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Seoighe, Rachel

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Without "Our Undisciplined Army": Conflict, Denial and Nation-Building in Sri Lanka

Rachel Seoighe

Dickson Poon School of Law
King's College London

Thesis submitted in fulfilment of the requirements of the degree of Doctor of Philosophy

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Abstract

In 2009, three decades of conflict came to an end in Sri Lanka. The final six months of the war between state forces and the Liberation Tigers of Tamil Eelam saw extensive violence against the Tamil population of the Vanni region. Informed by discourse analysis and qualitative interviews conducted in Sri Lanka, this thesis examines the manufacture of consent for a military solution under the current Rajapaksa government and the suppression of Tamil political agency post-war.

After the end of the civil war, a national security state was established in Sri Lanka, incorporating a militant and anti-minority Sinhala-Buddhist nationalist ideology. This thesis provides an analysis of triumphant and antagonistic processes of post-war 'Sinhalisation' in the nascent Tamil Eelam. It demonstrates Sri Lanka's rejection of liberal conceptions of peace-building and transitional justice, and reveals the state's actions and rhetoric in this regard as strategic performances, designed to avoid accountability and international censure. Engaging themes of language, power and nationalistic performativity, I explore political discourse, state terror and state-corporate collusion, and the authorship of a 'national story' for the post-war nation-building project.

I provide a genealogy of the country's competing nation-building processes and attendant political violence – both state-orchestrated and Tamil, and the historical expansion of mechanisms of social and discursive control. The draconian laws introduced to tackle 'Tamil terrorism' have persisted beyond the end of the civil war, as have extra-legal practices designed to terrorise the population. I examine the various ways in which the Sri Lankan state relies heavily on state denial and the manipulation and reinterpretation of events, often facilitated by public-relations companies.

By describing militarisation, the post-war detention and surveillance of the Tamil community, and state-run projects designed to politically neutralise and culturally erase Tamil life, I examine the post-conflict reconfiguration of

Tamil political agency and the potential of the newly established Tamil-led Northern Provincial Council.

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List of Abbreviations

ACHR	African Commission on Human Rights
AHRC	Asian Human Rights Commission
AI	Amnesty International
AP	Associated Press
APPGT	All Party Parliamentary Group for Tamils
BASA	Bilateral Air Services Agreement
BBC	British Broadcasting Commission
BCGR	Bureau of the Commissioner General of Rehabilitation
BTF	British Tamils Forum
CAAT	Coalition Against the Arms Trade
CAEC	Committees on Arms Export Control
CDA	Critical Discourse Analysis
CID	Criminal Investigation Department
CFA	Ceasefire Agreement
CHOGM	Commonwealth Heads of Government Meeting
CHRD	Centre for Human Rights and Development
CNN	Cable News Network
CPA	Centre for Policy Alternatives
CPJ	Committee to Protect Journalists
DPF	Democratic People's Front
EROS	Eelam Revolutionary Organisation of Students
ERs	Emergency Regulations
EU	European Union
EVE	Enumeration of Vital Events
FP	Federal Party
GRULAC	Group of Latin American and Caribbean Countries
HCHR	High Commissioner of Human Rights
HRW	Human Rights Watch
IACHR	Inter-American Court of Human Rights
ICAN	International Civil Society Action Network

ICCPR	International Covenant on Civil and Political Rights
ICISS	International Committee for Intervention and State Sovereignty
ICJ	International Commission of Jurists
ICRC	International Committee of the Red Cross
ICTJ	International Centre for Transitional Justice
IDMC	Internal Displacement Monitoring Centre
IDP	Internally Displaced Person
IISS	International Institute for Security Studies
IMF	International Monetary Fund
INGO	International Non-Governmental Organisation
IOM	International Organisation for Migration
IOSP	Italian Organisation for Solidarity among People
IRBC	Immigration and Refugee Board of Canada
IPFFEM	International Press Freedom and Freedom of Expression Mission
JDS	Journalists for Democracy
JSIA	Jindal School of International Affairs
JVP	Janathā Vimukthi Peramuṇa (People's Liberation Front)
LLRC	Lessons Learnt and Reconciliation Commission
LTTE	Liberation Tigers of Tamil Eelam
MEA	Ministry of External Affairs
MCNS	Media Centre for National Security
MOD	Ministry of Defence and Urban Development
MP	Member of Parliament
MRG	Minority Rights Group
NAM	Non-Aligned Movement
NAP	National Action Plan
NEC	National Education Commission
NFZ	No-Fire Zone
NPC	Northern Provincial Council
NPC(a)	National Peace Council
NGO	Non-Governmental Organisation
ODI	Overseas Development Institute
PA	People's Alliance
PACT	Peace and Conflict Timeline
PLOTE	People's Liberation Organisation of Tamil Eelam
POGO	Project on Government Oversight
PPT	Permanent People's Tribunal
PTA	Prevention of Terrorism Act
RSF	Reporters Sans Frontiers
RVSA	Ranu Viru Seva Authority
SAARC	South Asian Association for Regional Cooperation
SLFP	Sri Lanka Freedom Party
SLMW	Sri Lanka Media Watch
SLMM	Sri Lanka Monitoring Mission

SLYRF	Sri Lanka Youth Reconciliation Forum
TAG	Tamils Against Genocide
TIC	Tamil Information Centre
TID	Terrorist Investigation Department
TELO	Tamil Eelam Liberation Organisation
TMPF	Tamil National People's Front
TMPV	Tamil Makkal Viduthalai Pulikal
TNA	Tamil National Alliance
TRC	Truth and Reconciliation Commission
TRC1	The Report Company
TSA	The Social Architects
UN	United Nations
UNHRC	United Nations Human Rights Council
UNICEF	United Nations Children's Emergency Fund
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNP	United National Party
UTHR-J	University Teachers for Human Rights – Jaffna
WAN	Women's Action Network
WSNS	World Socialist Web Site

An Introduction: Without "Our Undisciplined Army"

i. Introduction: The End of the War

The Sri Lankan state and the militant separatist group the Liberation Tigers of Tamil Eelam (the LTTE or the Tamil Tigers) became embroiled in armed conflict in July 1983. A long and devastating war continued for nearly three decades. The LTTE sought self-determination for the Tamil minority, who were marginalised, discriminated against and rejected as the 'Other' in post-colonial nation-building by the majority Sinhalese population. The war was marked by atrocity on both sides, including torture and violence against civilians, and propaganda. The war has resulted, this thesis will argue, in the establishment of a national security state. A generation of Tamils was lost to violence and migration, and a high number of Sinhalese people were killed, including civilians and state forces personnel. The island's Muslim population has also suffered deep losses: death, displacement and ethnic persecution by the LTTE. The LTTE controlled the North Eastern Province from 1987 – merging the North and Eastern Provinces and brutally enforcing their conception of Tamil culture and identity in the area. This represented a formidable challenge to the unitary structure of the state, crucial to Sinhala-Buddhist nationalist ideology.

In May 2009, the LTTE fell to the state forces. Credible reports of war crimes committed by both the Sri Lankan government and the LTTE have emerged, with the final six months of the war proving catastrophic in terms of lives lost and human rights abuses (PPT, 2012, 2013; UN, 2011). Adopting Sharika Thiranagama's stylistic device, the final, devastating period of military warfare will be referred to as "the End." Thiranagama uses the terms "the Exile" and "the Exodus", respectively, to refer to the flight of thousands of Tamils from Sri Lanka in the wake of the 1983 anti-Tamil pogrom, into self-imposed exile to ensure their personal safety, and the LTTE's forced exodus of the Muslim population from the Northern Province in 1990 (Thiranagama, 2011).

The End was a period defined by immense violence and humanitarian failures (UN, 2011; LLRC, 2011; UN, 2012). Tamil civilians caught up in this event were brutalised and betrayed by both groups, which publicly claimed to have their best interests at heart. The LTTE used the Tamil civilians as human shields and shot defectors with the hallmark ruthlessness of the organisation as it implored Tamil diaspora and the international community to enforce a ceasefire (UN, 2011; LLRC, 2011; Harrison, 2012: 62-63). Casualty figures for this period in time are caught between the government's vigorous assertion that a "zero civilian casualty" policy was pursued, resulting in 8,000 deaths including LTTE cadres and those caught in the crossfire (EVE, 2011), and the assertion by a UN-appointed panel of experts that credible information from media, human rights and diaspora groups points to a possible figure of 40,000 civilian deaths (UN, 2011). Enumerating civilian casualties was also complicated by a spike in the well-documented practice of forced conscription and child recruitment by the LTTE (HRW, 2004). Civilians became militants at the behest of the *"undisciplined army"* refusing to surrender the Tamil separatist cause (MR, 2012).

The brutal tactics adopted by the LTTE at this juncture suggest that the survival of the organisation was considered to supersede the lives of the Tamil people and civilians were used as "human shields" (HRW, 2009; UN, 2012: 9). In "a quest to pursue a war that was clearly lost; many civilians were sacrificed on the altar of the LTTE cause and its efforts to preserve its senior leadership" (UN, 2010: iii). Reports from the conflict area in the Vanni describe a situation of mayhem, horror, hunger and extreme terror as the state forces and the LTTE battled in the presence of more than 300,000 civilians. Instrumentalised in this way by the LTTE, and shelled by the state forces as

they declared intentions to "rescue" them, the Tamils were displaced from their homes and trapped in officially declared and quickly shrinking "safe zones" (UN, 2011). When the war ended, with the LTTE defeated and its leaders executed while holding white flags in surrender (UTHR-J, 2009), the state forces oversaw a screening and detention process that kept 300,000 displaced Tamils in poorly serviced camps for up to three years (AI, 2009; *IRIN News*, 2012b).

On release, which took place in a staggered manner (the state cited landmine removal as the primary impediment to return), the Tamils returned to an intensely repressive environment of militarisation, surveillance and suspicion in the North and Eastern provinces. Thousands of people remain missing as a result of the conflict (*IRIN News*, 2012a). Agitation in pursuit of information and accountability has been met with state denial and repression. The Tamil media is consistently under siege by unidentified assailants, thought to be pro-state militia and military intelligence (TAG, 2013). Disappearances in the North (and to a lesser extent, country-wide) occur regularly, with one report alleging a frequency of one disappearance every five days (Watchdog, 2012a).

ii. The Thesis

This thesis offers a deep and comprehensive analysis of Sri Lanka's contemporary conflict dynamics, providing an account of the country's competing nation-building processes and attendant political violence – both state-orchestrated and Tamil - that is both historical and empirically informed. It departs from mainstream conceptions of ethno-political conflict (Imityaz and Stavis, 2008), politico-economic conflict (Bandarage, 2009), and Tamil separatist terrorism (Van de Voorde, 2005), arguing that contemporary Sri Lankan nation-building, particularly since the End, is premised on the establishment of a national security state. I engage themes of language, power and nationalistic performativity to explore political discourse, state terror and state-corporate collusion, and the authorship of a 'national story' for the project of nation-building. In particular, I ask how discourse has been weaponised. How has discourse been used in a violent and exclusionary process of nation-building? The incorporation of Sinhala-Buddhist ideology as an exclusionary nationalism into processes of nation-building, I argue, is clear at the level of discourse and in political performativity. A post-war analysis of triumphant and antagonistic processes of 'Sinhalisation' in the

nascent Tamil Eelam demonstrates Sri Lanka's rejection of liberal conceptions of peace-building and reconciliation, and reveals the state's post-conflict actions and rhetoric in this regard as strategic performances, designed to avoid accountability and international censure.

The title of this thesis – "Without 'Our Undisciplined Army'" – is a quotation from an interview with a senior Tamil bureaucrat in Jaffna in 2012. It reflects the popular sentiment I encountered in the population towards the LTTE: a loyalty and avowed support that recognises the failings of the militant group and the atrocities committed in pursuit of Eelam. In the war-torn North Eastern Province, faith in the separatist movement and the achievement of Eelam maintained the popularity and deification of the LTTE, despite the organisation's brutal methods of governance. 'The boys', as the members of the LTTE are popularly known (despite the influx of women to the ranks), were "ours" – they acted on behalf of the Tamil population, in their interests, and as the only protection against a persecutory Sinhala state. The organisation's infilitraton into Tamil communal life was a deliberate strategy (Thiranagama, 2011). An historical examination of nation-building in pursuit of Tamil Eelam under the LTTE explores nation-building performatives and rituals, largely related to the commemoration of martyrs, and analyses the current socio-political landscape, where commemorative practices are criminalised and Tamil life is excluded from life considered "grievable" (Butler, 2004).

iii. Literature Review

This research sits at the intersection of criminological accounts of state violence and political violence, investigations of nation-building processes, studies of nationalism and associated commemorative practices, and critical approaches to transitional justice. This research is situated between these literature clusters in order to locate the End within the context of social relations and methods of governance in Sri Lanka. This approach necessitated an exploration of the relevant historical, socio-economic, political and cultural structures. This thesis aims to contribute to a growing literature base that combines political and institutional analysis with an interrogation of state violence and atrocity, the cultural foundations of power relations, and processes of militarisation and minority subjugation that operate in the service of Sinhala-Buddhist nationalism in Sri Lanka (de Mel, 2007, 2012; de

Mel and Uyangoda, 2012; de Votta, 2007; Thiranagama, 2011, 2013; Bartholomeusz and de Silva, 1998; Ismail and Jegananthan, 1995).

State crime was a central resource for my methodological approach (Green and Ward, 2006). The 9/11 attacks and the attendant extensions and abuses of state power have been a catalyst for "investments in the potential of human rights" by criminologists (Murphy and Whitty, 2013). Criminological research has become a component of an agenda of activism, litigation and scholarship in response to the 'War on Terror'. State crime, a scholarship within the field that has long connected with human rights, engages with human rights reports as documentary evidence of state violence and victimhood, seeking "to expose violations when they occur" (Stanley, 2007: 190). Green and Ward (2004) define state crime as "state organised deviance involving the violation of human rights." While human rights resources are relied upon, state crime includes critiques of the limiting, legalistic and hegemonic nature of rights regimes (Cohen, 1996; Murphy and Whitty, 2013). Analysis and reports by non-governmental organisations (NGOs), human rights organisations and the United Nations (UN) represented one primary source of information on the End in 2009, outside of the information provided by the government of Sri Lanka itself. McCamant (1984) would categorise these reports as an "alternative view", outside of the state's monopoly on coercive forces and control of the media.

In 2012, the UN produced a self-critical report on its actions in Sri Lanka at the End, prompted by a memo delivered to the Secretary-General by his Panel of Experts on Accountability in Sri Lanka, which stated that some agencies and individuals within the UN had failed in their mandates to protect people, had under-reported Government violations, and suppressed reporting efforts by their field staff (UN, 2012: 4). Acknowledging the organisation's failure to systematically document deaths and injuries, and willingness not to publicly mention government responsibility for violations of international law in order to ensure humanitarian access, it is an exemplary condemnation of humanitarian actors and their political responsibilities (2012: 12). Sri Lanka's human rights situation has been heavily documented in (primarily legalistic) reports by local and international organisations, for example the University Teachers for Human Rights – Jaffna (2009), the Colombo-based Law and Society Trust (2010) and the International Commission of Jurists (2010). As Nesiah and Keenan (2004) argue, the framework of human rights and legal avenues of redress is dominant in Sri Lanka, a framework that detracts from critical analysis of the social structure in which individual violations take

place. Several books have been produced by international observers such as former United Nations representative Gordon Weiss (2011) and BBC journalist Frances Harrison (2011), which describe the horror of the End from the position of the international humanitarian community and from interviews with Tamil survivors, respectively.

The involvement of international agencies, other states and institutions of justice as conflict actors and audiences is critiqued in a growing literature on humanitarianism in Sri Lanka (Keen, 2013; Harris, 2010; Weissman, 2011). The violence of the End prompted international responses founded in the international framework of human rights and debates on humanitarian law. This research explores the implications of the End for international law, global governance and the 'liberal way of doing war' from the perspective of critical legal scholars such as David Kennedy (2005) and Laleh Khalili (2013). In the post-conflict phase, as the government established the Lessons Learnt and Reconciliation Commission (LLRC) and Tamil politicians and commentators voiced an emerging concern with conflict memory, critical literature on transitional justice, reconciliation mechanisms and the demands of the liberal peace became useful to explain and critique the process undertaken by the state (Rubli, 2012; McEvoy, 2007; McGregor, 2006; Orjuela and Höglund, 2013; Gowing, 2013).

This research seeks to add further texture to existing accounts by examining the wider socio-cultural and socio-political structures in which the End occurred. Anthropological studies have produced exhaustive and devastating accounts of the "theatre of cruelty" that Sri Lanka has become since the war began (Daniel, 1996: 69; Jeganathan, 1998; Lawrence, 2000; Derges, 2012). A literature review included a reading of Sri Lanka's history, politics and sociology; the political economy of conflict; the Sinhala-Buddhist and Tamil nationalisms that have defined the conflict; and the social and psychosocial impacts of violence (for example Uyangoda, 2007; Bloom, 2003; Jeganathan and Ismail, 1995; DeVotta, 2004; Tambiah, 1986; Abeysekara, 2001; Somasundaram, 1998). Critical socio-legal literature depicts state terror and state violence in Sri Lanka, facilitated through both legal mechanisms and discourses of counter-terrorism (Ganeshalingham, 2009; Nadarajah and Sentas, 2013; Kleinfield, 2003).

Violence is investigated here in its manifest, concealed, discursive and structural forms. Following Galtung (1969: 177), this thesis acknowledges that violence is built into the state administrative structure and "shows up as

unequal power and consequently as un-equal life chances." Structural violence may also be conceptualised as social injustice (1969: 177); in Sri Lanka that injustice follows an ethnicised logic, explored here in writings on ethnic relations and conflict (Kuran, 1998; Kaufman, 2001; Rogers, Spencer and Uyangoda, 1998). This research is grounded in the historical discursive construction of competing nationalisms in Sri Lanka and cognisant of the power relations falling in favour of the state, which labeled the LTTE as "terrorist" (Nadarajah and Sriskandarajah, 2008).

Agamben's (1998) writings on states of exception framed my analysis of Sri Lanka's legislative response to LTTE "terrorism" and the development of a national security state (See also Pallmeyer-Nelson, 1992). In such a state, the architecture of state institutions is re-engineered to concentrate power under the executive, militarisation is institutionalised and the state's tools of surveillance and social control are expanded.[1] Literature on the militarisation of Sri Lanka with regard to the Executive Presidency, counter-terror legislation and the state of emergency was instructive. Neloufer de Mel's *Militarising Sri Lanka* (2007) served as a foundational text in this regard. Existing literature on state violence and the logic of political violence informed my analysis (Feitlowitz, 1998; Sluka, 2000; Stohl and Lopez, 1984; Arendt, 1970; Chomsky, 1991; Uyangoda, 2008).

Drawing on literature on nation-building, mass ritual, commemorative practices and the authorship of public space, the consolidation of Sinhala-Buddhist hegemony and the suppression of Tamil nationalist sentiment are examined here as part of the state's post-war nation-building strategy (Khalili, 2007; Perera, 2010; Dag Tjaden, 2012). This thesis is founded on theoretical and comparative research of post-war commemorative practices, examining the way in which "official histories" are consolidated in the service of nation-building (Scraton, 2007: 10; Hodgkin and Radstone, 2009; Olick and Robbins, 1998; Bar-Tal, 2003). Jasper Dag Tjaden's (2012) analysis of Chile's mass ritual and selective memory processes provided the analytical tools for mass ritual discourse analysis.

Employing these theoretical resources in parallel with rich empirical research, the thesis seeks to explain how state discourse has been weaponised as a means to, i) manufacture consent for militarism, ii) repress the Tamil

[1] See Chapter Two for elaboration and a detailed description of this process in Sri Lanka.

minority, and iii) consolidate Sinhala-Buddhist hegemony to create a national security state.

iv. Conceptual Foundations and Definitions:

Tracing the line between state discursive practices that facilitate exclusion and violence, my point of departure was the monumental violence perpetrated against the Tamils of the Vanni in 2009. The return to militarism was framed as a 'humanitarian' and 'necessary' counter-terror operation under Rajapaksa's Sri Lanka Freedom Party (SLFP) government and led to the End: a period of sustained and persecutory violence perpetrated upon the Tamil community and the defeat of the LTTE. This return to militarism did not occur in a vacuum and the Rajapaksa government was not the first Sri Lankan leadership to advocate for a military solution over conflict resolution methods associated with the "liberal peace."[2] Chandrika Kumaratunga's presidency (1994-2005) was eventually defined by the slogan "War for Peace." A return to all-out war was preserved within the popular imagination by the militarisation of popular culture (de Mel, 2007).

Particularly in relation to political texts such as speeches, policy documents, official reports and state-controlled media outputs which aim to achieve or maintain ideological hegemony, the analysis of texts interrogates the reproduction or reformation of the wider social world (Rear, 2013: 15). As Michel Foucault asserted, discourse "is not simply that which translates struggles or systems of domination, but it is the thing for which and by which there is struggle, discourse is the power which is to be seized" (1984: 10). This section includes definitions of the concepts of ideology, nationalism and hegemony, in order to situate my methodological approach.

Throughout this thesis, the 'government' in power is acknowledged as the current power-holder of the state institutions, thereby representing the 'state.' 'The state' as a term is denoted to indicate institutional and repressive

[2] Chapter Two examines the Sri Lankan departure from the expectations imposed by the liberal peace framework. See Oliver P. Richmond for a review of "the ethics of the disciplinary liberal peace" (2009: 559). With reference to peace-building and state-building, primarily in relation to vulnerable, "rogue" or post-conflict states, the liberal peace signifies "the processes, actors, and 'technologies' associated with humanitarian intervention. This is along with security sector reform…with institution building, good governance, democratisation, rule of law programming, human rights, reconstruction, development, and free market reform" (Richmond, 2009: 559).

capacity, as well as 'the capacity to rule' and command loyalty (Lemay-Hébert, 2009). The state should also be recognised as a discursive product, one that has been constructed and sustained in Sri Lanka along Sinhala-Buddhist nationalist lines. Sri Lankan state leaders have displayed an historical tendency to adopt a partisan role as leaders of the Sinhalese in their conflict with the Tamils (Nadarajah and Sriskandarajah, 2005: 92), and Mahinda Rajapaksa of the SLFP has epitomised this position (Rampton, 2011). In light of this, the discourse of the 'government' is at once an expression of the Sinhala-dominated state.

Following Herman and Chomsky's (1988: 302) contention that "official truths" are not natural or organic but reflect the "manufacture of consent," I interrogate the Sri Lankan state's deliberate use of ideological tools, semiotics and practical control of information. The "truth" in question is constructed: it is determined by power relations, reliant on the participation of the media and produced through the political processes of government (Scraton, 2007: 10). It is based on a system of principles and presuppositions that constitute elite consensus, "a system so powerful as to be internalised largely without awareness" (Herman and Chomsky, 1988: 302). An investigation of the state's "selective commissioning or appropriation of knowledge" elucidates how "credible status" is imparted on a particular version of history "in the context of a prevailing 'politics of truth'" (Scraton, 2007: 11).

That 'truth' is operationalised in the service of political projects such as nation-building. Noting that 'state-building' and 'nation-building' mean different things in different contexts, this thesis follows Beetham (1991: 133) in asserting that state authorities often appeal to national identity as "a powerful source of support, especially in the face of external threat or interference." Hugh Seton-Watson (1977: 1) clarifies that a state "is a legal and political organization with the power to require obedience and loyalty from its citizens", while "a nation is a community of people whose members are bound together by a sense of solidarity, a common culture, national consciousness." The idea of the 'nation' can provide an important resource for state-builders, who discursively assign the state (as a set of institutions) with loyalty on the basis of 'national identity.' In the post-Cold War geopolitical reality, Lemay-Hébert (2009: 24) acknowledges, "political authority has been reconfigured along ostensibly national lines". Gellner (1983: 55), however, acknowledges that it is "nationalism that engenders nations and not the other way round."

- Ideology, Hegemony and Nationalism:

Ideology is "a system of ideas, values and beliefs oriented to explaining a given political order, legitimizing existing hierarchies and power relations and preserving group identities" (Chiapello and Fairclough, 2002: 187). Nationalist ideology, in turn, is organised around the core principle of prioritising the nation (Sutherland, 2005). The nature of nationalism has been interrogated and defined as a manifestation of the objective conditions of industrial modernity (Gellner, 1983); a "cultural artefact" and a moment of "imagining" and "creation" (Anderson, 1991: 4-6); and an "autonomous mode of socio-political organization" (Nairn (1981 [1977]: 347). David Rampton (2011: 254) compellingly explains Sinhala-Buddhist nationalism in terms of hegemonisation, arguing that the "gradual but incremental hegemonisation of the social" means that the social imaginary of Sri Lankan space as Sinhala-Buddhist is no longer solely the mobilising rhetoric of elites.[3] The concept of hegemony is crucial to understanding the gradual process of Sinhala-Buddhist ideological nation-building and its spread through the state apparatus and social field.

Antonio Gramsci (1971) interrogated "the spontaneous consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group" and described the process of "transaction, negotiation and compromise that takes place between ruling and subaltern groups" that results in "hegemony" (1971: 12, 10). Hegemony is a political concept that describes the oscillation between coercion and consent as the dominant group maintains its power over the subaltern. Laclau and Mouffe (1985) argue for a conception of hegemony that explains the fluid nature of the social, while remaining cognisant of forces that attempt to reproduce dominant representations through the logic of modern political mobilisation. Consensus in society is achieved through the transformation of the hegemonic worldview into "common sense" for the subordinate classes (Gramsci, 1971).

This hegemonic ideology, however, is not identical to the organic ideology of the superordinate class. Rather, the hegemonic ideology brings together elements from the organic ideologies of allied groups (Mouffe 1979). A particular demand or subject position (such as nationalist emancipation) may

[3] A "social imaginary" is defined by Laclau (1990:63) as "a horizon" or "absolute limit which structures a field of intelligibility."

act as a focal point for socio-political mobilisation but the various forces acting upon it can remove its particularity and transform it into an empty signifier (Laclau, 2005: 93; Rampton, 2011: 253). It is precisely through the articulation of these forces, Rampton explains in the context of Sinhala-Buddhist nationalism, that hegemony and the attempted fixing of the social field are achieved (Rampton, 2011: 253).[4]

Attention to discursive formations and the means by which that discourse is promoted and controlled can elucidate the process by which the ideological construction of the nation relies on hegemonic rearticulation (Sutherland, 2005: 185).

- Discourse and Narrative:

The term 'discourse' is used in various ways by academics and within different academic cultures.[5] Jager and Maier suggest that we imagine discourse as a flow of knowledge through time (2001: 35). A discourse is constituted of recurrent contents, symbols and strategies, leading to the emergence and consolidation of "knowledge" (2001: 38). It is a social and political construction, one that establishes a system of relations or "meaningful practices" between different objects and practices, while providing subject positions with which social agents can identify (Howarth and Stavrakakis, 2000: 2). Jager and Maier rely on Jürgen Link (1982), who defines discourse as "an institutionalized way of talking that regulates and reinforces action and thereby exerts power" (2001: 35). The Foucauldian, structuralist approach that they advocate explores the relationship between power and knowledge, couched in an explanation of knowledge as conditional and derived from a person's discursive surroundings.

Power, for Foucault, refers to "a whole series of particular mechanisms, definable and defined, that seem capable of influencing behavior or discourses" (1996: 394). There are many discourses that are intimately entangled and interact with one another, producing an ever-changing and

[4] The meaning of articulation in discourse theory is "any practice establishing a relation among elements such that their identity is modified as a result of the articulatory practice", while a discourse is "the structured totality resulting from this articulatory practice" (Laclau and Mouffe, 1985: 105). An "element" refers to a sign within the discourse whose meaning has not yet been fixed.

[5] See Wodak and Meyer (2009: 6) for a concise description of the academic culture-specific use of the term, explaining the distinctions made between "discourse" and "text", whether written and oral, rhetoric and discourse as a structured form of knowledge.

complex "overall societal discourse" (Jager and Maier, 2001: 35). A political project, Howarth and Stavrakakis (2000: 2) note, will attempt to weave together different strands of discourse in an effort to dominate or organise a field of meaning and therefore social reality. Discourses exercise power in society because they institutionalise and regulate behaviour and ways of thinking (Jager and Maier, 2001: 35). The line of implication between rhetoric and impact is not dependent on the intentions of the authors (Sentas, 2009), but discursive changes can be introduced by power-holders, whether intentional manipulation is orchestrated or not, as they have increased access to opportunities to influence the public, in official speeches and in the media (Jager and Maier, 2001: 39). The discursive formation of concrete systems of social relations and practices is intrinsically political: it involves the construction of antagonisms and the drawing of political frontiers between 'insiders' and 'outsiders' and always involves the exercise of power (Howarth and Stavrakakis, 2000: 4).

Narrative is a component of discourse, defined as any account of connected events, presented to a reader or listener in a sequence of written or spoken words, or in a sequence of pictures (Oxford English Dictionary, 2014). Ian Patel (2012) notes that the past thirty years has seen an ascendency in narrative-based research – that is to say, research whose primary empirical data is comprised of narrative(s) – in a number of fields. This has been identified as a "narrative turn" in the social sciences. More precisely, Patel (2012: 235) notes, "(most) narrative research draws on the accounts of specific individuals which are referred to generically in terms such as self-narration, life history, auto- biographical narration, biographical analysis, oral history, and testimony".[6] Narrative, therefore, contributes to discourse and can be a product of discourse, as the 'stories' that emerge from lived experience are embedded in discursive systems. Narrative is used in this thesis to describe individual and official accounts, consolidating and representative of discourse.

- *Propaganda:*

Sri Lankan state discourse operated in constant interaction with the coherent and powerful discourse of the LTTE and that of the wider Tamil nationalist

[6] Patel's article poses crucial questions about "our ideas about self-narration as a form of testimony" and our "assumptions about the act of account-giving itself that complicate our attempts at interpretation" (2012: 235).

movement. The LTTE were *"masters of definition"* (AB, 2012) and Tamil nationalistic rhetoric as developed in its discourse is addressed in Chapter Five. While state-orchestrated methods of controlling counter-narratives include regular incidences of terror such as disappearances, torture and killings, the labelling tool of "terrorist propaganda" has also been used with alacrity to delegitimise claims of state-perpetrated atrocity. Propaganda can be defined as "a deliberate and systematic attempt to shape perceptions, manipulate cognitions and direct behavior to achieve a response that furthers the desired intent of the propagandist" (Jowett and O' Donnell, 2012: 289). The purpose of propaganda is to render the ideology of the propagandist accepted by the people. It is also operationalised for the purpose of maintaining an entity's legitimacy and therefore the legitimacy of that entity's actions. Propaganda is associated with the control of information flow: agents rely on communication sources (and benefit from a monopoly over these sources) to utilise sacred and authority symbols (including techniques such as exaggeration and innuendo) and visual symbols of power, music, and emotional language and presentation to present information in favourable form (Jowett and O' Donnell, 2012). Information is the prized commodity in this battle for credibility and influence. Forms of misinformation and techniques of denial relied upon by the state apparatus are directly derived from power, structural violence and economic control.

This thesis explores the discursive contest over "truth" at the End, a contest marked by claims of "propaganda" that persists into the post-conflict phase, in the shadow of the state's discursive and militarised practices of nation-building in the service of Sinhala-Buddhist hegemony. For the state, I argue, military triumph and the defeat of terrorism have operated as tools of hegemony, maximised upon in mass ritual. The Rajapaksa government has benefited from the fact that "the majority in the country are still preoccupied with savoring what was an undoubtedly historic military victory" (Anonymous, 2011: 32).[7] For the Tamil community, the End has contributed to an oppositional conflict memory of persecution, victimhood, and even genocide. Exploring the respective forms and content of mass ritual and commemorative practices, I draw a straight line between the state's Sinhala-Buddhist hegemonic discourse, the politics of memory and the socio-political experiences of the Tamil community in the post-war period.

[7] The International Journal of Transitional Justice noted in the article authored by 'Anonymous' that, "on the request of the author, identifying details have been withheld" (2011: 31).

v. Methodology

The purpose of this research is to interrogate the conceptual content of state discourse under the Rajapaksa regime. I interrogate the post-war reproduction of the hierarchy of power through themes of national security, liberal governance, and nation-building. Bearing in mind that the battle for hegemony, which accompanies the creation of nation-states, is reflected in the power to define language (Billig 1995: 32), I examine entangled discursive representations of Sinhala-Buddhist nationalism; the demonisation and criminalisation of the Tamil citizen; the domestication of 'War on Terror' and humanitarian discourse; and mechanics of social control including restrictions on freedom of expression and commemorative practices in the post-war phase. The long-standing discourse that reached its height with the military destruction of the LTTE (along with thousands of civilians) is that of Sinhala-Buddhist nationalism. The state's self-representation as protector of the Sinhalese majority is set in constant comparison to the destructive and brutal separatist campaign of the LTTE. The narrative is one of a land and people under siege by a terrorist separatist group, intent on the destruction of the unitary state of Sri Lanka and, by extension, the security, destiny and existence of the Sinhalese people.

This narrative is carried in the official state discourse under the Rajapaksa government: a sophisticated consolidation of Sinhala-Buddhist historical consciousness, international principles of sovereignty and territorial defence, and the international discourses of counter-terror and humanitarianism. The state has exploited existing discourses, both Sri Lankan and international, in disseminating information to the domestic population and to the international community. This strategy might be called the adoption and localisation of transnational discourses. Catering selectively to its audience, the state sometimes employs the usefulness of language differences, by emphasising nationalistic aspects of discourse in the Sinhala language medium while propagating humanitarianism, state sovereignty and adherence to

international norms in English and international media and forums.[8] Ethnic bias in the respective language media has led to community divisions and an "essentializing of ethnicity", where Sinhalese, Tamils, and Muslims are referred to as monolithic wholes (Nadarajah, 2005: 6). Sri Lankan journalists raised this issue with Reporters Sans Frontiers (RSF) in 2004, stating there are "dangers to peace … posed by the differences in content from one publication language to another" (2004: 9).[9] Using the tools at its disposal with great dexterity, the state has been "highly effective" diplomatically (Jayatilleka, 2013) and, with the help of *"government spin doctors"* (LG, 2012) and international public relations corporations, has provided *"flawless, consistent propaganda"* (AH, 2012) to inform domestic and international understandings of the conflict and its End.[10]

The different elements of state discourse simultaneously legitimated and denied the use of disproportionate violence against the LTTE and the Tamil population at the End. This thesis scrutinises the official state discourse and its inconsistencies; it examines the disparity between rhetoric and reality and the antagonistic policies and actions of the government that conflict with the rhetoric of humanitarianism, counter-terror, recovery and reconciliation. My concern, therefore, was rooted in the state's self-representation and techniques of denial. To this end, a mixed methodology of discourse analysis, qualitative interviews and ethnographic observation, and engagement with literature provided an opportunity to "triangulate" original research data.

The state's official narrative and lexicon was vigilantly and consistently maintained in Ministry of Defence (MOD) news sources, official reports and state-controlled media; these sources were easily available for analysis. The MOD news portal, the only source of information deemed *"credible"* for mainstream and state-controlled media at the time provides the raw data for a critical discourse analysis, described below (SB, SH, LG, 2012). It is important to note that a number of Tamil journalists remained in the war zones at the

[8] The Colombo-based Centre for Policy Alternatives operated a media monitoring project in the latter years of the conflict, finding that Sinhala-Buddhist nationalistic rhetoric was higher and more vitriolic in the Sinhala media than in the English language media, which is aimed at Colombo elite classes and for international consumption.

[9] This problem persists in the education system also, as discussed in Chapter One, and in the state's failure to properly implement its "trilingual policy" which aims to educate all citizens in Sinhalese, Tamil and English as well as make provisions for communication in all three languages in public administration.

[10] The hire of marketing and PR companies by the Sri Lankan government is discussed in Chapter Two.

End, though human rights organisations promoted a narrative of a "war without witness" (HRW, 2009). Those reporters "provided us a picture of the unimaginable scope of the individual and collective tragedies inflicted upon the people of the Vanni region" but, at the time, the images and reports they issued were broadcast only on Tamil diaspora television, radio, and websites (Varatharajah, 2013). Only a few mainstream western broadcasters used that material in their coverage of the End. Major news carriers dismissed the work of these Tamil journalists as "unauthenticated", "biased", "doctored" or "propaganda" at the time, though years later, Varatharajah (2013) observes, "their work has become 'mainstream' enough to be aired by the very same institutions." The imagery captured by those journalists constituted "a direct threat to the Sri Lankan war machinery" and they paid a heavy price: most were killed or went missing in the war's final stages (Varatharajah, 2013).[11] The state's narrative was, therefore, promoted and deemed more "credible" than the reports of Tamils journalists who recounted their experiences of "being there" (Scraton, 2007: 5). This is explicable in the Sinhalese domestic media given the complex combination of editorial controls: "fear, political patronage, personal loyalties, and prejudices" (Nadarajah, 2005). Internationally, however, Varatharajah (2013) argues that local Tamil voices were marginalised in the "war without witness" narrative, "reinforcing the notion that only white and non-local interpretations of war can be regarded as objective, substantive and truthful."

In the interest of challenging state-produced "propagandist accounts" that make up "official history," I sought to prioritise "alternative interpretations of social and political reality" (Scraton, 2007: 4-5). This methodology seeks to analyse language and other semiotic tools at the service of the state critically, exposing the workings of power and ideology (Billig, 2008: 783). As Daniel (1996: 74) notes, words "are not passive carriers of history." Rather, "like symbols, they embody a genealogy of power relations" (1996: 74); a close reading of narrative structures reveals the presence of violence in words and social relations.

[11] Journalists for Democracy and Tamils Against Genocide, represented by Varatharajah in his media comment piece have documented the deaths and disappearances of P. Sathyamurthy, S. Mathan, M. Maheswaran, AntonR. Densey, J. Susithara, M. Anthoneykumar, T. Tharshan, I. Priya Thirukulasingham, Thavabalan, V. Susiparan , K.Suvendiran, T. Thavapaalan, Christpher Payas, H. Vijayakumar, B. Sivakumaran and Punniyamurtu at the End in 2009. These are "just few of the cases we have documented, but even more Tamil journalists are still unaccounted for" (Varatharajah, 2013).

Interviews offered the prospect of first-hand accounts of alternative narratives, adding empirical texture to an examination of state violence, mechanisms of social control and the exclusionary potential of nation-building, and the struggle against repression. I interviewed Tamil, Sinhalese and Muslim academics, journalists, news editors, politicians, civil society activists and community leaders, human rights workers, government representatives, international agency staff, a political economist and a trauma worker. Biographical details (anonymised as requested) are available in Appendix Three. The content of interviews and the experience of interviewing in such an environment itself were sources of information. The advantage of this qualitative data is that it allowed the social meanings and processes of state terror, violence and exclusion to be understood through the words and practices of interviewees. Some experiences during my fieldwork visit, described below, illustrated the way in which the Tamil population of Sri Lanka lives under a "shadow of violence" (Jeganathan, 1998).

The End, however, was a period of sustained violence against the Tamil population beyond anything experienced during the war. Under the Rajapaksa government, in the post-conflict environment, critics of the government work in a state of 'anticipation of violence', facing threats, intimidation and physical violence (TAG, 2014; CPJ, 2014; Pillay, 2013). Due to state surveillance (elaborated upon below), interviews were necessarily mediated accounts of the war's final phase, removed from the population of the Vanni, and were designed instead to interrogate discourses surrounding the End and practices of state terror, including the interviewees' experiences of the post-conflict political environment.

In keeping with the approach of critical social research, this thesis "seeks out, records and champions the "view from below," ensuring the voices and experiences of those marginalised by institutionalised state practices are heard and represented" (Scraton, 2007: 10). Allowing local voices to contest the master themes of conflict and nation-building, this thesis interrogates the political and social realities that are concealed by state discourse and the state's reliance on violence and terror. By adopting this mixed methodology, I follow in the path of critical researchers who concern themselves with "speaking truth to great power" by documenting views and experiences "from below" and, in the process, recast their research to become "a form of resistance" (Scraton, 2007: 239-40).

- Discourse Analysis:

This thesis interrogates the range of statements that were "sayable and not sayable" at the End and seek to discover the strategies by which these discursive limits were established (Jager and Maier, 2001: 47). Discourse shapes collective understanding of an event and, more generally, the functioning of a regime. Normalised discursive practices, practices that employ vocabularies dispensed by the state, "need to be interrogated" (Daniel, 1996: 130). Alternative narratives are otherwise "deflected, ignored, subordinated, excluded, or destroyed by (normalising) discursive formations" (1996: 130). Through interviews and discourse analysis of MOD data and other primary resources, I examine the conflict discourse around the End and the nation-building rhetoric employed in its aftermath. As a discourse analysis framework, I rely on the "themes of selective memory" employed by Jasper Dag Tjaden (2012) in order to examine discursive content in a systematic manner, explored in Chapter Two. Those themes are as follows: "inclusion and exclusion", "legitimisation", "heroisation", "integration", "continuity", "validation" and "emotionalisation".

Jager and Maier define a "discursive event" as an event that appears intensively, extensively and for a prolonged period of time on the "discourse plane" of politics and the media (2001: 48). [12] A discursive event is constitutive as well as constituted: "it helps to sustain and reproduce the status quo and in that sense it contributes to transforming it" (Fairclough and Wodak, 1997: 258). Following Jager and Maier (2001), my discourse analysis of the MOD archives stretched from 1 December 2008 to the defeat of the LTTE in May 2009: this period I refer to as "the End". This was the final phase of Eelam War IV, launched in July 2006 on "humanitarian grounds", as the state declared that the LTTE were holding the Maavilaru reservoir in the North Eastern Province hostage (Rambukwella, quoted in *BBC News*, 2006). [13] The conflict was officially declared over on 19 May 2009 (MOD, 2009a). By Jager and Maier's (2001) definition, the End constitutes a "discursive event", as the military operation attained consistent and intense media coverage and

[12] A "discourse plane" is defined as a social location from which speaking takes place, for example the media, the sciences, everyday life and politics. Jager and Maier (2001: 48) note that discourse planes influence each other and relate to one another and that a discourse plane can be "tightly interwoven in itself", meaning that content is multiplied and shared within the discourse plane. For example, leading media sources may build on and repeat content from other media.

[13] BBC News reported Tommy Lekenmyr, chief of staff at the Sri Lanka Monitoring Mission as criticising the military actions of the government: "It is quite obvious they are not interested in water. They are interested in something else". He insinuated in his comments that the closure of the sluice gate was an excuse to begin Eelam War IV.

political commentary. The six-month timeframe was one in which huge popular support was required domestically for the war effort, to avert pressure from international voices calling for a halt to military operations and a ceasefire (for example, Miliband and Kouchner, 2009).

Sri Lanka's state of terror has relied heavily on denial and the manipulation and reinterpretation of events. Language, Marguerite Feitlowitz (1998: 87) warns, can become a prison of fear and alternate understanding, where words are thrown up like walls to reform or block collective memory. As Feitlowitz (1998: 20) discovered in her research on the Argentinian regime of terror, language was used with "diabolical skill" to: "1) shroud in mystery its true actions and intentions, 2) say the opposite of what it meant, 3) inspire trust, both at home and abroad, 4) instil guilt, especially in mothers, to steal their complicity, and 5) sow paralyzing terror and confusion". While the Rajapaksa regime is not as "intensely verbal" (1998: ix) as the Argentinian junta, it has displayed a tendency to use language in nefarious ways, appropriating and adapting discourses for its political benefit and survival, to avoid accountability for atrocity domestically and internationally, and to terrorise the population.

Sri Lanka has controlled the societal discourse through terror, intimidation of the media and selectively targeted killings, leaving the state-sponsored media as the dominant source of information (IPFFEM, 2008; Hattotuwa, 2009; TAG, 2013).[14] In addition to the MOD news data, discourse analysis incorporated other primary sources including official speeches by the President, Mahinda Rajapaksa; reports issued by the MOD; the official manifesto of Mahinda Rajapaksa for the 2005 Presidential Election and his 2010 manifesto. Dag Tjaden's (2012) "themes of mass ritual discourse" - "pride in leadership", "active society", "realignment with tradition" and "power and popularity" - were instructive in analysing the discourse underpinning Rajapaksa's nation-building projects.

vi. Fieldwork Commentary: Qualitative Interviews in Sri Lanka

[14] Ethnic bias against the Tamils in the mainstream media has been noted by studies (for example, Gunasekara, 1994) and the official counter-terrorism discourse has focussed entirely on atrocities carried out by the LTTE, with little or no mention or explanation of government-perpetrated crimes and human rights abuses.

I carried out qualitative fieldwork in Sri Lanka in 2012, seeking to investigate the state's methods of discursive control, garner local reactions to the End and its official representation, and attain a sense of the post-conflict socio-political landscape. Qualitative interviews sought to "put the state on the same footing as the people who inhabit it" and explore how state discourse related to political and social reality "on the ground" (Greenhouse, 2002: 7). Following Greenhouse (2002: 1), I also sought to explore the "experiential connections between political instability and social life" in the post-conflict phase, through qualitative interviews and observation.

I conducted fifty-three semi-structured interviews in five of Sri Lanka's cities and towns, several remotely via Skype and with diaspora activists on my return to London. I visited Colombo, the metropolitan and lively capital, where the majority of English speaking elites, politicians, academics and civil society organisations are based; the University town of Peradeniya, with its the beautiful and expansive campus and culture of student activism; Jaffna, the dusty and underdeveloped cultural capital of the nascent Tamil Eelam; Trincomalee, a picturesque and strategic port town; and Batticalao, a coastal town in the East with a high Muslim population and the fault-line of an LTTE split in 2005 that weakened the movement irreparably.

- Fieldwork Research Precautions and Restrictions

In Sri Lanka, the "targets of the security apparatus are ordinary citizens. Trade unionists, journalists, members of civil society organizations, officials and activists in opposition political parties, and even citizens engaged in simple protest are all of special concern – but all aspects of Sri Lankan life have now come under its surveillance" (AHRC, 2010: 5). I was concerned about surveillance networks and ensuring the safety of interviewees. State paranoia with respect to the activities of foreign researchers was at a height during my visit in early 2012. A United Nations Human Rights Council meeting in Geneva took place on 22 March, in which a resolution was tabled and passed "against" Sri Lanka. Foreign media and researchers, no matter their affiliation, were suspected of gathering evidence of war crimes. The state security services and their proxies have a reputation for harassing and intimidating people in the wake of visits from foreigners. This was most recently publicised with the August 2013 visit of Navi Pillay, after which she noted the "utterly unacceptable" harassment and intimidation of a number of human rights defenders who met with her. Police and military officers paid visits to ordinary people both before and after they spoke with Pillay. She

noted that while "surveillance and harassment appears to be getting worse in Sri Lanka…it is particularly extraordinary for such treatment to be meted out during a visit by a UN High Commissioner for Human Rights" (quoted in *Colombo Telegraph*, 2013).

Warned of routine security services checks on electronic equipment, I carried a clean laptop, kept the 'history' bar of my web browser clean and coded my record of interviewees. A small Dictaphone was easy to carry and quite discreet. Following each interview (where the interviewee was happy for me to record our conversation), I uploaded the recording immediately to the online storage site Dropbox and ensured that the file was securely deleted from my laptop. Ramifications are a very real risk in Sri Lanka and meetings were often clandestine in nature. Interviews took place in offices, public places and the homes of interviewees, at their request and with the explicit intention of avoiding surveillance. Those with the 'protection' of a public and international profile were less concerned and invited me to their offices; the eyes of the international community were on Sri Lanka as the Geneva meeting approached.

