, 'localized' research enables (1980d:81).<sup>23</sup> This is not, however,

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(Merlingen 2003), peacekeeping (Zanotti 2006), North-South relations (Doty 1996), world order (Hardt and Negri 2000, Dillon and Reid 2000, 2001, Sending and Neumann 2006) and so on, and led to the 'post-development' debate (Ferguson 1994, Escobar 1995).

<sup>23</sup> By 'subjugated knowledge' he not only means the 'historical contents' that have been 'buried and disguised' by the masking order imposed by what he terms 'functionalist or systemizing

to settle for a “naïve or primitive empiricism” nor to dabble in “any and every kind of theoretical approach,” but is rather the pursuit of a “localized, non-centralized kind of theoretical production, one ... whose validity is not dependent on the approval of established regimes of thought” (1980d:81). The point here is that Foucault’s work provides a diverse and not integrated (Rose 1999:23) set of tools for analysis, rather than a set of theories; tools which may, *depending on the questions being asked*, be combined with those ‘useful’ ones provided by ‘totalising’ theories. In other words, the research question decides if - and which - other frameworks can be useful, contra Selby’s conclusion that Foucaultian ideas are useful only if situated in a structural framework. For example, studying two centuries of attempts to shape livelihoods, landscapes and identities in Indonesia Li has ‘complemented’ Foucault’s ideas with Marxist and Gramscian thought, as well as anthropological field work - but she makes clear that she “tolerate[s] the untidiness and tension introduced by different theoretical traditions because of the *distinct* questions they pose and the *tools* they offer to guide my analysis” (2007:19, emphasis added). This dissertation, concerned with examining the consequences of clashing governmentalities in the Sri Lankan warzone, does not draw explicitly on a ‘global’ theoretical framework, arguing, after Rose (1999:279), that “we need no ‘theory of resistance’ to account for contestation, any more than we need an epistemology to account for the production of truth effects – except if we wish to use our theory to ratify some acts of contestation and to devalue others.”

The main problem with Selby’s argument against applying Foucaultian ideas to the international is his assertion of ‘the specificity and irreducibility of the international’ – something Foucaultian and other poststructural scholars will reject as their point of departure, arguing, as Rose and Miller put it, that “inter ‘national’ relations are *constituted* in a military-diplomatic complex, through complex processes that empower particular agents and forces to speak and act in the name of territory” (1992:178, emphasis added). These processes (read material and discursive practices) they argue (Ibid),

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thought’, but, more importantly, he also means “a whole set of knowledges that have been disqualified as inadequate or insufficiently elaborated” (1980a:81-2).

“establish the limits of and coherence of the domains of political authority, demarcate geographical and conceptual spaces of political rule, constitute certain authorities as able to speak for a population and place them in particular ‘external’ configurations with other ‘states’ and internal relations in particular locales”.

Indeed, even the avowedly Marxist scholar, Benno Teschke, challenges the “cross-paradigmatic IR consensus that equates the Westphalian Settlement with the codification of modern international relations” and, through an empirical historical survey, ultimately argues that “the nature and dynamic of geopolitical systems are governed by the character of their constitutive units that institutionalize specific social property relations prevailing within them” (2002:5,9). Selby does not deny that the international is constituted but defends its ‘specificity and irreducibility’ on a claim that the effects of discourses of ‘nation-state’, ‘sovereignty’, ‘anarchy’ and so on have now become so sedimented as to be robustly persistent (2007:336-7). In other words, because the inside-outside dyad has *become* a commonsensical basis for international and domestic practices, it is ‘irreducible’. Selby’s criticism is thus simply a positivist response to a poststructural charge: the latter says it need not be this way, the former says it (now) simply *is*.

That the practices of international order can change – or in the case of global liberal governance, *must* change – is not just a poststructuralist stance, as underlined by Teschke’s observations above or the call to arms in the name of global peace by triumphant liberals like Fukuyama (1992) and Mandelbaum (2002). Moreover, Selby criticises Foucault-inspired writings on global order such as Hardt and Negri’s (2000) or Dillon and Reid’s (2001) for, firstly, mistakenly reading the international as a *liberal* space and, secondly, for “over-stating ... the unity, evenness and indivisibility [of world order]” (Selby 2007:336). However, this criticism turns on equating global liberalism, a sweeping biopolitical and governmental *project*, to a liberal *world*. The self-evident incompleteness of global ordering then becomes criticism of claims of a project to this end, firstly, and, secondly, of Foucaultian ideas for engendering such a conception (Selby

2007:337). Neumann and Sending (2007), meanwhile, conceptualise the international as “a socially embedded realm of governmentality [which] sees the international as a structure (defined by relations of power) that generates different and changing practices of rule (defined as governmental rationality)” (2007:700, insert added). Hindess (2000a, 2000b, 2002) examines the inter-state system as constituting a dividing practice at the level of the global population and Barry (1993) looks at how this appears as a problem for European ‘integration’. Neumann and Sending also point out that the international today is a political sphere increasingly defined by liberal norms, a process that “transforms the *modality* of governing” (207:698, emphasis added). Adopting an ‘analytics of rule’ approach, they see

“a network of liberal norms that shapes the identities and behaviours of states [and which] may be seen as a global system of indirect forms of power that guide, shape and foster specific types of not only states, but also other polities, as well as individuals. It sets up standards of behaviour for individuals and models of institutions to be implemented and followed *by all good members* of the international community” (2007:699, emphasis, inserts added).

That governmental goals are unevenly achieved and are resisted, or that governmental programmes are subverted or appropriated, is well recognised, even anticipated, by governmentality approaches.<sup>24</sup> Indeed, it is not the *extent* of rule, but the rationality and the practices of effecting rule (within, between, across and above territorial states) that governmentality studies are most concerned with. Selby singles out governmentality when he criticises Foucaultian tools, which he acknowledges can help explain the ‘how’ of power, for however not being able to explain the ‘when’, ‘where’ and (most significantly, according to him), the ‘why’ of power (2007:337). Governmentality, he suggests, can explain how populations are administered or subjects constituted in say, modern Turkey, or the disciplining

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<sup>24</sup> See, for example, Miller and Rose 1990:10, Burchell 1993:273, Valverde 1996, especially O’Malley 1996b

of African states into ‘good governance’, but cannot explain why the Turkish state is more governmentalised than the Syrian one or why there is so much ‘bad governance’ in Africa (his examples). Firstly, this criticism stems from an erroneous assumption that there can be only one rationality of rule within which states can be imbricated (ironically, it is Selby here who makes an implicit assumption about Foucault and liberalism). However, it is entirely possible the Syrian and Turkish states are governmentalised along different rationalities and different conceptions of the ‘right disposition of things’ (a point taken up in Chapter 3). Secondly, it equates the (present) absence of a governmentality-derived answer to the impossibility of one: there is no reason why a study that excavates the various rationalities of rule embedded in governmental projects in the Turkish, Syrian and African contexts and thereby examines the mechanisms through which these are pursued, resisted, subverted and appropriated, cannot adequately pursue such questions. The *sine qua non* however, is solid empirical work, a point taken up below. Moreover, these are challenges to which this dissertation, which examines the notions of ‘multiple rationalities’ and ‘clash of governmentalities’ vis-à-vis international practices, responds directly.

## **Governmentality and the ‘non-West’**

An important question for this dissertation is the viability of extending the concept of governmentality, developed through Foucault’s study of political rationalities in the Christian West, to the non-Western context of places like Sri Lanka. This is underscored by the importance of Christianity, in Foucault’s elaboration (2007, chapters five to seven), for the emergence and development of governmentality, which he traces through the pastoral logics that provided the backdrop for the emergence of the modern administrative state and enervated its functionings.<sup>25</sup>

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<sup>25</sup> Although Foucault sees the development of the theme of pastoral power as having originated in the (Mediterranean) East, and especially in Hebrew society (2007:123, 364) – he asserts “the origin of the idea of a government [i.e. conducting the conduct] of men should be sought in the East, in a pre-Christian East, first of all, and then in a Christian East” (Ibid:123, insert added) – nonetheless, he considers the Christian pastorate – spread in the West through the Roman Empire – as “essentially different” from any other, on account of its institutionalization and development since the third century which gave rise to “an immense, ... dense, complicated and closely woven institutional network,” one that was coextensive with the entire Church and so with Christianity, with the entire Christian community” (Ibid:130, 164). Given the all penetrating grip of the

Moreover, these concerns are situated in the wider problematic of Foucault's alleged Eurocentrism, the intense debate about which has been ongoing for over two decades. The charge springs mainly from the lack of any substantive discussion of colonialism, and the limited attention to race, in Foucault's work (Young 2001). It is held, consequently, that Foucault tended to universalise from necessarily limited French case studies (Said 1984), that he did not acknowledge the extra-European origins of the power techniques he studied (see for example Stoler 1995), and that his diffuse conception of power denies intentionality of domination and precludes agency for resistance, thus reproducing the colonial domination of the colonised (Spivak 1988). Positing as 'striking' Foucault's supposed silence on race and colonialism, not least given his contemporaries (Sartre, Fanon, Althusser, etc) and the events of the day (French defeats in Vietnam, Algeria's war, and a host of national liberation struggles), Young avers: "in fact, Foucault's work appears to be so scrupulously eurocentric that you begin to wonder whether there isn't a deliberate agenda involved" (2001:395-6).

So there are two distinct questions in all this. Firstly, is Foucault's work actually Eurocentric? Secondly, and more importantly, does this alleged Eurocentrism, if indeed it does exist, preclude the use of his analytical tools, especially governmentality, in the non-West? Without rehearsing again the debate about Foucault's alleged Eurocentrism, it is worth noting here why, and how, Foucauldian analysis makes possible productive governmentality-based study of non-Western spaces as well as the excavation there of, in his words, 'subjugated

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Christian pastorate on "the material, temporal, everyday life of individuals", and how "it took charge of "a whole series of questions and problems concerning material life"(Ibid:229-230), for Foucault, the pastorate "sketch[es] out, or is the prelude to," the emergence of the forms of conducting men that arose in the sixteenth century *outside* ecclesiastical authority (i.e. in the 'public' - i.e. 'political' - domain), those forms of conducting conduct undertaken through political institutions and which he terms governmentality (Ibid:184, 230, 320). In other words, "with the Christian Pastorate, we see the birth of an absolutely new form of power" (Ibid:183-4), by which Foucault means a power "exercised on a multiplicity, rather than a territory", and for the purpose "of those it is exercised over, rather than a superior unit, like a state or sovereign", and directed at all and each, rather than the whole they comprise (Ibid:129). The Christian pastorate thus provides the "historical background" for the development of governmentality, a mode of power whose entry into politics in the sixteenth century, Foucault argues, "marks the threshold of the modern state" (Ibid:165). However, he points out, "there was not a transition from the religious pastorate to other forms of conduct, conduction or directing. [Instead] there was an intensification, increase and general proliferation of this question [of conducting men] and of these techniques of conduct" (Ibid:231, inserts added).



knowledges.’ To begin with, it is argued here that, as demonstrated by Foucault’s recently published lecture series, which include pointed discussions of race (see especially 2003) and, to a lesser extent, colonialism, the Eurocentricity or otherwise of his work depends on what is read into the silences and gaps seen in it. At a more foundational level, as Young points out, “it is possible to see that Foucault’s account of power is particularly suited to the analysis of racism and racialism” (1995:14).<sup>26</sup> In any case, race was clearly part of Foucault’s research agenda, even if not addressed extensively in his published work (which, it is now recognised, only puts forward a small part of his wide and developing research). Notably, race is crucial to his work on biopolitics, as well as war (2003, chapter eleven). As discussed in *The History of Sexuality* and Foucault’s 1976 lecture series, published posthumously as *Society Must be Defended* (2003), race is also essential in relation to the constitution of the discourse of sexuality. As Young (1995:11) notes, “racism, for Foucault, is not a phenomenon in Western society that can be safely compartmentalised as an aberration, but constitutes an expansive part of the general production of sexuality.” Ann Laura Stoler (1995) has critically developed these extensive thoughts – which she aptly terms “a genealogy of the discourse of race” – by extending them into imperial settings (the Dutch East Indies). Foucault also engages extensively with racism, ‘race war’ and also the state – state racism, especially Nazism (2003). Crucially, Foucault argues, it is racism that makes acceptable, and thus possible, the mass slaughter of modern war – not only in terms of the destruction of the enemy (population), but also the sacrifice of those in the state’s charge – by the biopolitical state committed to fostering the wellbeing and vitality of its population (2003:256). Secondly, Foucault is neither blind to colonialism nor to how it is a mutually constitutive experience for the colonising metropole and colonised periphery – the point of departure for much postcolonial scholarship. Indeed in the 1975-6 lecture

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<sup>26</sup> Notably, Foucault argues that ‘racism’ – as he theoretically conceives of it – first develops with colonization and colonial genocide (2003:257). For Foucault, ‘racism’ is not manifest merely as the mutual contempt of hatred between races, but at an even earlier, deeper step: the division of the biological continuum of the human race into ‘racial’ distinctions and hierarchies, between good and inferior subsets of humanity. Racism is thus the introduction of a break into the biopolitical domain, a break between ultimately “what must live and what must die”, the latter ranging from ‘enemy races’ to criminals who must be executed (Ibid:254-5, 258).

series, he explicitly recognises the impact colonial practices came (back) to have on the juridico-political structures of the West:

“It should never be forgotten that while colonization, with its techniques and its political and juridical weapons, obviously transported European models to other continents, it also had a considerable boomerang effect on the mechanisms of power in the West, and the result was that the West could practice something resembling colonisation, or an internal colonisation, on itself” (2003:103).

South Asia, the region of focus for this dissertation, provides quintessential examples of what Foucault terms the ‘boomerang effect’. From the late decades of the eighteenth century the British presence in the subcontinent, and British relations with South Asians, began to assume the proportions of formal colonial dominance, from a trading presence. By the middle of the nineteenth century this dominance was being exercised through a territorially bounded and recognisably modern administrative state that was legally defined as a subordinate part of the British Empire. The colonial state in both India (the territory of today’s Pakistan, India and Bangladesh) and Ceylon exercised its rule through governmental and biopolitical techniques and institutions that are similar to, but certainly not identical to, those being exercised in Britain.<sup>27</sup> What is notable, however, is that whilst, as Prakash discusses (2000), there were clear differences in the biopolitics of the two spaces with obvious racial hierarchies and a much greater emphasis on repression (sovereign power) in the colonies, many techniques and tactics of governmentality were often pioneered in the subcontinent and only later deployed at home. In Britain, for example, there was a close connection between important liberal reformers and India<sup>28</sup> and many aspects of the liberal reform agenda were implemented there before being exported back to Britain. Thomas Metcalfe argues that while in Britain liberal reforms were opposed by manifold organised interests,

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<sup>27</sup> For example, the first comprehensive plan for a ‘rule of property’ in Bengal, drawn up in 1776 by Philip Francis of the Supreme Council in Calcutta, was inspired by a physiocratic vision of the land and the landed gentleman farmer as the source of prosperity.

<sup>28</sup> For example both James Mill and John Stuart Mill were employed by the East India Company.

in India “by contrast, a conquered people could not as easily protest measures introduced for their presumed benefit” (1994:29). As a consequence,

“India could become something of a laboratory for the creation of the liberal administrative state, and from there its elements – whether a state sponsored education, the codification of law, or a comprehensively chosen bureaucracy – could make their way back to England itself. Away from the contentious political environment of England, liberalism, as a programme for reform, developed a coherence it rarely possessed at home.”

The nineteenth century programme of liberal reform was built on an increasingly explicit pastoral logic that had entered British colonial rule since the late eighteenth century – in the same period Foucault sees biopower emerging in Europe (2003:242).<sup>29</sup> This was particularly apparent in the speeches and writings of Edmund Burke who insisted that the East India company could no longer behave as rapacious merchants but must instead construct a government that ruled in the interests of the Indian people (Metcalf 1994:17-21). The idea of managing the population came thereafter to explicitly frame the British exercise of power over Indian societies. As Burke put it, “the prosperity of the natives must be previously secured, before any profit from them whatsoever is attempted.” (Metcalf 1994:19). Moreover, as David Arnold sets out, during the nineteenth century the Indian army and the colony’s jails became “exceptional sites of medical observation and control”, while massive public health measures were initiated as a guard against the plague epidemic, and small pox vaccination became a sign of the colonial government’s benevolence (Arnold 1993:113, 135, 203). At the same time, despite the repression that underpinned it, there were also visible limits to what colonial rule could achieve, limits born of the sort of passive local resistances that Foucault has termed ‘external blockages’ (Foucault 2007:194). For example, despite their ambitions to create a class of Indians that were English in taste, opinions, morals and intellect, the British had to fashion a

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<sup>29</sup> Given that the fundamental logic of the colonial state ultimately still remained one of strengthening and enriching the imperial centre, this shift could be seen, as Foucault puts it, as “an intensification, or internal refinement of this *raison d’Etat*: it is a principle for maintaining it, developing it more fully, and perfecting it” (2008:28).

policy of neutrality in what education they could institutionalise (Metcalf 1994:39 – 40). Whereas in Victorian England all education was religious, a fear of religiously inspired revolt prevented the colonial state from introducing Christianity to the schools in India, so the state resigned itself to providing ‘neutral’ - i.e. teaching none, rather than all religions - secular education instead (Viswanathan 1990).<sup>30</sup> Moreover, by the 1860’s the British had instituted a bureaucratic system of law, one which involved both the systematic codification of both Hindu and Muslim personal law (that began in the late eighteenth century) as well as codes of procedure for both civil and criminal law. The decolonisation of South Asia shortly after the Second World War, resulted in the transfer to the formerly colonised peoples’ hands of extensive, and long-standing, modern administrative structures that were imbued with many of the logics, attitudes, calculations and ambitions of the colonial era. The trajectories of individual states is varied thereafter. For example, India remains avowedly secular, whilst Pakistan is an Islamic republic and Sri Lanka has imposed Buddhism as having a ‘foremost place’. The Indian Penal Code is “hugely influenced by Bentham” (Stokes 1959:229 – 234), and although instituted in 1860, it remains the basis for penal codes in post-independence India, Pakistan, Sri Lanka and Bangladesh. In his study of the Indian Army (which notably had not fought for independence, but had instead put down rebellions by fellow Indians against British rule), Stephen Rosen notes how once liberated from British control, it “did not develop a Hindu character” (as might be expected of an institution drawn from a predominantly Hindu society), but continued many of its practices of recruitment, patterns of unit composition and military organisation, meaning that it remained essentially a collection of small, close-knit and inward looking military communities – something he suggests precludes large scale, sustained warfighting (1996:199,

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<sup>30</sup> This was in contrast to Ceylon, where David Little argues the British “played a distinctive role in the ‘full scale ideological attack on Hinduism, Buddhism and local folk traditions.’” (1994:12). This was led by missionaries - whose “most successful weapon was education” – but they were assisted by the colonial government. In Sinhala areas, government and church-run schools displaced traditional Buddhist education, stripping the monks of one of their primary functions in Sinhala society. There was a more important consequence, in light of the Sinhala-Buddhist revival that was to follow: as Little points out, “the [British] government’s general attitude of neutrality in religious affairs was quite alien. According to Sinhala tradition, it was not enough for the government to refrain from interfering religion and provide some legal protection. The government needed to take a more active role. ... Severing the connection between Buddhism and the state became an important source of [Sinhala Buddhist] resentment” (Ibid, insert added).

262).<sup>31</sup> Moreover, he argues, “it had to do so in the face of the same Indian social realities that faced the British” (Ibid).

In summary, after decolonisation in South Asia, both the colonisers and colonised remained profoundly marked - culturally, politically, institutionally, and so on - by the colonial experience, in myriad, mundane and often unnoticed ways. In other words, while decolonisation effected a radical change in the legal relationship of imperial subordination, the institutions, technologies and forms of rule instituted during the colonial period remained in place and formed the basis of state-society dynamics in the post colonial period, at least initially. ‘European’ techniques of governmental management that were transferred or created, become rooted and mutated – to varying degrees – in the non-West. At independence, Ceylon, for example, inherited a Westminster style parliament as well as a civil service bureaucracy and a ceremonial military modelled on the British ones (as chapter 4 discusses, the inexorable ‘governmentalisation’ in Sinhala-Buddhist terms of the Ceylonese, then Sri Lankan, state began soon after). It is also worth noting how, even after decolonisation, most British colonial possessions retained close links with Britain (symbolised by the Commonwealth). The Royal Military Academy at Sandhurst has continued to provide much the officer training for the post-independence Indian Pakistani, and, till the mid-nineties, the Ceylonese/Sri Lankan militaries, for example. Quite apart from these specific instances of ongoing links between the decolonised and the former colonisers, the collective colonial experience spans virtually the entire globe: every state or people has been involved – as coloniser or colonised - or been indirectly affected by these experiences. Neither are they isolated from each other after decolonisation: these peoples and states are also now increasingly enmeshed together in the flows of ‘globalisation’ wherein the perpetuation and refinement of Western – i.e. ‘modern’ - administrative state structures and practices is promoted and

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<sup>31</sup> Ceylon inherited a small, ceremonial, multi-ethnic army modelled on British lines. However, the governmentalisation of the Ceylonese state followed a different trajectory: In 1962, a policy of recruiting only from the Sinhalese Buddhist community was instituted – “the beginning of an ethnically pure army” (Blodgett 2004:54). The transformation of the military included the adoption of Buddhist rituals officiated by leading monks and the naming of its regiments after Sinhala warrior-kings famed for defeating Tamil enemies (Bartholomeusz 2002). See discussion in Chapter 4.

compelled by a range of international actors and forces in the service of an emergent, if resisted, global liberal order.

In conclusion, this section has sought to lay out why, and how, a governmentality-based analysis makes possible the productive study of non-Western spaces. Whilst the debate about Foucault's Eurocentricity will no doubt continue, what the above nonetheless makes clear is that Foucauldian thought, and in particular governmentality and biopolitics, is well suited to exploring the changing relations of governance, power, subjectification and resistance in the non-West. Indeed, as Legg (2007:266) points out, Foucault's work has successfully been used to analyse postcolonial relations throughout the world, including studies of Latin America (Trigo 2002, Outtes 2003), Africa (Mbembe 2001) and, of particular significance for this dissertation, South Asia.<sup>32</sup> Important postcolonial critiques of development and this discourse's (re)production of the 'Third World', including Ferguson's *'The Anti-politics machine'* (1994), Escobar's *'Encountering development'* (1995) and Dubois' *'The Governance of the Third World'* (1991), have also used Foucauldian tools. Governmentality and biopolitics have been fruitfully deployed in studying the non-West (e.g. Legg 2006, Li 2007, Prakash 1999, Watts 2003) and indigenous peoples in the West (O' Malley 1996). These, as an aside, have been undertaken by both Western and non-Western scholars. Notably, despite his criticism, and later rejection, of Foucault, it was from the white Frenchman's analytical tools that Said drew for his seminal work, *'Orientalism'* (1978). Above all, given that Foucault does not put forward an all-encompassing theory of power but a set of analytical concepts and tools, it is for the scholar to judiciously use these in a given area of study. As Said himself notes, "scholars and critics who are trained in the traditional Orientalist disciplines are perfectly capable of freeing themselves from the old ideological straitjacket" (1978:326).

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<sup>32</sup> Indeed, Legg also notes that South Asia's predominance in postcolonial theory may itself be a problem, globalizing the experiences of a few colonies – though comprising a large number of diverse peoples – into the universal experience of the colonised (2007:266).

## 2.2 Studying Governmentality

### Beyond conventional analysis

Governmentality studies have distinct advantages over conventional analysis. Firstly, they avoid ontological presuppositions either about individuals or about collectivities (Valverde 1996). They also see the theories, ideas, philosophies and knowledges that government draws upon as social and cultural products (Dean 1999:16). As Larner and Walters (2004b:3) note, as with other poststructuralist approaches, governmentality studies view power as fragmented, insist on the constitutive nature of language and view agency in terms of contingent rather than fixed subjectivities. The study of mentalities of rule is thus sharply distinguishable from sociological and historical approaches. The latter seek to observe and document ‘what *actually* happened’ (i.e. the historic detail of implementing government) or ‘what government is *really* about’ (i.e. the concealed interests or underlying explanatory factors explaining governance), while the former seeks to understand “how government is *thought* into being, how practitioners of rule think about how best to govern, what concepts they invent or deploy to render their subjects governable,” and so on (O’Malley et al 1997:502, emphasis added; see also Rose 1999:20). Governmentality can thus be seen as a ‘mid-range explanatory level’ between political philosophy and the empirical study of social relations (Ibid:504). There can be, however, some negative consequences to this approach. Firstly, as O’Malley et al note, it can reduce politics to ‘a mentality of rule’, resulting in “an insensitivity to social variation and social heterogeneity” i.e. the understating of the incoherence of power (Ibid, Larner and Walters 2004b:4). A second problem is that in a governmentality framework, as O’Malley (1996b) points out, resistance to power can appear as merely the *failure* of government – i.e. “a negative externality” to rule - and is thus marginalized from analysis. These concerns, which are addressed in Foucault’s own discussions of governmentality in his lectures, are briefly looked at here.

Governmentality studies seek to analyse politics by de-centring institutions i.e. ‘cutting off the king’s head’. The way forward, thereafter, is to explain “how ...

his headless body often behaves as if it indeed had a head” (Dean 1994:156). The theoretical object of governmentality analysis is thus one of political rationalities and the technologies of government. It is amid this focus on the workings of loose and fluid networks of governance that the incoherence of power or the dynamics of resistance can escape scrutiny and the problematization of *effects* or the *costs* of government can be neglected (O’ Malley et al 1997:509). This is not to say governmentality study cannot be critical; indeed, as O’ Malley et al (Ibid:507) point out in their article ‘*Governmentality, criticism, politics*’, their protest is not that critique is not immanent or explicit in governmentality study or that the rhetoric adopted often appears “more neutral” than Foucault’s, but that critique is *limited* in form and extent. However, whether this is a failing depends, as noted earlier, on what questions are being asked, and to what ends. If the objective is to identify a rationality of government and elucidate how it is guiding conduct ‘at a distance’ through de-centred networks of power relations – i.e. to show how a headless body behaves as if it had a head - then a governmentality approach is invaluable. If the objective is to explain why government does not succeed or examine other aspects of the messiness of politics, or to make emancipation possible, then something more needs to be done with governmentality as a framework of analysis.

Towards an explicit programme of emancipation, O’ Malley et al (1997:505), for example, call for a new conceptualisation of *politics*, not “as simply a source of programmatic failure and (later) redesign,” but “as relations of contest or struggle which are constitutive of government”. In other words, they urge scholars to go beyond merely identifying programmes of rule and to engage with the messiness of their implementation (Ibid:512) - something which Foucault himself argues for in his discussions of ‘counter-conduct’ (2007: 194-216). This entails, as they openly and strongly urge, not only the analyst taking up an explicitly critical stance, but asking questions about how this can be carried into emancipatory practices. Some scholars engage with contestation by complementing Foucault’s ideas with those of Marx or Gramsci - Li (2007), for example, seeks to explain not only how the poor are produced but also why some are impoverished and others not. This dissertation takes a different approach. It sees important aspects of the messiness of politics deemed to be failures of one form of government, as also



*successes* of another governmental ambition and vice-versa (see Chapter 4) and as the outcomes of competing governmental projects. It is in this way that the notion of a 'clash of governmentalities' produces analytical traction and illuminates emancipatory dynamics. The aim of this dissertation is not to theorise resistance itself, however (that is, of course, a research project in and of itself) but to use a governmentality framework to engage with contestations that sometimes lead to high-intensity violence, without explicit recourse to tools from other frameworks or, as noted earlier, without setting out to ratify some acts of contestation and to devalue others.

Finally, as Larner and Walters (2004b:3) point out, a key strength of governmentality research, given its concern with the technical micro-practices of power, is that it has been "more historical and avowedly empirical in its orientation" than much of poststructuralism. Conceptual devices such as strategies, problematizations, programmes, technologies and techniques (see below) enable explorations of the "contingencies of the systems of power that we inhabit – and which inhabit us – today" (Barry et al 1996:4). However, as these devices do not comprise a theory in themselves (despite Merlingen's (2006) celebration of 'governmentality theory'), they also depend on an substantial engagement with empirics to provide answers. The difficulties associated with any empirical research are thus heightened here. For example, governmentality studies rely to a great extent on *texts*. As O' Malley et al (1997:501-2) point out, the study of rationalities of rule is undertaken through examining and elaborating texts of rule - empirical records of governmental plans, programmes (ideas for solutions to problems of government), self-interrogations and so on. Moreover, even efforts at governing (i.e. how assemblages of practices, materials, agents, techniques - i.e. 'technologies' - are deployed to put rationalities into effect) are studied by looking at the textual records of these processes (Ibid). However, the limitations so engendered are surmountable by observation and interrogation of the mundane practices of various agents on the terrain of government i.e. by seeing how, and which, rationalities are embedded implicitly and explicitly in (self) interests perceived, values held and actions taken by actors operating 'at a distance' from centres of power. As Stephen Legg puts it, a Foucauldian analysis requires a study of texts "should be situated at the contact zone of materiality,

bodies, objects and practices” (2007:273). As discussed below, this dissertation draws not only on key texts in which can be found embedded different rationalities of rule in Sri Lanka, but also on numerous interviews and many more conversations held with a variety both practitioners and subjects of government<sup>33</sup>, the author’s first hand observations of several events and practices that constituted ‘Sri Lanka and the international’ from 2001 to 2006, as well as a detailed following of developments throughout that period.

## **Problematizations and programmes**

Studying governmentality is therefore about examining how *thought* operates within organized ways of *doing* things – ‘regimes of practices’ – as well as its ambitions and its effects (Dean 1999:17-18). The term ‘regimes of practices’ (Foucault 1991c:75) refers to the historically constituted assemblages through which it is possible to do such things as cure, care, punish, educate or counsel (Dean 1999:30). They are the institutional practices (“the routine and ritualized way things are done in certain places at certain times”) *as well as* the “different ways in which these ... can be thought, made into objects of knowledge, and made subject to problematizations [i.e. critiques for reform]” (Ibid:21, insert added). From an analytical perspective, there are two important, inter-linked dimensions to governmentality, which Li (2007) labels ‘*problematization*’, i.e. identifying deficiencies of government that need rectifying, and, after Rose (1999), ‘*rendering technical*’ i.e. attempting to deal practically with these required rectifications. These two dimensions can also be equated to ‘a set of political rationalities’ and ‘a set of technologies of government’ (Rose and Miller 1992, Rose 1999, Dean 1999, Salskov-Iversen et al 2000). There is, of course, a close, albeit not direct, connection between political rationalities and technologies of government, or between ‘problematization’ and ‘rendering technical’, but it is analytically useful to separate them.

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<sup>33</sup> These are not, of course, exclusive categories, even within the same political rationality. For example, in advanced industrial countries, the language of ‘entrepreneurship’ is being applied to the activities of state departments. For example, schools, while getting government funding, are meanwhile expected to ‘compete’ in a market of education provision (see Burchell 1993:274-5, Rose 1993).

Political rationalities are the thoughts and representations involved when problems of government are defined and when appropriate fields of intervention are chosen. Examples might include the various ways in which government by the state has been organized within Western states, including 'liberalism', 'welfarism' and 'neo-liberalism'. Rationalities are rarely explicit, however, but are to be found *embedded* in governmental discourse – i.e. in strategies, policies, plans, projects, white papers, green papers, studies and recommendations by academics and experts, and so on. Problematizations pose the obligations of rulers in terms of the problems they seek to address and perpetually recasts these problems in terms of the difficulties and failures (i.e. the discrepancy between ambition and outcome) of government (Rose and Miller 1992:181, 191); it shapes what are counted as problems, what as failures and what as solutions (Rose 1993:285). Examples of governmental problems might include unemployment, youth knife crime, an uncompetitive economy, 'moral decay' in society or 'global warming'. Even successes of government can lead to new problems to be solved; for example, falling poverty and increasing use of 'bio-fuels' were blamed for higher global food and grain prices in 2008.

Political rationalities not only shape the identification of problems of government, but also the invention of solutions i.e. the design of *programmes* (Foucault 1991c:80-82). As Li succinctly puts it, "the identification of a problem is intimately linked to the availability of a solution" (2007:7). Programmes are attempts, in the name of a specific set of governmental ends, to regulate, reform, organize and *improve* governmental practices (Dean 1999:32). In the United States, for example, the problem of 'permanent poverty' has been recast as the consequence of a 'culture of dependency' amongst welfare recipients (Fraser and Gordon 1994) or, alternatively, of a sense of 'disempowerment' amongst the poor (Cruikshank 1999). These problematisations thereafter lead to programmes for 'welfare reform' and for 'empowerment'. Programmes are thus competing proposals for dealing with the findings of problematizations. Although they may be articulated with different degrees of explicitness and cogency, programmes are ways of producing a preferred social reality by transforming specific locales and relations in ways thought desirable (Rose and Miller 1992:181, 183, Dean 1999:22, see also Miller and Rose 1990:4). In other words, programmes "make

the objects of government thinkable in a way that appears susceptible to diagnosis, prescription and cure by calculating and normalizing intervention” (Rose and Miller 1992:181, 183). Programmes therefore have both prescriptive effects - ‘what is to be done’ – and codifying effects – ‘what is to be known’ (Foucault 1991c:75).

It is in this context that rationalities of government have been described as “irreducibly utopian” (Dean 1999:33). To begin with, government is seen as necessary to achieve an improvement of some kind - a type of person, community, organization, society or even world to be achieved i.e. a *better* world, society, way of living or way of doing things (Ibid). Government thus envisages the *re*-shaping of existing relationships between people and things in pursuit of this better world. Government is also “inherently optimistic” (Miller and Rose 1990:10): it is taken for granted that governmental efforts can achieve their intended outcomes i.e. that,

“*it is possible to re-form human beings, to form or shape them or their attributes in some way, and that our exertions can be effective in this regard; that we can draw upon and apply forms of knowledge to that task, that we can gain a secure knowledge of the world and of human beings in that world, that we can ‘make things better’, improve how we do things, and so on*”  
(Dean 1999, emphasis added).

The significance of this confidence in being able to render utopia real is underlined by the normative scale of governmental ambition, for example to reshape how entire societies and the individuals embedded within it conduct themselves. However, herein lies a contradiction inherent to any governmental rationality: that between what is claimed to *exist* and how this ‘reality’ also has to be *brought into existence*. In this regard, even the state is “at once that which exists and which does not exist *enough*. ... What government has to do must be identified with what the state *should be*” (Foucault 2008:4, emphasis added). Hindess notes how collectives to be governed – such as ‘society’, ‘the working class’, ‘the people’, ‘the developing world’, ‘Muslims’ and others – “appear, at times, as objective realities producing effects in the present and possessing

interests that can or should be represented by some party or movement [and] at other times, ... as collectivities that do not (or do no longer) properly exist” (1993:308, insert added). As such, in the first case “practical decisions may be taken on the basis of what are thought to be the ‘natural’ or essential features of such entities and their current situation,” while in the other case “the practical issue is how to create or re-create these collectivities” (Ibid). Similarly, supposedly ‘natural’ phenomena of government still have to be created and/or maintained by deliberate action, such as ‘the market’ (Burchell 1993:271, see also Barry et al 1996, Rose 1999:137-8) or ‘civil society’ (Burchell 1993:272, see also Dean 1999:124). Capacities and behaviours said to be inherent to objects of government also have to be incited or induced. For example, poor farming families have to taught how to prosper from farming (Li 2007), ‘reconciliation’ is a way to get ‘naturally’ harmonious ethnic or religious groups to live peacefully together, the ‘nation’ must yet be unified and, even though women “*can* often exert considerable influence in bringing warring parties to the negotiating table,” nonetheless they need to “*encouraged* to participate in efforts to prevent conflict and build peace” (OECD 2001:85, emphasis added).

Programmes are thus *designs* for (re)constructing reality, designs that emerge from the contested engagements of heterogeneous actors with claims to certain knowledges. For example, in post WW2 Britain, the political rationality of ‘welfarism’ (later replaced by that of ‘neoliberalism’) led to specific problematizations such as the declining birthrate, delinquency and anti-social behaviour, the problem family, the social consequences of ill health and the integration of citizens into the community (Rose and Miller 1992:192). In relation to health alone, diverse, competing programmes emerged in the quest to transform the unwieldy, dispersed British health apparatus into a ‘calculable universe’ in which entities and activities would be mapped, enumerated, translated into information that was transmitted, accumulated, compared, evaluated and programmed (Ibid:193-4). Thus, even when it embodies the same political rationality, the world of programmes is “heterogenous and rivalrous” with some solutions posing problems for others (Miller and Rose 1990:10) - or, as Raco puts it, programmes tend to “lack a singular coherence and essence” (2003:79). Moreover, programmes don’t take effect “in an integral manner” as they are

simplified, or some are chosen and others not (Foucault 1991c:80). That programmes do not work out as planned, however, cannot be seen solely as the difference between “the purity of the ideal and the disorderly impurity of the real” but, rather, as the result of

“different strategies that are mutually opposed,  
composed and superposed so as to produce permanent  
and solid effects which can perfectly well be  
understood in terms of their *rationality*, even though  
they don’t conform to the initial programming”  
(Foucault 1991c:80, emphasis added).

## **Knowledges and language**

Proponents of various programmes, meanwhile, “ground themselves in a positive knowledge of that which is to be governed, ways of reasoning about it, analyzing and evaluating it, identifying its problems and devising solutions” (Miller and Rose 1990:7). State professionals, academics and private-sector managers thus come to draw on “particular domains of knowledge, fusing them into the discourse of ... authorities” (Salskov-Iversen et al 2000:187). Knowledge here refers, as Rose and Miller (1992:177-8) point out, not just to ‘ideas’, but to ‘know-how’: the assemblage of persons (e.g. generals, architects or accountants), theories (e.g. philosophy or medicine), schemes (such as town planning or social insurance), techniques (such as medical inspections of children) and so on. As Foucault puts it, “the delicate mechanisms of power cannot function unless knowledge, or rather knowledge apparatuses, are formed, organised, and put into circulation” (2003:33-34). Efforts to organise knowledges, meanwhile, bring with them “a whole series of practices, projects and institutions”, through which attempts are made to homogenize technical knowledges, resulting in the elimination and disqualification of some knowledges deemed useless, the normalisation and organisation of the rest – making them fit together and coalesce, and the emergence of a centralisation of knowledges to be controlled and selected for use (Ibid:180-82). International knowledge of ‘internal conflict’, for example, increasingly has in the past two decades come to be framed by new

logics of 'greed over grievance' (Collier 2000), 'Old Wars/New Wars' (Kaldor 1999) and the 'Security-Development nexus' (see Buur et al 2007, Duffield 2001, 2007) which overlap with the broader global institutionalism of neoliberalism.

Crucially, the foregrounding of expertise in solving problems of government means that "questions that are rendered technical are simultaneously rendered *nonpolitical*" (Li 2007:7, emphasis added). For example, writing on developmental efforts in Indonesia, Li outlines how experts designing strategies of poverty alleviation often exclude political-economic relations from their diagnosis and prescriptions, such as by focusing on the capacities of the poor rather than on the practices through which one social group impoverishes another (2007:7). What Li calls 'non-political' can also be termed 'de-politicised' or are the effects of what Ferguson (1994) has called 'anti-politics'. The latter refers to how experts frame or reframe dynamics, spaces, practices and outcomes of government in ways informed by their own knowledges, thus problematising issues in ways that efface important socio-political and socio-economic dynamics and instead render a 'reality' amenable to the technical solutions that they (experts) conveniently have to hand. As such, more than 'de-politicised', such actions render a problem space 're-politicised' in specific ways with specific consequences. Why violent crime rises in Sri Lanka's south, for example, becomes linked to the availability of small arms, army desertion and weaknesses in law and order provision, rather than the deleterious impact of privatization on fragile rural economies and relentless war in the north. Continuing armed conflict in Sri Lanka becomes a function of continued Tamil Diaspora funding for the LTTE (RAND 2001), rather than, say, the state's reluctance to negotiate or share power. Why Tamil expatriates don't inform on LTTE fundraisers amongst them becomes linked to Western states' failure to provide adequate assurance of witness protection (HRW 2006), rather than willing support for Tamil independence and armed struggle. Moreover, the specification of what is 'political' and 'non-political', what is the preserve of the state and what is not, what are matters for the individual and what are matters of collective response and so on, takes place, not necessarily through some 'top-down' logic or *imposed* rationality, but through myriad 'transactions' - the "series of conflicts, agreements, discussions and reciprocal concessions" - all episodes "*whose effect*

*is finally to establish a de facto, general, rational division between what is to be done and what is not done in the practice of governing [properly]*" (Foucault 2008:12, emphasis, insert added).

Knowledges and expertise posit on the terrain of government objects to be reformed and corrected or to be strengthened and improved, as well as the ways of doing so. However, knowledges do not merely legitimate existing power relations, but *constitute* new sectors of reality and make new fields of existence practical (Miller and Rose 1990:7). As Miller and Rose (Ibid:5) point out, 'knowing' an object in such a way that it can be governed is more than a purely speculative activity:

"It is through such procedures of inscription that the diverse domains of 'governmentality' are made up, that 'objects' such as the economy, the enterprise, the social field and the family are rendered in a particular conceptual form and made amenable to intervention and regulation."

In other words, what is to be governed must first be conceptualised and represented. Is Sri Lanka, for example, an established Sinhala-dominated ethnocracy or a fledgling multi-ethnic democracy? Thus, far from being mere rhetoric, language serves as an "intellectual machinery or apparatus for rendering reality thinkable" in such a way that it is amenable to political *deliberations* and *interventions* by governors, experts or managers, as well as the inhabitants of the governed domain – citizens, parents or employees (Rose and Miller 1992:179, Miller and Rose 1990:7, Rose 1993:289). In other words, "it is through language that governmental fields are composed, rendered thinkable and manageable" (Miller and Rose 1990:7). Moreover, the terrain to be governed must be turned into information, such as reports, statistics and graphs, i.e. in forms which are "stable, mobile, combinable, comparable" and which can be transported to centers where calculations and judgements can be made i.e. "these forms enable the features of a domain deemed pertinent to be literally re-presented in places where decisions about them are made" – such as the editor's office, the war room or the UN Security Council (Ibid). Information is inscribed in such a way as to make the domain in question susceptible to evaluation, calculation and intervention – it



places objects and problems of government within the obligations and power of governors (Ibid). Thus, "*information is not the outcome of a neutral recording function; it is itself a way of acting on the real*" i.e. of constituting 'reality' (Miller and Rose 1990:7, emphasis added).

## **2.3 Methodology: an analytics of government**

Having set out a set of conceptual devices with which an analysis of the contestations inherent to the 'messiness' of politics could proceed, this section sets out a sketch of a methodology - which Dean (1999) has termed an 'analytics' of government - for studying governmentalities. The starting point of an analytics of government is the identification and examination of points of 'problematization' i.e. the specific situations in which governing comes to be called into question, the moments and the situations in which the conduct of conduct becomes a problem (Dean 1999:27). Problematisations, crucially, are made "on the basis of particular regimes of practices of government, with particular techniques, language, grids of analysis and evaluation, forms of knowledge and expertise" (Dean 1999:28). Analysis starts, therefore not from a general theory or set of theoretical principles, but from the kinds of questions being asked concerning how governors and the governed conduct themselves. This requires attention to the conditions under which it becomes possible to consider certain things be 'true' - and hence to say and do certain things about human beings and their interrelations i.e. to the different ways in which 'truth' is produced in social, cultural and political practices (Rose 1999:8, Dean 1999:18). The emphasis is deliberately on 'truth' and not 'meaning'; the concern here is not the social meanings of actions and events for actors in other times and places, but "the ways in which certain languages of description, explanation, calculation and judgment came to acquire the value of truth and the kinds of actions and techniques that were made possible by such truths" (Rose 1999:8, footnote 8). Dean distinguishes four dimensions that an analytics of government ought to examine; which he terms, respectively, as "the fields of visibility of government", "the technical aspect of government", seeing government as "rational and thoughtful activity" and "formation of identities" (Dean 1999:20-38). These

dimensions presuppose each other, but are not reducible to each other. They are summarised here.

An analytics of government asks “what the field of visibility is that characterises a regime of government, by what kind of light it illuminates and defines certain objects and with what shadows and darkness it obscures and hides others” (Dean 1999:30).<sup>34</sup> Pictorial representations – such as maps, graphs, management flow charts, or tables – visualise fields to be governed, position actors, priorities, linkages, etc and make it possible to ‘picture’ who and what is to be governed, how relations of authority and obedience are constituted in space, how different locales and agents are to be connected with one another, what problems are to be solved and what objectives are to be sought (Ibid). These diagrams of power and authority, such as Bentham’s panopticon or maps of crime risk, bring certain aspects to the fore and deny others visibility and inspectability. World Bank documentation on Sri Lanka, for example, maps the island in terms of developmental metrics, effacing ethnically based differences, political claims to certain territories, consequences of mytho-narratives, the role of the state in racialised violence and so on (see Chapter 4).

Focussing on the technical aspects of government is to ask by what means, mechanisms, procedures, instruments, tactics, techniques, technologies and vocabularies is authority constituted and rule accomplished. Technical means are a condition of governing and often impose limits over what it is possible to do. For example, the managing of ‘national’ economies turns on using certain economic models and instruments. This is not to say government is reducible to these, but, rather, that technical means are to some extent autonomous and irreducible (Ibid:31). Seeing government as ‘rational and thoughtful activity’ concerns the forms of knowledge that both inform and arise from the activity of governing i.e. what forms of thought, knowledge, expertise, strategies, means of calculation, or rationality are employed in practices of governing? How does

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<sup>34</sup> As Sankaran Krishna points out, “abstraction is never innocent of power. The precise ... abstraction in each instance decides what aspects of a limitless reality are brought into sharp focus and what aspects are, literally, left out of the picture” (2001:403) The point is not whether to abstract or not – “it is an unavoidable moment in the constitution of knowledge” – but “to be vigilant as to what abstraction simultaneously conceals as it reveals” (Ibid).

thought seek to transform these practices? How do these practices of governing give rise to specific forms of truth? How does thought seek to render particular issues, domains and problems governable? Governmentality calls for attention to the more or less explicit, purposive attempts to organize and reorganize institutional spaces, their routines, rituals and procedures, and the conduct of actors in specific ways (Ibid:32).

Finally, through what forms of individual and collective identity does governing operate, and which do specific practices and programmes of government try to form i.e. what forms of person, self and identity are presupposed by different practices of government and what sorts of transformation do these practices seek? What statuses, capacities, attributes and orientations are assumed of those who exercise authority (from politicians and bureaucrats to experts and advisors) and those who are to be governed (for example the poor, 'nationalists', an ethnic minority)? What forms of conduct are expected of them? What duties and rights do they have? How are these capacities and attributes to be fostered? How are these duties enforced and rights ensured? How are certain aspects of conduct problematized? How are they then to be reformed? How are certain individuals and populations made to identify with certain groups, to become good and active citizens, and so on? (Ibid:32). This is not to look for the 'real' subjects, but those *envisioned*. Regimes of government do not in themselves determine subjectivities, they merely seek to produce them by attributing various capacities, qualities and statuses to agents and attempting to elicit, promote and foster appropriate; they are thus only successful to the extent these agents come to experience *themselves* in these ways.

This dissertation operationalises the analytics of government outlined above in the following ways. Chapters 4 and 5 examine the projects of liberal peace and Tamil liberation as two different, sometimes overlapping, sometimes competing, sets of "rational and thoughtful activities", seeking to establish in the island of Sri Lanka specific ways of ordering state, society and individuals. The problematizations and programmes identified in 2002 on these different terrains of government – and thus what constitutes their respective "fields of visibility" – are specifically considered in Chapter 5. Chapter 6 and 7 examine some of the "technical aspects

of government” with reference to these two governmentalities. These chapters, and Chapter 8, also consider the formation of identities – for example, the Tamils as members of a nation and, conversely, of a minority in a multi-ethnic state; of the LTTE as a bulwark against Sinhala oppression or, conversely, as a dangerous political actor, but one indispensable to the project of producing liberal peace in Sri Lanka; of ‘peace-related’, ‘spoiler’ and ‘vulnerable’ entities, and so on. The specificities of the Sri Lanka case study are taken up after a discussion of governmentality and, in particular, the notion of a ‘clash of governmentalities’ in Chapter 3.

In summary, after Foucault (2007:116-8, 2008:2-3), the first aspect in an analysis of the Norwegian-led peace in Sri Lanka is to move outside the taken for granted, even emblematic, institutions of peace processes (the conflict actors, mediators, etc) and seek to reconstruct the networks of alliance, communications, calculation and so on by which specific orderings (of how the world should be) are advanced and resisted. In other words, to replace a focus on institutions or actors with an overall view of technologies of power – power in a Foucauldian sense of being diffuse and productive. What is the *effect*, for example, of a secessionist armed actor like the LTTE being proscribed as terrorists, or agreeing to consider federalism as a ‘solution’? The second aspect, having done this, is to look at the various actors’ functions by putting them back into a general economy of power, to see how they are located in strategies and tactics that find traction, sometimes without their acquiescence or even their awareness. The third aspect is to critically question the ‘essentiality’ of objects which serve as ideal types or representations against which ‘real world’ entities are measured against. For example, the interest is less in what is a ‘democratic state’ or ‘terrorist group’ than how such ideal-types influence or structure conflict actors’ actions? In other words, rather than seeking to measure institutions, practices and knowledges in terms of the criteria and norms of already given idealobjects, the analysis seeks to grasp how a field of ‘truth’ is *constituted* by such technologies. These general principles are operationalised, moreover, through the analytics of government outlined above.

To this end, this dissertation draws on key texts in which can be found embedded different rationalities of rule, including manifestos, declarations, guidelines,

assessments, strategy papers, speeches and statements, as well as academic and policy researches (a very small selection of key texts is included in appendices). The dissertation has also drawn on careful near-daily monitoring of developments in Sri Lanka, from before 2001 to after 2006, through media reports, as well as scholarly and policy literature. However it also draws on insights gained from several structured interviews (respondents are listed in the appendices) and many more unstructured conversations conducted throughout the 2001-2006 peace process and afterwards with both practitioners and subjects of government (these are not, of course, exclusive categories, even within the same political rationality), including diplomats, political and social activists, demonstrators, soldiers, academics, parliamentarians, refugees, journalists, aid workers and others. It is also informed by my first hand observations, in that period, of thought and practices on 'Sri Lanka and the international': as press officer to the LTTE delegation at several sessions of the Norwegian-facilitated talks (including one from inside the negotiation chamber) and at an international aid conference on Sri Lanka; as a participant in numerous discussions hosted by think-tanks, conflict resolution NGOs, academics and Diaspora organisations; as a contributor to donor-funded studies on 'strategic conflict assessment' and 'conflict-transformation'; and, as a member of the Diaspora, in political discussions with many 'ordinary' Tamils. The point here is not to find inconsistencies, falsehoods or errors in texts, but to augment the process of excavating mentalities of rule by seeing how ideas, concepts, events, assumptions, and so on outlined in texts are understood, interpreted, articulated, taken up, and thought up by governors and governed.

In concluding this chapter, I would like to state clearly my own positionality in relation to Sri Lanka's politics as undoubtedly my scholarly work is, despite my best efforts, shaped by my own subjectivity. My lived experiences as a Tamil, as a political activist committed to the self-determination of the Tamil people, and as, first a Sri Lankan, and then British, citizen who has lived, studied and worked in the West for the past quarter century, no doubt influence my analysis. The normativity of my subjectivity has drawn me to this project, a study of the last, and abortive, peace effort to resolve Sri Lanka's protracted crisis. However, I have had no desire to use my research, in Rose's words, "to ratify some acts of

contestation and to devalue others.” Nonetheless, this may have happened; there is, after all, no view from nowhere (Nagel 1986) and every analysis is, in all likelihood, shaped by the analyst’s own value-judgments, doctrinal assumptions and what Peter Senge (1990) terms ‘mental models’. I have therefore not undertaken the futile exercise of seeking out an ‘objective’ standpoint outside myself, in completing this dissertation. Rather, I have attempted to engage rigorously and sympathetically (i.e. in terms of their own stated goals and discernible governmental ambitions, both strategic and tactical) with the respective projects of all actors in the Norwegian peace process. How successful I have been in this regard can be, of course, only for the reader to judge.

### 3. Clash of Governmentalities

Ahead of the study of the ‘clash of governmentalities’ that constituted the 2001-2006 international engagement in Sri Lanka, this chapter sets out what is meant by the notion itself. To begin with, the governmentality studies literature, which has expanded significantly in the past two decades, has meanwhile largely tended towards an approach based on another, albeit implicit, assumption; it generally focuses on a (i.e. single) governmentality at work in a given space under study (though this is changing following the recent publication of Foucault’s lecture series, for reasons discussed below). Although in his own elaboration of governmentality, Foucault largely does the same, for example when discussing the emergence of neoliberalism in post-WW2 Germany and the United States, or laying out the serial transitions in rationalities of rule in Europe (from sovereignty, via *raison d’etat*, to governmentality), he certainly does not intend this to preclude the existence of multiple governmentalities at work in the same territorial or constitutional space. The point is emphatically made in his discussion of ‘counter-conducts’ in his 1976 lectures (2007, chapter eight), which is examined below. Furthermore, in the closing words of his last lecture in his 1979 series, Foucault also notes how contestations and debates over how human conduct should be directed have today come to constitute ‘politics’ itself (2008:313).<sup>35</sup> By this Foucault does not, of course, mean that ‘governmentality’ can be reduced to, or is a pseudonym for, ‘politics’, but rather that the dynamics of modern political contestation are embedded within and informed by one or, quite plausibly, several governmental rationalities, each seeking to promote life and manage populations according to its own reason.

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<sup>35</sup> “You can see that in the modern world, in the world we have known since the nineteenth century, a series of governmental rationalities *overlap, lean on each other, challenge each other, and struggle with each other*. ... And it is all these different arts of government, all these different ways of calculating, rationalizing, and regulating the art of government which, overlapping each other, broadly speaking constitute the object of political debate. ... What is politics, in the end, if not both the interplay of these different arts of government with their different referent points[,] and the debate to which these different arts of government give rise?” (2008:313, emphasis added). In referring to a ‘series’ here Foucault is referring to the ‘transition’ from sovereignty, via *raison d’etat*, to governmentality and biopolitics.

This, then, is the starting point for the conceptualisation of ‘internal’ conflict presented in this dissertation, which argues that the protracted, multifaceted and sometimes violent political contestations that make up a warzone can be productively studied as a ‘clash of governmentalities’ i.e. as the simultaneous pursuit of competing idealizations of how population, territory and forms of political rule *ought* to be organized so as to promote the constitution and wellbeing of (particular) populations. This may seem an obvious claim given how the violence of war is often directed against enemy populations, and not just their political goals. However, the argument presented here refers to a much deeper condition, whereby competing rationalities invest the web and waft of ‘ordinary’ – i.e. non-violent, or ‘peace-time’ – politics, as well as war itself, and operate through diffuse networks and mundane practices to make possible the flourishing of their respective conception of the good, or well behaved population and its survival against latent threats, including those posed by other subsets of humanity.<sup>36</sup> Population here, therefore, does not refer to a self-evident or pre-formed ethnic or religious group, but to that human collective whose members conduct themselves in keeping with the governmental rationality in question. Those who do not, meanwhile, become targets for correction and reform, or for exclusion and elimination – not only physically but also politically, socially, etc.

This understanding of political contestation as the manifestation of competing coherent political rationalities working through diverse and disparate actors and forces in the same, or overlapping, governmental spaces is ever present, but largely underdeveloped, in Foucault’s own work. Nonetheless it holds considerable, and as yet largely untapped, analytical promise. Arnold I Davidson, editor of the English series of the lectures of 1978 and 1979, arguing that “Foucault’s analysis of the notions of conduct and counter-conduct ... seems to me to constitute one of the richest and most brilliant moments in the entire course”, devotes almost his entire introduction to the two volumes to a discussion of this dyad (2007:xix). In elaborating this dissertation’s conceptualization of armed conflicts and international interventions in them as a ‘clash of

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<sup>36</sup> This is also why the dissertation on the politics and dynamics of contestation during the 2001-2006 Norwegian-led international peace initiative, rather than the horrific violence of Sri Lanka’s conflict.



governmentalities', this chapter draws on Foucault's discussion of 'counter-conducts' as well as of the 'milieu' – by which he means both the temporal and territorial space to be governed (regulated) and the “combined overall, effects bearing on all who live in it” (2007:20-21, 77-78). As discussed below, the idea of 'counter-conducts' is at once both illuminating and constraining, on the one hand encouraging the seeking of analytical explanations through the excavation of often not obvious political rationalities informing various forms of resistance to a prevailing organisation of territory, population and security, and, on the other hand, limiting such analysis by privileging a search for deviations, contrasts or contradictions in relation to this dominant governmental rationality, rather than an exploration of each rationality present in its own right. As such, it is argued here that the framework of 'multiple governmentalities' competing in a given milieu holds greater analytical possibility than one of 'conduct/counter-conducts'.

The chapter begins by exploring those aspects of Foucault's work on power and subjectivity on which the concept of governmentality stands, including ideas of 'government' as the 'conduct of conduct', of 'disciplinary' and 'sovereign' powers, of the 'subject' and of power as productive and as 'action at a distance'. It then examines the concept of governmentality itself - i.e. what is meant by a mentality of rule or a political rationality. The chapter also examines the closely related to governmentality concepts of biopower and biopolitics - and explains why the dissertation opts to focus, in its limited space, on examining those governmental rationalities competing in the Sri Lankan milieu and sketching their biopolitical implications, rather than a fuller exploration of the latter. Having thus laid out the essential theoretical concepts on which the notion of a 'clash of governmentalities' rests, the next section elaborates what is meant, politically and epistemologically, by the term. The dissertation's subsequent chapters then illustrate how competing attempts to shape the conduct of organisations, individuals and populations in the Sri Lankan space between 2001 and 2006 were undertaken through disciplinary, sovereign and governmental powers, to 'make up' specific kinds of individual and collective subjectivities and to promote and ensure the wellbeing of population(s).

### 3.1 Government: the ‘conduct of conduct’

Foucault understood ‘government’ not simply as the management of states or as political structures but more generally, as ‘the conduct of conduct’ (2002c:341, 2007:193), by which he meant *any* endeavor to shape, guide, direct or lead the conduct of others or, indeed, of oneself. Those whose conduct is being conducted may be the crew of a ship, employees of a business, members of a family or the inhabitants of a territory, although amongst this plurality of forms of governing - between which there are continuities as well as differences, there is one specific one which can be applied to the state as a whole (Foucault 2007:93). This understanding of government as ‘the conduct of conduct’ has continuities with Foucault’s distinctive conception of power (see Burchell 1993:268), whereby power is neither a resource nor a form of legitimation but a *relation*; power exists only insofar as it is *exercised* by some on others, though sometimes it may be underpinned by permanent structures (Foucault 1979, 2002c:340). The exercise of power is not about constraining or coercing, but about acting on others’ *actions* to ensure certain behaviours and outcomes. A relationship of power - as opposed to a relationship of violence - does not act directly on others but instead operates on their ‘field of possibilities’ i.e. it is

“a set of actions on possible actions; it incites, it induces, it seduces, it makes easier or more difficult, it releases or contrives, makes more probable or less, [and only] in the extreme it constrains or forbids entirely”  
(Foucault 2002c:341, insert added).

Crucially, therefore, the existence of an actor’s freedom and the exercise of power over/on that actor are not mutually exclusive. Rather, the latter is very much dependent on the former. A power relationship can only be articulated on the basis that firstly, the other (over whom power is exercised) is recognized and maintained to the very end as a subject who can act; and secondly, when faced with the relationship of power, “a whole field of responses, reactions, results and possible inventions may open up” for this other (Foucault 2002b:340). Governing, then, is not simply domination, which discounts or seeks to crush the capacity for

action of the dominated, but rather to “*structure* the possible field of action of others” (Ibid, emphasis added) i.e. to artificially so arrange things that people, following only their own self-interest, *will do as they ought* (Scott 1995:202). It is in this way that governing (the conduct of conduct) takes place ‘at a distance’, with those being governed not necessarily being aware how their conduct is being conducted, or why, or by whom (Rose 1999). Efforts to act upon others by getting them to act ‘in their own interest’ are thus intimately connected to the production of self-governing subjects.<sup>37</sup> This echoes Foucault’s explication of the productive effects of power – i.e. how power promotes, transforms and acts upon capacities, working *through*, rather than against, subjectivities (1977, 1979). Rather than restraining, power *produces* the sought after behaviour - such as entrepreneurship, patriotism, national unity, or political tolerance. Power is thus not so much a matter of imposing constraints as one of ‘making up’ (Hacking 1986 cited in Lukes 2005:91) individuals, organizations and populations capable of bearing a kind of ‘regulated freedom’ (Rose 1999). This is captured, for example, by the notion of ‘responsibilization’ whereby it is the principle of government that the governed freely conduct themselves in certain ways – i.e. ‘properly’ using their liberty - and actively involve themselves in resolving the kinds of issues normally held to be the responsibility of governmental agencies (Burchell 1993:271, O’Malley 1996a:199-200, Rose 1999:158-160, 174). Stopping the global HIV/AIDS pandemic or ‘global warming’, for example, is not only a matter for states and international institutions, but also involves responsibilities of individuals, families and societies around the world.

Government is for Foucault, after Guillaume de La Perrier, “the *right* disposition of things, *arranged* so as to lead to a suitable end” (2007:96 emphases added).<sup>38</sup>

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<sup>37</sup> As Foucault puts it: “people know what they do; they frequently know why they do what they do; but what they don’t know is *what they do does*.” (personal communication cited in Dreyfus and Rabinow 1982:187 emphasis added).

<sup>38</sup> By ‘things’, Foucault, after La Perriere, is referring to people and their relations with other aspects coming under the purview of ‘government’ i.e. he is relocating the domain of government beyond merely territory, as in sovereign rule: “The things government must be concerned about ... are men in their relationships, bonds and complex involvements with things like wealth, resources, means of subsistence, and, of course, the territory with its borders, qualities, climate, dryness, fertility and so on. ‘Things’ are men in their relationships with things like customs, habits, ways of acting and thinking. Finally they are men in their relationships with things like accidents, misfortunes, famine, epidemics, and death.” (2007:96)

Governing thus “inescapably entail[s] a certain investment of thought, however attenuated, and a certain form of reason, however much it may be obscured” (Rose 1999:4,7). In other words, a specific kind of reason makes possible and guides any exercise of government. Reason here does not refer to some transcendental form, but to *any* rationality informing calculations about how to govern (Foucault 1991c:78-79). Rationality is simply any form of thinking that strives to be clear, systematic and explicit about how things are, or how they ought to be (Dean 1999:11). Chapter 4, for example, discusses three competing rationalities as to how the population(s) of the island of Sri Lanka should be ordered: as a single multi-ethnic citizenry, as two equal nations, and as an entitled majority and subordinate minorities. Moreover, a given rationality, in and of itself, does not set out what the specific *policies* of government should be i.e. whilst it may inform strategies of rule, it does not determine them. Instead, a rationality defines “the essential problem-space” in which government takes place and does so in such a way that makes government thinkable and practicable (Burchell 1993:272). Federalism and independent statehood, for example, are both ways of pursuing the freedom and progress of the Tamil nation (see chapter 4). Efforts at governing may be formally set out – for example, in research studies, manifestos, policy documents, pamphlets and speeches - or manifest themselves within particular types of practice (Rose 1999:4). In summary, as Dean (1999:11) puts it, the idea of government can be captured thus:

“Government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through desires, aspirations, interests and beliefs, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes.”

## Governing 'at a distance'

Practices of government are, therefore, the calculated and deliberate attempts to shape and regulate conduct in specific ways, and in the service of specific ends. They are undertaken not only by the assemblage called the 'state', but also by a range of entities and agents which function 'at a distance' from the state, pursuing their own interests and objectives but from their own locations within a specific, if not immediately apparent, rationality of rule, which is thus advanced by their actions. Such practices of conducting conduct are especially visible in Western states today, where political rationalities termed neoliberalism and advanced liberalism - which turn on the 'self-interested' individual, 'markets', 'small government' etc. - have increasingly become the norm. These mobile mechanisms of power work through the invocation and harnessing of specific interests, ambitions, beliefs, values, capacities and behaviour in individuals and entities – businesses, banks, charities, trade unions, families, and so on - as well as, of course, within the diverse components of the state; through ever-evolving bodies of knowledge and expertise; and through the ever-changing networks in which all these come to be embedded.

Governing is inextricably bound up with the activities and *calculations* of independent – ostensibly 'non-political' - authorities, such as doctors, social workers, parents or managers (Rose 1999:49). Doctors, dieticians, psychologists, fitness instructors, health food producers, and celebrity chefs are all involved, for example, in governing the health of the population. As Davies puts it, governmental strategies "must always operate via intermediary institutions of one sort or another, each with its own expert system for analyzing and altering social behaviour" (2006:252; see also Rose 1993:285). International ambitions for a harmonious Sri Lankan citizenry, for example, are pursued through a shifting network of international and local NGOs that, drawing on international experts and knowledges, promote political tolerance, ethnic reconciliation and 'development' that are held to collectively turn antagonistic ethnic groups into a civic polity (see chapter 7). Governing 'at a distance' – in both relational and spatial senses - takes place when the 'macro' ambitions of governors come to be

pursued by others acting in their micro-spaces and in the service of their *own* interests and objectives i.e. when actors interpret the values of other actors in their own terms such that these come to provide norms and standards for their own ambitions, judgements and conduct (Rose 1999:49-50). As Foucault (2008:44-45) puts it, “governmental reason works with interests. ... It is through interests that government can get a hold on everything that exists for it in the form of individuals, actions, words, wealth, resources, property, rights, and so on”. Therefore, this is not a question of top down imposition of rule, but the forging of alliances between the aims of governors (those seeking to direct conduct in specific ways) and the diverse projects of subjects of government, including organizations, groups, and individuals. Rose and Miller term this complex process *translation* (1992, see also Miller and Rose 1990 and Rose 1999:47-51).

Translation occurs where

“one actor is able to require or count on a particular way of thinking and acting from another, hence assembling them together into a network not because of legal or institutional ties or dependencies, but because they have come to construe their problems in allied ways and their fate as in some way bound up with one another” (Miller and Rose 1990:10).

Foucault’s detailed discussion of the emergence of neoliberalism in the post WW2 Germany (2008:chapter 4) is a quintessential illustration of the process of translation, whereby occupying Western powers, formerly exiled free-market ideologues, socialist parties, trade unions, and others came to operationalise this political rationality - even though not all of them fully shared all its tenets - through their calculations and actions on the basis of their disparate, sometimes contradictory, particular interests. In post-2002 Sri Lanka, as discussed in Chapter 7, Tamils facing a variety of day-to-day difficulties came to see alleviation of their individual hardships as contingent on the establishing of an LTTE-run interim administration for the Northeast. Again, this is not to say all those operating within a particular rationality necessarily share that rationality entirely or subscribe to its ideals. Not all Tamils who demanded an LTTE-run administration, for example, supported armed struggle or were committed to an independent

Tamil Eelam. Nor are all NGOs undertaking 'development' in Sri Lanka committed to the liberal peace tenets of liberal democracy and free markets. As Hindess notes, "most if not all of the governmental devices that might be seen as falling under the heading of the liberal mode of government could be and were supported by those who had no particular commitment to liberalism as a doctrine" (1993:310). This highlights one reason why government, which seeks to *orchestrate* the behaviour of others, is an inherently unpredictable and risky business. Translation, as Rose (1999:51) puts it, is "an imperfect mechanism and one subject to innumerable pressures and distortions: it is not a process in which rule extends itself unproblematically across a territory, but a matter of fragile relays, contested locales and fissiparous affiliations".

Translations link the general to the particular, one place to another, a range of distant experts to calculations at a political centre; it shifts a way of thinking from the political centre to a multitude of other places such as workplaces, classrooms and homes (Ibid). However, translation is a multi-directional, not unidirectional, flow, with government by authorities itself becoming subject, from a given political rationality, to scrutiny, problematization and demands for reform. For example, the rationality of neoliberalism leads to demands for the privatization of state assets or the withdrawal of state regulation in the interests of (creating or not disrupting) the 'market'. In Sri Lanka, the rationality termed 'Sinhala Buddhism' in this dissertation leads to demands on the state to 'promote' Buddhism (at home and abroad) and repel challenges to its duty to safeguard the island as a sanctuary for Buddhism (Bartholomeusz 2002, see discussion in Chapter 4). It is in this sense also that Foucault describes the shift from sovereignty to governmentality (discussed below) as not so much the 'etatisation' (i.e. extension of state domination of society) of society, but as the 'governmentalisation' of the (administrative) state (2007:109; see also discussion in Dean 1999:102-111,193-200).

## Discipline and subjects

The conduct of conduct is distinct from *controls* on conduct, a form of individualizing and normalizing power that Foucault termed disciplinary power (1977). This refers to how, through hierarchical observation and normalizing judgment institutionalized in prisons, schools, factories, asylums and similar assemblages, appropriate competencies, capacities and self-regulations of conduct can be inculcated by structured regimes of reward and punishment. By reducing deviations from standards – i.e. eliminating ‘gaps’, disciplinary assemblages are thus geared towards producing a specified order or normality. The primary function of disciplinary power is therefore to *train*, to correct, to develop ‘second nature’, rather than merely to inflict punishment on deviants. In this logic of ‘correction’, discipline includes the use of rewards as well as penalties, and indeed weights the former over the latter (Ibid:180). Behaviour, meanwhile, is seen to fall not on either side of a dividing line, as in mere prohibition, but along a continuum between ‘good’ and ‘bad’ poles, a continuum that is possible to quantify, to calibrate rewards and penalties to, and along which those being trained can be distributed. Progress (i.e. improvement) is thus rendered measurable. Disciplinary power therefore “compares, differentiates, hierarchizes, homogenizes, and excludes. In short, it *normalizes*” (Ibid:183, emphasis original, see also 2003:252-3, 2007:56-7).

It is through such calibrated regimes of gratification-punishment that discipline can ‘make up’ or produce individuals suitable for (re)integrating into society – such as ‘skilled’ workers, ‘reformed’ criminals, or ‘rehabilitated’ alcoholics. As such, discipline “is the specific technique of a power that regards individuals *both* as objects and as instruments of its exercise” (Foucault 1977:170, emphasis added). In Sri Lanka, international practices such as the ‘Global War on Terror’, third-party mediation and reconstruction aid together constituted a disciplinary framework in which the transformation of the LTTE from ‘armed group’ or ‘conflict specialist’ to a political party and its political goal from independence to federalism, was pursued (see Chapter 8). It is in this sense that disciplinary power becomes constitutively linked to the emergence of new ways of thinking about



political rule, of governing the conduct of the population, especially those of its 'abnormal' subsections. Regimes of discipline, with their characteristics of spatial separation, regimes of rewards and punishment and calibrated effects of training, which expanded in schools, hospitals, factories and armies in the seventeenth and eighteenth centuries, escape from these institutions, serving to produce dominant behaviours in wider society (Foucault 2003:242,250). They can be discerned, not only within state institutions, but outside these and in places 'beyond the state' (e.g. Cruikshank 1999). For example, in the modern work place, 'codes of conduct', 'probationary' periods, 'bonus' schemes and 'up or out' promotional policies constitute mechanisms of discipline that incite, induce, seduce and make more or less possible different sorts of behaviour.

It was Foucault's concern with "the techniques by which the individual could be integrated into the social entity" (2002b:410) that also leads to his notion of a 'disciplinary society', and the age of 'social control', characterised by 'constant supervision' (2002d:57-59). The schoolteacher, the jail warden, the psychiatrist, the physician, all exercise power not only by their constant supervision of individuals, but also through their generation of the appropriate knowledge ('know how') to do so. The individual, moreover, is an object of study, of knowledge. In contrast to inquiry - which identifies what might or might not *have* happened, supervision is concerned with what *might* happen: is the individual behaving as she should, is she progressing or not, etc. Such knowledges thus come to be organised around certain norms i.e. in terms of what is normal or not normal, what one must or must not do, and so on. This epistemological power is characterised by constant examination and supervision and has led, Foucault (2002d) argues, to the 'human sciences', such as psychiatry or psychology. Supervision, moreover, is not merely a relation of power between the state and the population, but also between individuals and other individuals, between groups and other groups in society. Such supervision may not be directly in service of the authorities, but, often driven by a need to preclude the deployment of the state's terrifying and ruthless authority, ends up so. For example, organisers of Tamil public rallies and demonstrations today increasingly supervise the behaviour of participants – e.g. how grievances being protested are expressed and articulated – so as to avoid state intervention, either by riot police or through later anti-terrorism prosecutions

(Nadarajah 2009). The state thus comes to possess not only apparatus of *coercion* but also, by induction, new ones of *control*. In short, control ‘from below’ becomes integral to control ‘from above.’

The most efficacious exercise of discipline is not having to discipline in the first place. This does not simply mean obedience of those being governed but rather their uncontested, *willing* adoption of appropriate behaviour. In other words, government is achieved not by continuous coercion but by inculcating a new self-consciousness that results in the appropriate behaviour and thus precludes the need for coercion or violence (which nonetheless may remain in the background). Governing ‘at a distance’ thus takes place through the self-regulation and self-governance of those being governed. However, as individuals or specific groups or populations do not come pre-formed in ways amenable to government, attempts to actively constitute and construct new subjectivities embodying effective forms of self-governance are an integral part of governing. Sought after subjectivities include not only individual ones – such as the ‘entrepreneur’, the ‘patriot’, the ‘citizen’, or the ‘moderate’ – but also collective ones, such as ‘law abiding Diasporas’, ‘well integrated immigrants’, and ‘hard working families’. Concepts such as these, or even broader ones such as ‘the community’, ‘society’, ‘the public’, ‘the working class’, ‘the people’, ‘the nation’, ‘Muslims’, or ‘the international community’, are projections of collectivities that never quite come into existence, but perform an important political function in the way that they are *used* in governmental efforts (Davies 2006). “While these conceptions reflect little on social relations as they actually *are*, they say a great deal about dominant strategies for regulating and producing them” (Ibid:253, emphasis added). In the pursuit of government, ‘existing’ categories and subjectivities are recast into more suitable ones (e.g. Raco 2003, Li 2007) or whole new ones are brought into being (e.g. Cruikshank 1999).<sup>39</sup> At the heart of the contradictions in Sri Lanka is the

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<sup>39</sup> Dillon and Reid (2001:48) note that one of the distinguishing characteristics of global liberal governance is “the variety of ways in which populations are defined as subject/objects of all kinds of global biopolitical power/knowledge concerns.” Quite apart from populations being assigned to one state or another (Hindess 2000a, 2000b, 2002; but see Ong’s (1998) discussion of ‘flexible citizenship’), there are logics governing the movement of various other populations, including refugees, tourists, students and migrants (Dean 1999:100). The commonsensical ‘global’ categories of the ‘poor’, the ‘marginalised’, the ‘trafficked’, and so on, whilst comprising different

individual Tamil, whose subjectivity is being shaped simultaneously by three different governmental projects - as a member of a (persecuted) nation, an (upstart) minority and a (harmonious) multi-ethnic citizenry (see Chapter 4).

However, it is not enough that categories suitable for government are conceived or discovered, they must, conversely, also be *produced* i.e. the categorised objects must take up and internalise the characteristics, values, capacities, ambitions, interests, etc attributed to them, and behave accordingly. For example, the unemployed *become* 'job-seekers' only when they seek out 're-training', eschew state 'handouts' (formerly 'income-support') and long for an end to their enfeebling 'dependency' on welfare. Tamils *become* a nation when they stand united against Sinhala oppression or a 'minority' when they seek co-existence with Sinhalese as part of multi-ethnic citizenry. Actors categorised as 'moderates' and 'extremists' in a socio-political space become so when they adopt appropriate behaviours: moderates denouncing and distancing themselves from extremists, extremists either condemning moderates (as 'traitors', say) or, even better, 'transforming' themselves into 'moderates'. To ask how governing works is therefore to ask how individuals and groups are formed – both in thought and in 'reality' - as various types of agents with particular capacities and possibilities of action (Dean 1999:100).

## 3.2 Governmentality

### Governing the population

Foucault coined the term 'governmentality' in reference to a specific form of rule in Europe since the eighteenth century, which he saw as having replaced that of 'sovereignty', by which he meant the kind of rule exercised by a prince over his territory or an emperor over his empire (see discussion in 2007, chapter4).<sup>40</sup>

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people in disparate, contingent circumstances, nevertheless come to form the basis for 'global solutions' to address the difficulties they face and pose.

<sup>40</sup> Foucault also describes the early post-monarchic state as "a set of individuals whose behaviour become involved, more and more markedly, in the exercise of sovereign power" (2000b:68)

Sovereignty, Foucault argues, is an art of government focussed chiefly on the well being of the sovereign and the maintenance or expansion of his territory. He contrasts this with governmentality, whereby the *inhabitants* of a territory and *their* well being becomes the focus of rule.<sup>41</sup> Thus, it is the *purpose* of rule that first differentiates sovereignty and governmentality. Another difference is the *means* of rule. Sovereign power can be conceptualised as ‘power of death’ – the threat of violent punishment for breaches of law (law is deemed to be the will, and thus the very being, of the sovereign; a breach of the law is thus an attack on the sovereign). In contrast, in governmentality the emphasis moves to ‘power over life’. In other words, “the ancient power to *take* life or *let* live was replaced by the power to *foster* life or *disallow* it to the point of death” – the latter, for example, being called for when a danger is posed to others (Foucault 1979:138, emphasis original). Moreover, rather than constituting rule itself, law becomes just one of many tactics for fostering and managing life (Ibid:87, see also Rose 1993:286-7). Beyond the ‘mere’ enactment of legislation, there are many other ways to ensure citizens, for example, ‘go green’, maintain a ‘work/life balance’, provide for old age, pursue ‘life-long education’ and otherwise keep themselves healthy, wealthy and happy. The crucial linkage between population and power, i.e. biopower, is discussed below.

There is also a difference in what constitutes the *expertise* of rule. For a sovereign, this might constitute the knowledge of divine and human laws. But for government, i.e. the ‘right disposition of things, arranged to lead to a suitable end’, this will not suffice; the purpose of government is not a common good as such, but an end ‘suitable’ for each of the things being governed. Good government stems thus not from knowledge of divine and human laws, but from knowledge of ‘things’ and how to arrange them. Foucault uses the apt metaphor of a ship to capture this sense of government: governing a ship means looking after not only the crew, but also managing the boat, its cargo, eventualities (storms,

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<sup>41</sup> Li has criticized this ideal type dichotomy of sovereignty and governmentality, pointing to the more benevolent exercise of rule by some sovereigns, rule which turned on the well being of their subjects (2007:12-13). Foucault also admits that this contrast can be overstated, pointing out that the purpose of sovereignty is the exercise of ‘good’ sovereignty i.e. that there is “an circularity” of sovereignty” (Ibid:98) However, as Merlingen (2006:184) notes, this abstracted dyad between sovereignty and governmentality is invaluable in grasping the specificity of the latter.

rocks, etc) that might beset it, and so on (2007:97, 123). There is for government, therefore, a plurality of specific aims, *a series of specific finalities* - finalities which may indeed turn out to be contradictory or incompatible with each other. Modern government, for example, seeks to cut crime, raise profits, reduce unemployment, protect the environment, fight terrorism, reduce health risks, and control immigration, all at the same time. These diverse practices and their effects, however, "constitute a set bound together by an intelligible connection", a guiding conception of "the best possible way to govern" i.e. a governmental rationality that frames "*what is to be done and what is not done in the practice of governing*"(2008:2,12,18)

Crucially, the shift from sovereignty to governmentality turns on what Foucault calls "one of the great innovations in the techniques of power", namely, "the emergence of 'population' as an economic and political [concept]" (1979:25, insert added), as a specific phenomenon with its own particular variables, such as birth and death rates, life expectancy, etc. This is both an epistemological and a political development. 'Population' is thus not simply a collection of legal subjects nor (as it might be considered under sovereignty) a human labour mass, but a set of elements that both form a general system of living beings and also offer "*a hold for concerted intervention* (through laws, but also through changes of attitude, of ways of doing things and ways of living that may be brought about)" (Foucault 2007:366, emphasis added). Like the 'economy', which is also "a level of reality and a field of intervention for government" (Ibid:95), 'population' is a device of government, a 'natural' entity dependent on factors that can be 'artificially' or deliberately managed.<sup>42</sup> Crucially, this means that states are not necessarily populated by an inescapable 'natural' progression, but can, in fact, influence and shape *how* they are to be populated. Political economy emerges, moreover, when it becomes clear that the relationship between population and resources cannot be managed by an exhaustive regulatory and coercive system

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<sup>42</sup> Indeed, another "great discovery of political thought", according to Foucault, is "the idea of *society*" – "a complex and independent reality that has its own laws and mechanisms of disturbance [that government also has to deal with]" (Foucault 1989:261 cited in Barry et al 1996:9 emphasis original). See discussion on 'economy' and 'society' in Rose and Miller (1992:182); see also Burchell 1993:274

(Ibid:366). Government thus comes to have as its end not simply the act of government itself, but the welfare of the population, the improvement of its condition, the increase of its wealth, longevity, health and so on (Ibid:105). (The particularity of seeing population as ‘living’ – i.e. biological - beings is taken up later in the discussion of biopower/politics). In contrast to sovereign rule, the care for individual life becomes the duty of the state (Foucault 2002b:404) - though the specific terms of this care are not necessarily a given, as discussed below in relation to ‘multiple governmentalities’ and ‘counter-conducts’. In summary, therefore, *governmentality* forms among a range of state and ‘non-state’ entities as “a perception of the good society and the means to attain it” (Salskov-Iversen et al 2000:185-6). Foucault himself defines governmentality as:

“the ensemble formed by institutions, procedures, analyses and reflections, calculations and tactics that allow the exercise of [a] very specific, albeit very complex, [form of] power, that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument” (2007:108, inserts added).<sup>43</sup>

## **Sovereignty-Discipline-Government**

Despite the pastoral ethos (see Foucault 2007, chapters 5-9) of governmentality’s focus on population, this certainly does not mean the end of discipline – indeed, Foucault argues discipline was never more important or valued than when attempting to manage population, not only in depth, but “in all its fine points and details” (2007:107, see also 7-8). Discipline is required for managing those subgroups of the population which, by virtue of their apparent unwillingness or incapacity to adhere to societal norms, are deemed to require detailed supervision. The populations of territories under colonial rule were a good example of this, as is modern day Europe’s management of gypsies, ‘aliens’, ‘animal rights activists’,

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<sup>43</sup> ‘Security’ here can be understood as modes of ‘regulation’ of men and things. Apparatuses of security thus include not only the military, police and intelligence services, but also systems of health, education and social welfare as well as mechanisms for managing the economy (Dean 1999:20).

Muslims, Tamil expatriates, youth in inner city 'slums', and others who are subjected to various forms of disciplining that do not, in the main, extend to the population at large. Sovereignty as a mode of power has not disappeared either. Indeed, with the emergence of governmentality, the question of sovereignty is not eliminated, but more sharply posed (Ibid:106).<sup>44</sup> However, the question is no longer as how theories of sovereignty can explain how to govern, but what juridical and institutional forms, and what legal basis, should the sovereignty of the state rest on (Ibid). 'Political sovereignty' – the state over its citizens, for example, or the corporation over its employees – still presides over the domain to be ruled; and although, in principle, "it cannot do just what it likes" (Burchell 1993:272), it often does, as exemplified by many of the practices of the 'War on Terror' – Guantanamo and Abu Graibh, rendition, water boarding, and so on (see Mythen and Walklate 2006). As Rose (1999:24) puts it, "no complex analysis is required to count the costs in lies and lives of these ways of exercising power".

Foucault (2007:107-8) argues that the change in arts of government does not entail the effacing of one epoch by another:

"We should not see things as the replacement of a society of sovereignty by a society of discipline, and then of a society of discipline by a society, say, of government. In fact we have a triangle: sovereignty, discipline and governmental management, which has population as its primary target and apparatuses of security as its essential mechanism."

This triangular relationship does not mean either a hierarchy of efficiency or competition between these simultaneous forms of power - although Foucault (2007:108) argues governmentality has over time attained a "pre-eminence" over the others in contemporary (i.e. Western) forms of rule. A technology of security (regulation) will take up and even multiply juridical (sovereign) and disciplinary elements "and redeploy them within its specific tactic" (Ibid:8-9, see also Foucault's discussion of the imbrication of discipline in biopolitics (2003:250-53).

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<sup>44</sup> It is worth noting Foucault's observation that governmentality could overtake sovereignty only after Western monarchies became free of the "great military, political and economic emergencies" that plagued Europe for the entire seventeenth century (2007:101, 2008:5-6).

In other words, as Dean (1999:19-20) succinctly puts it, “while governmentality retains and utilizes the techniques, rationalities and institutions characteristic of both sovereignty and discipline, it departs from them and seeks to reinscribe and recode them” in the service of its own ends. Governmentality takes individuals (the subjects of sovereignty) and their forces and capacities (that discipline seeks to mould) “as resources to be fostered, to be used and to be optimised” for the ends of government (Ibid). Thus rather than *only* governing through free will, governing *also* takes place upon individuals, against their will (Davies 2006). Despotism, in other words, can be for the good of the ruled (see discussion in Valverde 1996) or, as Rose puts it, “even terror can be a calculated instrument of government, as can violence” (1999:24).

### **Governmentality, liberalism and freedom**

Developed through reference to the form of rule that had emerged in the former monarchies of Europe, like his home country France, Foucault’s notion of governmentality has long been taken for granted by many to constitute a ‘liberal’ form or rule (see the contributions to Gordon et al (1991) and Burchell et al (1996), for example). Though this is erroneous, the assumption is critically discussed here given its prevalence in much of the field of governmentality studies (and criticisms of it, as discussed in Chapter 2), especially in relation to liberal and neoliberal forms of rule in which the Liberal Peace is rooted. Possible reasons for the assumption that governmentality is inherently liberal rule include both the limited availability of Foucault’s work on governmentality (only one of his lectures in the three series had been transcribed and published before the turn of the century) and the emphasis in governmentality (over sovereignty) on the welfare of the governed individual, as well as governmentality’s reliance on the freedom of individuals to act in their perceived interests for its functioning. However, while government is the ‘right disposition’ of things arranged so as to lead to suitable ends (Foucault 2007:96), there is no given precept within this conception as to what these ends *should* be (a point returned to below). Moreover, while government may be concerned with population, political economy and apparatuses of security, this does not mean the pastoral ethos of governmentality



is *necessarily* liberal. For example, National Socialism was also a distinctive political rationality, with a specific perception of a 'good society' and 'right disposition' of people and things that informed the horrific means and strategies used to pursue it (Foucault 2008:106-17, 2003:258-60; see also Burchell 1993:270 and Dean 1999:138-145). Similarly, other rationalities that might be labelled 'classical liberalism', 'welfarism', 'neo-liberalism', 'communism', and so on, are more or less coherent, but discernibly different, conceptions of what the aims, objects, means and ends of government ought to be.

Foucault makes emphatically clear in his lectures on governmentality (now fully transcribed and published, also in English) that governmentality does *not* refer to liberal rule:

“why speak of liberalism,” he asks, “and a liberal art of government, when it is quite clear the things I have referred to and the features I have tried to indicate basically point to a much more general phenomenon than the ... economic doctrine or ... the political doctrine or the economic-political choice of liberalism on the strict sense” (2008:61).

Moreover, he is at pains to make clear that even when he uses the term 'liberal governmentality', he is not referring to liberalism as commonly understood i.e. as a doctrine based on the inalienable rights of man:

“we should be clear that when we speak of liberalism with regard to this new art of government [governmentality], this does not mean we are passing from an authoritarian government ... to a government which becomes more tolerant, more lax, more flexible.” (Ibid:62).

Reiterating that “I did not want to say there was an increase in the quantity of freedom” in the shift from sovereignty to governmentality, Foucault adds this (increase) was neither the case nor not the case. This is because 'freedom' has a specific meaning for him:

“We should not think about freedom as a universal which is gradually realised over time, or which

undergoes quantitative variations, or is particularised in time or geography. ... Freedom is never anything other ... than an actual *relation between governors and governed*, a relation in which the measure of the 'too little' existing freedom is given [i.e. defined] by the 'even more' freedom demanded" (Ibid:63, emphasis, insert added).

It is in this sense, rather than the 'liberal' one of the guaranteeing of a priori individual rights, that Foucault sees governmentality as only possible through, and by reliance on, the existence of certain freedoms of each (2007:49, 2008:63). Moreover, as Hindess (1997:269, see also Rose 1993:297, Burchell 1993:276) argues, the enlightenment ideal of the autonomous self, recognising no authority not of its own choosing, is itself another Western construction of the subject i.e. it is "dependent and subordinate, even as it pretends to independence and autonomy." In other words, liberalism's taken-for-granted notions of 'minimal government' and free and well-behaved citizens depend, crucially, on the behaviour of citizens being "substantially and effectively" governed in other ways —"especially acquired habits of self-control, reinforced by the normative gaze of other and the work of a variety of state and non-state agencies" (Ibid:263, Rose 1993:291). The point here is that seeing governmentality as a liberal form of power because of its reliance on individual autonomy turns on a conception of this (individual autonomy) that is not as 'natural' as liberals suggest it is, but is rather a contingent (individual) subjectivity which is *sine qua non* for liberal rule.

In any case, liberal societies often practice palpably illiberal rule, either over groups at home or populations in other places, as in colonial rule (Kalpagam 2000, Ferguson and Gupta 2004). Modern liberal societies have proved to be 'demonic' (Foucault 2002a:311) and have produced knowledges like eugenics as well as practices like forced sterilization and attempted genocide. Even today's taken-for-granted category of 'liberal-democracy' effaces quite different rationalities of rule - consider, for example, those of today's United States, Sweden, Israel and South Africa. Moreover, even liberalism, with its insistence on individual liberty, carries "a division between those who are capable of bearing the responsibilities and freedoms of mature citizenship and those who are not"

(Dean 1999:146). J. S. Mill, in his treatise, *'On Liberty'*, unabashedly advocates the illiberal rule of those not yet ready for liberal rule (such as 'backward' nations in the colonies) and does so *in the interests* of liberalism: "despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement" ([1859] 1975:15-16 cited in Valverde 1996:360). As Valverde (1996) notes, this is not a racist exception to liberal rule, but as much about the *meaning* of liberalism as its scope. Authoritarianism is thus an element even in *liberal* forms of rule (Ibid:147). Furthermore, there are prominent examples of what Dean (1999, chapter 7) calls 'authoritarian governmentality'. Apart from Nazi Germany and China (Dean's case studies), examples include Apartheid South Africa and, as argued in Chapter 4, Sinhala-Buddhism in Sri Lanka. These forms of rule embody specific notions of the 'right disposition' of people and things, and of the appropriate responsibilities of individuals, populations and the state, but in ways that clearly are not 'liberal', turning, for example, on hierarchies of race or ethnicity.

### **3.3 Governmentality and Biopolitics**

Foucault's work on governmentality emerges out of his efforts to explore the phenomena he terms biopower and biopolitics. Biopower refers to the "set of mechanisms through which the basic *biological* features of the human species become the object of political strategy, of a general strategy of power" (Foucault 2007:1, emphasis added). Biopolitics is thus a matter of taking control of life itself, of administratively - i.e. deliberately - ensuring the regulation of the biological processes of the population so as to foster its size, capacities and vitality (2003:246-7). In other words, "how, starting from the eighteenth century, modern Western societies took on board the fundamental biological fact that human beings are a species" (2007:1), by which he does not mean this happens for the first time – famines and epidemics have been the concern of rulers for millennia, but that life now increasingly become subject to continuous surveillance and application of regulatory and corrective mechanisms (1979:142-44), a development mutually constitutive of the development of capitalism (Ibid:140-142). It was Foucault's pursuit of this theoretical concern ('the

government of the living' i.e. the power that operates through humans as a living species, as a population) that informed the research agenda elaborated in his three lecture series between 1975 and 1979 (2003, 2007, 2008) and the publication *The History of Sexuality* (1979), and led to his development of concepts such as government (conduct of conduct), governmentality as well as biopolitics and biopower. Biopower/biopolitics and governmentality are thus closely related concepts. The former, crucially, is concerned with the *biological* dimensions of politics and begins by treating the "population" as "a set of coexisting living beings with particular biological and pathological features, and which as such falls under specific forms of knowledge and [management] technique" (2007:367, insert added).

The population, as a political and epistemological unit, a global mass, has specific characteristics: a birth rate, a death rate, levels of illness or accidents, and so on. Crucially, these 'natural' characteristics are seen to be impacted by a number of processes inherent to the population which are amenable to deliberate management i.e. they can be 'artificially' increased or reduced by active intervention. It is these processes which become the focus of biopolitics, as targets to be controlled and managed. The emergence of biopolitics is thus intrinsically linked to a range of ever-expanding knowledges about these characteristics, as well as, especially, the emergence of 'statistics' which enables them to be tracked and studied. Ambitions to manage a population in terms of its vitality imply complex systems of coordination and centralization, and thus lead to the administrative apparatuses of the modern state: "apparatuses of security ... have to be installed around [each] element inherent to a population of living beings so as to optimize a state of life" (2003:244, 246, 250). At an obvious level, the ambition to reduce or eradicate illnesses or those biological phenomena that sap the population's productivity (see today's concerns with alcohol or drug (ab)use, for example) leads to the emergence of practices such as public hygiene, vaccination, etc as well as the institutions to coordinate medical care and normalize certain knowledges. Biopolitics also encompasses efforts to manage those phenomena other than illness that impact the productivity of the population – old age, accidents, infirmaries and other anomalies – and lead to social management techniques such as insurance, savings, safety measures and charities.

Mechanisms such as statistical estimates and forecasts are essential to making these possible. Crucially, it is not the natural characteristics of the population that are the point of intervention, but those biosocial processes by which these are determined. Moreover, the apparatuses of security (i.e. regulation) seek not to eradicate illness or mortality, but to manage them by keeping them at acceptable levels, at an appropriate 'average' or sustainable 'equilibrium' (2003:246). Management – i.e. governance - thus has as its goal the population itself – i.e. the optimizing of its vitality and productivity. Management, however, takes place not only at the macro-level of population, but also at the individual level – looking after one's health, providing for one's old age, etc - and the family – having more or less children, for example. Discipline (operating at the level of the individual body) and regulation (operating at the level of population) are therefore not mutually exclusive forms of power, but are articulated together, in service of an overarching goal (Ibid:250-51).

Paradoxically, as Foucault notes, biopower, with its the strategic logic of increasing the vitality and productivity of population, emerges in a period also marked by mass genocides, total war and the advent of nuclear weapons. Given that biopower's objective is essentially to make live, how can it also kill or exclude and let die? For Foucault, the answer is found in racism, by which he means the division of humanity into distinct, hierarchically ordered groups. This does not refer only to 'ethnic' or 'racial' categories, but also the distinction between the 'good'/'normal' population and those subgroups of humanity that are deemed incapable of responsible conduct or self-regulation – the mad, the disabled, the deviant, the criminal (see discussion in Dean 1999:138-48). Both nuclear weapons and capital punishment are thus biopolitical technologies. As Foucault puts it, "racism is a way of introducing a break into the domain of life under power's control: the break between what must live and what must die" (2003:254) - for the sake of the population's vitality and survival, that is. This is not to say racism is a new phenomenon that manifests when biopower emerges, but that racism is inscribed in the very mechanisms of the biopolitical state. This notion of racism – as the subdivision of the human continuum into sub-populations ordered in a hierarchy of worth, between good/fit collectives and those that are inferior and/or pose threats to the former (Ibid:254-60) - allows

analytical purchase on phenomena such as war as well as routine politics. The normalizing society, as Foucault puts it, is founded on a 'race war' along a recurrent binary division in society and the logic that: "we have to defend society against all the biological threats posed by the other race, the subrace, the counterrace that we are, despite ourselves, bringing into existence" (Ibid:61-62). Social normalization is therefore society's permanent attempt at its internal purification (Ibid:62).<sup>45</sup>

What immediately comes to the fore in all this, therefore, is the specificity of the governmental reason(s) informing the logics of different forms of biopolitical management. Biopolitics thus deals with the population as a *political* problem, a problem that is at once scientific and political (2003:245). In this way, biopolitics, as Foucault notes "is only part of something larger, which [is] ... governmental reason" (2008:22fn, insert original) and notes how the biopolitical strategies and techniques of the nineteenth century he studied "were inseparable from the framework of political rationality within which they appeared and took on their intensity" – 'liberalism' in this case (2008:317). As detailed in Chapter 4, this dissertation examines three different governmental rationalities that compete to order territory, populations and political rule in Sri Lanka – Sinhala-Buddhism, Tamil Freedom and Liberal Peace. Each seeks to foster the flourishing of population in keeping with its own conception of the right disposition of people and things. Sinhala-Buddhism posits the island as firstly, the homeland of the Sinhala people and, secondly, a bastion for the defence of Buddhism, a task which is the responsibility, moreover, of the Sinhala. This hierarchical ordering includes non-Sinhalese, and non-Buddhist Sinhalese, groups as part of the island's population but only on these specific terms. In contrast, Tamil Freedom conceives of Tamils and the Sinhalese as comprising distinct and *equal* (i.e. equally valuable) collectives on the island and, secondly, holds that the Tamil collective's

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<sup>45</sup> As Dean notes, it is this proclivity to divide "the population into subgroups which contribute to or retard the general welfare and life of the population" that has led to "the discovery among the population of the criminal and dangerous classes, the feeble-minded and the imbecile, the invert and the degenerate, the unemployable and the abnormal and has led to attempts to prevent, contain or eliminate them" (1999:100). In today's Western states, for example, 'Muslim extremists' or 'home grown terrorists' emerge *alongside* 'moderate Muslim communities' and 'disadvantaged youths' from 'deprived communities'.

wellbeing can succeed only free of Sinhala domination. Liberal Peace turns on a specific ideal of the state and its society in which all *individuals* are equal, and socio-political life is regulated by peace, democracy and free markets.

Each rationality invests socio-political regulatory processes that seek to foster the wellbeing of the population as well as the correction or exclusion and elimination of those who do not include themselves on this basis. In Sinhala-Buddhism terms, this includes the state-supported establishment of militarised Sinhala colonies in (Tamil-speaking) areas, as well as the building of Buddhist temples and funding of archaeological searches for Sinhala historical traces in these places and the direction of international developmental aids towards such projects of demographic reordering. Liberal Peace invests processes to foster ‘multi-ethnic civil society’, free economic exchange, ‘enterprise’, ‘plurality’, and so on. Tamil Freedom seeks to create social and political spaces that enable the flourishing of Tamils’ cultural and economic development. Conversely, as manifested most clearly in wartime, these rationalities seek to correct or eliminate, those who do not conduct themselves in keeping with their tenets. In Sinhala-Buddhism terms this includes the infliction of mass bombardment and blockades on food and medicine (Paust 1997, HRW 2009) on people who refuse to accept the privileging of Sinhala and Buddhism at the apex of socio-political ordering. In Liberal Peace terms, this includes the withholding of reconstruction and rehabilitation aid from those who place themselves beyond the state’s writ or support armed challenges to its sovereignty (those bearing arms are of course confronted through military, political and legislative measures to fight ‘terrorism’), and the exclusion from political processes to those, rather than embracing ‘multi-ethnic pluralism’ subscribe to ‘extremist’ notions such as an independent Tamil Ealam state, or ‘Tamil self-determination’. In Tamil Freedom’s terms, those ‘traitors’ who work with the Sinhala state and its military are eliminated and those refuse to conduct themselves as part of the Tamil nation are excluded from its political deliberations and decisions.

These three rationalities and their implementations and contestations are further discussed in the following chapters. Within the constraints of its allotted space, this dissertation is concerned more with excavating the governmental rationalities

investing disparate – political, economic and social - processes underway during the 2001 to 2006 international intervention in Sri Lanka, than the equally valuable exercise of exploring their profound biopolitical implications. This is because a thorough understanding of governmental rationalities must necessarily precede a study of the biopolitics they inform. In his lectures elaborating the emergence of governmentality and the birth of biopolitics, Foucault sets out “to show how the central core of the problems that I am trying to identify is population”(2008:21). “But”, he says,

“it seems to me that the analysis of biopolitics can only get underway when we have understood the general regime of this governmental reason..., this general regime we can call the question of truth [...] within governmental reason. Consequently it seems to me that it is only when we understand what is at stake in this governmental regime ... will we be able to grasp what [its] biopolitics is” (Ibid:21-22, insert added).

### 3.4 Clash of governmentalities

Having set out the notions of government (as the ‘conduct of conduct’) and governmentality as a mode of power which, alongside discipline and sovereignty, and informed by a specific rationality, seeks to foster the wellbeing of a population, the chapter sets out the notion of a ‘clash of governmentalities’ i.e. of the competing rationalities for the direction of human conduct, that this dissertation argues enables a more productive study of Southern warzones and international interventions in them.<sup>46</sup> To this end, this section discusses on

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<sup>46</sup> I borrow the term ‘clash of governmentalities’ from Ó Tuathail and Dahlman (2004) who coined it in reference to the conflict in Bosnia. However, this dissertation goes well beyond their strikingly limited use of *governmentality* as both political rationality and mode of power. To begin with, whilst they posit a number of governmental rationalities, both in the international community (including a ‘global liberal governmentality’), and Balkan actors (“All Serbs in one state” and “Croatia for the Croats”, for example - which they also characterise as ‘ethnonationalist governmentality’), they do not work through the content of these rationalities - i.e. what’s at stake in the ensuing clash. Of course, this does not, in and of itself, preclude the specificity of these political rationalities. However, it is in the analytical operationalising of these that significant weaknesses emerge of Ó Tuathail and Dahlman’s conceptualisation of a ‘clash of governmentalities’. Many of the (in)decisions and (in)actions of the international community, for



Foucault's notion of 'counter-conducts' and its possibilities and limits before setting out how a clash of governmentalities operates, and thus serves as a framework for such analysis.

## Conduct and Counter-conducts

In his extensive discussion of the emergence of the Christian pastorate (the religious ambition to conduct souls which he sees as the 'prelude' to governmentality, the political ambition to conduct 'men and things')<sup>47</sup>, Foucault also briefly looks at the emergence of "some points of resistances" to this emergent pastoral power, resistances that he terms "revolts of conduct" or "counter-conducts" (2007:194-216). These, he says, "are movements whose objective is a different form of conduct [to that of the Christian pastorate], that is

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example, are put down to (unspecified) strategic 'interests'. This is not to say such interests do not exist, but they cannot stand as explanations without elaboration of the *governmental* calculations that produce them. Consequently, the analysis tends overall towards a positivist, quasi-realist one. This is exacerbated, for example, by the arbitrary division of international actors between states on the one hand, and, on the other, international media, UN agencies and other non-state actors, which are deemed to have different, but 'globe-spanning' governmentalities. Conversely, the pursuit of ethno-nationalist visions of Bosnia are held ultimately to be consequences of the individual ambitions, thinking, and calculations of the Serbian and Croatian leaders (Slobodan Milosovic and Franjo Tudjman). In other words, the underlying assumption is of latent ethno-nationalist solidarity in the three populations of Bosnia which are vented consequent to the efforts of the Serbian and Croatian state (leaders) to dismember Bosnia. Thus, although the Bosnian conflict and international engagement with it are held, quite plausibly, to be shaped by "two geopolitical visions of that state, competing governmentalities with very different notions of how territory, population and political life should be ordered" (Ibid:139-40), the analysis assumes these to be effected 'top-down' and on the basis of pre-formed actors – states, paramilitaries, ethnic groups, and so on - with self-evident attributes and interests. As such, 'governmentality' becomes shorthand for 'nationalist ideology' in the analysis. Indeed, at times 'governmentality' stands in for individual actors' 'mentality'. Furthermore, Ó Tuathail and Dahlman focus primarily on sovereign (ethnic cleansing by paramilitaries, for example, or fiats by various UN High Commissioners pursuing post-ethnic cleansing resettlement) and, to a limited extent, disciplinary (international conditionalities to ensure refugee returns to their original homes, for example) modes of power seeking to shape reorderings of *territories* in terms of which ethnicities are permitted to live in these; multi-ethnic populations for the international community, and exclusively one ethnic group for local (Serb, etc) administrators. In other words, there is little or no attention to governmental power – i.e. how well-behaved subjects of the various governmental rationalities are brought into being – either in terms of how networks of actors come to turn those formerly vested in a 'multi-ethnic Bosnian state' (which the authors assert as a reality denied by the international community) into those seeking exclusivist territorial arrangements, or how the latter come internalise and take up their new subjectivities. In contrast to Ó Tuathail and Dahlman's admittedly short, but sweeping, text which elides such concerns, this dissertation posits such questions as fundamental to what is termed here a 'clash of governmentalities' i.e. how competing rationalities engender practices that are actually constitutive of political and social identities (i.e. subjects) and territorial spaces.

<sup>47</sup> See discussion in Chapter 2, subsection titled 'Governmentality and the "non-West".'

to say: wanting to be conducted differently, by other leaders ..., towards other objectives ..., and through other procedures and methods.” (Ibid:194, insert added). In that sense, there is a “specificity”, an inherent rationality, to these refusals, revolts, and resistances. In using such labels for these resistances, however, Foucault does not see these as *responses* to the Christian pastorate – in that case, he notes, the pastorate itself emerged in ‘reaction’ to, or ‘with hostility to’, a range of older religious behaviours and sects in the Middle East from the second to fourth centuries (Ibid:195). Thus, even though it is not possible to say which came first and which later, he nonetheless sees “an immediate and founding correlation between conduct and counter-conduct” (Ibid:196). By way of illustration, Foucault details five ‘main’ examples (he lists many more) of counter-conduct in the Middle Ages to the massive Christian pastorate, each with its own ‘fundamental theme’(asceticism, communities, mysticism, Scripture and eschatological beliefs), as well as three more counter-conducts against emerging political governmentality in Europe: conscientious objection to war (against volunteer soldiering as an ethic of the ‘good citizen’, i.e. against society’s values and obligation to the nation); the emergence of secret societies which, adopting increasingly political objectives (from earlier ones of religious dissidence), aspire to a ‘counter-society’ to the prevailing ones; and the refusal to abide by the government of modern medicine (refusing vaccination or treatments, and so on). Against the powerful clashes of governmentality considered in this dissertation, it is worth noting here how these examples of counter-conduct are episodic and ‘small’ in comparison to the scale and depth of the conduct they are countering (the analytical implications are discussed below). What is important for Foucault, however, is how these counter-conducts are not stand-alone phenomena: “the specificity of these struggles, these resistances to conduct, does not mean they remained separate or isolated from each other, with their own partners, forms, dramaturgy, and distinct aim. In fact they are always, or almost always, linked to other conflicts and problems” (Ibid:196). Examples of the latter in the Middle ages include struggles between the bourgeoisie and feudalism, the uncoupling of urban and rural economies, the status of women in religious or civil society, and so on. “Though these revolts of conduct may be specific in their form or objective, whatever their specificity, they are never autonomous, they never remain autonomous” (Ibid:197).

When examining the organized, protracted and large scale political agitation and armed violence that are often manifested in Southern warzones, the notion of 'counter-conduct' is at once both illuminating and constraining. On the one hand it encourages the seeking of analytical explanations through the excavation of often not obvious political rationalities informing, and advanced by, various forms of often violent resistance to a taken-for-granted dominant organisation of territory, population and security. On the other hand, the coeval assumption of 'an immediate and founding correlation' between conduct and counter-conduct can limit analysis by privileging a search for deviations, contrasts or contradictions in relation to a prevailing governmental rationality, rather than an exploration of each present rationality in its own right. In other words, despite Foucault's recognizing the specificity of counter-conducts, his elaboration of a 'counter-conduct' can itself serve to foreground the 'dominant' rationality, rather than the full measure of the other rationalities in question – for example, he points out that the five counter-conducts to pastoralism are “not absolutely external” to Christianity (Ibid:214-215). What is important, therefore, is to excavate the “reasoned, reflected, coherence” of the ‘principles of rationalization’ inherent to a governmental rationality (2008:18). The ‘local’ rationalities of Sinhala-Buddhism and Tamil Freedom, for example, overlap in some ways with the global rationality of Liberal Peace, but also contradict it in important ways. However, to begin by seeing them as ‘correlated’ to Liberal Peace, can preclude analytical pursuit of the full extent of their specificities, a point underscored by their emergence and contestation with each other several decades before Liberal Peace, in its present manifestation, enters the Sri Lankan milieu. As such, it is argued here that a starting point of ‘multiple’ governmentalities competing in a given milieu holds greater analytical possibility than one of ‘counter-conducts’.

### **Struggle to shape subjects**

Multiple governmentalities can be pursued at the same time in the same constitutional and temporal space - even though the effects of one may be, or appear to be, ‘dominant’ over others at a particular time. The differences between

these rationalities in terms of the ends, means and objects of government can therefore result in important contestations, as well as cooperation that might stem from their similarities. As noted earlier, government's utopian telos (Dean 1999:33) envisages and requires the *re*-shaping of relationships between people and things. It is precisely in this sense of the pursuit of differing conceptions of a 'good society' or 'better world' and of better ways of doing things (Ibid), that it becomes possible to speak of 'competing' governmentalities or a 'clash of governmentalities'. To speak of 'multiple' governmentalities is not, however, to suggest there aren't or cannot be overlaps between them. Governmentalities are thus *distinguishable* by the important differences in their utopian conceptions; differences, moreover, that cannot be reduced merely to the variations in the specific goals pursued by the individual actors operating within each of these rationalities. The notion of 'clash', on the other hand, refers not to an instantaneous confrontation that renders one rationality inoperative in the presence of the other. Rather, it refers to the notion of ongoing 'struggle' (Foucault 1980a:164, 1980b:143-44, 2002c:346-8). If a relation of power constitutes the defining of the 'field of possibilities' for the actions of the other (over whom power is exercised), then this is achieved when stability replaces the 'free play of antagonistic reactions' (Foucault 2002c:346-47). The objective of 'struggle', then, is the 'fixing' of power relationships, of rendering them stable. However the notion of 'struggle' is, in and of itself, an insufficient explanation for the contestations that lead to the 'messiness' of politics; it becomes analytically useful "only ... if one establishes concretely - in each particular case - who is engaged in struggle, what the struggle is about, and how, where, by what means *and according to what rationality* it evolves" (Foucault 1980a:164, emphasis added). It is in this sense that the idea of a 'clash of governmentalities' comes to provide analytical traction: governmentalities can be distinguished by their utopian conceptions and ends which can be excavated and brought to the fore by careful empirical analysis which considers the different problems of rule that come to be identified, the solutions proposed for these problems, and the different uses to which technologies of government are consequently put.

In addition, and of specific interest to this dissertation, what are seen as failures of attempts at government can also be related to what is seen as *successes* of

simultaneous other attempts at government undertaken from within other different, *competing* rationalities. Competing governmentalities thus play out through ever-changing networks in which the formation, disruption and reformation of subjectivities and alliances is ceaseless. Individuals and agencies operating at a distance from authorities through their 'own' interests, ambitions and actions, become embedded and re-embedded in these ever-changing networks. Crucially, therefore, a particular rationality can come to displace or subsume another through the outcomes of the struggles, the recurrent series of contestations and cooperations that occur across their overlapping terrains of government. A clash of governmentalities thus plays out in attempts to create new subjectivities and to alter or destroy 'existing' ones - or, rather, as Briggs (2001) puts it, in attempts to elevate a particular subjectivity above any others that the object of government may be living or inclined to take up. It thus engenders the development of new forms of discipline that undermine or supplant ones already at play, the identification of 'achievements' and goals of one rationality as 'problems' within another, and the associated devising of appropriate 'solutions'. Not least, a clash of governmentalities also results in the invocation of acts of sovereignty in the pursuit of conflicting governmental ends.

Therefore, what might appear as resistance to governmental ambitions (say liberal peace) may be traced, not to 'irrationality' ('ancient hatreds', for example), amoral self-interest ('greed over grievance'), an outright rejection of a self-evident 'right disposition' of men and things ('barbarism' or 'evil'), but to different conceptions of what this right disposition should be and presently is not. For example, the rejection of federalism as a 'self-evident' solution to a 'separatist' conflict may not necessarily stem from actors' unscrupulous self-interest in continuing violence or pathological intransigence, but from a different rationality which considers federalism - which sets limits on territorial self-rule whilst weakening centralized power - as incompatible with the right disposition of things. For example, alternative rationalities might see particular forms of federalism as constituting a rejection of a people's right to self-determination (i.e. to choose their own form of governance), or conversely, the ceding of territory that is a people's historical possession or 'birthright' to violent interlopers (see Chapter 4). Thus even the notion of 'compromise' over one issue or other might

seem rational or 'normal' within one rationality, but constitute a violation of the ideals or principles of government in another.

### 3.5 Governmentalities in a warzone

In conclusion, this chapter has sought to elaborate the concept of a 'clash of governmentalities' as a way of analytically engaging with the complex dynamics, trajectories and outcomes of Southern warzones. It argued these are often places where different governmental rationalities are violently competing in physical and epistemic terms to reorder population, territory and security according to different ideals of a better world, different understandings of the 'right disposition' of people and things. In service of each competing rationality, governmentality, discipline and sovereign modes power operate together, as a 'triangle', to produce sought-after conducts in a variety of micro-locales, through the inculcation of specific subjectivities in individuals, organizations and populations. A warzone can thus be conceptualized in terms of another notion Foucault raises, albeit briefly, in his lectures: that of the 'milieu' (2007:20). Foucault uses the milieu to conceptualize the (putative) space of government, by which he means not (just) territory, but also the series of possible events that has to be regulated in it to achieve a sought after set of ends of government. So, firstly, "the milieu is that in which the government takes place" (Ibid:21). Taking the example of a town – a human creation organized to specific purposes and specific logics (i.e. to achieve specific types of circulation, such as trade, and prevent others, such as vagrants and disease) – Foucault sees a milieu as "a set of natural givens – rivers, marshes, hills – and a set of artificial givens – an agglomeration of individuals, of houses, etc." (Ibid:21). Secondly, a milieu comes into being conceptually *through* government: "the apparatuses of security [regulation of circulation] work, fabricate, organize, and plan a milieu even before [it] is formed and isolated" as a unit of regulation (Ibid). The milieu is a conceptual frame that allows governors to govern, by linking all the elements that comprise what is to be governed as well as those that bear on these: "what one tries to reach through the milieu is precisely the conjunction of the series of events produced by these individuals, populations, and groups, and the quasi-natural events which occur around them" (Ibid). It is,

therefore, a *field of intervention* for governors in which individuals come to be managed as a population, rather than a set of legal subjects, or a multiplicity of organisms. Finally, the milieu “is a certain number of combined, overall *effects* on all who live in it” (Ibid, emphasis added).

It can be seen immediately that the notion of milieu helps capture the imprecise, ceaselessly changing, and volatile space that comprises a warzone such as ‘Sri Lanka’, as well as the myriad efforts undertaken by ‘internal’ and ‘external’ governors to reshape, dominate, control and administer its multiple facets and dimensions. This is, in and of itself, not a radical idea; for example, there is an extensive and growing scholarly and policy literature that conceptualizes places like Sri Lanka as a ‘conflict system’ (Wils et al 2006, Ropers 2008). Systemic thinking-based analysis, however, nonetheless starts mapping a conflict system by inventorying self-evident conflict actors, with claimed or attributable interests, and seeking their lines of connection and impact. Whilst the notion of a system allows a widening of the analytical lens (to include diasporas and external ideologues, for example) and to look for the self-sustaining logics of war, these are nonetheless positivist approaches that draw on conventional understandings of power and consequently miss the powerful effects of conduct being conducted in accordance with coherent governmental rationalities through diffuse networks and ways of doing things. For example, following the military defeat of the LTTE in mid 2009, it is almost impossible to capture – without recourse to conceptions such as nationalist ideology, say - the continuing bitter contestation between the governmental rationalities of Sinhala-Buddhism, Tamil Freedom and Liberal Peace in shaping what the future ‘Sri Lanka’ should be (see Chapter 4). The notion of a milieu, however, directs analytical focus towards the decentred effects of power that are manifest in a given space. The milieu enables analysis of Southern warzones, in particular by illuminating the different overlapping spaces to be governed within different governmental rationalities. Territorially, for example, the limit for Tamil Freedom is the Northeast of Sri Lanka and various Western cities where Tamils reside; to Sinhala-Buddhism, the entire island; and for Liberal Peace, the horizon of regulated conduct is the entire globe. It is to the study of these three specific governmentalities that the dissertation now turns.

## 4. Three Rationalities

This chapter outlines three different rationalities – three different conceptions of the ‘right disposition’ of people and things, three different visions of what constitutes a ‘better world’ – that have been clashing in the Sri Lankan space from well before the Norwegian-led international ‘peace’ engagement began in 2001. The powerful and unpredictable effects of competition between these rationalities, which are labelled in shorthand here as ‘Liberal Peace’, ‘Sinhala-Buddhism’ and ‘Tamil Freedom’, has resulted in outcomes which have appeared differently in terms of each of these rationalities.<sup>48</sup> This chapter argues that what appears as a ‘success’ of government in one rationality can also be seen an abject ‘failure’ in another rationality. In other words, what appears as resistance to rule within one rationality may constitute rule itself in another. For example, the production of an all-Sinhala military with an ethos and ceremonial rituals steeped in Buddhism may fall short of the ideal of secular armed forces desired by Liberal Peace, but is very much part of the ‘right disposition’ of people and things sought by Sinhala-Buddhism.

The three governmentalities studied here thus position the actors involved – both ‘locals’ (the Sri Lankan state and its agencies, the LTTE, the island’s ethnic groupings, NGOs, political parties, social movements and others) and ‘internationals’ (other states, IOs, IFIs, INGOS, etc.) – as different sorts of objects on their respective terrains of government. Moreover, the problematizations, programmes and uses of various technologies of governance engendered by these different rationalities resulted in efforts to transform the subjectivities of individuals, organizations and communities in often, though not always, divergent ways. Although, for reasons of space, the focus of the dissertation is on the consequences of Liberal Peace and Tamil Freedom encountering each other in the context of the international peace intervention in Sri Lanka, these cannot be

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<sup>48</sup> These labels are not intended to carry any specific normative or value judgment. Rather, they seek to capture essential elements of powerful political rationalities that have guided the actions of various actors over several decades. The labels ‘liberal peace’ (lower-case) and ‘Tamil liberation’ (or ‘Tamil national liberation’) are used in this dissertation to describe the end-goals sought by the programmes of Liberal Peace and Tamil Freedom respectively.



examined without recognising the rationality that has increasingly informed the conduct of the Sri Lankan state and Sinhala polity since independence in 1948, Sinhala-Buddhism. The first three sections of this chapter discuss Liberal Peace, Sinhala-Buddhism and Tamil Freedom, respectively, in terms of the political rationalities and the governmental processes in which these are embedded. The final section discusses the interplays between these governmentalities, particularly in the context of 'violence' or 'conflict', even before the 2001-2006 international engagement.

The first section sets out the rationality of Liberal Peace and discusses how this results in specific problematizations and programmes in the context of Southern warzones generally (Chapter 5 discusses the specificity of Liberal Peace in Sri Lanka itself) with particular emphasis on what the UN-established International Commission on Intervention and State Sovereignty (ICISS), for example, calls "secessionist violence" or "a conflict between a state party and an insurgent Minority" (2001:26, 36, capitals original). As a political rationality, Liberal Peace turns on an specific ideal of the modern state, its citizen and its society which, once rendered ubiquitous, is held to lead inexorably to the emergence of a pacific, liberal world order. The essential elements of Liberal Peace are peace, democracy and free markets - which Mandelbaum (2002) characterises as "the ideas that conquered the world" - or, as one donor-funded study on Sri Lanka puts it, "liberal democracy and market sovereignty" (Goodhand et al 2005). In this political rationality, not only does the combination of democracy and free markets constitute the bar to future violent conflict ('Liberal'), they are also the means by which the 'conflict-ridden' societies of the global South can gradually divest themselves of their debilitating antagonisms and other lacks and thereby attain a state of perpetual peace ('Peace'). As the chief Norwegian facilitator, Deputy Foreign Minister Vidar Helgesen (2002), put it, "peace is an aim in itself. But peace is also a means. A means for the betterment of human life."

Thus, embodying out not only the goals of government, but also how these ought to be pursued (and, just as crucially, by whom), liberal peace constitutes a specific global governmental project (see Dillon and Reid 2000), which sees the process of ending conflict not as merely securing a return to an earlier status quo so that the

interrupted processes of development can resume, but instead the transformation of the problematic Southern states and societies into a new mesh of internal and external relations in which the re-emergence of violence is actively precluded (Duffield 2001). Over past decades, this transformatory logic has been embedded in countless policy documents and research analyses by Western states and their associated organizations, institutions and agencies to such an extent it has come to constitute the 'commonsense' of international intervention in Southern sites. Two archetypal texts<sup>49</sup> are drawn on here: the OECD Development Assistance Committee's (DAC) 'Guidelines on Helping Prevent Violent Conflict' (2001)<sup>50</sup> and the ICISS's 'The Responsibility to Protect' (2001). These are especially applicable to places like Sri Lanka where internal conflict and state repression have long been underway, and while they have seemingly different foci (ameliorating and preventing internal conflict, and rationalising external intervention on behalf of populations at risk, respectively) both are quintessential embodiments of Liberal Peace.

The second section discusses Sinhala-Buddhism, a rationality which posits a specific linkage between the populations, territory and political rule in Sri Lanka i.e. that the island is firstly, the homeland of the Sinhala people ('Sinhala') and, secondly, a bastion for the defence of Buddhism, a task which is the responsibility, moreover, of the Sinhala ('Buddhism'). This ordering accepts non-Sinhalese (and non-Buddhist Sinhalese) groups as part of the island's population but only on these specific terms. This rationality has led, especially after independence, to the identification of specific problems and the pursuit of specific programmes towards addressing the departures brought about by colonial rule from this 'right disposition' of people and things. These programmes have included demographic (re)engineering in the Tamil and Muslim-dominated areas of the island via state-sponsored settlement of Sinhalese (Tambiah 1986, Peebles

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<sup>49</sup> Both emerged from networks of extensive consultation involving governments, NGOs, policy think tanks and individual experts, mainly, unsurprisingly, from the global North.

<sup>50</sup> In 1997 the OECD's DAC issued what it described as its 'ground-breaking' guidelines on 'Conflict, Peace and Development Cooperation on the Threshold of the 21st century.' These were incorporated in 2001 into the guidelines on 'Helping Prevent Violent Conflict.' The latter is of particular interest in contexts like that of Sri Lanka as, according to DAC, it "relates primarily to collective conflict – conflict among groups within or across nations" (2001:17).

1990, Manogaran 1994), transformation of the military into a Sinhala guard for the protection of Buddhism (Bartholomeusz 2002), the merging of religion and rule, symbolised by the adoption of Sinhala and Buddhist motifs in affairs of state, and so on. In short, the post-colonial state has been ‘governmentalised’ (Foucault 2007:109; see also Dean 1999:102-111,193-200) in terms of the rationality of Sinhala-Buddhism. The elements that comprise Sinhala-Buddhism are found embedded in manifestos and statements over the years of Sinhala leaders and political parties, the constitutions of 1972 and 1978, and other texts.

In contrast, the third rationality discussed here, Tamil Freedom, firstly, conceives of Tamils and the Sinhalese as comprising distinct and *equal* (i.e. equally valuable) collectives on the island (‘Tamil’) and, secondly, holds that the Tamil collective’s pursuit of *progress*, broadly defined, should be unhindered, in particular by Sinhala domination (‘Freedom’). As discussed in the third section, developments in post-independence Sri Lanka led to the emergence of specific problematizations and programmes in the rationality of Tamil Freedom.

Consequent programmes have including the pursuit of territorial autonomy (federalism and, later, independence and statehood) and armed struggle (a ‘war for national liberation’). Whilst the focus of this dissertation is on how ‘Tamil Freedom’ was pursued amid the international peace intervention after 2002, the effects of this political rationality are illustrated briefly in this chapter through discussions of problematizations and programmes in the context of the British Colonial state, the newly independent state of Ceylon and later rule by Sinhala-dominated governments. The elements that comprise ‘Tamil Freedom’ are found embedded in the manifestos and statements of leading Tamil political parties, power-sharing proposals put forward by successive Tamil leaderships, including the LTTE, and in landmark Tamil declarations at specific post-independence junctures over the years.<sup>51</sup>

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<sup>51</sup> Two key texts, Vaddokoddai Resolution and Thimpu Declaration, are reproduced in the Appendices.

## 4.1 Liberal Peace

### The rationality of Liberal Peace

Liberal Peace assumes a conception of peace that is rarely explicated or critically discussed, but is nonetheless held to be universally accepted (Richmond 2006b). This universality turns on core assumptions about the nature of individuals and the requisite conditions for human progress. In short, the liberal peace is based on liberal and, especially, neo-liberal conceptions of the individual and his/her relationship to the state and society. Beyond these fundamentals for perpetual peace, Liberal Peace also includes understandings of how these might be attained i.e. it engenders roles and responsibilities for international actors and the global market in the establishment and subsequent maintenance of appropriate relations within and across the boundaries of problematic states. Duffield's outline of liberal peace captured the idea of both rationality *and* project, in the sense that the term combines and *conflates* liberal economic and political tenets with the policy tendency towards conflict resolution and societal reconstruction as a solution to the conflicts of the South (2001:11). The liberal peace thus reflects a consensus, albeit a weak one, between major Western states, donors, agencies, NGOs and the UN that, not only does 'peace' incorporate market democracy, development and the rule of law, but "international intervention, both humanitarian or security oriented, should be contingent upon this" (Richmond 2006b:292). This ambition, it goes without saying, requires the transformation of the malformed individuals, societies and states that global liberalism sees in the fractured South into specific idealised forms commensurate with the tenets of liberal peace (Duffield 2001:11,259, Dillon and Reid 2000:117-8).

To begin with, liberalism is concerned in particular with the maximisation of individual liberty and, especially, the defence of that liberty against the state.<sup>52</sup> The individual is deemed to be a rational, interest-motivated economic ego by

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<sup>52</sup> Whilst there is a vast literature on liberalism and neo-liberalism as philosophies, political doctrines or ideologies, this dissertation draws on the literature that takes these as *governmental* rationalities (see, for example, the writings of Graham Burchell, Mitchell Dean, Barry Hindess, Peter Mitchell, Pat O' Malley, Nikolas Rose and, of course, Michel Foucault).

nature (Burchell 1993:271). She is also seen, equally naturally, as a member of society and of that part of humanity that the state has oversight over (Ibid). Society is thus a container that is coincident with the nation (Dean 1999:124) and nation, crucially, refers to the (entire) population of the territorial state.<sup>53</sup> Moreover, this conceptualisation of the individual is held to result in, firstly, “the fissiparous tendency of economic egoism which leads exchanging individuals to engage in an abstract form of activity involving relations with others that are *indifferent* to their membership of any particular society or nation” and, secondly, the “complex interplay of particular localized patterns of sociability, of allegiances and antagonisms” that constitutes social life (Burchell 1993:271-2, emphasis added) – i.e. the ceaseless unmaking and remaking of ‘civil society’, considered in Liberal Peace as a natural domain of “self-sundering unity” (Gordon 1996:257). Antagonisms within society are therefore to be expected – it is what consequences these have and how they are resolved that matters.

In governmental terms, liberalism is centred on the regulative ideal of personal autonomy, including ideas of personal independence, rationality and responsibility (Hindess 1993:301). Individual freedom is thus conditional on the ‘proper’ – i.e. responsible - use of that liberty (see Dean 1999:117-8). Meanwhile, the individual’s responsibilities are set alongside those of the state: liberalism “sets limits on the state’s capacity to know and act by situating it in relation to the reality of the market ... and, more broadly, of civil society, as quasi-natural domains with their own intrinsic dynamic and forms of *self-regulation*” (Burchell 1993:269-270, emphasis added). However, neo-liberalism accords the state a role not as ‘passively’ allowing the market to ‘naturally’ appear but, rather, as actively constituting, and thereafter defending, the market.<sup>54</sup> Economic and social advancement therefore turns not on welfare provision by the state, but on sovereign power’s ending of exploitation and enabling of economic opportunity for all individuals. Welfare interventions by the state may be permitted insofar as

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<sup>53</sup> This refers to the ideal, of course, and not actuality, wherein problematic subgroups will require subjection to disciplinary power and sovereign action before (re)integration into society and the nation, thereby ensuring these can be maintained as an ongoing governmental field.

<sup>54</sup> “The market exists, and can only exist, under certain political, legal and institutional conditions that must be actively constructed by government” (Burchell 1993:270-1)

it encourages and reconstructs self-reliance in both providers and recipients of services (Rose 1999:265).

These elements constitute the basic framework for liberal peace. However, in those swathes of the South deemed to be riven by ethnic and religious antagonisms, stricken by the deprivations of armed conflict, impoverished by under-development and unscrupulous forms of extraction or exploitation (held to lead to or be the basis for violence) and governed by weak, failing or corrupt states, these fundamentals become the building blocks of a more complex vision of what individual, society and state should be. Ethnic and religious identities, whilst unavoidable, need to be rendered unproblematic by suitable legal and social restraints on particularist ambitions. Identities must be protected, but the maximisation of individual liberty is the priority. Individual, i.e. human, rights thus come to be placed at the top of an implicit and sometimes explicit hierarchy of rights, with 'communal rights' rendered effective not by legal or constitutional codification, ideally, but by the absence of individual unfreedom. Ethnic and religious identities must not be fettered within the realm of societal interaction, but should be excluded as a basis for politics (in the interests of the liberty of other groups) by the discipline and sovereignty of law, if not by the spread of appropriately pluralist societal values. Cosmopolitanism and 'civic' nationalism – based on the identity of the secular democratic state - must trump those of 'ethno-nationalisms' or religious 'fundamentalism'.

'Civil society', meanwhile, provides the arena for particularistic mobilisation while public debate is a *sine qua non* for the resolution of ensuing antagonisms. Civil society is a check on the state, but also allows the state to progress by governing less: "a legitimate state authority and a healthy civil society reinforce each other" (OECD 2001:15). Political power must be pursued by democratic mobilisation and competition amid adequate safeguards against particularist forces capturing power to the detriment of others. Furthermore, just as economic interdependence amongst states underpins peaceful relations between them, economic exchange and (thus) interdependence between the individuals making up various identity-based groups that comprise society will serve to efface manifest or latent antagonisms and prevent their recurrence. Societal conflict

cannot be avoided, but *armed* conflict can and must be actively forestalled. In this regard robust mechanisms of democracy and competitive dynamics of 'civil society' renders recourse to violence undesirable, especially given its obvious deleterious effect on networks of economic exchange. However, in the last instance, the state must intervene and uphold the rule of law.

Liberal Peace thus posits itself as the inverse of conflict. Or rather, it posits conflict as the failure, if not rejection, of liberal peace. In other words, 'violence' – except by the legitimate authority of the state – is an unqualified anathema. The mechanisms of 'civil society' (for debate) and democracy (for access to power) make resort to violence unnecessary. As Richmond notes, "democracy as the standard form of conflict-avoiding polity has been universalized by the liberal international community (Richmond 2006b:4), or, as Goodhand pithily puts it, "democracy is seen by many as a conflict prophylactic" (2006:34). Communal animosities may of course emerge – for example out of (mis)perceived contradictions between individuals' contingent and subjective identities, and violence may yet result, perhaps as a consequence of successful mobilising by self-interested factional elites, turning individuals and communities against each other. In the first instance, it is the responsibility of the state to maintain law and order and to protect citizens from each other. Thereafter, amid assured security, civil society and democratic politics would ensure such tensions work themselves out peacefully and thus be ameliorated. As such, identity - for example 'ethnic' - conflicts are a threat to liberal peace itself (Richmond 2007:82), undermining the bonds between citizens and between citizen and state as well as the civic identities on which these turn.