A number of incidents brought the pervasive and normalised nature of surveillance, intimidation and terror to my attention. In Batticaloa, as I shared a cup of tea with a Muslim human rights activist, two men sat silently nearby. My interviewee assumed that they were informants and responded in turn by speaking softly and alerting me to their presence. Also in Batticaloa, a hired vehicle driver brought me to the house of an interviewee and proceeded to ask him a range of questions about his profession and to request his phone number, which my interviewee refused to provide. Again, the driver was assumed by my interviewee to be an informant. In Jaffna, Tamil media workers commemorating the life and death of the journalist Marie Colvin were aware of plain-clothes members of the state forces nearby. On another evening in Jaffna, a man questioned me repeatedly outside my guesthouse as I waited to be collected by a driver. As we drove away, the driver casually asked me to check whether the stranger was following us. Despite these incidents, no state authorities approached me in their official capacity. These minor incidents were unsettling and indicative of the wider pattern of surveillance that Sri Lankans must negotiate daily.

As noted by Penny Green (2003), concerns relating to personal safety, fear and personal integrity become very real in carrying out research in a state known for its practice of human rights violations. I engaged with relevant literature and conversations in person and by email with academics and NGO workers

who have recently carried out work in Sri Lanka or similarly difficult fieldwork destinations (VV, 2012; Green, 2012; Siriam et al., 2009). These conversations continued with civil society and international agency representatives in Colombo (SH, LG, AS, 2012). Precautions were necessary to prevent repercussions against interviewees. The worst outcome for me would be questioning, intimidation and perhaps difficulty in regaining access to the country at a later stage, but interviewees could face harassment, surveillance or violence. Academic researchers are not, however, generally considered to be threatening to the same extent of INGOs such as Human Rights Watch (HRW) and Amnesty International (AI), who are concerned with gathering evidence of atrocity in order to expose illegal activity and human rights abuses (Green, 2003). I nevertheless sought to remain below the radar of state surveillance, to avoid questioning on the nature of my research. I did not attempt to interview the political elite. It was a tense and politically unstable time. It was also unlikely that such interviewees would stray from the official narrative. As Paddy Hillyard argues, researching the powerful means that analysis is often incomplete. This is a direct result of power and the benefits arising from that power: there are "powerful forces at work to deny and disguise the nature of state crime" (2003: 208).

There was a risk of state interference with my research. A Jaffna-based academic, in correspondence prior to my field visit, told me of a group of students who visited Jaffna in order to carry out research on the post-conflict environment (KG, 2012). They entered the country on a tourist visa and did not inform the government of their intention to engage in research. An informant (a psychiatrist working with former LTTE cadres) alerted the security services to their presence and activities. The students were immediately brought in for questioning. The remainder of their visit was organised by the MOD. State officials arranged all interviews, directing the students towards the 'proper' people to speak to, thereby attempting to maintain the official narrative. The students could not access any critical or alternative voices deemed 'improper' by the MOD.

In order to avoid detection as a researcher potentially critical of the government and assumptions of a "pro-Tamil" or "pro-Tiger" bias, I shortened the intended length of my stay in Jaffna from two months to two weeks. Jaffna remains highly militarised by the Sri Lankan armed forces and informants are presumed to be everywhere. LG (2012) predicted that I would be *"chased out of Jaffna within a week."* Suspicion of researchers is at its height in the North and tourists - especially young, female tourists travelling alone - are

extremely rare. I managed to secure a wealth of interviews in the South, between Colombo, Peradeniya, Trincomalee and Batticaloa.

- Interviews

Before arriving in Sri Lanka, I researched and contacted academics, policy staff, journalists and civil society activists in Sri Lanka by email. Contacts nurtured through my work at the Tamil Information Centre (TIC) were alerted to my impending arrival. I was cautious in stating my connection to TIC outright. Many Sri Lankans, in a large part due to state propaganda, assume that all Tamil diaspora organisations are supporters of the LTTE – material or otherwise – and I sought to avoid being labelled as "pro-Tiger". In other situations, however, affiliation to TIC facilitated access that otherwise would have been difficult to achieve, with individuals who work covertly and discreetly. The more outspoken and public critics of the government were happy to be quoted, but the majority of (mainly Tamil) interviewees spoke on condition of anonymity. *"It depends on what you ask, and what I say",* said one Tamil academic, preferring to speak off record (SM, 2012). Appendix Three is a list of interviewees with biographical details, though many are anonymised to protect their identities.

Rubin and Rubin (1995) describe four ideals to be adhered to in recruiting interviewees: finding knowledgeable informants, getting a range of views, testing emerging themes with new interviewees, and choosing interviewees to extend results. Rather than seeking the "truth", I was concerned with the varying accounts offered by the stakeholders and the manner in which they reflected or challenged "formally sanctioned knowledge" (Scraton, 2007: 10). Though I specifically sought to unearth alternative accounts, I engaged with more pro-government stakeholders in order to add depth and nuance to my analysis of the official narrative. I ensured to interview members of the Sinhalese, Tamil and Muslim communities, in the South, the East and the North. The communities are not homogenous in culture, political outlook or aspirations. I attempted to engage with difference and avoid essentialisations. Each community experienced the conflict in very different and localised ways and I sought conversations with representatives of the three largest ethnic groups in order to develop a rich understanding of Sri Lanka's social fabric in the post-conflict phase.

Textual discourse analysis informed the discursive aspect of my study and also prepared me for entry into the "unknown mental universe" of Sri Lankan

public officials and pro-government interviewees, informing my understanding of their worldview and the manner in which they chose to present the events at the End (Schirmer, 2012: 13). The analysis of discourse and terminology assumed by the state was invaluable. My ability to frame questions with a delicate and deliberate usage of this language, for example avoiding the word 'war' and using the term 'humanitarian operation,' ensured that my questions fit within the accepted vocabulary of pro-government interviewees. By adhering to the sanctioned lexicon, pro-government interviewees such as journalists, editors and state representatives may have seen me as an "outside insider" (Schirmer, 2012: 13). The success of this strategy was articulated in the keenness of one state-affiliated interviewee that I share with others at home what I had learned in Sri Lanka (LH, 2012). It became clear throughout my fieldwork that my choice to adopt the official lexicon for strategic purposes was a decision shared with many actors in Sri Lanka. The implications are explored in Chapter Two. Post-war, every interaction and every decision is coloured by the violence of the End and by the constraints of state terror in which actors pursue their lives.

vii. Chapter Structure:

This thesis is structured in six chapters. The accounts of interviewees are woven into analysis, informing and adding empirical texture to the thematic examination. Fieldwork commentary is included below as an introduction to the methodological challenges posed by researching a politically sensitive country such as Sri Lanka.

Chapter One returns to the historical roots of the conflict; it traces the nation-building project of the Sinhala-Buddhist state and its gradual marriage with militarism. Providing an explanatory framework for the alienation and marginalisation of the Tamil minority group, this chapter is an overview of the content and dominant nature of this majoritarian nationalism. The military success of the Rajapaksa regime, and its successive elections to power, I argue, depended on a deep societal polarisation and appropriation of mass rituals by the state in the service of Sinhala-Buddhism. The Sinhala-Buddhist nationalist establishment – supported by a politicised Buddhism – was committed to a military defeat of the LTTE at the End. This chapter explains the manner in which a hegemonic militant Sinhala-Buddhist discourse was formed.

Chapter Two explores the Sri Lankan state narrative at the End and highlights discursive themes that are central to the Rajapaksas' nation-building project.

This chapter also provides an account of the state of terror established in Sri Lanka. I examine the consolidation of power under the Rajapaksa government, the myriad mechanisms of social and discursive control, and the establishment of a national security state.

Chapter Three provides the reader with a portrait of the post-conflict lived experience of the Tamil people in the North and Eastern provinces. Drawing heavily on interviews and fieldwork observation, this chapter is an account of Sinhala-Buddhist militarisation, the post-conflict detention and surveillance of the Tamil community, and projects designed to politically neutralise and culturally erase Tamil life. The birth of a 'new independence' where the military is the conveyor of a 'charitable' peace, I argue, is premised on the suppression of Tamil nationalism and political aspirations. Chapter Three also outlines the state reconciliation initiatives underway, arguing that they serve a merely performative function by a recalcitrant state. I examine the influence and interests of the so-called international community in monitoring and directing Sri Lanka's adherence to standard post-conflict processes as features of the liberal peace.

In *Chapter Four*, I demonstrate how the Sri Lankan state has benefited from incorporating transnational discourses of terrorism and humanitarianism into the state conflict narrative, earning international support against the LTTE and international consent to finish the war by military means. This chapter acknowledges the labelling power exercised by the state in defining the LTTE as 'terrorist' and traces the implications of that label. The chapter concludes with analysis of the 'humanitarian' portrayal of the final military operation and an account of the diplomatic struggles in the halls of the United Nations during and immediately after the End.

Chapter Five unearths the narrative of Tamil interviewees and interrogates the manner in which the End is being drawn into the constituent narrative of Tamil nationalism. Describing the historical development of the Tamil separatist movement and the LTTE's nation-building project, this chapter acknowledges the organisation's reliance on commemorative rituals as cultural repertories of resistance. Examples serve to illustrate the state's suppression of these practices in the post-war period. I examine the post-conflict reconfiguration of Tamil political agency and the potential of the newly established Tamil-led Northern Provincial Council.

As a *conclusion*, I bring together the major themes of the thesis in an analysis of how the End has been incorporated into Sri Lanka's national story. That story, I argue, perpetuates competing nationalisms and has been crafted, with the assistance of public relations companies, for the specific purpose of

avoiding accountability for war crimes and masking the continued oppression of the Tamil minority.

Chapter One
The Nature of the Conflict, the Nature of the State

1.1 Introduction

The Sri Lankan conflict is often described an artificial imposition of ethnic hostility for the sake of political expediency (Rogers, 1990), though, as the discussion below will elucidate, the hegemonic potentiality of nationalism and ethnicity ought not to be dismissed in favour of constructivist accounts (Rampton, 2011). Though often framed as a country blighted by "ethnic war", before colonial intervention, a "socio-cultural, political and economic mosaic" existed in Sri Lanka, representing more fluid modes of social and political interactions across communities prior to the introduction of colonial and post-colonial "modern power frameworks" which brought rigidity, discrete divisions and compartmentalisations based on caste, religion, language and

kinship (Rampton, 2011: 257; Tambiah, 1986, 1992). This is exemplified largely by the shared religious spaces across the island, where Hinduism and Buddhism were practiced in unison and the communities came together to worship, demonstrating mutual tolerance and respect through long traditions of religious syncretism and cohabitation (Walters, 1995; Imtiyaz, 2013).

This chapter seeks to explain the successes of the Rajapaksa government, to interrogate the means by which it procured popular support for a military defeat of the LTTE and a continuing drift towards authoritarianism (Pillay, 2013). This chapter presents the Rajapaksas' self-insertion into the nation's historical, political and ideological narrative on election in 2005. Far from an explanation of conflict as counter-terrorism and humanitarian action, the military success of the Rajapaksa regime and its successive elections to power depended on a deep societal polarisation and the ascent of a hegemonic Sinhala-Buddhist nationalism, sustained by the political use and appropriation of mass rituals. Following the tendency of state leaders to adopt partisan role as leaders of the Sinhalese in their conflict with the Tamils (Nadarajah and Sriskandarajah, 2005: 92), Mahinda Rajapaksa presents himself as such in rhetoric, semiotics and policy.

1.2 A History of Ethnic Polarisation

While the state adheres to the internationally palatable discourse of reconciliation, a paradigm of militarisation and national security is in fact in existence (Interviews, 2013; Satkunanthan, 2012), one that consigns the Tamil people to marginalisation, deprivation and repression. This chapter explores the history of ethnic polarisation in Sri Lanka and investigates the processes by which the two ethnic groups came to be so diametrically and violently opposed in terms of political aspirations and ideologies. This chapter acknowledges that ancient antagonisms between the Sinhalese people and Tamils are not necessarily correctly described as such. Rather, political expediency has compelled Sinhalese leaders to perform their ideological commitment to Sinhala-Buddhist nationalism, progressively contributing to exclusionary, anti-minority positioning and discursive and violent practices of nationalism that have continuously reproduced the social field. Through an overview of the literature on inter-ethnic differences, clashes and political manipulations in Sri Lanka, and relying on interview material, this chapter suggests that "ethnic conflict" is a simplified framework of understanding for international consumption. Within Sri Lankan society, the ascendency of

Sinhala-Buddhist hegemony and the Tamil defensive narrative of victimhood have given rise to powerful nationalisms that have informed and sustained the conflict.

Within this chapter, the ascendency of Sinhala-Buddhist nationalism and its influence on politics provides an explanatory framework for the state's unremittingly chauvinistic approach to Tamil grievances and political aspirations. Post-war, Mahinda Rajapaksa's Sri Lanka Freedom Party (SLFP) - in power since 2005 - has incorporated 'extremist' Sinhalese-Buddhist political parties into the ruling coalition, tacitly supports anti-minority campaigns and, as such, relies on populist strategies to cater exclusively to the Sinhala-Buddhist population. The amplification of Sinhala-Buddhist nationalism is a major cause of communal tensions and suspicion; it justifies the exclusion of minorities as threats to Sinhala-Buddhist values and national security. This chapter explores the roots of Sinhala-Buddhist nationalism, its politicisation and various incarnations since Sri Lankan independence and offer analysis of the mass ritual discourse that has provided political utility for the Rajapaksa government.

1.3 Colonialism and Politicised Ethnic Antagonism

Ethnic polarisation in Sri Lanka in the post-independence phase has been attributed to the state structure put in place during the British colonial period (1796-1948). Under colonisation, distinctions between ethnic groups became one of the main ordering principles of Sri Lankan society and politics as a result "became fashioned around an understanding of the island as differentiated by distinct racial communities" (Thiranagama, 2013: 95). This was in fitting with ideas of racial difference that were applied in colonial territories in the Victorian period (Thiranagama, 2013; Rogers, 1990). The "civilizing" ethos of the colonial powers produced a new field of socio-cultural, political and economic mapping practices in Sri Lankan society (Rampton, 2011; Nissan, 1989). Orientalist historiography and philology, educational policies and the establishment of a print press and colonial census contributed to this process (2011: 257). Further, ethnicities became politicised as a result of ethnic representation in the Legislative Council, the first form of representative government in Ceylon, founded in 1833 (2011: 257; Rogers, 1990). Ethnic antagonisms were sown in the colonial period, as the Sinhalese believed that Tamils enjoyed privileged positions and benefits under the British administration (Imtiyaz, 2013: 4).

Religious identities in the late 19th Century began to be conflated with ethnic or national identities and nationalisms (Bartholomeusz and de Silva, 1998: 18-19). In the colonial period, Rajasingham-Senanayake (2009: 8) argues, essentially linguistic identities and differences between the Tamil and Sinhala-speaking people were racialised. The colonial "scientific" mode of racial coding among "native" populations transformed the groups into distinct "races" (2009: 8). Marisa Angell (1998) describes how the classification of language was tied up with the classification of race. Turning "linguistic connection into cultural and racial connection", colonial powers deduced that the Sinhalese are linguistically and racially Aryan, Tamils are Dravidian, and that the Aryan Sinhala race is superior both racially and culturally (Angell, 1998: 47). Colonial anthropology research by the *Royal Asiatic Society* abetted this Aryan racial theory from 1880 to 1895 (Angell, 1998: 48-9). The British reified racial categories, institutionalised them in various ways and transposed those categories into the past. The "Aryan myth," Nissan explains, gained ground in European thought and Indology and the history of the island came to be understood accordingly. Racial categories were easily mapped onto a Chronicle history, provided by the Mahavamsa, which was already established in European scholarship on the island. The text reinforced European historical and racial predilections (Nissan, 1989: 68-9). The Sinhalese 'Aryans' came to be opposed to the Tamil 'Dravidians' in absolute terms historically, a distinction maintained today (1989: 69). The racial superiority complex fused with Sri Lankan mytho-history in the colonial period to give rise to a specific form of Sinhala-Buddhist nationalism.

Michael Roberts (2012) argues that the British period had a marked influence on Sinhala conceptions of nationalism through "(a) the administrative and communicational unification established by the colonial dispensation; (b) the capitalist transformation of the island's political economy; (c) the intellectual currents from Europe that were taken up by the articulate elements of indigenous society, including here the concept "Ceylonese" which was an outgrowth of the island name "Ceylon;" and (d) the influence of print technology and modern political associations in disseminating currents of thought" (Roberts, 2012: 28). Roberts warns against oversimplification, however, and "a failure to consider the complexities of circumstance and the incomplete transformations of modern times" (2012: 28). In "Sinhalaness and its Reproduction, 1232-1818" he examines the period pre-dating British colonialism. He refers to the ideology in question as a form of "nascent national consciousness" rather than concrete nationalism because the

meanings accrued to the concept of nationalism following the French Revolution could not yet be applied (2012: 28). The collective identity of "Sinhalaness" linked to the Sri Lankan territory can be, however, traced through the period analysed by Roberts – the beginnings of a form of nationalism: patriotism or "politicized ethnicity" (Strathern, 2012, quoted in Roberts, 2012: 6).

The reconfiguration of identity frameworks under colonialism replaced "more fluid modes of social and political interactions" with "more compartmentalized, rigid and discrete divisions between religious, linguistic, caste and kinship communities" (Rampton, 2011: 256; Tambiah, 1986, 1992). The island's diverse hybrid communities are often neglected in political discourse and understandings of communities. Muslims, Sinhalese, and Tamils are simplistically portrayed as mutually exclusive (Brun, 2008). The tendency towards homogenising diverse communities within the "Tamil" monolithic ethnic category and within the ethnocentric creation of a Sinhalese "race" in political discourses has denied complex identities within both groups and supported divisions between these essentialised ethnicities (Hollup, 1998: 74-5). The Tamil community is primarily Hindu and the Sinhalese are primarily Buddhist. Missionaries in the years of colonisation also introduced Christianity to the island and a number of adherents exist across ethnic groups. Despite signs of solidarity in the 19th Century, as Buddhists and non-Buddhists on the island came together to resist Christian proselytisation, the crystallisation of identities on the basis of religion and ethnicity sharpened divisions overall (Bartholomeusz and de Silva, 1998).

On independence in 1948, the Sinhalese community represented 69.4% of the population, while the Tamils (both Indian and Sri Lankan) accounted for 22.9%.[15] The remainder of the Sri Lankan population was constituted of Muslim Moors (5.6%) and other minorities including the Burghers (2.2%).[16] The British left a democratic system based on the Westminster model: a

[15] The 'Indian' or 'Hill Country' Tamils were brought from India by the British to work on Sri Lanka's colonial plantations in the late 19th and early 20th centuries. The plantations first produced coffee and then later tea and rubber. In 1921, Indian Tamils comprised 13.4% of the total Tamil population, which in turn represented 24.8% of the inhabitants of Sri Lanka (Bartholomeusz and de Silva, 1998; Census of Population and Housing, 1981).

[16] The Burghers are a community arising from the marriage of European colonisers to Sinhalese women, forming a community primarily based along Sri Lankan's coast. On independence in 1948, Burghers comprised 0.6% of the total population. In 2001, Burghers only accounted for 0.2% of the island's total population, largely due to migration to Australia, Canada and the United Kingdom (Department of Census and Statistics – Sri Lanka, 2008).

highly centralised state where universal suffrage determined that the Sinhalese, by their numerical advantage, would be the dominant ethnicity in the political system (Clarance, 2007: 33). Newly formed political parties vied for supremacy within a complex system of governance with a competitive pluralistic make-up including multi-ethnic and ethnically aligned parties (Abeyratne, 2004).

Authors have suggested that because the process of independence from British rule occurred as a planned move by the British, rather than as a result of popular uprising or a campaign to oust the colonisers, a Sri Lankan (at that time, Ceylonese) national consciousness failed to form (Canagarajah, 1994; Rampton, 2011). On the contrary, relations between the Sinhalese and Tamils had deteriorated in the latter years of colonial rule (Clarance, 2007). This deterioration can be explained in part by increasingly exclusionary discourses emanating from prominent voices of Sinhala-Buddhist nationalism such as the Buddhist revival movement, described below.

1.4 A Genealogy of Sinhala-Buddhist Nationalism

The terminology attributed to Sinhala Buddhist ideology ranges from nationalism to fundamentalism to extremism. "Nationalism" will be used here to capture the most pervasive forms of this ideology, though exclusionary views considered 'extremist' by liberal Sinhalese have infiltrated central government through the JHU political party and the recent Bodu Bala Sena (BBS) movement, described below. The ideology that supports the Sinhalese-Buddhist political prerogative is derived from three beliefs within the group. The Sinhalese believe that they are the only true, original inhabitants on the island; that they were entrusted by Buddha to keep the island as a sacred place for his teachings; and that they are in fact a minority in the region, given that all other ethnic groups have ties in neighbouring countries (DeVotta, 2005; Spencer, 1990). The founding concept of the modern Sri Lankan state is Sinhala-Buddhist nationalism (LG, 2012). Territorial nationalism for the Sinhalese majority is inexorably tied to the Buddhist beliefs of the group. The growth and development of an exclusionary Sinhala-Buddhist nationalism, and the centralisation of that form of nationalism in government is the contemporary source of marginalisation and repression of the Tamil population. Sinhala-Buddhist nationalism, progressive Sinhalese academics interviewed argued, was embraced by the state systematically and with alacrity after independence (LG, MSP, MM, 2012).

The process of ethnic outbidding between the main Sinhala political parties, the SLFP and the UNP, suggests that elite instrumentality produced a virulent Sinhala nationalism (Jeganathan & Ismail, 1995; DeVotta, 2004; Stokke, 1998).[17] Rampton (2011: 261) argues, however, that the potency of Sinhala nationalism cannot be fully explained by elite rationalistic instrumentalism. The nationalism has become hegemonic, produced at a range of social sites and representative of Sri Lanka as a political and socio-cultural space in which "the aspirations of the Sinhala-Buddhist people and the unitary state and the integrity of the island territory form a profound nexus." The nationalism is disseminated widely through "diverse apparatuses which invest the social field" and reproduced in popular culture and social practices (2011: 254).

Bartholomeusz and de Silva (1998: 2) describe a Sinhala-Buddhist fundamentalism that occupies and shapes a spectrum of political action, arguing that it shares the "family resemblances" of religious fundamentalism elsewhere: a reliance on religion as a source of identity, erection of boundaries on the basis of religion that determine the question of belonging, faith in a theological doctrine related to death and the afterlife, and "the dramatization and mythologization of enemies." The mytho-history supporting Sinhala-Buddhist nationalism has infiltrated history and become accepted as indisputable truth. It is recounted regularly by Sinhalese politicians and state media and is taught as history in school textbooks (Spencer, 1990: 3; DeVotta, 2004: 5-6; Jayawardane, 2006). The source of Sinhala-Buddhist ideology and history is the Buddhist chronicle The Mahavamsa. This "authoritative" sacred text has been unbroken since it was begun by monks in 6AD, and has been updated by government-funded work since 1815 (Spencer, 1990: 5). The text entered public consciousness in the late 19th Century following its translation from Pali into English in 1837 and republication in 1889. It supplied the Sinhala-Buddhists with an "incredibly sophisticated history" (and Aryan roots) (Bartholomeusz and de Silva, 1998). It tells the story of the history and development of Buddhism in Sri Lanka. According to the Mahavamsa, Buddha visited Sri Lanka three times in his life and paid great attention to the land and its people. The Sinhalese people are said to have ascended from an Indian prince named Vijaya, whose arrival on the island coincided with the

[17] Kristian Stokke's (1998) analysis of Sinhala nationalism is based on rational elite machinations, but departs from the mainstream of thought by asserting a theory attuned to class: that political legitimation is sought by the ruling class through the vehicle of Sinhala nationalism.

death of the Buddha. The story of Vijaya's birth begins with the daughter of the Indian King of Vanga being stolen away by a lion and forced to mate with it, resulting in the birth of a son and a daughter. The son grew up to kill the lion and marry his sister. Vijaya was born from this marriage, after his parents had become king and queen in Vanga (DeVotta, 2004: 6). The historical association of the Sinhalese people with Buddhism began on the day of the arrival of the prince in Sri Lanka, as it is believed that Vijaya was sent to protect the land on behalf of the Buddha, as requested by Buddha himself (Edirippulige, 2004: 32). This mytho-history is ingrained in the majority collective identity, cementing the notion that Sri Lanka is *Sihaadipa* (land of the Sinhalese) and *Dhammadipa* (Island of the Doctrine) (DeVotta, 2004: 13; Bartholomueusz and de Silva, 1998: 2). In the Theravada Buddhist world and canon, *Dhammadipa* is a place where the "pure doctrine" ought to flourish and be promoted and preserved (Rajasingham-Senanayake, 2009). Sinhala people are, therefore, ethnically superior and must occupy a position of privilege on these terms (Bartholomeusz and de Silva, 1998: 3).

The ideology suggests that other ethno-religious communities living in Sri Lanka do so at the sufferance of the Sinhalese (DeVotta, 2007). The hegemonic socio-political representation of Sri Lanka on these terms establishes a hierarchy with the Sinhalese at the apex, with the minority communities relegated to a position of subordination (Rampton, 2011; Kapferer, 1999). While the main tenets of Buddhism promote peace and non-violence without exception, the Mahavamsa provides historical tales of violence being executed on persons posing a threat to the existence of the religion. It suggests that invaders and enemies may be defeated by force, as the ends may justify the means (Mahavamsa 5: 264, quoted in Rajasingham-Senanayake, 2009: 7). Periods of colonisation by the Portugese (1505-1656) and Dutch (1640-1796) were considered dangerous by the Buddhist clergy in Sri Lanka, as the colonisers introduced Christianity to the nation and state policy unofficially favoured Christianity (Edirippulige, 2004: 32). Following British success in conquering the Sri Lankan Kingdom of Kandy, the colonists signed the Kandyan Convention, which pledged to protect Buddhism (DeVotta, 2004: 13). The British reneged on this promise under pressure from British Evangelicals, prompting Sinhala-Buddhist political activism to recapture status for the religion and ethnic identity (Bartholomeusz and de Silva, 1998: 3; DeVotta, 2007). The late 19th Century became a period of Buddhist revivalism and fundamentalism, against the backdrop of political and labour agitations against the British colonial state (Gombrich and Obeysekere, 1998). Mid-19th Century monks who played the role of vocal anti-Christian Buddhist

revivalists such as Migettuwatte Gunananda and Hikkaduwe Sumangala were "given an institutional and propagandist basis" with the arrival of Colonel Henry Olcott and his Buddhist Theosophist society (Tambiah, 1992: 5; DeVotta, 2007). The Theosophosists countered the near-monopoly that the Christian missionaries had established over the education system in Sri Lanka by creating Buddhist schools.

Anargarika Dharmapala Thero, who began his career as a revivalist within this movement, broke away to pursue his own form of Buddhist modernisation. Termed "Protestant Buddhism", it was extremely influential amongst the emerging Sinhala-Buddhist middle and business classes (Tambiah, 1992; Gombrich and Obeysekere, 1988). The revival of Buddhist political action was born into an island populated by colonisers and dominated by the colonial plantation economy. The 'pollutant' Christian religion and Muslims, Moors and "foreigners" represented business competitors to the Sinhalese and "demarcated threats to the nation" (Rampton, 2011: 258). These groups fell outside of the "frontier of authenticity" defined in Sinhala discourse from the mid-19th Century: the image of the Sinhalese peasant and the traditional rural economy (Rampton, 2011: 258; Gombrich and Obeysekere, 1988). The discourse necessarily excluded the Tamils and Hinduism as external to the rightfully Sinhala-Buddhist nature of the island (Tambiah, 1992; DeVotta, 2007). Sinhala-Buddhist fundamentalist activism has also excluded the island's smaller Muslim community (Barthmolomeusz and de Silva, 1998: 7; Thiranagama, 2011; MA, 2012). The riots of 1915, directed at the Muslim business community, were fuelled by the rhetoric of Dharmapala; he was interned in Calcutta in 1915 for his part in stoking anti-Muslim sentiment. In 1912, a journal run by Dharmapala, *Sinhala Bauddaya*, complained:

> "From the day the foreign white man stepped in this country, the industries, habits and customs of the Sinhalese began to disappear and now the Sinhalese are obliged to fall at the feet of the Coast Moors and the Tamils" (quoted in Tambiah, 1992: 8).

Rampton (2010) observes that the discourses that began to emanate from the Buddhist revival movement adopted the dynamics of nationalist inclusion and exclusion. Exclusion on religious terms suggested to its adherents that outsiders to Sinhala-Buddhist nationalism were inferior and did not belong. Further, the focus on "purity" drew boundaries between the Sinhalese – the righteous inhabitants of Sri Lanka – and the corrupt or impure forces that

could potentially harm Buddhism (Bartholomueusz and de Silva, 1998: 3). It is historically claimed within this powerful nationalism that Sinhala-Buddhist rulers must always be in power in Sri Lanka and must always enjoy cultural, religious, economic and linguistic hegemony, leading to an exclusionist position and ethnic chauvinism towards minority groups (Bartholomeusz and de Silva, 1998). Fears regarding Tamil domination and aggressive challenges to Sinhalese power are historically embedded throughout the Mahavamsa, providing legitimation for a religiously infused, defensive nationalism (Imtiyaz and Stavis, 2008: 13). The Sinhalese must sit at the nation's hierarchical apex of power.

The frontiers of belonging established by this discourse, however, does not allow for power sharing or political self-determination for 'outsider' minorities, rather, the minorities are maintained as subordinates within the unitary territory. Resistance to claims of secession flows from the perception of the island as gifted by the Buddha to the Sinhalese. Separation of the state would amount to a failure by the Sinhalese people to protect the island for Buddhist teachings, as the Buddha required. The ideology has generated a powerful resistance to the idea of devolution of authority and allows no discussion on the possibility of the island's division (Tambiah, 1992). The ideology lends itself to the expansion and perpetuation of Sinhala-Buddhist supremacy within a unitary state.

The history contained in the Mahavasma, the defensive Buddhist justification for violence and the mobilisation and political participation of Sri Lankan monks were powerful forces in creating a nationalist ideology within which the Tamil population and the other minorities had no place (Abeysekara, 2001). The Mahavamsa has played a vital role in infusing the conflict with notions of a 'duty' to possess and protect the *Dhammadipa*. The political significance of the Mahavamsa in contemporary Sri Lankan politics is widely appreciated and though academics acknowledge its complexity, certain readings of the text have entered the public consciousness and informed Sinhala-Buddhist nationalism (Bartholomeusz and de Silva, 1998: 56; Spencer, 1990). Progressive Sinhalese academics and civil society leaders interviewed drew on the text to explain the continuity between the history contained in its pages and current discourses, political positions and the events at the End (SBP, LG, JP, MSP, PNB, 2012). The Mahavamsa is a political resource in the present, used strategically by the Rajapaksa government. The "Dutugemunu episode" of the Mahavamsa, which is described in 861 verses out of 2906, became a source of "preoccupation" and legitimacy for "just war" in

Sinhalese-Buddhist nationalism and has been used to frame historical events as an ethnic war spanning centuries (Dheerananda, 2006, DeVotta, 2007). In one verse, the Tamil people are specifically referred to as sub-human and inferior as the Sinhalese King Dutugemunu is reassured by his Buddhist clergy that killing Tamils is not a sin "for they are less than human beings" (Somasundaram, 1998: 100, Tambiah, 1992: 1). This moment of mytho-history was repeated by Sinhalese and Tamil academics alike in interviews, who referred to its prevalence in popular consciousness and the emphasis on the King's defeat of the Tamil King Elara in history and schoolbooks (PNB, MM, MT, 2012). Sinhala-Buddhist fundamentalists have "constructed Tamils as the "Other," as threatening and dangerous to the prosperity of Buddhism and Sri Lanka" (Bartholomuesz and de Silva, 1998: 6). The hegemonic nature of Sinhala-Buddhist nationalism suggests that this logic is thoroughly infused in social relations.

1.5 Post-Independence Politics

Political parties were, in the post-colonial period, largely formed on the basis of ethnicity as the Tamils and the Sinhalese asserted their separate identities and cultural rights. The introduction of an ethnic competitive element to the democratic process paved the way for clashes in political interests between the majority ethnic groups and the Tamils, the country's largest minority (Abeyratne, 2004:7). Increasingly, post-independence polarisation on the basis of race or ethnicity resulted from the marginalisation of minorities in the Sinhalese-dominated system and minority experiences of discrimination. Using the cultural tools of language and religion to mobilise the majority population in their favour, and exploiting a "swollen" Sinhala majoritarian post-colonial urge to reclaim the island for Sinhalese-Buddhists, the Sinhala-dominated government oversaw the official adoption of Sinhala-Buddhist nationalism as the state's hegemonic ideology (Rampton, 2011). The Official Language Act 1956 (hereafter the "Sinhala Only Act" as colloquially known in Sri Lankan political and academic circles) represented the crux of this political behaviour. Under the leadership of S.W.R.D. Bandaranaike, the Sri Lanka Freedom Party (SLFP) "espoused competitive Sinhala chauvinism and economic nationalism to outbid his electoral enemies, particularly the liberal-leaning ruling UNP" (United National Party) (Imtiyaz, 2013: 4). Passing this Act represented a "landmark moment in the hegemonisation of Sinhala nationalism" (Rampton, 2011: 259; DeVotta, 2004). The suppression of the interests of the minority and a pattern of political subjugation and ethnic

politicking was institutionalised.[18] The use of "religio-ethnic symbolic sentiments" secured the election of the SLFP, which promised to safeguard the interests of Buddhists (Imtiyaz, 2013: 4) Sinhala language policies arising from the Sinhala Only Act were powerful mobilisers along ethnic lines, especially among the rural Sinhalese population, and fuelled ethnic antagonisms rooted in ethno-linguistic symbols and discrimination (DeVotta, 2004; Imtiyaz and Stavis, 2008). The SLFP campaigned heavily in Sinhalese villages and customarily relied upon socially and politically influential groups including the Buddhist order to reach Sinhalese villages and influence the political decisions of villagers (Imtiyaz, 2013).

The grievances voiced by Tamil politicians were largely in response to the Sinhalese monopoly on political power and socio-economic prosperity, at the expense of Tamil rights. Minority rights were conceived as vulnerable to decimation or assimilation in a context of Sinhalese dominance of politics (Rajanayagam, 1994: 76 Clarance, 2007: 33). Post-1956, Rampton (2011: 259) notes, nationalist orientated policies in the fields of education, language policy and state recruitment combined with existing nationalist policies of citizenship and development, resulting in a "profound permeation of Sinhala nationalism into diverse practices of state and society". Bartholomeusz and de Silva (1998) argue that the dominance of Sinhala-Buddhist "fundamentalist" nationalist ideology and its attendant chauvinism set the tone for ethnic antagonism. The formation of a dominant in-group based on the Sinhala-Buddhist ethnic identity resulted in a fundamentally exclusionary position towards the other ethnic groups. Proponents were primarily the Sinhala-educated intelligentsia and Buddhist monks, who nurtured intolerance towards the non-Buddhist Sri Lankan population (Rogers, 1987: 593). Post-1956 and the success of the SLFP, the major Sinhala parties began to engage in religio-ethnic symbolic politics as a means of gaining Sinhalese electoral support: using emotive language of religion and ethnic hostility (Imtiyaz, 2013).

The solidification of Sinhalese politics on these terms signified a threat to other ethnic groups that stimulated and strengthened divisions between the

[18] Fareed Zakaria (1997) argues that it is a common and mistaken assumption that a democratic system naturally provides for ethnic peace. It may instead lead to "hyper-nationalism and war-mongering" (1997: 37). The competing political aims of the different groups may be incompatible, yet ethnic political leaders understand the strength of appeals to ethnicity as mobilising tools. The resultant conflict of interests may spiral out of control into violent ethnic conflict.

groups (Clarance, 2007: 33).[19] In a process of counter-organisation, political groups formed within the Tamil community in order to ensure the protection of their interests and welfare. Tamil nationalism and its development will be expanded upon in Chapter Five but for the purpose of description here, the main demands of the Tamil political movement were "parity of the Sinhala and Tamil languages, collective and personal protection, political representation, freedom from state discrimination, access to state resources, and the cessation of state-aided colonisation in Tamil-speaking areas" (Satkunanathan, 2012: 619). The alignment of parties along ethnic lines, and a number of coinciding and interwoven factors such as economic hardship and limited opportunity for social mobility, political and economic issues of employment, education, land ownership, and citizenship and voting rights (Eddirippulige, 2004: 30; Shastri, 2004) cemented the political salience of ethnic identities and influenced a spiral of political decision-making. Given the institutionalised nature of Sinhala-Buddhist nationalism, it was purported to equate to Sri Lankan national identity.

Since the outbreak of war in the early 1980s, the communities have been separated in geographical space, language, and nationalistic ideology and conflict discourse. The ethnic nature of the political problems that led to the war has been emphasised by both groups in politics, propaganda and mutual 'Othering'. For the Tamils, "Tamilness" came to mean victimisation by a repressive Sinhalese state and the denial of equal rights in terms of education, culture and social mobility (Brun, 2008). For the Sinhalese, the unitary state - maintained as such for the Sinhalese on the foundations of Sinhala-Buddhist nationalism - became the objective of post-colonisation politics and nation-building, strengthened in reaction to Tamil calls for autonomy and federalism. Reacting to this majoritarian, exclusionary ideology, "Tamil Nationalism as an ideology and as a concrete political movement thus arose as a historical consequence of Sinhala chauvinistic state oppression" (Balasingham, 2004: 9).

The Tamil Federal Party formed in 1949 in reaction to the Citizenship Act of 1948, which rendered nearly a million Indian Tamil plantation workers stateless, an Act that further minimised the political power of the minorities (Samaranayake, 1991; Clarance, 2007: 35). For the minorities, the passing of

[19] Though minority communities in Sri Lanka do have a history of seeking solidarity in "Otherness" – their non-Sinhala-Buddhist identities - in common recognition of Sinhalese exclusionary policies. See Bartholomeusz and de Silva (1998) on the relationship between Tamils and Muslims from the late 19th Century to the post-independence struggle for representation.

this Act indicated the intention of the government to build a state premised on Sinhala-Buddhist nationalism. In reaction to perceived preferential treatment granted to the Tamils under colonisation, including superior education and land rights (Clarance, 2007: 31; Azeem, 2008), positive discrimination measures were introduced to the education system and the public service to 'even the playing field' for the Sinhalese. The exclusivist policies in education and state employment actively marginalised the Tamil-speaking people and intensified the minority instinct towards self-preservation. Education has become a "traditional" facet of Tamil identity since British colonisation and these policies were viewed as an assault on Tamil socio-economic upward mobility and culture. The passing of the "Sinhala-Only Act" named Sinhala as the official state language, making no mention of Tamil. The legislation had both symbolic and practical implications. The Tamil people felt unrecognised as equal citizens of Sri Lanka and the related linguistic-nationalist institutional practices and social changes led to discrimination against the Tamils in education, public service employment and interaction with both state institutions and the majority Sinhala community (Samaranayake, 1991; Rogers et al., 1998; DeVotta, 2004, 2005). Socio-economically, there were much-reduced professional opportunities available for Tamils in the civil service due to lack of Sinhala language skills (DeVotta, 2005).

A political Buddhism supported the Sinhala-Only movement, declaring the Sinhala-Buddhist responsibility to protect the purely Buddhist nature of the island (Tambiah, 1992). The Buddhist monks who authored the Mahavamsa Chronicles (which is the basis for the Sinhala-Buddhist history of the island) were concerned with the survival of Buddhism on the island and as the text rose to prominence in Sinhala history, this became a key ingredient of the Sinhala 'Aryan' race (Nissan, 1998). Sinhalese politicians, capturing post-colonial nationalist sentiment, framed the survival and continuance of Sinhala culture and its ''divine tryst'' with Buddhism as being under threat (Radhakrishnan, 2010: 97). The Tamils, representing a threat to Sinhala-Buddhist ideology, became the 'Other' to be marginalised and rejected in post-colonial nation building. [20] Talks held between Tamil political representatives and the SLFP were subject to immense pressure from extreme Sinhala-Buddhists and political Buddhist monks: they were met with a "frequently potent nationalist backlash" mobilised by opposition parties and

[20] The plethora of Tamil militant separatist groups that emerged in this political environment, of which the LTTE was the most brutal and successful, confirmed that perception for the Sinhalese.

including populist protest and rioting (Rampton, 2011: 261). President S.W.R.D. Bandaranaike was assassinated in 1959 by a Buddhist monk who opposed his move to implement the Tamil Language Act, which would grant legal status to Tamil as a language of administration in the North and East (Clarance, 2007: 38; Rogers: 1987: 596). His widow, Simavaro Bandaranaike, as the subsequent leader of the SLFP, asserted a renewed focus on "Sinhala-Only," under pressure not to appear to be endangering Sinhala-Buddhist interests (Manogaran, 1987: 53). Sinhalese politicians have consistently faced the threat of political failure or violence if they fail to demonstrate Sinhala-Buddhist commitment.

The inability of the political process to accommodate the concerns of the Tamil people was perceived as consistent refusal by the state to recognise their political and cultural rights. The Constitutions of 1972 and 1978 named Buddhism as the official state religion and Sinhala as the official language, removed minority protections in place and established an Executive Presidency with few democratic safeguards. These measures were infused with Sinhala nationalist logic that rejects the prospect of power sharing in a unitary state (Welikala, 2008; Rampton, 2011). The gradual process of "Sinhalisation" of the state alienated and marginalised Tamils, prompting the organisation of a campaign for a separate state of Tamil Eelam (Samarayanke, 1991; Rogers et al., 1998; Rampton, 2011). "Tamilness", as described in Chapter Five on the development of Tamil nationalism, came to relate intimately to the denial of rights, an identity contrasted with the negative image of the Sinhalese Other – the denier of those rights (Brun, 2008). The island of Sri Lanka has different meanings for the ethnic groups, as a "primordial homeland used in the production of national identity, as sacred space for the island's Buddhist population, as protection against an aggressive other, as theatre of war, and, as political-economic prize" (Kleinfield, 2005: 287).

1.6 Sinhalese Mob Violence

The perception amongst Tamils has been that the racist mob violence of 1983, the most devastating of a series of riots in that period, was condoned and backed by the state (Bloom, 2003; Rogers et al., 1990; Bose, 1994; Gunesinghe, 2004). Statements by officials further encouraged this perception by referring to the perpetrators as heroes of the Sinhala people and framing the riots as a

"mass movement by the generality of the Sinhalese people" (Jayawardene, 1983) and stating that:

> "Sri Lanka is inherently and rightfully a Sinhalese state...and it must be accepted as such, not a matter of opinion to be debated. For attempting to challenge this premise, Tamils have brought the wrath of Sinhalese on their own heads; they have themselves to blame."[21]

Although Kapferer (1988: 32) credits the violence to an inherent "culture of nationalism" in the Sinhala race, Rogers (1987) posits that the collective violence at this formative stage of the conflict was driven by the interaction between economic aspirations and social identity, as the Sinhalese population saw the Tamils as obstacles in gaining social mobility and economic success. Gunesinghe's (2004) reading of the riots contests mainstream account - as an emotional mass reaction to the killing of 13 soldiers by the LTTE – as reductive, instead explaining that the riots were a result of wider societal dislocations and nationalist currents directly related to the rapid liberalisation of the economy from 1977. He argues that that the period between 1977 and 1983 was one of "of incessant ethnic rioting" (2004: 100). Economic discrimination was certainly an aspect of the repression and marginalisation of the Tamils by the majoritarian state, which exacerbated ethnic tensions. Foreign donors were not blameless in this process, as aid was primarily directed to the Sinhala-dominated South (Goodhand et al., 2005: 78). Krishna's (1999) post-colonial approach situates the riots within a context of powerful state- and nation-building nationalist discourses that reached a zenith in the same period. Ethnic opposition was now embedded in societal relations (Nadarajah and Sentas, 2013).

The island-wide assaults and killings of Tamils occurred alongside the political forfeiture of power by Tamil United Liberation Front (TULF) politicians, as the 6th amendment to the Sri Lankan Constitution in 1983 demanded a new oath of allegiance to the Sri Lankan state, one that prohibited the "violation of territorial integrity" of Sri Lanka. The amendment criminalised advocacy for Tamil separation, as discussed in Chapter Four. The amendment effectively blocked any legal or political route towards the achievement of Tamil self-determination. It signalled the state's intention to

[21] Attributed as a governmental statement in reaction to the riots by Elizabeth Nissan in "Some Thoughts on Sinhalese Justification for (1983) Violence", quoted in Bloom, M. M. (2003), pp. 63 - 64.

equate "separatism" with "terrorism" (Nadarajah and Sentas, 2013). The TULF MPs refused to take the oath and therefore forfeited their seats in parliament (Imtiyaz, 2013). These events congruently signalled the futility of political negotiations within official channels and illustrated the extent and power of anti-Tamil sentiment in Sinhalese-dominated society; support for the militant brand of Tamil nationalism headed by the LTTE solidified (Satkunanathan, 2012). Sinhalese political parties were represented in Tamil discourse as chauvinistic and incapable of transformation (Brun, 2008). Tamil political parties who sought to engage with the Sinhalese political parties in government were disillusioned and self-determination in a separate state of Tamil Eelam came to prevalence as the only viable option. Militant movements became a mode of resisting the repressive Sinhalese state where participation in politics was seen as futile (Balasingham, 2004). The militarised movement became the only avenue within which the aspirations of the Tamil youth could be vocalised (Brun, 2008).

1.7 Othering and the Hegemonisation of Sinhala-Buddhist Ideology

The 'Othering' of the Tamil community since independence has been embedded in the institutions of education and public administration, state policy and practice on language and religion, and intensified by the discursive association of the entire population with the LTTE. In discourse and practice, demonstrated in counter-terror policing, this association led to the majority Sinhalese equation of all Tamils with Tiger "terrorists." Rampton (2011: 268) argues that the discourses and apparatuses of nationalism "have become articulated into an enduring social formation where they have attained a hegemonic depth beyond mere instrumentality." Rather than a vehicle for electoral gain, to be manipulated by Sinhala politicians, the populist value of this ideology is its intrinsic inseparability from the concept of the state. The Sinhala-Buddhist exclusionary position towards minorities, particularly the Tamil community, is ingrained *"right from the beginning"* (MT, 2012) and *"natural"* (SH, 2012). One interviewee, a Sinhalese media worker with an English literature background, noted the nature of the name colloquially given to the Tamil community in the Sinhala language, demellic or demala:

> *"The technical term for the Tamil community is Damilla. But when you say demellic; I won't say it is derogatory but there is a tinge of Otherness to it. You never say Sinhellic, for example. There is no word called Sinhellic. But Demallic or Demella-cartia; there is a whole range of words that you would*

use in Sinhala to call the Tamil community that always stresses on the Otherness aspect" (SH, 2012).

For SH, this mark on language indicates that Tamils *"are never part of the identity of this country."* Political speeches and discourses of reconciliation may promote the notion that Sri Lanka is a multi-ethnic nation *"but in popular terminology it is accepted to emphasise the Otherness"* (SH, 2012). Quick to deny that this is a characteristic of individual racism, he argues that the majority *"don't see it as being a term that is stressing the Otherness. It is just natural. It is part and parcel of discourse"* (SH, 2012). A Sinhalese academic argued that the Sinhalese are *"poisoned by long-standing traditions"* in Sri Lankan society that promotes Sinhala-Buddhist chauvinism (MSP, 2012). Traceable in the language of restraint that defines military operations and the lack of public outcry where Tamil media personnel and activists are killed or made to disappear, this Othering of Tamils amounts to indifference at best, and antipathy at worst (TAG, 2013).