In short, liberal peace holds that the individual (citizen) cannot attain his/her full potential through his/her maximalised liberty, except within the framework of a robust, democratic and market friendly state, a pluralist polity and a cosmopolitan society. Crucially, therefore, if these are not in place, they must be consciously built. This is less a matter of forming institutions, though these are essential, than inculcating a specific rationality amongst the individuals who make up society and constitute the citizenry of the state: "since war is made in the minds of men and it is in the minds of men the defences of peace must be constructed"

(UNESCO 1945). Therefore, while peace is held to be a 'natural' condition of humanity, unlike war - leading to the assumption that while the nature of war may be contested, the nature of peace is not (Richmond 2007:11) - it nonetheless has to be maintained by watchfulness and appropriate interventions.

### **Liberal Peace as government**

Whilst the notion of 'transformation' reflects the utopian character of Liberal Peace as a rationality, the question is transformation of what, from what to what, and by whom? To begin with, the establishing of the liberal peace is "irrevocably linked to the territorially sovereign state as an umbrella for political community" (Richmond 2007:13). As much as the state must be restrained in the interest of individual autonomy, the state, with international support, is also responsible for establishing the rule of law, protection of human rights, setting up the market to support development and poverty alleviation efforts and so on (OECD 2001:17). The territorial state, moreover, constitutes the boundary of the 'nation' and 'society' on whose behalf these steps are to be undertaken. This includes, therefore, the totality of communities and actors hitherto engaged in violence against each other and, quite possibly, the state. Creating the ideal modern state entails the "*construction* of liberal democracy, with a free market and globalized economy, progressive development strategies, and guaranteed human rights" (Richmond 2004:132, emphasis added), but this arrangement of people and things is predicated on assumptions about the individual, society and state that are not usually reflected in the practices of politics underway in Southern warzones (Dillon and Reid 2000:118).

Liberal Peace thus is, like other governmental rationalities, both inherently ahistoric and eternally optimistic. While the presence of stark antagonisms, and perhaps even 'ancient hatreds', are acknowledged or even anticipated in conflict states, these are deemed to be containable, effaceable and possible to preclude from recurrence by the economic interdependence and democratic ethos that would result from transformation. The failings of the state, which might include structural weaknesses, militarisation, lack of popular legitimacy, institutionalised



racism, and so on - failings that might have manifested in state repression or even genocidal violence - are also considered addressable through transformation. In short, Liberal Peace turns on the certainty that, given a bounded territory and a population, no matter how riven, a liberal democratic state, a multi-cultural nation, a pluralist polity, a vibrant civil society and a globalised market economy can sooner or later be constructed – provided, of course, the appropriate external interventions are undertaken and the course is stayed. Stabilising the weakened, even failing, post-conflict state is, meanwhile, the first step towards pursuing liberal peace, while the cornerstones of Liberal Peace are the technologies of human rights, democracy and human security (Richmond 2007:10). Liberal Peace thus simultaneously engenders two forms of responsabilization; firstly, on the people, societies and states of the conflict and poverty-stricken Southern warzone to transform and, secondly, on the international community to assist, enable and ensure this transformation. Whilst the implicit and sometimes explicit self-accorded trusteeship of the international community is widely recognised, what is important here is how transformation, as a relation of government, accords rights and responsibilities to both those to be transformed and those effecting transformation. In other words, success or failure of government, here both transformation and effecting transformation, *is a measure of the international community, as much as the state and society in question.*<sup>55</sup> It is worth reiterating here how liberal peace is a *global* project, failure in which cannot be countenanced.

However, while the utopian ethos of Liberal Peace sees anything as possible, it doesn't see everything as permissible. For example, the territorial integrity of the dysfunctional state remains inviolable, even in the context of popular internal demands for self-determination. So strong is the utopian telos of Liberal Peace, the prevention of secession and the maintenance of the state's territorial integrity can be considered integral to it. Even the ICISS, looking at situations where

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<sup>55</sup> For example, the OECD exhorts donor agencies to work towards the future integration of the state into the global order, if necessary, bringing their own governments into shaping the recipient state's policies in "trade, finance and investment, foreign affairs, defense, and development cooperation" (OECD 2001:17). In preparation, therefore, donors must "address democracy, security and better governance as major issues" (OECD 2001:18).

external interventions which violate state sovereignty may be warranted by the brutality of the state concerned, warns that any external intervention should not encourage demands for secession and, indeed, even intervention based on the 'responsibility to protect' (people against their state, in this instance) must be on the premise that such demands are rejected.<sup>56</sup> Even in the case of state violence against a section of its population so severe as to warrant international intervention, "the objective overall is not to change constitutional arrangements, but to protect them" (ICISS 2001:44). And even though the state in question might have engaged in racialised killings and 'ethnic cleansing' or attempted genocide, the solution is not to allow secession but to involve the aggrieved community in the process of transforming society and state (ICISS 2001:36).

At first glance, it might seem there is nothing inherently contradictory between the fundamentals of Liberal Peace and political independence for a given community; there is no reason why states like Kosovo or Eritrea are less likely to be liberal market democracies than Serbia or Ethiopia of which they were once a part. Moreover, given the liberal ethos underpinning the principle of self-determination, the demand for independence cannot be denied on liberal grounds. However, with the territorial state as the container for the 'multi-ethnic' nation, the notion of separate 'homelands' is deeply problematic, being held to be inherently exclusivist and divisive. In other words, although – or, perhaps given that – a stable liberal peace is ultimately achievable, 'separatist' or 'ethno-nationalist' demands should not be entertained. As Richmond points out, understandings of 'ethnic conflict' are "generally set against the foil of liberal peace" (2007:82) and reducing the resolution of these 'internal' wars to the construction of liberal statehood, "the subtext of much of this literature is that ethnic conflict is both a threat to the liberal peace, but also legitimates intervention to construct the liberal peace" (Richmond 2007:82). This has

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<sup>56</sup> The ICISS notes: "Another difficulty that can arise with internationally endorsed and externally applied preventive measures is that political leaders facing internal rebellion or secessionist violence will often be concerned about giving additional momentum or "legitimacy" to those causing their problems. *Those concerns should be understood and appreciated*, and a careful evaluation always made of the risks of well-intentioned efforts in fact making the situation worse. It is also *critical* in this regard that those wanting to help from outside completely recognize and respect the sovereignty and territorial integrity of the countries concerned, *and confine their efforts to finding solutions within those parameters.*" (2001:25, emphases added).

important implications when it comes to the forms of internal segmentation (say, federalism) in the context of identity-based demands for autonomy (see Chapter 5). In any case, it is held that genuine commitment to (liberal) peace on the part of the secessionists means they would, in fact, be prepared to 'compromise' on their demand. Or rather, in another strand of circular logic, to insist on independence when the state could be transformed into a liberal democracy is tantamount to rejecting the tenets of Liberal Peace.

### **The problematic of 'violence'**

It is beyond the scope of this dissertation to discuss the dizzying array of problematizations and programmes that have emerged from the rationality of Liberal Peace in the past two decades. Instead the main issue considered in this chapter is the problematic of 'violence'; as Richmond (2007:3) observes, "the problem of peace is that first war must be eradicated or managed." The significance of this largely de-politicised catch-all problem of 'violence' - which includes the activities of 'armed groups', extra-judicial killings or torture by state forces, communal clashes, even domestic abuse - is, as discussed here, in how it then engenders specific solutions. Efforts to eradicate war turn inevitably on how what causes conflict is conceptualised.<sup>57</sup> Liberal Peace posits poverty and uneven or under-development as fundamental conditions for conflict. Exploitation by unscrupulous economic actors, perhaps including sections of the state, is another. So are 'exclusivist' identities – ethnicity, religion, tribalism, clan, etc – which, unlike the 'civic' identities of citizenship, cannot encompass the totality of the state's population and therefore provide inherent fault lines within society along which hostilities could erupt. Emerging grievances are seen to explode into open conflict when triggered by external shocks - such as a sudden change in terms of trade - and mobilized by political entrepreneurs (Goodhand 2006:37). Identities are seen by some to be 'created' around 'grievances' by 'conflict specialists' such

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<sup>57</sup> See Goodhand (2006, Chapter 2) for an overview and brief discussion of the different strands of (internal) conflict-related theory that have informed Liberal Peace policy analysis and programmatic actions in the past two decades. These include those that might be termed 'New Wars/Old Wars' (Kaldor 1999) and 'Greed over Grievance' (Collier 2000) and have been paradigmatic in forming programmatic solutions to the problem of 'violence' in the global South.

as armed groups. So, for example, frustrations due to poverty may come to be mobilised into ethnicity-based 'grievances'. Conflict can thus be seen as the reordering of society in non-liberal or illiberal terms, with 'greed', rather than 'grievance' often as the driving force (see Keen 1998, Kaldor 1999, Collier 2000). Thus, just as local 'conflict entrepreneurs' are deemed to have mobilised ethnicity into violently antagonistic formations, Liberal Peace requires the dismantling of these regressive groupings and the remobilising of their members into a multicultural and pluralist collective with a civic identity - one centred, moreover, on a responsive and robust state equipped with mechanisms for peacefully resolving disputes. More generally, it is thus accepted that, although poverty and conflict are inextricably linked, in the wake of protracted conflict, with its attendant 'legacies of conflict', economic growth alone cannot be expected to remedy the problem of civil war (Goodhand 2006:37) and more comprehensive transformation processes are required.

As noted above, the ultimate objective of Liberal Peace is a world comprising stable, peaceful, democratic states. Crucially, the way to reach this goal in places riven by ethnic or religious violence is to stabilize, restructure and reform the existing state; in particular to build institutions to support 'democracy, security and better governance' and to forge a national society based on 'multiculturalism and pluralism.' The OECD guidelines exemplify Liberal Peace's conceptualization of 'ethnic' conflicts within developing states: irrespective of whether the armed conflict stems from tensions between ethnic communities or resistance to persecution of a minority by a majoritarian state, the solution is ultimately the same: a democratic state with strong liberal institutions, a civic polity and an open economy. Even in the context of popular minority demands for self-rule, what is not desirable is the 'fragmentation' of the state along 'ethnic lines'.<sup>58</sup>

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<sup>58</sup> Even in the exceptional instances where new states have emerged, such as in the former Yugoslavia, this has happened through probationary periods of international trusteeship and active management in which, as rites of passage, these tenets of Liberal Peace have to be adopted and ingrained. See, for example, Michael Pugh (2005)

As such, apart from the state, any actors who have the capacity for organized violence are an anathema and constitute the locus of the problematic of conflict. The political projects such armed non-state actors represent (or claim to represent), the debates about whether their military actions constitutes terrorism, insurgency, wars of national liberation, warlordism or something else, and whether they characterize themselves as liberation movements, people's fronts, de-facto states and so on, have little bearing on the conditions of their appearance in the terrain of liberal peace: here they are all simply 'armed groups'. The road to liberal peace begins therefore with ceasefires and, ideally, demobilisation of non-state combatants i.e. the restoration of the state's monopoly on force - (re)establishing the 'legitimacy' of the state in the eyes of its population is a related, but separate, matter. Thereafter, the need for the international community is to "maximize opportunities to help *strengthen state capacity* to respond appropriately to conflict" (OECD 2001:62 emphasis added). Even in the case of the state having been involved in ethnic or political repression, such international support and engagement remains the way forward: in its conspicuously brief discussion of situations when "the state takes on an oppressive and predatory role in relation to society, foments internal conflict and abrogates its core functions as "protector", the OECD warns categorically against severing engagement (2001:20).<sup>59</sup>

Concomitantly, the rarely stated but nonetheless obvious assumption of liberal peace is that taking up arms against a state, even in cases of 'systematic racial discrimination' or 'large scale ethnic cleansing' is not an option for the population concerned. The notion of 'wars of national liberation', for example, is thus utterly unacceptable to liberal peace and disciplinary action against sovereign states is, as

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<sup>59</sup> In a short section (half a page out of 160-odd pages) titled 'situations of repressive or divisive governance' in its landmark publication on preventing armed conflict in Southern sites, the OECD, while insisting that "experience suggests donor countries should seek opportunities for continued engagement with such states", argues that international *withdrawal* "risks encouraging state actions contravening human rights standards, possibly leading to state collapse, or denying humanitarian assistance to affected populations" (2001:62). This is even though, as the OECD admits, "providing development or even humanitarian assistance to, or through, oppressive regimes engaged in conflict with their own citizens can serve in effect to support or legitimise the regime. This can happen through diversion of resources away from intended beneficiaries, fungibility of assistance or conferring a 'moral' legitimacy by being perceived to support the regime in question" (2001:20).

the ICISS (2001) seeks to institutionalise, the sole preserve of the (liberal) international community and not the repressed themselves. Whilst the use of force by a people in pursuit of self-determination is neither barred nor authorised by the UN Charter, a view had once emerged internationally that use of force by liberation movements was acceptable in the case of forcible denial of the right to self-determination (Muller 2008:8). The new unqualified opposition to non-state violence, even in the case of oppressive states, turns entirely on the notion that the compulsions behind the desire to exercise the right to self-determination are entirely resolvable by the establishment of liberal peace.

The transformation of armed groups is thus a prominent programme of Liberal Peace. In short, the only trajectory available to an armed group is, first, it must cease its destabilizing violence and, at some point thereafter, disarm, demobilize and either disband or transform itself into a political party. This process might or might not be imbricated in a process of negotiation with the state – itself also engaged in separate transformatory programmes of Liberal Peace – but the priority is not a negotiated solution per se, but ending armed groups' violence and foreclosing their capacity for violence (proper solutions would, in any case, emerge only out of peaceful, democratic politics). Both the halting of violence and the transformation of conflict are therefore central problematics of Liberal Peace. An extensive array of mechanisms and bodies of expertise have thus emerged around the 'internal conflict' issues of negotiation, third party mediation, ceasefire monitoring, peace agreements, rehabilitation and reintegration of former combatants, and so on. So have mechanisms and expertise with regards to sanctions, conditionalities and incentives that could compel warring parties to come to the table and remain there till they complete their respective transformatory trajectories. In the logic of liberal peace, armed groups are held to prefer the force of arms to democratic politics and, as such, are unlikely to negotiate peace or transform unless their violent projects are stymied by military stalemate, resource/supply problems, or similar difficulties, or, indeed, are compelled to do so by external factors. The rational-choice based techniques of sanctions, incentives and conditionalities (see discussion and case studies in Conciliation Resources 2008) are therefore amongst the ways in which 'liberal peace making' comes to be rendered technical. With 'trust' held to be scarce in

conflict situations, ceasefire agreements, third party mediation and external monitoring, are some of the other techniques by which peace making is also rendered technical.

In other words, faced with the complexity of demands, counter-demands, actualities on the ground and the general messiness of 'local' politics in which they are unable, unwilling or, more often than not, uninterested to engage, international actors reconstitute the reaching of negotiated settlements and peace agreements by conflict parties in the South into a range of technical issues in which they ('externals') have the requisite expertise and 'capacity'. Crucially, as noted in Chapter 3, rendering technical also means rendering non-political. So, for example, whether an agreement is reached or not come to turns less on the substantive content or moral imperatives of the issues under negotiation, than on the skills, capacity and, above all, flexibility of the negotiating parties. With its abhorrence of violence and its privileging of democracy, political pluralism and rule of law, Liberal Peace does not take armed groups' advocacy of political projects seriously. Often the goals being pursued by violence are unacceptable anyway (i.e. 'extremist'), for example secession or overthrow of the state. Furthermore, as mobilisers of violence, armed groups are held to lack moral legitimacy and widespread popular support and, until they disarm and win elections, their political views cannot be accorded much weight - even though the 'grievances' they articulate may be recognized or echoed by others, including political parties and members of 'civil society'. To be taken seriously, therefore, the armed groups should enter the political arena and compete with other, 'moderate', political parties, whose platforms of compromise and accommodation are held to have been marginalized by the effects of conflict and/or persecution by the armed groups.

## 4.2 Sinhala-Buddhism

### The rationality of Sinhala-Buddhism

Krishna has argued that “Sri Lanka’s movement from a peaceful, indeed idyllic Ceylon to a synonym for macabre ethnic violence is the story of a majority community’s attempt to fashion a nation [‘Sri Lanka’] in its own image through monopolisation of the state and of the consequent emergence of a secessionist ethnonational movement” (1999:31, insert added). Whilst many of the post-independence developments that have led to this characterisation have been well studied<sup>60</sup>, international policy makers, albeit to differing degrees, also often see these as less than salient with regards to how to make peace *now*. For example, one advocate of liberal peace, while noting that after independence Sinhala Buddhist ‘revivalism’ “attained a new dominance in national politics”, nonetheless argues: “at the heart of the Sri Lankan crisis is a crisis of the state... the Sinhalisation of the state is a manifestation of the *deeper problem* of the failure of the state to institutionalise democratic politics” (Goodhand 2001:30,32, emphasis added). Such characterisations, turning on an ideal of state, society and individual, thus do not take seriously the political *rationality* that has informed “the production of the modern nation in Sri Lanka through a process that has been extraordinarily violent in both physical and *epistemic* terms” (Krishna 1999:31, emphasis added), and which, just as importantly, informs contemporary governance and politics of war and peace in the island. This governmental rationality, termed ‘Sinhala-Buddhism’ in this dissertation, reflects a specific conception of how population, territory and forms of political rule should be organized on the island.

Sinhala-Buddhism posits a specific linkage between the Sinhala people, the island and Buddhism: that the island is, firstly, the homeland of the Sinhala people (‘Sinhala’) and, secondly, a bastion for the defence of Buddhism, a task which is the specific responsibility, moreover, of the Sinhalese (‘Buddhism’). This

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<sup>60</sup> See, for example, Bose 1994, Krishna 1999, Goodhand 2001, Winslow and Woost 2004, JBIC 2003, World Bank 2003:Appendix 1



ordering accepts non-Sinhalese - and non-Buddhist Sinhalese - as part of the island's population but only on these specific terms.<sup>61</sup> This conceptualisation is outlined most vividly in the *Mahavamsa*, *Culavamsa* and *Dipavamsa* - 'Great chronicles' - written by, and from the perspective of, Buddhist monks (Little 1994:27). Whilst these texts have been explicitly drawn on by some, though not all, Sinhala nationalists, as well as many post-independence Sinhala leaders, the political rationality of Sinhala-Buddhism is not reducible to this 'mytho-history'. Rather, the adoption of the *Mahavamsa* and others as central texts in the pursuit of Sinhala-Buddhist governance since independence can be seen as a *consequence* of this governmental rationality, rather than its 'source'. Stokke and Rynstveit (2000:301) have pointed out that "nationalist mobilization cannot be reduced to essentialist notions of primordial nations, territorial nation-states, or internal colonialism," but instead should be understood as "the outcome of cultural and political practices by a multitude of actors, operating in time- and place-specific contexts." However, it is not only 'nationalist' mobilisation that is informed by the rationality of Sinhala-Buddhism, but also the myriad mundane activities of government (i.e. conducting conduct), often underway at a distance from the centres of power. These vary, for example, from the compiling of international and local tourist guidebooks that privilege certain archaeological and historic sites on the island over others or make prominent some 'Sri Lankan' cultural events and practices over others, to the publicised visits by newly elected or appointed state officials and foreign ambassadors to meet leaders of the Buddhist clergy and the adoption of Buddhist rituals in ceremonies of state. Nissan and Stirrat, for example, find it "striking that several assumptions which underlie *popular* representations of the past are also found in many academic writings in Sri Lanka." (1990:21, emphasis added). In this sense Sinhala-Buddhism as governmentality is more than the sedimented effects of a project long pursued by self-serving elites. Rather, it is an ordering of Sri Lankan space that has been and

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<sup>61</sup> As Winslow and Woost (2004:25) note, "over the twentieth century, religion has gained in importance as a marker of ethnicity. Almost all Sinhalese are Buddhists, and most of the Tamils are Hindu, but some of each are Christian. Thus religious divisions have never exactly mirrored ethnic ones. However, Sinhalese who are not Buddhist have found it socially and politically expedient to downplay their religious identity and give more emphasis to their Sinhala ethnicity. ... Increasingly since independence in 1948, a single, discrete Sinhalese Buddhist category has been rhetorically opposed to all the rest, who then are, by reduction, not Buddhists, not Sinhala speakers and, in some eyes, not true Sri Lankans."

continues to be propagated by a range of actors. These are not limited to state agencies or the ruling political parties, actors committed to the tenets of Sinhala-Buddhism or, indeed, only Sinhalese actors. For example, international diplomats who ensure they pay official visits to the leadership of Sri Lanka's powerful Buddhist clergy (the Sangha) or minority (Tamil, Muslim, Upcountry Tamils) political leaders who accept positions in ruling coalitions and take up specific material and discursive practices (such as rejecting the notion of 'internal' homelands), also serve to advance that specific ordering of Sri Lankan space sought by Sinhala-Buddhism.

As a political rationality, Sinhala-Buddhism therefore turns on a division of the island's population into specific collectives with specific and different rights, responsibilities and relationships with the state and the island's territory. On the one hand, it defines a specific linkage between the Sinhalese, Buddhism and the territorial state<sup>62</sup> (the present constitution, for example, declares categorically that it is "the duty of the state to protect and foster Buddhism") and, on the other hand, between non-Sinhalese, Sinhalese and the state.<sup>63</sup> What is important here is that Sinhala-Buddhism is not antithetical to the notion of a state with multiple ethnicities or religions, but assumes a hierarchy amongst collectives on the island, with the Sinhala-Buddhist one at the top (Kapferer 1988:100). Sinhala-Buddhism is also not inherently antithetical to the practice of other religions, but the promotion and protection of Buddhism is, in the words of the present constitution, a "first and foremost" concern of the state and the Sinhalese. In that sense, 'Sinhala' here is not just a cultural or ethnic term, but also an inherently *political* one - as indeed are 'Tamil', 'Muslim' and others; all have specific rights and responsibilities, albeit not equal ones, on the terrain of Sinhala-Buddhism.

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<sup>62</sup> As Kapferer puts it, in theoretical frameworks different to that adopted by this dissertation, "in the ideology of Sinhalese nationalism, the state, its bureaucratic apparatuses, and its agents are both the custodians of Sinhalese Buddhist culture and, in their cosmically ordained duty, responsible for the order of society and of the person" (1988:100).

<sup>63</sup> "The state in such a conception unites its internally differentiated population in a logic of hierarchy. As the state finds its coherence in this hierarchical order, so does the [Sinhala] person ... And so rich and poor and the powerful and the weak can unite as one, as a hierarchical combination of strength, and crush the fragmenting forces that have removed themselves from a controlled *subordinate* condition at the base and are ranged demonically against the coherence of Buddhist state and Buddhist person" (Kapferer 1988:103, insert, emphasis added).

Examining the logic of state building in Sri Lanka through a close analysis of *Golden Threads*, an important official text authored by President Junius R. Jayawardene in 1984, Krishna notes that apart from being “intended as a history primer,”<sup>64</sup> the publication is

“an encapsulation of history as *understood and lived by* ... the Sinhala-speaking Buddhists [and] is writ largely in terms of that community’s difference from various minority groups, especially the Tamils, who are rendered both inferior and age-old antagonists of the Sinhalese” (1999:31, emphases added).

The core tenet of the rationality of Sinhala-Buddhism were summed up in 2008 by Sri Lanka Army commander, Lt. Gen. Sarath Fonseka:

“I strongly believe that this country belongs to the Sinhalese but there are minority communities and we treat them like our people. We being the majority of the country, 75%, we will never give in and we have the right to protect this country. We are also a strong nation ... They can live in this country with us. But they must not try to, under the pretext of being a minority, demand undue things” (Bell 2008).

### **Sinhala-Buddhism as government**

Apart from the ongoing armed conflict, the ‘problem’ with Sri Lanka, as argued by many advocates of liberal peace, is that after independence “state ideology gave prominence to the identity of the majority” (Goodhand 2001:31-2). This outcome, moreover, has been put down to politicians being “driven by incentives of electoral arithmetic” whereby, because “ethnic groups have provided a ready-made constituency”, “democracy and communalism have fed off one another”

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<sup>64</sup> Moreover, the claimed chronicle of the island’s rulers as set out in *Golden Threads* - and which positions President Jayawardene as the most recent in this lineage - “is not some inane exercise in grandeur ... the same genealogy appears in K. M. De Silva’s widely read and authoritative work, ‘A history of Sri Lanka’” (Krishna 1999:40-41).

(Ibid:32, see discussion of 'outbidding' in De Votta 2004). This rational-actor calculation turns crucially on the primacy of zero-sum logics as well the assumption that ethnic constituencies "are easier to organise and consolidate than interest groups" (Ibid). Quite apart from the validity of such assumptions, such an analytical approach sees both elites and voters as making choices from a number of alternatives and opting for antagonistic, 'nationalist' ones. However, this rational-choice analysis does suffice as it does not take seriously the already existing political, cultural, and social milieus in which politicians and voters are submerged and whereby certain ways of organising political and social life, rather than others, appear commonsensically as the 'right disposition' of people and things.<sup>65</sup> A governmentality approach, by contrast, suggests that political manifestos, electoral results, state policies and other socio-political developments are the *consequences* and products of certain ways of thinking about how the nexus between population, territory and political life should be organised as well as the basis for subsequent efforts to seek out this better world. Politicians, social movements, other organisations and indeed voters may cynically or self-interestedly make choices of various kinds but government assumes this (see discussion of 'translation' in Chapter 3).

In newly independent Sri Lanka, the rationality of Sinhala-Buddhism positioned (Sinhala) politicians, voters, the Buddhist clergy, the territorial state and the island's various ethnic groups and the departed colonial power, in specific ways and engendered certain problematizations and consequent programmes. To begin with, Sinhala challenges to British colonial rule were posed primarily by the Buddhist revivalists of the late 1800s (see Little 1994, Gombrich and Obeyesekere 1988, Tambiah 1992:5-8), galvanised by expanding missionary activities: whilst formally separating religion and state, missionaries' efforts nonetheless received the supposedly secular colonial state's official support. In any case, Little (1994:14) argues that

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<sup>65</sup> Discussing Buddhist revivalism in the late 1800s onwards, Little (1994:3) points out, for example, that "ideas of exclusive communal identity and hostile competition over questions of race, language, ethnicity, religion and political control took shape between the Sinhala and the Tamil in the period leading up to 1948."

“the [colonial] government’s general attitude of neutrality in religious affairs was [itself] quite alien. According to Sinhala tradition, it was not enough for the government to refrain from interfering religion and provide some legal protection. The government needed to take a more active role. ... Severing the connection between Buddhism and the state became an important source of resentment” (inserts added).

Conversely, for the Buddhist revivalists, throwing off the colonial yoke was more than simply ending foreign rule; it entailed the restoration of a particular order of state, society and religion held to predate colonial subjugation i.e. they sought to reverse the ‘Betrayal of Buddhism’ (by the colonial power), as the title of a key report produced in 1956 by the ‘Buddhist Committee of Inquiry’ put it. The Committee, comprising respected scholar monks, set out not only the injustices held to have been inflicted by colonial rule, but what remedial steps were now required (Tambiah 1992:30-41). Meanwhile, the revivalists of the late nineteenth century had drawn on the *Mahavamsa*, *Culavamsa* and *Dipavamsa* to envision what had been lost; at the heart of the charter implied in the chronicles is “the inseparable connection between state and sangha [Buddhist clergy]” (Little 1994:27). This conceptualisation also made possible the forging of “an effective oppositional platform which was open to all Sinhala Buddhists irrespective of their caste, class and regional affiliations” (Amunagama 1985:713 cited in Little 1994:32) and, thus, mass mobilisation against colonial rule. Moreover, this “mix of ancient myth and modern resentment ... was to provide a warrant for intolerance, for viewing as inferiors and discriminating against peoples perceived as obstacles to what rightfully belongs to the Sinhala” (Rogers 1990:12 cited in Little 1994:33).

The point here is that Sinhala-Buddhism as governmentality, embodying a particular ideal of population, territory and security, was extending well before

colonial rule ended.<sup>66</sup> Thus, even before 1948, the “theme of unity among ruler [state], sangha [Buddhism] and Sinhala people” (Little 1994:32, inserts added) at the heart of this governmentality was already competing with other political rationalities, such as that embedded in the Westminster-style Parliamentary democracy and multi-ethnic politics that Britain felt had been institutionalised in the unitary state being granted independence. Although power was transferred to an English-educated, westernised, multi-ethnic elite (Wilson 1994:133), the Sinhalese among them were held in the prevailing Sinhala nationalist discourse to be inauthentic due to their recent collaboration with the colonial state (see Vijayavardhana 1953, Guruge 1965). Thus, the adoption of ‘pro-Sinhala’ or ‘anti-Tamil’ discursive and material practices by Sinhala elites takes place in the context of this being the appropriate conduct, in the rationality of Sinhala-Buddhism, for leaders of the Sinhala people. (The concomitant conduct of Tamil leaders and polity is discussed later.) The point here is not whether such conduct was cynical and self-serving or not, but how it sprang forth from a specific political rationality that was embedded in and ordering the conduct of individuals, the Buddhist clergy, politicians and other (Sinhala) actors and doing so in competition with that of Westminster-style liberal politics being pursued by the colonial power, other Westernized elites and minority political parties.

The expansion of Sinhala majoritarianism began almost immediately with the disenfranchisement in 1948 and 1949 of almost a million ‘Upcountry’ Tamils (sixth or seventh generation descendents of Tamils from South India brought down by the colonial state for labour on the island’s plantations). Whatever the elite interests behind this move, the rejection from ‘Sri Lankan’ identity of these unfortunates, can be seen as part of the ‘right disposition’ of people and things within the rationality of Sinhala-Buddhism. Conversely, the Tamil-and Muslim-dominated areas in the island’s Northeast were a decidedly ‘wrong disposition’ of people and things. Thus state-sponsored settlement of Sinhalese in these areas,

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<sup>66</sup> For example, Tambiah notes how the efforts of leading Buddhist revivalists such as Anagarika Dharmapala after 1880 were “supported by and served the interests of a rising Sinhala-Buddhist middle class and a circle of businessmen” in the early 20<sup>th</sup> century (1992:7). From the 1920’s, not long after their predecessors successfully engaged the missionaries in publicised theological debates (Little 1994), radical monks were heavily engaged in island’s (Sinhala) politics – such as supporting political parties, trade unions and labour strikes (Ibid:15)

which had begun in a limited way during colonial rule under the logic of ‘development’, accelerated sharply after independence.<sup>67</sup> This ‘internal’ colonization, one of the earliest and longest-running programmes of Sinhala-Buddhism, has had a profound effect on Tamil political activity and identity, including the foregrounding of the Tamil ‘homeland’, and consequently on the island’s ethnic politics (a point taken up later). Moreover, state-led colonisation put “the full weight of national economic policy behind one community’s vision of the island’s past *and future*, at the expense of competing visions of other groups” (Winslow 2004:32, emphasis added). Colonisation and Sinhalisation of state-led development reached its zenith in the 1980s: significant amounts of foreign aid were devoted to the implementation of the country’s largest and most ambitious irrigation and colonisation project, the Accelerated Mahaveli Development Programme (AMDP). The Sinhala Buddhist dimensions of the scheme were reflected in its own rhetoric such as “monks and peasants of the Mahaweli”, “return to the land of the kings”, and, especially reference to the Mahaweli river as a “mighty guard upon foreign invasion” (official texts cited in Hennayake 2006:108-9), and in how state development strategy was *geared* towards the breaking up of areas of Tamil contiguity in order to undermine Tamil assertions to a homeland on the island (Manogaran 1994:114-5, for a practitioner’s account see Gunaratna 1988).

More generally, ‘development’ and economic progress were pursued in Sri Lanka in specific ways informed by the rationality of Sinhala-Buddhism. As Winslow notes, “never, in independent Sri Lanka, has economic policy been isolatable from issues of ethnicity, because how the government [of the time] has chosen to *define* and to resolve economic difficulties has consistently been informed by ethnic politics, just as ethnic politics has been informed by economic choices” (2004:31, emphasis insert added). Or, as one DFID-funded study puts it, “state-led development in the post-colonial period operated in a framework of dominant nationalism and favoured one ethnic group over another” (Goodhand 2001:34). Whilst Sri Lanka’s government has alternated between the ‘conservative’ UNP

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<sup>67</sup> See, for example, Kearney and Miller 1987, Peebles 1990, Manogaran 1994, Krishna 1999:68-73, Herring 2001:147-153

and the 'leftist' SLFP (Moore 1990:347), all have tended to pursue the development of the Sinhala areas at the expense of the minorities (Nithiyanandam 2000:294-5). Whilst this has been attributed to Sinhala chauvinism (Winslow 2004:32), in the rationality of Sinhala-Buddhism, however, this is an appropriate response by the state to what is held to be the exploitation of Sinhalese during colonial rule by the British *as well as* the Tamils, Muslims and other minorities (see Gombrich and Obeyesekere 1988:213, Tambiah 1992:8). It is in this sense also that policies which discriminated against the minorities and favoured the Sinhalese in terms of jobs in the state, then the largest employer, (Moore 1990:380) and ethnic quota driven restrictions on university admissions for Tamils (Winslow and Woost 2004:36) came to be pursued in the sixties and seventies. This state logic did not change after 1977 when the UNP regime of President Jayawardene embarked on a radical liberalization program (Bastian 2005:11)<sup>68</sup> and "aid flows into Sri Lanka became a veritable flood, making the country the world's leading aid recipient" at the time (Arunatelage et al 2001:1485). As Herring notes, "the expanded flow of benefits enabled by aid was skewed [and] the lion's share of boons appeared in Sinhala areas" (2001:65,148, insert added).

The passing of the 'Sinhala Only' Act in 1956 – by an SLFP government that had been swept to power on its pledge to enact this<sup>69</sup> – replaced English with Sinhala as the official language and established as law the superiority of the Sinhala language, and thus people, over Tamil and its speakers. By 1961, official policy was that Sinhala was the only language of government administration (Winslow 2004:35). As Winslow notes, "the 1956 elections, particularly the branding of Tamils as somehow not really Sri Lankan, is now seen as a turning point where anti-Tamil rhetoric became firmly entrenched in Sinhalese political positioning" (2004:34, see De Votta 2004 for a close discussion). The 1972 Constitution, which changed the country's name from Ceylon to Sri Lanka and was enacted over the protests of minorities, represents an important step forward in terms of

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<sup>68</sup> See also discussion in Moore 1990, Herring 2001 and the seminal article by Gunasinghe 1984

<sup>69</sup> Notably, the other Sinhala parties "wasted no time in embracing the Act" (Nithiyananthan 2000:291).



the right disposition of people and things: it concentrated power in the Sinhala-dominated legislature and, accorded Buddhism a 'first and foremost place'. It also deemed it, in beguilingly benign terms, "the duty of the state to protect and foster Buddhism." In other words, the Sri Lankan constitution "takes for granted that religion [Buddhism] and politics are intertwined" (Bartholomeusz 2002:5, insert added). Today's public agitation over Christian INGOs undertaking developmental work, the state's repeated efforts (against Western pressure) to promulgate 'anti-conversion' laws, the lack of popular discord over not infrequent church burnings and so on, can thus also be seen to be informed by the same rationality that is embedded in the Sri Lankan constitution. Even President Jayawardene's UNP regime, which had swiftly become a poster-child for the IMF for its aggressive liberalisation, openly hailed the goal of *dharmistha* - "a righteous Buddhist society" (see Krishna (1999) for an extensive discussion of the Sinhala-Buddhist ethos of the conduct of Jayawardene and his regime).

The largely ceremonial, multi-ethnic military established by Britain at handover was an important problem in the rationality of Sinhala-Buddhism. In his historical survey of Sri Lanka's military, Blodgett (2002:54) notes how "in 1962, a policy of recruiting only from the Sinhalese Buddhist community was instituted. This was the beginning of an ethnically pure army". Noting that by the time the armed conflict began, "the armed forces are filled with Sinhalese and the Tamils are excluded from serving in them," Tambiah found it "disconcerting that there has been virtually no recruitment of Tamils into the armed forces, and very little into the police force, for nearly thirty years" (1986:15) – i.e. since 'Sinhala Only'. The transformation of the military is further underlined by the adoption of Buddhist rituals officiated by leading monks into the military's ceremonial practices and the naming of its regiments after Sinhala warrior-kings famed for defeating Tamil enemies. Meanwhile, excavating the powerful religious imperative behind the state's search for a military solution to the Tamil demand for self-rule, Bartholomeusz's study, *In Defense of Dharma: Just-War Ideology in Buddhist Sri Lanka*, notes how the Sri Lankan state government "asks its warriors to consider their campaigns against terrorism as religious work" (2002:36). It is also worth noting how, whilst conventional international analysis considers Sri Lanka's war expenditure and expansion of the armed forces, which have

relentlessly increased as the war against Tamil militancy has progressed, as a dreadful drag on the country's economic advancement, in the rationality of Sinhala-Buddhism, these state efforts towards defending the ultimate bastion of Buddhism from its (internal and external) enemies as well as the establishment of a permanent guard are necessary and integral to securing a better world, even when undertaken to the neglect of other state functions.

The changes in Sri Lanka outlined above with regards to state policies - on the make up the military, higher education, the official language, religion, international aid, ethnic demographics, and so on - have been studied in recent decades by academics and policy analysts and in frameworks such as 'discrimination', 'chauvinism', 'failure of governance' and 'patronage'. In other words, these analysts have adopted frameworks that conceptualise the developments outlined above as 'failures' of a particular ideal of governance, that inherent to Liberal Peace. However, this dissertation argues these developments can also be seen as *successes* from within the political rationality of Sinhala-Buddhism, whereby a particular ordering of population, territory and security in the island has been increasingly pursued. In other words, what is termed 'Sinhalaisation' in the literature on Sri Lanka can also be seen as 'governmentalisation' of the Sri Lankan state in terms of this particular rationality. Moreover, Sinhala-Buddhism as governmentality has been advanced – deliberately and inadvertently - in different ways by the activities of myriad local *and* international actors, ranging from (Sinhala) political parties and leaders, individual voters, the Buddhist clergy, academics, activists insurgents (such as the JVP of the late eighties) and others, as well as foreign aid donors, international diplomats, Sri Lanka's military allies, international NGOs and multi-lateral donors. This is of course not to suggest some grand conspiracy of collusion between foreign powers and local elites, but to argue that different actors' pursuit in Sri Lanka of their own perceived interests in specific ways have enmeshed them in the networks of governance informed by the political rationality of Sinhala Buddhism.

## 4.3 Tamil Freedom

### The rationality of Tamil Freedom

The Tamil struggle for political emancipation in Sri Lanka has changed over the past sixty years in both the political objective it has pursued (from equitable power-sharing at the centre, to federal autonomy, to an independent state of Tamil Eelam) and in the modalities it has adopted (from negotiation by political elites, to mass protest and civil disobedience, to armed struggle). At different moments, what later became described as ‘national liberation’ has been rationalized through differing, though not exclusive, frameworks (resisting ‘state discrimination’ or pursuing ‘self-determination’, for example) and drawn on different legitimating logics (‘historical’ existence in the island’s Northeast or present-day ‘Sinhala chauvinism’, for example). Despite the heterogeneity of claims, arguments and modalities adopted over decades by Tamil actors, this dissertation argues that a specific rationality, which it terms ‘Tamil Freedom’, has informed Tamil political activity since well before independence. This political rationality is to be found embedded in the texts, practices, problematizations, programmes that have emerged over that time, as well as the activities of a multitude of actors. The essential elements of this rationality are, as Rasaratnam (2009) has outlined, firstly, that the Tamils and the Sinhalese comprise distinct and equal *collectives* (‘Tamil’) and, secondly, that the Tamil collective’s pursuit of *progress*, broadly defined, should be unhindered, in particular by Sinhala domination (‘Freedom’).

Precisely what the Tamil collective is – a ‘people’, a ‘community’, a ‘nation’, a ‘race’, etc – is less important in this rationality than the notion that Tamils and Sinhalese constitute the *same* type of grouping and are equal in the sense of *collectives* rather than as individuals. It is this logic that, for example, underpins assertions by Tamil politicians of the late nineteenth and early twentieth centuries that Tamils and the Sinhalese are the two ‘founding races of the island’ (Wilson 2000:48) or by more recent Tamil leaders that “the Sinhala nation wants to continue the war to subjugate the Tamil nation” (Pirapaharan 1998, see also LTTE undated:4, TNA 2001, 2004). In other words, what is taken-for-granted is that

these collectives exist and, just as importantly, are equal. For example, as discussed in more detail below, the demands for power-sharing put forward by successive Tamil leaders are rooted in the notion that Tamils and Sinhalese compromise distinct and equally valuable collectives and that it is between these two wholes that power must be shared.<sup>70</sup> It can already be seen how the notion of equality between collectives would render that of Tamils as a ‘minority’ and Sinhalese as a ‘majority’ problematic when it underpins distributions of state power. Tamil and Sinhala collectives in this rationality are thus *political* entities, imbued with (equivalent) rights and responsibilities. Moreover, there cannot be a single ‘Sri Lankan’ collective in this logic, unless it is based on equal ‘Tamil’ and ‘Sinhala’ ones.

The basis of the ‘Tamil’ identity in this rationality is an inexact admixture of language, ethnicity, cultural practices, historical habitation on the island, and so on.<sup>71</sup> Crucially, however, an implicit condition of membership of the Tamil collective is the acceptance of the equality of the Tamil collective to the Sinhala collective. In other words, those who deny either the existence or equal worth of the Tamil collective (say by accepting that Tamils have a minority *status* in Sri Lanka) are not considered part of it, even if they claim the ethnic, linguistic or other attributes of ‘Tamilness.’ In this way too, the Tamil identity here is an inherently political one (Rasaratnam 2009). Concomitantly, well being or rights of the collective is privileged over the individual’s. This is not to say individual rights are inconsistent with Tamil Freedom, but – just as the rights of state trump those of individuals (in the context of ‘national security, say) - the rights of the ‘Tamil’ individual are subordinate to the well being of the ‘Tamil people/race/nation’. The homogeneity of the Tamil collective does not extend, however, to all aspects of ‘being Tamil’. In other words, Tamil Freedom accepts

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<sup>70</sup> These proposals including a ‘50-50’ split at the centre between Sinhalese and non-Sinhalese, and forms of territorial self governance in the Northeast – federal autonomy, an independent state or, more recently, a Tamil-dominated ‘interim administration’.

<sup>71</sup> Inevitably, there is disagreement as to where the boundaries of this collective are to be found. Religion, for example, is not integral to the Tamil identity; most Tamils are Hindu but a sizeable number are Catholic or Anglican. However, the island’s Muslims mostly speak Tamil but see themselves as a collective that is distinct from the ‘the Tamils’. At the same time, the label of ‘Tamil-speaking people’ has been used by both communities and embodies the notion of a shared identity vis-à-vis the Sinhalese and the Sri Lankan state.

the existence of various differences – class, religion, caste, region, etc - amongst Tamils but does not see this as contradictory to the notion of a rights-bearing Tamil collective.<sup>72</sup>

What exactly constitutes progress in this rationality – be it modernity, economic prosperity, cultural achievements, social improvement, or ‘development’ – is less important (and indeed has changed over time) than the sense that advancement is a good that should be pursued by the collective. Thus, the notion of progress or improvement here is akin to what Mclellan (1995:71) has called the Enlightenment project of modernity, the belief that man can effect material and moral progress through the application of reason and science. For example, the commitment to moral and material progress and improvement that underpinned the constitutional foundations of the British colonial state was taken on board by Tamil politicians from the late nineteenth century onwards and was used to increasingly frame a criticism of colonial governance (see discussion in Scott 1999). The LTTE meanwhile argues: “ours is a national liberation struggle, a struggle for freedom to *shape our future political destiny*” (LTTE undated:4, emphasis added). This second dimension of Tamil Freedom is important in the sense that, rather than redress for the past, what matters more in governmental calculations is the removal of, and safeguards against, bars to the “Tamils” future progress. In this logic, a lasting peace rests more on guarantees against future repeats of past injustice, rather than correctives for past ‘grievances’. For example, just prior to independence, the past injustices of Colonial rule were less a source of concern and a target of Tamils’ agitation than Britain’s promulgation of a unitary constitution that effectively institutionalised Sinhala numerical superiority in Parliament and, thus, a veto over future Tamil interests (Indrakumar 2001:227).

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<sup>72</sup> Over the past century, Tamil leaders espousing both socially progressive and regressive attitudes towards caste, gender, class, etc have taken up the defense of ‘Tamil’ interests. Whilst for some Tamil political actors, gender and caste hierarchies were seen as a natural part of the Tamil collective (see comments by Ponnambalam Ramanathan in 1934 on extending the vote to lower castes and women cited in Russell 1982:16), Tamil activists, particularly since the 1970’s, have tended to see the eradication of these hierarchies as part of the collective progress and improvement of the Tamil collective. The LTTE’s explicit programmes of social emancipation – see ‘Socialist Tamil Eelam’ (LTTE undated) – were not, for example, in the foreground of Tamil leaders pursuing ‘Tamil’ interests in the late 1800’s or early/mid 1900’s.

Whilst the idea of the Tamil homeland has become as a foundational component of Tamil political thought and practice, the rationality of Tamil Freedom itself does not turn upon a territorial space. For example, Tamil political activities before independence, whilst positing the Tamils and Sinhalese as the two 'founding races' of the island, envisioned the entire island as a common homeland the governance of which would be a project shared between these races (GG Ponnambalam cited in Indrakumar 2001:4). The post-independence operationalising of the rationality of Sinhala-Buddhism through state-sponsored colonisation of Tamil areas and the enactment of discriminatory state politics led to programmatic responses in the rationality of Tamil Freedom, whereby the Northeast, where the majority of Tamils have resided for centuries, become conceptualised as a *geopolitical* bastion, only within which could the interests of the Tamil collective and the possibilities of its progress be pursued (Tambiah 1986:80). The 'Tamil homeland' is thus a political technology of government through which the programmes of federal powersharing and, later, independence and statehood were pursued in response to the problems for Tamil Freedom that arose after independence.<sup>73</sup>

## **Tamil Freedom as government**

Despite its inherent logic of racial superiority, colonial rule in Ceylon was unproblematic in one importance sense: it did not operate through a hierarchy of indigenous races. Instead, it constituted Tamils and Sinhalese as distinct and implicitly equal collectives (Scott 1999). Moreover, colonial rule adopted a light touch approach to governance in which Tamil literary, cultural, religious and social traditions (but not, of course, martial ones) continued to flourish – even though conversion to Christianity was heavily, if non coercively, supported. Tamil leaders of the late 19<sup>th</sup> century and early 20<sup>th</sup> century also welcomed the

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<sup>73</sup> This is not to suggest there is no basis for a homeland, of course - Tamils have long predominated the island's Northeast (see discussion in Winslow and Woost 2004:2006) – but that the incorporation of this 'fact' into the Tamil political project is a programmatic step. As Tambiah puts it, "the slogan of 'traditional homelands', whatever its objective truth, is first and foremost a *political* claim meant to ensure the security of the Tamils [and] ... is integrally connected to Tamil insistence on regional autonomy" (1986:80, emphasis, insert added).

modernising aspects of colonial rule (in terms of imports of education or technology, for example) as well as the opportunities for their community's economic progress via trade across the island and the rest of the empire. Their logic was that the benefits of modernity could and should be taken up, but without losing the Tamil (or Sinhala) identity, that the 'improvements' made possible by Western civilization should be taken up without necessarily becoming Westernised (see, for example, a speech by Sir Ponnambalam Ramanathan quoted in Vythilingam 1971:477-83).

However, as independence neared, the constitutional model being envisaged by Britain for a future Ceylon - a Westminster Parliament-style distribution of power across the island i.e. representation based on individuals grouped by territorial space - was decidedly not the right disposition of people and things. Not only would this give Parliament a de-facto Sinhala majority, and thus a veto over Tamil interests, such an organising of political life was devoid of any political recognition of the Tamil collective (or, for that matter, the Sinhala one). In the 1920s Tamils began asking for power to be balanced across the island's indigenous 'races' (Wilson 2000:chapter 4). This notion of powersharing across collectives was the basis for All Ceylon Tamil Congress (ACTC) leader G.G. Ponnambalam's often misquoted and mocked proposal in the mid 1930s of '50-50', whereby seats for the Sinhala majority (50 percent) was balanced by equal representation in total (50 percent) for all the minorities (Tamils, Muslims and Upcountry Tamils). '50-50' was thus a programmatic solution, based on the tenets of Tamil Freedom, to the problem of possible Sinhala majoritarianism. The proposal was rejected out of hand by the Sinhala leaders and the British rulers. In the elections to the new Parliament, the Sinhalese captured 67 percent of the seats, a share that would increase and stay around 80 percent in later decades (Krishna 1999:67-8). Sri Lanka's parliament today has 225 seats of which about thirty represent the population of the Northeast.

The period after independence was turbulent for the island's minorities. As noted above, almost a million Upcountry Tamils were promptly disenfranchised while state-backed Sinhala colonization of the Tamil- and Muslim- dominated Northeast accelerated. The problem of Sinhala colonization was quite specific in Tamil

Freedom terms: it was not racial hostility to Sinhalese per se, but the inexorable weakening of Tamil political power entailed by demographic dilution of Tamil-majority areas when political power is parcelled territorially. Different Tamil leaders envisaged different ways to address this. The ACTC continued its policy of pursuing 'responsive cooperation' with 'moderate' Sinhalese leaders based on the logic of equal co-existence (Wilson 2000:79). But some Tamil politicians, led by S.J.V. Chelvanayagam, split from the ACTC and formed the Federal Party (FP), advocating, as its name implied, "the demand for a Tamil majority region with a high degree of provincial autonomy in a federal, rather than unitary order" (Krishna 1999:71). The ACTC and FP thus adopted different programmes in response to the problematization of Sinhala colonisation. Both parties were, however, also committed to a united country: the FP also envisaged "maintaining the unity of the country while preserving the integrity of the Tamil people by the establishment of an autonomous Tamil State within the framework of a Federal Republic of Ceylon" (TULF 1976). Just like '50-50' before it, federalism was a programmatic response in the rationality of Tamil Freedom to programmes (colonisation) being pursued in the rationality of Sinhala-Buddhism.

The republican constitution in 1972 gave a pre-eminent position to Buddhism, in addition to the Sinhala language, and concentrated power in the Sinhala-dominated legislature (Goodhand 2001:31). It also presented Tamil Freedom with a crisis. Not only had Tamil leaders' earlier efforts to negotiate with Sinhala leaders effectively come to nought, Tamils were now living under a constitution institutionalising a racial and religious hierarchy. The response engendered by Tamil Freedom was to constitutionally separate the Tamil homeland from the British-engineered all-island state. In May 1972, the FP, the ACTC and the (Upcountry Tamils') Ceylon Workers' Congress united to form the Tamil United Front (TUF). In 1975 the TUF changed its name to the Tamil United Liberation Front (TULF) "to indicate its explicitly secessionist aim" (Krishna 1999:76) and issued a clarion call for the establishment of the independent state of Tamil Eelam in the Northeast. This new programme of Tamil Freedom was vividly enunciated in the famous Vaddukoddai Resolution passed at the TULF's first annual convention on May 14, 1976. Stating that the Tamils are "a *nation* distinct and apart from the Sinhalese" the Resolution protested that Colonial power "over the



entire country” had been “transferred to the Sinhalese nation on the basis of a numerical majority, *thereby* reducing the Tamil nation to the position of subject people” (TULF 1976, emphases added). In other words, quite apart from what had happened following independence, the *British* constitution itself was now held to have established a hierarchy between the two collectives. Setting out the discrimination against Tamils since 1948 and the refusal of Sinhala leaderships to accept even minor Tamil demands, the Resolution called for “the *restoration and reconstitution* of the Free, Sovereign, Secular, Socialist State of Tamil Eelam” (Ibid). Independence, the TULF said, “has become inevitable in order to safeguard the very existence of the Tamil nation” (Ibid).

These changes since 1972 have been described as “a momentous shift in the political aspirations of the Tamils, from demands for structural changes and constitutional reform, to an assertion of the right to self-determination” (De Silva 1988:154-5). However, it can be seen how all these categories of ‘aspirations’ nonetheless sprang from the same political rationality, that of Tamil Freedom. It can also be seen how all these different ways of pursuing a better world in terms of Tamil Freedom clash with what Sinhala-Buddhism defines as ‘right disposition’ of people and things on the island. Following the TULF’s landslide victory in the 1977 elections, which it contested on the single issue of Tamil Eelam, it was not only held that a “mandate to create an independent Tamil state” had been issued, but that a “Tamil *national* consciousness” had emerged (Balasingham 2004:29, emphasis added). Given that the Vaddukoddai Resolution emphasised that in the new state, “caste and ... inequality of any type based on *birth* shall be totally eradicated and its observance in any form punished by law” and that “Tamil Eelam shall be a secular state giving equal protection and assistance to all religions”, it is worth noting how citizenship was conceptualised in a state that was to comprise the Northeast i.e. including a majority of the Muslims and some Sinhalese; the Resolution declared:

“the State of Tamil Eelam shall consist of the people of  
the Northern and Eastern provinces and shall also  
ensure full and equal rights of citizenship to all *Tamil*  
*speaking* people living in any part of Ceylon and to  
Tamils of Eelam origin living *in any part of the world*”

who may opt for citizenship. ... The constitution of Tamil Eelam shall be based on the principle of democratic decentralization so as to ensure the non-domination of any religious or territorial community by any other section” (TULF 1976, emphases added).

Sinhalese in other parts of the island, the Resolution suggests, either would not, or perhaps should not, apply. It is also taken for granted that the Tamils, if not the Tamil-speaking people, would wish to live in Tamil Eelam. Moreover, it is also worth noting how the rights of the Sinhalese (minority) in Tamil Eelam were envisaged: “Tamil shall be the language of the State but the rights of Sinhalese speaking minorities in Tamil Eelam to education and transaction of business in their language shall be protected *on a reciprocal basis* with the Tamil speaking minorities in the Sinhala State” (TULF 1976, emphasis added). In other words, Tamil Freedom’s crucial notion of equality between the island’s two ‘founding races’ was built into not only the constitution (citizenship) of Tamil Eelam, but into the state’s future relationship with its Sinhala neighbour.

### **The problematic of ‘armed struggle’**

Since the early eighties, the ‘war for national liberation’ has become the quintessential programme of Tamil Freedom, embodying a vision of two independent states – two equal collectives – that would allow the Tamils (and separately the Sinhalese) to pursue progress on their own terms, and pitting a Tamil military against a Sinhala one. Anti-state violence is, of course, integral to a ‘war for national liberation’. However, unlike that of Liberal Peace, in the rationality of Tamil Freedom, violence is imbued with specific political and moral significance. To begin with, violence is a technique of both oppression and resistance i.e. it is a technology of governance that can be deployed in the pursuit of a given political rationality. For example, since independence, the island’s history has been “punctuated by bouts of annihilatory violence, often called pogroms, directed against the Tamils in 1956, 1958, 1977, 1981 and 1983” (Krishna 1999:67) in which Sinhala political leaders, state agencies and even

Buddhist monks participated.<sup>74</sup> Krishna points out that these “periodic explosions of violence against Tamils represent efforts to put them back in their places on grounds they have become too assertive and need to be taught a lesson” (1999:54). Conversely, as Herring notes, “official complicity with and encouragement of newly virulent ethnic forces in the pogroms reinforced perceptions that the state could be dealt with only through violence” (2001:165).

There are two ways in which Tamil Freedom is embodied in ‘armed struggle’. On the one hand, violence is unavoidable resistance to state violence: “the Tamils took up arms when they were presented with no alternative other than to defend themselves against a savage form of genocidal oppression, when peaceful forms of democratic political agitations were violently repressed” (LTTE 1997:5). On the other hand, violence is deployed in the service of an explicitly political goal: as the LTTE argues, “the armed struggle of our organisation is only a means to achieve our political ends. ... Therefore the LTTE gives primacy to politics and upholds that *politics* dictates the gun” (LTTE undated:9, emphasis added). A liberation struggle need not proceed by armed struggle, but in the absence of viable alternatives to secure freedom, recourse to arms is justifiable. As such, armed struggle – i.e. ‘conflict’ – does not constitute an ‘exogenous’ shock to a peaceful status quo ante, but, in Clauswitz’s famous dictum, is the continuation, by other means, of politics; a politics held *already* to be dominated by the untrammelled violence of the state and Sinhalese.<sup>75</sup>

Thus, the programme of an independent Tamil Eelam, conceived of as a solution to the problematic of Sinhala state repression, extended into the programme of a war of national liberation. Firstly, although the TULF had received a thumping popular mandate, there was a fundamental problem: it had no practical strategy for

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<sup>74</sup> This “physical discrimination” against the Tamils, as Nithiyanandam puts it, stemmed not only from the use of state (military) violence against Tamils, but also that when anti-Tamil rioting took place, “governments in power, by and large, condoned these” (2000:300-1).

<sup>75</sup> As the LTTE undated:8) put it, in the characteristic revolutionary idiom of the time, “Our commitment to political armed struggle as the form of popular mass struggle was undertaken after a careful and cautious appraisal of the objective historical conditions specific to our case, with the fullest comprehension of the concrete situation in which the Tamil masses were presented with no alternative other than to resort to revolutionary resistance to advance their national cause.”

implementing the programme of an independent Tamil Eelam.<sup>76</sup> Yet, despite the context of heightening state terror and political impasse after 1977 (Gunesinghe 1984, Krishna 1999), the notion of armed resistance remained a step many Tamils hesitated to take; it was only in the wake of the horrific anti-Tamil pogrom of July 1983 (Thornton and Niththyananthan 1984), when Tamil youth flocked to numerous armed groups, some long established, some new, that an all out armed struggle to establish an independent Tamil Eelam began (Bose 1994, Wilson 2000, Balasingham 2004).<sup>77</sup> In other words, when communal violence against Tamils erupted in 1983, it appeared within the rationality of Tamil Freedom not as a breakdown of the law or eruption of Sinhala chauvinism against Tamil neighbours but as an organised Sinhala onslaught against the Tamil collective.<sup>78</sup> In this context, armed struggle for Tamil Eelam appeared as not one of many options for realising Tamils' security and progress, but the only one. The point here is that after the July 1983 pogrom, armed struggle – as opposed to civil disobedience or mass protest - appeared the commonsensical, if perilous, response to the (Sinhala) state's conduct.

A war of national liberation is a manifestly monumental undertaking, confronted, as it inevitably is, by the state's military might and international norms of territorial integrity and sovereignty. The war of national liberation consequently resulted in new problematizations and in diverse and sometimes conflicting

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<sup>76</sup> Moreover, the TULF leadership made a catastrophic mistake when they accepted the offer by the UNP – which had received a phenomenal return in the 1977 polls, relegating the formerly ruling SLFP to just eight seats – of becoming the official opposition in Parliament. The TULF's attendant acceptance of the 'Sinhala-first' constitution devastated its credibility amongst its voters (Krishna 1999:77, see also Balasingham 2004, De Votta 2004).

<sup>77</sup> Although in the late 1970's and early 1980's the existence of dozens of militant groups were recorded, only five were of significance in the ensuing conflict: the LTTE, PLOTE (People's Liberation Organisation of Tamil Eelam), TELO (Tamil Eelam Liberation Organisation), EPRLF (Eelam People's Revolutionary Liberation Front) and EROS (Eelam Revolutionary Organisation of Students). Notwithstanding their common stated goal of an independent state, confrontations with the LTTE led to the collapse of the other major groups and (in the context of the Indo-Sri Lanka Accord of the late eighties) their switching allegiances to the Indian and Sri Lankan armed forces, leaving the LTTE as the dominant Tamil liberation movement.

<sup>78</sup> The political context in which three thousand Tamils were slaughtered in the capitol by organised Sinhala mobs is reflected in comments by President J. R. Jayawardene two weeks earlier: "I have tried to be [an] effective [leader] for sometime but cannot. I am not worried about the opinion of the Jaffna [Tamil] people now... Now, we cannot think of them. Not about their lives or of their opinion about us. The more you put pressure in the north, the happier the Sinhala people will be here [in the south] ... really, if I starve the Tamils [in Jaffna] out, the Sinhala people will be happy" (Daily Telegraph 11 July 1983)

strategies by numerous armed and unarmed actors which began pursuing 'new' goals such as the military 'liberation' of the Tamil homeland from Sinhala control, the constitution of a new state in the Northeast and the securing international recognition for this proposed state. These strategic goals, pursued in parallel, in turn inspired new sets of programmes, as an early LTTE (undated:9) manifesto, *Socialist Tamil Eelam*, sets out: the creation of a 'National Liberation movement of the people of Tamil Eelam', "inspiring and awakening the Eelam National consciousness" and "organizing and uniting all freedom loving, patriotic sons and daughters to fight for the cause of national liberation and social emancipation", and "bringing to the focus of the international community, the fight for self-determination of the oppressed people of Tamil Eelam".

### **The Tamil Eelam state**

Finally, it is worth noting how the rationality of Tamil Freedom is embedded in practices of the Tamil Eelam state. Stokke (2006) has closely studied the administrative complex developed by the LTTE over the past two decades in those parts of the island over which it has established control. Firstly, he notes how the LTTE's state building activities "must be understood as a political counter-strategy of institutionalising a ground-level reality of dual state power *as a precursor to future power-sharing arrangements* with either internal or external self-government for *northeast Sri Lanka*" (Ibid:1026, emphases added). Crossing the frontlines between the two controlled areas, for example, resembles a border crossing between two states, "with well guarded border control posts where travelers are required to show identity cards, goods are inspected and customs fees are collected" (Ibid:1022). The Tamil Eelam administration includes revenue collection, police and judiciary as well as public services and economic development initiatives (Ibid). A central bank, managing \$15m in funds, fosters the domestic economy (AFP 2005). Different uniforms, procedures, and documentation render visible the dual state powers, as do different time-zones (while Tamil Eelam operates in the same time-zone as India, Sri Lanka is 30 minutes behind). In general terms, Stokke argues, the "LTTE's state building is

closely linked to their political project of representing the Tamil nation and delivering self-determination for it" (Ibid:1026). In its practices, the state

"has a primary focus on guaranteeing external and internal security in the context of protracted warfare, but also ... there are key state institutions geared towards the welfare of the civilian population and the economic development of Tamil Eelam" (Ibid:1024).

Secondly, the LTTE state institutions are "rooted in and committed to the *rights, welfare and development of the Tamil community* on whose behalf the militant and political struggles have been waged" (Ibid:1024, emphasis added). Thus social welfare "has been given a central place in the building of the LTTE state, although in a subordinate role to that of maintaining external and internal security through military, police and judicial means" (Ibid:1029). It is in this context that the liberation of Tamil territory from Sinhala sovereignty has specific nuances: not all Sri Lankan state apparatuses are targeted. In the LTTE's controlled areas Sri Lankan state institutions related to health and education are maintained and encouraged (Ibid:1031), whilst police and legal structures have been dismantled and replaced with Tamil Eelam ones (Ibid:1022). Furthermore, in GoSL-controlled parts of the Northeast, whilst military and police are targeted during times of war, institutions and infrastructure related to health, education and welfare are not (Ibid:1030). Neither are internationally funded development programmes or foreign investments in the Northeast. "Rather, LTTE has sought to make local state institutions work to their advantage and simultaneously develop additional welfare programmes" (Ibid). The focus is governing the Tamils and the Tamil homeland. Whilst revenue collected by the Tamil Eelam state is spent on governing the homeland, the Tamils are taxed to support this: apart from covering LTTE-controlled Vanni, the revenue regime extends into GoSL held parts of the *Northeast*, with *Tamil* public servants, manufacturers and service providers being taxed on their monthly incomes and farmers and fisherfolk on a share of their output (Ibid:1034). Taxation is undertaken in parallel to development in ways embedding a logic of redistribution and regeneration (see discussion in O'Sullivan 1998 and Alison 2004). After the Norwegian-led peace process began, the LTTE established the Planning and Development Secretariat to coordinate and oversee

the activities in its controlled areas of myriad INGOs and UN agencies. It also imposed taxes on these actors' purchases of building materials or, especially, "imports" from outside Tamil Eelam. Whilst these actions are typically viewed through the narrow lens of extraction or authoritarianism, this does not capture the governmental logic embedded in these practices of 'taxation' or 'control'.

The point here is how the LTTE's civil administration is informed by a particular governmental rationality, Tamil Freedom. On the one hand there is the establishment of dual state structures, setting apart governance of the Tamils and their homeland (the Northeast) from that of the Sinhalese and their homeland (in the South). On the other hand, there is the establishment of key institutions geared towards the welfare of the civilian population and the economic development of Tamil Eelam. As such, the specific forms of evolution and expansion of the LTTE's security apparatus (including police and judiciary) and the Tamil Eelam state administration (including social welfare and economic management), can be seen to render real the rationality of Tamil Freedom. In others words, this is the 'governmentalisation' of the LTTE and the Tamil Eelam state in terms of this particular rationality.

#### **4.4 Clash of rationalities in Sri Lanka**

Sri Lanka's protracted and violent conflict, indeed much of politics on the island since late colonial rule, can be seen as a struggle to re-constitute and re-arrange space, identities and demographics in keeping with two different understandings of the 'right disposition' of people things; one seeing the island as the home of two equal 'founding races', the other seeing it as the motherland of a people entrusted with a duty to protect and foster Buddhism in which others may remain as guests provided they abide by this natural order. Both rationalities recognize Tamils and Sinhalese as historical collectives, albeit ones bearing very different constellations of status, rights and responsibilities. Consequently, since well before independence in 1948, these rationalities have confronted each other in territorial, legal, political, cultural, social and military spaces. The enactment of laws and constitutions that give Sinhalese and Buddhism 'first and foremost'

places are part of the right disposition of things in Sinhala-Buddhism terms, but constitute a crisis in Tamil Freedom terms. The Tamil armed struggle and the demand for self-determination are programmatic solutions in terms of Tamil Freedom, but in Sinhala-Buddhism terms these represent a problem, a terrorist challenge that warrants, not compromise and sharing of power, but a 'just war' in defense of the redoubt of Buddhism. It is across the terrain in which these two governmentalities are clashing that a third 'external' governmentality has increasingly sought to conduct conduct in terms of establishing a liberal peace on the island. Before a detailed examination of how exactly liberal peace was pursued in Sri Lanka, especially after 2002, this chapter concludes with a brief discussion of how the elements and assumptions of 'Liberal Peace' conflict and overlap with those of 'Tamil Freedom' and 'Sinhala-Buddhism'.

Liberal Peace considers 'multi-ethnic' Sri Lanka as a viable arena for establishing a liberal democracy and market economy in the island. Elections are held for local and national government and Presidency, with high levels of participation, and there are thriving, albeit factional and polarized, media and non-governmental sectors. Overall social indicators - health, education, etc - are considered high. Moreover, despite being gripped by armed conflict for three decades, the country has demonstrated consistent economic growth (ADB 1999:1, World Bank 2001:1, 2003:1) and despite the strong welfarist traditions of all post-independence governments, the country has since 1977 been a model economic reformer, complying, albeit at a slower pace than demanded, with international neo-liberal demands (Shastri 2004, see also ADB 1999:15, World Bank 2001:3). Appreciation of all this has not been dulled by awareness that patronage politics, electoral malpractice and corruption are common (Dunham and Kelegama 1997, Rampton and Welikala 2005:58) or that the island's communities are sharply polarized along ethnic lines that cut through electoral politics (De Votta 2004), media (Nadarajah 2005) and civil society (Orjuela 2003): the basic elements of a market democracy are held to be already in place.

By unqualifiedly holding the state's territorial integrity (and - rhetorically, at least - sovereignty) inviolable, rejecting armed non-state challenges to the state as an anathema, shunning the sharing of power on ethnic bases, rejecting the notion of



ethnic homelands (unless, perhaps, these are accepted as such by all within the state) and privileging the procedural aspects of democracy (i.e. majority rule), the terrain of Liberal Peace has considerable overlaps with that of Sinhala-Buddhism. By rejecting any 'inherent' superiority of one set of individuals over another, insisting the state must be secular and indifferent to ethnicity and that race or religion should not define individuals' life chances, insisting (individuals') economic, social and cultural progress should be encumbered unless these impact negatively on other individuals, Tamil Freedom and Liberal Peace have overlaps too. However, whilst Liberal Peace deems the people of Sri Lanka's Northeast to be rightly aggrieved about their states of poverty and underdevelopment (but not to the extent to justify resort to violence), Tamil Freedom considers the Tamils not as simply individuals unfortunately left behind by the march of progress, but a collective deliberately chosen to be excluded. Beyond these largely self-evident aspects, however, it is in how Liberal Peace seeks to establish its vision of 'peace' in Southern warzones that the contradictions and overlaps between these three governmentalities come especially to be highlighted.

Whilst both Tamil Freedom and Sinhala-Buddhism see conflict as a meaningful social act –as armed struggle against Sinhala state oppression or a just war against Tamil terrorism, respectively – Liberal Peace sees it as a lamentable condition or a state of being characteristic of problematic Southern sites.<sup>79</sup> In other words, rather than a strategy or project by the protagonists, 'conflict' here is the collective *condition* of the country that incorporates the entire gamut of violence (including, say, election-related violence, crime by military deserters and clashes between caste groups) and is at variance from liberal peace. Moreover, it is the responsibility of the state to maintain law and order and to protect citizens from each other - though it is worth noting here how, in contexts such as armed uprisings against state oppression, the line between the state upholding the rule of law and persecuting the rebellious minorities is decidedly indistinct. In Liberal Peace terms, conflict as a condition, notably, is apolitical. It is also a problematic

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<sup>79</sup> An important DFID study on Sri Lanka argues, for example: "although the so-called 'ethnic conflict' in the north east is spatially defined, ... militarized violence has become an island-wide and *endemic feature of Sri Lankan society* and ... it has to be responded to in these terms" (Goodhand 2001:24, emphasis added).

that includes both violence that is underway and that which could potentially erupt in future: with its own understandings as to why violence breaks out and the faultlines along which this is likely, Liberal Peace thus identifies its own range of *potentialities* which must be addressed in any process to resolve *ongoing* conflict. With poverty cited as a primary cause of conflict in the South and radicalizations of all sorts deemed immanent to underdevelopment, Liberal Peace sees a limitless range of 'stakeholders' who must be 'included' for a peace effort to be successful. If violence is a condition, and a single market state and democratic polity is the goal, then ideally every armed group, every faction, every community must somehow be part of the peace effort, not least lest they become 'spoilers' of it. Thus, just as Liberal Peace dismisses all non-state actors as equally illegitimate, it also holds all 'armed groups' to be equally entitled to participate in shaping 'peace'. In effect, the status of the main armed non-state actor is the same as the smallest, irrespective of their political values, popular support or motivations.

In Sri Lanka, the armed stakeholders that Liberal Peace deems necessary to seat at the table include, at a minimum, the state (albeit with a special status of legitimacy), the LTTE and the Army-backed Tamil paramilitary groups. In Tamil Freedom terms, the paramilitaries are quislings working with the state oppressor who consequently have no claim to represent Tamil interests or to be involved in a bilateral dialogue between two nations. In Sinhala-Buddhism terms, however, the government-allied paramilitaries are the genuine representatives of the Tamils (i.e. they recognize the Tamils' proper place in Sri Lanka), unlike the 'extremist' terrorists of the LTTE, and are the 'moderates' with whom a 'solution' must be reached. Even though the Muslims have not been involved as a distinct collective in Sri Lanka's war, they are (as one of the country's three ethnic groupings), held in Liberal Peace terms to require a place at the peace table to resolve 'the conflict'. Tamil Freedom sees the Muslims as already represented at the table, whether the latter consider themselves part of the Tamil speaking people and residents of the Northeastern homeland or instead accept the sovereignty of the Sinhala-dominated state. Sinhala-Buddhism accepts the Muslims must be involved in any solution, provided they, as must the Tamils, ultimately accept their subordinate status and the primacy of the Sinhalese and Buddhism. For Tamil Freedom, which sees the conflict in Sri Lanka as an armed struggle for

national liberation from an oppressive state, the resolution of the conflict must take place between the Sinhala nation (represented by the state) and the Tamil nation (represented by the LTTE). The inclusion of other actors or communities *outside* this bilateral arrangement between collectives is a rejection of the fundamental basis of their grievance i.e. national oppression. For Sinhala-Buddhism, which does indeed reject this fundamental basis, the inclusion of all entities in a negotiation, whilst distasteful, is acceptable as long as the supremacy of the state is untrammelled, as is the first and foremost position of Buddhism.

The three rationalities, informing very different problem-definitions of Sri Lanka's conflict, see very different sets of victims and aggressors. For Tamil Freedom, the Tamil nation is the victim of Sinhala state aggression. For Sinhala-Buddhism, the Tamil collective's uprising against its subordinate status is an affront to the natural order of things and, thus, the state – and indirectly Buddhism and the Sinhalese – are the victims. For Liberal Peace, everyone – except the armed groups, the self-serving instigators of wholly unnecessary violence – are victims: those who are suffering are 'all Sri Lankans' and 'all communities', especially 'women' and 'children'. This denial of a fundamental ethno-political logic to the war, support for the state, and the pointed faulting of the LTTE overlaps neatly with Sinhala-Buddhism's characterization of the conflict. Moreover, the three rationalities see very different difficulties for ensuring 'lasting' peace between the island's residents. Tamil Freedom sees recognition of the Tamils and Sinhalese as equal collectives and, now, of the distinct homelands as *sine qua non*. Sinhala-Buddhism sees the acceptance by all of the primacy of Buddhism and the Sinhala as fundamental. Liberal Peace sees recognition of the equal worth of all individuals and thus 'reconciliation' and amity - i.e. ending of 'polarizations' - between all communities as essential. Liberal Peace does not seek the eradication of ethnic identities, but their reconstitution as subordinate to a shared civic identity of the 'Sri Lankan'. Tamil Freedom requires a reconstitution of Sinhala (collective) identity to one that sees itself as equal to the Tamil (collective) one. Sinhala-Buddhism requires the reconstitution of Tamil (collective) identity to one that accepts its position as a 'minority' with a lesser belonging than the Sinhalese.

It is in the above senses that three governmental rationalities - three different conceptions of the 'right disposition' of people and things, three different visions of what constitutes a 'better world' - have been clashing in the Sri Lankan space since well before the international 'peace' engagement began in 2002. Having set out the rationalities that were competing during the 2001-2006 international intervention in Sri Lanka, the rest of the dissertation examines how two of these, Liberal Peace and Tamil Freedom, informed the conduct of various international and local actors during the international peace effort in Sri Lanka, and how the differences and overlaps between these rationalities consequently played out. In particular the chapters examine the production of specific objects, behaviours and subjects within the Sri Lankan space. They also seek to demonstrate how the 'realities' visible on the terrains of Liberal Peace and Tamil Freedom both inspired and were *constituted by* specific practices. In other words, they examine problematizations – failures of government – and the programmes - 'proposed solutions' - that emerged in terms of these two rationalities, and how these programmes were consequently turned into practical efforts of government i.e. 'rendered technical'.

## 5. Seeing Peace In Sri Lanka

In July 2006, Japan's Special Peace Envoy to Sri Lanka, Yasushi Akashi, reflected during a press conference on the 'lively discussion' he had had with LTTE leader Vellupillai Pirapaharan when they met – for the first and only time – three years earlier. Akashi said he had argued with Pirapaharan "that this conflict cannot be resolved if the people in Sri Lanka only looked at the past, the persecution and racial antagonism" (IANS 2006). "I strongly emphasized the need for the people, irrespective of their ethnic origins, to look at their common future together ... I emphasized the need to put aside their (Tamils') obviously very tragic, very real experiences, but to work for the sake of their children, their grandchildren." (Ibid). However, Akashi said, "[Pirapaharan] argued very strongly that the past history tells him that the Tamil people have to seek [the independence of] their homeland." (Ibid, inserts added).

Akashi's account of the meeting outlines a quintessential instance of the clash of rationalities that has characterised international engagement with Sri Lanka in the past decade and a half, including the Norwegian-led peace initiative of 2001-2006. It reflects two different conceptions of the 'right disposition' of people, places and political authority on the island i.e. what constitutes 'peace', how this peace could be secured, what were the obstacles, what were the causes and drivers of the conflict, what were the possibilities and risks of the future and, in short, what was the appropriate 'lasting solution' to the conflict. In other words, it reflected two different visions of how things *should* be 'arranged to so as to lead to a suitable end' and what these 'suitable ends' were for the different entities visible on their respective landscapes.

This chapter sets out, firstly, to outline the main objects that appeared on the terrains of Liberal Peace and Tamil Freedom and, secondly, by contrasting the values, interests and capacities attributed to these objects, to illustrate how this engendered specific points of contradiction, specific clashes between these governmental rationalities. It does so by examining how these are embedded in the statements – including those constituting 'speech acts' (Austin 1962) - and

practices by international actors on the one hand, and Tamil actors on the other. It is worth noting before beginning, however, that attributing a particular political rationality to the actions of various actors is not to deny the subject producing effects of discourses and disciplinary frameworks that induce conduct inconsistent with that rationality (see chapter 8).

## **5.1 Conceptualising Sri Lanka's conflict**

Whilst Liberal Peace's conceptualisation to Southern conflicts in general has been discussed in Chapter 4, this section examines how Sri Lanka's conflict specifically appeared on its terrain of government. The Tamil Freedom conceptualisation of 'Sri Lanka' and its internal dynamics, including the conflict, was also discussed general terms in Chapter 4, but is briefly summarised in this section, so as to make possible a closer comparison of the two rationalities in the specific context of the 2001-2006 international intervention. The final part of this section considers important contrasts between how specific objects appear on the two terrains of government, as well as the capacities, interests and values respectively attributed to these objects by these rationalities.

### **In Liberal Peace terms**

For the past two decades the dominant international discourse has held Sri Lanka to be a multi-ethnic market democracy in the making, one admittedly some distance from this ideal but whose gradual steps towards fulfilling its 'potential' had been abruptly interrupted by the 'secessionist' violence launched by Tamil militants in the early eighties.<sup>80</sup> As the US recently put it, "the decades-long conflict in Sri Lanka between the Government and the ... terrorist organization LTTE, is preventing the country from transforming into a prosperous, stable democracy" (US Government 2008:591).<sup>81</sup> In societal terms, Sri Lankans are thus

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<sup>80</sup> As one senior Norwegian diplomat put it, "Sri Lanka is an unfinished state building project. The LTTE is part of that." (NW01 August 16, 2006).

<sup>81</sup> According to US Ambassador Wills (2003), "[the LTTE's] pursuit of an extreme, separatist agenda, by violent means, has cost Sri Lanka's North and East, but the rest of Sri Lanka too, thousands of lives and 20 years of peaceful development."

held to constitute a single national collective that has fractured along ethnic and/or religious lines due to past ethno-nationalist mobilisation, ascent to state power of illiberal (in economic and political terms) parties and, of course, protracted armed conflict. The underlying problems of the country are thus ethnicised *perceptions* of economic inequalities caused by uneven and under-development, past economic policies and incomplete state reform.<sup>82</sup> These perceived inequalities had enabled the rise of politics of ethnic exclusion and competition and, in turn, been exacerbated, first by the policies implemented when parties secured power on nationalist platforms<sup>83</sup>, and thereafter by a needless and destructive war.<sup>84</sup> Post independence societal frictions and fractures had led to communal violence, further ethno-nationalist mobilisation and antagonisms, and eventually the emergence of Tamil militancy. Thereafter, over two decades of violence had followed, not just in the Tamil areas but also separately in the South where the state had viciously battled a Sinhala Marxist insurgency by the JVP in the early seventies and late eighties. The JVP's rebellion, widely held to be sparked by economic grievances amongst Sinhala youth, is sometimes also held to be linked to the Tamil rebellion.<sup>85</sup> These conflicts had led to the 'militarisation' of society,

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<sup>82</sup> The World Bank's view (2003:2) is that "incidence of poverty varies only slightly across ethnic groups" in Sri Lanka. The US Dept. of State's 'Background Note' on Sri Lanka says Sinhalese are the original inhabitants of the island forced southwards by Tamil invaders, and adds: "Historical divisions continue to have an impact on Sri Lankan society and politics. From independence, the Tamil *minority* has been *uneasy* with the country's unitary form of government and *apprehensive* that the Sinhalese majority would abuse Tamil rights. ... Those *fears* were reinforced [by the Sinhala Only Act] – *felt* by Tamils to be a denigration of their own tongue – [it] was the first in a series of steps over the following decades that *appeared* discriminatory to Tamils" (2008, emphases added).

<sup>83</sup> The UN's 2004 Human Development Report, asserts, without citation or qualification: "Civil war in Sri Lanka since the early 1980s has been linked to tensions resulting from inequalities between the Tamil minority and Sinhalese majority. Colonial administrators had favoured the Tamil minority *economically*, but this *advantage* was sharply *reversed* once the Sinhalese gained power and increasingly sidelined the Tamil minority in such areas as educational *opportunities*, civil service recruitment and language policy" (2004:41, emphasis added).

<sup>84</sup> As US Ambassador Wills (2003) put it, "we need to undo the damage caused by some two decades of war and terror and even more years of failed economic policies."

<sup>85</sup> While the LTTE's armed struggle was waged mainly in the Northeast (and Colombo), the JVP's leftwing insurgency in the south, which having being subdued in 1971, erupted anew in 1987, using the arrival of Indian troops to mobilize Sinhala nationalism to challenge the rightwing, neoliberal UNP government of President R. Premadasa. However, the two very different conflicts are sometimes defined as linked. Arunatilake et al argue the JVP uprising "was not unrelated to the secessionist war, as it fed on a nationalist reaction among the Sinhalese to an Indian intervention in the ethnic conflict" (2001:1497, fn7) while the UK's Peace Building Strategy states simply: "The conflict in the north and east caused the loss of over 60,000 lives. A *political backlash* in the south in 1990s (sic) claimed another 30,000 lives" (UK Government 2007:4, emphasis added).

weakening of restraints on state violence, lack of protection for human rights and civil liberties, stifling and radicalisation of civil society and so on. As one DFID study (Goodhand 2001:24) argues,

“[apart from] the ‘hot’ war in the north east ... there are also several other axes of violent conflict, some of which have become militarised (for example, the JVP insurgency) and others which have remained latent (for example grievances amongst the Hill Country Tamils). ... Therefore militarised violence has had an impact on Sri Lankan society in its totality. Increasingly, it has been argued that violence has become the main arbitrator of social grievance”.

### **Inequalities, not contradictions**

Crucially, therefore, the armed violence in Sri Lanka is directly linked to the LTTE’s exploitation of (perceived) economic inequalities, rather than any fundamental ethno-political or ethnic identity conflicts.<sup>86</sup> Tamils’ grievances, though legitimate, are thus less a question of state racism than the unequal distribution of opportunities and access to (state and other) resources.<sup>87</sup> In that regard also, the state’s liberalisation in the late seventies and eighties (Miller 1990, Herring 2001, Shastri 2004) had unfortunately slowed amidst the violence of the LTTE (and JVP), while Sri Lanka’s potential was being held back by state subsidies, state-owned businesses, attendant inefficiencies, ruling party patronage,

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<sup>86</sup> Abeyaratne, for example, rejects the ‘narrow focus’ on ethnic relations, and argues instead that Sri Lanka’s conflict “has its roots in the post-independence *development* process, resulting from *policy errors*” (2004:1313 emphases added). Linking the LTTE’s armed struggle and the JVP’s as ‘two major facets’ of a single political conflict, he argues “widespread social exclusion in a stagnant economy ... created a fertile ground for ... political conflict ... [This] was exploited and frustrated youth mobilised into the twin political conflict” (Ibid). Other scholars disagree with this denial of intentionality, but do not go so far as explicitly positing state racism (see for example, Goodhand 2001:34, Winslow 2004:31, Nithiyanandam 2000:294-295).

<sup>87</sup> For example, the World Bank’s main strategy document for 2003-2007 notes that “while Sri Lanka has made remarkable strides in the area of human development over the last decades, serious equity issues remain - *i.e. equality of opportunity and access to services*. Access to and the quality of services in Sri Lanka differ greatly from *one area to another*.” (2003:17, emphases added; see also ADB 2003:23).



corruption, and so on.<sup>88</sup> In this context, some analysts even argue Sri Lanka's 'problem' is thus less an 'ethnic conflict' than a 'complex political emergency' (Goodhand and Hulme 1999), and that "at the heart of Sri Lanka's crisis is a crisis of the *state*" (Goodhand 2001:30, emphasis added) i.e. Sri Lanka's problem is a question of 'exclusion' of some citizens from 'governance' (UK Government 2007:5-6).<sup>89</sup>

Nonetheless, Sri Lanka and 'Sri Lankans' are held to be resilient. For example the World Bank (2003:1) emphasises how, despite the conflict, the state 'did not break down' and the country had demonstrated steady economic growth, (although well below its potential), was maintaining high literacy and had good social indicators. Crucially, Sri Lanka's more recent governments were keen to draw on international assistance and expertise to alleviate poverty and address inequalities, *so as* to reduce tensions and bring about peace (e.g. World Bank 1999:3). Moreover, Sri Lanka was a democracy, if an imperfect one (US Department of State 2008a): regular elections are held for local government, Parliament and the Presidency and draw large turnouts even if these are often marred by violence and vote rigging and the country's parties are constituted along ethnic lines. Whilst the armed conflict had sprung from legitimate resentments and recent governments recognised the need to address Tamil 'grievances', they were nonetheless now saddled with a serious terrorist challenge from the LTTE (e.g. World Bank 1999:3). Sri Lankan governments had tried unsuccessfully to pursue twin-track strategies i.e. militarily confronting the LTTE while attempting to devolve power to the regions, including the Tamil-majority ones.<sup>90</sup> Unfortunately, however, the ability of the LTTE to sustain its armed

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<sup>88</sup> Abeyaratne argues liberalization after 1977 did not have "adequate time to neutralise the fertile ground for conflict created by three decades of economic stagnancy" (2004:1313).

<sup>89</sup> The UK's Peace Building Strategy points to "a growing body of literature that links governance, development and conflict" and argues that in Sri Lanka, "there will need to be *an improvement in the systems of democracy and governance* in order to achieve a successful resolution of the conflict and its causes. In turn a permanent transition to peace is more likely to sustain improved governance systems and will facilitate more rapid economic development and poverty reduction" (UK Government 2007:8, emphasis added).

<sup>90</sup> The oft-asserted position by international actors that 'there cannot be military solution' is a reference to a political solution being needed for Tamil grievances *as well as* the military defeat of the LTTE - see, for example, comments by US Ambassador Robert Blake (2006). US Ambassador Ashley Wills (2002) stated "In the last two decades, as this conflict has arisen and been prolonged,

'Permanent peace' therefore, means very different things also. Tamil Freedom requires the restructuring of the state in a way that strips it of its majoritarian ethos and the establishing of power-sharing between Tamil and Sinhala collectives, including recognition of a Tamil homeland in the northeast. Sinhala-Buddhism requires the erasing of non-Sinhala 'homelands', ensuring that particular groups have no collective claim to political power - i.e. ensuing (Sinhala) majority rule is the ultimate arbitrator. Sinhala-Buddhism also requires the centralizing of power such that state can continue its duty to foster and protect Buddhism against internal and external threats. Liberal Peace requires the establishment of a market democracy, with a power-sharing agreement that is "acceptable to all". 'Building' peace, in the sense of a producing a shared understanding across all the island's inhabitants, also entails very different things. Liberal Peace requires the erosion of the primacy of ethnicity in individuals' interactions with each other and its replacement with a sense of civic citizenship and a democratic ethos (one moreover, that willingly rejects the notion of 'ethnic enclaves' as a basis for power). Tamil Freedom requires the Sinhalese to accept their race/people/nation and its Tamil counterpart are equally valuable. Sinhala-Buddhism requires the non-Sinhala minorities to accept that the island as the Sinhala motherland on which they are, as the legacy of late, invasive arrivals, guests.

Finally, 'security' also means different things in terms of the three rationalities. For Tamil Freedom it requires a permanent counter-balance to Sinhala military power; for Sinhala Buddhism it means the removal of all challenges to a distinctly Sinhala-Buddhist military; Liberal Peace requires the restoration of the state's monopoly on force, constituted through a multi-ethnic and secular military. Similarly, the 'right' distribution of state power has different connotations: Tamil Freedom requires a sharing of power between the Tamil(-speaking) and Sinhala collectives such that neither can have a veto over the other's progress; Sinhala Buddhism requires power to be concentrated in a unitary state and the Sinhala people so that the fostering and protection of Buddhism is assured, especially against antithetical claims from minorities; Liberal Peace requires the equitable distribution of power across all Sri Lankan individuals.

campaign and governments' ineffective efforts to destroy the organisation had led to the relentless and deleterious escalation of the conflict. Apart from the casualties, physical destruction and fraying of inter-ethnic harmony, the conflict had, in turn, enabled Sinhala nationalists to mobilise against power sharing between the centre and the regions that would benefit the Tamils. The ethnic 'outbidding' amongst Sinhala parties (De Votta 2004), as well as the LTTE's elimination of 'moderate' Tamil politicians who sought accommodation with Sinhala leaders, meant recent governments had been unable to establish the required 'political solution' and thereby *restore* peace and ethnic harmony. The country's politics had thus ended up caught between '*competing* nationalisms' (Goodhand 2001, emphasis added), represented by extreme, but fringe, elements amongst Tamils (especially the LTTE) on one hand and the Sinhalese (including the once insurrectionist JVP, the JHU and similar groups) on the other. Mainstream Sri Lankan politics and society is held, however, to provide sufficient space for accommodation of diverse interests, including *regional* (rather than ethnic) power sharing.

Sri Lanka's protracted armed conflict is thus a case of a democratic multi-ethnic state struggling to overcome its economic inequalities and unite its people in the face of a violent ethno-nationalist group exploiting the anger caused by some of those disparities to divide Sri Lankans. 'Grievances' were inevitable in a society characterised by 'inequalities' and would persist till these were removed, but *violence* was both unnecessary and unacceptable.<sup>91</sup> Crucially, therefore, the conflict was being sustained by the LTTE - and by other vested interests, such as those benefiting from the 'war economy', including corruption in state arms procurement (Goodhand 2001). As US Ambassador Ashley Wills declared in a landmark speech delivered in 2001 to residents in Jaffna, a militarised town of half a million Tamils and 40,000 Sinhala soldiers,

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we've expressed solidarity with the government of Sri Lanka as it tries to end the conflict, while also expressing sympathy for the Tamil people, who have had legitimate grievances about the way that they have been treated in this country."

<sup>91</sup> As Norwegian Deputy Foreign Minister Vidar Helegesen (2002a) put it: "no peace process seeks to achieve a society rid of conflict, because there is no society rid of conflict. What the parties to this process are seeking, is a different way of settling conflicts, namely through peaceful and democratic means."

“Sri Lanka’s various ethnic groups have lived together on this lovely island, *mainly peacefully*, for many centuries. *All that is needed* is to find a mutually satisfactory, contemporary political system to accommodate the island’s *diversity*” (2001, emphases added).

In this revisionist reading of Sri Lanka’s recent history,<sup>92</sup> the main problem today is the armed conflict itself which, moreover, is less a manifestation of deep-seated ethno-political contradictions, than a degenerative condition, one brought about by the LTTE and now affecting ‘the whole country’ and ‘all Sri Lankans’.<sup>93</sup> Indeed, in their hundreds of pages discussing Sri Lanka’s conflict and economic and social difficulties, many key publications on Sri Lanka by the World Bank between 2001-2006 do not even mention ‘Sinhala’, Tamil’ or ‘Muslim’ as ethnic categories, let alone examine the asymmetric distributions of political power between these groupings or the dynamics of ethnic violence, discrimination and legislation (see, for example, World Bank 2001, 2003, 2005)<sup>94</sup>. Instead, IFIs’ emphasis on ‘social indicators’ and developmental metrics disaggregated these collectives into individuals and distributed them on a map of (under)development. Represented thus, and stripped of ethno-political dimensions and distributions of power, the problem in Sri Lanka becomes one of ‘development’ stymied by ‘armed conflict.’ With the war divorced from any political contradictions between ethnic communities or between the state and a particular ethnic group, the most vulnerable ‘groups’ in the island were not ‘Tamils’, but “women and children”

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<sup>92</sup> As compared, for example, with Tambiah 1986, 1992, Moore 1990, Bose 1994, Little 1994, Krishna 1999, Herring 2001, De Votta 2004.

<sup>93</sup> US Deputy Secretary of State Richard Armitage (2002), addressing an international aid conference for Sri Lanka, observed: “while the needs are most critical in the North and East, there is no question that the entire country has paid the price of this war; and we must help bind all of Sri Lanka’s wounds”. US Ambassador Wills said: “of course we are aware of the deprivations visited on *Sri Lanka’s people*, notably the people of Jaffna and the Northeast, by this *conflict*. To be fair, I must also point out that this ugly war has affected tens of thousands of Sinhala families too” (2001, emphases added).

<sup>94</sup> World Bank’s Country Assistance Strategy (2003) has an appendix, ‘The Root Causes of the Ethnic Conflict in Sri Lanka’, which details the history of Sinhala majoritarianism and ethnic polarisation, but the first footnote of the appendix pointedly warns: “the views and opinions expressed here are those of the CAS team and do not necessarily represent those of the World Bank or the Government of Sri Lanka.”

(RNG 2002b)<sup>95</sup> and “conflict-affected and displaced populations” of all ethnicities (World Bank 2003:11).

Moreover, it is held that before the LTTE began its violence, Sri Lanka was doing as well as - or even better than - might be expected of any less-developed state (World Bank 2001:2). An EU statement (2002) on the developing peace process insisted, for example: “it is therefore of utmost importance that we don’t miss this historic opportunity to finally *bring back* peace and prosperity to the *people* of Sri Lanka.” The EU’s unproblematic and commonsensical use of the singular ‘people’ in reference to the inhabitants of the island and the logic of bringing ‘back’ peace, rejects wholesale the role of long-polarised ethnic identity in the island’s politics and thus reflects a common assumption in international calculations.<sup>96</sup> US Deputy Secretary of State Richard Armitage, comparing his visits to the island in 2002 and in 1983 (the year ethnic tensions erupted into the worst ever anti-Tamil pogrom), observed:

“my first visit was in 1983 on the eve of a terrible and destructive civil war ... my return was six months into the ceasefire to that conflict... The change was truly shocking. *Back then Sri Lanka was a charming, island nation with an educated populace, a dynamic economy, and strong institutions of democracy.* And now it is a nation stunted by war with a populace weary to the bones of bearing the cost of fighting, and a territory that is, in places, nearly as desolate as a moonscape” (2002, emphasis added).

In the absence of any fundamental ethno-political contradictions, the political extremities of the conflict are therefore held to be, respectively, the LTTE’s drive

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<sup>95</sup> Welcoming the LTTE-GoSL agreement to explore federalism (see Chapter 8), UK Foreign Minister Mike O’Brien (2002) said it “is important that the two sides have undertaken to address human rights, including the priorities and needs of women in the peace process, and the situation of children affected by armed conflict”

<sup>96</sup> As US Ambassador Ashley Wills (2001) put it, “the differences between Tamils and Sinhalese is not that great.”

for an independent ('mono-ethnic') state and Colombo governments' commitment to resist this and defend the (multi-ethnic) unitary state. The LTTE's demand for Tamil Eelam, not state oppression of Tamils, is thus the central political issue of conflict. The Sri Lankan state is meanwhile seen as reacting to the LTTE's violent aggression. Even claims of a Tamil homeland on the island thus become a manifestation of ethno-nationalism. As US Ambassador Wills (2001) put it,

"we reject the idea of an independent Tamil state carved out of Sri Lankan territory ... we do not believe Sri Lanka, or any part of it, is the special preserve of anyone ethnic group; indeed, we regard Sri Lanka as a multi-ethnic, multi-religious, multi-lingual, multi-cultural state".<sup>97</sup>

Tamil Eelam is thus a racist conception of a 'mono-ethnic' state, rather than a vehicle for emancipation from racist oppression.<sup>98</sup> Moreover, that an independent state was an impractical – and thus irrational – goal was also self-evident: the international community, whose recognition was *sine qua non* for establishing an independent state, had repeatedly stated their support for the territorial integrity of Sri Lanka. They had also called for an internal power sharing – the degree of which was for 'all Sri Lankans' to work out and agree on. It was thus held to be patently obvious that not only were Tamil grievances entirely addressable within a united, democratic Sri Lanka, but that this finality, by virtue of its reasonableness, was what most Tamils – save a minority of extremists, including the LTTE – were seeking.<sup>99</sup> Moreover, the LTTE's claim to be the 'sole representatives of the Tamil people' is, consequently, a coercive imposition on the Tamils, who are being denied an alternative voice by the LTTE, which had assassinated and

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<sup>97</sup> Wills (2001) went on, in terms much stronger than most international voices, to argue: "those in Sri Lanka who advocate separation of the state long for ethnic purity, a genetic and geographical impossibility. ... these ethnic hygienists, or separatists, are about the past, not the future – or at least not a future that we wish for our children."

<sup>98</sup> For example, then British Foreign minister Peter Hain observed in 2000 that the LTTE needed to acknowledge "a Tamil Kingdom" would not receive recognition, but the principle of self-determination "would be supported by the international community" (cited in TamilNet 2000).

<sup>99</sup> US Ambassador Blake asserted in May 2008, without reference or evidence, that "over 95 percent of [Tamils] support a solution within a framework of a united Sri Lanka" (2008, insert added).

intimidated 'moderate' Tamil leaders and other militant groups, thereby marginalizing the voices of most 'ordinary' Tamils (see discussion in Chapter 6). Crucially, the LTTE's fanatical commitment to Tamil Eelam, based on an extreme ethno-nationalist projection of Sri Lanka's problems, meant it was actually not possible for any government to negotiate a compromise with it. Rather, the LTTE had to be militarily confronted and either destroyed or sufficiently weakened (UK Government 2007:6, US Government 2008:592) so that it would be compelled to accept what most Tamils wanted (and which, if they were allowed to express their views, would make clear): a restructuring of the Sri Lankan state in an arrangement that, while keeping the country united, would allow Tamils greater say in their affairs – especially in those regions where they were the majority.

### **Who wants war?**

Meanwhile, the armed struggle by the LTTE – a 'specialist in violence' (Goodhand 2006:68) – is deepening ethnic antagonisms, holding back the very economic development that could alleviate these (and other latent) tensions, worsening the destruction and poverty across the island and, thereby, exacerbating the perceptions of inequality sustaining the armed conflict.<sup>100</sup> Thus, in a vicious cycle, the LTTE's violence is preventing the 'building of peace' (i.e. the attenuation of ethnic tensions and reduction of poverty) and fuelling grievances and, in turn, support for its extremist cause. Conversely, recent Sri Lankan governments had made self-evident efforts to attenuate ethnic antagonisms and promote ethnic harmony, share power with the regions (including where Tamils 'were a majority'), liberalise the economy, alleviate poverty and strengthen democracy (the ideal 'conflict prophylactic'), all of which would eradicate societal tensions for good. These laudable efforts were meanwhile being stymied by the counter-efforts of the LTTE to sustain nationalist mobilisation.

Unlike the LTTE, Sri Lanka's two major parties, the SLFP and UNP (and thus their governments), recognised and appreciated the needs of modern (i.e. liberal)

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<sup>100</sup> As the World Bank puts it, "The 16-year long ethnic conflict in the Northeast has taken an enormous toll on the country's human, financial and physical resources. It has ... *deteriorated the ethnic harmony and social cohesion within the country*" (1999:2, emphasis added).

governance and were committed to (re)building a multi-ethnic, pluralist democracy.<sup>101</sup> These parties are not majoritarian or chauvinist, but rather, “embrace democratic values, international nonalignment, and *encouragement of Sinhalese culture*” (US Department of State 2008a, emphasis added). Their alternating governments had thus worked closely with international donors to alleviate poverty and end inequalities, including in the Tamil-dominated regions in the Northeast (World Bank 1999a:3), and were especially responsive to the plight of women (World Bank 2001:9), who are amongst the most vulnerable of ‘groups’. That most poverty-alleviation efforts had been conducted in the Sinhala-dominated South was an unfortunate consequence of the armed conflict in the North and East (ADB 1999:3, World Bank 2001:9) rather than deliberate neglect of these largely non-Sinhala regions. Moreover, recent governments also recognised the problems with a centralised state, especially for properly functioning market economies, and had thus accepted the need to devolve some power to the regions, including the Tamil-dominated ones.<sup>102</sup> They had been liberalising the economy and were committed to continuing this (World Bank 2001:5,6). These governments had also tried expanding human rights protection, setting up monitoring bodies, passing laws and sometimes trying to prosecute service personnel. Above all, they had tried to work with Tamil moderates, such as some Tamil political parties, and had tried to come up with reasonable solutions (which had been rejected by the LTTE) as well as trying to hold peace talks (which, when successfully initiated, had later been scuttled by the LTTE).

Advocates of liberal peace held it to be self-evident in 2002, as the international peace initiative was beginning, that, ‘most Sri Lankans’ were ‘tired’ of war - Norwegian chief facilitator Vidar Helgesen asserted, for example, that ‘over 80% of the population wanted peace’ and that it was the responsibility of the LTTE and

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<sup>101</sup> World Bank: “The Government recognizes that peace is essential for nation-building and economic development” (1999:3).

<sup>102</sup> As US Ambassador Wills (2003) noted, “Local governments likely will matter more than they do now. *That's the best way to protect Tamil and Sinhala and Muslim rights and, most of all, individual rights.* The Sri Lankan Government must do a much better job of delivering services and assistance. It's way too slow and bureaucratic. ... The biggest difference in economic terms will be made by national and local governments' adopting the right policies. And in today's world, my government believes that the right policies are those that favour the private sector and individual initiative.” (emphasis added)



GoSL to deliver it (2002, see also Armitage's comments earlier). It was thus held to be self-evident that most Sinhalese were prepared to accommodate Tamils' grievances and that most Tamils were prepared to live within a united Sri Lanka.<sup>103</sup> As Armitage said of his 2002 visit,

"I saw Sri Lanka as it *could be*: a thriving, multifaceted society *once again* enjoying peace and enjoying prosperity. And it was the Sri Lankans themselves who showed me that vision. Because finally, finally it is a vision they all, Muslims and Buddhists, Christians and Hindus, Sinhalese and Tamils – *it is a vision that they can all see a way in which to share*" (2002, emphasis added).

In short, therefore, Sri Lanka was a flawed, but resilient and improving market democracy, whose society had in the past been fractured along ethnic lines due to perceptions of economic inequalities and which was now struggling commendably with the effects of over two decades of confronting a terrorist challenge. The central logic underlying international approaches to the 2002-6 effort to resolve Sri Lanka's conflict was succinctly put by US Ambassador Jeffrey Lunstead (2007:7):

"The US clearly differentiates between an elected government in a society with multiple centers of power and channels for redress of grievances, on the one hand; and an authoritarian terrorist organization which ruthlessly suppresses dissent, on the other."

Or, as US Under Secretary for Asia Nicholas Burns (TamilNet 2006) put it,

"We believe that the Tamil Tigers, the LTTE, is a terrorist group responsible for massive bloodshed in the

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<sup>103</sup> US Ambassador Ashley Wills (2001): "Among the Sinhala and the Tamils, there are ethnic supremacists to be sure. ... But it seems to me obvious that Sri Lanka north, south, east and west – is a diverse nation. ... I believe most Sri Lankans accept that this is a complex nation and that they also believe its people can live together peacefully."

country and we hold the Tamil Tigers responsible for much of what has gone wrong in the country.”

### **In Tamil Freedom terms**

In contrast to the Liberal Peace conception of Sri Lanka's conflict, Tamil Freedom, as elaborated in Chapter 4, saw the nature of the state, the relationships amongst the island's communities and the role of armed struggle differently. To begin with, Sri Lanka is not seen as a 'multi-ethnic democracy'; there may be multiple ethnicities on the island, but they are not equal as underlined by state rhetoric and practice since independence in 1948 and the self-evident distribution of political power which marginalizes Tamils. Instead, the Sri Lankan state is held to be a chauvinist, majoritarian project that has deliberately been undermining in multiple ways the continued existence of the Tamil nation as a cohesive entity on the island. Moreover, the state's chauvinism is held to stem from an ethnic hierarchy endorsed by the majority of the Sinhalese people (TNA 2004:para 5). Various pieces of legislations embodying this supremacy, beginning with Sinhala Only in 1956 and later making up the core of the country's constitutions in 1972 and 1977, had been implemented with broad support from the Sinhala majority. Over time the state bureaucracy had become dominated by Sinhalese (TNA 2001:para 10) and the military was overwhelmingly Sinhala (Blodget 2004:54, Tambiah 1986:15). Meanwhile the supremacist ethos is propagated and recycled by the country's education system (Orjuela 2003, Uyangoda 1998).<sup>104</sup> The formal assertions of respect for other religions and languages set out in the constitution are contradicted by the manifest practices of government, including how Sinhala is the language of much state practice, even in many Tamil areas (TNA 2001:para 8), and how Buddhist ritual has become the norm for ceremonies of the state and

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<sup>104</sup> Orjuela notes that in Sinhala areas, "in school, children have normally been taught about a Sinhalese-Tamil conflict, since time immemorial, and the Tamils are portrayed as 'filthy' invaders, fought by heroic Sinhala kings" (2003:202). Professor Jayadeva Uyangoda, a political scientist at the University of Colombo notes how in Sri Lanka, the disciplines of history and Sinhala literary studies have a "privileged position of being conscious and active agents of Sri Lanka's post-colonial, majoritarian nation-state. Actually, no other academic discipline in Sri Lanka has so successfully, so comprehensively, been appropriated, disciplined and colonized by the ethnic majoritarian state as are Sri Lankan history and Sinhalese literature taught in schools and universities" (1998:170).

especially of the military and the waging of war (Bartholomeusz 2002). Furthermore, whilst elections may be held regularly in Sri Lanka, democratic mechanisms and procedures enable Sinhalese, by virtue of their sheer numerical majority, to maintain control of Parliament and the Presidency and thereby to advance a majoritarian project: the 'will of the people' thus constituted a self-evident 'tyranny of the majority'. Whilst there is bitter rivalry between the two main Sinhala parties, they are held to conduct politics (as does the ultra-nationalist JVP, the third largest Sinhala party) within a shared chauvinistic understanding of the rightful place of the Sinhalese at the top of a hierarchy of ethnicities (TNA 2004:para 1). Moreover, this already powerful Sinhala grip on state power is being consolidated by continued state-sponsored colonisation of Tamil areas, a process which is radically altering demographics in these places and allowing the creation of new, Sinhala-dominated parliamentary seats and local government bodies and, in a related vein, with the attendant renaming of Tamil places with Sinhala ones, is seen as intended to ultimately erase the Tamil identity as associated with the territories of the homeland (TNA 2001:para 5).

Thus, the Tamils' problem in Sri Lanka is state racism and ethnic oppression, not economic inequalities. There is certainly economic disparity, but this stems from a deliberate, chauvinist project of exclusion and deprivation by the state, rather than the vagaries of uneven or under-development stemming from policy errors (TNA 2001:para 9). On one hand, the Sinhala-dominated state had deliberately enacted policies that compelled Tamils to learn Sinhala, enabling restriction on Tamils joining its bureaucracy (when the state was the largest employer in the island) and had used the logic of 'affirmative' action to restrict Tamils' access to university education ('standardisation' across districts deemed by the state to be well off or under-developed). The state's pursuit of particular modes of warfare - economic blockade and indiscriminate bombardment - in the Northeast has served to disrupt Tamils' farming, fishing and other industries. The state has also consciously diverted foreign investment and state developmental funding away from Tamil areas to the Sinhala heartland in the South - and those parts of the Northeast colonised by Sinhala settlers. Thus, the fundamental contradiction at the heart of the Sri Lankan crisis is one of institutionalised and violent state racism. The solution to Sri Lanka's conflict is therefore to be found not in development

(especially when pursued through the machinery of state) and free markets, but in radically restructuring the state (constitutionally and bureaucratically) and balancing the mechanisms of state power such that Tamil agency could be unfettered and Tamils' identity and well being could be protected from Sinhala domination and persecution.<sup>105</sup>

In this context, firstly, the demand for an independent Tamil Eelam is not an irrational whim but a perfectly logical mechanism by which the Tamils could escape implacable and institutionalised Sinhala chauvinism and safeguard their physical security and collective identity as a founding race on the island. Moreover, decades of history demonstrate that pursuit of redress for Tamil grievances within a united Sri Lanka had repeatedly proven to be impossible: Tamils had long peacefully agitated against multiplying Sinhala supremacist policies since soon after independence while elected Tamil leaders had sought accommodation and equality, but Sinhala leaders either refused to accept their grievances or, having struck limited agreements, abrogated these soon afterwards in the face of Sinhala nationalist mobilisation (TNA 2001:para 16). Moreover, racist legislation, including the 'Buddhism first' constitutions, and other policies had been repeatedly passed by Sinhala governments over the explicit and vocal protests of elected Tamil representatives even in the first two decades after independence - and a full decade before Tamil militancy appeared. Even the demand for Tamil Eelam, which appeared in 1976 well before the armed struggle proper began, had, despite the overwhelming electoral support it had received amongst the Tamils, not moved Sinhalese or their leaders to reconsider the terms of Sri Lanka's constitutional and ethno-political makeup (TNA 2001:para 13). Therefore, the present armed conflict in Sri Lanka stems from the refusal by the Sinhalese and their leadership to accept the validity of Tamil grievances, or indeed the injustice of the ethnic hierarchy on which these turn, and Sinhala determination to violently crush legitimate Tamil demands (TNA 2001:para 16).

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<sup>105</sup> LTTE (2003b): "the LTTE and [the Sri Lankan] government also hold starkly divergent views as to the nature of the final political solution to end Sri Lanka's protracted ethnic conflict. While the [GoSL] envisages piecemeal reforms to the present constitution, the LTTE has proposed a radical transformation of the system of governance in Sri Lanka, through the institutionalisation of a new, secular and equitable constitution which recognises the Tamils' right to self-determination and homeland" (inserts added).

Secondly, Tamil militant violence began as armed resistance to state violence (aided sometimes by Sinhalese mob violence) in the pursuit of this Sinhala domination. The Tamil resort to arms thus constituted *self-defence* against genocidal violence by the Sinhalese state in pursuit of the status quo, and had followed the proven impossibility of achieving racial ('national') equality by peaceful means (TNA 2004:para 8). Above all, the armed conflict which began in the eighties was not a sudden rupture of prevailing peace and ethnic harmony, but constituted an escalation of an ethno-political struggle over the nature of the Sri Lankan state, a struggle that was marked by majoritarian/state violence long before Tamil militants appeared. The continuation of the Tamil armed struggle today, moreover, stems from the adamant refusal by Sinhalese (and their leaders) to accept the Tamils as equals and thus to negotiate an equitable solution with Tamil leaders - now the LTTE (and before it, the TULF and before it, the Federal Party). While not all of the LTTE's actions enjoy universal support amongst all Tamils, the *emancipatory logic* of its stated goals and actions do.<sup>106</sup> The difference between some Tamils insisting on independence and others prepared to accept federalism, say, reflects disagreements on the viability of the latter for Tamil emancipation, rather than on whether such emancipation is needed in the first place. As such, the basis of the LTTE's leadership of the Tamil political project is its commitment to the principles of Tamil nationhood, homeland and self-determination, on the one hand, and its ability to compel the Sri Lankan state to take seriously Tamil grievances, on the other (TNA 2004:paras 9, 10).<sup>107</sup> Sri Lanka's conflict is thus not an instance of a multi-ethnic democracy fending off a terrorist challenge, but of a violently oppressive state seeking to militarily crush legitimate Tamil rebellion against its chauvinist authority.

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<sup>106</sup> Analyzing the Indian military intervention in support of the Indo-Sri Lanka Accord, Bose (2002:650) notes that by the late eighties, the Tamil Tigers "despite brutal propensities, were regarded as heroic resistance fighters by a large proportion of the Tamil population."

<sup>107</sup> TNA Manifesto (2004) also asserts: "The state of affairs [is] that all the efforts taken by the successive Sinhala chauvinist governments to defeat the armed campaign for Tamil Nation's freedom and thereby crush the political aspirations of the Tamil people having ended in failure, and in the context of the reality being accepted and emphasized by the international community that the solution to the Tamil National problem cannot be settled by force of arms but only politically, the basis was laid for political negotiations with the help of the international community."

## **Contrasting terrains of government**

It can be seen from the above that the Sri Lankan state, the island's different ethnic groupings, the conflict, the LTTE, and so on, appear on the respective terrains of Liberal Peace and Tamil Freedom as very different kinds of objects, bearing very different characteristics, capacities, potentialities and interests. Before examining the problematizations that informed the conduct of international and local (Tamil) actors during the Norwegian-led international peace effort of 2001-2006, it is worth summarizing specific contrasts between these two different conceptualizations of the present and 'better worlds'. To reiterate, these differences must be considered against the background of Sinhala-Buddhism, the political rationality that has informed the conduct of the Sri Lankan state and Sinhala polity since independence in 1948, for example how the international community's refusal to accept the notion of a Tamil homeland on the island, its oft-asserted support for the country's territorial integrity, its hostility to the LTTE's armed struggle, and so on, overlap neatly with the tenets of Sinhala-Buddhism.

### **Who are the Tamils?**

Liberal Peace sees the Tamils as a minority in a multi-ethnic country - along with the Muslims, Upcountry Tamils, and Burghers; a minority whose economic grievances and political aspirations could be well served by the establishment in Sri Lanka of a properly functioning liberal democracy with a market economy, in which all *citizens* are rendered equal. However, Tamil Freedom sees the Tamils as a rights-bearing *collective*, one which is equal to its Sinhala counterpart and whose fundamental problem is not economic inequality, but violent persecution by a racist state. Thus, whilst Liberal Peace posits the Tamils as a marginalized minority community requiring economic upliftment and full integration into the citizenry of the Sri Lankan state, Tamil Freedom sees the Tamils as an ancient, cultured people and one of the island's 'founding races' which requires protection from Sinhala domination via the unitary state. Whilst Liberal Peace sees Sri

Lanka today as a flawed but vibrant democracy gradually embracing liberal and neoliberal principles, Tamil Freedom sees it as implacable ethnocracy gradually cementing Sinhala domination over other communities. Liberal Peace recognizes the existence of Sinhala nationalism, which is deemed as equally pernicious as the Tamil nationalism with its advocacy of an exclusivist Tamil state in the Northeast, but posits these sentiments to be the preserve of an extreme few (the JVP, JHU, et al on the one hand and the LTTE on the other). Tamil Freedom does not consider the demand for Eelam as necessarily exclusivist and considers Sinhala nationalism as a mainstream logic within the Sinhala polity, with the JVP, JHU et al merely its most shrill advocates (TNA 2004:para 1).<sup>108</sup> To put it another way, in 2002, whilst Liberal Peace was confronted with the effects of a quarter century of armed conflict, Tamil Freedom was faced with the continuation of six decades of Sinhala oppression.

Whilst Liberal Peace rejects the idea of homelands within Sri Lanka - other than a single multi-ethnic homeland spanning the entirety of the market democracy state's territory, Tamil Freedom sees the Tamils as a nation with as valid a historic claim to the island's Northeast – just as it holds the Sinhala nation to have a legitimate claim to the island's South. Liberal Peace sees the North *and* East (in contrast to Tamil Freedom, which sees the *Northeast*) as having suffered widespread destruction as a consequence of this being the locality of the LTTE's violent resistance to the state's efforts to restore law and order. Tamil Freedom sees the devastation in the Northeast as part of the racist logic of a state which readily adopts scorched earth policies and uses heavy weapons against villages and towns precisely because the population is Tamil and not Sinhala. Liberal Peace sees the North and East (especially those parts occupied by the LTTE) as having fallen behind the rest of the country as a result of the *conflict*, and therefore needing to be *reintegrated* (World Bank 1999a:2) with the rest of the country. Tamil Freedom sees the Northeast as having been ravaged by the state's violent efforts to crush Tamil demands and thus needing to be protected from Sinhala encroachment, domination and violence and the Tamil homeland needing

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<sup>108</sup> Shastri points out how, in the 1990s, the main Sinhala political parties, increasingly cognizant of international opinions, were becoming "careful how they expressed themselves on the ethnic issue" (2004:88).

to be *demarcated* (in some constitutional form) from the rest of the island. As such, in Tamil Freedom terms, the territory under LTTE control and administration in the Northeast are welcome spaces where the writ of the Sinhala state and military did not run. The LTTE's civil administration, now amounting to a de-facto state (Stokke 2006), was a positive development, both politically (as a form of parity between the Tamil and Sinhalese nations) and practically (as governed spaces where Sinhala chauvinism did not hold and also where social justice issues were increasingly being addressed). In Liberal Peace terms, however, the LTTE-controlled areas are an anathema, representing the emergence of a 'mono-ethnic' space in which the autocratic and violent LTTE's diktat ran and whose residents were cut off from the Sri Lankan state's legitimate provisions as well as the political and economic life of the rest of the country.<sup>109</sup>

### **Does ethnicity matter?**

Liberal Peace considers the ideal of a future Sri Lanka to be a united, "multi-ethnic, multi-religious, multi-lingual, multi-cultural state" (Wills 2001) i.e. one in which ethnicity is not a factor in state decision-making, except in ways agreeable to 'all Sri Lankans', and in which the entire island is the homeland of everyone. The problem with the present unitary state is thus one of concentration of power and centralisation of political decision-making (UK Government 2007:5, see also Goodhand 2001). In Tamil Freedom terms, the ideal future state is one in which equality between the Sinhala and Tamil collectives (nation/ race/ people/ community/ etc) is irrevocably enshrined, including recognition of the Tamil and Sinhala homelands in the Northeast and South respectively, thereby preventing the disaggregating of the Tamil collective and effacing of its identity. The problem with the present state is one of institutionalised racism *as well as*

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<sup>109</sup> A senior Norwegian diplomat described the LTTE civil administration as a "dictatorial semi-state in the Northeast" (NW01 June 1, 2006). US Ambassador Wills (2003) asked: "we are not blind to the faults of the Colombo Government. But what is the LTTE's economic ideology? Is it going to try to control everything? Is it hoping to pursue autarkic policies that isolate the North and East from the rest of Sri Lanka? ... Or is it going to accept that the best way to help the Tamil people is to connect them to the rest of Sri Lanka and let their phenomenal talents find expression and wealth in a richer, wider context." A major multi-donor funded study in 2005 observed of the devastated warzones: "the North-East had been *shielded* for more than two decades from the effects of liberalization and structural adjustment" (Goodhand et al 2005:86).



concentration of power and centralisation of political decision-making which allows this racism to have force. In Liberal Peace terms, the present state is unable to progress further towards the ideal of a modern state (a liberal democracy with a market democracy), because of the debilitating armed conflict with the LTTE. In Tamil Freedom terms, the LTTE's armed struggle has stalled Sinhala hegemonic ambitions, which cannot be countered or contained by economic liberalization or by tinkering with Sri Lanka's present constitution and electoral processes. Rather, the state, if it must remain united, has to be radically transformed; stripped of its majoritarian ethos and have both formal recognition of the equality of *peoples* as well as safeguards against the return of Sinhala-dominance enshrined in its foundations.

In Liberal Peace terms, the demand for an independent Tamil Eelam is an ethno-nationalist ambition of the LTTE and its supporters, an 'extreme' goal which the majority of Tamils eschew. In Tamil Freedom terms, independence is one obvious way to ensure the Tamil collective's existential need for political, economic, cultural and physical security from the Sinhala-dominated state and one which the majority of Tamils support, if not aspire to. However, *if* the Sinhalese and their leaders would recognise the equality of the Tamil and Sinhala collectives and agree to irreversibly rebuild the state in these terms, then a single united state would be just as satisfactory. A federal solution, for example, that recognised the Tamil homeland in the northeast and shared power, including security arrangements, in such a way that Sinhala rule could not be (re)imposed, would serve the same objectives as an independent Tamil Eelam - the question is whether such a radical transformation is possible. Conversely, a federal solution or, indeed, any other power sharing arrangement, must be established between the Tamil and Sinhala collectives and on the basis of a single Tamil political territory. In other words, the territorial unit of power sharing is crucial for Tamil Freedom: it must be the Tamil homeland in the island's Northeast. In Liberal Peace terms, the redrawing of the state along federal lines constituted a move towards giving Tamil regions (though not *Tamils* per se) – as well as other areas - a measure of

self-rule while also allowing for the construction of pluralist polities within a single, united state.<sup>110</sup>

### **Liberation or chauvinism?**

The Liberal Peace sees the LTTE as a violent, autocratic armed group pursuing an illiberal ethno-nationalist project and intolerant of Tamil dissent against this goal. The LTTE's fanatical commitment to a mono-ethnic 'separate' state and brutal violence is held to have frayed the foundations of the democratic state (US Government 2008:593) while its killing and intimidation of moderate Tamil political voices have narrowed the space for compromise solutions to be sought. The LTTE's military defeat and/or disarming and demobilization are thus *sine qua non* for a permanent peace. In Tamil Freedom terms the LTTE, though ruthless and brutal, is indubitably a vital defender of Tamil interests vis-à-vis the Sinhala state and its disarming and disbanding must be conditional on permanent security arrangements that would protect Tamils from Sinhala dominance and violence, especially through the apparatus of state (TNA 2004, see results in Social Indicator (2004) poll regarding conditions disarming of the LTTE). The LTTE differs from some other Tamil actors in that it is skeptical that the Sinhalese (leaders) will accept reshaping of the Sri Lankan state in such ways and is thus committed to an independent Tamil Eelam as the only viable way for the Tamil collective to progress. However, the LTTE's demand for Tamil Eelam does not *in*

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<sup>110</sup> The assertion by liberal peace advocates that 'most Tamils' either 'don't want Eelam' or 'want a federal solution' - for example, see comments by US Ambassador Blake (2008), cannot therefore be made without these fundamental qualifications. A key ambiguity about a federal solution was differing perceptions about what the federal entities would consist of - even how many there would be within the country - and what powers they would have. The assumption amongst many Tamils (expressed in interviews with Tamil parliamentarians and LTTE officials) was that the Oslo Declaration envisaged a union of two federal states i.e. in the Northeast province and the rest of the island respectively. By contrast, Liberal Peace emphasizes the relations amongst Sri Lankans, rather than territorial specificities. As US Ambassador Wills (2003) put it: "the outlines of a settlement have been pretty clear for years, at least since the mid-90's. Some sort of devolution of power that gives Sri Lanka's North and East - *merged or not* - considerable autonomy is in order. Call it internal self-determination if you like. Call it federalism if you like. But Sri Lanka should remain united. And be diverse and democratic" (emphasis added). When asked how many sub-state entities were appropriate for the island, a senior official with a European government's development agency (INT03 August 17, 2006) confidently replied: "ten." In any case, this matter was, in Liberal Peace terms, held to be one for *negotiation*; the Forum of Federations (2003), brought into advise the LTTE and GoSL during the negotiations, circulated a concept note in early 2002, asking them to consider questions such as: how many federal entities should there be, and where would their borders be situated?

*itself* constitute principled opposition to solutions short of independence per se, but the result of this skepticism amid its commitment to the Thimpu principles — Tamil nationhood, Tamil homeland and Tamil self-determination. The LTTE has targeted Tamils that have collaborated with the Sinhala hegemonic project, especially the Sinhala armed forces. Meanwhile, it is the LTTE's armed struggle that has compelled the Sinhala state to engage with Tamil grievances and 'internationalized' the Tamils' struggle against oppression. As such, the LTTE, though authoritarian in its governance of controlled areas and intolerant of Tamils who oppose it, is the only actor that can ensure Tamil grievances are dealt with by the Sri Lankan state and the international community such that Tamil aspirations are met (Bose 1994, TNA 2004).

In summary, Liberal Peace considers Sri Lanka's present ethnic tensions to be a consequence of perceptions of economic inequalities, mobilization by 'conflict entrepreneurs' such as the LTTE, inadequate state responses, and animosities deepened by violence. The obstacle to progress is thus the armed conflict itself and the way to lasting peace is to encourage and foster inter-ethnic dialogue and peaceful interaction along with individually equitable distribution of resources or public goods, including decentralising the state and devolving power to the regions. In contrast, Tamil Freedom considers ethnic tensions as a consequence of majoritarian control of and pursuit of a supremacist agenda through the state and the way forward is thus to end Sinhala hegemonic control of the state and ensure against its return by institutionalising equality between ethnic collectives, including recognition of two distinct homelands on the island. The obstacle to such progress, moreover, is Sinhala dominance of the state itself. As such, that Sinhala leaders had even entertained the notion of Tamil 'grievances' in recent years was a direct consequence of the state's inability to crush the LTTE. Thus it was conflict —i.e. the LTTE's armed struggle - that had opened up the space for Tamil grievances and demands to be taken seriously. The way to lasting peace now was through a radical restructuring of the Sri Lankan state, through negotiations between Sinhala leaders and the LTTE, such that the Tamil and Sinhala collectives were accorded equal standing and rights.

## 5.2 Problematizing peace: what is needed

The section examines international ‘peace’ engagement in Sri Lanka in terms of the different ‘realities’ that were confronted by Liberal Peace and Tamil Freedom in 2002. It thus considers the different problematizations (‘deficiencies’ or ‘lacks’) of government that emerged within each of these rationalities in relation to what they deemed their respective ‘ideal’ for a future Sri Lanka and for ending the war. As such the section is concerned with the *calculations* behind the disparate actions of Tamil and international actors in the context of the 2002 Norwegian initiative, such as: What needs to be done in the service of ‘peace’? What are the constraints and opportunities? What are the useful and problematic actors visible on these terrains? What were their responsibilities – how are they to conduct themselves with regards to their ‘suitable ends’? How should they be encouraged or dissuaded from their likely conduct?

### In Liberal Peace terms

Proponents of liberal peace were confronted in Sri Lanka with a number of serious obstacles in 2002. Although the Ceasefire Agreement (RNG 2002a) – henceforth CFA - had been negotiated and signed, the possibility of a resumption of the war was ever-present.<sup>111</sup> Although the guns had been silent for two months, the truce was held to be ‘fragile’: the heavily armed protagonists were still poised across frontlines where these existed and, even more dangerously, were loosely separated elsewhere. Apart from ethnic animosities stirred up by the conflict, vested interests in continuing the violence remained. The fanatical LTTE had paused its armed campaign, perhaps in light of the unfolding ‘Global War on Terror’, but for how long? The lengthy war and, especially, the recent string of crippling defeats had substantially weakened the Sri Lankan military, thereby posing a risk of further violence from the LTTE. Moreover, there was hostility to the CFA and peace process from powerful actors – including sections of the military, President Chandrika Kumaratunga and her recently defeated hardline

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<sup>111</sup> The full text of the CFA is included in the Appendices.

SLFP and the Sinhala nationalist JVP. Then there were the stakeholders in the war economy. Quite apart from this latent danger, the consequences of protracted armed conflict were everywhere. Almost a million 'Sri Lankans' had been displaced by the fighting (rather than, as Tamil Freedom saw it, by state aggression against Tamils). Much of the infrastructure in the North and East had been destroyed, including roads, bridges, schools, hospitals and large numbers of houses. The rule of law and authority of the state had collapsed in many parts of the country – not least in the swathes of territory now dominated by the Tigers in the North and East. The economy in the North and East had disintegrated while other parts of the country, including Colombo, had also been badly 'affected': 'investor confidence' had collapsed and the cost-of-living was unbearable for most. Serious developmental shortfalls were to be found all across the country, especially in the Tamil-dominated North and multi-ethnic East, fuelling simmering anger and breeding new discontent along ethnic and other local faultlines. Although these regions were especially affected, the conflict had deepened poverty and ethnic hostility across the island.

On the other hand, there were many positive developments too. The LTTE had – at least for now – stopped its violence (see Chapter 6 for a discussion of reasons attributed by international actors to the LTTE's cessation of its armed struggle). Sri Lankans of all ethnicities had voted into government, albeit just barely, a 'pro-peace' coalition. The UNP was ideologically committed to market economics – privatisation, trade liberalisation, etc – and to reducing the role of government. It was also eagerly seeking international cooperation in achieving the reforms required to revive the island's economy and, especially, to free the economy from the constraints (subsidies, regulation, and so on) that the citizens of the Democratic Socialist Republic of Sri Lanka had become used to. The ceasefire – should it hold – would enable rehabilitation and developmental projects in the war-devastated North and East, including those parts seized by the LTTE and to bind these devastated areas and their residents back to the rest of the country and citizenry. The end to armed confrontations would, with some time, also permit the restoring, first outside the war-zones and later, hopefully, within these too, of human rights protection, media freedom, rule of law and other goods which had increasingly collapsed during the conflict. Importantly, an end to violence would

also open up space for inter-ethnic dialogue and reconciliation, both within lived communities and between ethnic communities at the national level: the violence-free space that moderates on all sides needed would gradually open up – provided, once again, the ceasefire held and paramilitary or extra-judicial violence could be checked. With time, Sri Lankans from one part of the island would be able to travel to other areas and inter-regional trade would resume and expand, all of which would boost ethnic amity.

Thus, among the key problematizations that Liberal Peace confronted in Sri Lanka in early 2002 were: (1) the risk of a resumption of armed struggle by the LTTE, (2) the militarised, socially fractured and ethnically riven condition of Sri Lankan society, (3) the highly centralised Sri Lankan state and its poor governance practices, characterised by human rights violations, patronage, corruption, and so on, (4) an economy characterised by subsidies, state industries and regulation and far from the ideal of free markets, and (5) unevenly and inequitably developed regions, with wealth concentrated in Colombo and the Western province and the war-torn North and East lagging especially far behind.

As Li (2007:7) points out, the identification of problems is intimately linked to the availability of solutions. Implementing solutions requires the active creating of the possibilities for, and eliciting of, specific desirable behaviours from individuals, groups and organizations, so as to ensure movement ('transition') towards suitable ends for people and things. The Sri Lankan state needed to be restructured and decentralized thus enabling local communities to better shape the conditions of their governance. The island's economy needed to be restructured by cutting state subsidies, ending corruption and patronage, and so on. Amongst the urgently required changes were improving discipline in the military, restoring the rule of law, protecting human rights and ending impunity for abuses, allowing the free movement of people and goods – all, of course, needing to be done without compromising 'security' vis-à-vis the LTTE. Space needed to be opened up for 'ordinary Sri Lankans' of different ethnicities and religions to trade, travel, debate and otherwise interact with each other: Tamils, Sinhalese, Muslims and others needed (once again) to come to see each other as equally valuable members of a shared national community and thus to abandon exclusivist identities and cease

being needlessly fearful of others. In short, the identity of the Sri Lankan citizen shared by all before the armed conflict – and still cherished by most – had to be restored.