De Silva (2013: 157) argues, in line with Rampton (2011) and Abeysekara (2002), that analyses of processes of nationalist formations ought to interrogate "minute conjunctures" of discourses in which agency is not reducible to the state. An autobiographical description of the hegemonic power of the ideology, offered by a Sinhalese media worker and advocate, is insightful. The capacity to resist the overwhelming proliferation of Sinhala-Buddhist nationalism is an individual struggle, one that requires strength, critical faculty and vigilance. Responding to a question related to the Othering of the Tamil community, he referred to the content of schoolbooks and the power of Sinhala-Buddhist nationalism:

> *"Oh yes, it is in me also. I was brought up as a Sinhalese and I was fed that. We did a study of the school text curriculum…I am a product of that. Even today, now in this conversation I almost slipped up. I treated Tamils as the Other, I don't know if you noticed but I slipped. I sometimes mean to say Sri Lankan and I say Sinhalese, or I mean to say Sri Lankan and I say Sinhalese. Without thinking. There is no other Sri Lankans but Sinhalese Buddhists. I am not even Buddhist…but that is the heresy. Even I still think like a Sinhala-Buddhist because I have been brought up like that.*
>
> *These other guys who are with me [challenging Sinhala-Buddhist ideology], these are not so asinine, and they are pure Sinhala-Buddhist. They are completely anti-Sinhala-Buddhist chauvinist. They are risking their lives, fleeing to India. So you can imagine the high ideological turn they had to take.*

I can't unlearn everything I have learned, so you can imagine the kind of inner struggle they are in, to resist Sinhala-Buddhist chauvinism, being Buddhist themselves" (LG, 2012).

1.8 Sinhala-Buddhism in Education

Though Sri Lanka's National Education Commission, founded in 1992, emphasises in its reports the need to develop an educational system that promotes "national cohesion, national integrity, national unity" as a goal appropriate to a multicultural society, the education system actually maintains and perpetuates divisions between communities (Jayawardane, 2006: 225). Crucial to the problem of ethnic polarisation is the current school system, which on the basis of a 1964 policy of *Swabhasha* "native language" education segregates children on the basis of language (Jayawardane, 2006; Gunasena, 2006). The Sinhalese school curriculum textbooks and storybooks rely on the Mahavamsa as the primary source of history. Education in Sri Lanka is primarily a state-run venture and the island has an education policy that allows for free textbooks since 1980, which are published and distributed by the Department of Educational Publications under the Ministry of Education (Ministry of Education, 2004; Jayawardane, 2006). Interviewees noted that the history found in the Sinhalese state-provided books is infused with Sinhala-Buddhist nationalist ideology (MM, PNB, MT, LG, 2012). The books have been identified as inappropriate for a multi-ethnic and multi-religious society in reports since the 1980s (Jayawardene, 2006). The charges levelled against the books include insensitivity to diversity and sowing prejudice. Amal Jayawardene, in a publication produced by the National Integration Programme Unit (2006: 219-20), lists the complaints: Sinhala-Buddhist dominance; under-representation of other cultures; an almost exclusive focus on Sinhala-Buddhist kings; the non-involvement of Tamil or Muslim authors in writing textbooks; and "silence over controversial issues in the recent past."

A Sinhalese academic interviewee recounted a moment in the Mahavasma, contained in school textbooks and problematic in its violent and dehumanising implications:

"Before Dutugemunu was born, his mother had the desire to drink blood mixed with water, washed of the steel of a sword which had killed a Tamil. 'Doloduke': the craving, desire to eat that comes from a baby, symbolised the

desire to defeat that Dutugemunu had even in his mother's womb" (PNB, 2012).

The powerful imagery in this story jars with the recommendations of the National Education Commission Report in 2003, appointed by President Chandrika Kumaratunga, which highlighted social cohesion and national integration as relevant considerations when teaching history. The report stated that Sri Lanka needs an "integration-friendly mind-set in the books" (PNB, 2012), to "eschew ethnic, religious, gender, and social class divisions" (NEC, 2003, quoted in Jayawardane, 2006: 225). The report suggested that teachers and books stimulate "interest in and understanding of the past, of how the nation grew and was shaped by the contributions of all population groups and segments and individuals" (NEC, 2003, quoted in Jayawardene, 2006: 225). Interviewees posit that the content of schoolbooks has not altered to reflect this goal. One interviewee charged that Sinhala-Buddhist protests against the alteration of history books had prevented progressive changes in this regard (PNB, 2012).

1.9 Political Buddhism

Neil DeVotta (2007: 10) asserts that because "the requisite imaginings had been performed centuries before, modern Sinhalese Buddhist nationalists did not need to create a mytho-history when they began calibrating an ideological project to ensure their group's supremacy." Sinhala-Buddhist nationalism and political Buddhism are "phenomena based on regional pressures, threats and insecurities" (DeVotta, 2007: 11). The violence of the LTTE became a source of further polarisation on ethnic grounds and a political Buddhism, extant since the late 19th century, rose to prevalence in the early 1980s. The 1978 Constitution introduced by the UNP administration led by J. R. Jayewardene (commonly known as 'the second republic') grants a "foremost place" to Buddhism in Article 9, a move by Jayewardene to endear the Sinhala constituency to his government (Imtiyaz, 2013). This Constitutional move inspired Sinhala-Buddhist extremists inside Parliament to progressively strengthen the community's efforts to politicise the religion (2013: 8).

Abeysekera (2001) describes how the Sinhalese-Buddhist population were, in the early 1980s, drawn into a divided and complicated conception of the place of violence and Buddhism in politics. Buddhist discourses "began to

authorize a particular Buddhist image of the "fearless" young monk who would march to the "battlefront" and lay down his life to rescue and lead the Buddhist nation facing the threat of "terrorism" (Abeysekara, 2001: 5). The JVP – a Marxist political party representing primarily the rural Sinhalese - exploited this notion: to join the JVP was to pledge support for an urgent, "sacred" Buddhist task – to destroy the threat of terrorism and prevent the ruination of the sacred land (2001: 5). Monks joined the JVP and presented themselves as true patriots, willing to use violence in defence of the Sinhala-Buddhist nation, while the UNP government purported to stand for a *dharmista* (righteous) society in which a "pristine" Buddhism existed, a Buddhism that did not differentiate between ethnicities and, in which, monks would reject involvement in politics to lead "pure," exemplary monastic lives (Abeysekara, 2001: 10). The Sangha (Buddhist order), however, have historically provided patronage and legitimacy to Sri Lankan rulers (De Votta, 2007; Rajasingham-Senanayake, 2009), and the JVP's conception chimed with the masses.

In 1983, Maduluwawe Sobhita, a popular Buddhist preacher, stated that:

> "Some say that monks do not need politics; but we cannot do anything except through politics. Even if we do not endorse party politics, we have to take certain decisions in important situations. We should have the right to comment on good and bad things that the government does.... [I]f a government engages in things that are against the religion [Buddhism] and the nation (jatika virbdhi agam virōdhi) it becomes necessary for Buddhist monks to appoint a new government" (Maduluwawe Sobhita, 1983, quoted in Abeysekara, 2001: 8).

Jayawardene was termed a "traitor" by JVP-associated monks who criticised his introduction of a capitalist, open market economy and blamed him for the various vices that seeped into Sri Lanka, leading to a perceived moral collapse and an "unrighteous society" (Abeysekara, 2001: 11). The JVP maximised on this discourse to erect, in Rampton's language, a "frontier of populist authenticity" where the rural Sinhala citizen was "inside" and elite politicians implicated in the globalising process, neoliberalism and neo-colonialism were "outside" (2011: 265). Drawing on militant language of marching, battles, death and self-sacrifice, Walpola Rahula Thero was influential in the radical development of the new political Buddhist activism by monks (Deegalle,

2004).[22] He publicly stated that the "Sangha is ready to lay down their lives" should the government make political concessions to the Tamils (Rahula, 1984, quoted in Abeysekara, 2001: 13-4). Another monk, Mahapallegama Dhammalankara declared that "monks should march to the battle front without practicing the monastic image of silence", stating that "there is no Buddhist sangha where there is no Sinhalese race and there is no Sinhalese race where there is no Buddhist sangha," and that monks ought not "isolate themselves practicing meditation in times of national crisis" (1985, quoted in Abeysekara, 2001: 13). This same rhetoric is relied upon today. On 3 July 2013, Buddhist monk Rev. Galagoda-Atte Gnanasara Thero re-formulated Dhammalankara's 1985 declaration:

> "This is not the time for Buddhist monks to meditate in temples…. If politicians are going in the wrong direction, we have a sacred right to step in" (quoted in Gunasekara, 2013a).

As LTTE violence shook the country from the early 1980s, this vocal sector of Buddhist monks embraced militarism and publicly demanded that the government wage a full war against the LTTE. Rejecting the idea of peace talks with this threat to "the unity of the country", Labuduwe Siridhamma urged the government to pursue "victory through war" (1984, quoted in Abeysekara, 2001: 16). President Jayawardene expressed his reluctance to follow the path of violence as antithetical to Buddhism. He questioned the Buddhist identity of these monks who advocated violence as a solution to the "terrorist problem" (Abeysekara, 2001: 16). The militant discourse of the monks increased in vehemence and in 1985, Uduwawalle Chandananda made front-page headline news, stating that the government was failing to "tackle terrorism" and had "made it impossible for the Sinhala people to live in dignity in their own country" (quoted in Abeysekara, 2001: 17). He proposed that the Sangha ought to be granted powers of leadership in such a situation, where the government would not consult and rely upon the guidance of the Sangha, as Sinhala Kings had for centuries. Chandananda, Sobhita and Rahula claimed that the government had lost its Buddhist identity and also its mandate to rule "Sinhala Buddhist" Sri Lanka by failing to pursue military self-protection (Abeysekara, 2001: 18). [23] The JVP monks also sought to

[22] Rahula is the author of *The Heritage of the Bhikkhu* (1974, originally published in Sinhala in 1946 as *Bhisuvagē Urumaya).*

[23] Abeysekara notes that concerns about the threat of "terrorism" to Buddhism and particularly to monks were considered to be confirmed by an atrocity committed in mid-1987, where the LTTE decapitated thirty-two monks on Buddhist pilgrimage in Arantalawa, Ampar (2001: 19).

discredit the monks who supported Jayawardene, portraying them as archaic overseers of the destruction of Buddhist Sri Lanka, while emphasising the vital character of young monks who had the potential to be the future engineers of a righteous Sri Lankan society (Abeysekara, 2001).

The Sangha largely remained on the fringes of politics. Although they contested local elections, "none dared to stand in the parliamentary elections", preferring to resort to protests and public statements against the government (Deegalle, 2004: 84). The government responded to the involvement of monks in protesting and rioting against the signing of the Indo-Lankan Peace Accord in 1987 by arresting a number of them and suggesting that many of them were "rebels disguised as monks" (Abeysekara, 2001: 22), breathing life into theories that the government was attempting to suppress young monks.[24]

The JVP sought to authorise the choice of "motherland or death" as an "authentic Buddhist" practice for monks and labelled Jayawardene as a "traitor", the LTTE "terrorists" and the Indian Peace-Keeping Force (IPKF) introduced to the island under the 1987 Peace Accord as "Indian invaders" (2001: 22). The discursive formation of a JVP "army of patriots" (*deshprimi hamudava*) was designed to portray the political Buddhist movement as reclaiming the glory of the Buddhist country and the rescue of a nation "betrayed" by the "unlawful" Jayewardene government (Abeysekara, 2001: 27). The Jayawardene government, and his successor President Premadasa, came under attack by this rising movement as "illegal" governments, failing to protect the motherland, despite their pro-Sinhala policies, including President Premadasa's establishment of a Ministry of Buddha Sasana (religion) to provide a strong link between the state and Buddhism in 1989 (Imtiyaz, 2013; De Silva, 1993: 34). Moreover, in order to prove his devotion to the revival of Buddhist culture and tradition, President Premadasa appointed a Cabinet of twenty-two members who shared his rural and traditional Buddhist background (Imtiyaz, 2013). Neloufer de Mel (2007: 34) notes that the position of the monks vis-à-vis the state security forces differed depending on political sentiment and specific forms of localised nationalism. As Rajasingham-Senanayake (2009: 7) notes, Buddhism in Sri Lanka is not monolithic and there are various caste-based orders of the Sangha. Some

[24] Bose (1994) describes the widespread popular protests against the Indo-Lankan Accord, considered an "Indian imposition" by Sinhala nationalists, and how it contributed to the JVP-led insurgency.

monks called for solidarity with the state security forces in the battle against Tamil separatism and the compromise of the Sinhala-Buddhist nation, while elsewhere on the island this monastic nationalism was aligned with the JVP and opposed to the UNP government. Within the latter manifestation of nationalism, the state forces were seen as "an instrument of state law and order that had to be opposed" (de Mel, 2007: 34).

Abeysekara observes that it was in wresting the concept of "patriot" back from the JVP that Premadasa gained legitimacy against the JVP, which had become a powerful force in society. Premadasa, who opposed the Indo-Lanka Accord when it was signed in his position as Prime Minister, campaigned to send the IPKF back to India (Manoharan, 2008: 54). He framed this objective as his "Buddhist patriotic" quest and reduced the JVP to the status of an "armed man" that the "patriotic Buddhist" government could and had to kill (Abeysekara, 2001: 35). Though patriotism on the terms of Sinhala-Buddhism had become embedded, Premadasa managed to undermine the status of the JVP and their conception of a patriotic Buddhist identity, reducing them to 'terrorists' - an illegitimate violent movement. The state in 1988 and 1989 launched a campaign based on death squads, torture and prolonged detention to eradicate the JVP as a threat to power, while publicly stating that their "criminal" "violence" posed a threat to a particular kind of "Buddhist" Sri Lanka (2001: 36-7). The "Buddhist" identity of the monks linked to the JVP came into question (2001: 36). The state's 'patriotism' was contrasted to the 'terrorism' of the JVP. The violent suppression of the JVP uprising was justified in this manner, and the politicised monks - the faces of the movement - were stripped of their status.

Performative acts of returning the monks to the laity demonstrated the impossibility of being both a monk and a member of the JVP. Monks were stripped naked, sometimes forced to wear bed sheets instead of robes, beaten in public and sometimes shot dead in their temples. A method of torture with Buddhist connotations was introduced, called the Wheel of the Dhamma. Abeysekara (2001: 37) draws on this practice to illustrate that "the punishment of torturing the JVP monks was part of questioning their Buddhist monastic identities, the punishment must necessarily be rendered 'Buddhist.'" This is reminiscent of the distortion of familiar and commonplace language that Feitlowitz (1998) found in Argentina. "Comforting past associations", she asserts (1998: 49), were translated into pain, degradation and sometimes death. The methods of torture applied to the monks were framed in religious terms, leaving a scar on the language. Following the

defeat of the uprising, the state subjected the monks to a disciplinary process of "rehabilitation" in order to ordain them with new "non-JVP", "non-violent" and "disciplined" Buddhist identities (Abeysekara, 2001). Premadasa consolidated his popularity as a patriot who had destroyed "terror", but this image was short-lived. After his death in 1993, Chandrika Bandaranaike Kumaratunga's presidential campaign hinged on a promise to end the Premadasa "era of terror." The discourse of "young, noble monks" returned in the post-UNP era, in the continuing reconfiguration of what "Buddhism" and "violence" mean in Sri Lanka (2001: 40).

In the present day, many interviewees spoke of the degradation of the Sangha and their disappointment in Buddhist monks who make up the order. They are seen as opportunists, living day-to-day as careerists, relying on propaganda, fear-mongering, and governmental patronage to maintain status in society (PS, MS, YO, PK, 2012). Rather than preaching the principles of Buddhism, a Tamil political scientist PK (2012) argued, monks play an *"alarming"* role in stoking inter-ethnic animosity and promoting Sinhala-Buddhist chauvinism and supremacist thought. In order to protect their position in the hierarchy of power in Sri Lanka, monks propagate the status of the Sinhala-Buddhists as first-rate citizens, superior to all minorities (PK, 2012). Over the final years of war, a small but vocal group of nationalistic monks – described as a "handful" by one interviewee (SB, 2012) - publicly justified the war. Buddhist monks were described in interviews as *"extremists"* dressed in robes, ignorant of *"the meaning of human rights or the principles of Buddhism"* (PK, 2012) and certainly betraying the principles of their religion (MSP, YO, 2012).

> *"They are dressed as such but they are not monks. They are very political, threatening the government at the top level. The president fears them because the people support the monks. The monks will not allow a [political] solution"* (TA, 2012).

1.10 The Entrance of the Sangha to the Mainstream Political Process

In 2004, the Sangha entered politics in an unprecedented and controversial way. A newly formed Buddhist monk political party, the JHU (National Sinhala Heritage Party), made history by fielding 200 Buddhist monk candidates in the April parliamentary election, resulting in nine monks becoming professional politicians in the Sri Lankan Parliament (Deegalle,

2004). The JHU, though it represents a minority of Buddhists, has entered politics and "re-shaped public religion in Sri Lanka" (Rajasingham-Senanayake, 2009: 15). Venerable Athuraliye Rathana, the appointed media spokesman of the JHU explained the purpose of this enterprise:

> "…the Sangha has entered the arena of politics to ensure the protection of Buddhist heritage and values which had been undermined for centuries" (quoted in Deegalle, 2004: 47).

The JHU relied on the legal status and patronage of the Sihala Urumaya (SU) - a political party founded in 2000 and registered in Sri Lanka - to contest the elections (DeVotta, 2007).[25] The JHU membership is primarily comprised of monks and they share the SU's condemnation of Sinhala politicians they consider "opportunistic" and insufficiently ideologically committed. The two parties also perceive Tamil separatism and the presence of other ethnic minorities to be a threat to the Sinhala nation. The SU's objective is to seek "political power for the Sinhalese" and to "rebuild the unique Sinhala civilization", which leaves them open to accusations of extremism and racist nationalism in the media (Deegalle, 2004: 87). Neil DeVotta (2007: 26) states that the SU is "not only nationalist, it is patently racist," encouraging violence against minorities by distorting history and promising the transfer of minority-owned businesses to the Sinhalese as part of their 2004 election campaign. Centred on a Sinhala-Buddhist nationalist critique of contemporary politics and endemic governmental corruption, the JHU and the SU state that politicians are "prepared to barter the sovereignty of the nation for the sake of power" and have also stood by and allowed "unethical conversions" to other religions to occur (Deegalle, 2004: 87; DeVotta, 2007). The JHU's primary objective is to establish a Buddhist state; the elimination of the LTTE was central to that project (Rajasingham-Senanayake, 2009). It was opposed to any negotiations with the LTTE and campaigned for a military defeat, relying on violent discourse and seemingly unconcerned about the plight of Tamil civilians (DeVotta, 2007). The party arose in response to a perceived lack of real, "righteous" Sinhala-Buddhist representation in government and is seen in the context of a Buddhist social reform and revival movement, triggered by the death of a prominent and popular monk named the Venerable Gangodavila Soma (Deegalle, 2004; DeVotta, 2007). Drawing on

[25] JHU signed a memorandum of understanding with the SU (Sinhala Heritage Party) that the lay leadership of the SU would refrain from contesting, leaving only monks of the JHU to contest the election.

conspiracy theories regarding his death that claim he was assassinated in an effort to undermine Buddhism in Sri Lanka, the JHU co-opted the popularity of the monk, who had joined the SU in 2002 to "unite the Sinhala nationalist movement in order to defeat the elements bent on separating the country" (Deegalle, 2004: 91; DeVotta, 2007).[26] Neloufer de Mel describes a poster released by the JHU in December 2003 that depicts Soma Thero walking in unity with the Sri Lankan armed forces, with the tag-line: "Let's defeat the NGO mafia" (2007: 34). This formulation of the "enemy" of the Sri Lankan state as Western-Christian-NGO "conglomerates" was delivered in a campaign that emphasised the essential relationship between Buddhism, the military and the Sri Lankan nation (2007: 34-5).

In 2005, the JHU and the JVP (who share political views but also compete for the same voter base) were drawn into a central government coalition with the ruling UFPA. Rajapaksa's UFPA used the same nationalist platform as a key populist vehicle and "wrested patriotic authenticity" from the less powerful JHU and JVP, leaving them with no choice but to unite with the government or face increasing marginalistion (Rampton, 2011: 267). As key coalition partners, the JHU (and the JVP to a lesser extent) represents the "extremist fringe" which has been thoroughly integrated into the political establishment, ideologically permeating the UPFA administration and distorting its discourse (Jayatilleka, 2013; LG, 2012; SH, 2012). As a Muslim interviewee argued:

> "*About 7 or 8 years ago, the Sinhalese extremist groups were not much. Now, they are so powerful. Day by day, they are becoming more powerful…power is with the extremist groups, including the President"* (MA, 2012).

This new trajectory in Sri Lankan politics - the acceptance of Sinhalese-Buddhist extremists (as opposed to nationalists who maintain a veneer of moderation) into central government - represents the institutionalisation of the ideology (DeVotta, 2007). The integration of the ideological stance propagated by these parties limited scope for reform and reinforced the UFPA's commitment to a unitary state. The ruling coalition was ideologically inclined to finish the war by military means rather than through a negotiated political settlement (Uyangoda, 2007). As Rampton (2011: 268) argues, the

[26] The death of Soma Thero was the trigger for a spike in anti-Christian violence, as the monk had advocated against conversions and his followers claimed that the Christians were responsible for his murder, though his death was caused by a heart attack. See Neil DeVotta (2007: 42).

hegemonic depth of Sinhala-Buddhist nationalism consistently resurfaced throughout the conflict to undermine a political solution. The military victory brought the Sinhalese-Buddhist state into existence: a state won by conclusive defeat of the separatist group that challenged the unitary make-up of Sri Lanka, without negotiations or compromise (JU, 2012). The ultimate goal of the war, a Tamil politician argued, was *"the making of a Sinhala-Buddhist nation"* (MG, 2012). Interviewees were consistent in asserting that a hegemony based on Sinhala-Buddhist nationalism exists in government (PK, KG, MG, LG, 2012). For GK, a Tamil nationalist and lawyer, *"Sri Lankan nationalism…equals Sinhala-Buddhist nationalism"* and the post-war rhetoric of "one country, one nation" and the notion of a "Sri Lankan identity" ignores the exclusionary character of Sinhala-Buddhist nationalism (KG, 2012).

1.11 The Bodu Bala Sena

Post-war and post-LTTE manifestations of Sinhala-Buddhist nationalism propagated as patriotism include anti-Muslim and anti-Christian campaigns led by the extremist Bodu Bala Sena (BBS), a JHU-breakaway organisation of monks who advocate militancy and violence in protecting Buddhism. The BBS, formed in July 2012 by Buddhist monks Kirama Vimalajothy and Galagodatthe Gnasara, has built a support base campaigning for protection of the "Sinhala franchise" that brought Mahinda Rajapaksa to power (Bastians, 2013). The BBS have spread conspiracy theories about the Muslim population, ranging from serpentine to absurd, and have carried out attacks on Muslim property and mosques (*BBC*, 2012; *ColomboTelegraph*, 2012). The initial rumour to gain traction in Sri Lanka was that Muslim shopkeepers were handing out sweets to Sinhalese women that would render them infertile, in an effort to stunt the growth of the Sinhala population (Francis, 2013). Rumours such as this have been spread in conjunction with an "anti-halaal" campaign, attempts to ban the burqa and the Islamic legal system, warnings of Muslim extremism and allegations that Muslim businesses were overshadowing and threatening the economic security of the Sinhalese (Sultana, 2013; Bastians, 2013). Muslim shop-owners have faced accusations of the rape of Sinhalese girls (Francis, 2013). The growth of the BBS movement, Francis (2013) argues, is part of a larger strategy of establishing Buddhist supremacy over the minority communities. The Muslim population fears violence and the collusion and acquiescence of the police, as echoes of Black July cloud the collective memory (Dhanapala and Goonesekere, 2013). A Muslim politician named Azad Salley was quoted in early 2013 as saying:

> 'They just finished hunting the Tamils, without solving any of the issues, and now they are starting on the Muslim hunt. Virtually all minority communities are being threatened" (quoted in Francis, 2013).

The Criminal Investigation Department (CID) subsequently arrested Salley on 2 May 2013, under the PTA, following complaints that his pubic proclamations incited racial disharmony (Kannangara and Wickrematunge, 2013). Salley was released on 10 May and immediately admitted to hospital, suffering from a fever induced by temporarily untreated diabetes (Wickrematunge, 2013). Civil society activists highlighted the hypocrisy of the episode, comparing the treatment of Azath Salley with the impunity allowed to the BBS in inciting and actively participating in racially charged violence (Wickrematunge, 2013). Civil society actors called on the Rajapaksa government to openly condemn the divisive discourse and activities of the BBS, to reassure the citizenry of their equal status under the law and the government's obligation to ensure their security (Dhanapala and Goonesekere, 2013). Instead, Gotabhaya Rajapaksa has been seen to actively support the BBC. He was a chief guest at a BBS seminar in 2013, where he defended the group's public profile:

> "The venerable monks always came forward to protect our country, race, religion and culture. This effort is to bring them to a correct course, not to spread hatred" (Rajapaksa, G., 2013).

1.12 Sinhala-Buddhist Extremism in the Ruling Coalition

In 2008, a controversial politician named Wimal Weerawansa was "ousted" from the JVP and formed a breakaway faction named Jathika Nidahas Peramuna, translated as the National Freedom Front (NFF) (Reddy, 2008). Weerawansa left the JVP with nine other party members, criticising the inner democracy of the party, the failure to fulfil the "real concerns of the nation", and collusion with the UNP – an enemy of the JVP since the UNP government's violent suppression of the JVP uprisings of 1971 and 1988 to 1989. One interviewee stated that Weerawansa had, in fact, become *"too chauvinistic"* and was expelled from the party for this reason (LG, 2012). The NFF sought and received the blessings of senior Buddhist monks (*BBC Sinhala*, 2008), drawing heavily on this legitimation to enhance Weerawansa's fierce, hard-line Sinhala-Buddhist reputation. The NFF joined the ruling

coalition, in line with the advice reportedly received from the monks, and supported the final military drive against the LTTE. Presumably aware of the emotive inferences, the NFF began its political activities on 14 May 2008, the anniversary of two important events. On this day in 1985, the LTTE attacked a pilgrimage at Anuradhapura's Jaya Sri Maha Bodhi – a historical tree thought to be the Southern branch of the tree under which the Buddha gained enlightenment and therefore a sacred Sinhala-Buddhist place. Crucially, the Jaya Siri Maha Bodhi is believed to safeguard the sovereignty and the territorial integrity of Sri Lanka (MOD, 2008). Drawing on the memory of this attack in all its symbolism, this choice of date heralded the party's position and objectives. 146 pilgrims were killed on the day of the LTTE attack. In 1965, also, May 14th saw the formation on the JVP. The NFF suggests that the new party has assumed the true political role of the JVP, and created "a new patriotic path" (Weerawansa, quoted in *BBC Sinhala*, 2008).

The NFF's entrance to the ruling coalition has contributed to the shift towards extremist nationalism. His stance has been vocal rejection of investigations into the End by the UN, promoting popular defence of the "war hero" Rajapaksa government and military leaders. Weeramsa has, since the End, stirred up "patriotic" sentiments by framing the achievement of resolutions "against" Sri Lanka in the Human Rights Council as a "US-LTTE" conspiracy (*Sunday Leader*, 2012). Though he often draws ridicule, Weerawansa dominates the media with his theatrics and dramatic statements. In 2010, he and other members of the NFF led a protest outside the UN office in Colombo, threatening to hold the staff hostage in response to the announcement that Ban Ki-Moon, the UN Secretary-General, had appointed a three-member panel to investigate allegations of mass atrocity at the End (*Groundviews*, 2010). Weerawansa and a handful of other NFF party members began a "fast unto the death", demanding the "withdrawal of the illegally constituted so called expert panel formed with the malicious intention of tarnishing the image of Sri Lanka" (quoted in Rajasingham, 2010). Performing their patriotism and demonstrating their credentials as "sons of the soil" the NFF members used their bodies as political tools and achieved huge media coverage (Rajasingham, 2010). In a highly publicised performance of compassion, President Rajapaksa attended the hunger strike on the third day and counselled Weerawansa to end the protest. Photographs widely distributed by the media show a gracious and gentle President kneeling over Weerawansa, who lies connected to an intravenous drip.[27] With the help of

[27] See Wickremasekara (2010) for photograph.

Weerawansa's beautiful young daughter, President Rajapaksa tips some water into Weerawansa's mouth, potentially saving his life in the face of warnings from a physician (Wickremasekara, 2010; *The Hindu*, 2010). In this *"high drama"*, (LG, 2012) the father of the nation becomes the saviour of the patriot, urging him to live another day for his daughter and for the "Motherland." A Buddhist monk can be seen in the background, presiding over this public ceremony of patriotism.

According to a Colombo-based Tamil politician, there is a *"hierarchy of extremism in government"* (MG, 2012). The extremists are monks within the JHU – particularly the leader, Patali Champika Ranawaka – and other outspoken Sinhala-Buddhist nationalists such as Wimal Weerawansa. These voices are representative of a small section of the political establishment but are projected disproportionately in the nationalist media (MG, 2012). The influence of these "elements" on discourse has been substantial, heightening the latent chauvinism in Sinhala society. Relying on Sinhala-Buddhist nationalism as a populist tool has meant displaying commitment to that ideology to compete with politicians appealing to the same electorate on the same platform; shaping the ethnic politicking and "ethnic outbidding" between Sinhalese parties that continues to this day (DeVotta, 2003; Imtiyaz, 2013). Timur Kuran (1998) coined the term a "reputational cascade" of ethnification.[28] The process, for Kuran, involves a realignment of societal norms due to competition between individuals to appear more adherent to tradition, or more committed to a political or ideological goal. Kuran argues that behaviour framed as ethnically meaningful can become necessary for social acceptance and pressure to conform to the new level of ethnic behaviour emerges, resulting in increased "ethnic" activity. Societal norms, he contends, are easily altered in this manner and ethnicisation on a large scale can be the result. This can lead to enhanced cleavages of difference between groups and the likelihood of tension and violence. Leadership is extremely important within this process, as ethnic entrepreneurs propel social norms towards amplified levels of ethnic identification. The associated "reputational cascade" described by Kuran (1998) stands to be instrumentalised by politicians and activists. The motivation for this ethnicisation is often inherently political and deliberately employed to garner support from the group in question: to actively create cohesion and to enhance ideological commitment. The process appeals to the individual's self-understanding, the part that accounts for and refines a sense of belonging and identification with

[28] This term is synonymous to ethnicisation.

his or her reference group (Dag Tjaden, 2012). Ethnic identity has been used in Sri Lanka as *"a productive instrument to win elections"* (JU, 2012). Daniel (1996: 61) argues that politicians use "modes of being" performatively: rituals that ordered moral life in the past are enacted in the service of political capital. The mainstream account of Sinhala-Buddhist nationalism accepts that a process of elite-led instrumentalisation of ethnic identity has "Sinhalised" the character of the state (Rampton, 2011: 254; De Votta, 2004; Stokke, 1998). Stringent competition for political gain within the Sinhalese community and an urge to throw off the remnants of colonialism prompted this process in post-independence Sri Lanka. Mahinda Rajapaksa has marketed himself as a determined Sinhalese-Buddhist nationalist and a *"man of the people"* with great success (LG, 2012).

The tactic of the Rajapaksas has been to centralise power in their ruling UFPA coalition, encouraging political parties to join them and attracting politicians from other parties. The Sinhala-Buddhist stance adopted by the government has signalled to careerist politicians that:

> *"…if you have crossed over to the government, you have to continually keep pledging your allegiance. And the language you use to do it with is to be more racist than perhaps the government is"* (SH, 2012).

A Sinhalese media activist argued that within the competitive political system, many politicians:

> *"…are just out to survive and would say things not necessarily because they believe in them but because it is important for them to be seen to be saying those things by those who are actually wielding the power in government. So one tries to out-do the other"* (SH, 2012).

The result is a government premised on performances of Sinhala-Buddhist nationalism and insensitivity towards minority communities in Sri Lanka. Other interviewees contest this notion of "performance", arguing that the coalition assembled by the Rajapaksa government is one *"gelled together through this ideology of Sinhala supremacism"*, gaining coherence and strength from this *"ideology of national unification"* (JU, 2012). The hegemony achieved on the basis of Sinhala-Buddhist nationalism cannot be explained only by careerism. The Rajapaksas' formation of a coalition was successful because it spoke to latent Sinhala-Buddhist nationalist inclinations in society. As Rampton states, the hegemonisation of Sinhala-Buddhist nationalism means,

"it is no longer solely elites who share this social imaginary of Sri Lankan space as Sinhala-Buddhist or the state vehicle which drives nationalism" (2011: 254). He astutely notes that the populist effect of nationalism "frequently overflows its elite genesis" and that conceptions of Sinhala-Buddhist nationalism are reproduced across diverse sites and social strata (2011: 256).[29] The performance underway was more systemic: a discursive national identity process. The militaristic political campaign of Mahinda Rajapaksa and his brothers drew on "mass ritual discourse" (Dag Tjaden, 2012) to reinvigorate the Sinhala nation's collective identity and reinforce individual identification with the Sinhala-Buddhist nation.

1.13 Mass Ritual Discourse

Paul Gilroy (2000: 151-2) argues that there is a continuity between contemporary political culture and the aestheticisation and theatricality of politics of Fascist, totalitarian regimes. Performances of power are characterised by parades, flags, iconography and the branding and marketing of political figures by media specialists, political enterprises that both appropriate and influence culture and nationalisms (Guss, 2000). Interrogating the way in which a particular image of the nation is generated, Dag Tjaden's (2012) 'toolbox typology' of mass ritual discourse is instructive. Dag Tjaden discusses four strategies of discursive control that are relevant in Sri Lanka: power and popularity; pride of leadership; realignment with tradition; and active society. These will be discussed in turn, to illustrate the discursive tactics underpinning the success of the Rajapaksa regime, both militarily and in terms of popularity. The mass ritual discourse formulated by the Rajapaksas (and by the Public Relations companies involved) is designed to ensure the public embrace of a highly militarised, state-centric national security paradigm (Rajasingham-Senanayake, 2009a). Mass rituals have been introduced with great fervour since the End, such as Victory Day, but the mass media has also provided an essential platform for public engagement, ideological dissemination and discursive production. It is worth noting that the process of "ethnic outbidding" that enhanced Sinhala nationalist zeal over the years of war undermined attempts to reach a political solution with the

[29] Rampton's analysis notes that the genesis of hegemony is difficult to establish and its breadth cannot be quantitatively established. He acknowledges that the power and effect of the state's ideological apparatuses is impossible to quantify and that hegemonic ideas and practices on nationhood and ethnicity may not be hegemony at all but could be explained by other local motivations that "become encoded in or use the cover of the logic of ethnic discourse" (2011: 262; Fearon and Laitin, 2000).

LTTE, for example the PA government's Devolution Bill in 2000, under President Kumaratunga and the 2002-2004 Ceasefire Agreement (CFA) led by Ranil Wickremasinghe's UNP (Rampton, 2011; DeVotta, 2003). From election in 2005 to the End, the discursive tools employed by the Rajapaksa regime in advertising campaigns, election messaging and sites of popular culture delivered public support for a military solution. The nationalist platform underpinned rejection of the "liberal peace" framework and justified return to militarism (Rampton, 2011: 268). Post-war, the paradigm persists as a mechanism of power consolidation under the Rajapaksa brothers. Their political project of nation-building is one tightly tied to militarism.

- *Power and Popularity*

For Dag Tjaden (2012: 60), mass parades and public events celebrating the leadership's military capabilities are a display of strength, order, and discipline. At such events, the "national muscle is flexed proudly, and the public cheers in admiration and pride". Additionally, consistent discursive support for the military has a similar effect. In Sri Lankan popular, culture militarism is entrenched, regular media reports herald military successes packaged in rhetoric of soldiers' bravery and strategic genius of the military and political leadership. The display of military strength is important, as is "the general popularity of the forces as a representative of a strong nation" (2012: 60). Consequently, Dag Tjaden argues, "the image of military potency and popularity becomes a trait of the nation itself" (2012: 60). Neloufer de Mel's (2007) book *Militarising Sri Lanka* describes the process by which popular culture in Sri Lanka has been saturated with military signifiers and favourable propaganda about the state military.

In the year 2000, the dissemination of propaganda was revolutionised and reconstituted by the state's recruitment of a PR agency named Leo Burnett Solutions Inc., a Sri Lankan branch of the Leo Burnett Worldwide advertising company (de Mel, 2007: 72). The company's design team created military recruitment advertisements to salvage the image of life in the military following a period of military defeat, gruesome stories of the horrors of war, allegations of corruption amongst high army officials and the resultant desertions and depletion in military recruits. Drawing on the themes of "camaraderie" and "challenge", Leo Burnett produced a campaign named *Sinha Patawunge Paradeesiya* (Lion Cubs Paradise) that emphasised the positive aspects of military life rather than "the horror and destruction of war" (de Mel, 2007: 72-3). The slogan of the People's Alliance government that

preceded Rajapaksa's SLFP presidency was "War for Peace" and during the 2002-2004 ceasefire, the concept of peace itself was marketed by the advertising industry in "highly charged militaristic language" (de Mel, 2007: 85). Conditions were primed, following the collapse of the peace process, for Rajapaksa' presidential campaign, the rejection of the liberal peace framework as an internationalised effort unsuited to the Sinhala state, and leadership of the final military push against the LTTE.

The 2007 advertising campaign employed by the Rajapaksa government to re-brand military recruitment, in preparation for the final military operation, spoke directly to the militarisation of society. Neloufer de Mel reminds us that militarisation as a process generally occurs when a country's military seeks political domination. Another scenario can also amount to militarisation: when civilian leaders put military powers to civil use "to save the nation" or to solve political problems (de Mel, 2007: 23). Under Rajapaksa's presidency, the military became the institution bearing responsibility for ending the war, usurping the role of the political establishment and rendering political engagement and negotiations obsolete. This is problematic because of the inherently ethnicised nature of the military as a predominately Sinhalese force, occupying an "adversarial, ethnically defined role vis-à-vis Tamil dissent" (de Mel, 2007: 61). Mahinda Rajapksa assumed his role as leader of the Sinhalese, realising that Sinhala-Buddhist nationalism was his route to success and historical greatness. The defeat of the Tamil separatist threat could be achieved militarily, but this would require the support of the wider population, the entire establishment and international actors. The ideological tool available was the long-desired reclamation of the Sinhala-Buddhist nation. The most overt indication of the militarisation of society – the fact that every Sri Lankan in the south has a family member in the services or an alternate, close connection to the military – was exploited in the military recruitment drive for the final phase of the war. The military's campaign was designed by Sri Lankan advertising agency Triad. The organisation endeavoured to "spark a feeling of belonging and closeness" to the military (Triad, 2013). Under the slogan *Api Wenuwen Api*, translated as "We for Ourselves", or "Be Together For All," the recruitment drive exceeded recruitment targets for the military, the navy and the police force (the "Tri-Service"). The slogan speaks to the militarisation of the entire society, an "insight" capitalised upon to emphasise the cooperation necessary between the state security services, civilians and corporations. Stating that military losses and the breakdown of the ceasefire were "dragging the hopes and

morale of an entire nation down", Triad illustrated that investment was required from the "entire nation" to win the war (Triad, 2013).

Triad's television advertisement and series of posters emphasised the array of roles played by the security services and naturalised the integration of the services into society. Triad's online case study of the Sri Lankan forces "product" evoked images of downhearted soldiers laden with heavy gear, rained upon and muddy in retreat, as the "before" in the company's marketing strategy. To create an "emotional hook", the company decided to portray the soldier as "an endearing human being" in their television advertisement, living a life "like all other Sri Lankans" (Triad, 2013). Featuring actual service members, the advertisement includes video footage of male and female soldiers, Navy and police officers in a variety of communal scenarios: playing and engaging in affectionate conversation with children; guiding an old lady in a sari; sitting cross-legged and sharing food with a group of Muslim men; kneeling at the feet of Buddhist worshippers; being welcomed home by their families and being fed by their mothers. A solider kicks a football with children despite the burdensome bag on his shoulder, denoting the weight of responsibility that he wears with ease. A soldier dressed in camouflage approaches a woman sitting on a train. He stands above her with a stern expression and places his hand on her shoulder. Initially startled, her expression breaks into an open smile of recognition and she stands to embrace him. In this simple scenario, the advertisement conveys to the viewer that the anxious response often prompted by the uniform is misguided. The soldier is, in fact, "one of us." This is the "creative idea" behind the advertisement, one that proved highly effective (Triad, 2013). The only difference between the soldier and the civilian is that of "service": "Service to the nation. Service to all Sri Lankans" (Triad, 2013). These scenes were far from the horror and reality of warfare and were palatable to families. The advertisement effectively altered the reputation of the military and its members. Although no longer explicitly ethnicised like Leo Burnett's "Lion Cubs" campaign, in the South its audience is the same: the primarily Sinhalese rural community. The *"huge posters of army or navy personnel"* were replete with tokenism for LG (2012), who described the concerted effort to attract the widest possible support base. They were images of soldiers *"holding babies, chatting around a small camp fire with village people who would include a Muslim and a Tamil"* (LG, 2012).

The advertisement was regularly played on television and posters at large holding sites throughout the country carried slogans and still images from the

advertisement (LG, 2012; Triad, 2013). T-shirts, "special team" recruitment booths and *Api Wenuwen Api* calendars guaranteed regular interaction with the messages implicit in the slogan and images (Triad, 2013). So effective and popular were the television adverts that the *Api Wenuwen Api* campaign created by Triad was voted the "number 1 advertisement in the minds of Sri Lankans" at the Sri Lanka Institute of Media Nielsen People's Awards 2007 and 2008 (*Sunday Observer*, 2008; Triad, 2013). A Triad employee declared in his acceptance speech that the award "is proof of the patriotism and national-mindedness of Sri Lankans from all walks of life", a conviction brought to the surface and made palpable by the campaign (quoted in *Sunday Observer*, 2008). The Rajapaksa government also knew the value of personal interaction. A political scientist stated that the armed forces were strategically sent to visit villages in the south: *"soldiers kissed people and ate with them"* (PK, 2012).

The recruitment drive took place alongside a campaign to attract deserters back to the ranks of the armed forces. In January 2007, media coverage quoted military spokesman Brigadier Prasad Samarasinghe offering a general amnesty to deserters, requesting that they re-join the army amid the "new chapter of civil war against Tamil Tiger rebels" and therefore avoid the penalties associated with desertion, including demotion and incarceration (*BdNews24*, 2009). Samarasinghe invited deserters absent from the military since 2003 or later (amounting to 17,000 individuals) to apply for their old positions "to refresh their training", considered by the military to be easier than training new recruits (*BdNews24*, 2009). As mentioned in Triad's "case study" of the *Api Venuven Api* brief and campaign, desertions were high amid a period of perceived defeat and hopelessness. The effort to re-energise the military and public support for the military, both material and moral, expanded into society in other forms. According to LG:

> *"They encouraged civilians village societies, welfare societies and that kind of thing, or led by the temple monk, they encouraged elders and fit young men to donate blood for the soldiers. That was a very popular thing…to go and donate blood to the army. And Buddhist monks were in the forefront of that kind of thing"* (LG, 2012).

Media campaigns and advertising strategies were crucial in gaining popular support for the government to pursue the End. The conception of the Sri Lankan state as Sinhala-Buddhist in nature and necessarily unitary in structure was nurtured by the Rajapaksa regime; Mahinda ran for election on

this basis, as well as promising a military solution to the conflict (*Mahinda Chinthana*, 2005).

The president's brother, Gotabhaya Rajapaksa, joined the armed forces as a career soldier in 1971 and spent over two decades in service. He holds a Master's degree in Defence Studies from the University of Madras, India, and rose to the rank of Commanding Officer of the First Battalion, Gajaba Regiment before migrating to America (Ranjith Perera, 2011: 102). When Mahinda was elected, 'Gota' returned and was appointed by his brother to the position of Secretary of Defence. There he acted as a *"military energiser"* who *"gave the military everything they wanted"* (LG, 2012). He oversaw huge military expansion, appointed military commanders with battlefield experience, purchased new weaponry and instituted an accelerated recruitment drive that increased the numerical strength of the military by 30 per cent (Ranjith Perera, 2011: 105). The Commander of the Air Force, Roshan Goonetileke (2011: 109) recalled: "whatever we ask, his approval has come quickly." Gotabhaya was determined to succeed, having "witnessed for himself the frustration and the drop in morale of the Security Forces when they were stopped on the road to final victory in 1987, due to pressure from external forces" (Ranjith Perera, 2011: 105-6). The restoration of morale was identified by Gotabhaya as a crucial component of military victory and the *Api Wenuwen Api* campaign followed: a fundraising drive targeting domestic audiences, the corporate sector and expatriate businesses and communities, calling for contributions towards building homes for "those fighting for our motherland" (Triad, 2013). A collaboration between the Ministry of Defence and the Central Bank of Sri Lanka, the *Api Wenuwen Api* Fund aims to build 50,000 houses for serving Tri-Service personnel.

Gotabhaya realised the importance of discursive control and established the MOD website, which was intended to "defeat media campaigns to belittle the military victories and create misconceptions" (Ranjith Perera, 2011: 107). The brothers achieved public support for the war. According to Admiral Wasantha Karannagoda, Commander of the Sri Lankan Navy (2011: 109), "[n]ever in the history of this war…have we received such public support. His excellency the President and Secretary Defence motivated and galvanized the public and ensured their overwhelming support for us." The ideological coherence garnered in the Rajapaksas' time in power made it possible to win the war without internal critique or hesitance. One Sinhalese academic interviewee expanded on this concept, emphasising the collusion of the entire establishment in this final military assault:

> *"Winning of the war required a certain kind of an ideological potential. Not only for the ruling party, not only for the ruling family but also for the whole broad coalition that was put together to win the war. The military, the judiciary, the bureaucracy, the media, the intelligentsia, the Buddhist monks, the Catholic priests…everyone. There was a huge coalition. And that coalition was gelled together through this ideology of Sinhala supremacism"* (JU, 2012).

Neloufer de Mel (2007: 83) would add to this coalition the involvement of the corporate sector, for whom "a political solution to the conflict did not carry much influence" as the trade in arms, transport and military supplies and other military-related activities was intertwined with advertising and sponsorship of banks, motor companies and other businesses. The co-dependency of the militarisation of society and the capitalist economy supported the discourse of military necessity to end the war. The power granted to the Rajapaksa government to pursue a military solution was entirely connected to the popularity of the military and the personal popularity of the brothers. Rampton explains this popularity by developing a concept of hegemony that acknowledges theories of elite instrumentalism of nationalism but also emphasises that the Rajapaksas' ascendancy to power was underpinned by discursive and ideological support. Rajapaksa is "*primus inter pares* in the pursuit of a conception of a Sinhalese nation" (Rampton, 2011: 268). He speaks to the hegemonic nationalism in Sinhala society because he is a product of that hegemony. In his politics, he "assumed the mantle of nationalist legitimacy" in faithfulness to Sinhala nationalist rhetoric and militarism at a time when parties adhering to the liberal peace were discredited (Rampton, 2011: 264). Rajapaksa's rule is defined by a resurgence in Sinhala nationalist discourse and consolidation of power on that basis.