As such, civil society needed to be strengthened, bolstered and supported to facilitate the non-violent working out of the numerous conflicts within Sri Lankan society along either existing faultlines, and not just ethnic ones, or those likely to open up in future. The country's vibrant media, riven by ethnic partisanship and particularist interests, had to be allowed the space, without intimidation and violence, to freely articulate ideas and facilitate debate on the country's crucial issues. Political parties needed to be able to freely express their values and policies – even unpalatable ones – to all Sri Lankans, allowing the country's strong democratic mechanisms to make clear the will of the peace-loving majority, thereby marginalizing fringe and extreme views from power. Tamil political parties, for example, should be able to take up moderate positions on power sharing and seek popular endorsement of these through elections. Armed groups like the LTTE and other paramilitaries needed to be constrained and prevented from using violence to thwart these processes in the short term and in the longer term, needed to be disarmed and disbanded or possibly transformed into political parties or civil society actors. There were and would continue to be grievances amongst all communities, but peaceful ways of resolving and addressing these had to be nurtured: society had to be demilitarized and violence prevented from being 'the final arbitrator of social grievance' (Goodhand 2001:24). The state's security and judicial structures needed to extend the protection of the law to all Sri Lankans without discrimination. Private enterprise needed to be fostered, encouraged and supported, while reliance on state subsidies and patronage networks needed to be ended. The Muslims, the island's third largest ethnic community, needed to be supported in particular; located in both the North and East amongst the Tamils and in the South, amongst the Sinhalese, the Muslims had also been alienated from the state and, especially, been persecuted by the LTTE. There was thus a real risk they too would become radicalized and resort to violence. The peace process and any solution therefore needed to pointedly accommodate the Muslims and their demands as much as those of the Sinhalese and Tamils. A solution needed to be acceptable to 'all Sri Lankans'.

Crucially, with the liberal peace springing from all good things coming together, these disparate elements had to be pursued simultaneously and achieved at the earliest and as such, international actors needed to actively provide support for these myriad transformations in terms of funding, expertise, and other forms of facilitation.

### **In Tamil Freedom terms**

In 2002, by contrast, those seeking Tamil liberation were confronted with very different challenges to those faced by those pursuing liberal peace in Sri Lanka. The Sinhala-dominated military and its genocidal war against the Tamils had been stopped, at least for now; but it had been a close-run thing. Moreover, the military as a whole remained vehemently opposed to the terms of the CFA, as were powerful sections of the Sinhala polity, including President (and Commander-In-Chief) Kumaratunga and the hardline SLFP and JVP - which notably had drawn most of the Sinhala vote in 2001. Past truces had rarely lasted more than a few months. The Tamil homeland had been devastated by seven more years of high intensity war as well as the harsh decades-long government embargo. The reconstruction of these devastated Tamil areas depended, moreover, on the very Sinhala governments responsible for the destruction, as international donors were insistent their funding must go through the sovereign state. Meanwhile, many more thousands of Tamils had been killed or wounded in the most intense seven years of the island's war. There were tens of thousands of widows now in charge of their households. Scores of thousands of children were malnourished because of the embargo, large numbers of schools, places of worship, and villages had been destroyed. Over 800,000 Tamils were internally displaced and hundreds of thousands more refugees abroad. Large swathes of the Northeast, encompassing thousands of villages (some 30,000 homes), along with schools and places of worship, had been occupied by the Sinhala military and turned into 'High Security Zones'. Meanwhile, the international community was clearly non-committal on Tamil self-determination, openly opposed to an independent Tamil Eelam and actively hostile to the LTTE – the UK and US, in particular, had recently joined India in banning the LTTE, despite the manifest oppression of the Tamils by the



Sinhala-dominated state. Indeed, the international community, especially the Western states leading the peace effort, were actively supporting the Sinhala state and insisting, despite advocacy by Tamil parties and parliamentarians and numerous Diaspora organisations, that most Tamils wanted to live within a united – i.e. Sinhala-dominated - Sri Lanka.

On the other hand, there were many positive aspects also. The once apparently finished LTTE had been able to stop the Sinhala armed forces' onslaught, push them back and destroy Colombo's offensive capability, thereby compelling the state to sue for peace, even accepting international third-party involvement in what it had hitherto insisted was an 'internal' matter. For the first time the LTTE-GoSL ceasefire was being monitored by international observers, thereby lessening the chances of the GoSL unilaterally resuming the war once its forces were rebuilt; indeed, it was international pressure that had forced President Kumaratunga and the military to begrudgingly accept the UNP's signing of the CFA. Though also a Sinhala right-wing party, albeit one less vocal than the JVP et al, the UNP's nationalist tendencies were suppressed for now. Moreover, the UNP had also negotiated the CFA with the LTTE, which in turn had endorsed the party before the polls, and the party had also committed to an interim administration for the Northeast (the Tamil homeland). The possibility the UNP, faced with the heavy cost of pursuing military victory over the LTTE, might genuinely seek a solution was thus very real. Furthermore, the international community had become actively involved in a peace process in Sri Lanka despite the opposition of the Sinhala nationalist forces. Despite denouncing the LTTE as terrorists, international governments accepted the need for Sri Lanka to negotiate with them – unlike al-Qaeda, which was under attack in Afghanistan by a powerful coalition led by the US and UK. Meanwhile, the LTTE's civil administration had expanded into those parts of the Northeast it had liberated from Sinhala rule and was providing rule of law and rudimentary welfare. The four largest Tamil parties had formed themselves into a united front to contest elections and advocate Tamil interests, and the Sri Lankan military's poll disruptions had not been enough to prevent the TNA from securing a dozen Parliamentary seats.

Thus, amongst the key problematizations that Tamil Freedom confronted in post-CFA Sri Lanka were: (1) the risk of the Sri Lankan state resuming its military campaign, (2) the utter devastation of the infrastructure and economy in the Tamil homeland, (3) the impossibility of articulating a cohesive Tamil political stand, related on the one hand to the effects of war such as the displacement of one in four Tamils and, on the other, the absence of a robust Tamil political vehicle partly due to rivalries amongst the major Tamil political actors, and (4) international scepticism of the Tamils' desire for self-governance, especially independence, and hostility to the main Tamil actor, the LTTE.

These problematizations inevitably implied different solutions and the eliciting of different behaviours to those sought by Liberal Peace. The oppressive presence of large numbers of Sinhala soldiers in Tamil areas had to be reduced so that people could resume their livelihoods and restore life in their communities without fear of arrest, abduction, torture or extra-judicial killings. Occupied homes, schools and places of worship had to be returned to Tamil civilians' use. Indeed, many schools, hospitals and other buildings in Tamil areas, where the war had mainly been fought, needed to be rebuilt. International aid had to be secured for this and the Sri Lankan state precluded from undermining or thwarting these urgent needs. The LTTE had to ensure the war did not resume, while also securing the protection of Tamils from the state armed forces (including the release of tens of thousands of Tamils arbitrarily detained without charge, for example) and pursuing Tamil political aspirations: only the armed LTTE and international pressure could secure such concessions for the Tamils from the state. The LTTE had to secure these Tamil interests through its participation in the peace process. The international community needed to be made aware of the genuine plight of Tamils in Sri Lanka and their desire for self-rule, even independence, so that it would cease its support of the Sinhala-dominated state. International pressure had compelled the state to pursue a peace process with the LTTE, on account of the latter's military robustness, and further international pressure was needed to ensure the state would withdraw its military from civilian places to allow resettlement, allow internationally-funded reconstruction to take place, cease mass arrests of Tamils, and so on. Above all, international pressure was required to ensure the state negotiated sincerely with the LTTE. A permanent solution that

afforded the Tamils, as a founding people of the island, adequate self-rule, free of Sinhala domination, needed to be secured in the longer term. However, the priority was ending the humanitarian crisis in the Tamil homeland, so that the Tamil people could participate - within the same existential conditions as the Sinhalese - in shaping these long term goals. Tamils had to set aside regional, caste and other differences, and unite behind these goals, which they had to make clear was not the preserve of the LTTE, but of the Tamils as a whole. Those Tamils collaborating with the Sri Lankan state and armed forces, especially the paramilitary-cum-political parties, needed to desist or be constrained in the interests of the wider community, especially at this crucial time when the international community had actively involved itself in the creation of a lasting peace; the LTTE needed to provide the space for these Tamils to rejoin the fold. Tamils also had to join hands with the (Tamil-speaking) Muslims in the Northeast to jointly pursue these short-term and longer-term goals against the Sinhala state. Despite acrimony and violence between Tamils and Muslims and the latter's participation in the state's repression of Tamils (McGilvray 1997, 2001), as another non-Sinhala minority in Sri Lanka, Muslims have similar concerns against Sinhala domination (TNA 2004:para 18).

### **5.3 Same road to different 'better worlds'**

In 2002, two contradictory idealist projects - to reconstitute a harmonious, multi-ethnic Sri Lanka on one hand and to unite and liberate the Tamil nation on the other -- came to be pursued simultaneously through the Norwegian-led peace process (see discussion in Chapter 7). Within both rationalities, notably, the peace negotiations had come about because of the LTTE having fought the Sri Lankan military to a standstill. However, in Liberal Peace terms, this was an unfortunate eventuality while in Tamil Freedom terms, the blunting of Sinhala militarism was instrumental in creating the space for peace. Consequently, the *negotiation* process between the LTTE and GoSL was itself conceptualized as having different relationships to the island's populations. Liberal Peace posited Sri Lanka's citizens, eager to live peacefully together, as standing apart from the talks and demanding of the GoSL and LTTE that they reach a negotiated peace that

would end the war and allow their country to resume the economic and social progress needlessly interrupted by the protracted conflict; for example, the official Norwegian statement after the first round of direct talks held both sides to be “responding to the overwhelming call of the peoples of Sri Lanka to bring an end to the conflict and create the conditions for a lasting peace, prosperity and human rights” (RNG 2002c). Thus it is *war*, held to be naturally reviled by all Sri Lankans of any ethnicity, along with the lack of development (prosperity), which becomes the unifying referent problem. In this regard, the GoSL was also striving to avoid renewed war and only the LTTE and its nationalist supporters – as well as hardliners amongst the Sinhalese – were prepared to return to violence in pursuit of their extreme goals. Tamil Freedom, on the other hand, holds the Tamils to be expecting the LTTE, *through* its negotiations with the GoSL, to advance the securing of their freedom from Sinhala dominance (TNA 2004:para 18.10). The referent element unifying Tamils is *Sinhala oppression*, represented by the state, the Sinhala parties that had held power, those espousing Sinhala dominance – such as the powerful Buddhist clergy - and so on. Moreover, the LTTE and GoSL may do the actual negotiating, but the purpose of the peace process is to resolve the contradictions between the Tamil people and the Sinhala people (LTTE 2003f, TNA 2004:para 18.10).

Government involves the ordering of activities and processes, but as outlined above, in 2002 the rationalities of Tamil Freedom and Liberal Peace engendered very different orderings as both *constituting* and, separately, *making possible* a peaceful Sri Lanka. At the heart of the contradictions was the individual Tamil: was she a member of a persecuted and threatened nation or a citizen who was excluded from the benefits of development and whose rights were not being upheld by the state? While amid this clash of rationalities, these could both be simultaneously ‘true’, the programmatic solutions that spring forth from these two conceptions are nonetheless different and divergent. To govern therefore is both to transform reality into a domain of thought (thus making it governable) and to translate these thoughts into the domain of reality (in order to shape and normalise conduct), a circular process in which the thought and practice of governance are inextricably linked (Salskov-Iversen et al 2000:191-2). Having set out two of the governmental visions that collided during the Norwegian-led peace process of

2001-2006, it is to the practicalities of governance, the 'rendering technical' of governmental programs, that the dissertation now turns.

## 6. Making Peace in Sri Lanka

Just as problematizations emerge when the ideal is measured against the real and the latter found wanting, programmes emerge when those seeking to configure specific locales and relations in ways thought desirable (i.e. to make the real match the ideal) put forward various designs - 'solutions' – to this end (see Rose and Miller 1992:181). The relation between problematizations and programmes is thus not one of derivation or determination, but one of *translation*: programmes are not merely formulations of wishes or intentions; rather, they are efforts which, laying claim to a certain knowledge of a problem to be addressed, seek to exercise calculated power over it (Ibid:181-2). No political rationality, moreover, simply “enables the unfolding of a central plan” (Ibid:193)

This chapter considers the ways in which solutions to the problematizations identified in Sri Lanka in 2002 were subsequently pursued during the Norwegian peace process i.e. how efforts were made to close the gap between the ideal and the real. The below is not a comprehensive examination of the peace process, but a discussion of some of the more prominent sites of engagement between international and Tamil actors. This is not to say that all international actors or all Tamil actors acted in concert or pursued exactly the same goals. Indeed, amongst the various states, NGOs, IFIs and others, there were manifest disagreements and contradictions - as well as collaboration and mutual reinforcement - on how the different aspects of liberal peace were to be secured. Similarly, there were disagreements and contradictions between various efforts by Tamil actors – the LTTE, the Tamil parties, NGOs, media, and so on - in how the aspirations, rights and different aspects of the well being of the Tamils should now be secured. However, as discussed in Chapter 3, the world of programmes that flows from a particular rationality is often “heterogenous and rivalrous” (Miller and Rose 1990:10). For example, some international actors believed the LTTE should be transformed into a non-military actor by coercing it to disarm and become a political party (Armitage 2003a). However, others thought the LTTE's demilitarisation should be elicited by allowing it to participate as a partner of the GoSL in development of the Northeast and thereby to acquire new bases for its

‘legitimacy’ amongst the Tamils other than its military standing vis-à-vis the government forces (NW01 August 16, 2006). Both bring forth different kinds of difficulties and avoid others, but what is taken for granted here is that the LTTE must come to function without arms. Similarly, while Tamil actors did not necessarily or always act in concert or unity, their calculations and actions were nonetheless informed by shared tenets of Tamil Freedom. For example, in 2002, some political parties within the TNA coalition and other Tamils, thought self-determination should be pursued through a federal model, especially given the international community’s strong support for this – and its manifest hostility to an independent Tamil Eelam. However other members of the TNA, the LTTE and other Tamils, were sceptical federalism could lead to a permanent peace, not least given the Sinhala polity’s history of abrogating power-sharing agreements with Tamil leaders, and thus they advocated pursuing outright independence. What is taken for granted here is that the final political solution, whatever its form, must safeguard the Tamil collective and its self-governance and progress from further Sinhala domination.

As noted in Chapter 5, the Norwegian-led *negotiation* process between the LTTE and the GoSL was expected to serve different and even contradictory purposes within the rationalities of Tamil Freedom and Liberal Peace respectively. Quite apart from different conceptions of what would constitute an appropriate ‘final’ solution to Sri Lanka’s conflict, the two rationalities engendered very different *short-term* objectives and priorities for the negotiations. In Tamil Freedom terms, restoring the existential conditions of the Tamil collective to parity with that of the Sinhala collective – i.e. normalisation in Tamil Freedom terms - was a pre-requisite for meaningful negotiations between (representatives of) the two collectives on the future political arrangements of the island. The concern, therefore, was primarily with addressing the severe humanitarian crisis in the *Northeast* i.e. with ensuring the speedy resettlement of hundreds of thousands of Tamils, alleviating the economic hardships and ensuring the Sri Lankan state could not neglect or block the recovery and future development of the Tamil homeland (LTTE 2003d). Liberal Peace, on the other hand, was concerned with establishing *across Sri Lanka*, as early as possible, the requisite conditions for enabling ethnic reconciliation, intra-regional trade and travel, and ‘peace-

building' more generally to begin so that ethnic enmities could be attenuated and abolished. Such enabling conditions included protection of human rights, the rule of law, media freedom, and so on. Liberal Peace was also concerned with resuming, across the country, the processes of development and economic recovery. Above all, *peacebuilding* required the certainty of the contours of a permanent solution to be established *so as* to set the political and constitutional framework within which mechanisms for the provision of individual freedom, reconciliation, justice, governance, development and so on - normalisation in Liberal Peace terms - could, in turn, be pursued.<sup>112</sup> The LTTE-GoSL negotiation process was thus operationalised within Tamil Freedom and Liberal Peace in importantly different, even contradictory, ways.

The focus of this chapter is how programmes to address the problematizations engendered by Liberal Peace and Tamil Freedom respectively came to collide in different ways when put into practice (i.e. rendered technical) during the Norwegian peace process. While the first section below sets out an overview of the developments from 2002 to 2006 of salience to the main issues analysed in this chapter, the next two sections examine aspects of the negotiation process and related issues in the background of the talks that reflected this clash of rationalities. The second section considers (i) how the peace process was to be 'sustained', (ii) the appropriate agenda for the talks and (iii) the outcomes and efficacy of the negotiation process. The third section examines (i) the humanitarian crisis in the Northeast and (ii) violations of the ceasefire agreement. The next chapter, meanwhile, considers efforts by Liberal Peace to *constitute* a harmonious Sri Lankan society (i.e. to 'transform society' and 'build peace'), on the one hand, and those by Tamil Freedom to constitute a Tamil political (as opposed to merely ethno-social) category (i.e. 'unite the Tamil nation'), on the other.

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<sup>112</sup> The Berghof Foundation observed of the breakdown of the negotiations: "perhaps most disappointing [was] the various parties' failure to develop any vision of a common, united effort by all communities to settle the conflict. *In the absence of such a vision the 'peace process' became a journey towards an unknown, undefined destination*" (2008:17, emphasis added). US Deputy Secretary of State Armitage (2003c) argued at the Tokyo donor conference: "I believe it is time for the parties to delineate and agree to a shared vision, not only of where they want to end up, with a federal structure based on internal self-determination, but also of interim steps that will carry them in that direction and will lead the country to that destination."



## **6.1 Overview of 2001-2006 peace process**

The Norwegian led peace initiative in Sri Lanka proceeded, importantly, against a specific backdrop: a deep-seated and wide-ranging humanitarian crisis in the Northeast. The crisis comprised several dimensions, amongst the most important of which were the continued displaced status of hundreds of thousands of people, the widespread destruction of much of the civil infrastructure and residential areas and continued military restrictions on fishing and farming – key livelihoods in Tamil areas. The inability of displaced people to return were linked directly, moreover, to the enclosure by the Sri Lankan armed forces of large swathes of now de-populated residential and farming lands into militarised enclaves, termed the High Security Zones (HSZs). These areas had been occupied in successive Sri Lankan offensives since the eighties and nineties - with concomitant waves of mass displacement. This was especially so in the government-controlled Jaffna peninsula, 30% of which was enclosed in HSZs. Moreover, the Sinhala military had used heavy weaponry indiscriminately in the Northeast and predominantly in Tamil areas, which had also been under a draconian government embargo for decades (Paust 1997). The consequences of these were especially acute in LTTE-controlled areas, especially the Vanni region (in the north) and in the sprawling hinterland of the Batticaloa and Trincomalee districts (in the east). Meanwhile, the Sri Lankan military's long-standing ban on fishermen going to sea and farmers cultivating land in many areas had steadily impoverished tens of thousands of Tamil families in the Northeast. The CFA obligated the lifting of these restrictions, but frequently local military commanders refused to do so or arbitrarily reimposed them. Thus, whilst the CFA had ended further destruction and removed risk of further death or injury, an urgent widespread need to resettle, rebuild and revive livelihoods remained.

Thus, following the cessation of hostilities, addressing the various elements of the humanitarian crisis was a key priority for the Northeastern Tamils, almost all of who were affected in one way or another. However, the main obstacles to doing so were matters under the control of the Sri Lankan state. On one hand, the

staggering amount of funding required for the reconstruction of destroyed villages, schools, roads, etc was unavailable to the Northeast, especially those areas under LTTE control: international donors were only prepared to transfer their funds to the Sri Lankan treasury or perhaps to NGOs, whose limited operations were also subject to government permission. It is in this context, for example, that during the negotiations the LTTE insisted on an 'independent' channel for funding for the Northeast (a notion resisted by GoSL and, notably, the Norwegian facilitators also). It was agreed that the World Bank would become trustee of an account, the North East Rehabilitation Fund (NERF), but the vehicle did not attract donor money and no rules of disbursement were arrived at – in short, it was moribund: donor assistance went instead to the Sri Lankan state. On the other hand, the Sri Lankan military was refusing to implement the terms of the CFA. This non-compliance had more than one resonance in Tamil calculations. Apart from the hardships being endured by the Tamils because of the military's intransigence, this blatant defiance of the CFA appeared as one more instance of Sinhala leaders signing an agreement with Tamils and then abrogating it at a more convenient moment (TNA 2004:paras 4, 12). Both practically and symbolically, therefore, the troops' vacating the HSZs was a foremost Tamil concern.<sup>113</sup>

The humanitarian crisis was a central problematic in the peace process from the outset. Even the CFA, apart from formally recognizing the presence on the island of two separate controlled zones dominated by two separate military formations and codifying terms for their separation from each other, crucially also set out 'Measures to restore normalcy' (Article 2). These obligations to improve civilian life in the Northeast included the lifting of GoSL restrictions on fishing and farming and a time-table for the withdrawal of Sri Lankan forces from occupied Tamil civilian spaces. The CFA also obliged the GoSL to open the A9 highway that linked the Jaffna peninsula with the south and traversed the LTTE-held Vanni region. The GoSL was also obliged to disarm Army-backed Tamil paramilitary

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<sup>113</sup> Sri Lankan military occupation of Tamil areas was, for example, a central demand in the TNA Manifesto (2004:para 18.4): "The high security zones and armed forces camps which are located in areas populated by Tamils disregarding their welfare ... should be removed and arrangements made for the Tamil people to return and settle in their places of residence. ... The armed forces' interdiction and oppression imposed must be lifted comprehensively to enable the Tamil people to carry on the activities needed for their livelihood and to move freely in their homeland."

groups and either disband them or incorporate them into the military. Unlike any previous truce in Sri Lanka, the CFA (in Article 3) also authorized an international body, the Sri Lanka Monitoring Mission (SLMM), to supervise the parties' adherence to the CFA's terms.

From September 2002 to March 2003 the LTTE and GoSL held six rounds of direct talks chaired by Norwegian facilitators (see Appendix 1 for institutional architecture of the peace process and negotiations). Initially the talks were scheduled to take a step-by-step approach, beginning with establishing an interim administration for addressing the humanitarian crisis in the Northeast. However, the interim structure was soon displaced from the talks' agenda and replaced with discussions on the framework of a longer-term solution (with federalism coming to the fore), while discussions on humanitarian matters gave way to those on human/gender/child rights protection mechanisms. A short-lived agreement on both sides 'jointly' soliciting international funding for reconstruction of the Northeast led in November 2002 to LTTE and GoSL delegations sitting on either side of the Norwegian delegation as it chaired the first of three aid conferences (held in Oslo) to raise "urgently needed" humanitarian assistance for Sri Lanka's Northeastern warzones. A mere \$70m was pledged by donors (\$30m from Norway), in contrast to the staggering \$4.5bn pledged six months later, primarily for the whole country's economic development (RNG 2002b, JMOFA 2003). In December, the LTTE and GoSL sides agreed to 'explore' federalism as a solution to the conflict – an announcement soon dubbed the 'Oslo Declaration'. The (misplaced) euphoria triggered by this (misconstrued) 'agreement' also proved short-lived. In January 2003, the military's emphatic refusal to vacate Tamil villages and farmland came to be taken up in negotiations again, but were again soon replaced with human rights-related matters and aspects of federalism. In February, the negotiation agenda came to comprise a 'Human Rights Charter' (see Martin 2003) and the LTTE's recruitment of under-18s. In March 2003, the Sri Lanka Navy attacked and sank an LTTE cargo vessel in international waters 200 miles from Sri Lanka's east coast, saying it was transporting arms. Nonetheless, the sixth round of talks went ahead a week later, centred again on the Human Rights Charter and the aspects of a federal solution. In April 2003 the second international aid conference was held in Washington, precluding the

LTTE, banned in the US, from attending. A week later, the LTTE 'temporarily' suspended its participation in direct talks, protesting its 'deliberate' exclusion from the Washington meeting as well as Sri Lanka's continuing non-implementation of agreements on humanitarian issues reached in earlier rounds. In June 2003, the third international aid conference was held in Tokyo. The LTTE, despite pleas and pressure from international actors, boycotted the event. Nonetheless, the 70 bilateral and multi-lateral donors who attended pledged US\$4.5bn for Sri Lanka's development and reconstruction. The conference's landmark resolution – labelled the 'Tokyo Declaration' (JMOFA 2003) – demanded both sides work out a federal solution at the earliest. Crucially, it also made only the - relatively small - portion of aid earmarked for the Northeast conditional on 'progress' in the peace process (Ibid:paras11,12). The document also set out interim milestones for both sides to reach on the road to a federal solution and warned that the international community would monitor progress on these. A second LTTE vessel was sunk in international waters a few days after the Tokyo conference.

Declaring itself as not bound by the Tokyo Declaration, the LTTE called instead for fresh talks on establishing an interim administration for the Northeast, one capable of addressing the humanitarian crisis. Rejecting as inadequate proposals for an 'Apex Council' for developmental issues put forward by the GoSL, the LTTE said it would produce its own conception of an administrative structure. In mid 2003, the LTTE drafted proposals for an Interim Self-Governing Authority (ISGA), compiled by constitutional and other experts drawn from the Tamil Diaspora. The ISGA proposals were submitted to GoSL at the end of October 2003. The UNP seemed prepared to resume negotiations. However, days later President Kumaratunga used her executive powers to seize three ministries from UNP government, plunging the country into uncertainty as to who was actually running it. The 'lack of clarity' prompted Norway to withdraw its peace facilitation – though other forms of international engagement, including financial and military assistance, continued. After months of political deadlock and uncertainty, elections followed in April 2004, in which the hardline SLFP-led coalition defeated the 'pro-peace' UNP government. The TNA, endorsing the LTTE's ISGA proposals in its manifesto, swept the Northeast, winning 22 seats.

With a new government in place, Norway resumed shuttle diplomacy. However, negotiations on political issues never resumed (the two rounds in 2006 only discussed the by now fast disintegrating CFA). Following the devastating December 2004 tsunami, which killed over 30,000 people in the North, East and South, the LTTE and GoSL, under international pressure, successfully negotiated a joint aid-disbursing mechanism, the Post Tsunami Operational Management Structure (see EU 2005a, 2005b). However, the agreement was successfully challenged in the Supreme Court by Sinhala nationalists and never implemented. Despite the stalling of the negotiations and the lack of an aid-sharing mechanism, much international aid was disbursed, mainly to the island's South, with aid pledged for the North-East being held back (Burke and Mulakala 2005:19). In November 2005, the SLFP's Mahinda Rajapakse was elected successor to Kumaratunga, defeating UNP leader Ranil Wickremesinghe.<sup>114</sup> The simmering 'shadow war' between LTTE and GoSL intelligence services which re-emerged in mid 2003 escalated rapidly and all-out hostilities resumed in mid 2006, shortly after Canada and the European Union proscribed the LTTE as a terrorist organisation (the LTTE retaliated to the EU proscriptions by asking EU nationals with the Nordic-staffed SLMM to leave the Northeast). In January 2008, the Rajapakse government formally abrogated the CFA, dismantling the SLMM. The was no international protest or condemnation.

## 6.2 Struggles at the table

### Keeping the talks going

The shift by the international community from backing the Sri Lankan state's military destruction of the LTTE to insisting in 2001 that Colombo sign a ceasefire and hold peace talks with the organisation is less a u-turn than it might first appear. With ongoing *violence* held to be the primary obstacle to the

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<sup>114</sup> This outcome was blamed by the furious international community, which had openly backed Wickremesinghe, on the LTTE: unlike the Parliamentary elections of 2001 and 2004 when the LTTE had tacitly endorsed the UNP, the LTTE called for and enforced a Tamil boycott of the Presidential polls in 2005, saying the outcome of what was largely a contest between the two Sinhala leaders was 'irrelevant' to the Tamils.

processes of building peace in Sri Lanka, the first priority in Liberal Peace terms was stopping the armed conflict and ensuring against its resumption, something either the military destruction of the LTTE or a robust ceasefire and peace process that eventually led to the LTTE's disarmament could achieve.<sup>115</sup> However by late 2001 the Sri Lankan military was demonstrably unable to destroy the LTTE and, moreover, its efforts to do so were further fraying the foundations of liberal peace (Burke and Mulakala 2005:15). The urgency to stop the violence led to a change in the international approach to peace in Sri Lanka, beginning with intense Norwegian efforts to bring about the CFA.<sup>116</sup> This urgency also led to tolerance for the LTTE's insistence on some aspects of the CFA deemed problematic for the future peace process – though, as discussed below, it was in the *implementation* (and thus the *interpretation*) of the CFA's terms that practical contradictions between Tamil Freedom and Liberal Peace emerged. The international community, led by the US, UK and EU, were strong backers of the CFA, hailing it when it was signed and repeatedly endorsed it – until 2007, when international emphasis returned again to the imposition of a military solution.<sup>117</sup>

An important question, however, was why had the LTTE entered into the ceasefire and negotiation process in the first place? The international discourse on Sri Lanka held that the intransigent, militarist LTTE had reluctantly done so due to external and/or local compulsions i.e. the need to escape the unfolding 'Global War on Terror' and/or to buy time to rearm, regroup and recruit ahead of another phase of its armed struggle.<sup>118</sup> (Subsequently, as the truce held, an alternative

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<sup>115</sup> Robert Rotberg (1999:15) has suggested, for example, that "the war in Sri Lanka can be ended either by brilliant generalship or by consummate diplomacy". The productive effects of reconstituting the LTTE in international discourse from a violent, intransigent, terrorist group to a 'partner in peace' (if only temporarily, from 2001 to 2006) are discussed in Chapter 7.

<sup>116</sup> In important ways, Norway was a co-drafter of the CFA, rather than simply providing good offices for the LTTE and GoSL. The CFA thus represents the first key step of the international peace intervention. Interviews with senior Norwegian official (NW01 June 1, 2006) and senior LTTE official (LT03 May 10, 2006)

<sup>117</sup> Conversely, the UNP government was denounced by the other Sinhala parties as well as President - and Commander-in-Chief - Kumaratunga for 'betraying the country' by signing an agreement with the terrorist LTTE.

<sup>118</sup> Neither charge is irrefutable. If fear of the consequences of the 'Global War on Terror' was the LTTE's motivation, this should have remained subsequently as GWOT expanded and international engagement in Sri Lanka extended, and is at odds with the LTTE's subsequent actions, including quitting the talks in April 2003 and resuming (undeclared) hostilities against GoSL in 2005.

explanation was that the LTTE was now pursuing economic and other benefits through the peace process.) Concomitantly, it was taken for granted that the (UNP) GoSL, despite its understandable loathing of the LTTE, was sincerely committed to a peaceful resolution of the armed conflict.<sup>119</sup> What is important here is not the 'truth' or otherwise of these doubts or claims, but how the tenets of Liberal Peace and the conduct (speech acts and practices) of international actors *defined* the LTTE as a cynical and reluctant participant in the peace process, and how these calculations informed much international analysis, rhetoric and action vis-à-vis the peace process. There is a specific implication of seeing the LTTE as an unwilling participant: if the peace process was to be sustained, the LTTE would somehow have to be 'kept' at the table. Given the LTTE's 'essentially military' nature (Wills 2001), this meant deterring it from returning to armed struggle. This was not only because the LTTE was held to have a proclivity for violence but also because, as the peace progressed towards its intended and widely desired end (the construction of a liberal state and polity in a united Sri Lanka) the LTTE was held to be likely to respond to the thwarting of its 'separatist agenda' by resorting to violence.<sup>120</sup>

It was on this basis that the peace process in Sri Lanka came to be characterised by the heavy use of international sanctions, conditionalities and incentives to 'keep it going'.<sup>121</sup> The logic of intervening in a peace process through such tools is that one or more of the parties – in this case the LTTE – is participating reluctantly or half-heartedly and thus needed to be kept 'on track.' Moreover, the mix of coercion and incentives and its distribution is driven primarily by the

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Meanwhile, a peace process provides the state's armed forces also with space to rearm, regroup and recruit. Moreover, during times of peace the LTTE is no longer able to rely on capturing government arsenals for replenishing its own and was increasingly reliant on difficult ocean supply lines. Unsurprisingly, following the CFA, the Sri Lankan economy, boosted by increased international assistance, quickly bounced back while the armed forces, also with substantial foreign assistance, rearmed, retrained and expanded (see Blodgett 2004).

<sup>119</sup> As a senior Norwegian diplomat (NW01 August 16, 2006) unambiguously put it, "the GoSL was eager to come to talks, [but] we were trying to convince the LTTE. The GoSL was sincere."

<sup>120</sup> A senior Norwegian diplomat put it thus: "put the Tigers into a corner, they will do what *their culture* tells them to do: 'get the guns, get the cannons, let's go blasting'." (NW03 June 2, 2006 emphasis added).

<sup>121</sup> See Conciliation Resources (2008) for an empirically wide-ranging discussion of these techniques in conflict resolution efforts across the world, including Sri Lanka.

senders' perceptions and assumptions of the protagonists. In Sri Lanka, keeping talks going meant militarily deterring the LTTE from resuming its armed struggle, constraining the organisation's ability to mobilize and accumulate resources for this purpose and, to a lesser extent, offering likely inducements, such as access to international aid for its controlled areas.<sup>122</sup> Among other elements, practical international 'support' for the negotiation process therefore included threats of further proscriptions of the LTTE,<sup>123</sup> making international aid for Tamil areas conditional on 'progress towards peace' (i.e. on LTTE compromises) as well as support for 'joint' initiatives by the two sides on humanitarian efforts, though, as discussed later, 'joint' did not mean equitable). Most importantly, 'sustaining the peace process' translated into robust and swift international assistance for rearming and reconstituting the exhausted Sri Lankan military.<sup>124</sup> As US Ambassador Jeffrey Lunstead, Ambassador Wills' successor, later explained, "as part of its strategy for *promoting the peace process*, the US began to strengthen its military relationship with the Government of Sri Lanka" (2007:17, emphasis added. See also US Government 2008:592). The collective efforts to deter the LTTE came to be euphemistically referred to in Sri Lanka as the 'international safety net'.<sup>125</sup>

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<sup>122</sup> Chapter 7 considers how such international practices comprised a disciplinary framework that elicited specific behaviours from the LTTE, including attempts at demonstrating 'flexibility' and 'moderation'.

<sup>123</sup> An EU or Canadian ban was often threatened by Western diplomats between 2003 and 2006 when they met with LTTE officials to demand compliance with international demands, including the LTTE's return to the negotiation table. (LT01 June 20, 2006 and LT02 November 7, 2006).

<sup>124</sup> In the first year of the peace process, the Navy (SLN) and Air Force (SLAF) both doubled in size while the Army expanded by 30% (Blodgett 2004). The Army tripled its artillery and doubled its battle tank strength while the Air Force acquired several more helicopter gunships (Ibid). The US donated a former Coast Guard vessel for deep sea monitoring of LTTE ships. The SLAF acquired from a US supplier a sophisticated aircraft capable of intelligence gathering and command-and-control, along with Israel-built unmanned drones. The unmistakable signal to actors in Sri Lanka was that the international community stood with Sri Lanka against the LTTE and that the hard-power of the GWOT was not far away.

<sup>125</sup> US Ambassador Lunstead acknowledges that "these activities may well have contributed to a feeling by the LTTE that the international community was hemming them in and reducing their options" (Lunstead 2007:18). This, however, was the stated intention of international actions. Former Sri Lankan minister and negotiator Milinda Moragoda described to press in 2005 how, in his view, the government had "enmeshed the LTTE's armed struggle in 'an international safety net' and thereby prevented a return to war" (TamilNet 2005g). LTTE Chief Negotiator Anton Balasingham, argued, meanwhile: "unfortunately the excessive involvement of international actors and their own strategic interests and power projections, began to affect the balance of power relations between the parties to the conflict. [The government's] grand plan of an 'international



While threatened sanctions to deter renewed LTTE aggression constitute a framework of discipline in the service of Liberal Peace, it is also in this regard that two instances of a quintessential act of sovereign power occurred. On March 10, 2003, days before the sixth round of negotiations, the Sri Lanka Navy (SLN) intercepted an LTTE-owned merchant vessel around 200 nautical miles from the island's coastline – well inside international waters. As international monitors, who had been informed by GoSL, and shortly afterwards by the LTTE, were liaising a resolution with both sides, the Navy opened fire and sank the LTTE vessel, killing eleven crewmen. Again, on June 14, 2003, a few days after the Tokyo conference, which the LTTE had refused despite international pressure to attend, the SLN intercepted and sank another LTTE-owned merchant vessel 100 nautical miles off the coast (the LTTE said twelve crewmen who jumped overboard were arrested by the SLN, which the Navy denied). Notably, in both instances, the LTTE was accused of smuggling weapons into its controlled areas, a charge it denied. What is important about these incidents was the widely-specified role of 'international' naval surveillance in alerting the SLN and enabling it to locate the vessels in international waters. In both cases, the international monitors said they were 'unable' to rule the sinking as a violation of the CFA and, in the second instance, criticised the LTTE for not following UN laws of the Sea (SLMM 2003a, 2003b). The subsequent wrangling over SLMM's procedures and on the correct interpretations of the CFA's terms for engagements at sea are not the issue here. In a context of undisguised international scepticism of the LTTE's commitment to a negotiated solution and international practices visibly informed by a logic of the LTTE needing to be deterred from returning to war, the SLMM's refusal to rule the attacks as CFA violations and, more importantly, the impassive response by the international community to significant acts of violence by the Sri Lankan military, reinforced the meaning signalled by the attacks themselves: renewed war is not an option for the LTTE. Moreover, the sinkings were 'public spectacles' (Foucault 1977:7), telegraphing to all concerned the position of the LTTE (and the Sri Lankan state) in international eyes, as well

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safety net' as a containment strategy against the LTTE made the Tigers cautious and suspicious of international entrapment via the peace process" (2004:465, insert added).

as the violent consequences of straying from the path to a negotiated (liberal) peace.

Conversely, in Tamil Freedom terms, the peace process had been made possible precisely because the Sri Lankan armed forces had been unable to destroy the LTTE. In this regard, the LTTE's military capability and international scrutiny and pressure were vital to deterring the Sri Lankan state from resuming its military pursuit of Sinhala domination. Moreover, with many of the foreign backers of the peace process having been staunch supporters of Kumaratunga's 'War for Peace', even this newfound international support for a negotiated solution was *also* held to stem from the LTTE's military strength (TNA 2004:para 9). Military 'parity' between both sides was thus fundamental to the peace process and any altering of this balance in the state's favour was held a threat to it and the ceasefire.<sup>126</sup> The LTTE, meanwhile, was held to have entered the peace process to give the people of the Northeast respite from the ravages of war, a point made self-evident by the heavy emphasis in the CFA, at the insistence of the LTTE, on ending GoSL restrictions on fishing and farming, on government forces vacating the occupied residential territory in Tamil areas, and so on (TNA 2004:para 12). Moreover, the LTTE was held to be exploring a solution to the Tamils' problems from a hard-won position of strength (TNA 2004:para 10). On all counts therefore, in Tamil Freedom terms, the continued military standing of the LTTE vis-à-vis the Sri Lankan armed forces was essential to progress towards the betterment of Tamils' lives in the short term and a political solution that safeguarded Tamil interests in the long term.

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<sup>126</sup> The contradiction between the Sri Lankan state being eager to resume the war and at the same time engaging in talks was rationalized in Tamil discourse (by the LTTE, Tamil political parties, media, etc) firstly, in terms of the rivalry between the two centres of power in Colombo (Prime Minister Wickremesinghe's 'pro-peace' UNP government, dependent on minority allies on one hand, and President Kumaratunga and her hardline SLFP with its ultra-nationalist allies on the other) and, secondly, in terms of the close attention of the international community with its forceful insistence on a negotiated peace.

## Clash of agendas

As noted in Chapter 4, the Norwegian-facilitated negotiations served different purposes in the rationalities of Tamil Freedom and Liberal Peace, both in terms of the final political solution and the sequencing of issues to be resolved – i.e. the order of *priorities*. These contrasting conceptions of what mattered most on the road to lasting peace were manifest in contests over the appropriate agenda for the six rounds of talks in 2002-3. In Tamil Freedom terms, the immediate urgency was addressing the severe humanitarian crisis in the Northeast i.e. with ensuring the speedy resettlement of hundreds of thousands of Tamils, alleviating the economic hardships and ensuring the Sri Lankan state could not neglect or block reconstruction and development of the Tamil homeland. In Liberal Peace terms, on the other hand, the urgency was to build on benefits of halting the violence and establish the conditions for ethnic reconciliation, development and ‘peace-building’ more generally to proceed i.e. to move Sri Lanka from “negative peace to positive peace” (Berghof 2008:28, Goodhand et al 2005:8)

As Jacob Bercovitch points out, “mediators enter a conflict in order to affect it, change it, resolve it, modify it, or influence it in some way” (1997:126). More generally, “mediators bring with them, consciously or otherwise, ideas, knowledge, resources and interests of their own or the group or organisation they represent. Mediators often have their own assumptions and agendas about the conflict in question” (Ibid). Bercovitch’s argument was amply demonstrated by the peace process in Sri Lanka, where the Norwegian government, formerly termed the ‘facilitator’, took an unabashedly interventionist approach to its third party role, actively shaping the agenda of the negotiations, inducting external ‘experts’,<sup>127</sup> and even setting an aggressive pace for talks.<sup>128</sup> A senior Norwegian

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<sup>127</sup> The Forum of Federations was brought in by the Norwegians to advise the two sides on federalism-related issues. Former head of Amnesty International and international human rights expert Ian Martin, sponsored by the UK, was brought in to advise both sides and also draft a ‘Human Rights Charter’ for them to sign up to as part of the peace process. UNICEF was brought in to lead advocacy and monitoring on underage recruitment by the LTTE. UNICEF was invited by Norway on the basis “there was a need for a credible international referee” on the LTTE’s conduct, as a senior Norwegian diplomat put it. (NW01 June 1, 2006).

diplomat claimed “it was a modification to Norway’s usual hands-off role” (NW01 June 1, 2006). While the Norwegians insisted their actions were always “subject to the approval of the parties” and that they “wanted the parties to take as much ownership as possible” (Ibid), as discussed in Chapter 8, there were severe constraints on the ability of certainly the LTTE, trying to secure international acceptance - and, for that matter, the aid-hungry GoSL - to resist Norway’s interventionist approach. Quite apart from the parties’ own agendas and interests in the negotiations, the international community and the Norwegian facilitators also held strong convictions about key matters that should be addressed by the parties as a part of their seeking a solution. Firstly, while the LTTE began the negotiations focusing on securing an interim administration for the Northeast, Norwegian facilitators placed greater emphasis on mechanisms for protecting human rights, women’s rights and child rights (the latter operationalised narrowly in the talks as ending under-age recruitment by the LTTE).

The point here is not that the LTTE was fundamentally opposed to engaging on rights issues or that the international community was unconcerned by the humanitarian difficulties. Rather, it is that the LTTE prioritised agreement on an administrative mechanism that could address the ongoing humanitarian crisis in the Northeast, rather than those for protecting rights across the country while the international community prioritised the countrywide improvement of rights protection, the encouragement of ethnic reconciliation and so on over an interim administration. Although agreed on, in principle, between the UNP and the LTTE, the notion of an interim administration for the Northeast, especially one that institutionalised *Tamil* self-governance or one dominated by the LTTE was problematic in Liberal Peace terms. Through an acrimonious process, active Norwegian intervention in setting the agenda first sidelined discussions on an interim administration, replacing these with discussions on a federal solution and, alongside, displaced *humanitarian* issues from the main negotiating table (to sub-

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<sup>128</sup> Norwegian facilitators often protested the slow progress of talks. While the talks were held each month for one-week duration, the facilitators unsuccessfully sought the holding of either more frequent or longer rounds (LT01 March 12, 2006).

tables) and replaced these with *human rights* ones.<sup>129</sup> In Liberal Peace terms, as a senior Norwegian official put it, “we needed to establish human rights protection. ... It was a *natural* progression to the CFA” (NW01 June 1, 2006). However, for the LTTE, TNA and other Tamil actors, the ‘natural’ progression to the CFA was not human rights but ‘normalisation’ of life in the Northeast— through the steps explicitly set out in Article 2 of the document itself.

While acknowledging that humanitarian issues were important, Norwegian facilitators prioritised human rights making them an integral, even central, part of the negotiation agenda, an effort undertaken from the outset. For example, the official Norwegian statement after the first round held “the overwhelming call of the peoples of Sri Lanka” to be for “an end to the conflict and ... a lasting peace, prosperity *and human rights*.” (RNG 2002c, emphasis added) Indeed, the formal Norwegian statements issued after each round of talks indicates how human rights issues expanded steadily to take up a substantial proportion of the agenda and also came to focus on *specific* rights issues such as LTTE under-age recruitment, for example.<sup>130</sup> ‘Human Rights’ were even listed amongst the ‘substantive *political*

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<sup>129</sup> It was only after the devastating December 2004 tsunami that the international community urged – indeed insisted – that the parties agree a joint mechanism for sharing international (humanitarian and reconstruction) aid for the Northeast. Indeed, aid – in the context of the natural disaster – was now seen as a source of cooperation and engagement between both sides. During the 2002-3 talks, however, LTTE efforts to negotiate a joint structure for aid were frustrated - first by Norwegian facilitators who insisted rather that aid should go through the GoSL treasury and, later, by the displacement of humanitarian issues from the main table to the ineffective Sub-Committees of the peace process.

<sup>130</sup> At the third round, the parties also agreed “to explore the effective inclusion of gender issues in the peace process” while, particularly, the issue of under-age recruitment was also formalized as a topic for *negotiation* between LTTE and GoSL: “*inspired by international norms* protecting the rights of the child, the parties underlined that children belong with their families and not in the workplace, whether civilian or military” (RNG 2002e, emphasis added). At the fourth round, the parties pledged, “human rights will constitute an important element of a Final Declaration” and agreed that “a schedule on human rights will be worked out ... at the next round of talks [and] the assistance of [an agreed] human rights advisor will be sought” (RNG 2003a). That advisor was Ian Martin, who joined the fifth round of talks - to the surprise of the LTTE delegation. At that meeting, “following a thorough discussion of human rights,” the parties agreed to ask Mr. Martin “to draw up a roadmap for human rights related to the peace process” (RNG 2003b). These were to include, crucially, “substantive human rights activities and commitments to be implemented throughout the negotiation process; effective mechanisms for the monitoring of human rights [and] training of LTTE cadres and GoSL officials in human rights and humanitarian law” (Ibid). At the sixth round, Mr. Martin was tasked to draft a ‘Declaration of Human Rights and Humanitarian Principles.’ This, the Norwegian statement said, “would reflect aspects of fundamental international human rights and humanitarian standards; which both parties would undertake to ensure are respected in practice by their personnel” (RNG 2003c). Mr. Martin was also tasked to plan “a programme of human rights training for LTTE cadres and government officials ... and of

issues' – alongside issues such as 'power-sharing between centre and the region', 'geographical region' and 'public finance' - that the parties agreed to discuss as part of exploring *federalism* as a solution (RNG 2002e, emphasis added). Crucially, at the same time, humanitarian issues, including the military's refusal to implement the 'normalization' aspects of the CFA - thus preventing hundreds of thousands of Tamils from resettling in their homes - were displaced to sub-tables of the peace process (termed Sub-Committees)<sup>131</sup>, despite the LTTE's efforts to keep these on the main table.<sup>132</sup> Eventually, as the negotiations at the sub-tables drifted without progress, the LTTE withdrew from these fora, insisting – unsuccessfully - that these matters be brought back to the main table. That the negotiation process was neither addressing the humanitarian crisis nor taking the matter seriously was a central reason cited by the LTTE for its 'temporary' withdrawal from the talks pending the implementation of the CFA's normalisation clauses. The international community's view was outlined by US Ambassador Wills:

“We've reviewed carefully the ostensible reasons for [the LTTE's] decisions. .... We do not find them convincing. A *well-intentioned* party that *truly* wants a peaceful, political settlement to Sri Lanka's conflict could deal with such grievances at the negotiating table” (2003, emphasis added).

Apart from seeking to entrench human rights in the fabric of the peace process *and* explicitly within any final solution to the conflict, the Norwegian facilitators

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*human rights education and awareness for other sections of the population*” (Ibid, emphases added). The latter was to be provided by UNICEF (“in relation to the rights of the child”), UNHCR (“in relation to the rights of internally displaced people”) and the ICRC (“in relation to international humanitarian law”). Mr. Martin was also tasked to come up with proposals to strengthen the GoSL agency, Human Rights Commission of Sri Lanka, “to enable it to develop the capacity for increasingly effective monitoring” (Ibid). The HRCSL, moreover, was to receive assistance from UNHCR and SLMM for its work (Ibid).

<sup>131</sup> The three Sub-Committees were SIHRN (Sub-Committee on Immediate Humanitarian and Rehabilitation Needs), SDN (Sub-Committee on De-escalation and Normalisation) and SGI (Sub-Committee on Gender Issues). They comprised senior officials from both sides, including sometimes members of the main negotiating teams and their meetings were also chaired by Norwegian officials.

<sup>132</sup> See Appendix 1 for the formal institutional architecture of the Norwegian-led peace process.

were also keen to secure agreement on such a solution as early as possible. This ran directly counter to the LTTE's insistence –echoed by a chorus of Tamil voices - that the humanitarian crisis in the Northeast must be addressed and the conditions of normalcy restored there *before* 'core' political issues were taken up. The argument was, firstly, that the humanitarian suffering of the Tamil people could not be allowed to persist through the inevitably protracted and hard fought discussions that constitutional matters entailed and, secondly, that Tamils could participate in shaping a final solution only when they again enjoyed the same living conditions as the Sinhala community.<sup>133</sup> Indeed, this emphasis on parity between the conditions of Tamil and Sinhala areas was reflected in the title of the CFA's Article 2: 'Measures to *restore* normalcy' (emphasis added).

However, the international community's urgency for the negotiations to reach agreement on a final political solution has to be seen against two factors; firstly, undisguised international scepticism of the LTTE's bona fides in participating in the talks and, secondly, a calculation that such a final solution was necessary to set the framework for long-term peacebuilding and the transition from war to peace – a transition which would of course include the disarming and disbanding of the LTTE (JMOFA 2003: Clause 18.j), the primary cause of the conflict, and *therefore* minimise the risk of renewed war. Norwegian facilitators thus pushed hard for greater and swifter 'progress' at every round of talks. This international insistence further raised pressure on the LTTE, which, attempting to dispel international scepticism, was keen not to be blamed for obstructing the peace process. In the very first round, the LTTE came under pressure to set aside its demand (and agreement with the UNP) for an interim administration. It did so on the condition the purpose of such a structure – i.e. alleviating the humanitarian crisis in the Northeast - would be taken up and addressed by the negotiation process (LTTE 2003d). In the second round, however, Norwegian facilitators proposed that the discussions on humanitarian and normalisation issues should be transferred to Sub-Committees which would periodically report back to the main

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<sup>133</sup> As the declaration at a rally in June 2003 put it, "the Tamil people are not in a frame of mind to think about peace while being subjected to military oppression and living in an atmosphere of fear. A situation must be created whereby the Tamil people can, in an atmosphere free of fear and insecurity, participate freely and fully to bring about peace" (Pongu Tamil 2003).

negotiating table, thereby enabling the main table to focus on a political solution. Under international pressure not to delay the peace process, the LTTE agreed to the “*dual approach* of moving step by step towards a lasting political settlement *while* remaining fully focussed on the ground situation” (RNG 2002d, emphasis added). While the transfer of humanitarian and normalisation issues to sub-tables also made it harder for the LTTE negotiators to keep these matters at the heart of the negotiation process, in the meantime, the Norwegians placed human rights issues - such as LTTE under-age recruitment and a ‘Human Rights Charter’ for both sides - on the agenda of the main talks, alongside a federal solution, as the core concerns of the negotiation process.

### **Success or failure?**

The first fifteen months of the peace process - from the signing of the ceasefire (February 2002) to the LTTE suspending its participation in direct talks (May 2003) - appeared on the terrains of Liberal Peace and Tamil Freedom in starkly different ways: for the former it was remarkably successful whilst for the latter it was a frustrating failure. The first few months, a period of extraordinary optimism both internationally and within Sri Lanka, augured well in terms of both rationalities. The ceasefire was well observed by both protagonists and international monitors opened offices in all seven Northeastern districts. The conditions of war rapidly began to ease: in the Northeast, the GoSL lifted its economic and humanitarian blockade on LTTE-controlled areas and opened the A9 highway enabling the movement of people and goods while in the South, the economy began to turn around as investor confidence, trade and tourist numbers increased. Despite the seething discontent of the hardline Sinhala opposition, President Kumaratunga remained critical, but passive.

However, the period from mid 2002 onwards appeared differently, depending on what constituted the ‘right disposition of men and things’. In Liberal Peace terms, even after the negotiations stalled, the LTTE continued to (in the main) observe ceasefire and remain in the peace process. This was despite the occasional crisis — especially the incidents at sea in which two LTTE arms vessels were destroyed



and, as discussed later, increasing 'political assassinations'. On the other hand, the LTTE had agreed to a process of demobilising underage recruits (see Chapter 7). More importantly, the LTTE dropped its earlier insistence that the CFA must first be implemented fully – i.e. the GoSL must carry out the 'normalisation' clauses of the agreement – and entered into direct talks with the government, eventually agreeing to negotiations on a final political settlement. Moreover, within three months of talks starting, the LTTE had signed up to a federal solution (i.e. to give up its 'separatist' demand) and had begun to engage, albeit reluctantly, in negotiating a Human Rights Charter. As demonstrated by the three aid conferences, international donors were increasingly coming forward to invest heavily in rebuilding and developing the country, in efforts to revive the economy and also in peace-building projects – for example, promoting ethnic reconciliation, fostering civil society and encouraging free media. In short, the requisite conditions for the country to transition from war to peace had undoubtedly emerged steadily.<sup>134</sup> As US Deputy Secretary of State Armitage (2003c) told the Tokyo Conference, "to date, this peace process has seen much progress. Indeed, so much that *only* the truly thorny issues are left"(emphasis added). This was despite the negotiation process having stalled and Tamil political actors vociferously protesting the still continuing humanitarian crisis - Armitage himself admitted in his upbeat analysis that 800,000 people remained displaced. A year later, with the talks still stalled, a vicious 'shadow' war between Sri Lanka Army-backed paramilitaries and LTTE intelligence escalating, and frustration intensifying in the Northeast at the continuing humanitarian crisis, US Assistant Secretary for South Asian Affairs Christina B. Rocca insisted before the House Committee on International Relations that,

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<sup>134</sup> In his end-of-year statement in December 2002, the head of the SLMM, retired Norwegian Major General Tronde Furuhoide (2002), enthused: "During the last year people have stopped waging war and begun to build peace, people have stopped creating problems and have started solving problems, and people have stopped hurting each other and started trying to understand each other and live for each other. People have stopped asking if the war will start again and started asking how society can be made better. Fear and distrust is being removed and replaced with a feeling of increased safety and confidence. ... Democracy is developing. Schooling for the population has improved. Security has increased. Freedom has increased. These are dramatic changes and the speed of the development is even still increasing. . After a long period of stagnation and destruction we are now experiencing the initial phase of a country and society in transformation. Sri Lanka has entered a new era. The new Sri Lanka is no longer stuck in the vicious circle of war which has halted development for decades. These are times for changing and modernizing society."

“the ceasefire is holding, and an informal peace process continues, bringing *increased interaction among the ethnic communities and growing trade and economic opportunities*. As we press the government and LTTE to return to the talks, our programs are providing both an incentive to peace and a boost to reconstruction and *reconciliation* in war-torn areas. Our *nationwide* development and health programs support the government’s economic growth and anti-poverty efforts, while our democracy programs promote human rights and political *reintegration and reconciliation*.”  
(2004, emphases added).

In Tamil Freedom terms, however, the same period looks very different. While the cessation of hostilities provided much-needed respite for the Tamils, as did the lifting of the government’s economic embargo, crucially, the military was refusing to implement the ‘normalization’ clauses of the CFA. Although large numbers of displaced people had returned to their homes in both government and LTTE controlled parts of the Northeast, several hundred thousand more remained in homeless limbo, awaiting the military’s withdrawal from their homes, villages and farmland. The military’s restrictions on Tamils’ fishing and farming were largely continuing. The LTTE had initially insisted on full implementation of the CFA’s normalisation clauses as a condition for direct talks, but had relented to international pressure, on the proviso that an interim administration for the Northeast was negotiated and established as the first order of business. However the interim administration, despite being an election pledge by the UNP, had been swiftly dropped. The subsequent brief discussions on humanitarian issues had proven inconclusive and these talks had been relegated to Sub-Committees, which, largely out of focus, had drifted without resulting in any tangible difference on the ground. Thus, in effect, whilst the war-devastated Tamil homeland was stagnating, the South of the island was thriving: the economy was growing fast, foreign aid was being disbursed and a huge amount more was being pledged for Sri Lanka – to be disbursed largely through the Sinhala state. In short, normalcy had returned quickly to the Sinhala areas which had largely been

unaffected by the war, but the war-devastated Northeast was languishing with no end in sight and no way of securing progress.

Moreover, even though the LTTE had been flexible and accommodative – it had relented on its precondition of full implementation and entered into talks, agreed to drop its demand for an interim administration and even agreed to explore a federal model as a final solution - the international community remained palpably suspicious and hostile.<sup>135</sup> Despite international actors accepting, to some extent, the LTTE was entering the peace process as representatives of Tamil interests, if not the Tamil people, the various foreign proscriptions on the organisation remained (even after Sri Lanka had lifted its own ban).<sup>136</sup> In addition, as the holding of the second aid conference in Washington exemplified, the LTTE had been steadily marginalized from important processes and decisions on matters of concern to the Tamils - especially those relating to the reconstruction and rehabilitation of the devastated Northeast. Instead the Sinhala state, responsible for much of the destruction in the Tamil homeland, had been accorded sole authority over Tamil affairs by the international community. Although the Sri Lanka navy had brazenly attacked and sunk two LTTE vessels, the international community was not pressuring Colombo over these violations of the truce nor, for that matter, over the military's standing breaches of the CFA: the occupation of 30,000 homes, schools and places of worship and continuing restrictions on fishing and farming. On the contrary, the Sri Lankan state was enjoying demonstrable and enthusiastic international support, thus raising doubts over external pressure as a restraint on the state from returning to war.

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<sup>135</sup> Explaining its reasons for contesting the 2004 elections, despite the Sri Lankan political system being dominated by "two chauvinist parties", the TNA's Manifesto (2004) states: "However, with the current political environment and in the backdrop of the changes shaping *the attitudes of the international community towards our freedom struggle*, the TNA has decided to make use of the opportunity presented by this election to bring forcefully to the attention of the world, and Sri Lanka in particular, our resolve for self-determination." (emphasis added).

<sup>136</sup> The TNA's Manifesto (2004) argued: "the international community should create the environment by removing the restrictions put in place by certain countries on the LTTE, the authentic sole representatives of the Tamil people, so that they could, with authority, dignity and with equal status conduct talks with the government of Sri Lanka." The TNA's 2001 Manifesto states: "We have consistently ... asserted that war can never bring about peace, and that peace can only be achieved through rational dialogue. We have also consistently asserted that any attempt to draw a distinction between the LTTE and the Tamil people was meaningless."

## 6.3 In the background

### The humanitarian crisis

Whilst, as discussed above, Tamil actors saw the problem of military HSZs as a humanitarian and political issue, international actors reframed the military's vacating of the HSZs as a *security* issue. In other words, it was held that the Sri Lankan armed forces pulling back from its HSZs would constitute a military advantage for the LTTE. Although the LTTE said it was not demanding the total withdrawal of the Army from the Northeastern areas nor the transfer of territory in HSZs (mainly located well beyond the mutual frontlines) to LTTE control, the issue of HSZs was framed nonetheless in terms of a military 'balance of forces'. This was despite other international actions, such as facilitating the rapid and substantial rearming of the Sri Lankan military and extending assistance for interdicting LTTE ships, having already tipped the 'balance' decisively in the state's favour. As the then head of the SLMM, retired Norwegian general Tronde Furuhovde, controversially declared,

"This discussion [on Resettlement in High Security Zones] is not only based on humanitarian concerns, but also reflects territorial concerns. ... People want normalization and security, but one must not undermine the other. ... In Jaffna, simply dismantling High Security Zones for resettlement and handing over land for cultivation will decrease both security and combat potential of the Government forces. The balance of forces is the basis of the Ceasefire agreement and disturbing that balance is disturbing the Ceasefire. *An unrealistic normalization program in the name of progress and development should not be allowed to come into force at the expense of security*, as this could undermine the building of permanent peace"

(Furuhovde 2002, emphasis added).

More precisely, as Gen. Furuhovde explained, “it is therefore clear that *further implementation* of the Ceasefire agreement is linked to the *harmonizing of normalization and security*” (Ibid, emphasis added). In other words, the dismantling of the HSZs and, therefore, the return of hundreds of thousands of displaced Tamils to their homes was linked to ending the security risk – i.e. the disarming of the LTTE and the permanent end of the war. Implicit in the SLMM’s position on HSZs is a specific understanding of the relationship between the Tamil population and the Sri Lankan state: the security of one and the other are, if not the same, at least aligned. This not only echoed the Sri Lankan state’s characterisation of the situation, it was in sharp contrast to Tamil Freedom’s positing of the Sinhala-dominated state and its armed forces as a threat to the security and well being of the Tamil people (TNA 2004). Although the SLMM chief’s comments drew furious criticism from the LTTE and prompted his resignation, his statement merely made explicit the dominant logic amongst international actors i.e. that whilst admittedly there are important humanitarian dimensions, the demand that HSZs must be dismantled is primarily about the LTTE indirectly seeking a military advantage against the government’s forces and, moreover, these were matters for further discussions.<sup>137</sup> As US Ambassador Wills (2003) told Reuters,

“I’m not saying I don’t understand Tamil frustration over certain issues, but people must remember that the war is not conclusively and officially over. High-security zones, resettlement, development - these are all issues that need to be *negotiated* and dealt with” (emphasis added).

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<sup>137</sup> As Gen. Furuhovde (2002) explained, “The LTTE have stated that maintaining their military strength is vital if they are to be successful in their negotiations. What applies to the LTTE in this context should also apply for the Government. The paradox in the peace argument is that the priority of normalization goes before that of security, while both rest on the present military balance. In order to build peace the forces on both sides must be kept stable.” This emphasis on a military ‘stability’ is worth considering in the light of wider developments, such as the substantial expansion of the Sri Lanka military in 2002. When the HSZs became a point of controversy in the negotiations (in January 2003), the Norwegian government commissioned a retired Indian Army General to study the issue. His report, tellingly, proposed the LTTE’s heavy guns be gathered and placed under international supervision *so as* to enable the Sri Lanka military to comply with the CFA. Underlining the dominant international thinking on the issue, only the LTTE’s guns were to be internationally supervised and not the Sri Lankan military’s.

Despite the controversy and Tamil protests that erupted after the SLMM Chief's statement on HSZs, there were two incontrovertible 'truths' that emerged. Firstly, in practical terms, the CFA had been de-facto re-written by the international community. Much of Article 2 – 'Measures to restore normalcy' – that dealt with the foremost concerns of the Tamil population had been reduced from *obligations* on the Sri Lankan state to being matters for its *negotiations* with the LTTE. Secondly, the character of the peace process, more generally, had been explicitly defined: the SLMM's role was less an 'objective' international effort to support the two 'internal' parties reaching a negotiated peace than an intervention to shape a specific political solution to the conflict, one centred on the (re)constitution and transformation of Sri Lanka's state and society in liberal terms. In other words, the SLMM ruling - which is what Gen. Furuhovde's statement effectively was - constituted an act of sovereign power in service of Liberal Peace.

A second dimension of the humanitarian crisis in the Northeast was the lack of funding for rehabilitation and reconstruction of destroyed homes and other buildings even in areas outside the HSZs. From a rationale that holds the Tamils and other minorities to have been deliberately excluded from developmental process by the Sri Lankan state, the continued lack of aid flows into the Northeast during the peace process was also seen as a continuation of (pre-CFA) discriminatory state policy – especially in the context of continued military restrictions on Tamil livelihoods. The failures of successive efforts by the LTTE to get the GoSL to engage on these matters during the talks, the downgrading of humanitarian issues to Sub-Committees (which eventually collapsed amid, according to the LTTE, Sri Lankan government prevarication) and, at the same time, the rapid improvements in economic conditions in the Sinhala areas, not least through inflows of developmental aid, were also seen as continuation of Sinhala prejudice. The international community, operating within a framework of a single state, a single economy, a legitimate government and a Northeast blighted by war (rather than deliberate state neglect), saw this continuing lack of improvement in different terms: the improvement of the living conditions of the Northeast is something to be addressed through long-term processes of *development* to be effected *after* a permanent solution fell into place. As US

Ambassador Wills, rejecting the LTTE's citing of the GoSL's non-action on prior agreements on humanitarian matters for its withdrawal from the talks, observed:

"We think that expectations in Sri Lanka - in the North and in the South too - are way too high regarding economic development. Patience is in order. Tamils, Sinhalese, indeed all Sri Lankans must understand that economic development *takes time and unfolds most quickly in conditions of lasting peace*. And Sri Lanka doesn't yet live in conditions of permanent peace" (2003, emphasis added).<sup>138</sup>

This particular conception of the humanitarian difficulties and restrictions being endured by the majority of Tamils as matters to be either alleviated by long-term development (in conditions of 'permanent peace') or resolved as part of the long-term political solution (i.e. establishment of 'security' by disarming of the LTTE), is mirrored in the Norwegian diplomats' strategy vis-à-vis the agenda for the negotiations, whereby humanitarian issues were held to be of less urgency than establishing the 'normalcy' of human rights protection, rule of law, and so on as well as the specificities of a permanent solution. Amid the abject conditions being endured in the Northeast, the Tamil perspective was, of course, very different. The LTTE argued "there are two distinct issues here; firstly, the urgent and immediate problems faced by the Tamil people and secondly, the long-term economic development of the Tamil areas. The two should not be confused" (Balasingham 2003). The TNA's Manifesto (2004) argued:

"The international community, instead of waiting until the Tamil nation's ethnic problem is permanently solved, should step forward and *directly* assist in the pressing humanitarian needs and economic development schemes and *improve the economic life of the Tamil nation*" (emphases added).