In terms of mass ritual, the date of the LTTE's defeat is now celebrated annually as "National Victory Day", a celebration intimately connected to Sinhala-Buddhist nationalism. The fourth annual Victory Day, for example, was marked by a "grand ceremony" in central Colombo (MOD, 2013). The 2013 "Victory Parade" saw the various branches of the state forces march along Galle Face Green, demonstrating numerical strength, discipline and order. Mahinda Rajapaksa and the watching crowd applauded from the shaded spectators area. Open-backed trucks towed heavy weaponry and surveillance drones through the streets, showcasing the country's military force and technological advancement. Army helicopters and skydivers dominated the sky, proudly displaying the Sri Lankan flag. Navy boats tore

along the seafront. The state forces demonstrated ownership of the land, sea and air, united under the Sri Lankan flag. The gathered crowd observed two minutes of silence in memory of the 24,000 security forces personnel "who paid the supreme sacrifice in safeguarding the territorial integrity and sovereignty of the country" (MOD, 2013). Soldiers disabled in the course of duty partook in the parade in their wheelchairs. In his Victory Day speech, President Rajapaksa stated that the entire world asked that Sri Lanka "give into the terrorists" at the End. The Government instead "chose to trust in the strength and courage of the country's youth" (Rajapaksa, quoted in MOD, 2013). The forces marching in the parade, celebrating the victory of the nation, "actively took part in the final stages of the war against terrorism" (MOD, 2013). Emphasising the state's magnanimity towards the captured, "brutal" LTTE leaders, President Rajapaksa declared that they "had committed enough wrongdoings to be sent to the gallows, but the forgiveness afforded to them will not be received in anywhere else" (quoted in MOD, 2013). Not only is the state strong and united, he announced, it is gracious in victory, benevolent towards former enemies. The state is presented in this mass ritual discourse as possessing both moral and military strength, in contrast to the actions of the international community and the Tamil diaspora, who "did not come forward to aid the country's Tamil people" after the End (MOD, 2013).

- Pride of Leadership and Re-alignment with Tradition

Dag Tjaden (2012) describes mass rituals presided over by leaders who are publicly and internationally well respected, rituals defined by the collective cherishment of the rich tradition of the nation and a realignment with national values. The Rajapaksa brothers know the value of performativity, staging Sri Lankan identity as leaders of the nation and thus both adhering to and transforming the meaning of that identity. In public appearances and ceremonies, the Rajapaksas refer to their Sinhala-Buddhist credentials, their "war hero" status and remind the population of the "meaningful event" that required and gave rise to a re-staging of national, Sinhala-Buddhist identity: the End. Though identified as mutually exclusive themes by Dag Tjaden, the pride of leadership cultivated in Sri Lanka is entirely connected to the hegemonic Sinhala-Buddhist nationalist culture and tradition that encompasses "tradition" in the south of the island. The pride invested in the Rajapaksas is inseparable from the reassertion of Sinhala-Buddhist supremacy that enabled the defeat of the LTTE, an ideology that has strengthened, proliferated and gained institutional approval in the post-conflict period.

The president's personal popularity – termed *"public adoration"* by AS (2012), a UN staff member, was a key factor in bringing about the End. Asked to explain his popularity, civil society and media interviewees listed his affability, shrewdness, determination populism, perceived sincerity and photogenic appearance (JP, PK, MS, SH, LG, 2012). He is experienced, having been in politics for 40 years, and worked as a human rights lawyer before entering politics. During the years of terror in the late 1980s, as the UNP government forcefully countered the JVP uprising, Mahinda – as he is known in colloquial conversation – collected documentation on state-perpetrated abuses of human rights and attempted to bring this evidence to the UN Human Rights Council in Geneva. He was prevented from making the journey and the documents were confiscated (LG, VV, 2012). Several interviewees repeated this moment in his history, primarily as an ironic comparison to the regime over which he now presides, but also in the context of explaining his popularity. A background in human rights advocacy is a useful tool of denial, suggesting that Mahinda's moral compass would not allow atrocities to occur under his purview. Particularly on the campaign trail and on the occasion of official public visits and events, as previously mentioned, Mahinda presents himself as *"a man of the people"* (LG, 2012). He creates an affinity with the rural Sinhala population through his clothing and footwear, open smile and jovial demeanour. In addition to this attractive public persona, Mahinda's determined commitment to a military solution in pursuit of a unitary state structure and refusal to compromise with the "terrorists" indicated his Sinhala-Buddhist credentials and earned the support of the Sinhala-Buddhist establishment. A Jaffna-based academic noted his likeability and efforts to woo the Tamil population: *"Mahinda Rajapaksa speaks nicely, he speaks in Tamil, but in practice is very poor [on Tamil issues]"* (PSJ, 2012).

The President's personal qualities, noted by Sinhala-Buddhist nationalist, Media Consultant of the Ministry of Cultural Affairs and National Heritage Nihal P. Jayathunga (2010), are thought to include "patience, determination, equanimity, courage, valor, amiability and simplicity. They are of course Buddhist values." His Sinhala-Buddhist credentials are recognised by the population; he performs in accordance with this identity, which is essential for majoritarian political success. Mahinda's choice of dress is strategic and symbolic. While opposition leader Ranil Wickremasinghe is never seen in a sarong, Mahinda wears traditional dress and slippers, not shoes.[30] His white kurta and claret scarf are instantly recognisable in a crowd, particularly

[30] "Slippers" is the local term for flip-flops – open shoes.

striking at meetings of world leaders clad in suits and dull colours. Brubaker and Laitin (1995) might describe this as a purposeful tactic of humiliation aimed at his domestic political opponents, in order to improve Mahinda's image comparably. His hands are regularly clasped at his heart in a gesture of religious faith and gratitude and his speeches consistently close with a blessing, evoking the "noble Triple Gem".

Mahinda Rajapaksa contested the presidency in 2005 on a platform of "an undivided country, a national consensus and an honourable peace" (Mahinda Chinthana, 2005). As Imtiyaz (2013: 9) notes, "Sri Lanka's fifth Presidential elections…provided a means to reinforce the tradition that linked the state with religion. Politicisation of Buddhism was one of the key agendas of the ruling UPFA in a bid to outmanoeuvre the UNP, which presented liberal agendas including proposed peace talks with the Tamil Tigers". Mahinda praised Buddhist history, "waved flags", promised to defeat the LTTE militarily, and blamed the West, particularly Norway, for the country's current peace crisis (2013: 9). With an affirmed uncompromising stance on state sovereignty, territorial integrity and the unitary state structure, Mahinda criticised the negotiations that the preceding UNP government allowed external parties to "foist" upon the country (Mahinda Chinthana, 2005: 31). Rajapaksa presented himself as a man who cherished the country's traditions and would oversee the reestablishment of national identity in a unitary state. A political agreement reached with the JVP and the JHU during his election campaign secured the support of the parties and assured his election over the UNP opposition candidate, Ranil Wickremasinghe (Imtiyaz, 2013: 4).[31] This pact, despite his public rhetoric of seeking peace through "discussions", indicated a renunciation of the peace process, even when viewed through the prism of electoral opportunism, as those parties were vehemently committed to militarism over the negotiations framework provided by the liberal peace. Drawing on Sinhala-Buddhist nationalist support for what a Tamil politician termed *"his victory journey"* (MG, 2012) and appealing to a primarily rural Sinhalese electoral base, his mobilisation strategy, as summarised by a Sinhalese sociologist, was to declare: *"We have to finish this. We cannot leave it for another generation"* (SHC, 2012). The opening caption of the Mahinda Chinthana, his 2005 Presidential Manifesto, reads:

> "This earth and its vegetation is yours. But they should be protected not only for your benefit but also for the benefit of future generations.

[31] See Senaratne (2005) and *BBC Sinhala* (2005).

A ruler is only a temporary trustee and not an owner of your children's heritage."

This quotation draws on Sinhalese-Buddhist defensive territorial nationalism and evokes the romanticised image of the rural Sinhala peasant as embodiment of this nationalism (Brow, 1988). Choosing the sub-title "Victory for Sri Lanka" for his manifesto, Rajapaksa's intention to triumph militarily over the LTTE enhances the sub-text: he pledged to salvage the unitary state of Sri Lanka for the benefit of the Sinhalese people. His audience was extremely susceptible to this message, as the Sri Lankan army's major recruitment base is the Sinhalese village in the South (Gamburd, 2004; SHC, 2012;). Tired of sending their children to the front lines and receptive to the rhetoric of "finishing" the war, Rajapaksa "always had public support for a military push" (AS, 2012). There was a gradual shift from "war weariness" to "peace weariness" as the population grew increasingly cynical of the utility of negotiations with the LTTE and both sides perceived the other to be intransigent (Goodhand et al., 2005: 64; SHC, 2012). The brothers, along with General Sareth Fonseka, were portrayed in the media as strong, powerful men, taking tough decisions on behalf of the nation and *"showing the political will necessary to take this war through"* (SB, 2012).[32] Previous governments preferred to emphasise diplomacy and adherence to internationally accepted conflict resolution strategies, militarily attempting to stem the LTTE insurgency. The Rajapaksas, however, were *"more gung-ho chauvinist"* and knew the value of a *"great victory"* in terms of consolidation of power (LG, KG, 2012). Mahinda's supporters at the End – the rural Sinhalese electorate and the Sinhala-Buddhist establishment – were not concerned about his methods in winning the war, a Sinhalese sociologist attested in interview (SHC, 2012).

To mark the death of Prabhakaran, a "Kiribulten" (oil cake) celebratory ceremony was organised by ministers, Buddhist monks and government officials (MSP, 2012). The Sri Lankan state's Buddhist identity was asserted in this ritualistic act, signalling the defeat of the separatist threat and the reclamation of territorial control by the Sinhalese. Mahinda's connection to the Buddhist establishment was solidified as he participated in this official

[32] The post-war downfall of Sareth Fonseka is a fascinating example of political *"high drama"* in Sri Lanka (LG, 2012). Described as a *"black box"* (MSP, 2012) of information regarding the End and the only opposition figure with a "hero" status to match that of Mahinda, he was perceived as politically dangerous following a split with the Rajapaksa brothers and was incarcerated on charges of treason on the basis of pursuing politics while in military service. See Haviland (2012).

ceremony. A Sinhala-Buddhist academic challenged this behaviour in light of Buddhist principles. MSP (2012) echoed Stanley Tambiah (1992), saying that the *"end of war can be celebrated but the death of a leader…Death should not be celebrated, especially under Buddhism. It is cannibal behaviour, Buddhism betrayed."* Mahinda now oversees the annual "National Victory Day" described above, a celebration intimately connected to Sinhala-Buddhist nationalism and one that reaffirms his status as leader of the Sinhalese. Imtiyaz (2013: 11) names Mahinda as "the brutal face of Sinhalese hegemony".

A political economist described a pattern of politicians seeking a legitimising link with the past kingdoms, to enhance their Sinhala-Buddhist credentials with monarchic genealogy (SBP, 2012). For politicians from Kandy, this can be quite easy, as families hailing from this region have a rich history of elitism related to the last existing kingdom in Sri Lanka.[33] Politicians hailing from outside this region are forced to rely solely on their visible commitment to Buddhism, marketing Sinhala-Buddhist identity through religion alone (SBP, 2012). Mahinda Rajapaksa sought this legitimisation in an alternative way. Though he hails from a political family, elite political status was not a simple acquisition for a human rights lawyer from the *karava* fishing caste. His marketing strategy relied instead on an *act* as legitimation: the defeat of the LTTE. His promise to militarily destroy the LTTE, and his success in this historic endeavour, was elevated to an accomplishment of Sinhala-Buddhist destiny and equated to the mytho-history of King Dutugemunu (SBP, 2012). Mahinda Rajapaksa is regarded as a king by Sinhala-Buddhists and he courts this perception in his campaigns and personal branding. After the 2010 presidential election, there were posters about the "Maharajanoh" (the king), who is hailed as the modern saviour of the Sinhalese-Buddhist land and people (PNB, JP, LG, PS, 2012). This act also invites and demands flawless loyalty from the population, as a UN staff member mused: *"that is probably one reason why the people still support the government, because they probably feel 'we still have to because they did this great thing'"* (AS, 2012).

The Rajapaksas relied on the militarisation of society and drew on an overt reassertion of hegemonic Sinhala-Buddhist ideals to forge the ideological coherence needed to gain public support to win the war by military means. The regime's success in this endeavour has guaranteed enormous political popularity and power. By harnessing Sinhala-Buddhist nationalism in this

[33] Sri Lanka's traditional political families such as the Bandaranaikes and the Jayawardenes drew on their connection with the kingdoms of the past, on a royal genealogy (SBP, 2012).

powerful form, they are now at the mercy of the extremism that they promoted. Given the hard-line Sinhala-Buddhist chauvinist stance adopted by Mahinda since his election, interviewees concurred that implementing political reforms that could be perceived as a threat to that ideology – such as devolution of power to the North and East – would be met with fierce resistance from extremist forces. Any concessions on political power would *"let down people so badly that they would be so angry – some people, hard-line nationalists…Any Sinhalese leader who tries to reach out to the Tamils runs that risk"* (JP, 2012). A Colombo-based academic referred to the Mahinda Chinthana and its insistence on a unitary state structure: *"it clearly says 'the state is a unitary state' – that is part of his nationalism"* (MT, 2012). Having achieved power on this basis, Mahinda *"cannot move away from that…he can't step back. Whatever solution is to be found, it is in the unitary state"* (MT, 2012). A political agreement with the Tamils would evoke *"a serious reaction against it"* from the Sinhala-Buddhist establishment (SHC, 2012) and would run counter to the Sinhala-Buddhist nationalism that, under Mahinda, *"has now reached its peak"* (MT, 2012). The government will *"play it safe"* and adhere to the ideology that brought it to power (SHC, 2012).

Immediately post-war, there was an opportunity for Mahinda *"to initiate togetherness"* (MSB, 2012) and his popularity could have proved a vehicle to deliver improved minority rights and state-Tamil relations: *"He won the war, he was so popular…he was in the perfect position"* (MSB, YO, 2012). His staunch Sinhala-Buddhist stance could have afforded him some space to improve relations with the Tamil population. *"People knew he would safeguard majority rights. They would not have perceived a threat"* (MSB, 2012). According to Tamil civil society figures, the Tamils also, who had turned against the LTTE in the final phase, *"could have seen Mahinda as a hero"* (YO, RF, ER, 2012). Instead, he guarantees his political security by using Sinhala-Buddhist nationalism as a vehicle for power, capitalising on the great "act" of finishing the war. A Sinhalese political scientist doubted that *"any previous government did to the same extent that this government is doing. This government knows the power of the ideology and the power of the media"* (JU, 2012).

For MG, a Colombo-based Tamil politician, the president's "misconception" is that he still needs the Sinhala-Buddhist establishment:

> *"I can understand, logically, that during the war he needed these Sinhala-Buddhist extremists….Now, after the end of the war, he claims to be building peace. So he should have a new team. But the mistake is, he is trying to use the same old team as during the war…"* (MG, 2012).

This "misconception", however, is consistent with the *"strong mental frame"* (MSB, 2012) of Sinhala-Buddhist ideology and complements the uncritical support attained by the government in the south by defeating "terrorism" and securing the Sinhala-Buddhist nation, something that no government has managed to do in thirty years (KG, AS, 2012). Consolidation of power under the Rajapaksa family maximises on the *"Sinhala fear of Tamil separatism,"* a Sinhala civil society activist noted, and devolution of power to the Tamil minority areas would both undermine the power base of the Sinhala-Buddhist establishment and actually dilute the power the government holds over the Northern Province (JP, 2012). To prevent that dilution of power, the government tows the Sinhala-Buddhist line and undermines Tamil politicians as pro-LTTE, drawing Western imperialist attention to Sri Lanka. Mahinda reminds the population, in the wake of economic discontent, *"mine are the only true facts and I saved you from the terrorists"* (AS, 2012). In the electoral campaign for the Northern Province elections (21 September 2013), posters appeared on the walls of Jaffna asking, "Are you voting for the TNA? Are you ready to go back to war?" [34] "Pro-government forces" are suspected of disseminating the posters (Guruparan, 2013). Evident in this reductive rhetorical question is the systematic transformation of Tamil political aspirations to remnants of terrorist separatist ideology.

Sinhala-Buddhist nationalism is defined by Sinhala-Buddhist insecurity and fear of intervention and decimation by external forces (DeVotta, 2007). Reliance on a strong leader who does not bow to intimidation is appealing on an island with a *"third world mentality,"* which considers itself surrounded by enemies (PS, 2012). A Sinhalese academic interviewee stated that the Sinhala-Buddhist people are attracted to the government's defiant stance vis-à-vis the international community, projected in the Sinhalese media (MSP, 2012). The government *"shows one face to the country and another to the international community"* (MPS, 2012). Similar to the last of the "themes of selective memory" identified by Dag Tjaden - validation – "pride of leadership" sees President Rajapaksa promoted in nationalistic discourse as a recognised and respected leader, both domestically and internationally. Sinhalese critics LG and SHC argued that Mahinda is presented in Sinhalese language discourse as a powerful player on the world stage, dominating the UN Security Council

[34] Photographs of the posters were circulated on twitter. Available at: https://twitter.com/Sivakami_R/status/381042793629491201/photo/1 [Accessed 29 June 2014].

floor and forcefully rejecting external interference in his country's affairs. Hosting the Commonwealth Heads of Government Meeting (CHOGM) was an important affirmation of his position as a powerful player in world politics, despite human rights concerns repeatedly raised by media and world leaders in attendance. The state media reported only the success of the event (see for example, *Daily News*, 2013a).

- Active Society: Performing Patriotism

Dag Tjaden's (2012) final theme of mass ritual discourse refers to displays of national identity that call on citizens to participate actively in the community. For Sri Lanka's Sinhala-Buddhists, this requires performances of patriotism. Increasingly, patriotism equates to loyalty of the regime in power and overt adherence to Sinhala-Buddhist ideology. Violence in defence of the nation-state was considered more than admirable: it came to encompass a duty, especially in the wake of federalist calls in the late 1940s and 1950s, demands of separatism from the mid-1970s (Samaranayake, 1991; Samarasinghe, 1984; De Silva, 1997), and the outbreak of the violent separatist movement in the 1970s (Abeysekara, 2001). The advent of the Tamil militant separatist movement contributed to the evolution of a form of defensive patriotism within the Sinhalese community that has become a major theme in discourse and social practice. It is intimately connected to what interviewees termed "*Sinhala-Buddhist chauvinism*" (LG, 2012), "*extremism*" (YO, 2012) and "*supremacism*" (JU, 2012), encompassing the majority's oppression of minorities. Patriotism is generally understood as a combination of love for one's country, ethnic group or race, and religion. However, the particular form of patriotism represented in the Sri Lankan media is defined along antagonistic ethno-religious terms, as a method of exclusion and silencing dissent (Perera, 2004: 13).

The role of the active citizen – the patriot – in post-war Sri Lanka, is vocal defence of the Rajapaksa government in public demonstrations, protests and national celebrations. President Rajapaksa has urged the population to identify themselves as Sri Lankans in the first instance, to attribute less importance to ethnicity and other facets of identity. In his speech to Parliament immediately after the defeat of the LTTE, he stated:

> "We have removed the word minorities from our vocabulary three years ago. No longer are the Tamils, Muslims, Burghers, Malays and any others minorities. There are only two peoples in this country. One

> is the people that love this country. The other comprises the small groups that have no love for the land of their birth. Those who do not love the country are now a lesser group" (Rajapaksa, 2009).

For minorities, this means assimilation within the majority Sinhala-Buddhist hegemonic framework of national identity. The definition of patriotism has been realigned in present day Sri Lanka to mean full political support for the Rajapaksa government. A Sinhalese academic and media spokesperson argued:

> *"…with the use of the terminology 'patriots' and 'traitors', those who are with the government and not with the government. It could be irrespective of ethnicity, it could be a foreigner, it could be a Sinhalese, a Tamil – not with the government perspective is a traitor and anyone who endorses what the government says is a patriot"* (MM, 2012).

The journalist Tisaranee Gunasekara made this point in a 2013 column in the *Sri Lanka Guardian*, stating "Lankan patriotism is a Sinhala-Buddhist patriotism" (Gunasekara, 2013a).[35] In line with Rampton (2011) and Imtiyaz (2013), she argues that within "this hierarchical nation", minorities can co-exist with Sinhala-Buddhist only if they accept their subordinate position in the hierarchy (Gunasekara, 2013a). Loyalty to the "Ruling family" is the definitive characteristic of patriotism (Gunasekara, 2013a):

> "Since nation is equated with the Ruling family, a 'traitor' can become a 'patriot' instantaneously by becoming a Rajapaksa-votive; a 'patriot' will lapse into treachery the moment he/she leaves the Rajapaksa fold (thus, KP the Patriot and Gen. Fonseka the Traitor)" (Gunasekara, 2013a).[36]

[35] Gunasekara's incivise commentary is delivered under a pseudonym to ensure her (or his) personal safety and space for free expression.

[36] "KP" is a former LTTE weapons and resource procurer. Following his arrest in 2009, he is now loyal to the government and runs three orphanages in the Northeast. He has not faced criminal proceedings and he speaks publicly on welfare and reconciliation. Sareth Fonseka, on the other hand, is a former "war hero": the only four-star General on the island who is credited with masterminding the SLA's victory in 2009. Fonseka served two years in prison, convicted of "spreading rumours and causing public disorder" for alleging in an interview that Gotabhaya Rajapaksa had ordered war crimes at the End. He claims he was misquoted. *The Economist* (2012) notes that his name has been "pointedly omitted from official commemorations of the war" and that his image has "subsequently been "disappeared" from official photographs."

The state's staging of nationalistic celebrations such as 'National Victory Day' and pro-government protests against international investigations into the End ought to be viewed as an invitation to publicly perform solidarity with the government. The primary purpose of these demonstrations is to provide a public outlet for nationalistic sentiment within the population, on the basis of loyalty to the current government.

The demonstrations are, in turn, an attempt by the state to showcase the support they enjoy from the domestic population. As Cohen (2001: 112) argues in *States of Denial*, today's political culture demands that accounts of events are negotiated in spectacle, simulation and stage management. Public and performative spectacles are strategic acts of interpretation and framing, strategised by governments to consolidate power and to deny allegations of wrongdoing. State-backed rallies in 2012 invited the population to signal their rejection of the UN Human Rights Council vote (*Daily News*, 2012 and *The Hindu*, 2012). President Rajapaksa's strategy has been "to cajole and frighten his Sinhala-base into backing him unconditionally", by referring to "prosperous futures or terrifying enemies" (Gunesekara, 2012). Participants were largely unaware of why they were protesting, as the LLRC report was not translated into Sinhalese and analysis in the popular state media coverage was selective and pro-government (Gunasekara, 2012; Perera, 2012; Höglund and Orjuela, 2013). The physical show of people gathered by the government was intended to deflect the imposition of any formal accountability or transitional justice mechanisms by the UN. The culture of patriotism on the basis of Sinhala-Buddhist nationalism has fused with the culture of terror embedded in society over the years of war. Any failure to adhere to the expectations of the dominant narrative of the state is looked at with suspicion and can cause difficulties in everyday life. Flags must be hung on Sri Lankan celebratory days, milk rice must be prepared and eaten – every symbolic display of nationalism is indirectly coerced (CM, 2012; Wickramasinghe, 2009). Neighbours, the military and police, and government informants are the audiences for whom these symbolic acts are carried out.

The physical presence of participants was presented by the state as evidence of national support, in a display of physicality more persuasive than abstract legal practices. This mass ritual performance, though ineffective in preventing the resolution from being passed, had the benefit of increasing nationalistic fervour. Drawing on discourses of war heroism, national sovereignty and the image of a small country under siege, the protests were inherently infused

with Sinhala-Buddhist nationalism and patriotism in service of the Rajapaksas.

1.14 Conclusion

In Sri Lanka, the demographics of the country and the structure of the system allowed the primary ethnic group to build an ethnocentric system. The numerical advantage of the Sinhalese in Sri Lanka and the gradual hegemonisation of Sinhala-Buddhist nationalism has meant that the rights and interests of the minority groups have been subjugated (Edirippulige, 2004: 287-8; Rampton, 2011). Under the Rajapaksa SLFP government, Sinhala-Buddhist dominance has been achieved and integrated into the state establishment. Under the control of ethnically driven political parties, "Sri Lanka systematically turned into a tyranny of the majority": the primary cause of nearly four decades of civil war (Edirippulige, 2004: 289). Intra-ethnic outbidding was a powerful tool available to politicians to win elections but the "ethnicisation" of society that resulted from this process proved costly. In parallel with the discourse of terrorism that distorted the political aspirations of the Tamils (discussed in Chapter Four), the exclusionary nationalism of Sinhala-Buddhism undermined the calls of the Tamil minority for equal rights and, in turn, the demand for self-determination. To maintain personal popularity, Mahinda Rajapksa relies on mass ritual discourse of Sinhala-Buddhist nationalism, a conception of patriotism that protects him personally, a subservient, nationalistic media, and the constant evocation of national security threats. Enhancing his power base through performances of Sinhala-Buddhist nationalism and the continual extension of militarisation, Mahinda further fractures ethnic relations in Sri Lanka.

Chapter Two
The End: Atrocity in a State of Exception, a State of Denial

2.1 Introduction

Drawing on critical discourse analysis of the Ministry of Defence (MOD) website, this chapter describes the official conflict narrative, situated in the context of embedded, antagonistic social relations between the Sinhalese and the Tamils. This chapter explores the national security state consolidated under the current Rajapaksa government, characterised by techniques of denial and misrepresentation. This chapter begins with an analysis of national security exceptionalism to comment on the nature of the state, drawing on the work of Stanley Cohen and Giorgio Agamben. The concentration of power under Mahinda Rajapaksa's Executive Presidency is examined, with attention to the mechanisms of social control in place, including media censorship through practices of coercion and terror, and the breakdown of the rule of law. Throughout the End, the state relied heavily on techniques of denial to avoid external investigations, interventions and condemnation; these techniques were adapted to a carefully crafted discursive framework developed throughout the war and augmented to support Rajapaksa's determination to finish the war militarily. I argue that this determination necessitated a reliance on practices of state terror, to suppress dissent and induce support from the wider population. The state-sanctioned lexicon supports the national security state and is perpetuated and consolidated by non-state actors.

2.2 Themes Arising from Discourse Analysis

Following Dag Tjaden (2012: 52), analysis of MOD website data and the speeches of Mahinda Rajapaksa from December 2008 to May 2009 revealed the prominence of themes of "national representation" or "selective memory" in state discourse.[37] These themes underpin the authorship of the 'national story' of the End. The theme "exclusion and inclusion" denotes the state's strategy of evoking historical memory that highlights the unique nature of the state and its marked differences from others, in order to enhance nationalistic

[37] See Appendix One and Two for a list of the news articles and speeches in question.

pride and coherence. "Legitimisation" seeks to frame the state's warfare as a righteous cause, necessary and unquestionable "to save its nation, restore order, and defeat the enemy that threatened their sovereignty" (Dag Tjaden, 2012: 52). The "heroisation" of the state forces is another theme noted by Dag Tjagen, where nationalist discourse romanticises the stories of war heroes, particularly their sacrifices for the nation. Dag Tjaden's theme of "continuity" suggests linearity in the development of the nation: the idea of the nation is presented as an historical, ethnic, and inevitable truth which has realised itself through time. Personification of the country – for example, the use of the term "Mother Lanka" - is an act of emotionalisation described by Dag Tjaden, a process of infusing political and military issues with intimate personal sentiment (2012: 57). Dag Tjaden describes this theme of national representation as:

> "…a personification of the nation, a transcendental, collective nation with one personality, one conscience, one birthday, one life, one liberty, and one glorious future, fought for and loved…" (2012: 57).

In a similar vein, Dag Tjaden notes that the state stands to benefit from proposing that "integration" has resulted from the war. The violence of the past is portrayed as necessary to effect a "coming together" of the nation rather than a "falling apart" and fragmentation. The hardships endured by the population and the actions carried out in their name, the state suggests, have ensured that a coherent national identity would arise from collective suffering and the efforts of those committed to the nation state. Dag Tjaden recognises the use of "the nation" here as a justificatory framework. Commitment to the nation guarantees the legitimacy of action: "The actions don't matter as long as it is assured that they have been committed in the name of the nation" (2012: 52). As discussed in Chapter One, "validation" is an important aspect of national representation, both domestically and internationally. The head of state is presented as a powerful player in world politics, affirming him as a leader worthy of pride.

The MOD website data reveals legitimisation in the prevalence of nationalistic language of humanitarianism couched in counter-terror discourse, designed to justify the pursuit of military warfare and to undermine the possibility of a negotiated settlement: *"Eradicating terrorism forthwith is the only way to save civilians under Prabakharan's jackboot"* (MOD, 19 February 2009). The official discourse repeatedly draws on the horrors attributed to the LTTE, both current and historic, as a form of legitimisation for warfare. The adjectives

that accompany and support the identification of the LTTE as a terrorist organisation include "brutal," "savage", "barbaric," and "evil," consolidating the ethnicised process by which "inclusion and exclusion" was determined (Dag Tjaden, 2012). The LTTE are portrayed as increasingly desperate and violent towards the civilian population, contrasted with the government's humanitarian actions and preparations. For example, on 13 January 2009, while the *"Tigers"* and *"LTTE terrorists"* manipulated the metal in hospital beds to construct fortified bunkers and used trapped civilians as human shields, government officials made *"arrangements to provide shelter for the Tamil escapees after providing them with meals, medical treatment and other necessities."* The hospital bed becomes a metaphor for intent. This discourse strand emphasises the honourable behaviour of the state in contrast to the LTTE and thereby establishes its own righteousness, drawing "legitimisation" from their position as saviours of the Tamils (Dag Tjaden, 2012). The state, the discourse suggests, provides for its citizens – the Tamil civilians – in an admirable and organised fashion as they escape the conflict zone. Months later, while fighting continued in the Vanni, concerned and patriotic Sri Lankan expatriates would donate hospital supplies including mattresses and wheelchairs *"for the use valiant soldiers who [were] disabled while serving in the battlefront"* (MOD, 5 May 2009).

Molly Wallace (2010: 159) notes that President Rajapaksa, in an April 2008 speech, identifies the LTTE as brutal towards both the Tamils of the North and the country as a whole, using the possessive "our" to describe the Tamil youth used as "cannon fodder". Wallace rightly argues that this phrasing seeks to emphasise the Sri Lankan government's pride in the island's multi-ethnic identity, thus representing itself as a democratic and tolerant state that upholds human rights. It also legitimates the use of military force in the North: "to save fellow Sri Lankans (Tamils who live in the North) from the "savagery" of the LTTE" (Wallace, 2010: 159). The LTTE's depiction as "evil" and "barbaric" necessitates force against them, as they will not respond to reason and negotiations. While Sri Lankan troops have been *"manning their defences"* in order *"to provide the maximum protection to the civilians escaping the terror clutches"*, the *"LTTE has been busy with building command bunkers and other fortifications…knowing the possibility that civilians may escape their rule in large numbers"* (MOD, 9 April, 2009).

Related to the theme of legitimisation are references to *"heavy damages"* and *"maximum damages"* inflicted upon the *"terrorists"* by Sri Lankan troops, who are reported to have sustained *"minor damages"* in *"intense fighting"* (MOD, 22

December 2008). The LTTE are *"fighting with their backs to the wall and cornered"* (MOD, 4 May 2009). While the supremacy of the Sri Lankan forces is established regularly in the reports, references to the heavy weaponry, mines and arms found on the dead bodies of *"terrorists"* or abandoned in disarray by *"fleeing terrorists"* ensure that the LTTE are still appreciated as a viable military threat, to be defeated by force (MOD, 31 January, 2009). "Terrorists" and "Tigers" are the only terms of description for the LTTE, removing the political aspect of struggle from discourse. The word "war" is never mentioned by official sources, or the phrase "military offensive." The reader instead is provided with updates on the "humanitarian operation" or "civilian rescue mission."

The consistent successes of the Sri Lankan Forces over the LTTE are highlighted with adventurous and nationalistic language, suggestive of a pre-determined reclamation of territory under the unitary state model, the "integration" of the nation after a long process of coming together, marked by "continuity" (Dag Tjaden, 2012). 2009 is hailed as *"the true Year of Heroism"* for the Sri Lankan army (MOD, 22 December 2008), who are *"braving"* the *"heavily fortified"* and *"heavily mined"* conflict zones to *"capture"* LTTE strongholds (MOD, 4 May 2009). The heroic troops were making *"decisive inroads"* into LTTE territory on the 19th of February 2009, *"making all efforts to secure safe passage for the people fleeing from the LTTE enclaves towards the liberated areas."* The adventurous narrative describes the Sri Lankan troops as *"steadily advancing"* towards the trapped civilians, *"amidst all obstacles posed by the LTTE"* (MOD, 4 May 2009). The heroisation of the state forces is achieved (Dag Tjaden, 2012). The Tamil civilians, for their part, *"sought protection with security forces following a desperate escape made from the LTTE Wanni [Vanni] hellhole"* (MOD, 22 December 2008). Desperate to *"escape"* the *"LTTE's grip,"* the civilians were *"seeking safety for their lives"* in *"the government controlled area"* (MOD, 13 January 2009). The Sri Lankan soil presided over by the state is described as safe and secure, while LTTE-held areas are places of death, instability and destruction.

Interrogating the narrative presented in official discourse, we see the bright-line distinction drawn between "Sri Lankans" - including the Tamil civilians in the North – and the LTTE. What defines a Sri Lankan in this conception, the definition of "inclusion" or "exclusion" in Dag Tjaden's terms - is victimisation or potential victimisation by the LTTE. Reports emphasise that *"civilians", "hostages", "commuters", "villagers", "political leaders"* and *"child-soldiers"* were killed, assaulted and *"kept in slavery"* by the LTTE (MOD, 5 May

2009). A Sri Lankan is defined against the 'anti-Sri Lankan' figure of the LTTE cadre and the feared "*terror chief*", LTTE leader Vellupillai Prabhakaran. Mahinda confirmed this definition in the post-conflict phase, claiming that there are no minorities in Sri Lanka any longer, only those who love the nation and those who do not (Rajapaksa, 2009). Sri Lankans demonstrate love for the "*motherland*" through faith in the unitary state and unfaltering support for the government (MOD, 13 February 2009).

The current Presidential Advisor on Reconciliation Rajiva Wijensinha accused international actors of "*throwing meat to Tigers*" by seeking a ceasefire at the End, which would have halted the enormous violence being perpetrated against the Tamil civilians (MOD, 5 May 2009). The imagery evoked here is interesting and noteworthy. The LTTE are portrayed as animalistic, savage and greedy, awaiting sustenance from outside. The metaphor reflects their conflict position: trapped in a small area, with diminishing resources and strategic options.

The state forces, we are told repeatedly in an extension of "heroisation" in tune with humanitarian tropes, are disciplined, humane and literate in human rights law and the laws of armed conflict. If the LTTE were to surrender to the armed forces, they would be "*readily accepted and humanely treated*" (MOD, 2 February 2009). The President asserted that those who had surrendered in the East of the country were treated as such: they were "*given a warm and rousing welcome by our well disciplined Armed Forces who had even offered them king coconuts*" (MOD, 2 February 2009). The 'humanitarian operation' the state describes is one defined by restraint. Every stage of the conflict narrative is replete with portrayals of the Sri Lankan troops "*advancing with utmost restraint*" despite "*the continuous and provocative LTTE mortar and direct roll artillery barrages*" (MOD, 5 May 2009). On the 9th of February, for example, the MOD reported that an LTTE suicide bomber had self-detonated as "*a gruesome reprisal against civilians for defying the LTTE orders.*" Not only was the organisation attacking the people under its charge, the report suggested, the act was also a "*desperate attempt to trigger a backlash.*" The LTTE, this representation suggests, attempted to provoke violence from the Sri Lankan forces that would also be directed towards the Tamil "*civilian hostages held at gunpoint*" (MOD, 5 May 2009). Rather than carry out reprisal attacks against Tamil civilians in response, the army consistently "*acted with restraint without falling into the LTTE's trap*" (MOD, 10 February 2009).

The adventurous narrative of the heroic Sinhala-Buddhist armed forces - tasked with achieving the destiny of the Sinhalese people by re-unifying the state - is a powerful account of the End that appeals to the hegemonised "social imaginary of Sri Lanka space as Sinhala-Buddhist" and has contributed to the post-war domination of the Tamil population of the North and Eastern Provinces (Rampton, 2011: 254). The "heroic" armed forces commit to the nation with their lives, and therefore represent model citizens; they are responsible for securing the future of the Sinhala-Buddhist nation, honouring the legacy of the nation's glorious past and reclaiming an ancient dignity lost during the years of colonisation, terrorism and incompetent leadership (Rajapaksa, 4 February 2009). Memories of the glory of the ancient Sinhalese kingdoms are evoked as a transcendent destiny, subjugated in the recent past but reclaimed by Rajapaksa's government. He traces the narrative of nationhood from the ancient past to the present day, drawing a comparison between the President and the ancient Sinhalese kings as a powerful tool of "validation" which enables this narrative of an inevitable and natural nationhood (Dag Tjaden, 2012). Post-war, those who do not love Sri Lanka are those who agitate for investigations into the End and continue to advocate for political rights for the Tamil minority. These individuals are equated with the demonised LTTE, excluded as 'terrorists' intent on dividing the state. State discourse has nurtured the conception of unity among 'real' Sri Lankans as victims or potential victims of the LTTE.

- The Politics of "Restraint"

In this complex story of violence and contested narratives, the state rhetoric of military restraint, propagated in the MOD news reports, is striking. Substantial evidence of mass atrocity, civilian deaths in the tens of thousands, and sexual assault of female LTTE cadres dispute the veracity of this narrative (UN, 2012; Channel 4, 2011, 2012). The rhetoric of restraint benefits the state in a number of ways. Firstly, it is a tool of denial. The model of the disciplined soldier, adhering to the principles of international law, pre-emptively deflects allegations of wrongdoing. On the 21st April 2009, the UN called on the Sri Lankan government to exercise "maximum restraint" to protect the lives of the civilians trapped in LTTE-controlled territory (*IRIN news*, 2009). The state officially propagated its obedience, despite the profusion of conflicting reports at the End.

Scott Straus (2012: 344) defines factors of restraint in armed conflict as "ideas, interactions, and institutions that prompt leaders and/or citizens to abstain

from or moderate the use of extensive violence against civilians". The Sri Lankan government presents an image of an army operating faithfully to a policy of restraint. But there is something unsettling about this rhetoric, besides the plethora of evidence recorded in video, photographs and eyewitness accounts, documented in reports that expose it as simply untrue (UN, 2012; Channel 4, 2011, 2012). In an historical and socio-political context, there is something meaningful in the self-congratulatory tone, in the publicised military restraint and benevolence towards Tamil civilians. I would argue that it is a sentiment originating in racism and Sinhala-Buddhist supremacy. 'Restraint' speaks to in the inherent belief that Tamils do not belong in Sri Lanka and that it is gracious of the Sinhalese to allow their presence. In other words, violence towards Tamils is conceived as the natural response to LTTE violence and political agitation. The Sinhalese, by showing 'restraint' and suppressing this urge, ought to be praised.

Sinhalese 'restraint' is a thematic thread that arises in reference to the absence of Sinhalese mob violence against the Tamils since Black July 1983. This atrocity saw members of the Sinhalese community turning on their Tamil neighbours in retaliation for the murder of 13 Sri Lankan soldiers by the LTTE, an event that crystallised rising anti-Tamil sentiment brought on by the formation of violent Tamil separatist groups. The wave of violence began in Jaffna in the Northern Province, the site of the attack on the soldiers, and spread countrywide to Sinhalese-dominated areas. Tamil homes were burned down, Tamil businesses were looted and Tamil property was destroyed. Tamils were beaten, stripped, publicly humiliated and killed. Mob members were furnished with electoral lists to confirm ethnicity, prompting allegations of Sinhalese governmental involvement in the pogrom (Bloom, 2003: 63). Identity cards were demanded by Sinhala mobs armed with lighter fluid and Tamils were set alight in the streets. The Sinhala participant saw the attacks as morally appropriate: punishment for the collective guilt of the Tamils (Spencer, 2000: 122-3). Casualty estimates range from the official death toll of 380 to 3,000 Tamil citizens. Following the week of terror, 700, 000 Tamil individuals are thought to have fled the country in fear (PACT, 2013).[38] President Chandrika Kumaratunga, offering an official apology to the victims on the 21st anniversary of Black July, stated that the event "radically changed the entire fabric of Sri Lankan society." She viewed this event as the

[38] Bloom (2003: 65) cites an exodus of 100,000 Tamils to Tamil Nadu alone, and notes the parallel movement of Tamils from the South of the country to the North and Eastern Provinces. The violence of 1983, therefore, forged strong ties and political complexities with Tamil Nadu and strengthened the Tamil claim to a traditional homeland of Eelam.

introduction of violence as a "major tool of socio-political behaviour" in Sri Lanka (Kumaratunga, 2004). The LTTE leader, however, saw the pogrom as a pre-orchestrated incident of anti-Tamil racial violence, incited by the racist elements within the Sinhalese government and a continuation of a pattern of periodic violence against the Tamils (Prabhakaran, 1984).

The discourse of the "tolerance and greatness of the Sinhala people in not enacting another July 1983" is widespread (Jeyaraj, 2010). The suggestion that the restraint of the Sinhalese is admirable is an indication of the supremacist attitude amongst the ethnic group, as well as the dehumanisation or "derealization" of the Tamils (Butler, 2004). The lack of group violence since 1983 is presented as evidence that the Sinhala participants in atrocities against Tamils have learnt their lesson (Jeyaraj, 2010). Violence against Tamils, however, was merely manifest in different forms in the years of war that followed 1983. Institutionalised and legitimised by warfare and "emergency" and counter-terror legislation, ethnic profiling saw Tamils face torture, disappearances, indefinite detention and extrajudicial killings. The war devastated Tamil culture and socio-economic capability and caused mass displacement, migration and death. Far from restraint, what we have seen in Sri Lanka is relentless persecution of the Tamil minority.

- Discourses of Victimhood at the End

The category of "victim" has been used strategically in Sri Lanka, in politics and in discourse surrounding the conflict, to further the military and political goals of the LTTE and also to legitimise the continuing military assault led by the Sri Lanka state forces. Antze and Lambek (1996: xxiv) warn that an identity of victimhood that ought to be "necessary, sufficient and compelling" can actually serve to "subjugate and immobilize victims in the very act of recognizing their suffering". In Sri Lanka, the state and the LTTE have trafficked in claims and counter-claims of victimisation: to sustain identities of victimhood and to seek political gain and international legitimacy. While inscribing personal stories into public discourses "often obscures their richness and moral complexity" and the narratives of "victims" are presented to support political agendas (1996: xxv), the narrative of "victimhood" also speaks to the configuration of Tamil resistance in a historical trajectory that has been couched in wider international discourses and operationalised as a tool of political agency. The LTTE presented the Tamil population as victims of state persecution to pragmatically advocate for international intervention.

The discourse of Tamil victimisation by the Sinhala state was not originally fashioned by the LTTE, however. It is inseparable from the long post-independence process by which a Tamil national identity was formed and the adoption of a political framework based on the principles of national liberation and self-determination.[39] Discourses of victimisation and national liberation are inherently interrelated. For example, the Federal Party employed this amalgamated discourse in the 1950s: it underpinned acts of civil disobedience in the immediately post-independence period (Manogaran, 1987). Tamil politicians, civil society and international actors advocated during the war for a 'political solution' based on Tamil victimhood. The 'victim' and the categories of rights and ad-hoc benefits that correspond to that status in international liberal discourse and human rights law, however, did not prevent the people's rights being overlooked and obliterated by powerful stakeholders to the conflict, especially at the End.

The discourse analysis reveals the consistency with which the Sri Lankan state represented the final military assault on the LTTE as a 'humanitarian rescue mission' to save the Tamil population from the LTTE. The Sri Lankan government shrewdly crafted a narrative in the final stages of the war that sat comfortably with internationally accepted discourses of counter-terrorism and humanitarianism, one that did not fundamentally depart with the "war for peace" policy begun under President Chandrika Kumaratunga in 1995 (Uyangoda, 2007).[40] Both the state and the LTTE utilised the victimhood of Tamil civilians to justify their actions and seek validation, solidarity and assistance from the international community at the End: the Sri Lankan government pledged to rescue the Tamils from the LTTE, while the LTTE implored the international community to intervene and protect the Tamils from a persecutory state. The official state narrative fused recent projections of the conflict as a 'humanitarian' 'civilian rescue mission' with Sinhala-Buddhist nationalist rhetoric, thus ensuring the support of the majority Sinhalese-Buddhist community. Crucially, this state discourse – portraying

[39] The Tamil "national question" is analysed in great detail with regard to international principles and Conventions by Helena J. Whall (1995) and the development of that political claim is discussed in Chapters Three and Five.

[40] Kumaratunga, of the Sri Lanka Freedom Party, was elected President in November 1994, sitting as Prime Minister and head of the People's Alliance political coalition since August that year. She was immensely popular with all communities and her initial stance of attempted conciliatory relations with the LTTE was widely welcomed. As these attempts soured, however, she adopted a more hardline position based on military action. In an assassination attempt by the LTTE in 1999, she lost her sight in one eye. She continued as President until 2005, despite losing her position as Prime Minister to the UNP's Ranil Wickremasinghe in 2001.

Tamils as victims of the LTTE – was tightly woven with that of territorial integrity, defeating terrorism and the ultimate goal of majority rule. This 'victim' narrative was loaded with the principles of Sinhala-Buddhist nationalism, the trajectory of which is discussed in Chapter Four.

- Propaganda and Derealisation

Shifting the focus from the "*theatre of violence and suffering*" in the conflict-affected Vanni region described by UNICEF official James Elder, "*the relentless campaign against Sri Lanka*" coordinated by the LTTE and its proxies is foregrounded as the primary battle (MOD, 5 May 2009). Relying heavily on the proposition that the Tamil diaspora are an extension of the demonic, persecutory LTTE, state discourse dismisses all international agitation against the military operation as propaganda. The real attack, the state suggests, is the propaganda attack on the Sri Lankan state by the LTTE, orchestrated by its international "*proxies*", representatives and supporters (MOD, 5 May 2009). In this way, the state attempts to, in Judith Butler's terms, "derealize" the conflict, to render it abstract, to deny and conceal atrocity. Butler (2006: 146) interrogates the processes by which the media contributes to the "evacuation of the human through the image" and the broader normative schemes that operate to define the human, a liveable life and a grievable death. The schemes operate, Butler argues, either by producing a symbolic identification of the face in question as inhuman or through radical effacement:

> "Sometimes they produce images of the less than human, to show how the less than human disguises itself…But sometimes these normative schemes work precisely through providing no image, no name, no narrative, so that there never was a life and there never was a death…There never was a human, there never was a life, and no murder has, therefore, ever taken place" (Butler, 2006: 146-7).

By rejecting actual violence as propaganda and minimising the extent of the Tamil people's suffering, the conflict reality is distorted. This discourse undermines the proposition that a ceasefire is appropriate on the basis of international principles of civilian protection and casts doubt on the credibility of international actors such as the UN, human rights organisations and Western media.[41] Civilians are not dying, the state tells us, only terrorists

[41] The voices of Tamil journalists, it is worth noting here, were silenced by the international media institutions that did not deem their reports "credible" (TAG, 2014).

(MOD, 12 February 2009). There is no food crisis; in fact the state is supplying food to the conflict zones (MOD, 5 May 2009). The state forces are not shelling the No-Fire Zones; in fact they are not using heavy weaponry at all (MOD, 5 May 2009).