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<sup>138</sup> Ambassador Wills added: "I don't mean to sound condescending, but sometimes I get the impression that some people in Sri Lanka expect an economic miracle now. Rome wasn't built in a day. Neither will Kilinochchi [in the North], or Trinco, [in the East] or Hambantota [in the South] be developed as quickly as we would all like" (2003, inserts added).

## Violating the ceasefire

The CFA, as noted earlier, set out much more than the technical modalities of a cessation of armed hostilities; it also set out the obligations on the GoSL for the restoration of humanitarian normalcy in the Tamil areas in the Northeast. However, as outlined above, different categories of 'ceasefire violations' came to matter more than others on the terrains of Liberal Peace and Tamil Freedom respectively. While the productive effects of the SLMM's conduct and its methodological dynamics of recording of complaints and issuing rulings are considered later (Chapter 7), this section considers how the rationalities of Liberal Peace and Tamil Freedom rendered different categories of CFA-violations more significant than others and as indicative of 'progress' or not towards 'peace'.

From a Tamil Freedom perspective, the Sinhala military's continuing occupation of the 30,000 (Tamil) homes as well as schools, places of worship and so on and its continuation of restrictions on fishing and farming constituted serious standing breaches of the CFA. The continuation of these long-running practices continuing after the CFA was signed had specific connotations: as well *as* racial persecution, these violations constituted yet another abrogation of yet another Tamil-Sinhala agreement. However, the international community redefined these issues, which directly affected the lives of most Tamils, as matters for future negotiations between the LTTE and GoSL. Concomitantly, what constituted breaches proper, in the eyes of the SLMM and the international community, were acts of 'violence'. Even in this category, there were nuances: certain breaches by the armed forces, such as attacks on LTTE ships deemed to be carrying arms, were not only acceptable to the international community but were in fact supported by external actors. Instead, what came to be the foremost CFA-related concerns of the international community, on the hand, were 'political assassinations' and 'child recruitment' by the LTTE.<sup>139</sup>

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<sup>139</sup> A US (2003) call for talks to resume declared: "real progress towards peace and an end to violence in word and deed can begin the process of the LTTE's entering the political mainstream, and result in assistance for areas in the north and east most affected by conflict. Assassinations and suicide bombings are unacceptable. The recruitment of child soldiers must cease."



A key set of military actors in Sri Lanka were former Tamil militant groups which had switched sides during the Indian intervention of the eighties, registering in Colombo as political parties. Whilst their leaders 'contested' elections, their armed cadres operated as pathfinders, interrogators and so on for the Indian Peace Keeping Force (IPKF) and later, the Sri Lankan military.<sup>140</sup> The specific problem of army-backed Tamil paramilitaries was addressed in the CFA: Clause 1.8 obliges the GoSL to disarm these groups and demobilise their cadres or integrate them into the armed forces for service outside the Northeast. Whilst the GoSL insisted this had been done, the LTTE insisted it had not (the LTTE-GoSL negotiations of February 2006 focussed mainly on Clause 1.8, with both sides taking entrenched positions). Especially from mid 2003 onwards, a cycle of assassinations and counter-killings by Sri Lankan and LTTE intelligence services escalated into what was later termed a 'shadow war'.

What is important here, however, is that killings of members of the paramilitary groups-cum-political parties were deemed by the international community, in the rationality of Liberal Peace, not to be part of an intelligence war, but '*political assassinations*' by the LTTE. The authoritarian, undemocratic and militarist LTTE, it was held, was killing 'political rivals', 'opponents' and 'those Tamils who did not agree with it'. For its part, the LTTE, while denying any involvement in the killings, protested the GoSL was using Tamil paramilitaries to target LTTE cadres and, later, TNA parliamentarians and party activists, journalists, Tamil aid workers, and others. The point here is not the 'real' status of the various individuals who were killed, a matter which will, in all probability, never be resolved, but rather how members of well known Tamil paramilitary groups came to be represented in the international community's calculations and wider discourse around the peace process: as alternate Tamil voices being silenced by the LTTE. This dynamic was fuelled by the SLMM's pattern of rulings: the

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<sup>140</sup> These included the EPDP (Eelam People's Democratic Party) - the largest, the PLOTE (People's Liberation Organisation of Tamil Eelam), the EPRLF (Eelam People's Revolutionary Liberation Front), the TELO (Tamil Eelam Liberation Organisation) and other splinters from these. Notably two of the ex-militant groups - TELO and the 'Suresh wing' of the EPRLF - joined the TNA in 2001, having either given up or been stripped by GoSL of their weapons.

killings of security forces' personnel were *self-evidently* the work of the LTTE, but the killings of LTTE cadres (especially at LTTE Political Wing offices in GoSL areas), TNA parliamentarians and others were often held to be impossible for the SLMM to investigate and thus rule definitely as CFA violations by the GoSL. Meanwhile, the killings of members of the EPDP, PLOTE, and other paramilitaries were self-evidently the work of the LTTE - though *because* these were outside the LTTE-GoSL ceasefire, the SLMM would not rule on them. As a major donor funded study explains, "the majority of [violent] incidents involved *Tamil on Tamil* violence, which is not included in the CFA and does not affect the LTTE-SLAF military balance, the SLMM has not become involved" (Goodhand 2005:71, emphasis, insert added). In short, despite there being a *cycle* of violence between LTTE and the GoSL intelligence, international actors tended to blame the LTTE, if not entirely, then mainly, for the deepening difficulties. A donor-funded report noted how, after the talks stalled, "high-level monitoring visits by special peace envoys and Co-Chair [US, EU, Japan and Norway] meetings offered statements that consistently condemned human rights abuses *by the LTTE* and urged both sides to return to the negotiating table, but had little impact" (Burke and Mulakala 2005:20, insert, emphasis added). International urging of the GoSL to disarm paramilitaries only began in late 2005, when abductions, extra-judicial killings and other rights abuses attributed to these forces became widespread.

Another aspect of LTTE's conduct that came under acute international focus during the peace process was 'child recruitment' – i.e. of under-18s. To begin with, the CFA does not prohibit recruitment by either side – or even cover it. However, the SLMM unilaterally extended its monitoring mandate to include under-age recruitment (one SLMM Chief rationalised this on the basis of the reference to 'international law' in the CFA).<sup>141</sup> 'Child recruitment' by the LTTE

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<sup>141</sup> This rationale was presented by SLMM Chief Brig. Gen (retd) H. Haukland at the Norwegian-chaired LTTE-GoSL negotiations in Geneva in 2006 February ( LT01, LT02 February 24, 2006). Clause 2.1 – the first item in Article 2 ('Measures to restore normalcy') – states: "The parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment." However, under this logic, the GoSL's shelling of civilian settlements in 2006 and its closure of highways on which food and medicine reach hundreds of thousands of people are also breaches of international law. Paust (1997) argued a few years earlier that how the effects on Tamil civilians of Colombo's embargoes legally constituted 'war crimes'.

came to dominate international discourse on breaches of the CFA, and to take an important place within the negotiation process. For example, it is the *only* 'child rights' issue explicitly mentioned in the Tokyo Declaration (JMOFA 2003, clause 18.h). The purpose here is not to discuss the practice of recruiting under-18s – a complex area in itself<sup>142</sup> – but to examine how the phenomenon came to have such a prominent place in international discourse. This is especially so given the relatively small number of youth affected by recruitment, as opposed to other war-related deprivations. A UNICEF statement in January 2004, titled 'Call to increased action for Sri Lanka's *war affected* children' (emphasis added) noted: "It is estimated 50,000 children in the affected region [Northeast] are out of school, 140,000 have been displaced from their homes" (insert added). Moreover, during the period of conflict, large numbers of children (overwhelmingly Tamils in the Northeast) have been killed or suffered serious injury, malnutrition or starvation under government embargos, been denied schooling, and so on. However, without elaborating why, the UNICEF statement then declares: "*Of particular concern* is the use of children as soldiers. ... From reports submitted by families, UNICEF knows of at least 1,301 children still in the LTTE" (emphasis added).<sup>143</sup>

The engagement of UNICEF and other UN agencies, "in the North-East and on conflict issues more widely" has been described as "in step with a global move

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<sup>142</sup> In 2007, the LTTE declared its policy was (now) to recruit at 17 and deploy in combat at 18, pointing out that UN regulations set the legal age for recruitment to the military at 15; the LTTE operates several arms besides fighting regiments, including police, customs, administration, etc; the LTTE says many youth sign up to escape military harassment, poverty, abuse at home and so on; LTTE recruiters (especially Colonel Karuna, who defected to the GoSL in 2004) have breached the organisation's own regulations, and so on.

<sup>143</sup> The emotive expression 'children' used in relation to recruitment of under-18s must be considered in the context of, firstly, the UN law specifying 15 as the permissible age for recruitment to armed forces and, secondly, many of the states stridently critical of armed groups, including the US and UK, not having accepted the Optional Protocol's limit of 18 and instead recruiting at 16 and of other states registering special case opt-outs. Indeed, in the negotiations leading up to the adoption of the Optional Protocols, the US, UK and Australia refused to give an undertaking not to deploy under-18s in armed conflicts (Wall 2004). In 2002-2004 these states were amongst the foremost critics of the LTTE's recruitment of under-18s (along with Canada, which also recruits at 16). At the same time the states were the also most vocal in opposing a total ban on recruiting under-18s by their armies (Ibid). By way of rationale, according to a British colonel in charge of recruitment, the UK army targets younger recruits because it believes that they respond better to training and stay longer than older ones. According to him, this is "received wisdom" in the armed forces (Coalition to stop the use of Child Soldiers 2008)

towards recognising child rights as an overarching priority” (Goodhand 2005:24). However, given the scale of the humanitarian crisis, it is not immediately apparent why, especially during a period of ceasefire and peace negotiations, those specific under-18s said to have been recruited by the LTTE - and who constitute less than 1% of war affected children<sup>144</sup> - came to be deemed of ‘particular concern’ and to draw such close international focus, eclipsing other child rights issues.<sup>145</sup> What is important here is how, despite various ways in which at least 140,000 children are ‘affected by war’, including death and injury to parents and siblings, malnutrition, disrupted schooling, homelessness, and so on, the issue of ‘child rights’ in Sri Lanka’s conflict was largely reduced in the overarching international narrative to one specific concern: under-age recruitment by the LTTE (see also discussion in Chapter 7).

## 6.4 Different perceptions and categories

The elements of the Norwegian-led peace process discussed above outline just some of the many instances where the tenets of Tamil Freedom and Liberal Peace came into contradiction and collision. The differences in strategies, techniques and procedures engendered by the two rationalities were profound and served, ultimately, to produce an impasse between Tamil and international aspirations that was never resolved. To begin with, Liberal Peace had the whole country and ‘people’ as its field of visibility. In this context, with ‘armed conflict’ held to be the primary problematic facing Sri Lanka, Tamils, Sinhalese and Muslims were deemed one society, albeit a fractured one, and the question of peace was

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<sup>144</sup> Moreover, with estimates of the LTTE’s fighting strength – apart from civil administration arms – ranging from twelve to twenty thousand cadres, this number of under-18s constitutes between 5 and 10 percent of fighters.

<sup>145</sup> This is especially so in the context of the numbers of under-18s being recruited by militaries of states such as the UK, US and others. The Coalition to stop the use of Child Soldiers (2008) quotes the British Army as saying 30% of all recruits in 2006/07 were aged under 18 and says that 25% of recruits in the British Navy and Air Force were also under-18. Meanwhile, according to the American Civil Liberties Union (2008), the US military regularly targets youth under 18 for recruitment and disproportionately targets poor and minority students. Moreover, the ACLU charged that exaggerated promises of financial rewards and coercion, deception and sexual abuse by recruiters nullify the so-called “voluntariness” of recruitment. A 2007 survey of New York City high school students found that more than one in five students, including students as young as 14, reported the use of class time by military recruiters.

establishing security, unity and developmental possibilities for the entire island. The Tokyo Declaration, for example, called on the LTTE and GoSL “to move expeditiously to a lasting and equitable political settlement. Such a *settlement should be based upon respect for human rights, democracy and the rule of law*” (2003, emphasis added).<sup>146</sup>

Tamil Freedom, on the other hand, had the Northeast and the Tamils as its field of visibility. The main problematic was Sinhala oppression and the question of peace was therefore about Tamils’ self-determination. As LTTE Chief Negotiator Balasingham (2003) put it,

“our people have suffered bitter historical experience of state terror ... over decades. The Tamils are seeking, not only substantial political autonomy but also a security system that would permanently ensure protection ... to live peacefully with dignity and freedom in their historical homeland.”

In Liberal Peace terms, the war devastation in the North-and-East and the poverty in the South were part of the same problem, one affecting the entire country and to be solved by internationally supported long-term development. However, in Tamil Freedom terms, these were, as the LTTE (2003e) put it, ‘qualitatively different’:

“The Tamils faced the brunt of the brutal war. The poverty ... prevailing in southern Sri Lanka is a self-inflicted phenomenon, caused by the disastrous policies of past governments. In its fanatical drive to prosecute an unjust war against the Tamil people, the Sinhala state wasted all national wealth.”<sup>147</sup>

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<sup>146</sup> US Ambassador Wills (2002) observed: “We’ll be comfortable with any negotiated solution as long as Sri Lanka is permanently at peace, is democratic and is united.”

<sup>147</sup> The LTTE (2003e) further argued: “The economic situation of the south has been ... worsened by the mismanagement of state funds, bad governance and institutional corruption. Therefore, the conditions prevailing in the south are distinctly different from the northeast where the scale and magnitude of the infra-structural destruction is monumental and the poverty is acute.”

Thus, in Tamil Freedom terms, the first priority of the peace process was restoring 'normalcy' to the war-shattered Northeast i.e. resettling the 800,000 displaced Tamils, rebuilding the war-shattered civil infrastructure and reviving the local industries, thus putting it on par with the South, untouched by such devastation. Quite apart from insisting on appropriate measures being enshrined in the CFA, the LTTE sought to impose the humanitarian crisis on the agenda of the negotiations. In Liberal Peace terms, 'normalcy' meant the restoration of the rule of law, protection for human rights, creating space for public debate and democracy to thrive and development to resume across the entire country and this was the first priority. As such, a permanent political solution had to be agreed at the earliest *so as to* enable the process of liberal peacebuilding that would bring all Sri Lankans together. The Norwegian facilitators thus sought to make human rights and a permanent (federal) solution the agenda for the Track 1 talks. In Tamil Freedom terms, however, a permanent solution must be arrived at between (representatives) of the Tamil people and Sinhala people and for this to be possible – i.e. for the Tamils to participate as equals - the existential conditions of the Tamils and Sinhalese must *first* be restored to parity i.e. normalcy must prevail in the Northeast as it did in the south *before* a solution could be discussed. In Tamil Freedom terms, therefore, the military's continued occupation of Tamil homes, schools, places of worship and its continuing imposition of fishing and farming restrictions constituted the most serious breaches of the CFA. In Liberal Peace terms, these were matters for either negotiation (HSZs and military restrictions, for example) or problems to be alleviated through long-term development i.e. through reviving local industries, post-conflict reconstruction, etc; therefore, the most serious breaches of the CFA were those that threatened the democratic process, the rule of law and peace building space of public debate i.e. the LTTE's 'political assassinations' and 'child recruitment'.

In Liberal Peace terms, the armed conflict was a perverse externality to the 'normal' processes of politics and development in Sri Lanka; sustaining the peace process thus meant deterring and preventing the LTTE resuming its armed struggle. As US Deputy Secretary of State Armitage (2003a) put it, "the Tigers need to honor the restrictions and conditions that the ceasefire - and future negotiations - set on their arms supply. Logically, down the road, this is going to

include disarmament issues themselves” (2003a, see also the Tokyo Declaration (JMOFA 2003, Clause 18.j)). It is in this context that the sinkings of two LTTE ships (in March and June 2003) should be seen – as Liberal Peace inspired acts of sovereignty. In Tamil Freedom terms, the armed conflict was a direct consequence of Sri Lanka’s majoritarian politics and state policies i.e. it was a manifestation of Tamil resistance to Sinhala state terror; sustaining the peace process meant deterring the Sri Lankan armed forces: “the ethnic conflict is not yet resolved and the threat of Sinhala military aggression of Tamil lands is not yet over. Under these circumstances, decommissioning or abdication of [LTTE] arms is non-negotiable.” (Balasingham 2003).<sup>148</sup>

More generally, whilst Liberal Peace posits the Sri Lankan state an imperfect, multi-ethnic democracy unable to transform itself into a fully-fledged one because of the LTTE’s terrorism, Tamil Freedom sees it as a chauvinist entity that has to be resisted, compelled to respect Tamil aspirations and, for a permanent solution, radically transformed. At the heart of this contradiction were different conceptions of what ‘the Tamils’ were: whilst Liberal Peace saw them as a ethno-cultural category whose members are part of the political collective of ‘Sri Lankans’, Tamil Freedom saw the Tamils as an ethno-*political* collective, bearing equal rights and responsibilities vis-à-vis the Sinhala collective. These two divergent conceptions of the Tamils underpinned different understandings of the Sri Lankan state, the armed conflict, the LTTE and ‘peace’ as well as the appropriate form and trajectory of the peace *process*, the ceasefire and the ‘permanent solution’. As a senior Norwegian diplomat unselfconsciously observed in 2006, “when the international community talks about minority rights and pluralism, they do not realize the LTTE is coming from a different understanding. The international community has no understanding of where they are coming from.” (NW01 June 1,

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<sup>148</sup> US Ambassador Wills observed in 2003: “I’ve heard Tamils say that they may not like the LTTE’s tactics but they need the Tigers to protect them. I think that’s completely wrong. The LTTE’s weapons and armed cadre aren’t protecting Tamil rights; they’re prolonging this conflict and delaying the day when Tamils can live in truly peaceful conditions.” Responding, LTTE Chief Negotiator Anton Balasingham (2003) said: “The Tamils resorted to armed resistance as the last resort to defend their right to existence. Having gone through turbulent periods of state repression and armed resistance, of failed negotiations and betrayals, the Tamil people have genuine fears and anxieties with regards to their safe and secure existence. I sincerely hope that the Americans will appreciate and understand the aspirations as well as apprehensions of a people who have faced genocidal oppression from State terrorism and violence.”

2006). Or, as the LTTE's Chief Negotiator Anton Balasingham (TamilNet 2002e) said of the Tamils and the international community, "we are now operating entirely with different perceptions and categories."



## 7. Creating New Realities

As Rose (1999:31) points out, government does not just act on a pre-existing thought world with its natural divisions. Rather, to govern “is to cut experience in certain ways, to distribute attractions and repulsions, passions and fears across it, to bring new facets and forces, new intensities and relations *into being*” (ibid, emphasis added). Whilst, as Rose also notes, “this is partly a matter of time,” the point here is that it is governing itself that brings ‘natural’ divisions into being and thus renders such orderings ‘real’. This underlines a paradox of government noted in Chapter 2: as Hindess (1993:308) points out, categories to be governed appear at times as objective realities and at other times as collectivities that do not or do no longer properly exist. In the first case, practical decisions may be taken on the basis of the ‘natural’ or essential features of such entities, while in the other case, the question is how to create or re-create these collectivities (Ibid). In Sri Lanka, Liberal Peace seeks to reorder the collective humanity of the island into a single category, the Sri Lankan citizenry, whilst Tamil freedom seeks to reorder them into two distinct and equal ones – the Tamil and Sinhala nations. It is this imperative that leads to Liberal Peace’s pursuit of ‘ethnic reconciliation’ or ‘peace building’ and Tamil Freedom’s quest for ‘national unity’ and ‘recognition’. The former requires Tamils, as Japanese peace envoy Akashi (IANS 2006) told LTTE leader Pirapaharan, “to put aside their obviously very tragic, very real experiences” to meet the need for “the [Sri Lankan] people, irrespective of their ethnic origins, to look at their common future together”. In other words Tamils must willingly behave as part of a ‘Sri Lankan people’ *so that* this harmonious society may come into being. Conversely, Tamil Freedom requires Tamils to set aside their (‘internal’) differences and stand together against Sinhala oppression. As Pirapaharan replied to Akashi, it is through the deprivations of the past that the imperative for Tamils’ national liberation becomes clear (Ibid). In other words, Tamils must behave (unite) as a nation *so that* it may free itself of Sinhala domination.

In other words, governing through the rationalities of Tamil Freedom and Liberal Peace requires the inculcation of very different subjectivities amongst the island’s

inhabitants. It means inciting, inducing, seducing individuals to take up specific attributes, values and capacities to act, and to discharge certain responsibilities of government i.e. to act upon themselves and others, to self-govern. The focus of this chapter is how the activities of a range of local and international actors after 2002 sought to shape, guide and direct individuals' and groups' behaviour and actions in particular directions, to "structure their possible fields of action" (Foucault 2002c:341) – or, as a senior Norwegian diplomat put it, to "create 'new realities'" (NW01 August 16, 2006) – such that they become well behaved, self-governing subjects.

Both liberal peace and Tamil national liberation are transformative projects which sought to bring into being specific orderings and divisions in the interests of their respective visions of lasting peace. In doing so, these governmentalities faced specific forms of disarray. Liberal Peace had to contend with questions such as: How were 'Sri Lankans' to (again) see themselves as a united yet diverse collective? How were they to see themselves as rights bearing *citizens* - as opposed to members of distinct rights bearing collectives, irrespective of whether those rights stem from equality or hierarchy? How were all citizens and all communities to see themselves as 'stakeholders' in a shared Sri Lankan state and society of the future? Tamil Freedom faced different questions: How were Tamils to behave as a persecuted nation should? How were they to seek to address their unique problems, such as exclusion by the Sri Lankan state and scepticism of the international community towards their collective demand for self-rule. How were they to come together as one voice, demanding their *nation's* rights – to be free of state oppression, to self-determination, for equality with the Sinhala nation?

Government is "a domain of strategies, techniques and procedures" through which different forces seek to render programmes *operable*, and by means of which a multitude of connections are established between the aspirations of authorities and the activities of self-interested individuals and groups (Rose and Miller 1992:183). In other words, government does not take place through some 'top-down' logic or *imposed* rationality, but through translation i.e. the forging of alliances between the aims of governors and the particular projects of those – organizations, groups, individuals – who are subjects of government. Networks of

government emerge not because the goals of government are necessarily consciously shared by those who participate in government, but because subjects of government come to construe their specific problems in allied ways.

The processes of governing inherent to Liberal Peace and Tamil Freedom respectively are illustrated in this chapter by examining, on the one hand, the activities initiated and supported after 2002 by international agencies such as the Berghof Foundation which engaged in 'peace building', 'conflict transformation' and similar activities, and, on the other, those of a myriad of Tamil actors – the LTTE, the TNA, media, and community-based organisations, both in the homeland and in the Diaspora - which sought to address the problems faced by the Tamil nation. This is not to say that these activities comprise the totality of governing activities outside the 'high politics' of the Norwegian-led negotiation process between the LTTE and the GoSL (they do not). Rather it is to argue that the calculations, assumptions, desires and loathings reflected in a variety of important projects and activities of 'low politics' pursued after 2002 sprang from two different understandings of the way things were, of what constituted a better world, and how it could and should be brought into being. The focus here is, therefore, on the micro-practices of government and the mundane attempts at conducting conduct.

## **7.1 Bringing Sri Lankans together**

The emergence of liberal peace requires the transformation of individual, state and society, as well as the relationships between them, into specific ideal types (see Chapter 4). However, in 2002 Liberal Peace was faced with a contradiction: whilst it was held that 'Sri Lankans' were eager to put the war behind them and move on to a harmonious, well-governed and prosperous coexistence, it was also held that this would not naturally or spontaneously follow: "peace can not be expected to 'just happen and persist'" (FLICT undated-a). Sri Lanka's social fabric was held to have become fractured and riven in recent decades from an admixture of armed conflict, uneven and under-development, ethnic outbidding and nationalist mobilising, and similar problems. All ethnic communities were

held to now have fears and aspirations vis-à-vis a political solution, stemming from zero-sum calculations worsened by the consequence of protracted war. In addition, amid conditions of war and (ongoing) patronage, corruption, ‘over-centralisation’ and institutional weakness, many people had become distanced, disconnected or alienated from the state. Although the armed conflict had been halted, other conflicts and associated forms of ‘violence’ –such as over caste, class religion, gender or access to resources and opportunities- were continuing across the island in communities, villages and homes (see, for example, FSCT 2005, FLICT 2005:i). Thus, trapped in self-reinforcing webs of antagonism and societal conflict of all sorts, Sri Lankans were unable to progress towards the united, harmonious and well governed society that they all, nonetheless, desired. There was hence a need for determined international intervention to ensure that they could and did. As one leading donor-funded peacebuilding project in Sri Lanka, FLICT (Facilitating Local Initiatives for Conflict Transformation), argues,

“socio-economic development needs to be supported with efforts to restore trust in democratic processes and institutions and strengthening them to transform Sri Lanka into *a society that is able to accept its pluralistic identity*” (2005:1, emphasis, added).

The question was how this could be made to happen. Firstly, therefore, the central arena for peacebuilding and conflict transformation was *society* itself.<sup>149</sup> Whilst a negotiated political solution was necessary for peace, this was not sufficient: “these top level interventions are crucial, ... [but] the involvement of middle and lower levels in peace building is an essential pre-requisite to bringing about sustained changes in social structures and processes” (FLICT 2005:2).<sup>150</sup> The central plank for international efforts at conflict transformation and peacebuilding, crucially, is thus not ending institutionalised majoritarianism or rebalancing state power between Sri Lanka’s peoples, but rather addressing problems in Sri

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<sup>149</sup> Whilst there are important differences in the purposes, logics, processes, etc between conflict transformation and peace building, for the purposes of this chapter, which focuses on attempts to transform Sri Lankan *society* – as opposed to changing the conduct of the LTTE, LTTE-GoSL relations, or the state’s governance practices, for example, these labels are used interchangeably.

<sup>150</sup> It is worth noting how this conceptualization decouples the production of ‘peace’ from (the vagaries of) the LTTE-GoSL negotiation process.

Lankans' *interactions* with each other i.e. physical and attitudinal separations amongst individuals, communities and groups, including their misplaced fears and anxieties; seemingly incompatible (but eminently negotiable) political aspirations; zero-sum, non-cooperative and particularistic ways of thinking and so on. As such, whilst armed conflict is seen as a negative *externality* exploiting and, in turn, fuelling these divisions within society, internationally backed peacebuilding is envisioned as another externality, but a positive one that would instead ameliorate these. What was required to make peace in the island was to first create the overarching conditions in which the process of stitching Sri Lankan society (back) together could proceed, and thereafter, to actively undertake efforts to this end. In 2002, with the former achieved through the internationally monitored ceasefire, the emphasis was very much on the latter. The sought after transformations within society were sweeping and radical. Sri Lankans had to become more tolerant of their differences, less fixated on their ethnicity or religion as politically salient identities and to reject violence and rebellion against the state. They also had to come to eschew patronage, subsidies and other dependencies on the state and to become more assertive vis-à-vis the state, insisting on their human and constitutional rights and the 'good governance' they were all entitled to.

Secondly, the vehicle by which citizens' relationships with each other and with their state should be mediated was 'civil society'. Civil society, coincidentally, was also the mechanism by which the international community could undertake the requisite transformation of Sri Lanka's fractured society. At the same time, however, it was held that civil society, where it existed in Sri Lanka, was weak and stifled by dominant forces such as nationalist movements (like the LTTE or JVP), powerful landowners, business interests, and so on (see, for example, Orjuela's (2003) discussion on polarisations within Sri Lankan civil society). There was therefore a need to foster the emergence and strengthening of an active civil society unconstrained by such particularist forces and committed, moreover, to the values of liberal peace. To this end, international peacebuilding efforts had to bypass the state – with its understanding and approval, of course – and to engage 'directly' with citizens. As FLICT (undated-a) states, its work

“is based on the assumption that active and skilled civil society organisations can contribute significantly towards the acceptance of pluralistic values and non-violent conflict resolution; leading to a peaceful tolerant society, which adopts more democratic means of decision-making and is able to cherish diversity and pluralistic values”.

Thus, soon after the ceasefire began, the international community – here mainly the Western bilateral donors<sup>151</sup> - backed several local initiatives for conflict transformation and peace building. These sought variously to raise ‘public support’ for the negotiations and wider process, encourage cultural diversity and tolerance, promote inter-religious and inter-ethnic cooperation, erase developmental asymmetries, protect ‘vulnerable’ and ‘marginalized’ groups, build ‘constituencies for peace’, and similar goals. Donors funded projects, among other things, to initiate inter-ethnic dialogue, foster discussion of constitutional models (especially federalism), train media to be more ‘professional’, teach ‘local communities’ to resolve their problems peaceably through discussion and compromise, or ‘raise awareness’ of human and gender rights. Tamils, Sinhalese and Muslims were brought together in all manner of engineered social interactions, local peace-builders were sought out, encouraged and ‘empowered’, and a variety of ‘experts’ were inducted to train, advise, and supervise them (see, for example, the activities of the Berghof Foundation (2008) outlined in its end-of-project report).

Soon after the peace process began, various combinations of donors set up at least four significant programmes - “peace funds” - to facilitate conflict transformation

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<sup>151</sup> These included Germany, UK, Norway, Netherlands, Switzerland and Canada (Burke and Mulakela 2005:13-14). Whilst the proportion of international aid devoted to transforming conflict and building peace was small – the three top donors by far (Japan, World Bank and ADB provided over 75% of Sri Lanka’s aid) focused on economic reforms and development, supposedly in a ‘conflict sensitive’ way (Ibid:5, 24-25) – the amount expended on ‘peace’ by these countries after 2002 was significant.

and peace building in Sri Lanka.<sup>152</sup> Whilst there were important differences in these projects' areas of focus and operational styles, these are not of concern to this dissertation, given the focus here on the *thought* involved in the problematizations and programmes engendered by Liberal Peace. This study uses as illustrative examples the activities of one of the larger operations, FLICT (funded by the Development ministries of UK, Germany and Australia), those of FSCT (Food Security and Conflict Transformation Project), a small 'coalface' conflict-transformation organisation, also funded by Germany and those of the highly influential Berghof Foundation's Sri Lanka operation, jointly funded by Germany and Switzerland.<sup>153</sup> The focus here is on international interventions to transform *society* i.e. 'ordinary' Sri Lankans' relationships with each other and, separately, with their state. Whereas FSCT's projects are illustrative of efforts to transform individuals – via 'communities', FLICT's work exemplifies international attempts to establish and foster 'civil society' as both an end in itself and as a means towards transforming the conduct of individuals and thus society. The Berghof Foundation's activities, like FLICT's, are demonstrative of how networks of governance were encouraged to translate the ambitions of Liberal Peace into the micro-practices of various actors (including elements of the Sri Lankan state also) operating 'at a distance' from the centres of global liberal governance.

## Of lacks and capacity

The way to the ideal of a diverse but united, harmonious and peaceful Sri Lankan society was through the provision of spaces and mechanisms for non-violent interaction amongst its different factions, and the inculcation of peaceable

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<sup>152</sup> Apart from FLICT, the others were a program for 'Promoting the Benefits of Peace', run by the Office of Transitional Initiatives (OTI) of the United States Agency for International Development (USAID), the 'National Program for Peace and Development by Civil Society' managed by the long-established local Consortium of Humanitarian Agencies (CHA) and funded by the Netherlands, Australia, Sweden and Denmark, and the 'Small Grants Fund in Support of Peace' run by UNDP (Keenan 2005)

<sup>153</sup> The study draws on these organizations' websites and publications - including a controversial donor review of FLICT (Keenan 2005) which is closely guarded but nonetheless circulates amongst some Sri Lankan journalists - as well as interviews with prominent individuals in the wider international peace building/conflict transformation community in Sri Lanka.

approaches to resolving disputes, tensions and conflicts. Crucially, Sri Lankans' apprehensions and fears were held to stem from their not being aware of, or not appreciating, those of others, and from their inability to see that the interests and aspirations of all could be best met through compromise and cooperation, that a political solution acceptable to all was both desirable and entirely possible. These shortcomings within Sri Lanka's society were held to stem, moreover, from specific, identifiable *lacks*: a lack of physical access to other communities and thus a lack of interaction (such as trade, dialogue or sports), a lack of secure spaces for tensions to be non-violently worked out, a lack of skills (to communicate, to negotiate, to mediate, etc.), a lack of understanding and knowledge (of complex constitutional forms, of how other similar, if not identical, conflicts had been resolved, of forms of political compromise, etc), a lack of experience of the benefits and obligations of belonging to a multi-cultural, multi-ethnic, multi-religious society, and even of protected human and gender rights, and so on. These lacks, moreover, were precisely what the international community was well able to address. Expertise, skills, funding and access to international networks and spaces could be amply supplied by a range of international actors – states, NGOs, businesses, experts – and who, in the service of 'lasting peace' in Sri Lanka, were more than prepared to do so.

A key objective of international intervention was therefore that of 'capacity-building', whereby Sri Lankan individuals and organisations would not only come to participate in activities to build peace between and amongst themselves and thereby acquire the capacity for self-government, but also to attain the wherewithal to *propagate* appropriate behaviours, ideas and values further afield within their (local) communities, social networks, work places and so on. Concomitant with all manner of lacks, there were all kinds of capacities that needed to be built, from those of villagers in outlying areas who had to learn to interact and share resources with different or antagonistic (ethnic/religious/caste/gender/etc.) others, to elite circles concerned with constitutional reform, power-sharing, and so on. To this end, donors funded for ordinary Sri Lankans myriad training programmes - on human rights, negotiation skills, peace building and conflict-resolution skills (conflict here being not just armed conflict, but also communal tensions, domestic disputes, village feuds, etc)



and ‘trauma’ counselling, amongst others. Sri Lankan parliamentarians, constitutional lawyers, even a 25-member LTTE delegation, and others were taken on study tours to countries deemed success stories in peace-making (South Africa and Northern Ireland, for example) or operating various models of government and power-sharing (especially several in Europe). Various international experts and personalities were brought to the island to impart their ‘experience’ – the latter included, for example, Rolf Meyer, the chief negotiator for the Apartheid government vis-à-vis the ANC and Martin McGuinness, the IRA’s negotiator with the British government, whilst amongst the former were various prominent scholars of federalism.

The key point here is the problem definition of Sri Lanka’s troubles inherent to these activities: it is not state oppression or institutionalised majoritarianism that is held to sustain conflict, but the lack of the wherewithal (expertise, knowledge, etc.) amongst Sri Lankans, including various elites, to translate their competing aspirations and demands into models acceptable to all. As such, rather than the peace process itself, it was the socio-political environment in the country conducive to ethnic reconciliation *engendered by* the LTTE-GoSL negotiations that made possible the addressing of “the more *deep-rooted* conflict transformation needs in the country” (FLICT undated-a, emphasis added). The Berghof Foundation, the leading international peace agency in Sri Lanka, summarised its efforts *after* 2005 - when the peace process was undeniably disintegrating - as comprising:

“dialogue promotion and capacity building on issues of state reform, power-sharing, devolution and federalism; institutional capacity building and programme support for peace-related organisations close to key stakeholders; and promoting opportunities for dialogues and discourses on ‘multiple peaceful futures’”  
(2008:10).

What is notable here is how the practices of peacebuilding (based on concepts such as ‘lacks’, ‘capacity building’, ‘dialogue promotion’, ‘promoting opportunities’, and so on) render *apolitical* an essentially *political* project: that of

transforming individual, state and society in Sri Lanka into those compatible with liberal peace. This ‘depoliticising’ - or, as this study argues, ‘re-politicising’ (see Chapter 3) - was exemplified by repeated assertions by all international actors, including the Berghof Foundation (2008:12), that “we did not advocate any particular solution to the conflict in Sri Lanka [but] rather we were committed to helping Sri Lankan stakeholders find lasting peace for all communities in Sri Lanka.” Even this disavowal was not entirely accurate as much international peace-building activity was, at least in the early stages, geared towards promoting federalism (though the point here is how Sri Lankans were themselves to arrive at this model as best suiting all their various political aspirations). What was completely ruled out in international peacebuilding efforts therefore was recognition of the Tamils – and, for that matter, the Sinhalese – as a collective bearing its own politico-territorial rights, especially that of self-determination. Instead, *peace* in international peace building has a specific meaning: as FLICT put it, “our dream [is] a peaceful, pluralistic, democratic, inclusive, and prosperous Sri Lanka” (undated-a). That international ‘peace-building’ efforts expanded rapidly in Sri Lanka after 2002 even *without* a political settlement having been reached underlines how the former presumed and anticipated the content and form of the latter.

### **Individual conduct and liberal peace**

The FSCT was a Germany-funded initiative that sought from 2003-2006 to work with internally displaced people returning to resettle in Batticaloa (FSCT 2005:1). Batticaloa is a Tamil-speaking district in the island’s east with a history of deep animosity between the Tamils and the Muslims and protracted armed conflict between the LTTE and the military. The context of Tamil displacement here is a particularly brutal history of large-scale massacres and atrocities by the military, the police’s counter-insurgency Special Task Force and military-backed Muslim and Sinhala militias (Hasbullah et al 2005, McGilvray 1997, 2001). The context of Tamils’ impoverishment is one of state seizures of privately owned land, state-backed Sinhala colonisation, repeated displacement by GoSL offensives, state-imposed embargo (on the Tamil-dominated, LTTE-controlled hinterland) and the

concomitant economic growth, relative to the Tamils, of the Muslim community (located mainly in government-controlled areas on or close to the coast). The southern part of Batticaloa was aggressively settled with Sinhalese by the state and eventually hived off into a separate district – Amparai. Batticaloa can therefore be seen as a locality that brings together many of the overarching problems faced by Sri Lanka's Tamils – violence by the Sinhala military, embargo and economic neglect by the state, Sinhala colonisation of Tamil areas, and so on. In this context, FSCT's approach to 'conflict transformation', set out in a 2005 strategy document, and summarised below, is emblematic.

To begin with, FSCT has a view of what it seeks to transform: the strategy document warns that in Batticaloa "the word 'conflict' is "immediately associated with the *ethno-political* conflict in the country [but the] people tend to ignore that there are various other conflicts within households and communities causing *more* tensions and problems in villages." (FSCT 2005:2, emphasis, insert added). Moreover, whilst aiming to address "all levels" of conflict, FSCT "believes that these arise from structural, economic and socio-cultural gaps that prevail *in society*" (Ibid:1, emphasis added). Thus, the overarching context of Sri Lanka's thirty-year war, the ethno-political developments since independence and the present skewed distribution of state power, all of which impact on locales like Batticaloa across the island, are effaced and the focus is instead directed to individuals' and communities' supposedly problematic social interactions. FSCT points out that "a project and its participants have to be politically and socially neutral. However, as ... change agents, a project must always side with the weaker and poorer members of society. Only then can it have impacts in peace" (Ibid:4). Moreover, the 'main disputes' in the Batticaloa communities where FSCT operates are said to be "about land and water" while the main causes of conflict within communities are "grievances and greed" (Ibid:2,4). As such, with people returning from refugee camps to their homes, "a rehabilitation and development process for victims of *conflict* will contribute to reducing conflict and increase capacities for peace" (Ibid:2, emphasis added). Notably, the definition of displaced Tamils as victims of 'conflict' - as opposed to ethnic persecution by the military and state – makes possible the pursuit of specific peacebuilding programmes and not others, even at the local level. However, in

any case, “conflict sensitive/conflict preventive rehabilitation and development” is held to be not enough to build peace; in addition, FSCT also “aims to build the capacity of *local communities* to transform conflicts and build peace” (2005:1 emphasis added). In other words, ordinary people have to take responsibility for resolving (their own) conflicts and for their own development (Ibid:4). FSCT nonetheless has an important role in all this because, at present, “their [returning displaced people’s] current self-help capacity and self-reliance is non-existent” (Ibid:1).

Crucially, it is work that will set the people free of their prejudices: the *activity* of development itself must serve to attenuate society’s tensions and animosities. Firstly, FSCT projects must place an emphasis on “giving and sharing” amongst recipients, as this “is one of the most important indicators of a peaceful society or one that is *capable* of living in peace” (Ibid:1,4 emphasis added). Communities must learn to look out for the weaker and poorer individuals amongst them, “to include the excluded”, to take pride in shunning assistance and instead directing these to the more needy (Ibid:6). FSCT itself will, anyway, be careful to ensure this happens, that the poorer and weaker sections of a community do receive the most benefits from a project (Ibid:5). (The latter are identified, moreover, by a process of “participatory wealth ranking” of the community’s members (Ibid:6).) Secondly, people must learnt to collaborate and cooperate; they “must be organised into groups so that they can collectively engage in concrete activities to improve their quality of life”, while development work “must be implemented in a labour intensive manner” (Ibid:6,7). Men and women, different castes, etc should work together on building houses, schools and so on. Moreover, the FSCT project, “while teaching local communities about their rights, also focuses on making them aware of their responsibilities towards their own development, and how they can assist others who are vulnerable” (Ibid:3). However, it is not a question of supervision, but ‘participation’: quite apart from working together, “in order to reduce the gap between people in society, people’s voices need to be heard” (Ibid:9).

The trusteeship manifestly inherent to the work of FSCT and other development actors across the global South has been well studied.<sup>154</sup> Indeed, the work of FSCT is emblematic of the early form of governmental management, that Foucault terms ‘police’ (Foucault 2007, chapters 12 and 13), whereby rule was effected by rendering populations transparent and ordered through detailed administrative interventions. The salience of FSCT’s practices for this chapter, however, is in relation to the redefinition of the Sri Lankan conflict inherent to them. Firstly, the circumstances of Tamils (in the volatile eastern province in this case) come to be reframed such that the alleviation of their deprivations becomes a question of addressing lacks inherent to *them* and their interactions with others, rather than addressing Sinhala domination of the state or its pursuit of a violent project to alter the demographics of the east. Secondly, the individuals concerned, whilst acknowledged as ‘victims’, nonetheless have to adopt specific forms of social behaviour if they are to receive international rehabilitation/ development assistance. In other words, international aid, especially when directed towards ‘conflict transformation’ and ‘peacebuilding’ in ways exemplified by FSCT, becomes part of a disciplinary framework directed towards changing the behaviours of individuals and communities in the warzone to those compatible with liberal peace across the island.

It is in this context, moreover, that the frequently repeated maxim of international development actors to be seeking out the “most vulnerable”, “the poorest”, “the marginalized”, “the disadvantaged” and so on for assistance should be seen. In other words, “the voiceless” must be celebrated and made audible, *provided* they speak of a particular kind of peace (liberal peace), rather than of ethno-political rights or, especially, resisting the state. Communities and individuals genuinely committed to ‘peace’ in this framework cannot participate, for example, in political mobilisations towards Tamil liberation (such as organising rallies, protests and so on) or, especially, in activities supportive of Tamil Eelam, the LTTE or armed struggle. As FLICT noted while calling for peace building proposals from Sri Lankan (civil) society, projects “should work towards the transcendence of *narrow identities* of Sinhala, Muslim and Tamil subjects and to

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<sup>154</sup> See, for example, Ferguson 1994, Escobar 1995, Duffield 2001, Abrahamson 2004, Li 2007.

develop a common culture enabling people to deal with dissent democratically and non-violently” (undated-c, emphasis added).

## **Networks of liberal peacebuilding**

As noted earlier, whilst Sri Lankan society is the wellspring from which liberal peace would emerge, civil society was both the means through which individuals’ and groups’ conduct could be shaped, guided and directed towards this, as well as the medium between citizens and state through which (present and future) societal conflicts were to be resolved. At the same time, it was held in 2002 that civil society in Sri Lanka was anaemic and marginalized by more powerful societal forces such as nationalist movements and patron-client networks (NW04, May 31, 2006, INT04, August 17, 2006). The first step towards peacebuilding, after silencing the guns, was therefore “creating a network of [peace] organisations, domestic and international, to ensure this work can be carried forward” (Berghof Foundation 2008:10, insert added). Peacebuilding necessitated ‘partnerships’ between those outside seeking peace for Sri Lankans and those Sri Lankans seeking peace for themselves. The activities of international peace organizations such as the Berghof Foundation (2008:11) turned crucially, therefore, on their “close collaboration with several domestic partner organizations from civil society, academia and the public sector” on one hand, and “international [expert] organizations such as the Forum of Federations (Canada) and the Swiss Institute of Federalism” on the other.

To begin with, conceptualising peace as something that must emerge from the activities of a network traversing ethnicities and regions as well as the inside and outside of Sri Lankan (constitutional/social/political) space in itself contrasts sharply with the idea of peace turning on the outcome of ethnic collectives negotiating with each other, as politically organized wholes, to reach political accommodation and a lasting constitutional solution. What exactly constitutes peace here is embedded within the organising and functioning of peacebuilding networks. As exemplified by FLICT’s call for proposals above, despite the repeated insistence by international actors – and echoed by some of their local

‘partners’ - that only Sri Lankans could solve their ‘own’ problems, as well as peace-builders’ assertions they did not advocate “any particular solution to the conflict”, what exactly constituted peace and thus what is meant by ‘peace-related’ (Berghof 2008:10) was also embedded in the discourses and practices of international peacebuilding. For example, a conference on the meaning of self-determination that brings together participants of different ethnicities and various views - even ‘extreme’ ones – is a peace related activity, but organising a Ponghu Tamil rally to call for ‘Tamil Self-Determination’ is not. The former must be supported and the latter avoided. With regards to civil society, producing ‘peace’ meant strengthening and supporting some local actors over others, incorporating the former into the peace-building networks and either excluding the problematic latter or including them in tightly circumscribed ways into specific spaces of ‘dialogue’. Thus, despite international peace-builders’ claimed indifference to the specificity of political solutions, the kinds of (local) partners they sought out, the projects they were prepared to fund, the expertise they would induct, and so on, were geared specifically towards a specific vision of a future Sri Lanka: a multi-ethnic, multi-religious society and polity and, at least from 2002 to 2006, a federal constitutional structure.

These dynamics are amply illustrated by the activities of FLICT, whose very *raison d’être* was to facilitate the emergence of island wide peacebuilding activity by “strengthening the capacity of Sri Lankan civil society to contribute towards conflict transformation, particularly at the local level” (2005:1). FLICT’s concern, therefore, was first to foster the emergence of appropriate “intermediary” organisations to work ‘at the local level’ in all areas of the island and deal with the different lacks found in Sri Lankan society, and thereafter to select and strengthen such entities through supplies of funding and expertise of various kinds. To this end, with substantial donor funds to hand, FLICT established a small coordinating hub and then widely publicised its calls for peacebuilding proposals in a number of defined ‘issue areas’, including “strengthening democratic space in the Northeast”, “supporting peace through transformative cultural practices”, “building democratic and pluralist forms of governance”, “civil society reconciliation mechanisms” and so on (2005:2,8-9). In short, existing or newly formed civil society actors could apply for FLICT grants to pursue, in their local

areas, activities falling into one or more of the defined issue areas, and for grants to strengthen themselves institutionally to this end (Ibid:5).

Some of the “more promising” examples of conflict transformation supported by FLICT, according to one of two self-commissioned reviews (Keenan 2005:Annex One), include organisations such as: ‘Peace-Promoting Women’, which taught Tamil to Sinhalese people and Sinhalese to Tamils and Muslims; ‘Jana Karaliya’, a travelling “multi-ethnic and multi-lingual theatre with democratic and inclusive spirit” (and described by the review as “an exemplary case of using the arts for peacebuilding and politically transformative purposes”); ‘Child Rehabilitation Centre’ in Amparai which brought together Tamil girls and women (from LTTE areas) with Sinhalese girls and women – hailed as an instance of “cross-ethnic exchange”; productions by ‘YATV’ television and other media - “which promise to influence at least some minds in positive ways”, and a peacebuilding course for LTTE cadres by Bradford University and the Socialist Studies Association (SSA). Initially, amongst the works supported by FLICT was the dissemination to the public of ‘awareness’ of the LTTE-GoSL negotiations – which at the time were seemingly fast moving towards a federal solution. However, as the talks broke down, donors were urging FLICT to “shift from focussing on the macro-level peace process to strengthening the ability of civil society actors to deal with both existing conflicts and those emerging” (2005:5). Notably, this shift was intended to “better enable civil society forces to set their own agenda of peace, equality and inclusiveness *rather than simply following the agenda set by larger and more powerful forces*” (Ibid, emphasis added). In other words, peacebuilding could still proceed, for example, even if there was no progress towards a negotiated political solution, or if the LTTE was attempting to restart negotiations on its interim administration (ISGA) proposals.

The process and criteria adopted by FLICT and similar international ‘peace funds’ to select their ‘partners’ and ‘intermediaries’ for local peacebuilding meant that the peacebuilding network in Sri Lanka came to comprise solely those actors advocating and promoting the elements of liberal peace. Activities by local actors outside this space, be they Tamils arguing for self-determination and independence or Sinhalese promoting majoritarian rule, were largely frozen out



and reduced instead to objects of peace-related study and management. Inclusivity may be a foundational principle of liberal peacebuilding, but it only applies to those who embrace its principles in the first place. The peace-related network that rapidly emerged after 2002 centred especially on a small number of Colombo based NGOs, staffed by elite, English-speaking Sri Lankans with university educations. This handful of donor-supported 'local' organisations, alongside international agencies and the "peace funds", came to hold considerable sway over most peacebuilding activity in Sri Lanka, either as implementers or as overseers, referees and critics of other local actors' efforts. In short, they come to speak authoritatively on what was 'peace-related' and what was not, when it came to both organisations and their project ideas. Thus, whilst it was accepted that self-interests were often at play in the nodes of the peacebuilding network (for example, that new organisations were "mushrooming" to take advantage of available international funds, that individuals were attending courses on peacebuilding, journalism, etc for their own career ambitions, and so on), the point here is that liberal peace nonetheless became established as the only game in town, if there was to be any local engagement with the international community. In other words, those subscribing to Tamil (national) self-determination, for example, were largely excluded from 'peace-building' processes on the basis of their political views alone.

The point is well illustrated by the case of NESOHR (North East Secretariat On Human Rights), which was established in mid-2004 in the LTTE-controlled Vanni to monitor rights violations and implement actions to strengthen human rights in the *Northeast* (NESOHR 2004). Whilst it was welcomed by the LTTE, NESOHR's staff comprised religious leaders, parliamentarians, union officials and civil society activists, but not LTTE members. Yet NESOHR's efforts to secure international financial support so as to be able to function as an independent human rights group proved dismally abortive: donors refused funding on the grounds that NESOHR – based in Vanni – was part of the LTTE's civil administration structure and therefore not independent – even though the body was staffed by prominent, archetypal 'civil society' persons. By contrast, the Human Rights Commission or HRC, which was set up and funded by the Sri Lankan government, did not suffer from such doubts about its neutrality (the HRC was

even formally incorporated into the ‘human rights’ promotion aspect of the Norwegian peace process). The difference is the context ascribed to ‘human rights violations’ by the practices of NESOHR and HRC respectively. Whilst the former was concerned with the *Northeast* (i.e. the Tamil homeland), the latter represented an island-wide concern, for example. The point here is that ‘peace-related’ actors are identified not simply by their focus – here the quintessential liberal peace concern of human rights - but rather their conceptualisation of what constituted ‘natural divisions’ on the island.

In concluding this section, it is worth noting the striking failure of Liberal Peace to produce a diverse yet united and harmonious Sri Lankan citizenry, despite substantial investment after 2002 of funding, expertise and institution building. This failure is reflected in the results of the Social Indicator (2004) survey outlined in the next section, for example, and especially in the rapid emergence since mid-2005, of hyper-nationalist sentiments amongst the Sinhala public and a political climate stridently intolerant towards minorities (Rampton, forthcoming 2009, Blake 2009). That Sri Lanka did not become “an internationally supported success story in liberal peacebuilding” (Goodhand et al 2005:67) is not, however, merely a consequence of insufficient funding, weaknesses in Sri Lankan civil society, inefficiencies in peace-building, or the escalation in ‘shadow’ violence from 2003. Rather, this failure of Liberal Peace can be seen as the outcome of the consequences of ‘counter-conducts’ (Foucault cited in Gordon 1991:5) i.e. governmental efforts undertaken within other, competing rationalities: Tamil Freedom and Sinhala-Buddhism.

## **7.2 Uniting the Tamil nation**

In 2003 and 2004, hundreds of thousands of Tamils attended a series of mass rallies, held in each of the seven districts of the Northeast, to express their support for the Tamils’ right to self-determination. The stages of the ‘Ponghu Thamil’ (Tamil Upsurge) rallies were trod by a range of speakers – TNA MPs, LTTE Political officers, Tamil community activists, even religious leaders – and were decorated with huge cutouts of the Eelam silhouette, the LTTE’s emblem,

sometimes pictures of LTTE leader Pirapaharan, and signature red-and-yellow ('Tamil national colours') bunting. Meanwhile, in the April 2004 Parliamentary elections, the TNA won all 22 Northeastern seats it contested. It did so, having endorsed the LTTE in its manifesto as "the national leadership of the Tamil Eelam Tamils and ... as the sole and authentic representatives of the Tamil people", and stating it was issuing

"a clarion call to the Tamil-speaking people to unite under one flag and give overwhelming support to the TNA ... so as to emphasize the aims of the people of the Tamil Nation, to proclaim again the political resolve of our people, to strengthen further the Tamil nation and to win the political rights of the Tamil speaking people" (TNA 2004: para 19).

The manifesto also declared:

"Let us endeavour determinedly, collectively as one group, one nation, one country ... under the leadership of the LTTE for a life of liberty, honor and justice for the Tamil people. Let us work side by side with the LTTE, who are fighting for the protection and autonomous life of the Tamil speaking people, for the political initiatives under their leadership" (Ibid).

What is remarkable about both the success of the Ponghu Tamil rallies – held mainly in GoSL-controlled locations in the Northeast - and the TNA's electoral results of 2004 (as well as in 2001) is that for at least a decade before the CFA, there had been almost no major Tamil 'nationalist' political activity (rallies, campaigning, etc) in Sri Lanka. The TNA itself was a recent coalition, having been formed in 2001 and including some parties that until shortly before then had been opponents of the LTTE and even allies of ruling Sinhala parties. Indeed, in the mid nineties, the TULF and the Tamil paramilitary groups were even being promoted, on the basis of their participation in elections, as the 'authentic' Tamil leadership. The question, therefore, is how, despite grumbles about LTTE taxation and fears of recruitment or conscription by the LTTE, an internationally funded

survey of public opinion in 2004 found that even in government-controlled areas, 94% of Tamil respondents endorsed the establishment of a LTTE-run interim administration for the Northeast (Social Indicator 2004:22), and why the TNA (2004:para18.10) could endorse the LTTE as 'authentic sole representatives' of the Tamils and resoundingly win elections in the Northeast. While critics and opponents of the LTTE, not least Sinhala nationalists, have suggested intimidation of the population, vote-rigging and so on, an analysis that focuses on the micro-practices after 2002 provides an alternative explanation, one that centres on the production of Tamil parliamentarians, community organisations and individuals as self-governing subjects of Tamil Freedom.

## **Making up the TNA**

Whilst the TNA was formally established in late 2001, shortly before the December Parliamentary elections at which it won the 15 seats it contested, the dynamics that led up to this began well before then. As noted earlier, in the late nineties many Tamil parties, including the TNA constituent members (except the ACTC), were allied to President Kumaratunga's SLFP-led ruling coalition. As the GoSL, with overt international support, launched its 'War for Peace' to destroy the LTTE, the TULF and Tamil paramilitary groups were promoted by Colombo and accepted by international actors as the 'democratic', and thus 'authentic', leadership of Sri Lanka's Tamils. These parties sided with the GoSL, for example on the monthly votes to renew the draconian Emergency Regulations and endorsed Kumaratunga's 'Devolution Proposals' which were hailed by international actors as radical and ground-breaking, but had been critiqued by other Tamil voices (see for example TIC 1996). However, as the 'War for Peace' became bogged down in the northern battlefield, these dynamics changed. The sufferings of Tamil civilians worsened as the government's embargo on LTTE-controlled areas precipitated acute shortages of food and medicine while abductions, extra-judicial killings, torture and rape of civilians became widespread in GoSL-controlled Tamil areas. Under the Emergency Regulations, thousands of Tamils were mass detained without charge, often for years. Most importantly, the Devolution Package (which had been co-drafted by the TULF)

withered in Parliament, first watered-down under Sinhala opposition (UNP) criticism and finally defeated in a vote. Meanwhile, the LTTE's counter-offensives took back lost territory and captured important Sri Lankan military bases. International frustration with the GoSL's conduct of the war resulted in aid being curtailed and mounting criticism becoming open.

Against this backdrop, some members of the putative Tamil leadership began to change their conduct.<sup>155</sup> Without any coordination, these parties began to first abstain and then vote against the Emergency Regulations. They became openly critical of the Sinhala parties conduct and of the 'War for Peace'. From October 2000, "it was almost like there was an understanding [amongst us] on how to behave, on what to say and do," one party leader said (TNA01 June 10, 2006). "These changes were picked up by the [Tamil] media, all the [Tamil] newspapers. They praised the behaviour of the Tamil parties, sometimes speaking of the '10-party' alliance - though there was no such thing" (ibid, emphasis added).<sup>156</sup> In 2001, six TULF emissaries began informally sounding out rival parties (those with armed wings were not included) on a short-term electoral alliance. The logic was Tamil parties should be united and not undercut each other in securing space for Tamil interests to be articulated. Though the parties could not come together on a specific political formula, they agreed (again) on the Thimpu principles: recognition of the Tamils as a nation, of the Tamil homeland, and the Tamils' right to self-determination. They also agreed that GoSL must "immediately [stop] the war being currently waged in the northeast" and commence negotiations with the LTTE "with international third party involvement" - then being strongly opposed by the government (TNA 2001). Crucially, they also agreed "in order to ensure that the negotiations are properly focussed and are purposeful and successful, no parallel negotiations should take place with any other Tamil political formation" (ibid). They also wanted the ban on the LTTE lifted on the basis that "such proscription does not constitute an impediment to the free and full

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<sup>155</sup> A notable exception was the paramilitary EPDP (Eelam People's Democratic Party), a former militant group whose leadership has consistently backed the SLFP-led governments.

<sup>156</sup> "We had a sense of Tamils having to be united at this juncture – the people were suffering, the war was going badly for the government, the international community was unhappy with it. The climate was changing and we felt the Tamils shouldn't be with the government" (TNA01 June 10, 2006)

participation of the LTTE at such negotiations *on behalf of the Tamil nationality*" (ibid, emphasis added). Shortly before the December 2001 polls, the TNA emerged as an alliance on these bases.

Whatever the individual calculations of the constituent parties in joining the TNA and subscribing to its manifesto, the effect, especially after the coalition's 2001 resounding win, was to constitute as 'real' a particular ordering of the world. The TNA was according the LTTE not only the *right*, but also the *responsibility* for negotiating *on behalf* of the Tamils. The LTTE's armed struggle, moreover, was held to "occupy a pivotal role in the struggle of the Tamil nationality *to win their rights*" while "any attempt to draw a distinction between the LTTE and the Tamil people was meaningless" (TNA 2001, emphasis added). These stances have to be seen, moreover, amidst the parties' full awareness of international sentiments on the 'terrorist' LTTE and on Sri Lanka's ethnic question. Whatever the specific interests of these former GoSL allies in taking up the stances enunciated in the TNA manifesto, those of the Tamil media in reporting and endorsing these and the individual Tamils who voted for the TNA, the result was the Tamils *ended up* uniting behind the LTTE as their 'authentic representatives' vis-à-vis the (Sinhala) state.<sup>157</sup> In other words, the various (self-) interests of various Tamil actors and individuals came together to establish and reinforce a specific interpretive framework of Sri Lanka through which later developments in the Norwegian-led peace process were played out.

Apart from the rights and responsibilities accorded the LTTE, rather than simply being Tamils' representatives in Parliament, the TNA's MPs became ambassadors for the Tamil liberation cause, alongside the LTTE. Indeed, throughout the peace process, the TNA and LTTE leaderships met regularly in Vanni to coordinate their politico-diplomatic activities. These well publicised meetings were followed closely by Tamil media which reported in detail on the positions being jointly

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<sup>157</sup> This point is made amidst the prevalence in Sri Lanka of patron-client networks, politically-active proprietors' control of 'independent' media outlets, and so on (Nadarajah 2005) This is certainly not to question the TNA's electoral successes, the bona fides of its members, the integrity of journalists or the sentiments of ordinary Tamils, but to outline widely recognized practices other than individual and institutional autonomy to which electoral outcomes and media reporting is sometimes attributed.

taken, the successes achieved and difficulties faced by Tamil interests in the Norwegian-led negotiations. Meanwhile, the TNA met regularly with international diplomats in Colombo, undertook briefing tours to other countries and otherwise articulated the Tamils' stances and perspectives. Though critics of the TNA dismissed it as 'proxies' or 'mouthpieces' of the LTTE, such characterisations do not capture the relative positioning of the Tamils, the LTTE and the TNA engendered by the dynamics around the alliance's formation, its stances on various issues and its election victories. In other words, irrespective of the individual interests of politicians and their parties, of individual voters and of the LTTE, the practices and developments outlined above contributed towards rendering 'real' specific *meanings* to the TNA's success, the war, the peace process, the LTTE, the Tamils and the Sri Lankan state.

### **From 'grievances' to 'aspirations'**

In 2002, many Tamils across the island and especially in the Northeast had been badly affected by the war, but in very different ways and to differing degrees. Some were incarcerated without charge in government prisons and detention camps. Over 800,000 were internally displaced – driven from their villages now occupied by the military. Others were in their homes, but unable to fish, farm or earn a livelihood. Some faced the fear and grind of military checkpoints, house searches and so on. Others faced military-backed encroachment by Sinhala colonists on their farms or villages. The meaning attributable to these disparate deprivations is not self-evident. In Liberal Peace terms, for example, these are consequences of 'poor governance' or armed conflict and are thus resolvable through a permanent political solution and demilitarisation, strengthened human rights protection and rule of law, ethnic reconciliation and so on. In Tamil Freedom terms, however, these are all aspects of oppression of the Tamil nation by the chauvinist Sinhala state. How were Tamils, therefore, to come together and resist this oppression as a united nation? How were they to recognize their individual difficulties as inexorably bound up with those of Tamils in other parts of the island and to see the Tamil nation's self-determination as the (only) way for improvement of their conditions and those of their fellow Tamils? The answer

came in two forms. The first was the foregrounding of “the Tamil people’s day to day hardships” in the LTTE’s engagement in the peace process. The second was via a raft of ‘grassroots’ mobilization programs, an example of which in Jaffna came to be termed the ‘Village Awakening Program’.

Article 2 of the CFA deals directly with the hardships faced by the Tamils of the Northeast and, for that matter, the rest of the island. Whilst across Colombo and other parts of the South the UNP government quickly dismantled the feared checkpoints and ended many other security measures, such as cordon-and-search operations, not least in the interests of supporting the revival of the tourist industry and foreign investment, Tamils in the Northeast continued to be confronted by various difficulties, including the HSZs and military restrictions on fishing and farming. Whilst international actors saw these as matters for future negotiations, in Tamil Freedom terms the gamut of issues set out in Article 2 of the CFA constituted obligations imposed on the GoSL by the LTTE on *Tamils*’ behalf.<sup>158</sup> This was reinforced by the LTTE insisting for months on ‘full implementation’ of the CFA before it would undertake face-to-face talks with GoSL, a condition it later relented on (See Chapter 8). Having signed up to the CFA with the LTTE, the GoSL was thus now backtracking, just as past Sinhala governments had done on earlier deals with Tamil leaders. These perspectives were repeatedly articulated in various fora by the LTTE, the TNA, Tamil media, community organizations and others. Even when the LTTE, under international pressure, agreed to direct talks without Article 2 being implemented, it insisted that the hardships of the Tamil people be the focus of the negotiations. What was self-evident, therefore, was that the LTTE was placing the Tamils’ humanitarian difficulties at the centre of the Norwegian-led peace process, both via the internationally-monitored CFA and the negotiations themselves. The LTTE also took up the problem of Tamils being held without charge under the Emergency Regulations: thousands of people were subsequently released - except those few

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<sup>158</sup> Even the opening of the A9 highway, linking GoSL-controlled Jaffna to the north of LTTE-held Vanni to the rest of the island could be seen thus: although the opening served Liberal Peace’s desire for greater interaction and trade between north and south, between Tamils and other communities as well as allowing the UNP to assert to the Sinhala electorate they had ‘unified’ the island once again, Clause 2.10 obliges the GoSL to open the A9, the only land route to the Jaffna peninsula.



the GoSL had actually charged under the PTA (Prevention of Terrorism Act), for example. In effect, therefore, the HSZs, restrictions on fishing and farming, detention without trial, etc became issues that the LTTE took up with the GoSL *on behalf of the Tamil people*. The TNA MPs and sometimes community organisations were also taking up these self-evidently *Tamil* concerns – as opposed to those of ‘Sri Lankan citizens’ - with the GoSL. Thus they were not matters, as Liberal Peace would have it, related to ‘national security’, the exigencies of ‘conflict’ or ‘poor governance’, but of Tamils’ difficulties caused and perpetuated by the Sri Lankan (Sinhala) state’s actions and intransigence. Conversely, the alleviation of the Tamil people’s hardships became mediated primarily by the LTTE’s internationally brokered engagement with the GoSL. Over time, a combination of speech acts – by the LTTE, TNA, the media, etc - and other discursive practices established this understanding as commonsense. This discourse, of course, overlapped with others, such as those on the protracted conflict – state violence, displacement, failed peace efforts, etc – and on ethnic relations since independence – Sinhala Only, discrimination in education, employment and so on. The point here is how Tamil Freedom-framed meanings attributed to such issues contrasted and competed with those by Liberal Peace.

Discourse defines objects, but subjects emerge when people take up and live out the characteristics, capacities and attributes accorded to them. For Tamils to take responsibility for their own liberation, government needed to penetrate social and individual bodies i.e. to incite, induce and seduce appropriate behavior. In the Jaffna peninsula, one program of Tamil Freedom through which this was done was called the Village Reawakening Program.<sup>159</sup> To begin with, there had been almost no political activity in Jaffna or elsewhere in the Northeast, save the sporadic electioneering by Tamil parties. This was attributed to the stultifying effects of over a decade of military occupation – the peninsula’s half million residents are supervised by forty thousand soldiers. Between the Emergency Regulations, the outlawing of advocacy of partition or secession and the ‘public

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<sup>159</sup> ‘Village’ (a literal translation of the Tamil term) here refers to shared understandings of indistinct territorial divisions sometimes encompassing hundreds of families – for example, many of Jaffna town’s suburbs are known as villages.

spectacle' killings of outspoken Tamil figures, Tamils were shunning involvement in politics (TN01 July 17, 2006).

In the absence of established political vehicles, another site of social interaction by which Tamils could be brought together appeared on the terrain of government: the 'Sama Samuka Nilayam' (community house). These socio-cultural, usually avowedly 'non-political', associations are found across the peninsula. In early 2002, Tamil activists – cadres from Tamil political parties, some from the LTTE's political wing, university students and so on – began to meet with community house leaderships. The latter were encouraged to invite prominent Tamil personalities such as MPs, regional LTTE Political officers, university lecturers, etc – depending on the appropriate speaker for the village's context - to address their gathering. Discussions with these invited speakers inevitably turned to the unfolding dramatic developments of ceasefire and peace process. Public awareness about how conditions were rapidly improving in Colombo and the South was high, meanwhile, not least because of the local media. Community house members would invariably, with a little encouragement, raise their continuing day-to-day difficulties. The speakers would then urge the community house to work out their specific priorities and to invite them back once they had done so. "You can be sure one of two things will top their list," one TNA MP said. "Either a livelihood restriction or something to do with the military" (TNA02 June 10, 2006). Each village had different priorities; for some it was the inability to fish or farm, for others a vital access road blocked by a military camp, for others still fears for their children passing the local military/paramilitary checkpoint and so on. On a return visit, usually several weeks later, the speaker would take note of the local grievances and promise to have it taken up with the GoSL or military, usually through the local MP. On the rare occasion the Sri Lankan authorities' response was positive, new grievances would follow. However, "almost certainly, the GoSL or the Army will either refuse outright or prevaricate," the TNA MP said. "We return and spell out the official response: a refusal or impossible conditions to be met by the residents first." The villages are then asked if they want to take matters to the next level: asking the LTTE to take it up with the GoSL as part of the negotiations. Through these interactions and reports in the media, villagers also became aware that

Tamils in other parts of the Northeast were facing similar difficulties, whilst Sinhala areas were doing well: “the understanding that emerged over time is that the Sri Lankan state is only concerned with the Sinhalese and doesn’t give a damn about the Tamils” (TNA01 June 10, 2006).

### **An act towards liberation**

In this context, the LTTE’s manifest and well-publicized efforts to place humanitarian issues on the negotiation agenda, even whilst unsuccessful in themselves (see Chapters 6, 8), served to underline the ‘reality’ of the Tamils’ grievances being of no consequence to a Sinhala-dominated state, now rapidly receiving substantial international funds for development and reconstruction/rehabilitation. Subsequently, the LTTE’s argument that if Tamils’ hardships are to be genuinely addressed, an interim administration with a dominant role for the LTTE must be established for the Northeast, came to serve as a plausible way forward for hundreds of thousands of Tamils facing a myriad of practical problems in their day-to-day lives. It is in this way that the interests of individual Tamils across the Northeast eventually came to be bound up with the pursuit of the Tamil nation’s self-rule. This is certainly not to suggest cynical manipulation of villagers by the LTTE or the TNA: in its controlled areas, for example, the LTTE’s civil administration arms strove to improve humanitarian conditions, inducting, as discussed below, Diaspora funding and expertise, efforts that came indisputably to the fore in the wake of the December 2004 tsunami. Rather it is to suggest that the different hardships being endured by Tamils in different locations and different circumstances come, through such discursive practices, to be presented and interpreted as the hardships collectively being faced by the Tamil nation on account of Sinhala state oppression.

It was amid such rising awareness and frustration that the Ponghu Tamil rallies began from mid-2003.<sup>160</sup> Held in each district of the Northeast, they brought

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<sup>160</sup> Whilst not discussed here, a massive grassroots campaign under the ‘Ponghu Tamil’ banner, mirroring the ‘participatory’ logic of ‘Village Awakening Program’ had resulted in village-level dramas and other cultural events, well before mass rallies began to take place. Street performances which gathering observers were invited to join in, embodying the logics of state- and military-

together local Tamil grievances with wider Tamil aspirations – self-rule in the homeland and self-determination. Moreover, whilst Tamils in each district came together at one location, the placing of each event in a pre-scheduled and publicized chain of rallies across the Northeast brought the participants together with Tamils in other parts of the *homeland* in a collective act of protest and self-affirmation as a political category: the Tamil nation. The unifying symbolism was strengthened when Ponghu Thamil rallies were also staged in the main Diaspora centers of North America, Europe and Australia and widely reported in local Tamil media. With the outraged Sinhala press denouncing the rallies as ‘LTTE events’ and the sullen security forces imposing petty obstructions (such as security checks or complaints to the SLMM about the raising of the ‘Tamil Eelam’ flag), participating in the rallies in itself became an act of resistance to Sinhala rule – as opposed, for example, to the exercise of freedom of association or legitimate politics within a pluralist Sri Lanka.

When the power struggle between President Kumaratunga and Premier Wickremesinghe’s government precipitated fresh elections in April 2004, a concerted campaign was mounted by Tamil actors to secure for the TNA as many Parliamentary seats as possible out of the thirty-odd allocated to the Northeast (out of 225). However, the objective of this electoral effort was not securing the ‘king-maker’ status (sought by Muslim and Upcountry parties especially), whereby the victorious Sinhala party, with too few seats to form a government, seeks out minority allies through offers of ministerial portfolios and other concessions so as to stitch together a coalition that could rule. Rather, the stated objective of the Tamil mobilization was to send a message of Tamil unity to the international community. As the TNA’s manifesto (2004) put it, “[we] have decided to make use of the opportunity presented by this election to bring forcefully to the attention of the world, and Sri Lanka in particular, our resolve for self-determination” (insert added). Apart from the constituent parties of the TNA, the LTTE’s Political Wing, student unions, and other associations campaigned

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oppression, Tamils’ day-to-day difficulties and so on, were staged in hundreds of places across the Tamil areas of the Northeast.

across the Northeast for the TNA. As one regional head of the LTTE's Political Wing declared at a TNA rally:

“[This] election is a unique opportunity for the Tamil speaking people to express their political aspirations. The international community wants to see if we are united in our cause. It is the *responsibility* of every Tamil person to show the world we are united”  
(TamilNet 2004g, insert, emphasis added).

The TNA's (2004) manifesto endorsed the LTTE's proposals for an Interim Self-Governing Authority (ISGA), enunciated the Tamil people's historic post-independence grievances against the Sinhala-dominated state, and enumerated the humanitarian hardships being endured by the Tamils of the Northeast. Prevailing day-to-day hardships and historical grievances thus coalesced into long-standing state oppression. The individual Tamil voter was asked, even as she struggled with her specific day-to-day difficulties, to take responsibility for her part in *liberating the Tamil nation*. The act of voting was thus not one of participating in Sri Lankan democracy and governance, but a blow for national liberation and of an act of petitioning the international community. As R. Sampanthan, veteran politician and TNA leader, told a rally days before voters delivered a landslide 22 seats for the alliance,

“Tamils should not think that they send their representatives to Parliament to fulfill their needs. *This time it is not so*. The people should bear in mind this time TNA MPs have a historic role to play in pressurizing the Colombo government and to canvass support of the international community jointly with the LTTE to convert the ISGA proposal into reality”  
(TamilNet 2004c, emphasis added).

Later that year, an internationally administered survey conducted by Social Indicator (2004:22) found that, in addition to 94% of Tamils wanting the establishment of the ISGA, 95% supported the dismantling of military High Security Zones and 96% wanted the making permanent of the temporary merger,

enacted under the 1987 Indo-Sri Lanka Accord, of the Northern and Eastern provinces - which comprise the Tamil homeland.

### **National self-reliance**

Among the key problems Tamil Freedom saw in 2002 was the devastation of the infrastructure and economy in the Tamil homeland, a problem that acquired specific meaning in terms of the glaring and widening gap between the respective existential conditions of the Tamils, as a whole, in the Northeast and the Sinhalese in the South. With international aid inflows held to be benefiting the latter and this massive assistance being augmented by investment inflows and rising tourist numbers, the impasse in securing international assistance for the Northeast, especially the LTTE-controlled Vanni - where there was no GoSL presence save schools and hospitals (Stokke 2006), framed a range of activities which sought to bring the Tamil Diaspora's financial, intellectual and professional support to bear on reconstructing the Tamil homeland and addressing the humanitarian crisis there. The scale of the crisis meant that the support extended by Tamil expatriates, as established in the hostlands as they were by then, would be nowhere near enough. Nonetheless, a myriad of projects emerged which linked Tamil expatriates and community organisations with the people of the Northeast, especially LTTE-controlled Vanni. From early 2002 onwards, thousands of expatriates – engineers, doctors, teachers, and other skilled workers - travelled from Diaspora centres to Vanni to support rehabilitation and developmental efforts. Although the visits were initially coordinated (in terms of establishing contacts with the Tamil Eelam civil administration, for example) by activist groups in the Diaspora with contacts to the LTTE, such exchanges soon became institutionalised and routine, with many expatriates simply arriving at the LTTE-GoSL 'border' posts of Omanthai or Muhamalai seeking opportunities to start or join a project. Whilst some Diaspora activists went to do more for 'the struggle', in the main the Tamils who travelled to Vanni and volunteered their services and funding for all manner of local projects were 'ordinary' people, ranging from second generation youth to former refugees and émigrés, seeking to help fellow Tamils. Some took sabbaticals from their jobs, a handful quit to continue their

humanitarian or development roles. The December 2004 tsunami in particular triggered a flood of such activity, with many expatriates, especially youth, simply showing up to do whatever they could to help.

From 2002 onwards, till the war resumed in 2006, expatriate donors, both individuals and organisations, sought out institutions and projects to support in Vanni and parts of GoSL-controlled Jaffna - including orphanages, health centres, displaced camps, and so on, while volunteers arrived to provide physical assistance and impart skills and training. In various Diaspora locations, investment vehicles emerged to collect funding for housing and other community projects in Vanni and Jaffna. Past pupils associations, temple associations and village societies in the Diaspora raised funds and conducted projects for their respective concerns in the Northeast. The Tamil Rehabilitation Organisation (TRO), the largest Tamil aid agency, expanded rapidly into a major institution for both rehabilitation and developmental work in the Northeast, fielding over ten thousand staff, mainly volunteers. The TRO also rapidly became the apex coordinating body for a range of humanitarian efforts in Vanni by the Diaspora and INGOs. The overarching direction of rehabilitation and developmental activity in Vanni was carried out by the LTTE through the welfare institutions of the Tamil Eelam administration. Whilst the Diaspora activity that brought expatriate funding, labour, skills, expertise and networks to bear on Vanni can be seen in Liberal Peace terms as one of Tamil 'nationalist' mobilisation or, in less pejorative terms, as needs driven rehabilitation or development, what is notable here is the participatory logic that emerged and became commonsensical in the wake of inflows of Diaspora contributions: that of Tamils returning to 'do something' for 'our people' and 'our (home)land'. What is crucial here is how the myriad supposedly technocratic, *apolitical* activities of Tamil humanitarian and developmental assistance, including providing funding and imparting technical skills and even the establishing of local institutions, came collectively to render real a quintessentially *political* project: uniting the Tamil nation and building the Tamil Eelam state.

Even within the technocratic framework of assisting disadvantaged Tamils 'at home', there were nuances. If it was simply a question of rehabilitation and

development of Vanni, there were many other possibilities besides the Diaspora. The lack of funding could have been – and, to a limited extent, was – partially met by the LTTE allowing international NGOs untrammelled access to Vanni. In actuality, the Tamil Eelam administration carefully regulated NGO activity in terms of locations, personnel and the content of projects undertaken. The acute shortage in skills – civil engineers, masons, carpenters, and so on – could have been met faster by inducting Sinhalese from the south (or workers from neighbouring states, including India). Indeed, there was considerable international pressure, under the rubric of ‘inter-ethnic interaction’, on the LTTE and important Tamil NGOs to do precisely this (INT07, June 4, 2006). However, the emergent logic of rehabilitation and development in the Tamil homeland was not ‘efficiency’ or ‘peace-building’ but rather ‘national self-sufficiency’ and ‘Tamil unity’. In other words, not only did it become increasingly commonsensical amongst Tamils that those in the Diaspora should help those in the homeland, but that *Tamils*, not Sinhalese or internationals, were most *responsible* for this role. Moreover, uplifting the homeland was not only a question of repairing or constructing buildings and sinking wells, but also of transferring the ‘capacity’ for self-development to local Tamils, a logic reflected most in the proliferation in Vanni of training centres for a variety of skills.

It was the manifest humanitarian situation in Vanni and the particular narrative that surrounded its continuation i.e. Sri Lankan state discrimination and international complicity, which served to bring Diaspora and local Tamils together under the rubric of helping ‘our people’. This is not to say necessarily that all Tamils sympathised with those affected in Vanni, supported the LTTE or even cared for ‘politics’ - indeed many Tamil ‘cultural’ organisations in the Diaspora are self-avowedly ‘apolitical’, often asserting so in their literature and statements. Nonetheless, the self-evident humanitarian crisis in Vanni, combined with the manifest lack of progress in the LTTE-GoSL talks to secure international aid or get rehabilitation efforts underway in Vanni, created an overarching context in which claiming a Tamil identity meant having to ‘do something’ in this particular regard. The point here is that when the disparate interests of various Tamils, from the altruistic to the publicity-seeking, came to be pursued through rehabilitation activities in Vanni and other parts of the Northeast, the ‘reality’



emerged of Tamils striving to alleviate the humanitarian crisis being endured by *their* people in their homeland while international donors assisted the Sri Lankan state and the Sinhalese.

### 7.3 Macro-ambitions and micro-practices

This chapter considered some of the micro-practices of government in relation to Liberal Peace and Tamil Freedom respectively. It has looked at, in particular, how government, rather than operating on an *a priori* world with natural divisions, instead cuts experience in specific ways and thus brings “new facets and forces, new intensities and relations” *into being*. It also looked at how, governing ‘at a distance’ – in both constitutional and spatial senses - takes place when the ‘macro’ ambitions of governors come to be pursued by others acting in their micro-locales and in the service of their *own* interests and objectives. Individual Tamils were mobilised through diffuse networks of governance as members of a persecuted Tamil nation, on one hand, and as citizens of a pluralistic and multi-ethnic society on the other. Tamil Freedom was pursued by Tamil politicians seeking re-election and village community houses seeking to address the daily hardships of their members. Liberal Peace was pursued through localised developmental projects and civil society actors who emerged to bid for international peacebuilding funds. As noted earlier, government does not take place through some ‘top-down’ logic or imposed rationality, but through the forging of alliances between the aims of governors and the particular ambitions and self-interested projects of those who are subjects of government. Networks of government do not rest on the goals of government being consciously shared by those who participate in government, but on how subjects of government come to construe their specific problems in allied ways.

Moreover, as government assumes that there is no superior alternative to the ordering it envisages, a concomitant supposition is that the consent of those being governed is not needed (Merlingen 2003:376). Inherent to government, therefore, is what Merlingen (2006:192) terms as “restricting the range of acceptable limits of heterogeneity out of which [people] can fashion their lives.” This can be both

‘good’ and ‘bad’. Producing the Tamil nation effaces differences and attendant hierarchies – such as those based on caste, gender, region, religion and so on – but precludes certain forms of socio-political interaction. The equality of individuals inherent to a plural, multi-ethnic citizenry also denies historic claims to territory (Tamils, Scots, Kurds, etc) - unless these are acceptable to (the majority) of other citizens. Thus, it is in the *process* of ‘recasting’ reality that the intolerance of governance emerges. For example, Liberal Peace discounts local articulations save those that reinforce its own vision; so those Sri Lankans seeking ‘ethnic harmony’, ‘unity in diversity’, etc are to be encouraged, ‘empowered’ and celebrated while other views - ‘spoilers’ or ‘extremists’ - are to be ignored, excluded or marginalized. Similarly Tamil Freedom discounts articulations that reject the principles of Tamil nationhood, homeland and self-determination - ‘selfish opportunists’ or ‘tools of majoritarian Sinhala forces’ (TNA manifesto 2004). Categorisations of governance, meanwhile, emerge through the goals of governance themselves: the liberal democratic citizen versus the ethno nationalist or the Tamil patriot versus the traitor, for example.

## 8. Making up the LTTE

To govern is to “structure the possible field of action of others” (Foucault 2002c:340) i.e. to so arrange things that actors, following only their own perceived self-interest, will do as they ought (Scott 1995:202). Efforts to act upon others by getting them to act ‘in their own interest’ are thus intimately connected to the production of appropriate self-governing subjects. This chapter considers how seemingly straightforward international practices such as third party led peace processes serve to constitute objects and subjects of global liberal governmentality. It is argued here that the production of the LTTE as a particular kind of subject, one dangerously located on the fringes of political legitimacy, enabled the conduct of the organisation’s conduct in the service of liberal peace by harnessing its desires and shaping its choices. In other words, international discursive practices regarding Sri Lanka’s conflict positioned the LTTE in specific ways, thereby inducing, seducing and inciting specific behaviours from it. International discourse produced the LTTE by defining the characteristics, capacities and desires of the organization, and thereby making it ‘knowable’ to others *and itself*. In short, the LTTE’s conduct within the peace process, and in particular the negotiation process, was conditioned by its need to demonstrate that it is not a violent and chauvinist entity fanatically committed to an independent state. The LTTE did not reject the liberal peace values promoted by the international community, but instead sought to demonstrate that its political project, Tamil liberation, and its practices were not incompatible with these. The rationalities of Liberal Peace and Tamil Freedom thus came to clash in the Norwegian-led peace process in terms of the appropriate conduct for the LTTE.

This chapter examines how the LTTE, despite describing itself as the ‘vanguard of the Tamil liberation movement’, came in the course of the Norwegian-led talks to contribute to the international effort to establish a federal solution to Sri Lanka’s conflict, assert the importance of ‘inter-ethnic reconciliation’, give ‘human rights’ – as opposed to ‘Tamil national rights’, such as self-determination – primacy in the negotiations and, jointly with the GoSL, seek international assistance to rebuild Sri Lanka’s economy which the movement had hitherto

sought, with considerable success, to wreck.<sup>161</sup> Prior to 2001, international discourse largely held that the LTTE had to be militarily confronted and weakened, if not destroyed, to ensure the possibility of liberal governmental progress in Sri Lanka. However, the discursive practices comprising the Norwegian-led peace process repositioned the LTTE as still a terrorist organisation but, crucially, one imbricated in 'legitimate' Tamil grievances and, therefore, as a potentially *transformable* entity.<sup>162</sup> Thus, in contrast to the regulatory framework of the 'Global War on Terror' which defined the LTTE as an object of liberal governmentality whose behaviour had to be violently altered, the Norwegian-led peace process placed the LTTE in a transformative framework of international engagement, constituting it as a subject through - as well as on - which liberal governmentality could operate.<sup>163</sup>

It is argued here that, firstly, the international peace intervention in Sri Lanka thus served as a disciplinary framework by which specific behaviours were elicited and compelled from the LTTE,<sup>164</sup> and, secondly, that the LTTE had already been produced as the kind of subject on which such a framework could have purchase: provided the LTTE took up its (liberal governmental) responsibilities, it came to be entitled to certain rights - including a legitimate, even key, role in shaping Sri Lanka's future. In other words, provided the LTTE played its part in ending the armed conflict and the construction of a united, federal, multi-ethnic Sri Lanka, it

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<sup>161</sup> Even the LTTE's insistence that the Northeast humanitarian crisis must be addressed before talks on a permanent solution came to be reframed in the neo-liberal language of the need to 'give the people a peace dividend' and the urgency of the 'economic recovery of the suffering population' (Balasingham 2002a) - language which echoes the 'under-development sustaining conflict' logic of Liberal Peace.

<sup>162</sup> Since the collapse of the peace process in 2006, the LTTE has again become an object of international regulation, with the Sri Lankan state being urged to fight the terrorism of the *Tigers* whilst coming up with a political solution for the *Tamils*. The UK's Peace Building Strategy, for example, encourages the "weakening and marginalizing [of] the LTTE, thereby *making it more likely to come to the negotiating table*" as part of "supporting conditions necessary for sustainable peace in Sri Lanka" (UK Government 2007:3,6, emphasis added).

<sup>163</sup> See, for example, the brief outline in Burke and Mulakala (2005:16-17) on 'constructive engagements' and 'strategic partnerships' with LTTE by World Bank, ADB, bilateral donors UNICEF to solicit, compel and induce appropriate behaviours from the organization regarding 'effective implementation' of development projects, 'underage recruits', 'reform on fundamental human rights issues', 'political transformation' 'power-sharing and federalism', etc.

<sup>164</sup> The GoSL was of course also placed in an international disciplinary matrix, albeit one involving different sanctions and incentives and aimed at producing different kinds of responsible behaviour by the state.

would become accepted internationally.<sup>165</sup> Crucially, it was by this reconceptualization of the LTTE as a legitimate and key - as opposed to a problematic and marginal - actor in reshaping Sri Lanka's socio-political makeup that Liberal Peace came to operate through, as well as on, the organisation. Thus, from simply a dangerous object of international regulation based on ('social scientific') knowledge about internal conflict and terrorism, the LTTE came to be (re)defined in the internationally managed peace process as a subject with rights and responsibilities i.e. as 'transformable terrorists'. This is not to say there was a radical discontinuity between the earlier 'counter-terror' and the new 'negotiated peace' frameworks; the apparatus through which international support was extended to Sri Lankan military action against the LTTE up to 2001 (proscriptions and associated crackdowns on Diaspora activities, intelligence sharing, anti-smuggling operations, etc) was an integral, and sometimes explicitly threatened, part of the internationally-backed peace process. Rather, it is to say that, unlike the counter-terror regime, the international peace intervention sought to co-opt the LTTE and to harness its capacities and interests in the service of liberal peace. As such, while the global anti-terrorism regime was intended to compel the LTTE to "renounce terrorism in word and deed" (US Department of State, undated)<sup>166</sup> the peace initiative was the space and process by which it could do so.

## 8.1 An onus to convince

Condemning the LTTE as an 'essentially military entity,' the then US Ambassador to Sri Lanka, Ashley Wills, asked in April 2001: "can the LTTE be

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<sup>165</sup> It is worth noting how the LTTE and its armed struggle served the international project of transforming the Sri Lankan *state*; only in the context of resolving the conflict - i.e. meeting the LTTE demands (albeit by compromise) - could the constitutional rewrite that would turn the centralized, unitary state into a devolved or federal one be brought about. It was through the peace process that the GoSL came, for example, to accept federalism as a powersharing solution to the conflict, sign up to an internationally sponsored and drafted 'Human Rights Charter' and accept international oversight (through the SLMM) of its military's conduct.

<sup>166</sup> As the US Department of State says, among the expected effects of the Foreign Terrorist Organization (FTO) designation imposed on the LTTE in 1997 are that it: "*stigmatizes and isolates* designated terrorist organizations internationally; *deters* donations or contributions to and economic transactions with named organizations; *heightens public awareness and knowledge* of terrorist organizations; *signals to other governments* our concern about named organizations." (undated, emphases added).

transformed into a democratic, political, non-violent organization?” This instance of a common international ‘speech act’ at a stroke both conceals and dismisses the relevance of the LTTE’s (undated) elaborate political programme and, especially, its governance of territory in which hundreds of thousands of Tamil people were resident (see discussion in Stokke 2006). Posed two months after the UK also banned the LTTE as a terrorist organisation (the US banned the LTTE in 1997) and six months before 9/11 triggered the heightened program of violent international regulation which came to be termed the ‘Global War on Terror’, Ambassador Wills’ question also explicitly outlined what was now considered the only internationally acceptable form of conduct for armed organisations fighting for political causes. Importantly, the Norwegian-led peace process in Sri Lanka coincided with the unfolding of the Global War on Terror. However, whilst the LTTE was placed on the same lists of international outcasts as al-Qaeda, and thus subject to the same censures, states such as the US and UK also repeatedly made clear that there was a distinction between the two: while the inveterate al-Qaeda had to be found and destroyed, the LTTE, which was unavoidably intertwined with ‘genuine’ Tamil ‘grievances’, *might* be engaged with politically. However, at the same, by their frequent condemnation of the LTTE and emphatic pledges of solidarity with Sri Lanka’s ‘own fight against terrorism’ the international community also made clear that this difference should not be overstated or taken for granted: the LTTE could not consider itself outside the ‘War on Terror’ but was, for the moment, not beyond the pale.<sup>167</sup>

The LTTE thus entered the Norwegian-led peace process from a relatively strong military position but with dangerously weak international credentials.<sup>168</sup> It was perceived and also portrayed by international actors as a ruthless and intransigent terrorist group irrationally wedded to an independent Tamil Eelam and, moreover, as one which was probably cynically seizing on the Norwegian initiative for tactical reasons other than genuinely seeking peace (see Chapter 5). What is

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<sup>167</sup> This changed in 2006, with the EU and Canada imposing terrorist proscriptions of the LTTE months before Sri Lanka’s military began all out offensive operations.

<sup>168</sup> As US Ambassador Wills (2001) put it, “one of the facts we must face is that although we regard the LTTE as a terrorist organisation and do not believe it is the sole representative of the Tamil people, we accept that the leaders of the Tigers will be involved in the negotiations. This is because of the LTTE’s military standing.”

important here is not whether these claims are true or not, but that this characterisation was reflected and embedded in, and therefore reinforced by, statements and actions by key international actors. What is also important is that international actors suggested, as did Mr. Wills' question about the possibility of the LTTE's transformation, that this perception of the LTTE could yet be changed by the organisation's behaviour. As US Deputy Secretary of State Armitage put it,

"If the LTTE can move beyond the terror tactics of the past and *make a convincing case through its conduct and its actual actions* that it is committed to a political solution and to peace, the United States will certainly consider removing the LTTE from the [terrorist] list" (2003a, emphasis, insert added).

The LTTE's route to redemption was not only renouncing violence ('terrorism'), but also a specific 'moderation' of its *politics*: as the US embassy's transcript of Mr. Wills' speech in Jaffna stated,

"If anyone in this audience has contact with the LTTE, please convey two messages from the US government: (A) if the LTTE is still fighting for Tamil Eelam, please accept that goal cannot be achieved; and (B) if the LTTE really cares about the Tamil people and about assuring their rights, giving up violence and negotiating are the way to go" (2001, inserts original).

Speaking at a time when the LTTE was observing a unilateral, unreciprocated ceasefire, Mr. Wills also promised:

"If the LTTE can [transform], those who have seen it at its ugliest and those who are opposed to its tactics, including the United States, are *obligated to reconsider* how they consider the LTTE. Certainly, we can, even today, acknowledge there are encouraging indications in the LTTE's recent conduct" (Ibid, emphasis, insert added).

The assertion, therefore, was that the international community's hostility towards the LTTE was a direct result of the organisation's actions and policies, and *not* of any essential or interest-driven enmity. The buttressing elements of this argument are that the international community is fair-minded and merely seeking peace in Sri Lanka (see, for example, Armitage 2003a). While it may have a misperception of the LTTE's 'essential' brutishness and other faults, the international community is also *open to persuasion* otherwise. This, however, can only be effected by the LTTE itself taking specific steps - renouncing armed struggle, committing to negotiations, being flexible on independence, and so on i.e. adopting behaviours sought after by Liberal Peace.

This logic also turns, crucially, on another important axiom of the international thinking about Sri Lanka's conflict: that whatever its motives for participating in the peace process, the LTTE was also desperately keen to acquire international legitimacy – i.e. to be accepted by the international community as a credible political actor representing Tamil political aspirations and interests (Goodhand et al 2005:9).<sup>169</sup> This overlapped neatly with important problematizations of Tamil Freedom: a need to acquire international recognition of Sri Lankan state oppression and the need for the liberation of the Tamils from Sinhala domination. The LTTE's position in both rationalities thus overlapped on the notion of international legitimacy (i.e. acceptance). In other words, the LTTE recognised itself as both a representative of the Tamil liberation struggle *and* an international pariah. As LTTE Chief Negotiator Anton Balasingham told a press conference in September 2002, after the first round of talks with GoSL:

“we have already got a massive permanent  
administrative structure in areas under our control ...  
What we are seeking [in these talks] is legitimacy –  
international legitimacy for [an] administrative

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<sup>169</sup> As US Ambassador Wills (2003) put it, “The Tigers want to be treated respectfully and seriously. My government understands that. But as our Deputy Secretary of State, Richard Armitage, said recently, we can see a legitimate political role for the LTTE provided it renounces terrorism and violence.” HRW (2007b), urging GoSL to accept international human rights monitoring in Sri Lanka, said the LTTE would not resist: “the LTTE constantly seeks acceptance from the international community and it would only look bad if it objected to international monitors.”



structure [for the Northeast] where we can co-ordinate and work with the government of Sri Lanka, as well as to seek *some recognition from the international community*” (2002b, inserts, emphasis added).

What is important here is not only how the LTTE was positioned, but how its consequent *self-recognition* as an international outcast led to it taking up specific behaviours in keeping with the goals of Liberal Peace. Firstly, as discussed in Chapter 6, this self-recognition led directly to the LTTE’s insistence on international involvement in the resolution of the Sri Lankan conflict, including as third party facilitators and ceasefire monitors. In other words, the LTTE sought to subject itself to greater international scrutiny so as to demonstrate its bona fides, prove its sincerity and convince the world. It was the LTTE which began to insist in the late nineties that there must be third party involvement in any future negotiation process.<sup>170</sup> By doing so, the LTTE accepted, even demanded, that its conduct at the negotiating table should, this time around, be witnessed by the international community. Moreover, the induction of international – i.e. ‘independent’ – ceasefire monitors to supervise adherence to the CFA was driven by the LTTE’s calculation that its conduct off the table should also be transparent to international scrutiny, rather than projected by the Sri Lankan government, for example. If from an international perspective the Norwegian brokered peace initiative was the space in which the LTTE could transform itself, from the LTTE’s perspective, the peace process was an important opportunity to change international perceptions about its character.

Secondly, to this end, the LTTE recognised there were specific constraints on its conduct in the Norwegian-led talks: having sought and obtained an opportunity to demonstrate its sincerity towards a negotiated peace, the LTTE now had to do so. This entailed specific behaviours at the table, including making compromises, remaining engaged in talks despite GoSL provocations, being prepared to accept a solution short of independence and so on. In other words, amid international

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<sup>170</sup> The SLFP-led Sri Lankan government of 1995-2001 repeatedly rejected the notion of such international intervention, arguing the state’s sovereignty (Burke and Mulakala 2005:15-16).

assertions that the LTTE has a proclivity for violence and is awaiting an opportunity to resume the war, there was an onus on the LTTE, for the purposes of demonstrating its bona fides alone, to do exactly the reverse i.e. to remain at the table even amid lack of progress on issues it deemed important or external developments such as provocations by the Sri Lankan military. At the same time, however, as the representative of the Tamil people at the table, it also needed to pursue their goal of self-rule and autonomy from Sinhala domination. Therefore the LTTE was keen to demonstrate, if not its affinity with the political values espoused by the international community – such as ‘human rights’, ‘pluralism’, ‘democracy’ and ‘inclusivity’ - then at least its potential for ‘reform’ in these terms. The point here is that the LTTE did not reject these as *unreasonable* international expectations of it. The LTTE’s conduct in the negotiations and the wider peace process was thus heavily oriented towards challenging its international characterisation as a ethno-nationalist terrorist group and ‘demonstrating’ its ability and suitability to govern the Northeast.

In summary, therefore, the LTTE entered the Norwegian-led peace process already constituted as the kind of subject required by the international peace initiative in Sri Lanka: a politico-military entity, acutely conscious of its lack of international legitimacy, eager to gain it and well aware of its specific shortcomings in terms of the international community’s values i.e. liberal peace. In other words, the LTTE *understood* it was seen as an extremist and violent terrorist group that nevertheless had (or ‘was being given’) a chance to prove its critics wrong. The LTTE also recognized that it was situated in an international regime of sanctions and incentives that the organisation accepted it could not avoid if it was to advance its political goals. As Mr. Balasingham told reporters after the first round of talks, “we are confident [that] if the peace process succeeds ... in the process other countries will be compelled to review their stand, and *if they are convinced* that the peace process is going to succeed they might consider de-proscribing the LTTE” (2002b, emphasis, insert added).

What is also important here is that by making international legitimacy and acceptance an important strategic objective even before it entered the peace process, the LTTE had already ruled out the possibility of taking a firm stand on

its long-standing goal of Tamil independence and it had withdrawn a key bargaining chip, the threat of resuming hostilities. The LTTE's field of possibilities had thus begun to be defined even from the outset. Indeed, the LTTE's willingness, even eagerness, to participate in an internationally managed peace process is itself indicative of how it was already becoming a subject of Liberal Peace. The point was graphically underlined after the second round of talks, when Mr. Balasingham felt compelled to stress to the assembled press: "the ultimate aim of the LTTE is finally to enter into the democratic, political mainstream. *That is the objective of the peace process itself.* You shouldn't have any doubts about it" (2002c, emphasis added). The point here is not whether the LTTE meant or believed this or not, but that it understood that adopting such positions was the appropriate conduct for an armed organisation seeking international acceptance.

## 8.2 Discipline and diplomacy

The 2002-2003 Norwegian-led negotiation process in Sri Lanka constituted, as noted above, a disciplinary framework in which the LTTE's conduct could be monitored and supervised and the armed movement trained in the ways of liberal peace. Like any other disciplinary framework, the international peace process was made up specific penalties, rewards, measurements of progress and judges to ascertain adherence to such progress. To begin with, as discussed above, the LTTE entered the peace process well aware of the characteristics attributed to it that made it internationally unacceptable: predisposed to violence, intransigent, yet with an undeniable place in discussions on Tamils' 'grievances'. Amongst the behaviours the LTTE therefore recognised as expected of it were eschewing further violence, being flexible at the table (especially on independence), and accepting liberal norms (human, gender and child rights, pluralism, the rule of law, etc). These, in turn, brought pressure on its ability to pursue the goals of Tamil liberation – for example, to reject international demands that pro-government Tamil groups have a legitimate role in the peace process. At a minimum, the LTTE had to demonstrate a commitment to a negotiated peace, which in international terms included remaining engaged in talks under any

circumstances. The penalties for not conforming to such appropriate behaviour were also clear and, in any case, were often reiterated (privately) by the Norwegian diplomats and sometimes (publicly) by key international figures, such as senior Western officials. These included greater international isolation and punitive steps such as further proscriptions of the LTTE, crackdowns in countries that had already banned it and possible prosecutions of LTTE leaders for war crimes. At the same time, there were incentives and rewards: greater international legitimacy i.e. acceptance of the Tamil cause and (thus) the LTTE as the Tamils' political representatives.<sup>171</sup>

However, notions of 'flexibility', 'commitment to peace' and so on are not self-evident or objective measures, but subjective value judgements. Crucially, for the LTTE, these judgements were the preserve of international actors, especially the Norwegian facilitators. Having insisted that negotiations must be conditional on third party involvement and concurred with the GoSL that Norway was an appropriately neutral choice for the role, the LTTE was now reliant on Oslo to deliver an 'accurate' account of its conduct in the negotiations to the wider international community, especially Washington, London, Brussels and Delhi. This is not to say the LTTE genuinely considered Oslo a 'neutral' player, or that the Norwegians were 'not', but rather that having insisted on a third party and accepted Norway's good offices (in the interests of securing international legitimacy for itself and the Tamil cause), the LTTE's own actions served to reinforce the self-characterisation of the international intervention and the Norwegian role: as genuine, in the interests of 'peace' and impartial.<sup>172</sup> Rather than merely providing diplomatic 'good offices', the Norwegian government thus became a character referee for the LTTE.<sup>173</sup> It was the judge at the centre of the

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<sup>171</sup> In practice this would entail the LTTE's involvement alongside the GoSL in the political and governance-related activities of the Northeast such as reconstruction/rehabilitation, constitutional restructuring and so on.

<sup>172</sup> Indeed, some of the formal statements produced by Norwegian facilitators on behalf of the parties at the conclusion of each round of talks, had the GoSL and LTTE jointly "expressing gratitude for the extensive goodwill of the international community" (RNG 2002c) or welcoming the "strong political and financial support of the international community" (RNG 2003a).

<sup>173</sup> The statements issued by Norway after each round of LTTE-GoSL talks reflected this supervisory role with the published summary of each round's proceedings beginning invariably with a report card-style comment on how the parties had participated: after the second round, for example, "the parties demonstrated a positive, pragmatic and conciliatory approach" while at the

disciplinary framework: Norwegian opinion, for example, was cited by EU and Norwegian officials (NW01 August 16, 2006, INT06 August 17, 2006) as crucial in first staying – and then allowing – the EU’s ban on the LTTE. Thus, from the outset, despite frustration and suspicion over many of the facilitators’ actions in the talks (LT01, LT02, LT03 February 24, 2006), in public, the LTTE regularly hailed Norway’s “neutral and objective” approach to the third party role; it was only in late 2006, long after the war had resumed, that the LTTE explicitly included Norway in its criticism of the international community’s bias towards the Sri Lankan state (Pirapaharan 2006).<sup>174</sup>

This authoritative position of character referee for the LTTE allowed Norway to take a muscular approach to facilitating; as LTTE negotiators put it, the Norwegian diplomats “took charge” and “dominated the talks” while “key proposals on the issues under discussion came mainly from them” (LT01 March 12, 2006, LT02 October 30, 2006, LT03 May 10, 2006). As noted in Chapter 5, Norway took an unabashedly pro-active approach, shaping the agenda of the negotiations, unilaterally inducting external actors like the Forum of Federations, ‘human rights expert’ Ian Martin and UNICEF, and setting the agenda and pace of the negotiations. The facilitators insisted their actions were always “subject to the approval of the parties” and that they “wanted the parties to take as much ownership [of the process] as possible” (NW01 June 1, 2006, insert added). However, as discussed here, amid the severe constraints on the ability of the LTTE certainly - and, for that matter, the aid-hungry GoSL - to resist Oslo’s

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third round the parties discussed in a “frank, open and constructive manner,” in the fourth round it was in a “frank and constructive atmosphere” and in the fifth round the parties focussed “on complex issues in a spirit of cooperation and conciliation” (RNG 2002d, 2002e, 2003a, 2003b).

<sup>174</sup> The neutrality of Oslo’s third-party role was questionable, not only given Norway’s ongoing bilateral relationship with Sri Lanka, but also their cooperation at the negotiating table. Norwegian proposals to resolve impasses, one LTTE negotiator said, “generally tilted towards GoSL.” For example, amid LTTE insistence that a third party like the World Bank should be custodian of humanitarian funds for the Northeast, Norwegian facilitators pushed for disbursement through the Sri Lankan treasury. When LTTE negotiators demanded extra-constitutional ways forward, citing peace efforts in other places, Norwegian diplomats, rather than Sri Lankan negotiators, countered these with the legal specificities of these cases. (LT01, LT02, LT03 February 24, 2006). Apart from the symbolic parity of similar hotel rooms, vehicles and air tickets for GoSL and LTTE delegations, at the table the LTTE negotiators found the Norwegian facilitators argumentative and overbearing whilst away from the table, Norwegian facilitators, by and large, socialised and took meals with their Sri Lankan counterparts rather than the LTTE officials (Interviews with LTTE negotiators February 2006 and author’s observation).

interventionist approach, the facilitators shaped the trajectory, pace and steps towards peace. At the same time, a key consequence of the LTTE's endorsement of some international actors as 'neutral' and its refusal to publicly criticise or sometimes to welcome the participation of others – including the Co-Chairs, UNICEF, etc ('speech acts') was to reinforce the self-characterisation of the principle external actors involved in Sri Lanka as primarily working for 'peace'.

The official Norwegian statement issued after each round of LTTE-GoSL talks thus became an important document, rendering the conduct of the two parties – and thus their character - knowable to the outside world. Whilst the statement ostensibly summarised the proceedings, it was both a speech act, producing 'truth' about the parties and other issues, and, at the same time, a powerful disciplinary device inside the negotiating chamber. Whilst these official statements were formally subject to the approval of both GoSL and LTTE, as discussed here, the LTTE was, by virtue of its subjectivity, constrained from resisting specific, liberal peace-inspired, phrasings or wordings. Although in some instances there were heated private exchanges between LTTE negotiators and the facilitators over the phrasing of statements, in general, as one LTTE negotiator put it, "we didn't want to be seen as being pettyminded or quibbling about details" (LT03 May 10, 2006). Thus, despite entering the peace process as the 'liberation movement of the Tamils,' the LTTE was often unable to avoid endorsing political positions more in keeping with liberal peace than that of Tamil liberation. After the second round of talks, for example, Norway reported that *the parties* had

"agreed on immediate measures to improve the security situation, *inter-ethnic cooperation* and respect for *human rights* in the north and east. Recognising that peace belongs to all peoples of Sri Lanka, *the parties are committed to the needs and aspirations of all three communities*: Tamils, Muslims and Sinhalese" (RNG 2002d emphasis added).<sup>175</sup>

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<sup>175</sup> The LTTE, whose armed struggle had weakened Sri Lanka's economy had compelled the GoSL to negotiate with it in the first place – also endorsed the declaration that "the international community will further be encouraged [by the parties] to *increase investment* in Sri Lanka." (RNG 2002d emphasis, insert added).

The point here is that given prevailing international norms and the close international scrutiny of their conduct at the Norwegian-chaired table, it was not possible for the LTTE, especially, or the GoSL to oppose such phrasings without embarrassing themselves – as illiberal, extremist, inflexible and so on - and drawing international ire. Conversely, the foregrounding of such concepts and agreements in these official accounts of the negotiation process had the powerful effect of defining the parameters and logics by which the Sri Lankan conflict as well as the search for peace and a solution were seen as being discussed *by the parties*. It was thus the LTTE and GoSL who were deciding, for example, to displace humanitarian issues to the Sub-Committees and instead take up the ‘Human Rights Charter’ and child-recruitment for negotiation and, most significantly, to explore ‘federalism’ as a permanent solution.

### **8.3 The federalism ‘agreement’**

As discussed in Chapter 5, the international community was keen to establish at the earliest the requisite conditions across Sri Lanka for peacebuilding to proceed. This involved, on the one hand, establishing the security of human rights protection, the rule of law and, on the other, defining the framework of the permanent solution to the conflict. The Norwegian-brokered agreement between the two parties to ‘explore federalism’ (RNG 2002e) and discussions on a ‘Human Rights Charter’ in early 2003 were thus central elements of this strategy. The LTTE’s compliance in these endeavours was obtained through the disciplinary (anti-terrorism) framework around the peace process, and the specific subjectivity of the LTTE within it. Encumbered by a need to demonstrate to the sceptical international community its commitment to a negotiated solution, the LTTE was also under pressure not to delay progress in the talks by focussing on what were deemed ‘minor’ or ‘peripheral’ issues in relation to a final political solution. Such pressure was, for example, crucial in securing LTTE acquiescence for the transfer of discussions on the ‘details’ of humanitarian issues to Sub-Committees.<sup>176</sup>

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<sup>176</sup> Although the LTTE had repeatedly insisted, between signing the CFA in February 2002 and commencing negotiations in September 2002, that the humanitarian crisis in the Northeast be

As noted earlier, a specific behaviour expected of the LTTE during the peace process was flexibility and compromise, especially on Tamil Eelam. Although the LTTE had stated in the past that it would consider a solution short of independence, the Norwegian-led peace process brought the question of its sincerity to the fore. Having to contend with international hostility to independence while pursuing the goal of Tamil self-rule, the LTTE sought a way forward through the notion of 'internal self-determination.' In his annual 'Heroes' Day' address in 2002, LTTE leader Vellupillai Pirapaharan stated:

“We are prepared to consider favourably a political framework that offers substantial regional autonomy and self-government in our homeland on the basis of our right to internal self-determination. *But* if our people's right to self-determination is denied and our demand for regional self-rule is rejected, we have no alternative but to secede and form an independent state”  
(emphasis added).

At the conclusion of the third round of talks, held a few days later, Norway (RNG 2002e) announced an 'agreement' that was soon labelled the 'Oslo Declaration' and was lauded as a 'paradigm shift' in Sri Lanka's conflict:

“responding to a proposal by the leadership of the LTTE, the parties agreed to explore a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil-speaking peoples, *based on a federal structure within a united Sri Lanka*”  
(emphasis added).

The statement added, moreover, “the parties acknowledge the solution *has to be acceptable to all communities*” (Ibid, emphasis added). This notion of universal acceptance, notably, is very different to that of the Tamils having an inalienable *right* to self-determination. Moreover, as discussed in Chapter 5, without the

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addressed *before* discussions on 'core' political issues be taken up, the LTTE was soon defending its climb down: as Chief Negotiator Anton Balasingham himself told the November 2002 Oslo aid conference, “the peace process cannot be undertaken in isolation, without taking *parallel* steps towards the economic recovery of the suffering population” (2002, emphasis added).



crucial foundations of the unit and extent of power sharing being defined, there is no direct equivalence between a federal model and Tamil self-determination.

Furthermore, from the LTTE's perspective, the operative word in the Oslo Declaration was '*explore*': as Mr. Pirapaharan's announcement had made clear, if self-determination was denied, the LTTE would pursue secession. In other words, the LTTE had not unqualifiedly given up independence. This, however, is not how the Oslo Declaration entered the international discourse on Sri Lanka.

The LTTE's decision to sign up to exploring internal autonomy, and federalism in particular, without a concomitant agreement on the status of the Tamils (i.e. self-determination), can be linked to its specific constraints in the peace process: a desire to *demonstrate* 'flexibility'. That the international community was seeking a federal solution had already become clear. The induction of the Forum of Federations (FoF), a Canadian NGO with expertise in federal constitutions, into the formal peace process as an advisor to the two delegations was a unilateral Norwegian move, for example. In their discussions with the LTTE, FoF officials argued that international perception of the LTTE as inflexible on independence was due partly to the organisation not making explicit what exactly it considered a 'reasonable' solution short of independence. The LTTE had, they acknowledged, often indicated its willingness to accept 'regional autonomy' and 'self-rule' within a united Sri Lanka, but these terms, they argued, were 'too abstract.' LTTE Chief Negotiator Balasingham later echoed the FoF's arguments when he told reporters: "this autonomous model or model of self-government we are referring to has to be couched or properly conceptualised within *an appropriate concrete constitutional form*" (2002d, emphasis added). Given that federalism was a wide-ranging concept (for example, the US, India, Switzerland and Germany are all federal states) it was suggested that by opting for federalism, the LTTE would clearly signal its preparedness to accept a solution well short of independence and yet not compromise Tamil aspirations for self-rule (LT01 March 12, 2006). Confederalism, it was also argued, was far too close to independence to be considered a demonstration of 'flexibility' (Ibid).

However, once it was announced, far from being seen as the LTTE's readiness to *explore* federalism, the Oslo Declaration, was instead seen as the Tigers'

*agreement* to give up independence. Amid the ensuing euphoria about ‘a peace agreement’ and frenzied press reporting about the its climb down, the LTTE was now aware that seeking to clarify its stance would suggest it was backtracking on the Oslo Declaration (LT02, LT03 February 24, 2006). The LTTE’s dilemma was deepened when international actors, including the US and UK, promptly hailed what they deemed an agreement “to work to establish a federal structure within a united Sri Lanka” (officials quoted in TamilNet 2002f). Moreover, the Tokyo Declaration (JMOFA 2003), issued by the assembled donor community seven months later, stated:

“The conference commends both parties for their *commitment* to a lasting and negotiated peace *based on* a federal structure within a united Sri Lanka. ... Donors remind the Government of Sri Lanka and the LTTE of the importance for both parties to make their utmost efforts to further promote the peace process founded upon the *principles* reflected in the Oslo Declaration” (emphasis added).<sup>177</sup>

In interviews to media in the wake of the Oslo Declaration, LTTE officials stressed the agreement was to ‘explore’ federalism, but could not give a straightforward answer to the question: ‘have you given up independence or not?’ In short, for the LTTE to now qualify its position on the Oslo Declaration would be tantamount to retreating from its newly-‘demonstrated’ - and now being internationally hailed – *compromise*. Indeed, it was only in November 2006, four years later (and after the war had resumed), that the LTTE explicitly stated it was again pursuing an independent Tamil Eelam (Pirapaharan 2006). Moreover, the LTTE’s efforts to ‘clarify’ its position only increased pressure on the organisation to commit unambiguously to the ‘Oslo Declaration.’<sup>178</sup> The prevailing

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<sup>177</sup> There was, notably, no mention of ‘self-determination’, internal or otherwise, and while the Tokyo Declaration insisted the final settlement “should be based upon respect for human rights, democracy and the rule of law” (JMOFA 2003, emphasis added), there was an absence of any recognition of *collective* Tamil rights - especially given that federalism is a *territorial* concept.

<sup>178</sup> Notably, meanwhile, there was no international pressure on the GoSL to do the same i.e. to affirm it would move from a unitary to a federal constitutional model. Amid much speculation as to whether the LTTE was committed to federalism or not, it was simply taken for granted in the

international discourse after December 2002 thus not only held that an agreement on federalism had been reached, but also questioned if the LTTE was truly committed to it. Sceptics also seized on the LTTE's attempts to clarify its stance as vacillation. Speaking two months after the 'Oslo Declaration,' Mr. Armitage (2003a), for example, made it clear that scepticism of the LTTE was undiminished:

“the US is encouraged by the vision of the LTTE as a genuine political entity. But for that to happen, we believe the LTTE must publicly and unequivocally renounce terrorism and *prove* that its days of violence are over. *The LTTE is going to have to take a number of difficult steps to demonstrate that it remains committed to a political solution*” (emphasis added).

Indeed, the international community's assertion that an 'agreement' had in fact been reached, opened up the space for specific new demands on the LTTE. As Mr. Armitage put it, two months after the Oslo Declaration, the Tigers needed to “honour” restrictions that, he insisted, the CFA “and *future* negotiations” placed on their arms supplies (2003a, emphasis added). He explained,

“*Logically*, down the road, this [negotiations] is going to include disarmament issues themselves. Internal self-determination, within the framework of one Sri Lanka, is not going to be consistent with separate armies and navies for different parts of the country” (Ibid, emphasis, insert added).

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international discourse that the UNP government was. However, there was no basis for this sanguine view: any constitutional change in Sri Lanka needs to be approved by two thirds of the 225 seat Parliament *and* pass a country-wide referendum (amid strong opposition amongst the Sinhala majority to 'dividing the country'). The UNP had a wafer thin Parliamentary majority and, more importantly, was strongly opposed by President Kumaratunga and her main opposition coalition. Amid fierce resistance from powerful, albeit smaller rightwing Sinhala parties, it was extremely unlikely that the deal ('to divide the country') would be approved at a referendum (as the Oslo Declaration itself implied it should be: “the solution has to be acceptable to all communities”). In 2007, amid a new war, the UNP formally denied it had ever agreed to a federal solution and instead blamed the media for creating such an impression.

## 8.4 Presenting the LTTE

To summarise, the December 2002 ‘Oslo Declaration’ was less an agreement on a permanent solution between the LTTE and GoSL than an asserted claim of one by the international community. The actual agreement – i.e. to *explore* federalism – was itself a result of the pressures generated within the peace process on the LTTE to demonstrate its flexibility on independence i.e. it was not an unqualified abandoning of Tamil Eelam by the LTTE. However, the international discourse that flowed from the Oslo Declaration not only held that there had been an agreement on a federal solution, but that it was now questionable as to whether the LTTE would abide by it. The LTTE’s efforts to clarify its stand appeared, in the same logic, as vacillation by the intransigent organisation and further substantiation of its inherent untrustworthiness. Thus its efforts to demonstrate flexibility in themselves precipitated new and serious constraints on the LTTE. To repudiate the ‘deal’ was to invite international condemnation and penalties, but to accept it was to pave the way for a range of new demands, including those for disarmament and that the LTTE become actively involved in *promoting* a united, multi-ethnic Sri Lanka. To be ambivalent, moreover, was to validate and reinforce long-asserted international scepticism of the LTTE’s willingness to compromise on Tamil Eelam.

This chapter sought to consider how international practices such as third party led peace processes, serve to constitute objects and subjects of global liberal governmentality. It argued that international discursive practices produced the LTTE as a particular kind of subject, one dangerously located on the fringes of political legitimacy. This subjectivity thereafter enabled the conduct of the organisation’s conduct by harnessing its desires and shaping its choices within the framework of the Norwegian-led peace process. International discourse produced the LTTE but by defining its characteristics, capacities and desires, thereby making it ‘knowable’ to others and itself. Enmeshed in sets of relations of governance informed by two different rationalities, Liberal Peace and Tamil Freedom, the LTTE entered the peace process recognising itself as both a representative of the Tamil liberation struggle and an international pariah. The

governmentalities of Liberal Peace and Tamil Freedom thus came to clash in the course of the Norwegian-led peace process in terms of what constituted the appropriate conduct for the LTTE in the period to come.

## 9. Conclusion

Against conventional, top-down analyses that explain developments in 'internal' conflicts and international interventions in them in terms of the relative power of external and internal actors, or other structural factors, this dissertation argues that the dynamics, trajectories and outcomes of international 'peace' engagement in the Sri Lankan conflict from 2001 to 2006 can be productively understood as a *clash of governmentalities* i.e. as the result of the simultaneous pursuit of competing idealizations of how populations, territory and forms of political rule *ought* to be organized so as to secure the wellbeing of the population. By way of conclusion, this chapter first summarizes the dissertation's explorations of the Sri Lankan case study and then briefly examines the potential of the notion of a 'clash of governmentalities' for further empirical and theoretical research and, in particular, for analyzing the constitution of a globalising liberal order and theorizing the changing relations between force and order in contemporary North-South relations.

Firstly, applying Foucault's notions of governmentality and biopolitics, this dissertation sought to demonstrate how multiple, distinct political rationalities could be discerned, by careful empirical excavation, in the discursive and material practices of the various actors, individuals and collectives in a given site.

Secondly, by applying governmentality to the study of global liberalism, a reordering project massive in both scale and ambition, the dissertation sought to demonstrate that this approach can plausibly be taken to the study of practices, strategies and calculations in the realm of the 'international'. In taking these steps, the study sought to adopt Foucault's dictum to 'cut off the king's head'; actors - states and other 'centres' of power, non-state actors, populations and individuals - are not taken as self-evident entities bearing discernible values and interests, stated or hidden. Rather, actors' identities, interests, values and their relations are understood as being continuously (re)produced and shaped by the networked flows of governmental power. As such, the notion of a 'clash of governmentalities' offers a way of analytically engaging with the complexities of Southern warzones and other places that is not hostage to ontological

presuppositions about individuals or collectivities or positivist epistemologies that often attribute the dynamics and outcomes of 'internal' conflict and 'external' interventions in such places primarily to the relative power of external and internal actors. This is not to suggest that conventional theories are necessarily or inherently flawed or 'wrong', but to argue that an 'analytics of government' approach allows the powerful effects of the myriad mundane practices through which conduct is conducted and power operates to be analytically grasped. In this sense, the primary goal of an analytics of government, such as that adopted here, is not to challenge, contradict or replace any particular theory per se, but to excavate the various rationalities of rule embedded in myriad governmental projects underway in a given context, to examine the mechanisms through which these are pursued, resisted, subverted and appropriated and thereby offer a more complete analysis of the sometimes perverse outcomes of international interventions in Southern conflicts.

The dissertation outlined how Sri Lanka's protracted and violent conflict, in common with much of politics on the island since late colonial rule, can be understood as a struggle to re-constitute and re-arrange territory, identities and demographics in keeping with two different understandings of the 'right disposition' of people(s) and things, in the service of the wellbeing of the population. Tamil Freedom sees the island as the home of two equal 'founding races', while Sinhala-Buddhism sees it as the motherland of a people (the Sinhala) entrusted with a duty to protect and foster Buddhism, and in which others may remain as guests provided they abide by this natural order. Since well before independence from Britain in 1948 these two rationalities have confronted each other in territorial, legal, political, cultural, social and, recently, military spaces. It is across the terrain in which these two governmentalities clash that in recent decades a third, 'external' - or 'global' - governmental rationality, Liberal Peace, has increasingly sought to conduct individual and collective conduct towards an ideal of the modern state, its citizen and its society which is held, once rendered ubiquitous, to lead inexorably to the emergence of a pacific, liberal world order. Despite the heterogeneity of peoples, dynamics, factors and histories in the warzones of the global South, in this rationality, therefore, "there is concurrence

on the main root causes of violence, how they should be addressed, and who should do so” (Richmond 2007:85).

The dissertation examined in particular various programmatic attempts between 2001 and 2006 informed by the rationalities of Liberal Peace and Tamil Freedom to ‘make up’ specific kinds of subjectivities through the triangle of sovereignty-discipline-governmentality. (Due to the space limitations of a doctoral dissertation, the profound effects of the rationality, Sinhala-Buddhism, were not focussed on.). It showed how collective subjectivities – such as a liberal, multi-ethnic Sri Lankan citizenry on the one hand, and a united Tamil nation on the other, whilst in and of themselves not necessarily contradictory, became so as a consequence of the ways their constitution has been pursued. At the heart of the contradiction is the individual Tamil: is she a member of a persecuted and threatened nation or a citizen who is excluded from the benefits of development and whose rights are not being upheld by the state? While amid this clash of rationalities both these conceptions could be simultaneously ‘true’, the programmatic solutions that spring forth from them are nonetheless divergent. The various attempts to pursue conflicting governmental priorities and cope with threats engendered by the different ‘right disposition’ of people and things envisioned by the other rationality served ultimately to produce an impasse between Tamil and international aspirations for peace in the island. This impasse was never resolved and has led inexorably to a catastrophic resumption of war since 2006. Backed by the international community in the pursuit of liberal peace, the Sri Lankan state’s renewed military onslaught since has resulted in the deaths of ten thousand more Tamil civilians and the suffering of virtually the entire Tamil population.

As an analytical tool, governmentality offers insights into dynamics and outcomes that are not available via other approaches. For example, conventional analyses of the post-2006 trajectory of Sri Lanka’s conflict take as self-evident necessity the military weakening of the LTTE and the increased possibility of ‘peace’ this is thought to engender. On the one hand, quasi-realist explanations focus on the disparity between GoSL and LTTE in firepower, troop numbers, supply levels, and so on, while, on the other, there is an emerging discourse on how Sri Lanka



can or should 'win the peace' - a preoccupation which turns on an analytical separation between the LTTE's 'violence' and the Tamils' 'grievances'. However, an analytics of government approach, focusing, say, on the changing practices of 'ordinary' people amid the claimed or anticipated destruction of the LTTE, brings to the fore the stark and broad polarisations between the Sinhalese and the island's smaller populations, especially the Tamils. Consequently it illuminates changes in identities that have led, for example, to a sharp rise in popular support amongst Tamils for an independent Tamil Eelam, armed struggle and the LTTE, on the one hand, and a rejection by Sinhalese and Tamils of the liberal peace principles of political accommodation, pluralism, mutual recognition and peaceful co-existence, on the other. In the Tamil Diaspora changing practices include increasing visibility of 'Tiger' motifs on the clothing of youth, large numbers of conservative and middle-class families attending raucous demonstrations demanding 'Tamil Eelam must be free!' and condemning the Sri Lankan state, and students quitting their university 'Sri Lankan' societies to form their own 'Tamil' ones. Mass agitation, political advocacy and humanitarian assistance projects by the Diaspora have centred on alleviating the Tamil population's physical suffering and political rights. At the same time, in Sri Lanka there are the efforts of ordinary Sinhalese to donate money, laptops, bottled water and blood for the armed forces, the jingoistic triumphalism of mainstream (Sinhala-owned) media and even the attempts by leading local (former) 'peace-building' NGOs to form links with President Mahinda Rajapakse's hardline government. Such trends suggest that, in contrast to conventional analysis, the possibilities of liberal peace in Sri Lanka are fast receding, rather than growing. It is not that conventional analysis cannot take such trends seriously. However, it often fails to see how they become constituent of what it means to be 'Tamil' or 'Sinhala' and the implications for liberal 'peace' and 'peacebuilding', as well as for future violence, both spontaneous and organised: the production of self-governing subjects whose relations are characterised by entrenched animosity, new and heightened grievances, and increased concentration - via democratic mechanisms - of racialised power.

The 'analytics of government' approach this dissertation has taken to the Sri Lanka case study can be easily extended to other sites of contestation, armed or

otherwise, in the global South. This entails careful empirical analysis that makes possible the excavation of the various rationalities informing the practices of effecting government within the site in question and the investigation of the 'making up' of subjects as active agents in the conduct of their conduct. For example, the frustration of the US-led projects in recent years to transform Iraq and Afghanistan into zones of liberal peace can be traced not to 'extremism', 'warlordism', flawed Coalition strategies, poor implementation of plans, corruption, and so on (even though all of these can be discerned in these sites from within one rationality or another), but to the specific interplays between competing visions of what 'Iraq', say, *ought to be*: a multi-ethnic, multi-religious, liberal democracy, an Islamic theocracy, a multi-national state, a set of independent states, etc. Some of these orderings, for example, embody the idea of a Kurdish nation and homeland while others do not. Within Liberal Peace, the sharing of power between Sunni and Shia may seem a commonsensical necessity, but within other governmental rationalities it may constitute an unacceptable aberration. Similarly, people asking their religious leaders for guidance as to how to vote in elections may be at odds with the tenets of Liberal Peace but could, at the same time, be very much the right disposition of people and things within another rationality. The precise difference between 'Iraqis taking responsibility for their sovereignty' and 'armed struggle against invaders' may depend, again, on what constitutes the right disposition of people and things, as might what constitutes appropriate conduct for Iraqis patriots and other subjects of government. Practices such as Sunni militia opting to work for their erstwhile Coalition enemies, may not be simply a question of self-interest (i.e. payment) or the efficacy of new 'strategies', but the constitution of a new reality whereby foreign forces cede responsibility for the security and administration of territory to forces that actually live in these places.

A clash of governmentalities approach can thus serve to explain the dynamics of what might otherwise appear as irrational or self-serving opposition to liberal peace i.e. to the production of a global liberal order. In other words, it makes possible the exploration of the rationales behind 'local' responses in the global South to diverse international practices such as attaching conditionalities to aid, outlawing the use of landmines and 'child soldiers', pursuing 'sustainable

development' and the 'Global War on Terror'. A governmentality framework also brings to the fore the embedded relations between these diverse international practices - for example between core states' support for peripheral states' violence against their internal enemies and their own domestic crackdowns against 'extremists', 'supporters of terror' and others. This is also how asylum or immigration regimes and regulation of protest and giving to charity at home, on one hand, and conflict resolution initiatives, foreign direct investment and development partnerships abroad, on the other, become joined up as apparatuses of security informed by, and in the service of, the global governmentality of liberal peace.

As Dillon and Reid (2000) have already pointed out, to ask why conflict is 'endemic' to many Southern places is often to elide the political character of the contestations playing out through violence and human suffering in these places, and, just as importantly, to mask the complex and deep implication of global liberal governance itself in the (re)production of these so-called 'complex emergencies'. The very processes of globalisation celebrated in the core contribute to, if not engender, the disorder beyond the periphery of liberal peace. The 'discovery' of these problematic sites, as well as problematic actors, groups and communities, meanwhile engenders programmatic responses from the core. Some are discarded, but those followed lead to the emergence of 'strategic complexes' (Duffield 2001) of international NGOs, governments, military actors (both private and state), IFIs, IGOs and other actors to cope with these 'internal' crises. International 'experts' in a vast range of knowledges - including those of security, development, finance, constitution and culture - provide the language and intellectual machinery for how the transformation of the borderland and its integration into the core should be pursued. An analytics of government approach thus serves to capture how global liberal order is produced by the various international practices which constitute the triangle of sovereignty-discipline and government and by both physical and epistemic violence. The production of self-governing liberal subjects is pursued not only by governmentality but also by acts of sovereignty (the use of violence against 'rogue states', 'terrorists' and others) and mechanisms of discipline (proscriptions, monitoring, internationally managed peace processes, etc.)

Even especially problematic local actors, such as armed organisations, become incorporated into networks of global liberal rule through the deployment of not only sovereign and disciplinary powers but also governmentality: the goal is, of course, 'transformation' into liberal peace - from conflict to peace, armed group to political party, extremists to moderates, patronage to free markets, and so on. When, in this way, a 'local' actor like the LTTE comes to be seen as a threat to the 'global' order of liberal peace, then its destruction becomes a concern not only for the Sri Lankan state, but also for the international community - irrespective of the local state's own problematic conducts. In this context, when repressive states enlist in the 'War on Terror' and draw on the support of powerful liberal states and like-minded actors for violently pacifying their 'internal' borderlands, it is less a betrayal of the tenets of liberal peace than their very pursuit. As this dissertation has sought to demonstrate, the networks of global liberal governance include not only interventionist actors from the core and but also those 'local' to the borderlands pacification of which is being sought. Thus developing states, political parties, NGOs, 'grass root' movements, religious groups, aspiring entrepreneurs and others are essential to the transformation of complex emergency into liberal peace. International practices such as 'conflict transformation', 'peacebuilding', 'development', and the 'War on Terror' can thus be seen to constitute liberal governmental efforts towards establishing a particular ordering of borderland peoples and sites such that these are amenable to, and capable of, integration into the liberal 'zone of peace' at the core of the international system.