- Inclusion and Exclusion, 'Good' versus 'Evil'

A 'good versus evil' narrative is strengthened by delivering the flattering portrayal of the 'restrained' armed forces alongside depictions of the LTTE loaded with negative adjectives and connotations. The armed forces, we are told, flawlessly pursued the 'rescue mission' with maximum concerns for civilians, whereas the LTTE deliberately brought violence upon them. The state, with its sizeable influence on discourse, proclaims this essential difference between the state forces and the LTTE. It robs the LTTE of political legitimacy by depicting an organisation that slaughters at will, strategically and ruthlessly, in a self-serving manner. The organisation's actions, the MOD declares, are designed for self-protection of its leaders rather than securing rights for the Tamil people. Again, the state tells us, the people of Sri Lanka are united against the LTTE. The only relationship one can have with the LTTE is one of domination, exploitation and suffering. The state forces, on the other hand, are presented as destined to carry Sri Lanka into a glorious, peaceful future.

2.3 The Counter-terror Paradigm and the Concentration of Power

Mahinda Rajapaksa's executive presidency is popular, powerful and increasingly entrenched (Jeyaraj, 2012). Rajapaksa's ascendancy to power and continuing popularity can be explained by his personal embodiment of Sinhala-Buddhist nationalism, which is confirmed and completed by his defeat of the LTTE (Rampton, 2011). In the post-conflict environment, the Rajapaksa regime is expected to pursue economic development with the same determination and ruthlessness. In his 2010 election manifesto, Rajapaksa acknowledged that, "the people of our country are now awaiting the victory in the 'economic war', in a manner similar to our victory in the war against terrorism" (Mahinda Chinthana, 2010: 1). The Eighteenth Amendment to the Sri Lankan Constitution, introduced under Rajapaksa's purview, removed the limitations on consecutive terms of power granted to the Executive President and is one example of the concentration of power under his presidency and, even more problematically, his family unit. The Eighteenth Amendment

removes most of the few remaining checks on the President's powers and provides the Rajapaksa family dynasty with the means to keep the Executive President in power indefinitely. The amendment also confers powers on the Executive President to personally appoint members of the judiciary and the "independent" commissions on police, human rights, elections, corruption and bribery, finance, and public service (Crisis Group, 2011: 21). Two other Rajapaksa brothers hold offices of high authority in the current state structure: Basil is an unelected MP and the Minister for the Economy and Gotabhaya (often referred to as the most powerful man in Sri Lanka) is the Secretary of Defence. President Rajapaksa's son, Namal, is a young MP already representing Sri Lanka on official state visits, notably his debut trip to Libya in January 2011 to meet Muammar Gaddafi (*The Economist*, 2011a). Chamal Rajapaksa, a cousin of the brothers, is a Speaker in Parliament. The family appear to have set the stage for dynastic rule (Hogg, 2011; Crisis Group, 2011).

Over the years of war, successive governments referred to the 'exceptional circumstances' produced by 'terrorism' and open conflict within Sri Lanka to introduce repressive and draconian counter-terror measures. An official State of Emergency was declared in 1971, relying on the Public Security Ordinance of 1947, and the Prevention of Terrorism Act (PTA) was introduced in 1978. The Emergency Regulations (ERs) and the PTA were introduced on a temporary basis, falling within the 'derogation' model permitted under the international legal framework. This model, in times of "public emergency," permits a temporary diversion from the normal responsibility of the state to respect certain fundamental rights.[42] Notions such as "states of exception" and 'states of emergency" are used at the domestic level to describe special crisis situations that prompt the availability of "exceptional, special, and emergency powers" to the state authorities (Svensson-McCarthy, 1998: xxiv). While derogation is propagated as necessary to regain order in a situation of disorder, the derogation model in practice "creates a space between fundamental rights and the rule of law" (Hickman, 2005: 659). A basis is enacted within the law for the state to transgress individual rights. The ERs were extended almost continuously for thirty years and the PTA has simply never been amended or repealed (Ganeshalingham, 2009). The routine and excessive use of the emergency regulations from 1971 to 2011, in parallel with

[42] See International Covenant on Civil and Political Rights (ICCPR; entered into force 1976), Article 4 and the European Convention on Human Rights (ECHR; entered into force 1950), Article 15.

the PTA, resulted in a complex and intricate legal framework, where the various measures could be applied to a suspect consecutively, simultaneously and retrospectively, allowing for self-incrimination and in practice blurring the distinction between normal and emergency laws (Wedagedara, 2011; Pinto-Jayawardena, 2010). The ERs and the PTA have been criticised by human rights organisations and other international entities as over-stepping the state's right to invoke security-related exceptions (AI, 2011; ICJ, 2009; European Commission, 2009).

The state's counter-terror measures include vague and broad definitions of 'terrorism' and activities related to terrorism. The elasticity of these terms has led to arbitrary application over the years of 'exception'. Innocent trade transactions, communications and meetings could be deemed 'terrorist' and prosecuted according to this label. The state authorities took advantage of the emergency provisions with alacrity. Official abuse led to a significant imbalance of power between state and citizen and an unwarranted intrusion into the private lives of individuals (CPA, 2011). The expansive powers granted to the state authorities amounted to arbitrary search, arrest, detention and prosecution, and media and individual censorship. The measures, again, were operationalised with an ethnicised logic and, used disproportionately against the Tamil population, have been "the gateway to systematic abuse of human rights, giving rise especially to gross ethnic discrimination in its implementation" (CPA, 2013a). As Pinto-Jayawardena argues, "exceptional powers facilitated an enabling environment for gross violations such as enforced disappearances" (2010a: 25).

The legal measures were accompanied by illegal practices such as disappearances, incommunicado and arbitrary detention, institutionalised torture and killings. These practices, over the course of the protracted conflict, became embedded in the normal functioning of counter-terror operations and policing, as well as carried out by officially unrecognised armed factions (Fernando and Weerawickrame, 2009: 7; UN, 2011; ICJ, 2009).

2.4 The Breakdown of the Rule of Law

Kishali Pinto-Jayawardena (2007) argues that the core political objective of subverting the rule of law has led to the deterioration of the criminal justice system and ordinary law enforcement processes in Sri Lanka. The exploitation of institutional weakness by successive governments and the attendant slide

into state crime and state terror not only allowed the unchallenged perpetration of human rights abuses, it also directly contributed to the scale and longevity of the war. Pinto-Jayawardena (2010) notes that the subversion of the rule of law is not a tactic unique to the Rajapaksas, and has followed an ethnicised logic under the majoritarian state structure. Marginalisation of the Tamil population can be part-attributed to the impossibility of seeking institutional redress for attacks and human rights violations suffered on grounds of ethnicity, as the ethnic conflict intensified in the North and East of the country in the 1980s. The perpetrators of brutal human rights abuses were agents of the state itself; atrocities were in response to violent acts carried out by militant Tamil groups - a minority within the Tamil population (Bloom, 2003). As political engagement and legal processes of seeking justice were blocked by the aggressive and ethnocratic state structure, aggrieved Tamils looked to a violent separatist ideology as the only means of redress (Pinto-Jayawardena, 2007).

The most recent display of executive dominance over all over branches of state was the removal of Chief Justice Sharini Bandaranayake in 2013, an act widely condemned as politically motivated and throwing the system of checks and balances into disarray (ICJ, 2013).[43]

Relations between President Rajapaksa and Bandaranayake soured in September 2013 following a ruling by the Chief Justice with political implications. She ruled that the nine Provincial Councils must support a bill submitted by the president's younger brother, Basil Rajapaksa, proposing an 80 billion-rupee development budget, including the Northern Provincial Council (*Reuters*, 2013a). The Divineguma Bill was a centralising Bill, bringing devolved power back to Colombo: power allocated to Basil Rajapaska, including new powers to invade privacy and obtain information about citizens (Robertson, 2013: para. 31). Bandaranayake ruled the *Divineguma* Bill unconstitutional because of the failure to attain approval from all councils. She angered the government "by invalidating legislation that was important to its agenda" (Robertson, 2013: para. 36). The process of impeachment on non-related charges began within days and is overwhelmingly considered as an act of political persecution (Robertson, 2013; ICJ, 2013).

[43] ICJ (2013) reported that the Bar Association of Sri Lanka publicly vowed that it will not welcome a new Chief Justice and that the Lawyers Collective, a judiciary activist group, called on the Supreme Court and the superior judiciary to not recognise the newly appointed Chief Justice.

2.5 A State of Exception, A National Security State

Corinna Mullin (2014) succinctly defines the anti-democratic trends often associated with the "national security state" paradigm: the centralisation of power in the hands of the executive (at the expense of accountability and transparency normally derived from the separation of state powers); increased invocation of the state secrecy prerogative; use of surveillance, problematic jurisdictions and violations of due process guarantees; an expanded role for the military and various intelligence agencies in civil life; and increased restrictions on individual rights of liberty, speech, association and privacy. Further, institutionalised violence and terror can flourish within the national security state. Sri Lanka is a state of exception; emergency laws have governed the state for thirty years. Giorgio Agamben defines the state of exception as the threshold between the 'normal' situation and chaos, the inside and the outside, where the distinction between the two becomes complicated. According to Agamben (1998: 19), as "there is no rule that is applicable to chaos," chaos must first be included in the juridical order through the creation of a zone of indistinction. This zone of indistinction, Agamben posits, is increasingly the political foundation in the modern age. The state of exception is becoming the rule (1998: 20).

With the extension and transformation of the derogation model into systemised atrocity in Sri Lanka, a state of exception was established. Agamben argues that the sovereign *nomos* (the spirit of the law) is the principle that, joining law and violence, threatens them with indistinction (1998: 31). Sri Lankan authors have suggested that the unfettered use of violence in everyday life, carried out by state authorities and by unidentified individuals and groups associated with the state, is indicative of a state of exception in Sri Lanka (Wedagedara, 2011; Pinto-Jayawardena, 2009). The rule of law and the protective functions of the state are undermined by violence perpetrated in the service of the Rajapaksa regime. The impunity granted to the perpetrators through lack of investigation into criminal activity and human rights violations, and the absence of prosecutions, demonstrates that the rule of law has failed and extrajudicial violence has been accepted into the normal functioning of the state (Pinto-Jayawardena, 2010). Discourses of terrorism and counter-terrorism have been operationalised over the years of war to legitimise exceptional measures that form the basis of a "militarized, state-centric national security paradigm" (Rajasingham-Senanayake, 2009a).

Rajasingham-Senanayake (2010) draws on Jack Nelson-Pallmeyer, who defines the national security state with reference to seven characteristics summarised below. His definition resonates closely with Feitlowitz's analysis of life under the Argentinian junta and the ideological tools employed by the generals who assumed power in the "Gentleman's Coup" of 1976 (1998: xi). The country, Feitlowitz argues "was exhausted and more than anything wanted order" (1998: xi). The generals, in a time of political upheaval, "were reassuringly calm" and, in an eloquent fashion, infused official rhetoric with "all the traits we associate with authoritarian discourse: obsession with the enemy, triumphal oratory, exaggerated abstraction and messianic slogans" (1998: xi). The first characteristic of a National Security State, Nelson-Pallmeyer (1992: 35) asserts, is that the military is the highest authority and not only attends to state security but also dictates "the overall direction of society," including the enjoyment of substantial power over political and economic affairs. Such states can "maintain an appearance of democracy" but ultimate power rests with the military or the security establishment. These states rely on ideology that preserves the concentration of capital under the military and elites associated with the security establishment, communicated in the language of "freedom" or "development" (1992: 35). Additionally, Nelson-Pallmeyer argues, National Security States are characterised by their obsession with 'enemies of the state,' against whom any means can be justified: "Defending against external and/or internal enemies becomes a leading preoccupation of the state, a distorting factor in the economy, and a major source of national identity and purpose" (1992: 35). Nelson-Pallmeyer's sixth feature is the restriction of public debate and participation in political life by means of "secrecy or intimidation": by sowing fear, restricting and distorting information, and implementing secretive policies "through covert channels and clandestine activities" (1992: 35).

The state's actions are packaged in vague appeals to "national security" and rhetoric of a "higher purpose" (1992: 35).[44] For Feitlowitz, Argentina under the Generals was a terrorist state, one that created two worlds: "one public and one clandestine, each with its own encoded discourse" (1998: xi). The junta employed a logic by which theirs was the 'absolute truth' and 'objective reality': nobody else could be trusted and certainly language itself could not

[44] Nelson-Pallmeyer adds a sixth feature of the National Security State, which refers to the complicity of the Church establishment: the church is expected to mobilise its financial, ideological, and theological resources in service to the National Security State. Though the Catholic Church in Sri Lanka is a powerful and organised institution, it is the Buddhist Sangha's support that provides much legitimacy to the state.

be trusted. Admiral Emilio Massera, a leader of the Coup, warned his audience to beware of words: "Unfaithful to their meaning, words perturb our powers of reason" (1998: 19). He described words as "unfaithful", capable of betraying the unsuspecting and destroying the innocent. "The only safe words are our words" (Feitlowitz, 1998: 19). The warning leveled by the Admiral was surreal, for it captured exactly what Massera himself was doing: "spinning an intricate verbal web to ensnare his audience and perturb [their] powers of reason" (1998: 19). Language is central to the establishment of a National Security State.

2.6 State Terror and Denial

Paul Gilbert defines repression as a blanket term for methods that governments deem indispensible in suppressing dissent (1994: 156). State repression usually takes the form of harsh security measures, curfews, limits on civil and political rights and freedoms, and 'exceptional' legislation. Where dissent is not quelled by these measures, the state can resort to extra-legal means in an attempt to silence opposition through intimidation and fear. The term "terrorist state" can be applied to a state which systematically uses terror and is defined, to an extent, by the long-lasting and relentless deployment of practices of terror against its citizens (Primoratz, 2005). The introduction of seemingly random and disorientating violence such as massacres, enforced disappearances, torture and arson are characteristic of a state ruling by terror (Green and Ward, 204: 106). The creation and sustenance of cultures of terror are based on silence and myth; fear and uncertainty are tools of power and domination (Taussig, 1987).

The monopoly of organised violence held by the state is typically considered appropriate for an entity identified as "guardian of law and order" (Weber, 2004: 328). Applying the label of "terrorism" is a discursive practice that designates a certain form of violence as illegitimate, evil and morally reprehensible (Weber, 2004: 328). The label of terrorism has largely become a tool in the state's arsenal to facilitate and justify heightened security measures and the establishment of a national security state. However, there are indications that a "critical turn" is taking place in scholarship, with analysis of state terror identified as an academic imperative and a call for more research to be carried out on the topic as "a matter of fundamental social, political and intellectual importance" (Mickler, 2010: 28; Jackson et al., 2010; Green and Ward, 2004). State terrorism and violence termed "non-state terrorism" are

markedly different in methods, aims and results (Jackson et al., 2010: 5). In terms of the scale of atrocity committed, "anti-state terrorism pales into relative insignificance comparison" to state terrorism (Sluka, 2000: 1). The harm caused by the "international terrorism" of states as opposed to the "retail terrorism" of non-state actors, a term coined by Chomsky (2002: vi), is incomparable, as the former results in large-scale devastation that non-state groups usually do not have the resources to inflict. In terms of aims, non-state actors may see their struggle as a form of "revolutionary terrorism", the aim of which is to replace the current, oppressive order with a new one more suited to the interests of the population (Gilbert, 1994: 22-23). The aim is to achieve, through violent pressure, a restructuring of the current political order. State terror, on the other hand, maintains the status quo as its primary objective (Sluka, 2000): to suppress opposition and resistance.

Essential to the power of state terror is the disorientating, bewildering effect of seemingly random and indiscriminate violence on the population at large. As Zulaika and Douglas (1996: 11) argue, the true impact of an event can be measured in the collective imagination. Terror can trigger public exclusion from political engagement, allowing political power to become more centralised and governance increasingly authoritarian. Political leaders manipulate legal provisions and expand their powers to an extreme and draconian extent, employing the existence of "terrorists" as the "negative justification" for national security measures (Weber, 2004: 329). Unidentified militia groups or un-named and unaccountable security forces operate outside the law on behalf of the government; state institutions become instruments of denial.

2.7 State Terror in Sri Lanka

As Margo Kleinfield (2003, 2005) argues, state-perpetrated violations of human rights in Sri Lanka have been termed "state terror" since 9/11, as the LTTE adapted 'War on Terror' discourses for its own purposes.[45] The use of the term 'terror' in relation to state practice is in the ascendancy in academic circles, but its application to the situation in Sri Lanka is not new. The commonplace occurrences of disappearances, massacres and unlawful killings during the JVP Sinhalese rural uprising in 1989 were collectively

[45] The adaption and domestication of 'War on Terror' discourses is addressed in greater detail in Chapter Two's analysis of the state's adaptation of transnational discourses.

termed "the terror," in which state-perpetrated atrocity was deliberately ineffectively investigated by the police (Hughes, 2013; Pinto-Jayawardena, 2010: 128). With the LTTE's launch of "Tamil Eelam War II" in 1990, the government responded by employing "scorched earth" policies, achieving military defeat by means of brute numerical force. Official death squads were sponsored to contribute to the terror and "show killings" were performed for the purpose of terrorising the population (Bloom, 2003: 69). Large-scale human rights abuses were reported in the north and east, assaults were launched by air and sea, and activists claim that governmental violence was manifest in a systematic campaign of disappearances, rape, torture, massacres of entire villages, and the dehumanisation of Tamils through counter-terrorist surveillance methods such as checkpoint searches (Rajasingham-Senanyake, 2002).

Abductions and disappearances by "white van" are commonplace. TAG (2013: 4) notes that "white van" networks "are part of a cluster of cooperative partnerships with other State instrumentalities – such as the judiciary, the prisons, the defense establishment, hospitals" and "paramilitaries, private criminal gangs and government military personnel". White vans are "an instrument of State machinery which beats at the heart of Sri Lanka's culture of impunity" and the networks are "an embedded element of Sri Lankan democratic politics" (TAG, 2013: 4). U.S. Ambassador to Sri Lanka in 2006, Robert O. Blake, noted in a memo released by Wikileaks that the government's use of paramilitaries for abductions and killings kept critics afraid and also gave Colombo "a measure of deniability" (quoted in Kumara, 2010).

In March 2012, during my fieldwork in Sri Lanka, a Tamil businessman was bundled into a white van and disappeared outside the Colombo law courts, just blocks from my interview with a human rights organisation (*BBC*, 2012; CM, 2012). Later in my fieldwork period, a crowd detained a group of individuals identified as off-duty military personnel, recorded them on camera phones and brought them to the police station after a failed abduction attempt. SLFP Chairman of the Kolonnawa Urban Council, Ravindra Udayashantha, called the police when he perceived that four men were attempting to abduct him – one month after his younger brother was abducted – and the crowd demanded that the men be taken in for questioning. The men were released without charge and the officer in charge of the Wellampitiya Police station at the time, Ranjith Samaranayake, was transferred soon after (Abeywickrema, 2013). KD, a Tamil political

commentator, noted that, with this incident, "*for the first time ever as they have names, ranks, video clips that the government is behind the white van abduction*" (KD, 2012). The state reinterpretation apparatus quickly formulated an explanation: military Spokesperson Brigadier Ruwan Wanigasooriya denied the claim and stated that the men were in the area to apprehend army deserters (Abeywickrema, 2013). Impunity for these atrocities is embedded in the functioning of the state.

The state forces have also systematically perpetrated (and continues to perpetrate) rape as a tool to punish and spread terror amongst the Tamil community (AHRC, 2012: 46-7; HRW, 2013). The Asian Human Rights Commission (2012) states that military superiors and government officials explicitly encourage rape as a method of persecution. Rape in custody – where detention is usually under the auspices of the PTA - promotes fear and nourishes a culture of terror. A mass of documentation has been produced by human rights organisations and NGOs that comprehensively attest to the spiral of violence and repression instigated by the state to suppress the separatist movement and intimidate dissenters to majority rule into silence (AI and Forrest, 1996; Somasundaram, 1998; AHRC, 2012; Wickrematunge, R., 2009; Pinto-Jayawardena, 2007, 2010). The reports list torture, threats and intimidation, disappearances, killings and the destruction of property as the forms of political violence fielded by the state forces. Torture is institutionalised and used disproportionately and punitively against Tamils (Fernando and Anderson, 2009; HRW, 2013).

2.8 Executive Power, Denial and Commissions of Inquiry

Fernando and Anderson (2009) offer an illustrative conception of "phantom limb" institutions in Sri Lanka. Institutions to serve the population, such as Human Rights Commissions and the Judiciary, ought to exist, they give the appearance of being in existence, but their purpose is merely to project democratic functionality and provide an avenue of denial for the government (Fernando and Anderson, 2009; AI, 2009). The Executive Presidency, brought into being under the 1978 Constitution, assigns the president the simultaneous roles of head of state, head of the executive, head of the government, and commander in chief of the armed forces. He is, by virtue of Article 35, unanswerable to the courts, or to any other public body. His powers include the appointment of all public ministers and the control of all ministerial bodies. Placing the Executive President outside the jurisdiction of

courts, the AHRC (2010: 16) argues, removed the judicial ability to protect individual liberties, offering him immunity from judicial action "as the driver of national objectives through various development and security projects, like anti-terrorism activities".

President Rajapaksa holds the power to personally appoint commissions of inquiry into wide-ranging issues of public concern, for example corruption and conflict-related disappearances, and he exercises this power regularly (CPA, 2013; Crisis Group, 2011). Interviewees in the South referred to a general faith among the population in commissions of inquiry, despite the lack of results arising from state-instigated investigations into human rights abuses and atrocity (SBP, MM, JU, 2012).[46] The reports of these initiatives are often handed personally to the President, with no information released to the public on content or outcomes (CPA, 2013). A Sinhalese academic stated that governments in Sri Lanka have adopted a regular strategy of "*appointing commissions to divert public attention and to manage the situation…once the commission report has been submitted to the President…it is forgotten*" (JU, 2012). He asserted that establishing commissions is a way of manipulating the system, "*in order to divert attention and also to reduce tension and ultimately not to do anything, after spending a lot of money on the commission*" (JU, 2012).

The entire system of governance in Sri Lanka is based on terror and denial of that terror. As the state waged war on the LTTE 'terrorists', a double understanding of daily life came into play. The state actively denies responsibility for, and complicity in, atrocities, yet citizens are aware that the state forces and other illegal proxies are the perpetrators. Investigations launched never result in prosecution, especially not self-prosecution of members of the security apparatus (AI, 2009; Pinto-Jayawardena, 2010). State terror includes violations of the rights of the population at the civil, political and personal integrity level and these violations are carried out with impunity, as institutional redress is impossible.

2.9 State Terror and the Media

[46] The CPA has compiled a full list of the various Commissions of Inquiry established under the Rajapaksa government, available at http://www.cpalanka.org/a-list-of-commissions-and-committees-appointed-by-gosl-2006-2013/ [accessed 25 May 2014], demonstrating the lack of transparency involved in these processes. There is little information made public with regard to conclusions, outcomes and the actual functioning of these commissions and committees, including whether they are actually still in existence.

State terror inflicted upon the population continues today, with disappearances and killings being conducted openly, often in broad daylight, and disproportionately targeting minorities (MRG, 2011). The political assassination that has received the most media coverage in recent years is the murder of Lasantha Wickrematunge, editor of the Sunday Leader newspaper and open critic of the government. Masked men on motorcycles shot him dead on a weekday morning, as he made his way to work in central Colombo in January 2009 (Thottam, 2009). A posthumous editorial entitled "And Then They Came For Me" (inspired by the poem of the German theologian, Martin Niem"ller) asserted that his killing would be at the hands of the government: "When finally I am killed, it will be the government that kills me" (Wickrematunge, 2009). One of the most powerful aspects of the editorial describes the environment in which journalism is pursued in Sri Lanka:

> "We find ourselves in the midst of a civil war ruthlessly prosecuted by protagonists whose bloodlust knows no bounds. Terror, whether perpetrated by terrorists or the state, has become the order of the day. Indeed, murder has become the primary tool whereby the state seeks to control the organs of liberty" (Wickrematunge, 2009).

Self-censorship in the journalistic profession reached new heights with this high-profile killing. The Committee to Protect Journalists recorded the murders of 25 journalists in Sri Lanka between 1992 and 2009; most of these killings took place between 2004 and 2009 (CPJ, 2012). The media watchdog Journalists for Democracy in Sri Lanka (JDS) states that 39 media workers have been killed or disappeared since the present government took office in late 2005, including non-editorial staff (JDS, 2012). An Amnesty International report documents the deaths of 14 journalists, most of them Tamil, between 2006 and 2010 (AI USA, 2010). Tamils Against Genocide (2013) emphasise that the killings, intimidation and assaults are ethnically targeted and occur largely in the context of advocacy for political rights for the Tamils. The Rajapaksa government has overseen hundreds of disappearances and extrajudicial killings. According to a joint report carried out in 2007 by three reputable oganisations, the Civil Monitoring Commission, Free Media Movement and the Law and Society Trust, 662 killings and 540 disappearances occurred from January to August 2007 (MRG, 2011: 25).

The Sinhala-language print media is a crucial site for political and ideological struggle and the systematic manufacturing of consent and support for warfare (Chaaminda, 2011). The Asian Commission for Human Rights (2010:

6) argues that the Sri Lankan state "has learned to excel at creating and controlling a single, official version of the truth. Society, for its part, has largely accepted the state's self-anointed role as arbiter of truth and falsehood." The AHRC quotes Basil Fernando, who summarises the situation in Sri Lanka:

> "Those who run the media also usually comply with demands to reproduce and disseminate government propaganda. Those who do not comply are threatened" (2010: 6).

The media has been disciplined and subjugated by years of intimidation and harassment (AHRC, 2010: 6) and as a result of state nepotism, clientelism and networks of patronage and media ownership (LG, SH, SB, 2012; Chaaminda, 2011; TAG, 2013; Nadarajah, 2005). In a context where *"journalists have been killed – it is a very real threat"* (PK, 2012), the media adheres to the official script and alternative narratives are discredited as *"pro-Tiger"* or the work of *"traitors"* (AS, SH, 2012). State terror has been operational for decades, to silence opposition and critical or independent reporting in the country, ensuring that the official line is maintained (Hattotuwa, 2009; IPFFEM, 2008; UTHR-J, 2009; AHRC, 2010). TAG reminds us that this process targets Tamil media workers almost exclusively, and that being "critical of the Government of Sri Lanka (GoSL) is less pertinent as a risk factor than being critical of the government's conduct pre, during and post-war, towards the Tamil population" (TAG, 2013: 1). The state forces are assumed to be responsible for these atrocities.

Interviewees in 2012 were consistent in describing the silencing of voices critical of the government or the final military operation by attacks and intimidation. According to a range of media workers and civil society activists, questioning the strategy of militarism and non-negotiation with the LTTE was, at the End, equated to supporting terrorism and betraying the Sri Lankan 'motherland' (AS, LG, SH, 2012). In the early 1990s, the government began to restrict the media presence in Sri Lanka, to "prevent negative publicity in the West" and avoid condemnation of its human rights record (Oberst, 1992: 130). Though official censorship, which was periodically imposed over the years of war, was abrogated under the Rajapaksa government, interviewees spoke of official silencing through terror, threats and intimidation, resulting in pervasive self-censorship in the media and adherence to the state narrative by both state and independent media (SB, SH, LG, YT, PJ, 2012). Tamil newspapers in Jaffna tread carefully, reporting based

on a careful equation: *"50% based on truth, 50% based on security services news"* (YT, 2012). The media were prevented from visiting battle zones unless as part of officially conducted tours, accompanied by the military (Athas, 2008; LG, 2012). "The media have to depend on hand outs from the military" (Athas, 2008; YT, PJ, LG, 2012).

Journalists in the North live in fear of *"threats, killings, attacks"* (YT, 2012) and white van abductions (PJ, 2012). Journalists from the Tamil community and within the more independent and critical media establishments spoke of the fear of "white van" disappearances, regular visits from the security forces to the offices of media organisations and the self-censorship implicit in Sri Lankan journalistic practices (KD, SB, SH, LG, 2012). Journalists are expected to repeat the official line uncritically: *"if the defence media or spokesman said that he saw a white crow flying, we would have to say it too"* (PJ, 2012). However, LG (2012) argued that the government is more concerned with Sinhala discourse than English or Tamil as it is the Sinhala language news that reaches its electoral base. Journalists are "regularly reminded of the threat" of violence, which guarantees the widespread practice of self-censorship and the dominance of state-owned and pro-government news outlets (Crisis Group, 2011: 18).

> *"Journalists publishing in Sinhala publications are attacked for much less than those publishing in the English language. Social legitimacy in the country keeps the regime afloat, based on popular support of the ordinary Sinhalese"* (LG, 2012).

2.10 The Media and the End

In early 2009 as the state military closed in on the LTTE stronghold in the Vanni, mainstream media could do little else but regurgitate the news provided by the state through the Ministry of Defence Website and the Media Centre for National Security (SB, 2012). *"Information at that point was available from state sources and from pro-LTTE and LTTE websites"* (PJ, 2012). Bias was assumed in Tamil reporting, as noted by TAG (2013), and mainstream news sources in English – domestic and international – were reluctant to carry the Tamil narrative. For English-speaking media outlets to stray from the official discourse and offer alternative, critical narratives would lead them to vilification: *"lumped with the NGOs and the Western agenda"* (SB, 2012) and portrayed by the state as being embroiled in an anti-Sri Lanka conspiracy and

persecution of national 'war heroes.' In parallel, *"it was difficult getting people to speak"* at the time (SB, 2012). Journalists often could not do much more than actually report the narrative supplied by the state and *"try to justify it in a way as saying 'at least we are keeping this issue on the agenda.' We are reminding people that there is… a human dimension"* (SB, 2012). Alternative sources of information were inaccessible at the time and *"it became difficult to get another point of view."* The UN was strictly minimal with public statements and most often the government narrative was unchallenged (SB, 2012).

In Jaffna, the Tamil media described being reliant on *"three sources at the end of the war: the government, through press conferences, the media ministry and defence ministry – these give the government side; websites; and news from the Vanni"* (YT, 2012). Websites were presumed to be run by LTTE-affiliated groups in the diaspora (PJ, 2012). News filtered from the Vanni through relatives with mobile phones who were trapped there (PJ, YT, MTJ, 2012). Information was primarily passed through the diaspora as, *"it was cheaper to call abroad under an LTTE phone scheme than it was to call locals in Sri Lanka"* (PJ, 2012). While the atmosphere in the South was one of fear and silence, *"Jaffna was terrorised at the time, nobody was speaking. You can't imagine"* (YT, 2012).

2.11 Sri Lanka's State of Denial

Methods of denial have been used with dexterity by the Sri Lankan state to avoid international condemnation at the End, as well as routinely rebuffing allegations of atrocity in the decades of conflict. The mechanisms used by the state to issue denials in various forms are remarkably consistent with the models described by Cohen (2001). Whether fashioned for the benefit of the domestic population or spun for the international community, the rhetoric of the Sri Lankan government has represented events and state-community relationships using denials, reinterpretation and implicit justifications to suit the political landscape and to achieve its goals with a minimum of dissent or criticism. The state's recourse to methods of denial actively created the conditions for the End: an unparalleled atrocity in Sri Lanka's long war. Cohen refers to the work of the recently deceased Israel Gutman - a Holocaust survivor and witness-testifier at the Eichman trial - to illustrate the state's potential to act with duplicity (2001: 97). As Gutman (1985: 85) stated with devastating simplicity, "the Holocaust was already being denied as it happened". While pursuing nefarious actions, the state apparatus is put to work, laying the foundations for denials. In Sri Lanka, the "open secret" of the

atrocities committed at the End was acknowledged in varying ways by the Sinhalese population in the South and decried by the Tamils (and sections of Sinhalese society), though activism was limited by the media blockade, censorship and dearth of information deemed "reliable" (TAG, 2013). As Cohen (2001: 79) argues, such an "open secret" does not necessarily mean collective responsibility but it does imply that there are gradations of collective knowing. It is not, for Cohen, just how much is actually known by the population, but rather how much is acknowledged.

Over the years of war in Sri Lanka, the state discourse included "not just self-righteous rhetoric for justifying atrocities" but "a re-arranged truth, a mythological reality" (Cohen, 2001: 83-4). Atrocities such as torture, disappearances in "white vans", killings, destruction of property, beatings and intimidation are part-acknowledged by the government as "happening," always using a linguistic technique that removes the subject-perpetrator from the description of events. Extra-legal practices "happen" regularly but are vehemently distanced from the actions of the security forces, though rumours of death squads within the MOD have been prevalent. Police spokesman, Superintendent Ajith Rohana, for example, said in 2012: "There are abductions. It happens. But generally we are conducting investigations into the matter" (quoted in *BBC*, 2012). But prompted by the journalist to comment on death squads, he responded, "We don't have them. We totally deny that allegation. We don't have any type of squads like that" (*BBC*, 2012). During the time of the 1987-89 JVP uprising, death squads were officially unacknowledged but certainly at least condoned by the state (Samaranayake, 2007: 114; Blake, quoted in Kumara, 2010). The illegal groupings were allegedly made up of off-duty police officers and military personnel (Oberst, 1992: 128; Samaranayake, 2007: 115).

Government-backed death squads have been responsible for thousands of killings and disappearances (HRW, 2008). Crisis Group (2007: 9) argues, "it is clear that the problem goes beyond a few undisciplined soldiers or out-of-control paramilitaries and is part of a policy devised and conducted by senior military officials." Under Mahinda Rajapaksa's presidency, disappearances rose exponentially. Human Rights Watch in 2008 described this development as the "return of a haunting phenomenon from the country's past". Activists in northern Sri Lanka declared that pro-government paramilitaries and the security forces – forming groups of "shadowy gunmen" – "go about in white vans and with masks on motorcycles and are by now unconcerned about hiding their affiliations" (UTHR-J, 2006; Crisis Group, 2007). At the official

level, there is systemic impunity and a lack of investigation into these atrocities. Statements by government officials suggest that no "disappearance" crisis exists and dismiss claims as LTTE propaganda (HRW, 2008: 9, 11). Contrasting reports from officials suggest that the crisis is fuelled by the acts of LTTE fighters and common criminals, not the state security forces or their proxies (HRW, 2008: 9).

In a 2013 interview, President Rajapaksa dismissed the "white van" phenomenon as anti-government propaganda. Laughing, he asked the Al-Jazeera reporter, "why not use a black van or a blue van? This is all propaganda" (Rajapaksa, 2013a). In Sri Lanka, he declared, in contrast to other countries, if "incidents" occur the blame is directly allocated to the government. He asserted that this assumption of state involvement in violence was unfair, premised on pro-LTTE propaganda and the international community's haste to "bully" a small country (Rajapaksa, 2013a). A pro-government journalist added a complementary explanation: undocumented migration. *"When you talk about abductions and white vans, people tend to believe the armed forces are abducting Tamil civilians and somehow those people who were abducted turned up in Australia, Canada and America"* (SF, 2012).

Despite official flippancy and denial based on claims of propaganda, Human Rights Watch (2008) documents at least 9 commissions of inquiry set up to address the disappearance phenomenon. Mandates, timeframes and results have not been made public and certainly have not resulted in prosecutions or systemic reforms (HRW, 2008; CPA, 2013). In response to international attention on this issue, the Sri Lankan state conformed to two of Stanley Cohen's forms of denial. Firstly, the state has "intensively lobbied international organizations and bilateral partners, emphasizing improvements in the human rights situation and its willingness to cooperate with UN officials and human rights specialists" (HRW, 2008: 12). Following Cohen's (2001: 113) "path of partial acknowledgement", the state has sought the patience of the international community and presents itself as under siege by a disembodied phenomenon, struggling to improve the human rights situation and, in its sincerity, prepared to accept assistance. In parallel, and inconsistently, the government has launched fierce attacks on its critics, including the very same UN representatives, accusing them of being "at best, ignorant of the situation and, at worst, LTTE sympathizers" (HRW, 2008: 12). This "counter-offensive", in Cohen's (2001: 112) terms, attempts to undermine and discredit the statements of critics. A situation now exists in Sri Lanka

where atrocities are normalised, partly acknowledged, denied, attributed to the enemies of the state or criminals, and ultimately uninvestigated.

While Cohen (2001: 84) recognises that external criticisms can actually make "the denials stronger and the ideology more sacrosanct", the ability to invoke literal denial on the world stage through control of the media allowed the government space to wage the war against the LTTE with impunity. Greater international visibility and transparency in the modern age have made literal forms of denial more difficult to sustain but the unavailability of 'reliable' or known media sources means that foreign audiences who are unsure of the 'complexity' of the situation are less willing to condemn the state. President Rajapaksa (2013a) emphasises the importance of seeing the "background" circumstances that have caused "incidents" in the post-conflict phase. The implication is that if outsiders were less biased, less hasty to lay the blame at the feet of the government, the incidents could be legitimately explained. The government relies heavily on the rhetoric of "traitors" and "pro-Tiger" critics launched attacks human rights activists and NGOs, accusing them of pro-Tiger bias. By undermining the "reliability, objectivity and credibility of the observer", literal denial is effective (Cohen, 2001: 105).

The state's pattern of denials has relied heavily on the language of national security and counter-terrorism; 'necessity' is provided as a justification for the establishment of a national security state. Repressive legislation was framed as 'counter-terrorism' legislation and upheld as a necessary response to the threat to national security. The PTA and ERs existed primarily to provide the maximum amount of social control and impunity possible to the executive government, and to silence dissent. The ERs were finally withdrawn in 2011, after much advocacy by human rights groups (AI, 2011; HRW, 2011). The primary purpose of these tools was to concentrate power under the Executive President and to facilitate practices of state terror that have quelled activism and free speech and amounted to mass violations of rights (Pinto-Jayawardena, 2007, 2010). The ethnic nature of the conflict and the 'terrorist threat' informed the practices of counter-terrorism. A suspect community, comprised entirely of Tamils, was constructed and policed. Cohen (2001: 96) describes an ideologically rooted process of "denying the victim", in which melodramatic narratives of heroes, victims, conquest, defeat and revenge are evoked to blame the "Other", relying on "history" to prove that the "victims" actually "started it" and deserve to be punished. Sri Lanka's specific mytho-history, contained in the Mahavamsa Buddhist chronicles, has been promoted, utilised and appropriated by Sinhalese-Buddhist political actors in

contemporary politics. Violence against the Other – the Tamil – is justified with reference to historical battles between the Sinhalese and Tamils and the victimhood of the Sinhalese people. The political consciousness of Sri Lanka's majority population is underpinned by what Cohen (2001: 97) terms a "supremely sentimental nationalism," one that authorises violence against the Other as necessary to fulfil the destiny of the Sinhalese people: to protect the island for Sinhala-Buddhists. Media restrictions and counter-terror measures were coupled with the continuing rhetoric of the 'unreasonable Tamil terrorist.' This proved devastating to inter-community relations and created a Sinhalese population unsympathetic to the plight of the Tamil people.[47]

In 2009, the Sinhalese population, conditioned by years of discursive habituation, brutalised by war, and convinced of the righteousness of the state's battle against the 'Tamil terrorists', had become psychologically (and geographically) distant from the Tamil struggle and the violence committed against the population at the End. The overarching prerogative was national security, to be rid of the threat violence posed by the LTTE. A Sinhalese-Buddhist newspaper editor explained how socio-economic circumstances ensured healthy conscription to the military, yet there was little faith in leaders prior to 'Mahinda':

> *"The war did not happen in the north and east, the war was happening all over the country, people were dying. Not just through and by suicide attacks and bomb explosions. [W]ho were the people who were fighting? Children of poor parents who didn't have a job, so they had to go and fight. And they were fighting a war that was not being fought, because politicians were just playing. So in 2005 there was a difference…[Mahinda Rajapaksa] had a very clear policy about how to deal with it and he got the people behind him and they went and did it"* (MS, 2012).

Before Rajapaksa came to power, MS argued, futile negotiations illustrated the inefficiency of politicians. On-going insecurity and the violence of the

[47] Robert Oberst (1992: 131) noted even in 1992 that the island's population was "increasingly numbed by the carnage" and that life, particularly in Tamil areas, was "brutalized." The University Teachers for Human Rights, Jaffna, a group who steadfastly documented and reflected upon the violence in northern Sri Lanka's over the years of war, describe the brutalisation of society: "Violence dehumanises and brutalises the user. Once the hands are soiled with blood, as it were, the usual inhibitions and taboos that operate internally are broken. With this lack of restraint and loss of control, comes a feeling of power -absolute power. A marked intolerance for difference of opinion, a fanatic faith in ones own view or a blind obedience to leadership, a conviction of infallibility, and a casual indifference to pain, suffering and life, manifest themselves." (UTHR-J, 2001: chapter 7)

LTTE justified the return to war. *"They didn't go the extra mile, they went about 100 miles, successive governments. So there was no way there could be any other kind of end to it other than military confrontation"* (MS, 2012). The majority population, Tamil academics asserted, engaged in *"a kind of knowing self-deception"* at the End, uncritically accepting the official narrative and ignoring reports of state perpetrated atrocity (KD, 2012). *"Whatever the government did was in the highest interests of the people. That's the perception they had"* (MM, 2012).

2.12 Civilian Casualties and Denial

As an illustrative example of Cohen's literal denial, the government has contested claims by human right organisations and the UN that the state forces killed a disproportionate and "unacceptably high" number of civilians at the End (Ki-Moon, 2009). Official statements have declared that because a policy of "zero civilian casualties" was in place, the state forces did not spill a single drop of civilian blood in the final military operation against the LTTE (MOD, 2011). Gotabhaya Rajapaksa, the Secretary of Defence, described to Sri Lanka's Lessons Learnt and Reconciliation Commission (LLRC, described in Chapter Three) how the President introduced the "major concept" of "zero civilian casualties" to all operational orders from the Army, Navy and Airforce Headquarters. He insisted that although this concept might be construed as only a "sentence in operations", the message reached all battalion levels that "it is very important to plan to avoid civilian casualties". This strategy, he maintained, was implemented flawlessly by the disciplined armed forces (Rajapaksa, G., 2010). Within Cohen's (2001: 107-8) framework of denial, Gotabhaya's statements would fall within the category of "magic legalism". The language of legalism, and in this context, the language of policy, provides a powerful basis for interpretive denial. "Magic legalism" Cohen (2010: 108) asserts, "is a method to 'prove' that an allegation could not possibly be correct because the action is illegal." The state adheres faithfully to the tenets of international humanitarian law and a policy of civilian protection, therefore, no civilian casualties could possibly have occurred. Also, the military strategies employed were informed by a humanitarian disposition:

> " [P]arallel to the military plan we had a plan for humanitarian assistance whether it is for the no fire zone, the policy level, the zero civilian casualties, restrictions on use of heavy weapons, the training of

soldiers, all these were done to prevent civilian casualties" (Rajapaksa, G., 2010).

With such training, monitoring and policies in place, Gotabhaya asks, how could the allegations of 'unacceptably high' civilian casualties be true?

This rhetoric of magic legalism and efficient policy was accompanied by a dearth of official and verifiable information on this issue, which "has led to widely varying figures of civilian casualty estimates by different entities, media organizations and authorities" (LLRC, 2010: ix, x). Over the course of the Sri Lankan conflict, both the state and the LTTE deployed misinformation on casualty figures to promote their own political and strategic military agendas. The state has been said to downplay civilian casualty figures to maintain the political support of the majority population and to mitigate the damage to their human rights record internationally (Athas, 2008). The LTTE and the politicised Tamil diaspora have also been accused of quoting higher death figures in order to garner sympathy and outrage in the international sphere, exaggerating the human tragedy underway to enhance the narrative of a "trauma drama", as described by Laleh Khalili (2007; *Reuters*, 2011).

In the context of a fierce propaganda war, the state has instrumentalised the prevalence of disinformation and contested accounts of casualty figures to undermine criticisms by the media, civil society groups and human rights organisations. These organisations, and officials within the UN and ICRC, have been framed as complicit in an anti-Sri Lanka movement, funded by pro-LTTE groups or misled by the LTTE propaganda machine. There is, according to the MOD website, a "long list of global I/NGOs waging a propaganda war against Sri Lanka" (Mahindapala, 2012). For example, "Appalling Journalism", a 2011 'Sri Lanka Media Watch' publication produced to counter the claims of a Channel 4 documentary named "Sri Lanka's Killing Fields" laments the absence of independent witnesses in the final stages of the war and describes "the virtually insurmountable difficulties in ascertaining simple facts." The publication, hosted on the MOD website, attacks the impartiality and credibility of the video footage and eyewitness testimony contained in the documentary. While questioning the motives of contributors and of Channel 4 itself, the report glosses over the fact that the absence of available information was due to a state-enforced media blockade. The reports conclude that accounts of the End are "permeated…with ruthless propaganda, disinformation and deception," benefitting from the LTTE's "efficient propaganda and political operation...in dozens of countries amongst

the million-strong Tamil diaspora" (Sri Lanka Media Watch, 2011; Weiss, 2012). Mahinda dismissed allegations of war crimes in his 2013 interview with Al-Jazeera, claiming that the army "didn't do it". The army are well trained, he asserted, "this is all propaganda work." If there were any evidence, he claimed, there would be official inquiries. Instead, the President conjured up a narrative of benevolence and charity, the image propagated in the MOD and state media of Tamil civilians fleeing from the LTTE to the armed forces: "the army helped them, gave their water, gave their food to these people" (Rajapaksa, 2013).

The UN Panel on Accountability in Sri Lanka – personally appointed by UN Secretary-General Ban Ki Moon to investigate best practice with regard to accountability in the Sri Lankan context - estimated that the civilian casualty figure runs into tens of thousands in the final months of the war. The figure of 40,000 deaths has gained authority in international NGO and activist circles (UN, 2011; Sri Lanka Campaign, 2013). *Tamilnet* documented events on a daily basis, describing incidents and providing casualty figures from sources in the Vanni, but these reports were presumed biased and challenged on that basis by the state.[48] The LTTE were known for wearing civilian clothes and blending into the population, used the state-designated 'No Fire Zones' to organise themselves militarily, and forcibly conscripted a large number of people from the civilian population (UN, 2011).[49] Pro-LTTE interviewees conceded that the wholesale forced conscription of civilians at the End was a *"mistake"* (YT, 2012) while activists and academics called it a *"betrayal"* (AS, KD, SH, 2012). Exploiting this uncertainty, the Secretary of Defence told the LLRC:

> "It is very difficult to identify civilian casualties and if the military had suffered 6,000 killed in action and nearly 30,000 injured at various degrees you can imagine how much of LTTE casualties would have occurred but nobody talks about the LTTE deaths and injured. They put all these figures into civilian casualty figures. Nobody talks about the LTTE cadre casualties…[H]ow can you identify a civilian and a combatant?" (Rajapaksa, G., 2010)

[48] This website has, however, been praised by the freedom of speech NGO Article 19 (2007) as a dependable alternative source of information to the government controlled media, operating in a very difficult situation.

[49] See the Report of the Commission of Inquiry on Lessons Learnt and Reconciliation, November 2011, p.137-147.

There was no official recognition of civilian deaths in the last phase of the conflict until a statement by Gotabhaya Rajapaksa on 24 November 2011. The "zero civilian casualty" policy adopted by the military in the final "humanitarian operation" was clung to in a literal sense for two years following the defeat of the LTTE (MOD, 2011a, 2011b).[50] A Sinhalese media worker elaborated on the progression of discussions of "zero civilian casualties":

> *"…it was interesting because it went from the literal – Mahinda Samarasinghe in 2009 saying, literally, that there was not a drop of blood shed and then many others saying that there were literally zero civilian casualties.*[51] *[To that point] they implied that there was a policy of zero civilian casualties, with these [statements in 2011] then they accepted that there might have been civilian casualties"* (SH, 2012).