The dissertation outlined how the production of the LTTE as a particular subject of global liberal peace – i.e. one dangerously located on the fringes of political legitimacy - enabled Liberal Peace's conduct of the organisation's conduct by harnessing its desires and shaping its choices. As such, it can be discerned how seemingly straightforward international practices such as third party led peace processes, serve to discipline and shape the behaviour of actors like the LTTE and to constitute them as objects and subjects of global liberal governmentality. Indeed, as the example of the Norwegian-led peace process in Sri Lanka demonstrates, it is particularly in the context of a peripheral state failing to secure its internal security and stability and its efforts to this end proving disruptive

either to its own economy or that of the region (i.e. undermining 'development'), that international 'peace' interventions become necessary. In this context, the launching of an internationally-backed peace process constitutes the peripheral state's surrender of its responsibility for 'internal security' to international custody, where-after the processes of 'building liberal peace' (i.e. re-imposing security and resuming development) can be taken more closely in hand, including through international frameworks of discipline. In the case of Sri Lanka, the assumptions inherent to Liberal Peace have been demonstrably disproved since 2007. In parallel with the strident Sinhala-Buddhism that has emerged within society, the state has spurned international norms regarding protection of human rights, ethno-political accommodation and equitable development. Instead, alongside genocidal violence against the Tamil population, the state has further institutionalised a Sinhala-supremacist logic, including aggressive and violent reordering of territory and population, using international development funding for Sinhala colonisation of Tamil and Muslim territory (Rampton and Nadarajah 2008).

Finally, the notion of a clash of governmentalities can illuminate what might be otherwise seen as failures of government as, in fact, *successes* of simultaneous other attempts at conducting conduct, undertaken from within competing political rationalities. In other words, contrary to the concerns of some theorists (e.g. O' Malley 1996b), a governmentality approach, along with careful empirical research, can lend itself to the theorising of *resistance* to rule. Resistance here is not "merely the obverse of a one-dimensional notion of power as domination" - i.e. insubordination - as the notion has functioned with conventional analyses (Rose 1999:279). As Foucault put it in his 1978 lectures, the history of government - the 'conduct of conduct' - is interwoven with the history of dissenting 'counter-conducts' (cited in Gordon 1991:5). Resistance can emerge from government itself; Foucault (cited in Gordon 1991:5) terms what happens when norms implanted into subjects of government thereafter become the basis for demands 'from below' on governors, as the 'strategic reversibility' of power relations (see Rose 1993:296). Contingent and situated efforts to create subjectivities and conduct conduct may inadvertently stimulate political challenges (Li 2007:26, see also Hindess 1997:269). For example, international

insistence on democratization can bring non-liberal actors like Hamas in Palestine or the JVP in Sri Lanka to power. Whilst some governmentality scholars reach for structural approaches to answer their particular research questions, the idea of a 'clash of governmentalities' foregrounds consideration of *other* rationalities of government seeking to create different subjectivities and to alter or destroy 'existing' or emerging ones. In other words, the source of 'resistance' may exist even before 'government', liberal or otherwise, begins. Whilst theorising resistance per se was not a primary goal of this dissertation, the concept of a 'clash of governmentalities' readily lends itself to such a research agenda.

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# Appendices

## Appendix 1: Acronyms

ACTC	All Ceylon Tamil Congress
ADB	Asian Development Bank
CFA	Ceasefire Agreement
DFID	UK's Department for International Development
EPDP	Eelam People's Democratic Party
EPRLF	Eelam People's Revolutionary Liberation Front
EROS	Eelam Revolutionary Organisation of Students
FLICT	Facilitating Local Initiatives for Conflict Transformation
FoF	Forum of Federations
FP	Federal Party
FSCT	Food Security and Conflict Transformation Project
FTO	Foreign Terrorist Organisation (under US law)
GoSL	Government of Sri Lanka
HRW	Human Rights Watch
HSZ	High Security Zone
ICISS	International Commission on Intervention and State Sovereignty
INPACT	Initiative for Political and Conflict Transformation
IPKF	Indian Peace Keeping Force
ISGA	Interim Self-Governing Authority
JVP	Janatha Vimukthi Perumana
LTTE	Liberation Tigers of Tamil Eelam
NESOHR	North East Secretariat On Human Rights
PLOTE	People's Liberation Organisation of Tamil Eelam
PTOMS	Post-Tsunami Operations Management Structure
RNG	Royal Norwegian Government
SDN	Sub-Committee on De-escalation and Normalisation
SGI	Sub-Committee on Gender Issues
SIDA	Swedish International Development Agency

SIHRN	Sub-Committee on Immediate Humanitarian and Rehabilitation
Needs	
SLFP	Sri Lanka Freedom Party
SLMM	Sri Lanka Monitoring Mission
TELO	Tamil Eelam Liberation Organisation
TNA	Tamil National Alliance
TRO	Tamils Rehabilitation Organisation
TULF	Tamil United Liberation Front
UNP	United National Party



## **Appendix 2: List of interviews<sup>179</sup>**

### **LTTE officials**

Mr. Anton Balasingham (Chief Negotiator and Political Strategist)  
Mr. S. P. Tamilselvan (Negotiator and Head of Political Wing)  
Mr. V. Rudrakumaran (Negotiator and International Legal Advisor)  
Mr. B. Nadesan (Negotiator and head of Tamileelam Police Service)  
Mr. S. Puleedevan (Secretary-General of Peace Secretariat)  
Mrs. Adele Balasingham (Negotiator)

### **Tamil politicians**

Mr. Gajan Ponnambalam (TNA MP for Jaffna electorate, leader of ACTC)  
Mr. Suresh Premachandran (TNA MP for Jaffna electorate, leader of EPRLF-S)  
Ms. Padmini Sithamparanathan (TNA MP for Jaffna electorate)

### **Norwegian officials**

Mr. Vidar Helgesen (Deputy Foreign Minister and Chief Facilitator)  
Mr. Jon Hanson-Bauer (Special Envoy to Sri Lanka 2006-2009)  
Mr. Jon Westborg (Ambassador to Sri Lanka 1995-2003)  
Mr. Tore Hattram (head of Peace and Reconciliation unit, Foreign Ministry)  
Maj. Gen. (retd) Tryggve Tellefsen (head of SLMM 2003-2004)

### **GoSL officials**

Mr. Austin Fernando (Defence Secretary 2002-2004)  
Mr. Harim Peiris (Presidential Advisor 2000-2005)  
Mr. Shanaka Jayasekara (Director (Policy), GoSL Peace Secretariat 2002-2004)

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<sup>179</sup> Does not include unstructured interviews or conversations of less than an hour.

### **Others**

Mr. Tyrol Ferdinand (Managing Trustee, Initiative for Political and Conflict Transformation, Sri Lanka)

Mr. Arjunan Ethirweerasingam (Director, TRO Colombo office)

Ms. Ann Marie Fallenius (Director, Director-General's office, SIDA)

Mr. Arne Folleras (FORUT official, based in Vanni 2004-2006)

Mr. Tim Heath (Advisor, Conflict, Humanitarian and Security Dept, DFID)

Mr. Jan Hodann (Olaf Palmer Centre)

Mr. R. Reggie (Director, TRO)

Mr. Olof Sandkull (Country Coordinator (Sri Lanka), Asia Division, SIDA)

Dr. K. Sithamparanathan (Director, Theatre Action Group, Jaffna)

Mr. Dharmeratnam Sivaram (Defense analyst, Sri Lanka)

Mr. Brian Smith (Asia Development Bank, Sri Lanka)

Mr. James Martin (Head of SOLIDAR in Vanni 2004-2008)

Mr. Peter Bowling (Director, International Working Group on Sri Lanka, UK)

Ms. Luxshi Vimalarajah (Senior Program Coordinator, Berghof Foundation)

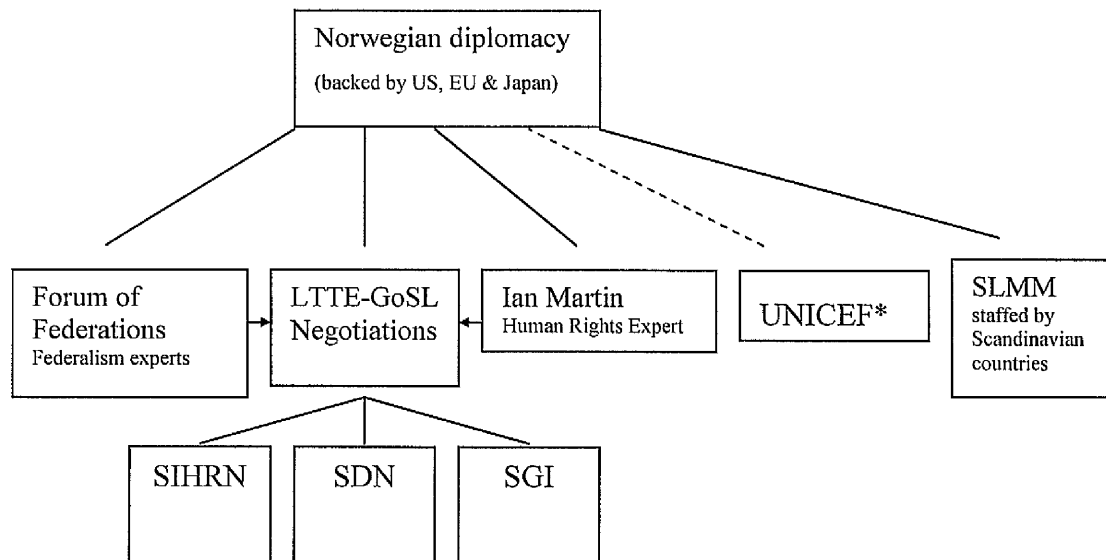
### **Appendix 3: Institutional structure of the peace process**

The institutional structure of the peace process consisted of Norwegian facilitated 'direct' negotiations between LTTE and GoSL delegations, a linked trio of Sub-Committees (also comprising Norwegian facilitators and officials from both sides), an international ceasefire monitoring body (the SLMM, staffed by Nordic countries) and specialist 'advisors to the parties' on federalism (the Forum of Federations, a Canadian NGO) and human rights (former head of Amnesty International, Ian Martin) as well as UNICEF. The Forum of Federations, Mr. Martin and UNICEF were inducted into the peace process by the Norwegian facilitators. The Forum of Federations was tasked with advising the two negotiating parties on federalism-related constitutional issues. Mr. Martin, sponsored by the UK, was to advise on them on human rights and, especially, to draft a 'Human Rights Declaration' for both sides to sign up to as part of the peace process. UNICEF was given the role of lead advocate and monitor on underage recruitment by the LTTE.

The three Sub-Committees (Sub-Committee on Immediate Humanitarian and Rehabilitation Needs or SIHRN, Sub-Committee on De-escalation and Normalisation or SDN and Sub-Committee on Gender Issues or SGI) were set up in the second round of talks in a bid to move 'detailed' discussions of these issues concerned off the main negotiating table. The Sub-Committees comprised senior officials from both sides, including sometimes members of the main negotiating teams, and were also chaired by other Norwegian officials.

Beyond the above, the wider 'peace architecture' (Goodhand 2005:16) included a series of Norwegian organised donor conferences "to mobilize and leverage international funding and support" (Ibid), one consequence of which was the formalising of the 'Co-Chairs' grouping (comprising the United States, European Union, Japan and Norway) which sought to use 'security guarantees', 'peace' conditionalities on aid and to provide an international framework for Sri Lanka's 'transformation' – not only from 'war to peace' but into a "market democracy" (Ibid). The six rounds of talks were held in Thailand (September 2002, October

2002), Norway (December 2002), Thailand (January 2003), Germany (February 2003) and Japan (March 2003).



\* UNICEF was not formally part of the LTTE-GoSL negotiation process

## **Appendix 4: 2002 Ceasefire Agreement**

### **Agreement on a Ceasefire between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam.**

#### **Preamble**

The overall objective of the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the GOSL) and the Liberation Tigers of Tamil Eelam (hereinafter referred to as the LTTE) is to find a negotiated solution to the ongoing ethnic conflict in Sri Lanka.

The GOSL and the LTTE (hereinafter referred to as the Parties) recognize the importance of bringing an end to the hostilities and improving the living conditions for all inhabitants affected by the conflict. Bringing an end to the hostilities is also seen by the Parties as a means of establishing a positive atmosphere in which further steps towards negotiations on a lasting solution can be taken.

The Parties further recognize that groups that are not directly party to the conflict are also suffering the consequences of it. This is particularly the case as regards the Muslim population. Therefore, the provisions of this Agreement regarding the security of civilians and their property apply to all inhabitants.

With reference to the above, the Parties have agreed to enter into a ceasefire, refrain from conduct that could undermine the good intentions or violate the spirit of this Agreement and implement confidence-building measures as indicated in the articles below.

## **Article 1: Modalities of a ceasefire**

The Parties have agreed to implement a ceasefire between their armed forces as follows:

1.1 A jointly agreed ceasefire between the GOSL and the LTTE shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs in accordance with Article 4.2, hereinafter referred to as D-day.

### **Military operations**

1.2 Neither Party shall engage in any offensive military operation. This requires the total cessation of all military action and includes, but is not limited to, such acts as:

- a) The firing of direct and indirect weapons, armed raids, ambushes, assassinations, abductions, destruction of civilian or military property, sabotage, suicide missions and activities by deep penetration units;
- b) Aerial bombardment;
- c) Offensive naval operations.

1.3 The Sri Lankan armed forces shall continue to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.

### **Separation of forces**

1.4 Where forward defence localities have been established, the GOSL's armed forces and the LTTE's fighting formations shall hold their ground positions, maintaining a zone of separation of a minimum of six hundred (600) metres. However, each Party reserves the right of movement within one hundred (100) metres of its own defence localities, keeping an absolute minimum distance of four hundred (400) metres between them. Where existing positions are closer than

four hundred (400) metres, no such right of movement applies and the Parties agree to ensure the maximum possible distance between their personnel.

1.5 In areas where localities have not been clearly established, the status quo as regards the areas controlled by the GOSL and the LTTE, respectively, on 24 December 2001 shall continue to apply pending such demarcation as is provided in article 1.6.

1.6 The Parties shall provide information to the Sri Lanka Monitoring Mission (SLMM) regarding defence localities in all areas of contention, cf. Article 3. The monitoring mission shall assist the Parties in drawing up demarcation lines at the latest by D-day + 30.

1.7 The Parties shall not move munitions, explosives or military equipment into the area controlled by the other Party.

1.8 Tamil paramilitary groups shall be disarmed by the GOSL by D-day + 30 at the latest. The GOSL shall offer to integrate individuals in these units under the command and disciplinary structure of the GOSL armed forces for service away from the Northern and Eastern Province.

### **Freedom of movement**

1.9 The Parties' forces shall initially stay in the areas under their respective control, as provided in Article 1.4 and Article 1.5.

1.10 Unarmed GOSL troops shall, as of D- day + 60, be permitted unlimited passage between Jaffna and Vavunyia using the Jaffna-Kandy road (A9). The modalities are to be worked out by the Parties with the assistance of the SLMM.

1.11 The Parties agree that as of D-day individual combatants shall, on the recommendation of their area commander, be permitted, unarmed and in plain clothes, to visit family and friends residing in areas under the control of the other Party. Such visits shall be limited to six days every second month, not including

the time of travel by the shortest applicable route. The LTTE shall facilitate the use of the Jaffna-Kandy road for this purpose. The Parties reserve the right to deny entry to specified military areas.

1.12 The Parties agree that as of D-day individual combatants shall, notwithstanding the two-month restriction, be permitted, unarmed and in plain clothes, to visit immediate family (i.e. spouses, children, grandparents, parents and siblings) in connection with weddings or funerals. The right to deny entry to specified military areas applies.

1.13 Fifty (50) unarmed LTTE members shall as of D-day + 30, for the purpose of political work, be permitted freedom of movement in the areas of the North and the East dominated by the GOSL. Additional 100 unarmed LTTE members shall be permitted freedom of movement as of D-day + 60. As of D-day + 90, all unarmed LTTE members shall be permitted freedom of movement in the North and the East. The LTTE members shall carry identity papers. The right of the GOSL to deny entry to specified military areas applies.

## **Article 2: Measures to restore normalcy**

The Parties shall undertake the following confidence-building measures with the aim of restoring normalcy for all inhabitants of Sri Lanka:

2.1 The Parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment.

2.2 The Parties shall refrain from engaging in activities or propagating ideas that could offend cultural or religious sensitivities. Places of worship (temples, churches, mosques and other holy sites, etc.) currently held by the forces of either of the Parties shall be vacated by D-day + 30 and made accessible to the public. Places of worship which are situated in "high security zones" shall be vacated by all armed personnel and maintained in good order by civilian workers, even when they are not made accessible to the public.



2.3 Beginning on the date on which this Agreement enters into force, school buildings occupied by either Party shall be vacated and returned to their intended use. This activity shall be completed by D-day + 160 at the latest.

2.4 A schedule indicating the return of all other public buildings to their intended use shall be drawn up by the Parties and published at the latest by D-day + 30.

2.5 The Parties shall review the security measures and the set-up of checkpoints, particularly in densely populated cities and towns, in order to introduce systems that will prevent harassment of the civilian population. Such systems shall be in place from D-day + 60.

2.6 The Parties agree to ensure the unimpeded flow of non-military goods to and from the LTTE-dominated areas with the exception of certain items as shown in Annex A. Quantities shall be determined by market demand. The GOSL shall regularly review the matter with the aim of gradually removing any remaining restrictions on non-military goods.

2.7 In order to facilitate the flow of goods and the movement of civilians, the Parties agree to establish checkpoints on their line of control at such locations as are specified in Annex B.

2.8 The Parties shall take steps to ensure that the Trincomalee-Habarana road remains open on a 24-hour basis for passenger traffic with effect from D-day + 10.

2.9 The Parties shall facilitate the extension of the rail service on the Batticaloa-line to Welikanda. Repairs and maintenance shall be carried out by the GOSL in order to extend the service up to Batticaloa.

2.10 The Parties shall open the Kandy-Jaffna road (A9) to non-military traffic of goods and passengers. Specific modalities shall be worked out by the Parties with the assistance of the Royal Norwegian Government by D-day + 30 at the latest.

2.11 A gradual easing of the fishing restrictions shall take place starting from D-day. As of D-day + 90, all restrictions on day and night fishing shall be removed, subject to the following exceptions: (i) fishing will not be permitted within an area of 1 nautical mile on either side along the coast and 2 nautical miles seawards from all security forces camps on the coast; (ii) fishing will not be permitted in harbours or approaches to harbours, bays and estuaries along the coast.

2.12 The Parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place. Arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code.

2.13 The Parties agree to provide family members of detainees access to the detainees within D-day + 30.

### **Article 3: The Sri Lanka Monitoring Mission**

The Parties have agreed to set up an international monitoring mission to enquire into any instance of violation of the terms and conditions of this Agreement. Both Parties shall fully cooperate to rectify any matter of conflict caused by their respective sides. The mission shall conduct international verification through on-site monitoring of the fulfilment of the commitments entered into in this Agreement as follows:

3.1 The name of the monitoring mission shall be the Sri Lanka Monitoring Mission (hereinafter referred to as the SLMM).

3.2 Subject to acceptance by the Parties, the Royal Norwegian Government (hereinafter referred to as the RNG) shall appoint the Head of the SLMM (hereinafter referred to as the HoM), who shall be the final authority regarding interpretation of this Agreement.

3.3 The SLMM shall liaise with the Parties and report to the RNG.

3.4 The HoM shall decide the date for the commencement of the SLMM's operations.

3.5 The SLMM shall be composed of representatives from Nordic countries.

3.6 The SLMM shall establish a headquarters in such place as the HoM finds appropriate. An office shall be established in Colombo and in Vanni in order to liaise with the GOSL and the LTTE, respectively. The SLMM will maintain a presence in the districts of Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai.

3.7 A local monitoring committee shall be established in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai. Each committee shall consist of five members, two appointed by the GOSL, two by the LTTE and one international monitor appointed by the HoM. The international monitor shall chair the committee. The GOSL and the LTTE appointees may be selected from among retired judges, public servants, religious leaders or similar leading citizens.

3.8 The committees shall serve the SLMM in an advisory capacity and discuss issues relating to the implementation of this Agreement in their respective districts, with a view to establishing a common understanding of such issues. In particular, they will seek to resolve any dispute concerning the implementation of this Agreement at the lowest possible level.

3.9 The Parties shall be responsible for the appropriate protection of and security arrangements for all SLMM members.

3.10 The Parties agree to ensure the freedom of movement of the SLMM members in performing their tasks. The members of the SLMM shall be given immediate access to areas where violations of the Agreement are alleged to have taken place. The Parties also agree to facilitate the widest possible access to such areas for the local members of the six above-mentioned committees, cf. Article 3.7.

3.11 It shall be the responsibility of the SLMM to take immediate action on any complaints made by either Party to the Agreement, and to enquire into and assist the Parties in the settlement of any dispute that might arise in connection with such complaints.

3.12 With the aim of resolving disputes at the lowest possible level, communication shall be established between commanders of the GOSL armed forces and the LTTE area leaders to enable them to resolve problems in the conflict zones.

3.13 Guidelines for the operations of the SLMM shall be established in a separate document.

#### **Article 4: Entry into force, amendments and termination of the Agreement**

4.1 Each Party shall notify its consent to be bound by this Agreement through a letter to the Norwegian Minister of Foreign Affairs signed by Prime Minister Ranil Wickremesinghe on behalf of the GOSL and by leader Velupillai Pirabakaran on behalf of the LTTE, respectively. The Agreement shall be initialled by each Party and enclosed in the above-mentioned letter.

4.2 The Agreement shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs.

4.3 This Agreement may be amended and modified by mutual agreement of both Parties. Such amendments shall be notified in writing to the RNG.

4.4 This Agreement shall remain in force until notice of termination is given by either Party to the RNG. Such notice shall be given fourteen (14) days in advance of the effective date of termination.

## ANNEX A

The Parties agree to ensure the flow of non- military goods to and from LTTE dominated areas of the Northern and Eastern Province, as well as unimpeded flow of such goods to the civilian population in these areas. Non military goods not covered by article 2.6 in the Agreement are listed below:

- Non military arms/ammunition
- Explosives
- Remote control devices
- Barbed wire
- Binoculars/Telescopes
- Compasses
- Penlight batteries

Diesel, petrol, cement and iron rods will be restricted in accordance with the following procedures and quantities:

### Diesel and petrol

The Government Agents (GA) will register available vehicles; tractors and motorcycles in the LTTE controlled areas. The GA will calculate the required weekly amount of diesel and petrol based on the following estimate:

Trucks/Buses 250 litre/week  
4 wheels tractor 310 litre/week  
2 wheel tractor 40 litre/week  
Petrol vehicle 30 litre/week  
Motorcycles 7 litre/week  
Fishing vessels 400 litre/week

### Cement

Cement required for rehabilitation and reconstruction of Government property; registeret co-operatives; or approved housing projects implemented by the GOSL and international NGOs and more affluent members of the society; will be brought in directly by relevant institutions under licenses issued by Government Agents. The GA shall stipulate the monthly quantities permitted for such project based upon planned and reported progress.

Cement required for individual shops/constructions/house owners/rehabilitation-initiatives will be made available through the co-operations on a commercial basis. The monthly import for this purpose will be limited to 5000 bags during the first month and thereafter 10 000 bags/month. Individual sales by the co-operatives will be registered and limited to 25 bags per household.

#### Iron rods

Iron rods for building constructions will be brought in to the LTTE controlled areas under licenses issued by the GA.

A monthly reassessment will be made to assess the possibilities of removal of the above restrictions.

### **ANNEX B**

Checkpoints agreed in § 2.7 are as follows:

- Mandur
- Paddirupur
- Kaludaveli Ferry Point
- Anbalantivu Ferry Point
- Mamunai Ferry Point
- Vanvunateevu
- Santhiveli Boat Point
- Black Bridge
- Sitandy Boat Point
- Kiran bridge
- Kinniyadi Boat Point
- Valachenai
- Makerni
- Mahindapura
- Muttur
- Ugilankulam
- Omanthai

## **Appendix 5: The Tokyo Declaration**

### **Tokyo Declaration On Reconstruction And Development Of Sri Lanka**

10 June 2003

#### **Outline of the Conference**

1. The Tokyo Conference on Reconstruction and Development of Sri Lanka was held on June 9 and 10 in Tokyo with the participation of Ministers and representatives from 51 countries and 22 international organizations. The list of participating countries and international organizations is attached. The Prime Minister of Japan, Mr. Junichiro Koizumi, and the Prime Minister of Sri Lanka, Mr. Ranil Wickremesinghe made opening statements. The opening session was chaired by Mr. Yasushi Akashi, Representative of the Government of Japan.
2. Japan, Norway, the United States and the European Union (Presidency and Commission) functioned as co-chairs of the Conference. Representatives of the co-chairs, Minister for Foreign Affairs of Japan, Ms. Yoriko Kawaguchi; State Secretary, the Ministry of Foreign Affairs of Norway, Mr. Olav Kjoerven; Deputy Secretary of State of the United States, Mr. Richard L. Armitage; Mr. Ioannis Theophanopoulos, representing the Presidency of the European Union; and Mr. Bernhard Zeppter, representing the European Commission, delivered statements at the opening session. The President of the Asian Development Bank (ADB), Mr. Tadao Chino also delivered a statement at this session, followed by a video message from the President of the World Bank, Mr. James Wolfensohn.
3. In the operative session, the Governor of the Central Bank of Sri Lanka, Mr. A.S. Jayawardena reported on economic developments and prospects of Sri Lanka. The International Monetary Fund and the World Bank reported on Sri Lanka's macro-economic performance and the reconstruction and development agenda of Sri Lanka. The ADB and the United Nations (UN) system reviewed the "Needs Assessment" of the North and East prepared by the World Bank, the ADB

and the UN system in full consultation with the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). Civil society organizations were consulted during this process.

4. In the plenary session, participating countries and international organizations presented statements which identified their intention to provide economic assistance to Sri Lanka. Presentations were made on the contributions of civil society organizations and of private enterprise to the development objectives of the country.

### **History of the Sri Lankan Peace Process**

5. The armed conflict in Sri Lanka in the last two decades has claimed more than 65,000 lives, and has resulted in more than 800,000 internally displaced persons and a large number of refugees from the North and East. The current peace process commenced in 2000, when Sri Lankan President, Ms. Chandrika Bandaranaike Kumaratunga, and LTTE leader, Mr. Vellupillai Pirapaharan, asked Norway to serve as the impartial facilitator for peace negotiations. The Government of Sri Lanka and the LTTE entered into a mutual cease-fire agreement on February 23, 2002, with the able facilitation by Norway. Since September 2002, six sessions of talks have been conducted between the two parties and significant progress has been achieved. Participating countries and international organizations, which met in Oslo on November 25, 2002, committed themselves to providing immediate humanitarian assistance in support of the peace process. In April 2003, a pre-Tokyo Seminar was held in Washington DC chaired by the US Deputy Secretary of State with a view to building political momentum for the Tokyo Conference.

### **Objectives of the Conference**

6. The objectives of the Conference are to provide the international community with an opportunity to demonstrate its strong and unified commitment to the reconstruction and development of Sri Lanka and to encourage the parties to redouble their efforts to make further progress in the peace process. While only



one party to the peace process is present at the Conference, the international community takes the opportunity to demonstrate its commitment to support the establishment by the parties of the necessary administrative structure for the effective reconstruction and development of the North and East. A partnership between the Government of Sri Lanka and the LTTE will be necessary to rebuild these areas effectively. Adequate safeguards to secure the interests of all other communities should be included in this framework.

7. The Conference takes note of the economic challenges faced by the country and in this context endorsed the Government's "Regaining Sri Lanka" initiative, which is a comprehensive programme to develop Sri Lanka on a balanced and equitable basis.

8. Participants express their regret over the absence of the LTTE from the Tokyo Conference. The Conference provides the Government of Sri Lanka with an opportunity to reaffirm its determination to pursue the peace process, and focus on the reconstruction and development of Sri Lanka.

### **Importance of the Conference in Promoting the Peace Process**

9. Participants express the view that a negotiated settlement in Sri Lanka will be a landmark achievement with regard to peaceful resolution of an armed conflict. The Conference commends both parties for their commitment to a lasting and negotiated peace based on a federal structure within a united Sri Lanka. Furthermore, the Conference stresses the importance of bringing tangible dividends of peace to all the people of Sri Lanka.

### **Balanced Humanitarian and Economic Assistance**

10. The Conference notes the importance of urgent humanitarian assistance as well as medium to long-term assistance to rebuild the conflict-affected areas in the North and East, and to assist in the development of the entire country. The Conference emphasizes the importance of taking full account of the delicate ethnic and geographical balance in providing assistance. The Conference

welcomes the “Needs Assessment” of the North and East, which identified needs in the conflict-affected areas. The donor community expresses its willingness to extend assistance to Sri Lanka based on the source material provided for the Conference namely, “Regaining Sri Lanka”, the “Needs Assessment” of the North and East, the “Needs Assessment” for the conflict- related districts adjacent to the North and East, and the Bridging Document, which links the “Needs Assessments” and “Regaining Sri Lanka”.

### **Support Indicated by the Donors**

11. The participating donor countries and international organizations have demonstrated their willingness to extend assistance to the entire country, to a cumulative estimated amount, in excess of US \$ 4.5 billion over the four year period, 2003-2006. In addition, some countries and international organizations have offered technical support. Others have indicated that their commitments are based upon an assumption of a viable peace process.

12. Several countries and international organizations have specified significant part of their assistance to the North and East. A number of them have indicated that disbursement of such assistance will keep pace with satisfactory progress in the peace process; and others have indicated that, given such progress, they would be willing to consider making additional commitments.

### **Channels of Assistance to the North and East**

13. The international community remains committed to supporting humanitarian relief and human rights protection, and takes the opportunity to encourage the parties to reach agreement on an innovative administrative structure for the reconstruction and development of the North and East. The international community also reiterates its commitment to cooperate with the parties for this purpose. This structure will itself contribute to the process of reconciliation in Sri Lanka. The Conference recognizes with satisfaction that implementation of some humanitarian assistance projects is already taking place in the North and East through bilateral and multilateral channels in cooperation with local and

international NGOs. The Conference also welcomes the establishment of the “North-East Reconstruction Fund (NERF)”, which is to be administered by the World Bank, as an important channel for assistance to the North and East. The Conference also emphasizes the need for flexibility by the Government of Sri Lanka and the LTTE in accepting various forms of assistance from the donor community. The donor community also expresses its willingness to assist capacity building to enhance good governance so as to ensure accountable, transparent, speedy and efficient implementation of projects supported with its assistance.

### **Importance of Strong and Growth Oriented Macro-Economic Policy**

14. The Conference notes that it is imperative for the Government of Sri Lanka to implement the sound macro-economic policy delineated in “Regaining Sri Lanka”. The Conference stresses the need to adopt economic policies aimed at reducing poverty. Sustainable development also depends upon economic growth and job creation as well as encouragement of private enterprise.

### **Progress of the Peace Process**

15. The Conference notes that during the past sessions of the peace talks, significant progress was achieved. Donors remind the Government of Sri Lanka and the LTTE of the importance for both parties to make their utmost efforts to further promote the peace process founded upon the principles reflected in the Oslo Declaration. Donors recognize the urgent need to support the people in the conflict-affected areas of the North and East, and make allocations towards this purpose. With regard to the North and East, priority-setting and project-implementation will take place with the Government working in partnership with the LTTE, and with adequate safeguards for the interests of all communities. The Conference expects that the Government will ensure that the assistance pledged by the donor community to the reconstruction and development of the North and East is utilized specifically for that purpose.

16. The Conference also urges the parties to move expeditiously to a lasting and equitable political settlement. Such a settlement should be based upon respect for

human rights, democracy and the rule of law. In this regard, the Conference looks forward to the parties reaching early agreement on a human rights declaration, as discussed at the sixth session of peace negotiations at Hakone.

17. The Conference welcomes the LTTE's commitment to the negotiated peace process, and urges the LTTE to return to the peace talks as soon as possible. The people in the conflict-affected areas of the North and East must be able to enjoy the dividends of peace immediately. Manifest commitment by both the Government of Sri Lanka and the LTTE to further the peace process will be necessary for the provision of international assistance to the reconstruction and development of the conflict-affected areas of the North and East.

### **Linkage between Donor Support and Progress in the Peace Process**

18. Assistance by the donor community must be closely linked to substantial and parallel progress in the peace process towards fulfilment of the objectives agreed upon by the parties in Oslo. The Conference encourages the Government of Sri Lanka and the LTTE to enter into discussions as early as possible on a provisional administrative structure to manage the reconstruction and development aspects of the transition process. The process would need the expeditious development of a roadmap with clear milestones indicating the path towards a mutually acceptable final political solution. With this in view, the international community intends to review and monitor the progress of the peace process closely, with particular reference to objectives and milestones including:

- a. Full compliance with the cease-fire agreement by both parties.
- b. Effective delivery mechanisms relating to development activity in the North and East.
- c. Participation of a Muslim delegation as agreed in the declaration of the fourth session of peace talks in Thailand
- d. Parallel progress towards a final political settlement based on the principles of the Oslo Declaration.
- e. Solutions for those displaced due to the armed conflict.
- f. Effective promotion and protection of the human rights of all people.

- g. Effective inclusion of gender equity and equality in the peace building, the conflict transformation and the reconstruction process, emphasizing an equitable representation of women in political fora and at other decision-making levels.
- h. Implementation of effective measures in accordance with the UNICEF-supported Action Plan to stop underage recruitment and to facilitate the release of underage recruits and their rehabilitation and reintegration into society.
- i. Rehabilitation of former combatants and civilians in the North and East, who have been disabled physically or psychologically due to the armed conflict.
- j. Agreement by the Government of Sri Lanka and the LTTE on a phased, balanced, and verifiable de-escalation, de-militarization and normalization process at an appropriate time in the context of arriving at a political settlement.

### **Inputs from Civil Society Organizations and Private Enterprise**

19. The Conference welcomes the inputs from the civil society meetings held in Colombo on 26-27 April 2003 and in Tokyo on 8 June 2003. The Conference is of the view that the intensity and continuity of involvement on the part of civil society organizations are essential to achieve success in the challenging task undertaken by the parties. The Conference is encouraged by the dynamic role played by private enterprise. The Conference also recognizes the contribution of academic communities, trade unions, professional groups, religious organizations and others.

### **Monitoring and Review**

20. In view of the linkage between donor support and progress in the peace process, the international community will monitor and review the progress in the peace process. In implementing its own assistance programmes, the donor community intends to take into careful consideration the results of these periodic reviews. With full regard to the position of Norway as the facilitator, Japan, in

cooperation with the United States and the European Union, will undertake necessary consultations to establish the modalities for this purpose as early as possible.

### **Follow-up Action**

21. The Conference requests the Government of Japan, as the host country, to convey the outcome of the Conference to the LTTE.

### **List of Participating Countries and International Organizations of Tokyo Conference on Reconstruction and Development of Sri Lanka 09 and 10 June 2003, Tokyo**

Commonwealth of Australia  
Republic of Austria  
People's Republic of Bangladesh  
Kingdom of Belgium  
Federative Republic of Brazil  
Brunei Darussalam  
Kingdom of Cambodia  
Canada  
People's Republic of China  
Kingdom of Denmark  
Arab Republic of Egypt  
Republic of Finland  
French Republic  
Federal Republic of Germany  
Hellenic Greece  
State of the City of Vatican  
Republic of Iceland  
India  
Republic of Indonesia  
Islamic Republic of Iran  
Ireland  
State of Israel  
Republic of Italy  
Japan  
Republic of Korea  
State of Kuwait  
Lao People's Democratic Republic  
Grand Duchy of Luxembourg  
Malaysia  
Kingdom of Nepal  
Kingdom of the Netherlands

New Zealand  
Kingdom of Norway  
Sultanate of Oman  
Islamic Republic of Pakistan  
Republic of the Philippines  
Portuguese Republic  
Russian Federation  
Kingdom of Saudi Arabia  
Republic of Singapore  
Republic of South Africa  
Spain  
Democratic Socialist Republic of Sri Lanka  
Kingdom of Sweden  
Swiss Confederation  
Kingdom of Thailand  
Ukraine  
United Arab Emirates  
United Kingdom of Great Britain and Northern Ireland  
United States of America  
Socialist Republic of Viet Nam

European Commission  
Asian Development Bank  
Asian Productivity Organization  
Food and Agriculture Organization of the United Nations  
International Committee of the Red Cross  
International Federation of Red Cross and Red Crescent Societies  
International Fund for Agricultural Development  
International Labor Organization  
International Monetary Fund  
International Organization for Migration  
Multilateral Investment Guarantee Agency  
United Nations Secretariat  
United Nations Human Settlement Programme  
United Nations Development Programme  
United Nations Population Fund  
United Nations High Commissioner for Refugees  
United Nations Children's Fund  
United Nations Educational, Scientific and Cultural Organization  
United Nations Office on Drugs and Crime  
United Nations World Food Programme  
World Health Organization  
World Bank

## **Appendix 6: TNA Manifesto 2001**

November 12, 2001

1. The parliamentary elections scheduled for 5th December 2001 will be an important landmark in the political history of the Tamil nationality.
2. It is imperative that the present situation of drift and uncertainty be ended and that the Tamil national question be addressed with all the seriousness and urgency it deserves.
3. A brief reiteration of the political experiences and history of the Tamil nationality in the past fifty-two years since independence would be relevant.
4. The Citizenship and Franchise Laws deprived hundreds of thousands of Tamils of recent Indian origin, who were domiciled in Ceylon at independence, of their citizenship and franchise rights. Though subsequent efforts were made to remedy this grave injustice, more than three hundred thousand of these people have been compelled to leave the country, while almost a hundred thousand yet remain stateless. This has diminished the political strength and representation of the Tamil people.
5. State aided colonization of the Tamil homeland with Sinhala people, from the time of independence has continued unabated despite agreements entered into by successive prime ministers with the Tamil political leadership, which if implemented, would have brought to an end this pernicious practice, that diminished the political strength and representation of the Tamil nationality, in the Tamil homeland and also deprives them of vital resources in the areas of their historical habitation. Successive governments have through the activities of State-funded corporations and through the encouragement of unlawful occupation of State land by the Sinhala people contributed to the worsening of the situation.



6. The harmful impact of state-aided Sinhala colonization of the Tamil homeland is demonstrated by the incontrovertible fact that while the natural increase of Sinhala population country wide-between 1948 (the year of independence) and 1981 (the year of the last available census) was 238 percent, the Sinhala population in the eastern province increased during the same period by 883 percent. The position now in the year 2001 is far worse than what it was in 1981.

7. The enactment of the Sinhala Only legislation and the implementation of that policy for over three decades, gravely impinged upon the employment and other opportunities of the Tamil nationality in the administrative system and reduced the Tamil nationality to a position of second class citizenship.

8. The dubious provision, by which Tamil was purported to be elevated to the same status as Sinhala, remains a dead letter. The Sinhala language is yet the only language used, even in some parts of the Tamil homeland. The resulting position is that the status of the Tamil nationality in the administration yet continues to remain the same.

9. Standardization in admissions to university education in the 1970s embittered Tamil youth who were deprived of equal opportunity to higher education. The district-wise admission to university education now in force is weighted in favour of the Sinhala nationality, and does not accord merit its rightful place in the higher education system. Equal facilities are not provided to Tamil students in the matter of the educational infrastructure and services. There is much frustration within the Tamil nationality in the field of education. Non-recognition of merit, deprivation of social development, and denial of economic opportunities, step-motherly treatment in the fields of industries, agriculture and fisheries, have led to social underdevelopment, and economic impoverishment of the Tamil nationality.

10. There is gross discrimination against Tamil youth in the field of public sector employment. The same practice is spreading to private sector employment. Not even three percent of the total employment is provided to the Tamil nationality in the public sector. Such blatant discrimination against the Tamil nationality, particularly Tamil youth, has continued for decades and successive governments

have been utterly insensitive to the legitimate grievances of the Tamil nationality in this regard.

11. Racial pogroms against the Tamil nationality have been a regular phenomenon since the 1950's. The Tamil nationality has lost lives by the tens of thousands, many more have been grievously wounded and billions of rupees worth of property owned by Tamils has been destroyed in the northeast and other parts of the island. Places of religious worship, educational and cultural institutions including the public library of Jaffna were destroyed by the armed forces of the Sri Lankan State. The disappearances of Tamil people, particularly Tamil youths, and frequent sexual assault against Tamil females has been a continuing feature of the violence unleashed against the Tamil nationality: some governments have even collaborated with the perpetrators of violence.

12. Arbitrary and indiscriminate arrests of Tamil youth, prolonged detention under the draconian Prevention of Terrorism Act and the Emergency Regulations without trial, physical and mental torture, the humiliation and insults inflicted on the Tamil nationality allegedly on grounds of security, have been a continuing feature. Aerial bombing and shelling both from land and sea into Tamil civilian settlements has resulted in death and injury and in the substantial dislocation of the Tamil civilian population, and the dreadful fear amongst noncombatant civilians that they could be the victims of such bombing and shelling.

13. Having failed to resolve the Tamil national question, through negotiations, and civil disobedience campaigns, such as the massive 'satyagraha' campaign in the northeast in 1961, when the repression of the armed forces was unleashed on the Tamil nationality, and the Tamil political leadership detained in an army camp, the Vaddukoddai resolution was adopted on 14th May 1976, for the restoration of the sovereignty of the Tamil nation.

14. The position today is much worse than it was in 1976.

15. It was in this background and in the context of the failure of successive governments to evolve a just solution to the Tamil national question, that Tamil youth - left with no alternative - were driven to resort to an armed struggle.

16. Even after the adoption of the Vaddukoddai resolution, and even after the commencement of an armed struggle, the Tamil political leadership had always been willing to, and has made every possible endeavour to negotiate a just solution to the Tamil national question. The opportunities that thus became available were not availed of by successive governments. There has thus been dismal failure on the part of successive governments, during the past fifty years, to evolve a just solution to the Tamil national question.

17. Consequently, it was inevitable, that the armed struggle gained in strength, and the Liberation Tigers of Tamil Eelam came to occupy a paramount position, and play a pivotal role in the struggle of the Tamil nationality to win their rights. It would be futile not to recognize this reality.

18. It would be relevant to recall the statement made by the widely representative delegation of the Tamil nationality on 13th July 1985 at talks with representatives of the Sri Lankan government at Thimpu, Bhutan. 'It is our considered view that any meaningful solution to the national question of the island must be based on the following four cardinal principles'.

1. Recognition of the Tamils of Sri Lanka as a distinct nationality.
2. Recognition of an identified Tamil homeland and guarantee of its territorial integrity.
3. Based on the above, recognition of the inalienable right of self-determination of the Tamil nation.
4. Recognition of the right to full citizenship and other fundamental democratic rights of all Tamils who look upon the island as their country.'

19. The statement went on to state - 'Different countries have fashioned different systems of governments to ensure these principles. We have demanded and

struggled for an independent Tamil state as the answer to this problem arising out of the denial of these basic rights of our people...

20. In view of our earnest desire for peace, we are prepared to give consideration to any set of proposals in keeping with the above principles that the Sri Lanka government might place before us'.

21. The Sri Lankan State has lacked comprehension and consistency in its purported efforts to evolve a just solution to the Tamil national question. The sincerity of the commitment of the Sri Lankan State has thereby been called into serious question. By reason thereof, the Tamil nationality has encountered immense hardship and suffering, valuable lives have been lost on all sides, and the whole country has had to endure the multi-faceted adverse consequences of the continuing war.

22. The seriously flawed policies of the Sri Lankan State in the past six years, of claiming to 'conduct a war for peace' and claiming 'that the war is being conducted against the LTTE and not against the Tamil people' has aggravated the situation and made a just solution to the Tamil national question even more complex. We have consistently rejected these positions, and asserted that war can never bring about peace, and that peace can only be achieved through rational dialogue. We have also consistently asserted that any attempt to draw a distinction between the LTTE and the Tamil people was meaningless, when there was no aspect of Tamil civilian life which was not gravely impaired by the continuance of the war, and that the war should therefore be ended. The hollowness of these two slogans of the Sri Lankan State today stands fully exposed.

23. It is such misconceived thinking on the part of the Sri Lankan State, that resulted in tardiness in accepting an international third party role, in order to evolve a just solution to the Tamil national question and the failure after the acceptance of the Norwegian initiative to grasp opportunities that became available to terminate the war, and further the negotiation process; and thereafter in the stultification of the Norwegian initiative on frivolous pretexts and the consequent frustration of the peace process.

24. The above factors have made it imperative for the Tamil nationality to formulate a cohesive and coherent position in regard to their future political struggle.

25. The immediate aims and objectives of the Tamil Alliance comprising the Tamil United Liberation Front (TULF), the All Ceylon Tamil Congress (ACTC), the Tamil Eelam Liberation Organization (TELO) and the Eelam People's Revolutionary Liberation Front (EPRLF) are the following: -

- i) The immediate lifting of the economic embargo currently in force in parts of the northeast province
- ii) The withdrawal of the residential and travel restrictions foisted on the Tamil nationality
- iii) The immediate cessation of the war being currently waged in the northeast
- iv) The immediate commencement of the process of negotiations with the Liberation Tigers of Tamil Eelam (LTTE) with international third party involvement. This Alliance also states that unless meaningful negotiations are held with the LTTE no just solution can be found to the Tamil national question and that such negotiations should be held immediately only with the LTTE. This Alliance further states that in order to ensure that the negotiations are properly focussed and are purposeful and successful, no parallel negotiations should take place with any other Tamil political formation.
- v) That to facilitate the commencement of such negotiations, steps should be taken to lift the proscription imposed on the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, and thereby ensure such proscription does not constitute an impediment to the free and full participation of the LTTE at such negotiations on behalf of the Tamil nationality.

26. The Alliance contests the forthcoming parliamentary elections in order to achieve the aims and objectives, outlines above, and will campaign both nationally and internationally for the achievement of the said aims and objectives.

27. This Alliance will mobilize the Tamil-speaking people of the northeast, in order to achieve the said aims and objectives.

28. The Tamil nationality is today at the crossroads, between despair as a result of their present pathetic plight, and hope for a better tomorrow.

29. We urge the Tamil speaking voters to repose faith in the hope for a better tomorrow, and extend their total support to the Tamil Alliance, by casting their votes for the rising sun, the common symbol of the Tamil Alliance.

## **Appendix 7: TNA Manifesto 2004**

1. Within two years of Parliamentary elections of December 5, 2001 the Tamil nation was forced to the position of having to face another election as a result of a power struggle between the two largest Sinhala chauvinist parties.

2. However, with the current political environment and in the backdrop of the changes shaping the attitudes of the international community towards our freedom struggle, the TNA has decided to make use of the opportunity presented by this election to bring forcefully to the attention of the world, and Sri Lanka in particular, our resolve for self-determination.

3. The Tamil Nation which from historical times had its own traditional homeland, sovereignty and rule over it lost them first to the European aggressors. When in 1833 the British brought the whole island of Ilankai under one administrative control the Tamil Nation, without its consent, was annexed to the Sinhala areas.

4. Later in 1948 at the time of their departure, the British rejected every constitutional proposal submitted on behalf of the Tamil Nation and the way was paved for the fate of the Tamil Nation to be at the mercy of the Sinhala nation. Subsequently, as a result of the measures taken by the chauvinist Sinhala majority such as the appropriation of Tamils' land, disenfranchisement, abrogation of voting rights and language rights, discrimination based on race in education, employment, culture all of which threatened the distinctiveness and survival of the Tamil Nation, the non-violent struggle adopted by the Ilankai Tamil Arasu Katchi on behalf of the Tamil Nation based on the conviction that the affairs in our traditional homeland should be administered only by us and on the principle of self-determination, was put down by force of arms by the government. Since 1957 the agreements entered into from time to time, by the leaders of Tamil people with the chauvinist Sinhala political leaders have been torn up and discarded.

5. Continuing this behaviour, in the years 1956 and 1957 planned violence was directed at the helpless Tamil people. Because the provisions of the unitary-state republican constitution of 1972, which was approved in the midst of the opposition by Tamil people's representatives by the chauvinist Sinhala majority, which denied totally and comprehensively the rights of the Tamil people, there arose the historical inevitability of the start of an armed rebellion on behalf of the Tamil people.

6. In this political environment the Tamil organizations got together and resolved on May 14, 1976 to establish a sovereign independent Tamil Eelam based on our inalienable right to selfdetermination. Independent Tamil Eelam received its mandate as a result of the overwhelming support given to the TULF by the Tamil speaking people of NorthEast in the general elections of July 1977.

7. In addition to the unleashing of genocidal attacks on the Tamil people as an immediate response to the mandate for an independent Tamil Eelam, in the following year, a second republican constitution, further strengthening the unitary-state government was promulgated despite opposition from the Tamil people and their representatives. Subsequently in 1979 and 1981 and later on a enormous scale in 1983, genocidal attacks on Tamils was planned and agitated by the Sinhala chauvinist politicians.

8. In this circumstance, in order to safeguard the life and liberty of the Tamil race and to establish its birthright for self-determination, the Tamil Nation having been pushed to the unavoidable state of armed conflict as the only way, the war not only broadened but advanced under the generalship of the Tigers' leader Hon. Pirapaharan.

9. The state of affairs being that all the efforts taken by the successive Sinhala chauvinist governments to defeat the armed campaign for Tamil Nation's freedom and thereby crush the political aspirations of the Tamil people having ended in failure, and in the context of the reality being accepted and emphasized by the international community that the solution to the Tamil National problem cannot



be settled by force of arms but only politically, the basis was laid for political negotiations with the help of the international community.

10. We are obligated to remind ourselves at this stage that the only reason we have established the power of Tamil nationalism thus is because our people have demonstrated such determination and sacrifice for the ideals in the face of numerous hardships and the loss of nearly one lakh of lives and because of the legendary bravery, sacrifices and exploits of our heroes and fighters.

11. The unilateral cease-fire, declared by the LTTE midnight on December 24, 2001 and the subsequent cease-fire agreement signed (between the LTTE and the Sri Lankan government) as a result of the efforts of the Norwegian government with the approval of the LTTE and the Sri Lankan government, paved the way for a series of talks.

12. On account of the failure to institute, in terms of the agreement reached in the talks, the administrative organs including 'SIHRN' to carry out the necessary and urgent functions based on humanitarian considerations required to restore normalcy in the daily lives of the Tamil people and the failure to organize the bureaucratic framework to put to use the huge amount of aid promised by the international community and bearing in mind the escalating daily hardships and misery to the people and the resulting perceptions, the LTTE put forward the proposal that an interim self-governing authority be set up for the regions of the Tamil nation.

13. Their draft proposals for the interim self-governing authority (ISGA) was submitted to the facilitators on October 31, 2003.

14. The LTTE requested the Sri Lankan government to appoint a date for the commencement of talks on these proposals. The political crisis that was precipitated by the president at this juncture by taking over the Defense, Interior and Information ministries within three days of the ISGA proposals culminated in the dissolution of the parliament and the announcement of general elections to take place on April 4, 2004. This state of affairs not only disrupted the efforts to

set up an ISGA sorely needed for our people but also set back and put in peril the efforts to a political solution to the Tamil national problem. Despite this the LTTE has reaffirmed their determination to pursue the course of peace. The international community has praised and approved this.

15. In the forthcoming elections the Tamil national problem has been made to take the centre stage in South Sri Lanka. This has been used as the basis for Sinhala chauvinist propaganda in various forms to present to the Sinhala electorate. Thus, the responsibility resides with the Sinhala people to arrive at a mature position in the matter of resolving the Tamil national problem.

17. The LTTE announced the unilateral cessation of hostilities in December 2001. We wish to point out that following this on February 22, 2002 even though they signed the cease-fire agreement and continued to take part in the political negotiation regarding the Tamil national problem the LTTE not only has fully 70 regions in the Tamil people's traditional homeland under its complete control and is managing an administrative set up with characteristic features of a state government but also has a functioning government.

18. For these reason the TNA expects the Sinhala nation also to play its part in the productive and healthy resumption of the disrupted political settlement efforts. Based on this the TNA puts forward the following resolutions:

- 1) Find a political solution to the Tamil national problem based on the acceptance of the fundamental proposals regarding (Tamil Nation's) Tamil homeland, Tamil Nation, Tamils' right to self-government (autonomy).
- 2) The TNA has clear and definitive position on the political solution of the Tamil national problem in regard to the Muslims. Because of the fact the Muslims have Tamil as their Mother tongue like the Tamils and on the recognition that they have lived in amity amongst the Tamil in the Tamil homeland, the TNA has decided that any solution to the Tamil national problem must incorporate matters and features that reassure the distinctiveness, security, culture and economy of the Muslims. In this manner, in the ISGA proposals and features relating to the Muslims have

been made manifest. That the Muslim community has the right to be a party in determining the part to be played by them in ISGA committee has been made clear by the LTTE. Moreover, LTTE has made known that the members appointed by the NorthEast Muslim community will take their place in the ISGA committee. The TNA is confident that the Muslim brothers will join with the Tamils in this front to erect a common future.

- 3) The Sinhala nation should accept in to the ideas developed in the ISGA document put forward by the LTTE which contains excellent proposals in regard to rebuilding the Tamil country devastated and Tamil lives ravaged in the twenty-year long war, to solve the day to day problems encountered by the Tamil people and to establish normalcy in the lives of the Tamil people, centred on their welfare, respecting human rights and conforming to the rule of law, and proceed to hold talks with the LTTE and set up the ISGA committee.
- 4) The high security zones and armed forces camps which are located in areas populated by Tamils disregarding their welfare, priority given to strategic interest of warfare, should be removed and arrangements made for the Tamil people to return and settle in their places of residence.
- 5) The armed forces' interdiction and oppression imposed must be lifted comprehensively to enable the Tamil people to carry on the activities needed for their livelihood and to move freely in their homeland.
- 6) The international community, instead of waiting until the Tamil nation's ethnic problem is permanently solved, should step forward and directly assist in the pressing humanitarian needs and economic development schemes and improve the economic life of the Tamil nation.
- 7) The political prisoners unreasonably held in jail for years should all be released forthwith.
- 8) An international judicial inquiry should be conducted to deliver justice to our people and to the relatives who are burdened with the unbearable sorrow of not knowing the fate of those innocents who disappeared after having been arrested by the armed forces and police in our homeland.
- 9) All the provisions of the cease-fire agreements must be completely fulfilled and peace and normalcy should prevail in our homeland.

10) The LTTE has for the past two years put up with the violent, surly behaviour of the armed forces without impairing the conditions for peace and observing the cease-fire and acting steadfastly and firmly towards the path of peace. Hence, the international community should create the environment by removing the restrictions put in place by certain countries on the LTTE, the authentic sole representatives of the Tamil people, so that they could, with authority, dignity and with equal status conduct talks with the government of Sri Lanka.

19. Accepting LTTE's leadership as the national leadership of the Tamil Eelam Tamils and the Liberation Tigers as the sole and authentic representatives of the Tamil people, let us devote our full cooperation for the ideals of the Liberation Tigers' struggle with honesty and steadfastness. Let us endeavour determinedly, collectively as one group, one nation, one country, transcending race and religious differences, under the leadership of the LTTE for a life of liberty, honor and justice for the Tamil people. Let us work side by side with the LTTE, who are fighting for the protection and autonomous life of the Tamil speaking people, for the political initiatives under their leadership. We emphasize that if the Tamil nation's requests are continued to be rejected, rightful political solution denied and armed aggression and oppressive rule return, based on the doctrine of self-determination, it is an inevitable reality that Tamil sovereignty and independence will be established in the Tamil homeland. We implore our people to identify the selfish, opportunistic packs and gangs that operate in our midst as the enemies and as the tools of the majoritarian chauvinist Sinhala forces against the Tamil nation which seeks an honourable and peaceful life and reject them totally and completely in the upcoming elections. We are sending a clarion call to the Tamil speaking people to unite under one flag and give overwhelming support to the TNA which is contesting (the elections) under the ILANKAI TAMIL ARASU KATCHI'S symbol of house, so as to emphasize the aims of the people of the Tamil Nation, to proclaim again the political resolve of our people, to strengthen further the Tamil nation and to win the political rights of the Tamil speaking people.

## **Appendix 8: Vaddokoddai Resolution**

### **Unanimously adopted at the First National Convention of the Tamil United Liberation Front held at Vaddukoddai on 14-May-1976**

Whereas throughout the centuries from the dawn of history the Sinhalese and Tamil nations have divided between them the possession of Ceylon, the Sinhalese inhabiting the interior of the country in its Southern and Western parts from the river Walawe to that of Chilaw and the Tamils possessing the Northern and Eastern districts;

And whereas the Tamil Kingdom was overthrown in war and conquered by the Portuguese in 1619 and from them by the Dutch and the British in turn independent of the Sinhalese Kingdoms;

And whereas the British Colonists who ruled the territories of the Sinhalese and Tamil Kingdoms separately joined under compulsion the territories of the Sinhalese Kingdoms for purposes of administrative convenience on the recommendation of the Colebrooke Commission in 1833;

And whereas the Tamil Leaders were in the forefront of the Freedom movement to rid Ceylon of colonial bondage which ultimately led to the grant of independence to Ceylon in 1948;

And whereas the foregoing facts of history were completely overlooked and power was transferred to the Sinhalese nation over the entire country on the basis of a numerical majority thereby reducing the Tamil nation to the position of subject people;

And whereas successive Sinhalese governments since independence have always encouraged and fostered the aggressive nationalism of the Sinhalese people and have used their political power to the detriment of the Tamils by -

(a) Depriving one half of the Tamil people of their citizenship and franchise rights thereby reducing Tamil representation in Parliament,

(b) Making serious inroads into the territories of the former Tamil Kingdom by a system of planned and state-aided Sinhalese colonization and large scale regularization of recently encouraged Sinhalese encroachments calculated to make the Tamils a minority in their own homeland,

(c) Making Sinhala the only official language throughout Ceylon thereby placing the stamp of inferiority on the Tamils and the Tamil Language,

(d) Giving the foremost place to Buddhism under the Republican constitution thereby reducing the Hindus, Christians, and Muslims to second class status in this Country,

(e) Denying to the Tamils equality of opportunity in the spheres of employment, education, land alienation and economic life in general and starving Tamil areas of large scale industries and development schemes thereby seriously endangering their very existence in Ceylon,

(f) Systematically cutting them off from the main-stream of Tamil cultures in South-India while denying them opportunities of developing their language and culture in Ceylon thereby working inexorably towards the cultural genocide of the Tamils,

(g) Permitting and unleashing communal violence and intimidation against the Tamil speaking people as happened in Amparai and Colombo in 1956; all over the country in 1958; army reign of terror in the Northern and Eastern Provinces in 1961; Police violence at the International Tamil Research Conference in 1974 resulting in the death of nine persons in Jaffna; Police and communal violence against Tamil speaking Muslims at Puttalam and various other parts of Ceylon in 1976 - all these calculated to instill terror in the minds of the Tamil speaking people thereby breaking their spirit and the will to resist injustices heaped on them,

(h) By terrorizing, torturing, and imprisoning Tamil youths without trial for long periods on the flimsiest grounds,

(i) Capping it all by imposing on the Tamil Nation constitution drafted under conditions of emergency without opportunities for free discussion by a constituent assembly elected on the basis of the Soulbury Constitution distorted by the Citizenship laws resulting in weightage in representation to the Sinhalese majority thereby depriving the Tamils of even the remnants of safeguards they had under the earlier constitution,

And whereas all attempts by the various Tamil political parties to win their rights by co-operating with the governments, by parliamentary and extra-parliamentary agitations, by entering into pacts and understandings with successive Prime Ministers in order to achieve the bare minimum of political rights consistent with the self-respect of the Tamil people have proved to be futile;

And whereas the efforts of the All Ceylon Tamil Congress to ensure non-domination of the minorities by the majority by the adoption of a scheme of balanced representation in a Unitary Constitution have failed and even the meagre safeguards provided in article 29 of the Soulbury Constitution against discriminatory legislation have been removed by the Republican Constitution;

And whereas the proposals submitted to the Constituent Assembly by the Ilankai Thamil Arasu Kadchi for maintaining the unity of the country while preserving the integrity of the Tamil people by the establishment of an autonomous Tamil State within the framework of a Federal Republic of Ceylon were summarily and totally rejected without even the courtesy of a consideration of its merits;

And whereas the amendments to the basic resolutions intended to ensure the minimum of safeguards to the Tamil people moved on the basis of the nine point demands formulated at the conference of all Tamil Political parties at Valvettithurai on 7th February 1971 and by individual parties and Tamil members

of Parliament including those now in the government party were rejected in total by the government and Constituent Assembly;

And whereas even amendments to the draft proposals relating to language, religion, and fundamental-rights including one calculated to ensure that at least the provisions of the Tamil Language (Special Provisions) Regulations of 1956 be included in the Constitution were defeated resulting in the boycott of the Constituent Assembly by a large majority of the Tamil members of Parliament;

And whereas the Tamil United Liberation Front, after rejecting the Republican Constitution adopted on the 22nd of May, 1972 presented a six point demand to the Prime Minister and the Government on 25th June, 1972 and gave three months time within which the Government was called upon to take meaningful steps to amend the Constitution so as to meet the aspirations of the Tamil Nation on the basis of the six points and informed the Government that if it failed to do so the Tamil United Liberation Front would launch a non-violent direct action against the Government in order to win the freedom and the rights of the Tamil Nation on the basis of the right of self-determination;

And whereas this last attempt by the Tamil United Liberation Front to win Constitutional recognition of the rights of the Tamil Nation without jeopardizing the unity of the country was callously ignored by the Prime Minister and the Government;

And whereas the opportunity provided by the Tamil United Liberation leader to vindicate the Government's contention that their constitution had the backing of the Tamil people, by resigning from his membership of the National State Assembly and creating a by-election was deliberately put off for over two years in utter disregard of the democratic right of the Tamil voters of Kankesanthurai, and

Whereas in the by-election held on the 6th February 1975 the voters of Kankesanthurai by a preponderant majority not only rejected the Republican Constitution imposed on them by the Sinhalese Government but also gave a mandate to Mr.S.J.V. Chelvanayakam, Q.C. and through him to the Tamil United



Liberation Front for the restoration and reconstitution of the Free Sovereign,  
Secular, Socialist State of TAMIL EELAM.

The first National Convention of the Tamil United Liberation Front meeting at Pannakam (Vaddukoddai Constituency) on the 14th day of May, 1976 hereby declares that the Tamils of Ceylon by virtue of their great language, their religions, their separate culture and heritage, their history of independent existence as a separate state over a distinct territory for several centuries till they were conquered by the armed might of the European invaders and above all by their will to exist as a separate entity ruling themselves in their own territory, are a nation distinct and apart from Sinhalese and this Convention announces to the world that the Republican Constitution of 1972 has made the Tamils a slave nation ruled by the new colonial masters the Sinhalese who are using the power they have wrongly usurped to deprive the Tamil Nation of its territory, language citizenship, economic life, opportunities of employment and education thereby destroying all the attributes of nationhood of the Tamil people.

And therefore, while taking note of the reservations in relation to its commitment to the setting up of a separated state of TAMIL EELAM expressed by the Ceylon Workers Congress as a Trade Union of the Plantation Workers, the majority of whom live and work outside the Northern and Eastern areas,

This convention resolves that restoration and reconstitution of the Free, Sovereign, Secular Socialist State of TAMIL EELAM based on the right of self determination inherent to every nation has become inevitable in order to safeguard the very existence of the Tamil Nation in this Country.

This Convention further declares -

(a) that the State of TAMIL EELAM shall consist of the people of the Northern and Eastern provinces and shall also ensure full and equal rights of citizenship of the State of TAMIL EELAM to all Tamil speaking people living in any part of Ceylon and to Tamils of EELAM origin living in any part of the world who may opt for citizenship of TAMIL EELAM.

(b) that the constitution of TAMIL EELAM shall be based on the principle of democratic decentralization so as to ensure the non-domination of any religious or territorial community of TAMIL EELAM by any other section.

(c) that in the state of Tamil Eelam caste shall be abolished and the observance of the pernicious practice of untouchability or inequality of any type based on birth shall be totally eradicated and its observance in any form punished by law.

(d) that TAMIL EELAM shall be secular state giving equal protection and assistance to all religions to which the people of the state may belong.

(e) that Tamil shall be the language of the State but the rights of of Sinhalese speaking minorities in Tamil Eelam to education and transaction of business in their language shall be protected on a reciprocal basis with the Tamil speaking minorities in the Sinhala State.

(f) that Tamil Eelam shall be a Socialist State wherein the exploitation of man by man shall be forbidden, the dignity of labor shall be recognized, the means of production and distribution shall be subject to public ownership and control while permitting private enterprise in these branches within limit prescribed by law, economic development shall be on the basis of socialist planning and there shall be a ceiling on the total wealth that any individual of family may acquire.

This Convention directs the Action Committee of the TAMIL UNITED LIBERATION FRONT to formulate a plan of action and launch without undue delay the struggle for winning the sovereignty and freedom of the Tamil Nation; And this Convention calls upon the Tamil Nation in general and the Tamil youth in particular to come forward to throw themselves fully in the sacred fight for freedom and to flinch not till the goal of a sovereign state of TAMIL EELAM is reached.

## **Appendix 9: Thimpu Declaration**

### **Joint statement made by the Tamil Delegation on the concluding day of Phase I of the Thimpu talks on the 13th of July 1985**

It is our considered view that any meaningful solution to the Tamil national question must be based on the following four cardinal principles:

- recognition of the Tamils of Ceylon as a nation
- recognition of the existence of an identified homeland for the Tamils in Ceylon
- recognition of the right of self determination of the Tamil nation
- recognition of the right to citizenship and the fundamental rights of all Tamils in Ceylon

Different countries have fashioned different systems of governments to ensure these principles. We have demanded and struggled for an independent Tamil state as the answer to this problem arising out of the denial of these basic rights of our people. The proposals put forward by the Sri Lankan government delegation as their solution to this problem is totally unacceptable. Therefore we have rejected them as stated by us in our statement of the 12th of July 1985. However, in view of our earnest desire for peace, we are prepared to give consideration to any set of proposals, in keeping with the above mentioned principles, that the Sri Lankan Government may place before us.

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