While atrocities "happened" at the End, the human cost is contested and denied by pro-government commentators:

> *"I am sure atrocities were committed – but to say that it was systematic and in the numbers that they say, it is utter rubbish. The numbers don't add up like that"* (MS, 2012).

A Census report named "Enumeration of Vital Events, Northern Province, Sri Lanka 2011" was quietly released into the public forum in January, containing results of a household survey carried out by civilian officials in the Northern Province. In this report, the official "zero civilian casualty" stance was finally discarded and deaths in 2009 were categorised into "natural deaths" or "other deaths", the latter including "deaths due to accidents, homicides, suicides, acts of terrorism etc." (2011: 20). The year 2009 shows a large jump in the number of deaths in the Northern Province, with 7,934 categorised as "other deaths" and the cause of 715 deaths "not stated". In comparison, 1,349 "other"

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[50] The state-produced documentary "Lies Agreed Upon" served to rebut allegations of mass civilian deaths and quotes data collected by various agencies on the population numbers present in the Vanni area at the End. The quoted numbers are as follows: the UN Residential Coordinator estimated that 180,000 were present in the Vanni; UN OCHA used the figure of 150,000; the UN Under-Secretary at the Security Council used 190,000; the World Food Programme quoted 230,000; the Government Agent in Vanni stated that the population at its highest was 305,000; and various INGO and UN Agencies in January are quoted as using a figure of 250,000. The documentary used these figures to display the difficulty in assessing the population figure, while positing the impossibility of mass deaths having occurred in the final stages of the war and underlining the intention of the government to meet humanitarian aid need to the extent suggested by population figures available.

[51] Samarasinghe was the Minister of Disaster Management and Human Rights at the time.

deaths were caused in 2008, 751 in 2007, 687 in 2006 and 311 in 2005. The rise is substantial. In the Northern Province since 2005 also, the report shows that 4,156 persons have been deemed "untraceable", in effect, "missing." Again, 2009 shows an increased instance of people being rendered "untraceable", with 2,635 of the 4,156 persons falling under this category being reported in that year (EVE, 2011). With this breakdown of casualty data, the official casualty figure of roughly 8,000 deaths in early 2009 emerged. The deaths, however, are not categorised as civilian or combatant.[52] Despite this, the discrepancy between the government's initial stance and this eventual calculation is striking.

The LLRC (2011: 137) "gave this matter the highest priority given the conflicting nature of statements made by various persons including media reports" and because the "need to have an estimate of casualties was also crucial to the mandate of the Commission in addressing the question of possible violations of International Humanitarian Law and Human Rights Law during this period." Representations on the topic of civilian deaths were heard from military officials, Ministry of Health and medical officers and the general public, particularly eye-witness accounts from ex-LTTE cadres and individuals who were detained in IDP camps. NGOS and INGOs were invited to submit information but the International Crisis Group, Human Rights Watch and Amnesty International refused to submit information to the Commission due to concerns about the impartiality of the members and their direct appointment by the President (See LLRC, 2011, Annex 4.17). The Commission, in its attempts to gain information on the casualty figures collected during the final phase of the war, carried out interviews with civilian officials, though some submitted that they were not in a position, under the circumstances of conflict, to carry out any assessment whatsoever of civilian casualties and failed to provide any figures, either verified or estimated (LLRC, 2011: 157). The LLRC's conclusions on this matter recognised that civilians were killed in the crossfire between the state forces and the LTTE (including in the state-designated "No Fire Zones"), which the

[52] While the initiative of recording civilian causalities by the government must be welcomed as a necessary development and the fulfilment of a state obligation, this census data and methodology must be analysed in comparison with other such work being carried out both domestically by NGOs and international agencies, and internationally. Information from other sources must be pooled together and cross-checked in order to build as clear a picture as possible of the identities of the dead and also to avoid duplication in numerical counts. A census of this kind must be added to the existing incident-level data, which has been gathered by NGOs and will aid in the verification process (EveryCasualty, 2011; Breau and Joyce, 2013).

government, at the time of the LLRC report's release, had publicly denied.[53] The Commission concludes that it can be assumed that any estimate of casualty figures would include a significant number of LTTE cadres. In sum, the Commission "notes with regret that there is no official record or a post conflict estimate of civilian casualties either by the civilian administrative authorities in the area or by the defense authorities" (LLRC, 2011: 145).

2.13 A National Security Lexicon:

Interviewees offered explanations of how words and phrases were institutionalised, popularised, forbidden or associated with 'terrorism' and unpatriotic behaviour towards the End. LG cautioned against the mere allusion to human rights: *"We cannot talk about human rights now. Or peace. That is also a dirty word. Reconciliation – that is the word you can use now, or recovery"* (LG, 2012). He stated that NGOs and academics seeking to work quietly and without publicity avoid the vernaculars of human rights and peace. Adopting these vernacular frameworks has the potential to restrict access to particular communities and provoke state surveillance. 'Human rights' as a concept is depicted in state discourse as connected to international accountability processes, now portrayed as essentially anti-Sri Lankan, interventionist and imperialist. The international system of human rights housed within the UN system and fronted by organisations such as Amnesty International and Human Rights Watch is demonised as pro-LTTE. State representatives denounce the reports produced by these organisations as "unacceptable and unwarranted…to be considered as interference in the internal affairs of a sovereign state" (Kunanayakam, 2011). This portrayal is fundamentally linked to the state's efforts to avoid accountability for atrocities at the end of the war. It also serves to inflame nationalistic fervour associated with protecting the "motherland" from external threats, as described in Chapter One. State discourse, primarily sourced from official speeches, the MOD website and the Media Centre for National Security (MCNS), supplied this lexicon and demarcated its boundaries to the Sri Lankan population.

'Peace' is associated with the breakdown and failure of the peace talks held with the LTTE and facilitated by the Norwegians between 2002 and 2003 (Walton, 2010; Lewis, 2010). As David Lewis (2010: 653) notes, the "Sri Lankan peace process failed in a particularly dangerous way, unwittingly fuelling the

[53] See LLRC (2011, Para. 4.389 iv.).

success of pro-war elements, while serving to delegitimise more conciliatory positions." The agendas of local NGOS working towards emancipatory peace-building were increasingly blurred with more interventionist and conservative models of peace-building favoured by states and intergovernmental organisations (Walton, 2010: 21). The word 'peace' is now viewed with suspicion and associated with failure and a meek, ineffective approach to dealing with 'terrorism'.[54] 'Peace' became an unacceptable term in nationalist political circles and was associated with sympathy for the LTTE. NGOs actively avoided using terms like 'peace' and 'peace-building' for fear of appearing too partisan or encountering opposition from nationalist movements (Lewis, 2010: 656). The coalition of peace-builders envisioned by liberal peace-builders clashed with the nationalist agenda and came to be termed 'traitors' or LTTE sympathisers (Walton, 2010: 21; Höglund and Orjuela, 2013). The 'humanitarian operation' was therefore depicted as the only realistic route to success over the LTTE, rather than the 'soft' approach of negotiation associated with the 'liberal peace'.

Researchers, academics and NGO staff interviewed in Sri Lanka acknowledged these linguistic taboos, especially with regard to applications for state and military approval for projects of a humanitarian or social work nature, and academic events. Proposals for NGO projects must be framed within the parameters deemed acceptable by state in order to secure the required permissions, a process that includes attaining the approval of the military. At the project planning stage *"you have to provide all information to the Government Agent"* (NR, 2012) – the state's administrative head of public services at the Divisional Secretariat level. In practice, NGO workers adopt the state lexicon in order to improve the chances of having a project approved, thereby perpetuating and reinforcing that lexicon. Civil society organisations *"phrase things the way they want – for example 'economic development' rather than 'leadership'"* (NR, 2012). One INGO worker stated that she *"can't get past page two (of the state newspapers) without laughing at the ridiculous representations. But it is useful to see the language the government is*

[54] The vilification of organisations involved in peace-building, particularly liberal international peace-building NGOs arose after 2005, Walton (2010: 20) notes, as mainstream political discourse in Sri Lanka became increasingly critical of NGOs and the liberal peace-building paradigm they were seen to represent. The newly elected Rajapaksa government relied instead on nationalistic rhetoric and 'War on Terror' discourses, unlike the previous UNF government, which drew much of its legitimacy from its commitment to achieve progress in the peace process. This included a rejection of devolution in favour of the unitary state and concession to nationalist parties, who vocally decried the involvement of international actors (Walton, 2010: 21; Lewis, 2010).

using in order to have things pushed through at work" (AH, 2012). Another local Tamil NGO worker stated that, "*creativity is needed, to show the programme in a different way to the state, in order to get permission"* (SMB, 2012). Similarly, academics working on human rights, particularly in relation to the conflict, are restricted in open discussions on the topic. Though a Tamil Colombo-based lecturer claimed that the classroom is a relatively safe place for discussion on these issues (MT, 2012), some senior Tamil academics were unwilling to even meet privately where the request to meet was couched in human rights terminology. Broaching this issue with regard to a particular academic in conversation with LG, his answer was unequivocal: "*Of course. He is a Tamil"*. The insinuation was that, by virtue of the academic's Tamil ethnicity, repercussions were more foreseeable and potentially more punitive if he were to associate with a foreign researcher interested in interrogating the country's human rights situation (LG, 2012).

Where non-state organisations, the media and institutions such as universities feel compelled to adopt the language of the state, the lexicon is compressed and the narrative pattern defining events is restricted to a state-approved interpretation and perpetuation of frames of meaning. These examples illustrate the manner in which the use of particular discourses supports the state's position and the consolidation of the national security state. From interviews, it became clear that non-state actors such as civil society groups, academics and journalists acknowledge the state's lexicon as a fraudulent and disorienting construction, fashioned in the pursuit of denial. However, these actors operate in an atmosphere of repression, where free speech is greatly restricted by fear. Rather than challenging the lexicon, these actors in Sri Lanka rely on their ability to reproduce it in order to work within the country. It is undoubtedly a decision made under difficult circumstances, in the pursuit of honourable ends, but one with far-reaching implications. To perpetuate 'double discourse' is to gloss over atrocity and violence that continues, to leave issues hidden and unaddressed.

Marguerite Feitlowitz quotes the novelist Julio Cortazor to elucidate this point: "Under authoritarian regimes language is the first system that suffers, that gets degraded" (1998: 61). After a period of repression and atrocity, she argues, language may be the last system to recover (1998: 61). To adopt the state lexicon is to perpetuate and internalise "aberrations" and "ravages" of the language, the scars inflicted by the regime on language (1998: 62). In Sri Lanka, examples of this profound alteration in language relate to euphemisms for atrocity and Tamil linguistic techniques designed to survive Sinhala mob

violence:[55] the "white van" represents disappearances and state-sponsored abductions (Manimekalai, 2014), the "white flag" incident refers not to surrender but to the execution of LTTE leaders and cadres who attempted to surrender at the End (UTJR-J, 2009, *White Flags*, 2014); the Sinhalese word for 'bucket' – *baldiya* – is associated with Sinhalese mob violence. Tamils learned to pronounce the word during periods of violence in the early 1980s, as mob members held a bucket high and demanded that individuals name it, in order to establish ethnicity (Jeganathan, 1998: 99). For Feitlowitz, such ravages of the language are manifestations of atrocity, evidence that "in some sense it happened to everyone. Or, at least, many people – on the evidence of the way they speak – have internalized that part of…history" (1998: 62).

2.14 Media Self-censorship: Adhering to the Lexicon

The MOD was the primary source of information for the mainstream press, as access for independent journalists was highly restricted. As a senior journalist for a television station stated in an interview:

> *"…that was <u>the</u> source of information. I was checking it every morning for instance because you get a sense of the government and their view on the whole battle and military focus…at that time, it was a way to actually keep track of what they were doing, or what they said they were doing"* (SB, 2012).

The majority of media outlets merely recycled the information posted to the MOD website in the final stages of the war, with exact replications of wording. Straying from the approved lexicon was an unusual and dangerous undertaking in a culture of media self-censorship born of both fear and clientelism in the profession. The repetitive and singular nature of the news was also a symptom of the lack of access to conflict zones granted to independent journalists. The same Colombo-based journalist demonstrated the ways in which pressure was felt to maintain the lexicon managed by the government. She stated that references to 'the war' and criticism of the war were acceptable while negotiations with the LTTE were on-going in 1994 and 1995. When the peace talks stalled and the slogan under Chandrika Bandaranaike's government became "War for Peace" (from 1995 – 2002), media organisations began to feel that the word 'war' in a negative sense was taboo: *"it was a bit much for us to keep saying 'no war, no war' when it [the official*

[55] The author acknowledges that these examples are available to her only in the English language lexicon and that language issues restrict further analysis.

rhetoric] was 'war for peace'" (SB, 2012). The term 'humanitarian operation' was the term favoured by the government, communicated through the MOD updates. This phrase gradually came to dominate the frame of understanding around the conflict.

Intimidation and fear based on very real incidents of reprisals against journalists contributed to the decision to call the war by another name in line with state discursive practices: *"…it was the week that Lasantha (Wickrematunge) was killed…we changed the name..."* (SB, 2012). Lasantha – previously an advocate for free speech and direct challenges to the government - is now a symbol of terror and impunity. Media activist Sunanda Deshapriya stated that "[whoever] decided to kill Lasantha wished to silence the dissenting voices in this country. This is therefore is a symbolic killing, not an individual's killing alone" (quoted in Handunnetti, 2009). Nobody has been prosecuted for Lasantha's murder. In his last editorial, he decries the use of "euphemism" and states that his newspaper refused to seek "safety by unquestioningly articulating the majority view" (though "that is the way to sell newspapers") and directly addresses Mahinda Rajapaksa as he describes how journalists "walk in the shadow of death that your Presidency has cast on the freedoms for which you once fought so hard" (Wickrematunge, 2009). At the *Sunday Leader*, he proclaimed, "we say it like we see it: whether it be a spade, a thief or a murderer, we call it by that name" (Wickrematunge, 2009). He paid the price for straying from the state-sanctioned lexicon.

2.15 Conclusion

This chapter has offered a portrayal of the state of terror existent in Sri Lanka, the atrocities perpetrated throughout the war and at its End, and provided an introduction to state techniques of denial and reinterpretation. Exceptionalism, counter-terror legal mechanisms and clandestine methods of eliminating and silencing dissenters have contributed to the Rajapaksa family's enjoyment of complete impunity. The state of exception established in Sri Lanka is defined by structural violence against ethnic Tamils. Within the national security paradigm created under the Rajapaksa brothers, we have seen militarisation of society, expansion of the power of the Executive Presidency and nepotistic appointments to powerful positions – political and otherwise, abuses of power, impunity for wrongdoing, attacks on the

judiciary and the rule of law on political grounds, and institutions such as the Human Rights Commission exposed for their dormancy.

The narrative of humanitarianism, counter-terrorism and Sinhalese triumph put in place at the End is sustained in the post-war period. What are the implications for the Tamil community and Sri Lanka's political future? Marguerite Feitlowitz, in her work on the legacy of Argentina's Dirty War, explores the relationship between violence and language and offers a set of questions pertinent in the Sri Lankan context:

> "When history has been erased, can it be recovered? When known torturers are said to be heroes, what happens to the minds of those they injured? When the language itself has been tainted, what must we do in order to speak?" (Feitlowitz, 1998: xi?)

With an eye to the future, Feitlowitz's (1998: 62) contention that "repression lives on in such aberrations of the language, in the scars it left on the language" seems relevant. By examining the historical and politically expedient development of national discourses in Sri Lanka, this thesis interrogates the "contamination of history" (1998: 90) and the struggle of the Tamil community to author their own stories "in relation to representation that seek to impose a different kind of truth on them" (Das et al., 2000: 13).

Chapter Three
Accountability, Denial and Reconciliation

3.1 Introduction

This chapter explores the post-war landscape from the perspective of the Tamil minority. Beginning with the initial post-war 'screening' process, where victim-survivors of the final six months of the war ('the End') were detained in 'welfare camps' by the state, the following argument relies on interviews describing the militarised environment inhabited by the Tamil population in the Northern Province. The state is re-marketing the armed forces in the post-

war phase as a benevolent, positive presence in the North, involved in infrastructure development, economic growth and the 'rehabilitation' of ex-LTTE cadres (Satkunanathan, 2013). This chapter problematises this discourse by drawing on the narrative of the Tamil people interviewed, who experience post-war life as a military occupation designed to suppress Tamil political and cultural life. International advocacy and political engagement demands that the Sri Lankan state pursue accountability measures for war crimes committed at the End and a genuine reconciliation process. This chapter interrogates state action in this regard as a performance – both in discourse and praxis – with militarisation and denial at its core. Adopting a view 'from below' through the narrative of the Tamil population, this chapter argues that post-war developments indicate the evolution of a national security state. Post-war, the hierarchy of power has been reconfigured and reproduced with Sinhala-Buddhist nationalism at its peak, reinforced by a new logic of triumph over terrorism. The marriage of Sinhala-Buddhist nationalism and militarism continues, borrowing heavily from discourses of reconciliation and development designed to pacify the 'international community' and appeal to actors implicated in global governance and aid frameworks. The impact of international forces on the local logic of 'securitised development' (Goodhand et al., 2011) in the post-war environment are described and analysed.

3.2 After the End: Detention in "Welfare Villages"

Witness-survivors of the End were immediately processed, screened for links to the LTTE and held for up to three years in military-run "welfare villages" (MOD, 2009). David Keen (2013: 10) argues that this was "a dramatic practical expression of the fact that the Tamil population as a whole was considered suspect." He notes that mass detention was also a form of state propaganda: the detention and screening process could itself be taken "as evidence of the intensity of the threat" in order to justify the measures as 'necessary' (2013: 10). INGOs likened these temporary structures for the internally displaced Tamils to "internment" or "detention" camps (HRW, 2009a: Amnesty, 2009; Crisis Group, 2010) and international critics equated them with concentration camps (Schalk, 2009; Roy, 2009). Interviewees critical of the government described the Tamil people as being *"herded into camps"* (AS, 2012) described as *"prisons"* (AHB, 2012) and *"hell on earth"* (SH, 2012). More muted critics described how *"the camps were unable to cope"* (SB, 2012) and that although they were *"an administrative horror"*, they were *"not a horror story"* (MS, 2012). Demonstrating "the continuing crisis of engagement between the Sri Lankan

state and humanitarians", many governments expressed concern over the lack of access granted to the UN; INGOs and human rights observers argued that this internment was a violation of human rights and illegal under international law (Harris, 2010:8). The state's response was that detaining the internally displaced persons (IDPs) was legitimate as a national security measure, entirely defensible under international humanitarian law and a necessary, albeit unpleasant, condition of post-conflict transition (2010: 8). Laleh Khalili (2013: 66) argues that confinement in counter-insurgencies relies on the idea of the law as a constant: a trope that liberal warfare relies upon in making, unmaking and shaping counterinsurgency detentions. Khalili (2013: 66) argues that this trope and the complex and dialectic ways in which it is invoked "conjure legitimacy out of atrocity". The internment of civilians is allowed under international humanitarian law as a legitimate security measure during periods of armed conflict (Brav at al., 2007). Walter Kälin, the UN representative on the human rights of internally displaced persons, reiterated this point during a visit to Sri Lanka in September 2009. He emphasised that it was necessary to strike a balance between security concerns and IDP rights (Harris, 2010). Preventive detention and the comprehensive ability of the Sri Lankan forces to arrest and detain was legally constituted under the state's domestic emergency framework.[56] Invoking this framework, the state created 'High Security Zones', forcing individuals into displacement and restricting their movement, and legally justified the mass internment of Tamils as potential members of the LTTE (IDMC, 2011).

Harris (2010: 8) argues that assessments of legality must ask whether Sri Lanka's internment of Tamil civilians was a justifiable response to a genuine security threat, with due regard to the standard of protection mechanisms. Khalili (2013: 66) contends, however, that the legal basis of spaces of detention such as these camps illustrates the differential application of law in line with the contours of power. [57] She argues that legal definitions in counterinsurgencies create "fictive or concrete legal liminal spaces"; the attendant legal techniques define categories of people to whom the law applies or not, and the spaces defined by law are characterised by detainees who are rendered "invisible and inaudible to law" (Khalili, 2013: 66). In liberal warfare, the language of legalism is adopted to replace legal

[56] Made up of the Emergency Regulations and Prevention of Terrorism Act.

[57] Keen (2013: 11) argues that while aid workers such as Simon Harris seemed to support the mass internment, that support was possibly the result of being "'socialised' into a highly coercive environment", an argument that is supported by the UN self-critical report of its humanitarian operations in Sri Lanka at the End (UN, 2012).

procedures with exceptional administrative procedures, an instrument of legitimation alongside military power that can become a malleable tool in the service of the state (Khalili, 2013: 67). The Sri Lankan state, in an act of 'interpretive denial' that relied on legalism (Cohen, 2001), couched the establishment of detention camps within the language of humanitarianism. The final phase of war created 280,000 internally displaced persons, with humanitarian needs.[58] These 'welfare villages' also drew their legitimacy from the emergency framework and discourse of counter-terrorism. The camps were spaces of preventive detention as the state screened for LTTE cadres, spaces devoid of transparency and accountability, and marked by terror, insecurity and poor hygiene (SH, AS, 2012; Amnesty, 2009). A psychosocial worker described the effectiveness of the government's propaganda and interpretive framing, which was capable of suppressing the horror experienced by the detained IDPs:

> *"There were very few photographs coming out of the camps, and an incredible disjuncture between the conditions in camp and the projected image by the government. Very poor physical conditions – toilets, cramped spaces, etc. But also the experience of being imprisoned, the betrayal by both groups, the separation of families, the sense of being dehumanised; these experiences were not represented in NGO reports"* (AB, 2012).

The Asian Human Rights Commission (2010: 10) described the camps as a manifestation of the current reality in Sri Lanka: citizens are not subject to the rule of law but only to the political power of the Rajapaksa government. On 25 September 2012, Menik Farm, the largest of the camps, was officially closed (UNHCR, 2012). Though the government has pointed to this closure as a centrepiece of post-conflict efficiency and commitment to resettlement, the lack of reliable information on the number of IDPs, their locations, and their access to displacement-related needs and rights has masked a "hidden displacement crisis" (IDMC, 2012).[59] The presence of the military in the Northern Province has complicated this crisis, as "High Security Zones" are

[58] The UN (2012: 18) noted this figure was unexpected: the state's underestimation "buttressed arguments against increasing humanitarian convoys and was later used to rebut reports of high civilian casualties". The number of actual IDPs was "an indication of the scale of inaccuracy in the national Government's figures."

[59] IDMC reported in October 2012 that 115,00 people were still displaced. 11,000 people displaced before April 2008 were living in camps, more than 1,000 IDPs displaced after April 2008 were in transit situations in return areas, unable to go back to their places of origin and more than 103,000 people displaced both before and after April 2008 were staying with host communities (IDMC, 2012).

maintained, "Economic Development Zones" are established and the military benefits from land formerly inhabited by Tamil residents (Crisis Group, 2012; WAN, 2013; IDMC, 2012).

3.3 Militarisation: Economy and Security in the Post-war North

Sinhalese political scientist Jayadeva Uyangoda (2003) delineates between a 'positive peace' and a 'negative peace' and argues that cultivation of the former requires a more critical engagement with the connection between politics and economics. While a 'negative peace' is the mere absence of war and involves "basically a conflict management, pragmatic approach", a 'positive peace' would involve "the eradication of conditions that produced, and may reproduce, the conflict" (2003: 5). The transition from war to 'peace' in Northern Sri Lanka has been defined by a state policy of 'securitised development': "a combined package of military containment and economic growth" with which the government has attempted to placate the Tamil population (Goodhand et al., 2011: 16). Merging projects of reconciliation, development and militarisation, the government's vision for the future of the Tamil-dominated areas was announced immediately post-conflict in 2009, in a statement from the Northern Security Forces Commander: "security forces in the North will be engaged in a new role of developing the region" (quoted in Satkunanathan, 2013). It is indicative of the militarisation of society in Sri Lanka that the military's reach into economic and social life in the post-war Northern and Eastern provinces has gone largely unchecked, a pattern not unique to Sri Lanka. Kennedy (2012: 164) observes that today's militaries "are linked to their nation's commercial life, integrated with civilians and peacetime government institutions, and covered by the same national and international media." For Neloufer de Mel (2007a: 241-2), insufficient academic attention has been paid to how militarisation in Sri Lanka is embedded in institutional and ideological structures that shape factors both on the battlefield and beyond. This is problematic in the North and East particularly due to the military's ethnic make-up as a primarily Sinhala institution (de Mel, 2007: 61).

The ideology of militarism, de Mel (2007a) argues, has seeped into daily life in a manner that has brought naturalisation. As the most visible entity associated with the defence of national security and a primary recruiter to this cause, the military "occupies the public mind" at a time of war (de Mel, 2007: 58). The Sri Lankan state has employed advertising agencies over the years of

war to draw the youth to military service and, in the process, disseminated the ideology of 'just war' to the population and supported the 'War for Peace' security paradigm.[60] Drawing on flattering and aspirational virtues to attract the male Sinhala youth, recruitment drives for the military contained justifying narratives in support of warfare against the 'demonic' and 'warmongering' LTTE. [61] In advertisements and docudramas aimed at potential recruits, the war was framed as necessary because the LTTE only spoke the language of destruction and terror. The Sinhala armed forces, therefore, although they follow the Buddhist teachings of peace, were presented with no alternative but to uphold their civic responsibility to counter this demonic force and protect innocent civilians (albeit of their own ethnic kind) by summoning their bravery, manliness and patriotism (de Mel, 2007: 66). Military advertising promoted the "myth of the war and the military as transformative, uniting, sacred" (2007: 88). Militarisation is viscerally embedded in the average Sri Lankan's experience of daily life (de Mel, 2007).

The "colossal" military expenditure over the years of war has left the country in debt, yet the post-war military budget has increased and further recruitment to the defence forces ranks was announced and pursued (Bopage, 2010: 358; Lindberg and Orjuela, 2011; Keen, 2013). National security, including preventing the re-emergence of armed rebellions, is one motivation cited for these increases. There is, "virtually no data published on the extent of military employment, and consequently very little analytical or policy discussion of its repercussions" (Venugopal, 2011: 72). Venugopal (2008, 2009) argues that the state has relied on war and high levels of military mobilisation to defuse social tensions, particularly in the south. The employment opportunities offered by the military counterbalances the lack of alternative employment, as the labour market has failed to keep pace with progress in education and neoliberal economic reforms (Venugopal, 2009). Including the police force and paramilitaries, the security sector increased tenfold from 1982 to 2002, from 15,000 to 150,000 (Venugopal, 2011: 72). This expansion of the security forces has economically benefited the majority Sinhalese as this groups makes up 97 per cent of military employees (Santhirasegaram, 2013). An estimate of troop figures is unavailable, and contested by civil society

[60] "War for peace" was the slogan adopted under the Presidency of Chandrika Bandaranaike's People's Alliance government.

[61] The recruitment advertisements were, from the 1980s to the End, primarily in the Sinhalese language, illustrating the ethnically charged and homogenous make-up of the ranks since the 1983 anti-Tamil pogrom (de Mel, 2007). The singular language of the notice is a loaded silence.

organisations and the state, but sixteen of the military's nineteen divisions are deployed in the Tamil-dominated regions (*The Hindu*, 2012). A moderate estimate based on division strength would suggest that 85,000-86,000 soldiers are deployed at present in the North and East (exclusive of the Navy and Air Force). There are seventy military camps established in the Northern Province, all highly visible to the local population from the region's primary roads (BTF, 2014).

Post-war, the size, resourcing and presence of the military are justified as necessary for "development work", particularly infrastructure (Rajapaksa, G. 2009). Budget expenditure for the year 2013 allocated 290 billion rupees ($US2.2 billion) to the Ministry of Defence and Urban Development, representing a 26 per cent increase from 2012: the country's highest-ever military expenditure (WSWS, 2012). The expansion of the military in the North has included taking on reconstruction and development projects, opening businesses, sequestering large tracts of land from local owners, undertaking the institutional rehabilitation of ex-LTTE cadres and monitoring the reintegration of those individuals into society, and overseeing all economic and social activity in the region unofficially and in positions of civilian administration (PJ, YO, MR, AH, RF, KD, 2012; IDMC, 2012; Crisis Group, 2012). Since May 2009, the state forces have forcibly occupied more than 7,000 square kilometres (37%) of the land owned by the Tamil people of the North (Sumintharan, 2011). [62] The state's Lessons Learned and Reconciliation Commission Report (discussed below) identifies the establishment and maintenance of 'High Security Zones' as detrimental to reconciliation and the achievement of justice for the Tamil population displaced from their local areas (2011: para. 6.11). Yet, the post-2009 trend has been to consolidate the militarisation of the North.

The astonishing number of military camps dominating the Tamil areas also contributes to the theory that the government has a long-standing plan to change the ethnic composition of those areas, thereby undermining Tamil separatist claims (LG, JP, KG, 2012; Lindberg and Orjuela, 2011). While Tamil interviewees expressed concern about the prospect of state-sponsored Sinhalese colonisation of the Northeast (YT, KG, SP, ST, 2012), the state's response has been to emphasise the right of any ethnic group of Sri Lankans

[62] In a report submitted to Parliament, the TNA MP and lawyer stated that, "out of a total land mass of 65,619 sq km, Tamil people inhabited 18,880 sq km of land in the North and East, but after May 2009, the defence forces have occupied more than 7,000 sq km of land owned by Tamil people" (quoted in Perera, 2011).

to settle anywhere in the country.[63] The Chairman of the Resettlement Authority, Buddhi Passaperuma, asserted that Sinhalese families being settled in the North were previous landowners from the region who were displaced by the LTTE in their drive to create an ethnically pure region in the North. Drawing on a rhetoric of 'charitable reconciliation', he stated that:

> "The government does not want to make resettlement of displaced Sinhalese an issue. When we have done so much for the Tamils after liberating them from the clutches of a ruthless terrorist organization it is a pity to note that the same Tamils are accusing the government of attempting to Sinhalise the North" (Passaperuma, 2013).

The land redistribution policies orchestrated in favour of the state and military contribute to ethnic and religious repression; the meaning of the territory is altered and minority communities are politically marginalised. The logic of national security and normalised militarisation is redesigning the local landscape and depriving the people of their land. The process is an assault on both the private property rights of the individuals involved and on the Tamil community's historical claim to the Northeast as their homeland.

Further, the military is deeply implicated in the process by which NGOs are registered and controlled by the state, an administrative arrangement that illustrates the centralisation and securitisation of civil society initiatives and the level of surveillance faced by associated actors. The NGO Secretariat monitors the activities of such organisations. In a "simple change of administration" in 2010, the NGO Secretariat was moved from the Internal Affairs Ministry to the Ministry of Defence and Urban Development (Hullugalle, 2010). The expansion of this Ministry's purview into development and civil society surveillance is consistent with the logic of the national security state. The military's jurisdiction in this regard is naturalised at the praxis level: *"Each Divisional Secretary division has a monthly meeting with the military – they speak about budget, activities, programmes – [NGOs] have to get permission for everything"* (NR, 2012). Further, *"the Government Agent can change the mandate and restrict activities. It is hard work to have a programme implemented as planned – they [the state] are scared of training, workshops. Everything has to be reported"* (NR, 2012). There was consensus among Tamil interviewees in

[63] The problem for the Tamil population of the North, according to Sinhalese activist interviewees, is the perceived official policy of Sinhalese settlement and the political implications of such a policy, rather than individual families of Sinhalese people choosing to settle in the North (JP, RF, 2012).

Jaffna, Trincomalee and Batticaloa that no public events whatsoever can be organised without military clearance (FY, MR, MSB, AHB, NR, YO, PSJ, SM, SP, 2012). A political science academic in Jaffna explained that it is an effort to suppress civil society initiatives:

> *"Civil movements in Jaffna are powerless. They exist in namesake but cannot go beyond a certain limit. We have to get permission from the government to hold any kind of function…including cycle races and that kind of thing – they had to get permission of the army and the army attended and watched. They wanted to make sure that nothing else was going on"* (PSJ, 2012).

AH, a international NGO worker in Batticaloa contended that the state has no legal right to demand detailed submissions on NGO activity to the military: *"the NGOs shouldn't be doing it, although they are requested to do it and feel they don't have an option. Every NGO has to make its own decisions in this regard"* (AH, 2012). The state security apparatus, she asserted, is *"attempting to build a picture of the histories of all NGO staff, building profiles and surveillance networks"* (AH, 2012).[64] Again, jurisdictional lines are blurred and the military's powers are expanded in the name of national security.

Interviewees in the North were quick to declare that though the war is over, the conflict continues in a different form: *"There is still no political solution. The situation is getting worse and worse"* (PJ, 2012). *"The dynamics of violence are still there, below the surface"* (MSB, 2012). For AHB (2012), a journalist and social service provider, the war constructed a *"big machine"* that continues to operate in society: *"the police, the military, the economic system, and we are all under the grip. People are grasped by the machine, they have no relief after the war."* The deep structure of militarisation that has taken root in Sri Lanka relates not only to the employment of soldiers and the arms trade but has also supported "a wide variety of constituencies and characters – politicians and political parties, traders and entrepreneurs, military and guerrilla groups active in the protracted conflict itself" (Uyangoda, 2003a: 8). There is a hidden economy operating under the surface of the overarching military structure, consisting of multiple actors such as arms dealers and businessmen who profit from warfare (Rajasingham-Senanayake, 1999: 57-59). The existence of these actors, Uyangoda (2003a: 8) explains, was "intimately linked to the economic and material gains they make in, and by means of, war and conflict"; these

[64] See the Law Library of Congress (2014) for a summary of Sri Lanka's NGO legal framework and purported changes.

contributed to the conflict's perpetuation. Sri Lanka has not had a formal or systematic demobilisation or disarmament process. Consequently, illegal small arms and light weapons are prevalent throughout society and are a major cause of insecurity, particularly for women (ICAN, 2013). The war economy has been upset by the transition to 'peace', throwing up an underground economy and black market in violence (LG, MSA, 2012) and corruption in construction contracts, tourism and development projects (MR, AH, FY, AS, PK, TA, YO, 2012). Reconciliation and reconstruction projects "*became a beggar's wound for the government*" (MR, 2012) in attracting international aid. Interviewees spoke of endemic corruption in the allocation of such funds (AS, YO, PJ, 2012). Transparency International Sri Lanka stated in 2007 that its investigations had revealed a gap between the amounts disbursed by foreign aid agencies and what was spent on relief and recovery projects since the 2004 tsunami, calculating a missing sum of Rs 53,597,253,625 - roughly US$535 million (*IRIN News*, 2007).

The post-war economic system is ethnocratic: the system facilitates ethnic control of power and resources, constituting a process by which the Tamil minority are oppressed and dispossessed by "the tyranny of the majority" (Yiftachel, 2014). As noted by Woost and Winslow (2004: 203-4), development can "open up new spaces for violence and political manipulation as new resources become the object of desire up and down the hierarchy of agency." Ethnicity is the key to power and resources, causing distress and hardship for the local Tamil population (MT, FY, YO, MR, 2012). The creation of 'High Security Zones' - blocking access to land and sea - and the military's involvement in economic life undermine crucial forms of livelihood and food security (VV, 2013; FY, 2012; MRG, 2010: 14; Yiftachel, 2014; Adnan, 2014). Sinhalese business people from the south (and international capital) have attained control of the finances of the Northern Province: "*The whole of the rural economy is gone out of the grip of the rural population*" (MR, 2012). Militarisation is at the centre of the economy. A senior Tamil civil servant argued that the state wants "*to create a self-sustaining, self-financing army; that is the strategy*" (MR, 2012). While military-run and Sinhalese businesses flourish, FY (2012) described the laborious paperwork process that local Tamil fishermen must undertake, one that "*makes them feel like they are under military surveillance.*" "*It is discrimination*" (FY, 2012). The procedures mean that it is particularly difficult for displaced Tamils to attain fishing licences (IDMC, 2011: 7).

Pakiasothy Saravanamuttu, a prominent Colombo-based civil rights activist and the head of the Centre for Policy Alternatives, stated in June 2013 that his "concern is that the trajectory of developments, since May 2009, has largely been in the direction of the sustenance and reproduction of the roots of conflict" (Saravanamuttu, 2013). Interviewees spoke of the 'Sinhalisation' of the region by the government, with the military as its proxy in the North (FY, LG, JP, MG, RF, 2012). The term 'Sinhalisation' encompasses occupation by the primarily Sinhalese army; demographic change by settling Sinhalese families in the North; re-naming roads and areas in the Sinhalese language; and building Buddhist stupas in traditionally Hindu or Christian areas (SP, TA, KG, ST, PJ, 2012; RD, 2013; Majeed, 2012). These actions are acutely symbolic in nature, directed by Sinhala-Buddhist coalition politicians, primarily from the Sinhala Heritage Party (the JHU). Champika Ranawaka, for example, is alleged to have abused his ministerial powers as Minister of Environment to secure land allocations for Buddhist temples (Majeed, 2012). These practices demonstrate the continuing suppression of Tamil cultural modes of being in favour of Sinhala-Buddhist practices. The changes in the region since the End are viewed by local Tamils as cultural decimation and exercises of colonisation. Physical landmarks support the Sinhala-Buddhist nationalist project (LG, EV, RK, 2012). It is symbolic that the soldiers themselves provide the manpower in constructing triumphant war memorials. State officials interviewed described how the armed forces are literally building the new Sri Lanka, constructing memorials and Buddhist stupas and working on infrastructure and housing projects (LH, BP, 2012). The Sinhalese-dominated army that defended the nation from separatism and 'terrorism' is physically carving out the 'reborn' Sri Lankan nation. A particularly striking feature of the process is the "rediscovery" of ancient religious and historical sites of Sinhala-Buddhist import in Tamil-dominated areas, described by Adnan (2014: 10) as "a state sponsored rewriting of history, re-categorising, something that you call re-territorialising." The influx of archaeological teams to the Northern Province since the end of the war has furthered the Sinhala-Buddhist state's project of destroying the concept of a traditional, historic homeland of Tamil Eelam.[65] While these studies may be authentic, they are politically appropriated in the service of Sinhala-Buddhist domination.

[65] See for example the study carried out by Jinadasa et al. (2013) of the Department of Archaeology that found "recently discovered archaeological sites showing evidence of Buddhism in Mullaitivu district." Out of 87 sites examined by the study – accessible only in the post-war period, 42 sites revealed the evidence of Buddhism.

The size of the military, in terms of the number of soldiers employed and deployed, is justified in the post-war phase by the forces' involvement in development work. The state claims that the huge task of reconstructing the Northern Province can only be handled by the military in a disciplined, efficient and structured operation. As stated by a senior Tamil UN policy worker, "t*o justify it, what they say is efficiency. The military is much more efficient, the military is not corrupt*" (AS, 2012). Noting that the military is heavily involved in civilian operations, a senior international aid official argued that though the military might be *"more efficient…this is not good enough and not valid four years after the war. This is problematic for reconciliation"* (RD, 2013). The same argument of efficiency was made in relation to the management of the IDP camps immediately post-war. A Sinhalese-Buddhist newspaper editor agued that *"only an institution like the army"* could manage the large population of displaced persons contained there (MS, 2012). The state has built up the military to be the most powerful, well-financed institution in the country, with unrivalled resources and manpower. The fear psychosis generated by national security rhetoric justifies the growth of the military and feeds on the fears of a war-weary and terrorised population, to the benefit of the increasingly powerful Secretary of Defence, Gotabhaya Rajapaksa, and his brother, the President. In 2010, the Rajapaksa brothers, including a third brother – Basil, the Minister for Economic Development - were estimated to be in control of about two thirds of the national budget (DeVotta, 2010: 335). The expansion of the army serves to "enhance the power of military commanders and the Defence establishment, which would otherwise be reduced in peacetime" (Hensman, 2009).

The structural violence facing the Tamil population under the 'securitised development' policy (Goodhand et al., 2011: 16) includes "violent attacks, crimes of mass atrocities, demographic changes, militarisation of Tamil territories, forcible evictions, internal displacements, extinction of cultural values of Tamils, denial of food and other livelihood disasters" (BTF and APPGT, 2014). The system of surveillance includes special registrations of people, requiring notice to the security forces of impending guests or public meetings, including religious meetings (Sumanthiran, 2011; MT, PJ, YT, 2012). Perera (2011) describes the impunity surrounding state or military officials accused of wrongdoing in the Tamil-dominated areas. The Tamil community have no avenues of legal redress available to them, nor strategies to counter the military domination of social and economic life. In this context, Tamil interviewees emphasised the fallacy of a discourse of 'reconciliation' (FY, SP, MT, 2012). The unofficial military occupation of Northern Sri Lanka, and the encroachment of the military into every sphere of civilian life, is portrayed by

the state as benevolent, progressive and natural. This portrayal attempts to civilise the violence and repression inherent to occupation.

Pressure to withdraw the military increased in 2013, as the community, groups of lawyers and human rights organisations raised awareness of the issue. Newly established 'citizens committees' have orchestrated the peaceful storming of the office of the Governmental Agent to demand inquiries into land grabs (VV, 2013), and rights groups have filed cases in court to contest the military occupation of land (WAN, 2013; CPA, 2013; *Colombo Telegraph*, 2013). In May 2013, a group of Jaffna-based lawyers and Colombo-based lawyers contested in the courts an order issued by the government, seeking to legally (re-)acquire land owned by the petitioners which was seized as a High Security Zone during the conflict. Jaffna-based lawyer and activist, Guruparan Kumaravadivel, speaking at a press conference in Jaffna on the topic of the legal actions, said that a writ-application had been filed by the TNA and a group of Colombo-based lawyers on behalf of "around 1474" petitioners, requesting that the Court of Appeal halt the government's attempt to legally acquire lands in the Valikaamam North area, pursued under the Land Acquisition Act (Guruparan, 2013). This legal action demonstrates local opposition and resistance to militarisation. It showcases the community's rejection of the logic of national security and normalised militarisation that has redesigned the local landscape and deprived the people of their land.

3.4 A Charitable Peace, a Benevolent State

The official state and military rhetoric is one of benevolence towards the Tamils, a discourse of humanitarianism and 'helping' the people to rebuild their lives, where the military plays a "a symbiotic role with the community" (Peiris, 2013). This discourse masks the violence of occupation and displaces the language of social, political and economic rights. It is an extension of what David Keen (2013: 5) terms the "pervasive language of care" employed by the state at the End, a language that proved entirely consistent with the large-scale killing of civilians. Post-war, an international aid worker posited in an interview, the armed forces may *"have good intentions…they are acting out of charity but people don't want charity, they want equality"* (RD, 2013). He spoke of the *"unhelpful"* attitude within the military and government of *"we'll give you this and that – you should be grateful"* (RD, 2013). In this national security paradigm, the Tamil people are reduced to recipients of the state's gracious gifts to them, not individuals with rights to whom the state has a

responsibility. The Tamil war-affected population are, in turn, expected to respond with gratitude and servility (Satkunanthan, 2013). RD (2013) termed the process "*a charitable reconciliation*." However, just as the "language of care" provided a "smokescreen behind which massacres could be carried out" at the End (Keen, 2013: 5), the Tamils experience the military's role in reconciliation as violence.

Ambika Satkunanthan argues that the militarisation of the Northern population - including military involvement in education, the establishment of cadet corps in schools, encouraging recruitment into the army and offering employment in the Civil Defence Force – is core to the state's reconciliation strategy.[66] Drawing the youth of the North and East into the military's ranks is a method of remedying the problem of unemployment in the region. Employment within the Sri Lankan armed forces has long been a respectable and relatively well-paid option for the rural Sinhalese youth (Lindberg and Orjuela, 2011; Gamburd, 2004). The civil war, Venugopal (2011) notes, perversely became an important source of livelihood diversification, asset accumulation and poverty alleviation for the rural Sinhalese population. The government's economic plan for the country continues to rely on the military as a major employer. In 2000, Sri Lankan Tamils made up 1.4% of the military (World Bank, 2000). The Ministry of Defence has, post-war, recruited 'rehabilitated' ex-LTTE cadres and women in the Northern Province for roles in the Civil Defence Force and army administration. The Women's Action Network has raised concerns about the coercive and misleading recruitment of Tamil women to the military (WAN, 2012). This coerced recruitment can be understood as an aspect of performing reconciliation for the international community. Recruitment of Tamils to the armed forces in the North and East has propaganda value for the state. It also serves to undermine war crimes claims against the state forces. In an army news report in December 2013, the "passing out" of 45 Tamil women was described:

> "Endorsing the concept that Sri Lanka runs as 'One Country - One Nation', the recruitment of Tamil woman soldiers to the Army, marked a new turning point in the history towards further strengthening of ethnic harmony, reconciliation, co-existence and broader

[66] The Civil Defence Force offers employment in agriculture and other vocations but is managed by the Ministry of Defence. It was originally organised as a voluntary 'village protection' force in the 1980s but revitalised by Gotabhaya Rajapaksa from 2006 (Rajith Perera, 2011)

understanding among both Sinhalese and Tamils" (Sri Lanka Army, 2013).

The message to be surmised from filling the ranks of the Sri Lankan army with Tamils is clear: would Tamils join an institution that committed mass atrocity against its own people? It is a powerful demonstration of reconciliation in fitting with the state's policy of glorifying and exonerating of the military.

3.5 The Military and Rehabilitation

The 'rehabilitation' of ex-cadres in military-run camps is a cause for concern raised by several human rights organisations (AI, 2012; Crisis Group, 2011; ICJ, 2010). The military's remit in this regard has precedent in the period immediately post-tsunami in 2004. Under the Miscellaneous Provisions (Part 11) of the Public Security Act, the military was deployed to Tamil-dominated regions to run welfare camps and distribute aid to the affected populations (de Mel, 2007). The same Act allowed for the appointment of military personnel to disaster-related task forces and provided the military with power to undertake police functions. Symptomatic of the state of militarised exception, the military has maintained this role. In line with Mullin's (2014) definition of the national security state, jurisdiction and the civil-military divide is blurred. Emergency Regulation 22 provides for "rehabilitation" and requires either a written statement by the person indicating that the surrender is voluntary or a Court Order mandating rehabilitation following conviction of a listed offence (quoted in AI, 2013). [67] The detainees subject to rehabilitation have been subject to no criminal trials that might legally authorise their detention.[68] Amnesty International raised these concerns in its 2013 "Locked Away" report. The International Commission of Jurists (2010: 3) describe the rehabilitation programme as perhaps the "largest mass administrative detention anywhere in the world". Arguing that "[p]olitical expedience and secrecy have tended to take precedence over legality and accountability", ICJ (2010: 3, 4) problematise the state's reliance on "emergency regulations and counter-terrorism legislation that fall short of

[67] In case of a voluntary surrender, ER 22 does not provide for legal representation. Where the rehabilitation is Court Ordered, the person is entitled to legal protection.

[68] The Supreme Court of Sri Lanka ruled in 2011 that lawyers must be given access to clients in the camps, in response to a fundamental rights petition filed on behalf of an individual detained for rehabilitation in the Boossa camp (*BBC Sinhala*, 2011).

international law and standards" and effectively consign detainees to a "legal black hole".[69] According to Crisis Group (2011), 11,696 LTTE cadres were immediately detained in these centres. The majority of those detained have now been released, with 232 remaining in detention at the time of writing, according to General Jagath Wijethilake, the army's top rehabilitation official (quoted in the *Times of India*, 2013). Prolonged and indefinite administrative detention without charge, ICJ (2010) warned, may amount to individual and collective punishment without charge or trial, contrary to Article 9 of the International Covenant on Civil and Political Rights (ICCPR).[70] External monitoring of the camps was restricted; while the ICRC was allowed access, private meetings with ex-LTTE cadres were not permitted (TAG, 2014). There has been no domestic outrage over the lack of due process afforded to the detained individuals (Valkyrie, 2010). This is an indication of how "the assumption of extraordinary powers and measures by the State have become normalised as a part of everyday life" in Sri Lanka (Welikala, 2008: 237).

Officials speak with pride about Sri Lanka's "success story" of rehabilitating ex-terrorists as an appropriate model to be adopted by other countries with similar conflicts (Hettiarachchi, 2012). The programme has six distinct components: religious and spiritual rehabilitation; educational rehabilitation; vocational rehabilitation; social and family rehabilitation; recreational rehabilitation; and psychological rehabilitation (Abeygoonasekera and Gunaratna, 2012). The process of rehabilitation consists of education programmes, meditation and spiritual guidance, artistic projects, sports, counselling and practical vocational training while in detention (Selvakumar, 2013). The rehabilitation centres were entirely run by the military. It is a programme set out and administered by the victors for the defeated (TAG, 2014). The Sri Lankan media suggests that gratitude is the appropriate response from the detainees: the state spared their lives and provided access to vocational training and other services (Valkyrie, 2012). Rather than executing the "terrorists" "on the presumption that they cannot be reformed and rehabilitated", as happens in other countries, the Bureau of the Commissioner General of Rehabilitation declares, the state realised that "the terrorists are human beings whose minds were distorted, and hence

[69] ICJ (2013: 4) note that the Prevention of Terrorism Act No. 48 (1979) (PTA) provides the substantive grounds for detention, authorising preventive detention "under patently vague and overbroad grounds for up to 18 months (s.9) and indefinitely pending trial". This is the legal basis relied upon where the detainee is merely suspected of association with the LTTE rather than of committing offences.

[70] The ICCPR was ratified by Sri Lanka in 1980 and its Optional Protocol in 1997, holding that "no-one shall be subjected to arbitrary arrest or detention" (article 9).

misguided, could be reformed and could be rehabilitated to enlist their services as useful citizens of the country" (BCGR, 2013: 2, 3).

Concerns were raised within Tamil groups regarding the nature of spiritual and counselling programmes for detainees in rehabilitation centres. These were designed with "a view to changing their destructive ideology and mind-set which they had acquired due to being brainwashed by the LTTE" (Hettiarachchi, 2012). The programmes sought to "inculcate human qualities in them" and prepare them for reintegration into their communities and into a unified Sri Lanka (Hettiarachchi, 2012). This language of bringing the "terrorists" back to humanity is an extension of the state's demonisation of the LTTE, which has consistently rejected and undermined the separatist ideology and political goals of the organisation. Brigadier Hettiarachchi refers to Tamil "discipline" as an important outcome of the rehabilitation process. On release, the Bureau is "confident that they will think twice before they take a decision to go against people" (Hettiarachchi, 2012).[71] Civil society groups have construed the spiritual and disciplinary streams of rehabilitation as efforts to "break" the LTTE cadres and to forcibly eradicate their separatist ideology (IRBC, 2011; TSA, 2013). TAG (2014) construes the process as one of "pacification": "one aspect of a coordinated plan of different actions aimed at the destruction of essential foundations of the life of the Tamil people of Sri Lanka." ICJ (2010: 12) reports that Buddhist meditation formed part of rehabilitation activities, despite Tamil observance of Hinduism or Christianity. The rehabilitation process is presented as humanitarian and altruistic, overseen by a President "guided by the Buddhist principles of forgiveness and compassion" (BCGR, 2013: 3). Critics have described the rehabilitation as "systematic ideological indoctrination in Sinhala nationalism" (interviewee quoted in IRBC, 2011). A commentator on the *Groundviews* citizen journalism site asks:

> "…in the absence of a transparent and comprehensive plan and monitoring by experts, are we to assume these programmes were formulated and implemented by the Brigadier who has no demonstrable expertise in the area? In which case, how can the

[71] See the Social Architects (2012) - a group of writers, intellectuals and working professionals (both Sri Lankan and otherwise). They analyse a questionnaire issued to detainees prior to release from each rehabilitation camp. The content of the questionnaire, TSA argue, is seemingly to assess "if a former LTTE member has even a strand of ideology, even a glimmer of independent or assertive thinking" (TSA, 2012). For TSA, this demonstrates that the state uses terror, intimidation and threat of detention in "rehabilitation" to submerge separatist ideology (TSA, 2012a).

> government state with confidence that the programmes adhere to international standards and address the needs of the persons at these centres?" (Valkyrie, 2010)

The state proclaims that ex-cadres emerge from the camps healed of LTTE "brainwashing" (Hettiarachchi, 2012). The notion that reconciliation is premised upon rejection of the LTTE's separatist ideology is indicative of the dominant force of the unitary state narrative. The political space for dissent is non-existent, loyalty to the state is forcefully imposed upon the ex-cadres in the 'rehabilitation camps' run by the armed forces and the 'rehabilitated' individuals are monitored closely on release into society (YO, ER, RF, 2012; RD, 2013; Amnesty; 2012; Crisis Group, 2012; TAG, 2014). The state narrative is one of rehabilitation and redemption, managed and orchestrated by a triumphant military. The objective of the process is to pacify the Tamils, politically and militarily (TAG, 2014). TAG (2014) collected evidence from seven interviewees who underwent torture in the rehabilitation camps, both physical and psychological, arguing that such treatment was systematic. In theory and execution, TAG (2014) argue, the rehabilitation process amounts to:

> "a systemic abuse of human rights, the scale of which has been masked by GoSL propaganda, the checks on independent access, and the fear, inculcated into those who have been put through rehabilitation – not to defy the State by speaking out" (TAG, 2014: 17).

By positing that Tamils can be 'rescued' from the LTTE's separatist ideology (as opposed to the violent practices of the organisation), the distinction between the LTTE and the Tamil community is emphasised. This distinction, initially drawn in the language of humanitarianism at the end of the war – the Tamil civilian 'victims' and the brutal, animalistic LTTE cadres – continues to be drawn upon. The distinction departs from the Othering that took place over the years of war, by which the Tamils, in counter-terror discourse and practice, were collectively considered suspect due to their ethnicity. Most Tamils, a state media representative declared, "*wanted to come back*" to normal life; they had not voluntarily joined the LTTE and wanted to return to their families and resume education (LH, 2012). Aside from the higher level LTTE cadres, who "*brainwashed*" the rest of the cadres or forced them to fight, the Tamils were "*very cooperative*" with the rehabilitation process and willing to return to normal society (LH, 2012). Faced with the problem of reconciliation, the state draws attention to what it purports to replace: the authoritarian rule

of the LTTE. The Tamils capable of 'rescue' from this ideology and willing to adopt the conflict narrative propagated by the state are the individuals welcome to partake in the national unity of Sri Lanka.

Creeping societal militarisation can be seen clearly in the process of rehabilitation. It is an extension of the government's reliance on military exceptionalism and an invasion of Tamil social life and private space. This strategy of nation building establishes the power base of the Rajapaksa brothers and cements their status as 'war heroes' in the continuing public deification of the military. Redefining the role and activities of the military as societal purveyors of care, charity and opportunity, the state justifies its disproportionate presence in the Northeast and infiltration into social and procedural life. According to a Sinhalese lawyer and political commentator, state-driven reconciliation processes are non-existent and the government's antagonistic actions, suppressing the interests and cultural integrity of the Tamil people in the post-conflict phase, are radicalising the Tamil youth (DD, 2013). While draconian security measures and the establishment of militarised spaces of exception have helped quell Tamil resistance, Keen (2013) predicts that these will inevitably fuel resentments in the longer term.

3.6 Military Intrusion into Private Life

The military's reach into everyday life is not restricted to institutional seizure, surveillance and occupation of the physical space. Controlling movement, association and expression, the military suppresses separatist ideology and commemoration of the separatist movement. The mechanisms of social control adopted by the state post-war have also included insertion of the military into familial and community cultural practices, such as weddings and religious ceremonies – a practice to which Pushpi Weerakoon of the Office of the Presidential Advisor on Reconciliation alluded with pride (PW, 2012). A religious civil society figure in Trincomalee noted that two army officers were helping with school band practice, as a *"battle of the bands"* competition between the schools would host Basil Rajapaksa later in the month (FY, 2012). Another striking example is the military-orchestrated mass wedding in a Vavuniya rehabilitation camp in June 2010, where 53 ex-LTTE couples were married (Haviland, 2010). With financial assistance from NGOs - the Hindu Congress, the Council for National Unity and the Rehabilitation Commission, the couples were then moved to private houses in a 'Peace Village', beginning married life together under rehabilitative detention

(Paranamanna, 2010; Haviland, 2010). Ensuring maximum publicity for the event, Bollywood film star Vivek Oberoi attended the ceremony and acted as witness to the weddings. Congratulating the newlyweds, he termed the ceremony "a celebration of humanity" and an indication of the government's dedication to rebuilding the lives of ex-LTTE cadres (Oberoi, 2010). Former Rehabilitation Commissioner Major General Daya Ratnayake announced plans to provide support to the couples to live independently on release, to include vocational assistance and financial aid. This assistance will come at the cost of "at least three years" surveillance for the couples, framed in benevolent terms as monitoring "how these couples are progressing in building their lives" (Ratnayake, 2010). The military in this instance orchestrated wedding ceremonies for the detainees - emotional, religious and highly personal occasions – within the walls of the rehabilitation camps. The value of this event for the state was the gratitude sought in return from the newly married ex-cadres, expanded control over social life and the normalisation of military involvement in the private affairs of citizens. The propaganda value of this event was sizeable. The story gained considerable news coverage domestically and internationally (Paranamanna, 2010; Haviland, 2010). Pro-government commentators interpreted the ceremony as an illustration of the "unique" nature of Sri Lanka's rehabilitation process (*One Sri Lanka*, 2011). The wedding ceremony was less an altruistic move in the government's politics of reconciliation than a further re-casting of the military as conveyors of family life and social recovery.

Sinthujan Varatharajah (2012) argues that Sri Lanka's post-war environment has seen the redefinition of the military and its activities to that of "carriers, protectors and preserves of civil society". The military has "invaded the land and intimacy of a people" by becoming involved in cultural ceremonies and re-narrativising its role in society to that of "a contributor towards the upliftment of a people" (Varatharajah, 2012). Overseeing the marriages of Tamils, the military intruded upon a traditional ceremonial performance of Tamil culture, an intrusion that should be seen as a "ceremony of possession" indicating "socio-political, socioeconomic and sociocultural occupation, colonization and oppression of Tamil land and people" (Varatharajah, 2012). In his analysis of the inclusion of a Sri Lankan military helicopter in a traditional Tamil ceremony at the Nallur Hindu kovil[72] in Jaffna, Varatharajah depicts the cultural assault underway by the military. Dropping rose petals on the population gathered at the kovil (as opposed to bombs over the course

[72] A kovil is a Hindu temple with Dravidian architecture.

of the war), the military helicopter overshadowed the ceremony with a symbolic act of domination, a striking example of what Jegananthan (1998) would term a "shadow of violence". The "sacred and intimate space of devotion and worship" of the kovil was intruded upon, representing an effort to suppress cultural traditions and to promote "shared worship" (Varatharajah, 2012). This form of religious practice is compatible with the Sinhala-Buddhist history of such practice in Sri Lanka, with the minorities historically in a weaker position in these arrangements (Varatharajah, 2012; Walters, 1995). Varatharajah explains the symbolic importance of the ceremony: a symbol of the continuity of Tamil Hindu culture in the island. Jane Derges (2012) isolates the same ceremony as an embodied expression of rage and despair, a resistant performance of Tamil identity in an environment of fear and silence. The military helicopter's involvement is a demonstration of power, military might and a will to overwhelm Tamil culture. The invasion of this space of resistance is representative of the military's threat to Tamil cultural and political space.

3.7 Denial, Retributive Justice and Reconciliation

Weinstein and Stover (2004) note the inferred relationship between justice - understood narrowly as trials and legal mechanisms of accountability - and reconciliation. Although the link between justice and reconciliation is suggestive rather than definitive (Nesiah, 2005) and not proven empirically, a legal process of accountability is the route demanded by international agencies and INGOs such as Amnesty International and Human Rights Watch who see the defeat of impunity as the primary prerogative (Gloppen, 2005). It is important to problematise the conception of justice promoted by the so-called international community in the Sri Lankan case, in order to examine the purposes for which 'justice' is being sought. In the pursuit of retributive justice against the Rajapaksa government for state-perpetrated war crimes at the End, the giants of the human rights industry and the organised Tamil diaspora are powerful actors, fluent in the workings of international justice mechanisms. These actors represent what Dillon and Reid (2001) describe as a "network" of social and political organisation. The form of self-orchestration embodied by this 'international accountability movement' is precisely what global governance seeks to encourage and, as described below, its innovative advocacy has certainly influenced the post-war trajectory. Traditional notions of sovereignty and the nation-state in international relations and international law have been significantly altered by the emergence of transnational actors on the world stage, including private sector

entities such as multi-national corporations, NGOs and activist networks. Global governance encapsulates cooperation and interdependence between this network of state and non-state actors, "with the intention of tackling problems that transcend traditional nation-state boundaries" (JSIA, 2012: 6).

But within international justice-seeking, what do the Northern Tamils stand to benefit? Have the priorities of the global liberal order eclipsed their specific justice claims? Rajagopal (2003) argues that extant approaches to international law do not address the elemental question of for whom international law exists. Third World interaction with international law has illustrated, he argues, that a statist paradigm cannot persist as a framework of analysis. Nor can a liberal rights framework, as it is also statist, and both overlook the importance of social movements (Rajagopal, 2003). What other avenues could offer a deeper form of justice to the Tamil community? David Kennedy (2005: 4) reminds us that the international human rights movement "acts as if it knows what justice means, always and for everyone" and presents the adoption of a rights framework as the solution to justice claims. Justice, he argues, is not like that. It must be built anew every time; people must imagine it and struggle for it (2005: 4). Stokke and Uyangoda (2011) ask whether internationally supported elite-crafted liberal peace can ensure social and political inclusivity. Can Tamil justice claims be satisfied through international measures to ensure accountability for war crimes committed at the End and political reforms within the unitary state? To this end, this section interrogates developments in the international sphere with reference to post-war Sri Lanka, particularly in the UN Human Rights Council (HRC); the international monitoring and management of the reconciliation process; and the "performative" actions offered by the Sri Lankan state, I argue, as tokens of obedience to the global liberal order, including the Lessons Learnt and Reconciliation Commission (LLRC). This section exposes the disjuncture between these 'performances' and the state discourse of anti-imperialism and hostility towards 'Western' pressure.

Interviews for this thesis were carried out in early 2012, a fraught period; a UNHRC Resolution 'against' Sri Lanka was adopted on 25 March. This resolution was the first of three. Dharisha Bastians (2014) argues that the regularity with which these processes have occurred means "as far as the Government is concerned, [Geneva 2014] is just a hurdle it needs to cross as an annual practice."

3.8 Reconciliation: Appropriating Transitional Justice

Some semblance of social and political normalcy is intimated by the adoption of a "reconciliation" framework in Sri Lanka, in fitting with state projections that a process of transitional justice is underway. The transitional justice paradigm "has come to dominate debates on the intersection between democratization, human rights protections, and state-reconstruction after conflict" (McEvoy, 2007: 412). A transitional justice "template" or "toolbox" has emerged, from which government officials and nongovernmental advocates can consider which measures will promote 'justice, peace, and reconciliation' in the specific transitional environment. The International Centre for Transitional Justice (2009) lays out these measures as "prosecuting individual perpetrators; offering reparations to victims of state-sponsored violence; establishing truth-seeking initiatives about past abuse; reforming institutions like the police and the courts; and removing human rights abusers from positions of power." Transitional justice has emerged from its historically exceptionalist origins to become something which is normal, institutionalised and mainstreamed (McEvoy, 2007).

Sri Lankan progress in this regard is propagated by the state at great expense.[73] Richard Gowing (2013) argues that while the government has appropriated the language of transitional justice, the normative content of the paradigm has been stripped in its application. The discourse serves political goals; it operates in the service of consolidating the authority of the regime, concealing the continued domination of the Tamil population, and deflecting international calls for accountability (2013: 6). Gowing (2013) notes that Sri Lanka is a peculiar case for the transitional justice paradigm, given that the "transition" is under the auspices of the incumbent regime and the underlying causes of the conflict have not been addressed.[74] After the End, restitutive measures to restore "normalcy" such as the resettlement of IDPs, the improvement of infrastructure in war-torn areas and, belatedly, a political settlement with the Tamil community were projected as the highest priorities.

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[73] For example, the Thompson Advisory Group, a Washington-based advocacy and strategy group, was hired by the Central Bank of Sri Lanka to make a documentary named 'Sri Lanka: Reconciling and Rebuilding' as part of a contract that costs the state-run institution $ 66,600 (Rs. 8,337,600) per month as part of Sri Lanka's international "charm offensive" coming up to Geneva 2014 (*Groundviews*, 2014) and to influence US policy-makers and politicians (Bastians, 2014).

[74] Gowing acknowledges, however, that scholars have examined the application of transitional justice mechanisms in the unchartered terrain of "non-liberal transitions" and "non-transitions" and argues that these conceptual shifts are designed to reflect an emphasis on justice-seeking and examination of the past that occurs regardless of specific political environments.

The country' focus has been an economic one, based on physical reconstruction of conflict-affected districts and countrywide development (Anonymous, 2011). The ubiquitous presence of the military ensures that this development is "securitized" (Goodhand et al., 2011: 16) and stable, undisrupted by local resistance to a process experienced as colonisation.

3.9 International Pressure

The so-called 'international community' has "encouraged" progress in reconciliation and post-war reform through the medium of HRC resolutions pertaining to Sri Lanka in 2012 and 2013.[75] Calls for reconciliation have occupied centre stage in international diplomatic action on Sri Lankan post-conflict recovery though, as Tamil politicians and activists maintain, "structural genocide, not reconciliation, is the phrase which most accurately describes what is going on" (Ponnambalam, quoted in Miller, 2013; Guruparan and Rajamanoharan, 2013).[76] Five years since the End, the international community is slowly adopting a more forceful position on accountability, impelled by continuing advocacy by media and human rights groups, Tamil and otherwise, and prompted by slow progress in recognisable terms of reconciliation (*The Guardian*, 2013; EU, 2013). The accountability movement, Gowing (2013) and Thiranagama (2013) remind us, is strongly contingent on the strategic interests of global powers, and also, in particular, the posturing of states on issues of sovereignty and judicial intervention on matters of counter-insurgency. A 2014 UNHRC resolution explicitly called for an international investigation, the details of which (at the time of writing, June 2014) remain unclear.

In March 2013, the UN HRC adopted a resolution that welcomed the call made by the High Commissioner of Human Rights, Navi Pillay, for "the establishment of a truth-seeking mechanism as an integral part of a more comprehensive and inclusive approach to transitional justice" (OHCHR, 2013). The National Peace Council (2013a) has also advocated for the establishment of a truth and reconciliation commission in Sri Lanka. Beth

[75] The content of the Geneva Resolutions is described below, outlining the process by which the Sri Lanka "situation" has been managed in the global institutions of justice.

[76] Gajendrakumar Ponnambalam is President of the Tamil National People's Front, a breakaway faction of the TNA. Ponnambalam was one of the only political representatives of the Tamil ethnic minority in Geneva, as the TNA chose to stay away from the proceedings for fear of repercussions at home (TNA, 2012).

Rushton (2006) identifies the political will of the government or agency that chooses to establish the commission as the most serious limitation on its success. Political restraints often dictate the choice to establish truth commissions, which are viewed as a "middle path between doing nothing or embarking on politically-charged prosecutions" in transitional justice contexts (McGinn, 2000: 163). The scope and mandate of the commission, and the manner in which logistical and security concerns are dealt with, will determine the success of the endeavour.[77] McGinn (2000: 167) agues that the public ritual of a truth commission has the potential to signal an "important new start": to improve inter-ethnic relationships and transform the political culture of violence and animosity in Sri Lanka. Bar-Tel and Bennink (2004: 11) argue that inherent to any process of reconciliation is the need for a "new narrative" to replace the respective collective memories of the groups in question, placing truth and memory at the very centre of the process. "Particularly crucial in such a process are the public and private rituals and narratives that sustain collective and individual memories of the history, causes and course of mass crime" (Pouligny et al., 2007: 12). It is crucial to ask, however, whether the post-war environment in Sri Lanka is conducive to a meaningful process of truth-telling. State policy to this point has been to suppress narratives that attribute any responsibility for war crimes to the state forces. The Lessons Learnt and Reconciliation Commission (discussed below) can be viewed as a vehicle of memory to an extent, though this mechanism was not established in the mould of a truth and reconciliation commission.

The resolution also "calls upon the Government to conduct an independent and credible investigation into allegations of violations of international human rights law and international humanitarian law" during the End (UNHRC, 2013). The United States has said that the patience of the international community is "wearing thin" (*AP*, 2014) with the government's failure to investigate outstanding allegations and to accommodate Tamil interests in the reconciliation process, the subject of a UNHRC Resolution in March 2012. The 2013 resolution notes continuing reports of human rights violations and the government's failure to engage in dialogue towards a political solution. The resolution "encourages" the Sri Lankan government to

[77] Success, of course, is also a contentious term for truth commissions. Authors are divided on the objectives of truth commissions. Do they aim to establish an official "truth" and history of events and consolidate a "usable past" (Nesiah, 2005)? Or ought the value of a truth commission lie in the process by which the "truth" of each individual story is officially acknowledged (Humphrey, 2002)?

seek technical assistance from the UN infrastructure, including Navi Pillay's Office of the UN High Commissioner on Human Rights.

Navi Pillay's visit to Sri Lanka in August 2013 was a publicity disaster for the state. In media interviews following her visit, Pillay described the state as heading in an authoritarian direction. She referred to erosion of the rule of law and threats to democratic structures, military surveillance and harassment, the "dismal" history of domestic commissions of inquiry and the continuing suffering of the Tamil people with regard to the high number of missing persons: "I have never experienced so many people weeping and crying. I have never seen this level of uncontrollable grief" (Pillay, 2013a, 2013). Gotabhaya Rajapaksa responded to these public assertions by claiming that Pillay was influenced by propaganda from elements of the international pro-LTTE lobby (*The Hindu*, 2013). The Secretary of Defence framed Pillay's visit as "another instance" of international attention that has as its aim "the division of Sri Lanka and the establishment of a separate State for Tamil Eelam" (Rajapaksa, G., 2013a).

3.10 The Lessons Learnt and Reconciliation Commission

The state's nationalistic and defensive discourse in response to this "external interference" has led to an attitude of resentment towards the "homegrown" Lessons Learnt and Reconciliation Commission (LLRC), which has been adopted as the centrepiece of reconciliation-based pressure in the Geneva Resolutions.[78] The LLRC was initially established in reaction to Ban Ki-Moon's appointment of a UN Panel on Accountability in Sri Lanka; it was propagated as the sovereign state's fulfillment of a satisfactory investigation into the events of the End, thereby rendering the "vehemently unwelcome" international initiatives obsolete and intrusive (Anonymous, 2011: 40; Thiranagama, 2013). Immediately post-war, before the LLRC was instituted, Vasuki Nesiah (2009) asked whether a state-led initiative in the spirit of a truth and reconciliation commission would, in a context of continuing repression and insecurity, "enable Sri Lanka to unpack dominant 'truths,' track command responsibility and redress legacies of abuse, or, instead, if it would prop-up national myths, cover up the responsibility of those in power and legitimize a repressive regime." Nesiah notes that Sri Lanka's history has shown how commissions of inquiry can be manipulated into instruments of

[78] See for example Lakshman I. Keerthasinghe (2013).

suppressing dissent. By channelling criticisms of human rights violations into institutions, interviewees argued, the government relies on procedures of inquiry to avoid actual accountability and reinforce impunity (SB, LG, GK, JU, 2012). As stated in Chapter One, the state regularly suppresses the outcomes of these commissions and prosecutions for human rights violations and institutional reform are not forthcoming (CPA, 2014), thereby betraying the justice aspirations of participants (Nesiah, 2009). Though it followed a succession of ultimately fruitless Presidential commissions and was therefore estimated to be structurally and historically flawed (Keenan, quoted in Zuhair, 2011), the LLRC has not faded into memory or served only as a politically useful ploy in the service of impunity. The report's resonance has developed and transformed, largely due its international appropriation (relied upon by the UNHRC resolutions as a vehicle by which to monitor "progress") and the collective courageousness of the 5,000 individuals who came forward to give testimony.

President Rajapaksa set up the LLRC as the primary inclusive reconciliation initiative in May 2010. The mandate of the LLRC included inquiry into the failure of the 2002 peace process and sequence of events leading to the End, with a view to isolating the individuals responsible for notable events and failures during this period. The mandate provided for interrogation of the past in order to draw lessons for the future, including institutional and administrative reform to mitigate potential future disaffection and the reemergence of armed militancy. The LLRC was instructed to provide a framework for the promotion of national unity and reconciliation of all communities; a 'methodology' for restitution to the war-affected; and any other recommendations accommodated within its framework (LLRC, 2011: para. 1.5). The LLRC report, on its release in 2011, pleasantly surprised commentators and critics, offering progressive recommendations on political dialogue and devolution, language policy reform of the public service and education system, land disputes, de-militarisation and strategies for conflict memorialisation.[79] The Commission saw fit to consider these issues, brought to its attention in submissions from the public, "in the context of

[79] Memorialisation has been termed commemoration in this thesis to emphasise the communal nature of the practices in question. In traditional Tamil culture, a priest told me, *"mourning is a community event, not private"* (ER, 2012). The etymological roots of 'commemoration' are found in the late 16th century, coming from the Latin 'commemorat' - brought to remembrance, the verb 'commemorare' from *com* (altogether) and *memorare* (relate) and from *memor* (mindful). This suggests togetherness in a way that 'memorialise' does not. 'Memorialise' finds its roots in late Middle English: from the late Latin 'memoriale' (a record, memory, monument), from the Latin *memorialis* (serving as a reminder), and from *memoria* (memory).

reconciliation and building amity and national harmony" (LLRC, 2010: para. 8.3). Analysis of the adequacy of the final report produced by the LLRC should be separated from critiques of the procedural aspects and limitations of the LLRC. In terms of the expectations created by the government, the Commission was a disappointment on several registers, discussed below. As an effort to launch a reconciliation process and a "framework for action", however, the recommendations of the LLRC, if implemented, have the potential to dramatically improve inter-group relations and state institutions.

While the LLRC has been criticised for avoiding the issue of accountability at the End, especially regarding the actions of the Sri Lankan military, international investigations are on the horizon (UNHRC, 2014). Considering allegations of atrocity, the report found that "there was no deliberate targeting of civilians by the Security Forces" although some questions remain "whether the action of the Security Forces of returning fire into the No Fire Zones (NFZs) was excessive in the context of the Principle of Proportionality" (LLRC, 2011: Para. 4.283). With regard to specific incidents where alleged military actions led to the deaths of civilians, without casting judgment, the Commission acknowledged that "there is a duty on the part of the State to ascertain more fully, the circumstances under which such incidents could have occurred, and if such investigations disclose wrongful conduct, to prosecute and punish the wrong doers" (LLRC, 2011: 4.286). Prosecution was outside its mandate – another criticism leveled at the proceedings (de Mel, 2012), though it could recommend further investigations. The President personally appointed the members of the committee and the TNA have criticised the make-up as biased and pro-government (TNA, 2011). The LLRC was comprised of a "fairly representative and respected group, though admittedly many of them are former public officials" (Anonymous, 2011: 41). They could be expected to be, at best, "conservative in their findings" (2011: 41) and at worst impartial, given that some commissioners, in their capacity as public officials, had publically defended the state military actions during the war (de Mel, 2012). A revealing passage of the LLRC Report (2011: 4.476), dealing with indisputable army violations, states that, "offences, if any, of a few cannot be allowed to tarnish the honor of the many who upheld the finest traditions of service." The state's violence, the Report suggested, was inherently in defence of the larger principles of the nation-state, in marked contrast to that of the LTTE, and therefore ought not be held to account (Thiranagama, 2013). Rather than recommending individual accountability, the Commission placed the responsibility on "the Government and all political leaders" to "manifest political will and sincerity of purpose to take the necessary decisions to ensure the good-faith implementation of the

Commission's recommendations" (LLRC, 2011: Introduction). A political solution to the conflict is, the report acknowledged, crucial to future peace and stability:

> "the success of ending armed conflict must be invested in an all-inclusive political process of dialogue and accommodation so that the conflict by other means will not continue" (LLRC, 2011: Introduction).

3.11 The LLRC: Procedural Limitations and Archival Value

As a process of inclusive inter-community dialogue on the past, the LLRC's scope was limited, though the forum was utilised to its full potential by women in particular (de Mel, 2012; Thiranagama, 2013). The archives of testimony in the form of written submissions and transcripts from hearings, made public in the interests of transparency, transformed the LLRC into a vehicle of memory. This was not, however, the expected or intended objective of the LLRC and its value lies elsewhere, in its recommendations for political, institutional and social reform.[80] The LLRC process was quick and primarily Colombo-based, receiving submissions from members of the public, military personnel, government officials, the media, civil society groups, academics, religious leaders, former members of the LTTE and other armed groups and victims of the conflict, among others (LLRC, 2010: Para. 1.14).[81] The Commission's visits to the "field" – areas affected by the conflict - were considered supplemental to the public sittings in Colombo. "Field visits", a Sinhalese Catholic activist contended, included 3 or 4 days in each district in the Northern and Eastern Provinces (RF, 2013). The visits were in the spirit of outreach, acknowledgment and symbolic inclusion rather than providing a forum for ascertaining or discussing the "truth", as the Report insinuates:

> "…in order to ascertain first-hand the ground realities, it was imperative to have public sittings in situ. This was also with a view to reaching out to the people in the affected areas and to enable them to highlight their grievances…Through this process the Commission was able to acknowledge the suffering of the people in the affected areas

[80] The demonstrated lack of political will to implement these recommendations, however, is discussed in the next section.

[81] The Commission commenced its public hearings on the 11th of August 2010 and continued until the 31st of January 2011. Written representations were also accepted until the 13th of June 2011 (LLRC, 2011: 1.10, 1.20).

> and provide an opportunity for them to tell their stories in familiar surroundings. This approach focused on the restorative dimensions of the Commission's Mandate" (LLRC, 2010: 1.15).

This Reconciliation Commission cannot be compared to processes elsewhere, such as the South Africa Truth and Reconciliation Commission. The purpose was not to provide a national form of catharsis to victims of the conflict in line with the TRC's slogan of "revealing is healing" (Hamber, 2009: 65). The mandate and timeframe granted to the LLRC could not support an endeavour of this kind. It was primarily a forum for Colombo-based elites to postulate on the causes of the conflict and offer their ideas for reform that would support a process of reconciliation.

The Commission's presence in the Northeast was not well advertised, meaning that people did not know what the purpose of the Commission was or did not know of its existence (RF, 2013; de Mel, 2013; Thiranagama, 2013). It did not "penetrate society, capturing the attention of all its segments", which Gibson (2006: 416) argues is a necessary characteristic of a truth and reconciliation commission. The Report asserts that the hearings and the public attention generated, particularly through the provincial media, "resulted in a substantial increase in public awareness and interest in the work of the Commission" (LLRC, 2011: 1.19). The seemingly unexpected interest in the forum placed pressure on the Commission, which was "*not equipped to hear the stories in the way the people were telling them – crying and talking about the virtues of their loved ones*" (RF, 2013). Submissions were reported to be rushed and people who arrived to tell their stories were asked to submit their complaints in writing (RF, 2012; LLRC Vavuniya, 2012). For the families of the missing, a Sinhalese activist reported, despite confusion about the LLRC's purpose and objectives, it was "*another forum for them to tell stories*" (RF, 2012). People came forward to the LLRC because they "*still expect results from storytelling*" and "*thousands would come*" to "*any group that seems to have any legitimacy – and actually any group, because they are desperate*" (RF, 2012).

The Commission received over 5,000 submissions from individuals and groups airing grievances arising from the conflict, suggesting that such a forum was welcome and necessary. Many sought information on the country's thousands of missing persons and sought justice for the loss of land and property. Narratives of victimhood and persecution were forthcoming despite the lack of witness protection measures (TNA, 2012; Thiranagama, 2013; de Mel, 2013). Neloufer de Mel describes how the women who publicly attested to their losses at the LLRC did so in the spirit of pragmatism: "as

their best chance of getting their detained loved ones back" (2012: 11). For these women, the LLRC was the outcome of "a strategic, political agreement that injustices had occurred during the war", a forum by which they would be recognised as victims of war with stories to tell (2013: 11). It was also a place to present themselves to the state as "victim-survivors" deserving of information and compensation, to communicate directly with the state and demand information on the missing and their safe return (de Mel, 2013; Thiranagama, 2013).

De Mel (2013: 12) notes that the women emphasised their desire for restitution – especially the return of loved ones – rather than retributive justice. She argues that the women were strategic in their requests, conscious of living cheek-by-jowl with the military and vulnerable as a result. This vulnerability was underpinned by their status as Tamil minority women. Also, drawing on Veena Das (2006), she argues that the women's way of coping with violence was focused on "repair"; "the careful daily management of affect and emotion, including keeping their trauma subdued" (2013: 12). They accepted, de Mel (2013: 16) contends, a "realizable justice" – agreement on what is just, based on a "ranking" of available principles and modes of justice. She draws on Amartya Sen (2009) to explain that the "ranking" means accepting the incompleteness of the project; it is collated at the intersection of priorities presented by stakeholders and attuned to urgency. It can result in a call for justice "that can be agreed upon" though, as de Mel concludes, the arising justices "may not satisfy many people" (de Mel, 2013: 16). Women appropriated the LLRC: demanding status as victim-survivors; calling for information on the missing and safe return of the detained; and ensuring that it became a vehicle of memory and a stage to perform their agency (Thiranagama, 2013). The Commission, in terms of enforcing justice, however, held out a promise that "it could not possibly keep" (de Mel, 2013: 16).

3.12 Performing Transition: Reconciliation and the LLRC

Thiranagama (2013) offers an interpretation of the LLRC as a state performance where no meaningful regime transition has occurred. The process is a spectacle, she argues, to resymbolise and restage the state's capacity to endure and reform. The LLRC was instituted to reinvest the state with legitimacy and to whitewash state conduct on the issue of accountability (Thiranagama, 2013). As Alan Keenan (2013) points out, the government has been attentive to international pressure on accountability and reform and has

"stepped up its public relations game in response," concealing ongoing repression and impunity in myriad ways. Kumar David argues that the LLRC was, in fact:

> "…the government's primary means of deflecting pressure for an international investigation into credible allegations of grave violations of international humanitarian and human rights law by both government forces and fighters of the Liberation Tigers of Tamil Eelam (LTTE) in the final stages of the long civil war" (David, 2012).

Both the domestic population and the international community were assured that the Commission's report would fully address demands for accountability, in line with promises President Rajapaksa made to UN Secretary-General Ban Ki-moon on his visit to Sri Lanka in May 2009, shorty after the End (David, 2012; Perera, 2014). The LLRC report did not satisfy international commentators, Tamil representatives or civil society groups in Sri Lanka with regard to accountability (HRW, 2011; Crisis Group, 2011a; TNA, 2012; UNHRC, 2012). It did, however, provide a framework of 285 recommendations for reform that have been widely praised as progressive and workable, echoing previous advocacy by political parties and civil society groups (de Mel, 2013; LLRC, 2010). The "National Action Plan" (NAP) on reconciliation, brought into being in response to the 2012 HRC resolution and introduced in November 2012, is predicated on the implementation of the LLRC recommendations. The NAP is a process set in motion for international consumption: a government-appointed team drew up a supporting document for the NAP, detailing designated implementing agencies and key performance indicators for each recommendation adopted. The NAP was adopted in Cabinet in August 2012 and the UN Human Rights Council was informed of the establishment of a Task Force to oversee the implementation of the NAP, as well as a Land Commission to look into resettlement (Yusuf, 2013, de Mel, 2013). Critics, including the TNA and the UNHRC in a March 2013 follow-up resolution, have pointed to the failure to incorporate the entirety of recommendations into the NAP (TNA, 2011; UNHRC, 2013). A lack of political will is signaled by the delay in implementation; the absence of key issues (such as initiatives on missing persons and the disappeared) from the NAP; and the reliance on existing mechanisms and commissions to deliver justice, despite their ineffectiveness in the past (de Mel, 2013; Perera, 2012; CPA, 2013).

The LLRC serves as a powerful illustration of the way in which transitional justice practice and rhetoric can be instrumentalised by elites in pursuit of political goals, which Gowing (2013) articulates with great clarity. The mandate itself sought to politically benefit the Rajapaksa regime. By equating its goals of promoting reconciliation and avoiding future violence with scrutiny of the UNP-initiated peace process and its breakdown, the state constructed a narrative about the past that both allocated the entirety of the blame for creating a situation requiring "reconciliation" to the opposition UNP and helped to sustain the impression that the return to military operations in 2006 was an inevitable outcome (Gowing, 2013; LLRC, 2011: 1.5 - 1.6). The militarisation of peace discourses, reflected in the very conception of "war for peace" under the Chandrika Kumaratunga government from 1995 to 2001 (Uyangoda, 2007; de Mel, 2007), meant that a military solution was always a potentiality, though it was not popularly considered possible until Mahinda Rajapaksa's ascent to office. The LLRC's mandate, further, was not to assess state accountability but rather relies on a framework of assessing state "failure to protect its citizens from [LTTE] terrorism" (Thiranagama, 2012: 99). The process avoided apportioning any accountability whatsoever to the Rajapaksa government for the escalation of the conflict at the End and the associated violations of international law. It is, in this sense, reminiscent of previous commissions of inquiry that appeared to be "motivated by political ambitions to slander members of the opposition at the time (who were members of the sitting government over the periods that were under investigation)" (Anonymous, 2011: 39).

Gowing (2013: 17) argues that the state's "ostensible commitment to transitional justice" follows a "performative logic", in line with Thiranagama's (2013) reading of the LLRC as a response to international pressure and the observation of Anonymous (2011: 32) that the LLRC was "[p]ossibly in anticipation of the UN's move" to establish the "Panel of Experts" inquiry. The establishment of the LLRC was announced in May 2010, one month before the Panel of Experts. Transitional justice mechanisms such as the LLRC, Thiranagama (2013: 94) argues, should be analysed as a "state performance in the midst of a deep and ongoing violence rather than as a process to bring about reconciliation". Timed in anticipation of the 2012 UNHRC resolution on Sri Lanka, the Sri Lankan Army's establishment of a panel of inquiry to investigate human rights abuses in March that year appears to be another result of pressure from international actors. A civil society memorandum noted in March 2014 that the appointment of a new 'Presidential Commission to Investigate into Complaints on Missing Persons'

was publicised "just ahead of the visit of the High Commissioner Navi Pillay last August" (CPA, 2014). Gowing (2013: 17) acknowledges that the "precise effect of international pressure is difficult to quantify" but that the timing of the initiatives mentioned suggest that "it has been an important factor in incentivising Sri Lankan elites to pursue such measures". Through the appropriation of the language of transition and the "performative" establishment of reconciliation mechanisms, Sri Lanka attempts to deflect international calls for accountability.

While Thiranagama (2013: 102) notes that "the state has to continually perform itself as such through spectacles and languages of stateness", 'transitioning states' also have to perform themselves as such by appearing to adhere to the framework of liberal transition. Neloufer de Mel (2012: 1) notes that the LLRC received an overwhelming response from the public. The participants were not, however, motivated by a desire to bear public witness to atrocity in the interests of recording experiences, asserting dignity and celebrating the exceptionality of survival, in line with the typically expected benefits of post-atrocity truth commissions (Hayner, 2001; Agamben, 2002). Participation was, in fact, a *risk* taken, in a repressive environment of militarisation and enforced silences, seeking very specific outcomes. Though signaling compliance with the increasingly standardised "toolbox" of transitional justice (ICTJ, 2011), the state uses that lexicon and processes to conceal ongoing violence and deflect accountability. As Höglund and Orjuela (2013) assert, the assumption that "transition" has occurred in Sri Lanka, manifest in the mechanisms of reconciliation, obscures continuities of violence. Post-war, human rights reports continue to document atrocities and human rights abuses perpetrated by the state authorities, primarily against the Tamil community, suggesting a continuing logic of ethnic persecution (HRW, 2013; Sri Lanka Campaign, 2014).

3.13 'Oneness': Writing Self-determination out of Transition

The LLRC's fundamental conception of reconciliation as a goal is based on the eradication of difference and the achievement of a national "oneness":

> "[reform] should essentially promote greater harmony and unity and not disharmony and disunity among the people of the country. The promotion of this 'oneness' and a common identity should be [its] principal aim" (LLRC, 2010: 8.217).

This conception is consistent with both the 'Sinhalisation' of the country's institutions and an ongoing centralisation of power that implies a state-building project based on Sinhala-Buddhist nationalist hegemony (Gowing, 2013; Höglund and Orjuela, 2013). The very language of reconciliation here is imbued with a nationalist tendency to suppress minority interests. The LLRC therefore can be interpreted as a vehicle of domination, appropriating the mechanisms and discourse of transitional justice in the service of this project. The state's discursive reliance on notions of "localised" justice, in a context of "victor's justice", ignores the asymmetry of power between the Sinhalese state and the Tamil minority (Höglund and Orjuela, 2013; Gowing, 2013). The process of reconciliation is in the service of Sinhala-Buddhist nation-building, a "peace" founded on domination.

> *"You see the Western, or liberal, notion of reconciliation is based on the resolution of a conflict through negotiation and through compromise and through finding a middle ground. But the way in which the conflict ended – or rather the war ended – in 2009, is very different. So therefore the Sri Lankan government's notion of reconciliation is very different from that Western, liberal notion of reconciliation"* (JU, 2012).

This notion of reconciling conceptions of reconciliation, offered by a Sinhalese Colombo-based political scientist, chimes with the literature, where many authors agree that the "amorphous nature of the term" has simply been assumed to naturally fit in an array of different contexts (McGregor, 2006: 156). In fact, when utilised strategically the term "can allow governments to hide behind a policy of reconciliation" without actually attempting to counter the effects of past violence and human rights abuse (McGregor, 2006). Sinhalese-Buddhist hegemony sits atop discourses of counter-terrorism and victory, bolstering the popularity of the Rajapaksa government. In this situation, the state sees no reason to accommodate the interests of the *"vanquished"* Tamil minority (JU, 2012). The state's decisive military victory means that it is the author of justice and reconciliation initiatives; the state is authoring a *"victor's peace"* (JU, 2012). The choices that are made about the narratives as well as the parameters of a reconciliation process, Schubert (2013: 4) reminds us, are political choices: the "political imperatives of

establishing, legitimising and stabilising control over a post-war nation-state" are the foremost concern for governments in power.

Interviews with state officials revealed an implicit assumption that the 'transition' from war to peace involved the righting of political injustices, namely the existence of 'terrorism', though the End did not mark a transition "from a militarised society to a non-militarised society" nor "from an undemocratic to a democratic society" (Höglund and Orjuela, 2013: 307). A state media spokesman explained:

> *"although people are talking about reconciliation and reunion, we don't have such a huge problem because now this – we had a issue with a terrorist problem, we never had a communal problem"* (LH, 2012).

The state expects a commitment to the improvement of infrastructure and facilities in the war-torn areas in the North and East to fulfil its responsibilities towards the Tamils. Northern-based interviewees stated that there is little or no understanding of the needs and perceptions of the people, that development work is embarked upon without local consultation or consideration for local sensitivities (MR, MTJ, RF, 2012). Goodhand (2010: 344) notes that the value-loaded nature of programmes promoting development, peace and stability in Sri Lanka's post-war context must be recognised as "hegemonic projects at the heart of which lie questions of politics and power and whose definition of peace and stability prevails". The process of reconciliation put in place by the state, including the establishment of bodies such as the National Unit on Reconciliation (the Unit) and Sri Lanka Youth Reconciliation Forum (SLYRF), is undermined by a lack of political will to provide justice to the Tamils, least of all social and political rights.[82] The Unit receives no government funding but relies on partnerships with organisations in the private and NGO spheres, reaching out to potential partners to help them implement programmes (PW, 2012). The Unit assumes that a "natural processes of reconciliation" is engendered by the end of conflict, with the increase of movement and improvement in the general security situation (SLYRF, 2011; PW, 2012). The Unit's coordinator, Pushpi Weerakoon, is *"in the field and with the beneficiaries"*, meaning that she gets to *"know what they need...where it is needed and how to do it"* (PW, 2012). The

[82] President Mahinda Rajapaksa set up a National Reconciliation Unit on 4 October 2011. The Unit facilitates the work of Professor Rajiva Wijensinha, the Presidential Advisor on Reconciliation, whose early terms of reference include monitoring and reporting to the President on progress with regard to the Interim Recommendations of the LLRC, and promoting appropriate activities for this purpose through the relevant Ministries.

implementation of social and economic programmes on this ad hoc, seemingly depoliticised basis, perpetuates the asymmetry between the state and the abject Tamil population of the Northeast in the language of 'helping' and 'upliftment': the charitable peace.

A senior member of an international agency argued that process of dialogue with the Tamil people has not been sought by the state (RD, 2013). One academic elaborated:

> *"the government does not consider that they [the Tamils] have also very deep wounds. The government's line is that the economic development is enough for the Tamils. The government does not seem to recognise that they are a people with their own sense of self-respect, pride. They are a community, they consider themselves as a nation but the government has no sensitivity whatsoever – the government gives utmost priority to…national security and economic development"* (JU, 2012).

For JU (2012), the state is "*demonstrating quite explicably…its incapacity to manage the political component of the conflict*".

Transitional justice is a highly politicised process and "the forms of transitional justice developed speak practically and symbolically to precisely what kind of transition (if any) is actually occurring" (McEvoy and McGregor, 2008: 7). Donna Pankhurst and Luk Huyse both argue in favour of a minimised role for the international community in promoting reconciliation. Reconciliation for Pankhurst is "more of an internal affair" (Pankhurst, 1999, 239) and Huyse posits that "[l]asting reconciliation must be home-grown because in the end it is the survivors who assign meaning to the term and the process" (Huyse, 2003: 23). However, Lorna McGregor (2006) argues that this approach fails to take into account the potential problems posed by a domestic policy of reconciliation, particularly where the society in question fails to embody democratic traits. Also, as Christine Bell asserts, official processes of reconciliation require the victim to "buy-in" to an official social narrative of the conflict and impose expectations on victims to "give up retributive desires in favour of reconciling narratives" that "may not contribute to their 'healing' at all" (Bell, 2003: 1095). McEvoy and McGregor (2008) contend that the voices of those most affected by conflict are not always heard or accorded adequate weight when institutionalised international justice arrives, and describe how actors "from below" such as community, civil society and non-state groups can mobilise and resist the powerful hegemonic political, social and economic forces embodied in the formal

institutions of transition. Drawing on Rajagopal's (2003) critique of the imperialist tendencies of international law, they argue that:

> "the realization of rights struggles, or indeed effective methods of dealing with the past in transitional contexts, is marked not simply by the deliberation of major legal institutions or landmark cases, but by the individuals and groups involved in social and political struggles which placed them on the agenda in the first place" (McEvoy and McGregor, 2008: 4).

Rajagopal argues for the inclusion of movements "from below", particularly social movements in the Third World, in the history of struggles for human rights and justice. While international law, he argues, has been shaped by Third World resistance, it has repressed and excluded these movements from the story of its formation (2003: 5). Rajagopal observes, also, that only certain forms of resistance – primarily those couched in the framework of human rights – have been granted legitimacy. The exclusion of the Tamil political narrative of self-determination is illustrative of the state's hegemonic project and is worth considering here.

Oliver P. Richmond (2002: 393-4) notes that ethnic actors such as the LTTE utilise the concepts and structure of the international system to "reconstruct their status in diplomatic language" and package their claim to self-determination in the language of sovereignty. The appeal for self-determination is on the basis of human rather than state security. The problem, he argues, is that the international *system* dictates the inadmissibility of claims for "ethnic sovereignty" on the basis of non-intervention and state sovereignty, while the international *community*, with its discourse of self-determination, human rights, basic freedoms and political equality appears less adamantly against conceding legitimacy and sovereignty. Richmond identifies the tension between established states and internal (ethnic) groups claiming sovereign rights as emerging from clearly contradictory positions on territorial claims in international law.[83] Interrogating these contradictions, he concludes that:

> "Ethnic sovereignty is derived from within ethnic groups themselves, rather than bestowed from the outside according to mandatory

[83] See Richmond (2002) and Whall (1996) for a detailed overview of international measures on self-determination.

> conditions. It is endorsed by implication by the humanitarian norms to which international society aspires. It is this to which the international community needs to respond in order to allow the expression of ethnic sovereignty as a legitimate, rather than a rebel, form of negative or quasi sovereignty, and one which can coexist with other claims legitimately, rather than compete illicitly. The days of absolute and exclusive sovereignty are indeed over, if they ever existed" (Richmond, 2002: 400).

Sri Lanka's contemporary history is defined by competing claims to sovereignty: the state's existence as an internationally recognised political unit, centred on the Sinhala-Buddhist foundations that necessitate the maintenance of a unitary state, and the Tamil claim to ethnic sovereignty, based on cultural identity claims and human security in the face of a persecutory state. Sri Lanka's rhetorical reassertion of state sovereignty at the End was strategic (even as it regained full sovereign power in Sri Lanka), as is its sustenance of this discourse in the face of proposed international investigative measures. The domestic reconciliation process emphasises social and economic rights over the political aspirations that have defined the Tamil separatist struggle, a struggle that sought to "reproduce the logic of the national state to gain security, welfare, and legitimacy" in the international system (Richmond, 2002: 387). By associating Tamil political agitation entirely with the "terrorist" LTTE – projected as an "illicit" and "rebel" political project, in Richmond's words - and pursuing state-directed reconciliation initiatives emphasising "oneness" within a unitary state, the state attempts to override the Tamil claim to self-determination and write it out of history. The rhetoric of "oneness" is essentially exclusionary, as a Tamil academic explained. Within this state structure, state leaders *"don't consider minority rights. They say 'one community of Sri Lankans.' This means 'we are Sinhalese'"* (MTJ, 2012). A campaign against human rights defenders and civil society activists in the state media and public statements by politicians before the 2012 Geneva Human Rights Council meeting drew on the rhetoric of "oneness" to undermine activism on accountability and political and human rights. Where "(e)thnic communities have no separate regions…(t)he entire country belongs to all ethnic communities", discussions in pursuit of a political solution for the Tamils are antithetical to "patriotic sentiments" that ought to be directed towards "the supreme task of building a country in which all could live together" (Rajapaksa, 2012).

3.14 "Local" Reconciliation: Deflecting Accountability

The emphasis on the LLRC's "homegrown" nature and the prerogative of reflecting indigenous "Sri Lankan" values, Gowing (2013: 16) rightly asserts, is an "attempt to neutralize accountability issues by balancing the demands of justice against alternative social goods."[84] It also contributes to deflecting calls for accountability, which are domestically weak and exist primarily in the international sphere. Shaw and Waldorf (2010) argue that "localized justice" is often defined by state elites, while silencing or ignoring minority groups or those affected by atrocity. Proclaiming the influence of the Tamil diaspora on foreign observers, the local nature of the process is presented as crucial by state elites. President Rajapaksa announced in 2012 that:

> "the country would not benefit by trying to please selfish groups who receive foreign funds. Similarly solutions cannot be obtained by implementing the proposals of extremist groups of whatever persuasion. What is required today is the formulation of policies based on a vision that is commonly applicable to the whole country" (Rajapaksa, 2012).

The LLRC, through the UNHRC resolutions, has become a "homegrown" vehicle of international pressure, pushing Sri Lanka to implement the report's recommendations as a basis for reconciliation. The March 2012 UNHRC Resolution called on the Sri Lankan government to implement the recommendations of the LLRC and to report back on progress (UNHRC, 2012). This approach was also criticised as intrusive and imperialist in intent, as Pushpi Weerakoon of the Reconciliation Unit explained:

> "*The war was homegrown – the problem, the issues – and the war was won by the president with a homegrown solution and now we are also trying to implement it [reconciliation], making use of all these resources we have. So it's the same principle – 'who are you to police us?'*" (PW, 2012)

The UN has integrated the LLRC (a mechanism of localised justice) into a process of internationalised transitional justice. In response, pro-government actors now dismiss the LLRC recommendations as non-indigenous and describe the commissioners as "not real Sri Lankans" (Höglund and Orjuela, 2012). As the local is transposed to the international, with the implications for

[84] This point is elaborated upon below in the section on '*Accountability versus "Unique" Sri Lankan Justice'.*

accountability measures and commitment to political reform that can be expected to follow, the state has become hostile to the recommendations of its own 'localised' reconciliation initiative, particularly the international community's monitoring of implementation measures. The state's selective interpretation and use of the practices and language of the transitional justice paradigm has occurred simultaneously to its rejection of the legitimacy of the international norms and institutions from which the paradigm emerges (Gowing, 2013). The simultaneous deployment of transitional justice rhetoric, a strong narrative vilifying international involvement in Sri Lanka's affairs, and the continuing violence perpetrated by the state against the Tamil population exposes the state's hostility to the norms it purports to value and uphold. The UN Panel of Experts, for example, was constructed as evidence of the UN's double standards, which "allow Western and West-backed states with egregious human rights records to escape the UN's accountability radar" (Anonymous, 2011: 40). The Panel members, internationally hailed as transitional justice advocates, were portrayed as external enemies to Sri Lanka (Höglund and Orjuela, 2013). International institutions of justice, from which transitional justice as a prominently "Western" phenomenon arises "are seen as part of a political agenda which serves the self-interest of the West" (Höglund and Orjuela, 2013: 309). Despite official proclamations that the government wants "to be enriched by the collective insight of the international community," Sri Lanka alleges that instruments of international pressure are unfairly biased against the government (Peiris, 2012).

Gowing (2013: 18) astutely notes that Sri Lankan elites have endeavoured to favourably compare the state's initiatives to the South African Truth and Reconciliation Commission, both to signal Sri Lanka's commitment to the positive values popularly associated with the initiative and to adopt a conception of reconciliation that serves the interests of those elites: one based on localised and restorative justice, with a focus on material, economic reparations as opposed to accountability and retributive justice". The international community is currently encouraging Sri Lanka to establish a truth and reconciliation commission, and discussions between Sri Lankan and South African representatives on the "success" of the country's post-apartheid reconciliation process have been reported in the media (*AP*, 2014). Colombo-based civil society networks appear to have adopted the South African TRC as the paradigmatic case of the ideal transitional justice model (Antekell, 2013). The benefits accruing to Sri Lanka from this engagement include diplomatic and economic gains: on an official visit to South Africa in February 2014, Sri Lankan officials signed a Bilateral Air Services Agreement (BASA),

further strengthening diplomatic relations between the two countries (*Global Times*, 2014; *AP*, 2014). Trade relations were important item on the agenda, as South Africa assured the delegation that it would not support "policies that would divide Sri Lanka imposed by the international community" (De Silva, quoted in *Global Times*, 2014). The possibility of a truth and reconciliation mechanism was publicly courted by the Sri Lankan state in the months prior to the 2014 UNHRC resolution, seemingly hoping to deflect calls for international accountability by offering another 'localised' option.

3.15 Sri Lanka and the Global Liberal Order

Kennedy (2005: 13) describes international affairs as "a conversation amongst players about the legitimacy of state behaviour", arguing that the political assertions made in the process come "armed with little packets of legal legitimacy". The "international community", he contends, composed of professional humanitarians, is in effect "a stand-in for the views of the broader public", "a proxy for the CNN effect" (2005: 13). International actors such as the United States and the United Kingdom have publicly called for a credible and independent investigation into war crimes at the End, riding on the wave of condemnation created by the Tamil diaspora and the human rights industry. Those same states were complicit in violence against the Tamils by supporting Sri Lanka during the war, not least through the weapons trade and the legitimising discourse and practical measures associated with the 'War on Terror' (Kleinfield, 2003; Gowing, 2013; PPT, 2013). The rejection of "international intervention" is a strong nationalist mobilising force harnessed by the Rajapaksa government, one that must be understood in light of the West's previous engagements in Sri Lanka, including the supply of arms during the conflict (Keen, 2013; Höglund and Orjuela, 2013). In the aftermath of the violence of the End, those states have expected to shape Sri Lanka's transitional justice responses, with a view to reestablishing moral standing and to draw Sri Lanka back into the framework of liberal transition expected of post-conflict states. Facing Sri Lanka's resistance to reform, increasingly "authoritarian" propensities (Pillay, 2013), and triumphant anti-Western rhetoric, international powers have sought to remotely manage the reconciliation process through the HRC resolutions. The Western powers championing political reform and accountability are seeking obedience from Sri Lanka and asking for a demonstration of commitment to the global liberal order. Analysing the interests of the Western powers, we need to view transitional justice as a global project aimed at reconstructing

Third World states in Western liberal democratic terms (Lundy and McGovern, 2008).

For Duffield (2001), post-conflict peace-building strategies by international actors are an attempt to impose the "liberal peace" on the state in question. This embodies "a new or political humanitarianism that lays emphasis on such things as conflict resolution and prevention, reconstructing social networks, strengthening civil and representative institutions, promoting the rule of law, and security sector reform in the context of a functioning market economy" (2001: 10–11). Oliver P. Richmond (2005: 4) observes that the spread of democracy, assumed now to be " a standard form of conflict-avoiding polity," has been "universalised as a strategy for ending war by the liberal hegemony of the world's most powerful states and their organisations, institutions and agencies." This project is at its core "a form of global governance, if not government" and while it is largely perceived as benevolent, even progressive, Richmond (2005: 4) warns, "it may also engender unintended consequences". The liberal peace framework has seen the marriage of development and poverty reduction objectives with security policies in the operations of international organisations, donor countries and the UN. Duffield (2001) critiques this marriage as an attempt by the powerful to contain, stabilise and ameliorate the effects of violent conflict in the Third World.

Ikenberry and Wright (2008: 10) argue that the post-World War II order is more thickly institutionalised and open than its predecessors, crediting institutions such as the United Nations, the IMF and the World Bank for forming an unprecedentedly rule-based structure for political and economic relations. The institution-based global liberal order is less susceptible to power shifts and upheaval, and tussles over power are more likely to take place within those institutions, rather than in open warfare (JSIA, 2012). The power exercised in these institutions is increasingly articulated in the language of humanitarianism, which has become the vocabulary of global governance (Kennedy, 2005), but is also subject to norm entrepreneurialism, as emerging powers gain voice and weight within international institutions (JSIA, 2012). The system is subject to reformist agendas that are not especially radical or disruptive to existing geopolitical systems (JSIA, 2012: 4).

The palatability of Sri Lanka's move to reassert the principles of sovereignty and non-intervention must be understood in the context of a global movement of power towards multipolarity. Inherent to this is a will to expose

double standards in institutions that "rhetorically preached equality of all sovereign states but which were largely handmaidens or instruments for deepening hierarchical structures in international society" (JSIA, 2012: 6). The state's rebuke of calls for international investigations into war crimes sits comfortably with this movement, as the claim of 'double standards' resonates with the wider order of states. Kennedy (2005: 17) argues, however, that the UN world of independent sovereigns is "an increasingly dangerous fantasy", reminding us that through economies, governments, international financial institutions, the media and humanitarian agencies, regimes across the world are entangled with the West. Further, through the notion of "development", which provided the motivation for nation-building in the post-war period, institutions such as the International Monetary Fund (IMF) are carriers of a dangerous ideological enterprise, serving the global elites who run the world economy and marginalising the most vulnerable in society (Rajagopal, 2003: 12). The universal assumptions underlying "peace-building" attempts (which have become a central imperative in transitional justice processes), Richmond (2004: 88) reminds us, "are themselves indicative of a liberal hegemony which may also lead to structural forms of violence". Indeed, by casting an eye over policy documents on peace, democracy and development produced by the UN, "what has run through all attempts to make peace and create order has been an attempt by hegemonic actors to preserve their own value systems and to freeze the world's cartographies in their favour" (2004: 88).

Post-war, Sri Lanka has ensured that it does not overly rely on the West economically. The government neutralised the EU's control over its domestic policy by deepening its trade relationship with China and continuing to benefit from Japanese and Indian aid. The island can withstand the impact of the EU's withdrawal or suspension of preferential trade privileges (Hogg, 2011). Both Britain and the US abstained from the board discussion that saw the IMF grant a loan of $200m to Sri Lanka in 2009, to aid recovery from the war and the global financial crisis (Hogg, 2011). This loan was supposedly contingent on significant reductions in military expenditure and the creation of social safety nets for people displaced by the war. Through this abstention, these states indicated their disapproval of the manner in which the war ended, though the broader geopolitical trends suggest a keenness to invest in Sri Lanka and the international arms trade supports the militarisation of the state. The second tranche of the IMF loan was processed in 2011, despite sustained military expenditure. Many EU member states, China and Pakistan continue to sell weapons to Sri Lanka and the US Department of Defense is reportedly keen to open up a military relationship. The US provided arms to

Sri Lanka during the civil war (Keen, 2013; Bateman, 2011). It is worth noting that Sri Lanka's post-war financial support comes from donor countries that are "noninterventionist about matters deemed sovereign or by new donors who are less vociferous about accountability issues" (Anonymous, 2011: 47). The countries issuing the strongest demands for accountability have offered comparatively meagre financial assistance to Sri Lanka (2011: 47), and therefore exercise very little control over the government's actions. In July 2011, for example, the US House Foreign Affairs Committee approved a ban on all US government funding to Sri Lanka with the exceptions of humanitarian aid, demining and activities to promote democracy and governance (Hogg, 2011).

The assertion of international political influence on post-war Sri Lanka is geo-political in the sense that Sri Lanka has defied the conflict resolution methods associated with the "liberal peace" framework, which purports to privilege democratic values and universal understandings of human rights over the state's monopoly on security (Lewis, 2010). Groups mobilising against state repression under this model are often offered parity of status in negotiations with the state. Under Mahinda Rajapaksa's Presidency, Sri Lanka reiterated the privileged status of the sovereign state, withdrew state support for conflict resolution based on changes to territorial integrity, undercut the role of external parties to conflict resolution and refused to recognise the LTTE as the sole voice of the Tamil community (Lewis, 2010). The End demonstrated that insurgencies can be defeated militarily rather than through peace talks, and exemplified the success of leaning on geopolitical actors such as China for resources. Therefore, as Thiranagama (2013: 95) argues, international pressure for transitional justice and post-war reform in the UN forum is less about victim's rights and more related to recuperation of Sri Lanka's "scorched earth tactics" for other conflicts. In his analysis of the shifting form of the laws of war - "a confusing mix of principles and counter-principles, of firm rules and loose exceptions" - David Kennedy (2012: 165, 161) reminds us that the "legalization of the last war's outcomes presses itself on the legitimacy of future combat". If reconciliation and development can be built from the ashes, it could be the global example of our new century (Thiranagama, 2013: 95).

3.16 Accountability versus "Unique" Sri Lankan Justice

The Rajapaksa government's emphasis on restorative and economic justice is a self-serving performance in the shape of a transitional justice process, one that deflects accountability for war crimes as disruptive and unnecessary, a

concern that is overwhelmed by "the need to maintain order and promote national cohesion" (Gowing, 2013: 16). Welikala (2011, 2011a) contends that there is a tension between potential international justice mechanisms and national stability and democracy, problems that are situated at the interstices of the legal and the political. Welikala (2011) astutely notes that in the context of President Rajapaksa's popularity in the South, "the spectre of international intervention…unintentionally creates the space for the regime to burnish its anti-terrorism, anti-western and 'patriotic' credentials, and thereby shield itself from democratic scrutiny and normal politics." He argues that electoral and intellectual defeat of the regime is preferable; immediate accountability for human rights violations at the End risks defeat and also risks nourishing the domestic reification of the Rajapaksas on Sinhala-Buddhist nationalist terms (Welikala, 2011). The US Ambassador to Sri Lanka predicted in 2010 that lobbying by the Tamil diaspora and advocacy for international accountability "would seem to play into the super-heated campaign rhetoric of Rajapaksa and his allies that there is an international conspiracy against Sri Lanka and its 'war heroes'" (Butenis, 2010). The streets have, in fact, been overrun with protestors as "every community and organisation, which depend or want the government to do them a favour, are falling over one another to join in" (*The Hindu*, 2012). State officials sustain palpable rage directed against the UN mechanism and the Sri Lankan civil society activists who support it (Jayasuriya, 2012). Where the immediate security of these activists, and the wider Tamil population and other minorities, is at risk in this atmosphere of heightened Sinhala-Buddhist nationalism, the accountability measures being pushed in Geneva seem abstract in terms of achieving justice. The annual hurdle erected for the government in Geneva currently provides an opportunity to stoke nationalist sentiment and engage the population in anti-UN, anti-Western protests.

International accountability has been a point of advocacy since the End for Tamil civil society, diaspora and human rights groups, and the 2014 Geneva Resolution called for the establishment of an international investigation into the End (UNHRC, 2014). For what purpose is this outcome being pursued by the Western powers, and what do such efforts mean for domestic justice claims? Accountability manifested in institutional mechanisms such as trials, criminal investigations and prosecutions are, in the legalistic, normative approach, seen to "honor and redeem the suffering of the individual victim" (Weschler, 1990: 244) and to support the "path of recollection and affirmation" that recognises the suffering of victims and affirms their common humanity (Minow, 1999). Minow sees the 'performance' of justice for victims as an affirmative and inclusive act that promotes reconciliation. Osiel

(1997) also frames trials as a ritualistic performance by which national memories can be consolidated and inscribed. Allowing victims a voice in trials, despite the adversarial nature of such a forum, is thought to symbolically invite victims inside the process of justice (Skaar, Gloppen and Suhrke, 2005). Though often believed to embody a symbolic break from impunity and abuse of the rule of the law associated with repressive regimes, critics of retributive justice postulate that trials can also promote victor's justice and entrench divisions within society (Skaar, Gloppen and Suhrke, 2005). These readings of accountability measures refer to situations where 'transition' has occurred, from authoritarianism to democracy, or from conflict to 'peace.' In Sri Lanka's post-war environment, however, the potentiality of war crimes trials, targeting the country's leaders and revered military, gives rise to an alternate form of ritual: pro-government protests founded on nationalistic, Sinhala-Buddhist infused rhetoric that can be interpreted as mass rituals in defence of the military and state leaders.

The National Peace Council notes that the international community's "narrow focus on the last phase of the war" as the purported period of investigation, and the state forces and commanders pinpointed as the persons who will end up in the dock, is seen by "many in Sri Lanka, and not only its government, as a partisan intervention to punish it for defeating the LTTE" (Perera, 2014). The Sinhalese majority community perceives the accountability movement as a "call for punitive justice for its own sake, rather than for reconciliation" (Perera, 2014). Pursuing both accountability and reconciliation would, a lawyer and political commentator argued, cause a *"situation of paradox"* and would *"not deliver anything but anger"* (DD, 2012). The immediate priority ought to be reconciliation: *"we need to not suppress but hold these accountability issues"* (DD, 2012). He elaborated that:

> *"…pressuring the government on the war crime accountability issue draws the anger of the patriots who hail the military victory over the LTTE and respect the contributors to that victory as "heroes", regardless of international concerns"* (DD, 2011).

Pursuing retributive justice against the Rajapaksa government, Colombo-based, Sinhalese interviewees stated, has the potential to be extremely divisive (DD, JP, SH, JU, 2012). This potentiality is fostered by a state intent on avoiding accountability mechanisms and pursuing consolidation of power on the foundations of Sinhala-Buddhist nationalism, a nationalism that feeds on the rhetoric of sovereignty and anti-imperialism. The narrative crafted by the state is one of a small country that has defied all odds to defeat a terrorist

threat, only to find itself under siege by misinformed, powerful and pro-LTTE groups in the international sphere. A documentary produced by the Ministry of Defence named "Lies Agreed Upon" (2011) challenged the allegations against the state forces as "baseless" fabrications by pro-LTTE forces and an international community "jealous" of Sri Lanka's defeat of terrorism. Calls for accountability and investigations are framed as efforts by the "LTTE rump" and elements within the Tamil diaspora to "tarnish the image of this country, sow discord amongst our people, and drag Sri Lanka back into the past" (Rajapaksa, G., 2011). The international agenda, the state proclaims, is to reignite terrorism in Sri Lanka. Advocacy for accountability "is detrimental to the recovery process of a nation that suffered greatly due to terrorism" (MOD, 2011a).

Kennedy (2005: 15) notes that in the "international community" ideas about sovereignty and the limits of the UN Charter, core humanitarian commitments to the renunciation of empire, and the vocabulary of power politics "all render the desire to change regimes indiscussable." However, there are other, subtle ways of bringing pressure to bear on domestic politics, and both the state and its supporters are attuned to that possibility. The state projects external intervention and regime change as potential outcomes of international interference, necessitating popular solidarity with the government. Pushpi Weerakoon described *"interferences"* by foreign stakeholders as efforts to *"play with our political system"* (PW, 2012): both imperialist in intent and misinformed. She argued, echoing Rajiva Wijensinha's public pronouncements, that outsiders come to Sri Lanka with a prejudiced and negative attitude (often informed by the priority of electoral advantage in their own countries, in the case of politicians) and spend too little time in Sri Lanka to understand the progress underway (PW, 2012; Wijesinha, 2013). These 'interferences' are projected as designed to derail the reconciliation process underway. Lalith Weeratunga, the Permanent Secretary to President Rajapaksa, stated in January 2014 that an international inquiry would bring "huge chaos" to Sri Lanka, contending that judicially examining the actions of the "armed forces that liberated the country from terrorism" would upset the "delicate process" of reconciliation and "reduce the morale of the army" (Weeratunga, 2014). The nationalistic fervour encouraged by the state pivots on protecting "war heroes" from unwarranted harassment and investigation. Resisted by the majority, a moderate Sinhalese civil society actor argued, an international accountability mechanism would undermine stability and reconciliation (JP, 2012).

The state's rhetorical logic of prioritising stability over retributive justice is a method of avoiding the "inconceivable" approach of prosecuting war criminals (Anonymous, 2011: 49). This includes LTTE cadres and LTTE figureheads, as prosecution of such figures could spark discussions about broader post-war accountability issues and the culpability of the state forces (Anonymous, 2011: 49). Sri Lanka's 'unique' and benevolent approach in 'rehabilitating' and 'reintegrating' LTTE cadres is therefore situated in a context of fear of recrimination: the "Sri Lankan state, emboldened by its decisive victory, has little compulsion to go down the road of sincerely dealing with the past, especially if this entails reckoning with its own complicity" (2011: 49). Though no explicit amnesties have been offered to former LTTE leaders – a controversial but established option in the transitional justice "toolbox" – some have been integrated into government positions and are now loyal to the Rajapaksa government (Höglund and Orjuela, 2012). A powerful, if bewildering, symbol of leniency and faith in rehabilitation, this move is in fact an example of the politicisation of justice measures, an illustration of the manner in which the government grants impunity at will, where it is deemed useful (Höglund and Orjuela, 2012).

3.17 Tamil Calls for Accountability

In January 2014, the Northern Provincial Council – the establishment of which was perceived as a positive move towards a Tamil retrieval of political agency and power – passed a resolution calling for an international investigation into war crimes at the End and over the course of the conflict (*The Hindu*, 2014). The term "ethnic cleansing" was chosen over "genocide" after several round of debate (*The Hindu*, 2014). Reporting the details of the resolution, the state-run *Daily Mirror* depicted the move as the TNA "mustering its fullest possible strength to authenticate such calls by sections of the international community" (*Daily Mirror*, 2014). Jehan Perera (2014) asserts that the "international demand has now been supplemented by the demand from within the country…[in] these circumstances it is best for the government to be proactive about a credible and independent investigation." The establishment of the NPC (discussed further in Chapter Five), though expected to be a toothless governing body, has become a powerful tool of advocacy and has contributed to the reconfiguration of Tamil resistance and political agency on the international stage.

As the NPC gains confidence and settles into a pattern of administration, however, this resolution ought to be considered as the settlement of a policy

position, not a cheap political move aimed at discrediting the government internationally. The TNA and human rights groups have, since the End, consistently called for accountability as a crucial prerequisite for reconciliation, locally and within the diaspora (TNA, 2012; BTF, 2013; Sri Lanka Campaign, 2013). Tamil activists in the country's north have publicly demanded an impartial investigation into the End as a requirement of any political solution and reconciliation process (Guruparan and Rajamanoharan, 2013). The TNA supports international involvement in this regard and seeks retributive justice against the government leaders for the alleged atrocities (TNA, 2012). The NPC has granted the TNA a legitimate constituency and a measure of protection in voicing, discussing and collectively confirming these aspirations. Previously, as recognised in a January 2010 confidential diplomatic cable by the US Ambassador Patricia Butenis, Sri Lanka-based Tamil politicians such as TNA leader R. Sampathan were restrained from vociferously demanding accountability by fear of retaliation:

> "…they believe themselves vulnerable to political or even physical attack if they raise the issue of accountability publicly…A few have suggested to us that while they cannot address the issue, they would like to see the international community push it" (Butenis, 2010).

3.18 The Discursive Conflict: Propaganda and Public Relations

The conflict continues in discursive form between the Sri Lankan government and the pro-accountability lobby in the international sphere, made up of Tamil diaspora organisations, human rights groups and media bodies. The state continuously resists the internationalisation of the "Sri Lanka issue" and rejects evidence of war crimes by the state forces as pro-LTTE propaganda. State officials explain the proceedings against Sri Lanka in the HRC as a war by other means: "They are using the HRC as a forum to win what they lost four years ago on the battle ground" (Mahanamahewa, 2013). Dr. Mahanamahewa of Sri Lanka's Human Rights Commission told media sources that the Sri Lankan mission was working overtime to counter the malicious LTTE propaganda, briefing state officials at the HRC in Geneva. He named the British Tamil Forum, Global Tamil Forum and Tamil National Action Group of the US, Canadian Tamil Congress and the Transnational Government of Tamil Eelam as leaders of the "anti-Sri Lanka lobby": "They have been providing millions of dollars to disseminate the misinformation and disinformation campaign against Sri Lanka to create a negative HR image" (Mahanamahewa, 2013). Labelling these groups as "extremist

elements", he argued that they would settle for nothing less than a separate state and would not support a political settlement.

As described earlier, the purpose of propaganda is to render the ideology of the propagandist accepted by the people. The state apparatus has a near-monopoly on propaganda, derived from power and economic control. Systematic media repression and regulation allows the Rajapaksa government to control discourse and present itself both domestically and internationally as a small state under siege by the transnational 'network' of pro-Tamil lobby groups. The NPC resolution on accountability was timed to precede and inform the March 2014 UN Geneva Human Rights Council meeting, in fitting with the advocacy strategy adopted by international media and human rights groups in previous years. This strategy is performative: it is aimed at the international community, particularly the voting countries at the UNHRC, and uses visual media as a lobbying tool for maximum emotive effect. The "Sri Lanka's Killing Fields" documentaries produced by *Channel 4 News*, for example, were screened at side panel events in Geneva in 2011 and 2013, in order to influence diplomats (Jeyaraj, 2011; *Reuters*, 2013). The Sri Lankan Ambassador argued in 2013 that the provision of a platform for this film before the vote was "part of a cynical, concerted and orchestrated campaign that is strategically driven and aimed at influencing debate in the council on Sri Lanka" (Aryasinha, 2013). As discussed in Chapter One, by labelling the materials produced and concerns voiced by human rights advocates and diaspora groups as propaganda, the state attempts to undermine the credibility of both the issues raised and the groups in question. Minister of External Affairs G. L. Peiris stoked scepticism in the run-up to Geneva 2014: "this kind of material has a habit of surfacing at a politically critical moment; on the eve of something that is happening that is significant for Sri Lanka" (quoted in *Colombopage*, 2014).

The capability to produce propaganda and control information flows is more sustainable for states. They are globally competitive in terms of information technology, which elucidates the complex strategic relation between capital, liberal relations of power and the liberal way of war (Dillon and Reid, 2001: 64). An examination of the state's contracts with public relations corporations reveals the nexus between power, capital, liberal humanitarian discourse and the denial of atrocity in Sri Lanka's post war "global communications effort" (Qorvis, 2014). The professionalisation of Sri Lanka's post-war discourse contributes to the explanatory framework offered by Thiranagama (2013) and Gowing (2013). Sri Lanka's adoption of the discourse of transitional justice

and the establishment of transitional justice measures such as the LLRC are in fact performative means of obviating international calls for accountability and disguising ongoing abuses and the consolidation of authority over the Tamil population. Feitlowitz quotes Adolf Hitler as once saying, "without loudspeakers, we never could have conquered Germany." In the Fuhrer's time, she argues, radio was the key technological advance that facilitated social control. For the Argentinian "Process" under the junta, it was public relations (PR) (1998: 41). A "PR giant" was hired to improve the country's international image, issuing reports and magazine supplements and welcoming international journalists to visit Argentina (1998: 41). On their arrival, they were treated with great indulgence amid explanations of "what really happened" in the country (Feitlowitz, 1998: 42). Sri Lanka's use of PR is comparable.

The Head of the Media Centre for National Security (MCNS), Lakshman Hulugalle granted a highly illustrative interview. When asked to describe the main purpose of the media centre, he stated that it was originally set up "*to counter the propaganda done by LTTE diaspora from the various countries and false propaganda*". Since the end of the war, that objective has been supplemented with another task: "*to educate the people as to what the Defence Ministry and the forces are doing for the reconciliation and also for the country's development*" (LH, 2012). The MCNS, previous to its closure in mid-November 2013, was concerned with positively marketing the contributions of the armed forces to the reconciliation process. [85] Post-war, while individuals within the Reconciliation Unit posit that the failure of the government to properly engage in "*marketing*" the activities and successes of the reconciliation process is the reason for international pressure (PW, 2012; Wijesinha, 2012), the state has actually relied heavily on public relations corporations, namely Bell Pottinger, Qorvis and The Report Company, to manage its public image in various forums, particularly in pursuit of improved trade relations with the US.

Bell Pottinger, a UK based PR company, told undercover reporters in 2011 that they were responsible for writing the speech that President Rajapaksa delivered to the UN General Assembly in 2010 (Newman and Wright, 2011). The company was reportedly was paid £3m a year to enhance the country's image internationally (Pathirana, 2010). Media reports suggest that Bell

[85] The MCNS was closed, according to the *Colombo Telegraph* (2013c) because of Hulugalle's misuse of state money and the power associated with his office in his private life, including his "illicit affairs".

Pottinger staff were also involved in pro-Sri Lanka lobbying efforts in the UN, the EU and with the UK government to counter "what the Sri Lankan government says is propaganda by pro-Tamil Tiger groups in the influential Tamil diaspora" (Pathirana, 2011). Bell Pottinger were employed to influence the foreign media in favour of the Sri Lankan government, and reportedly pitched several articles to the UK's *The Guardian* newspaper, which were refused (Newman and Wright, 2011). In late 2009, Bell Pottinger sub-contracted its work in the United States to Qorvis Communications, "one of the largest privately owned digital and PR agencies in the world" (Qorvis, 2013)[86]; the corporations appear to have worked together in concert on the Sri Lanka project, with representatives from both corporations co-signing official letters. Qorvis placed an article penned by President Rajapaksa in the Philadelphia Inquirer in December 2009 entitled "How Sri Lanka Defeated Terrorism" (Newman and Wright, 2011). In the piece, President Rajapaksa suggested that Sri Lanka's defeat of terrorism had provided a "workable model" from which the international community could gain "valuable insight" (Newman and Wright, 2011), thereby promoting its conflict resolution model.

Qorvis's contract with the Sri Lankan government includes managing the country's reputation online, including "media and blogger relations, online grassroots, Web support, outreach to opinion leaders, and research and polling" (Lee, 2009). Reportedly, the contract between the state and this corporation has a monthly budget of $45,000 (Lee, 2009). The communication services provided by Qorvis and Bell Pottinger have also included preparing press releases and distributing "information materials" "on behalf of the government of Sri Lanka" to the US Department of Justice, explaining the Sri Lankan government's position on the reconciliation progress and initiatives and defending its actions regarding anti-UN protests in Colombo, for example (POGO, 2010). These documents were designed to elevate the reader's opinion of Mahinda Rajapaksa by including "highlights" of his speeches, promoting the narrative of economic prosperity, peace and reconciliation, and emphasising the country's defeat of "terrorism." Qorvis also reached out to news organisations such as the National Press Club and research centres such as the Centre for Strategic and International Studies in Washington to organise public events for Sri Lanka's visiting Foreign Minister G. L. Peiris (POGO, 2010). Further, illustrating the corporation's involvement

[86] Qorvis was purchased by PR giant Publicis in January 2014 and is now part of the public relations arm, MSL Group, under the name Qorvis MSL Group (Ho, 2014).

in promoting not only Sri Lanka's positive media image but also the country's economic and trade ties with the US, letters were delivered by Qorvis's Director for Communications to a range of US Members of Congress, and trade representatives in particular, requesting a meeting with Governor Ajith Navard Cabraal, the head of Sri Lanka's Central Bank (POGO, 2010).

3.19 Marketing Reconciliation

The tourism industry and advertising agencies employed to promote the country as a post-war peaceful haven have become a medium of propagating the success of the reconciliation process to the outside world. Under the branding slogan of "Sri Lanka: the wonder of Asia", the country's tourist industry employs the concept of "missed opportunities" to convince tourists to participate in the country's long-overdue blossoming (The Report Company, 2012; Fernando et al., 2012). This opportunity was not overlooked by the government and the Sri Lankan Economic Development Ministry launched the "Tourism Development Strategy 2011 – 2016" with private sector participation (Fernando et al., 2012; Ministry of Economic Development, 2011). International interest in the country is manifested in the form of tourism, foreign investment and humanitarian and development investors (Fernando et al., 2012). State discourse of "come and see" directly supports the tourist industry as an idenified post-war development strategy as well as publicly refuting the charges levelled against it. In President Rajapaksa's 2013 Independence Day Speech, he merged the state's parallel interests:

> "We respond to the publicity against Sri Lanka carried out abroad by inviting foreign countries to come to Sri Lanka. We have seen that the best answer to false publicity and propaganda carried out in foreign countries is development and reconciliation in Sri Lanka. Do not believe something just because it is said, because you have read reports, critics have said it or the media has published it. We tell the people of the world – Come! Come Over and See for yourselves!" (Rajapaksa, 2013)

The Report Company, hired by the state, produced a supplement in the UK's *The Guardian* newspaper in 2012, inviting tourists and foreign investment to Sri Lanka, a country keen to "prove to its people – and to the world – that national reconciliation is healing old wounds, to the relief of all afflicted by the war" (2012: 4). The Report Company's focus is economic, allowing state-

and corporate-affiliated interviewees to "dispel misconceptions about their nation's brand whilst exploring how best to manage perceptions at an international level" (TRC1, 2013). The supplement describes the "holistic" process of reconciliation and development (TRC1, 2012: 5), though does not elaborate beyond emphasising the fertile ground for businesses and foreign investment, unhindered by the LTTE terrorist threat and supported by new infrastructure work. The conflict is "over" and Sri Lanka knows not to be "complacent" in facing its task: "rebuilding and reunifying the nation" (TRC1, 2012). The accompanying image shows Sri Lanka as a puzzle, insinuating that the nation fits as a unified whole, the challenge being to keep the pieces in place. Reconciliation, unity and "oneness" is marketed to the supplement's readership – a pool of potential economic investors, business partners and tourists – as "starting to pay off", judged by multinational investment and its potential as a hub for international commerce (TRC1, 2012). The narrative projected in this weekend supplement was somewhat shattered by the newspaper's headline news on the same day: "Tamils deported to Sri Lanka being tortured, victim claims" (Malik, 2012). In a serendipitous coincidence, the power of the tourist advertising industry clashed - within the one newspaper - with investigative journalism unearthing the institutionalisation of torture in Sri Lanka, a practice that continues in the post-conflict phase (HRW, 2013). The reconciliation and "complete cessation of violence" described in The Report Company's supplement is exposed as purchased propaganda. The narrative of a reconciliation reliant on economic investment by international actors who are willing to support Sri Lanka's "great future" is undermined by the newspaper article's contents. The target audience of the supplement are encouraged to ignore Sri Lanka's negative image and the "almost obsessive focus on the human rights issue" bemoaned by G L Peiris, the Minister of External Affairs (TRC1, 2012: 6). The newspaper simultaneously unearths heinous rights abuses, calling into the question the "facts not fiction" propagated in the supplement (Nonis, 2012).

An elaboration of de Mel's (2007) analysis of the corporate sector's involvement in defining "peace" is relevant in this context, to illustrate the influence that corporations exert over international and domestic conceptions of current social and political dynamics. De Mel critiques the use of the "political economy of the sign of war" by advertising campaigns – using words and slogans such as "the only weapon you need is talent" and "Warning! Explosive idea inside!" – as maintaining a continuum between war and peace that kept a return to war as an acceptable recourse even throughout the peace process (de Mel, 2007: 85). Drawing on David Kennedy (2004), de Mel (2007: 81) notes that a common vocabulary has arisen in the professional

sectors of military, political and humanitarian actors. In the discursive framing of peace in Sri Lanka, the corporate sector and advertising industry have drawn on a lexicon related to embedded militarisation to promote their own interests. Domestic rejection of militarisation is difficult to imagine in this context, where the culture is saturated with militarism.

3.20 Conclusion

In post-war Sri Lanka, reconciliation is marketed via transnational public relations companies, for the purpose of boosting trade relations, as the international community housed in the UN Human Rights Commission monitors 'progress' in terms of implementation of the now-internationalised 'home grown' LLRC. This chapter has sought to explain the nature of the narrative imparted through these forums and the performatives offered by the state in adherence to international expectations. To illustrate the lack of political will towards 'reconciliation' behind the state's performatives, this chapter began from a description of the post-war lived experience of the Tamil people of the Northeast, based on interview material. An examination of the level of militarisation in the Tamil-dominated areas, alongside the LLRC's project of reconciliation and nation-building built from a hegemonic Sinhala-Buddhist mould, elucidates the process of domination underway. This chapter has also detailed acts of resistance and agency undertaken by organic groups such as women submitting reports of their grievances to the LLRC and the newly formed Northern Provincial Council.

Chapter Four
Transnational Discourses of Terrorism and Humanitarianism

4.1 Introduction

The conflict in Sri Lanka has largely been understood internationally through the framework provided by the state: a "terrorist problem" rather than a conflict based on the grievances and separatist intent of a repressed minority. In the final phase of the war, the hegemonic framework of understanding applied to "Eelam war IV" was one of a humanitarian rescue mission, necessary to liberate the Tamil population from the LTTE terrorists. This chapter examines the lexicon developed, adapted and adopted by the Sri

Lankan state: a lexicon that borrowed heavily from global discourses formed by world powers and originating in international political institutions. The sources, content and linear development of the conflict "script" is described. The effectiveness of that script in mobilising the population and deterring international condemnation for the "final war" in the state's favour is analysed. Beginning with an analysis of the construction of international discourses and their propensity for adoption and appropriation, this chapter will offer a critique of the "portability" of these discourses (Khalili, 2007: 12). The Sri Lankan example will illustrate the legitimising effect of global discourses as they spread across national boundaries, largely insusceptible to the particularities of a conflict situation. This chapter interrogates the ways in which transnational discourses are available to states as narrative building blocks. In Sri Lanka, speaking the language of the "international community" to achieve global sympathy, solidarity and support, these narratives informed the state's conflict script. [87]

By offering analysis of the ways in which the Sri Lankan state operationalised frames of interpretation, this chapter draws attention to the state's strategic choice of framework with respect to the various intended audiences: the local Sinhalese community, the Tamil population of Sri Lanka, the international community (housed in the UN, specifically) and potential allies in the international forum. As well as developing an understanding of how internationally legitimising discourses were sourced and adapted, and analysing the effect of this process, this chapter argues that Stanley Cohen's (2001) framework of denial can explain the utility of transnational discourses in avoiding accountability for atrocity. With respect to the effect of government rhetoric, this chapter queries the extent to which the Sri Lankan state has used language in nefarious ways over the course of the war to "confuse, disorient, and terrorise" the population (Feitlowitz, 1998: ix), and also to deny the existence of state terror.

The narrative of humanitarianism in the final stages of the war is the centrepiece of state denial of atrocity. Interviews with Sri Lankan academics, media personnel and political commentators, among others, described in Chapter One, illustrate the radical disconnect between the government's assertions and the actual events unfolding in Northern Sri Lanka. A sharp

[87] The LTTE were astute in appealing to international discourses and global sentiments also, appealing in the final phase of the war to what Khalili (2007: 33) terms the "trauma drama". Chapter 4 on Tamil nationalism, memorialization and vehicles of commemoration will analyse this element of the strategy in garnering support for Tamil Eelam.

juxtaposition exists between the official conflict script and the reports of human rights organisations (HRW, 2010; Crisis Group, 2010), the UN (2010, 2012), and a growing body of literature that challenges the veracity of the official script (Keen, 2013; Harrison, 2010; Weiss, 2010). The final section of this chapter describes the diplomatic efforts of the Sri Lankan Mission to the UN Human Rights Council in Geneva to reframe the End as a humanitarian war and to harness resistance to Western dominance in the UN to avoid condemnation and international investigations at the End.

4.2 The Portability and Adaptability of Transnational Discourses

David Kennedy (2004: 267) highlights the common vocabulary that has emerged amongst a global network of military, political and humanitarian professionals. He attributes the consolidation of this vocabulary to the codification of permissible rules of warfare as well as the emergence of international humanitarian law. He cautions that although "the military, humanitarian and political leaders increasingly speak the same language", this "does not mean they say the same thing" (2004: 271). Laleh Khalili (2007: 12) additionally points to the role of international institutions of security and justice, such as the UN General Assembly (UNGA), which she describes as "seedbeds for a particular nascent discourse and a meeting place for its practitioners". Though also made possible by technological advances that quickly transmit information and ideas on a broad scale, both authors identify the rise of coherent discourses from within international institutions. Transnational discourses, Khalili asserts, are made up of both global discursive trends and discourses borrowed from neighbours and allies. They are "forged and borrowed, nurtured, translated and transformed across borders" (2007: 11). National narratives subsume these discourses, as local institutions communicate with transnational networks and institutions, selected to assert legitimacy and authority on the global stage. They are adapted wholesale or in selective fragments. Khalili (2007: 12) describes how these discourses lose their historical specificity and their concreteness as they globalise, becoming portable and abstract, available for flexible interpretation yet providing consistency with international "ways of imagining the world".

While the anti-colonial movement sought to challenge the extant political order by recourse to a narrative of "the universal human struggle for liberation", the UN's allocation of nationhood has resulted in state reliance on international representations of sovereignty rather than the formerly

prevalent discourse of liberationist struggle (Khalili, 2007: 21). The revolutionary narrative, after the formation of the state, is domesticated, appropriated and institutionalised; the transnational liberationist discourse "metamorphoses into the heroic narrative of nationhood" (2007: 22). States have sought legitimacy in the geopolitically established order of nations and, in turn, an emphasis on national security has arisen. The "celebration of armed struggle" gives way to obeisance to the "legitimate use of force" enshrined in the new state's coercive apparatus (2007: 23). This shift in statist representations has paved the way for the birth of the national security state, based on the transnational discourse fashioned in the international institutions of politics and humanitarianism. Neloufer de Mel (2007: 81) notes that this vocabulary informs the entire apparatus of state coercion and repression because it is "shared by civilian and political leadership, as a standard grammar and component of the modern state." In particular, "the embrace of a humanitarian vocabulary is central in the moulding of professional militaries" (2007: 81).

The acceptable framework within which a state can wage war is increasingly one that draws legitimacy from the global 'War on Terror' launched by George W. Bush in the post-9/11 mission to reassert the position of the US as the world's dominant superpower. Within this framework, conflict is justifiable in the pursuit of the destruction of 'terrorists' or in the name of 'humanitarianism' – a military effort to rescue civilian populations from 'rogue states' or 'terrorists'. Central to international legitimacy in the global 'War on Terror' is the nebulous boundary distinguishing non-state armed actors engaged in a liberation struggle from "terrorists" challenging the state's position as "guardian of law and order" (Weber, 2004: 328).

Weber (2004: 329) notes that the post-Cold War world, characterised by globalisation and transnational capitalism, required a new "enemy" to consolidate the role and legitimacy of the nation-state and the attendant global political order. The logic of counter-terrorism discourse and practice promotes the enhancement of the state's "military-political-security functions" as the state's power must match (or be seen to match) the power of the "terrorists" (Weber, 2004: 329). Correspondingly, the state's civilian and civil functions are weakened. The 'War on Terror' included the logic of justifiable state-centric aggression and military force deployed against illegitimate challenges to established hierarchies of power, in addition to re-asserting the supremacy of the US in international affairs. This logic has been adapted into localised conflicts worldwide, as states and liberation

movements sought to situate their respective positions within this overarching global narrative. As Khalili (2007: 13) argues, all discourses have an international audience in mind as well as a local one. Post- 9/11, the discourse of terrorism took root in an atmosphere of generalised fear receptive to the promotion of hardline counter-terror responses. "Counter-terror" spoke to a widely deployed and institutionalised narrative of "specific moral and normative import", available for localised adaptation (Khalili, 2007: 13). In Sri Lanka, this international discourse "converged neatly with the story told by the Sri Lankan government: that the malevolent and ingenious Tamil Tigers, spawned by opaque or even metaphysical imaginings, was a terrorist group that had to be eradicated as surely as al-Qaeda" (Weiss, 2011: 246).

4.3 Tamil Militancy as Terrorist

Sri Lanka's domestic narrative of counter-terror is longstanding. The terrorist label applied to the LTTE has been a central feature of Sri Lankan political discourse since the rise of militant groups in the late 1970s, irrespective of the scale of violent challenge to the state (Nadarajah and Sriskandarajah, 2005). Despite the political development of Tamil separatism (described below), "terrorism" as a conceptual framework was applied to Tamil groups immediately as they undertook sporadic acts of political killings and "relatively small acts of sabotage" in the early 1970s (Nadarajah and Sriskandarajah, 2005: 89). The PTA was modelled on the British Prevention of Terrorism Act 1974, and the state drew inspiration from anti-terrorism laws in Israel (Marcelline, 2011). Sri Lanka was the first state in South Asia to follow the course of anti-terrorism legislation (Marcelline, 2011). The language of terrorism was embedded and institutionalised with this official definition in Sri Lankan legislation. A state of emergency was declared in 1979. The Sri Lankan definitions of terrorism criminalised not only the commission of violent anti-state acts for political aims, but also advocacy in support of such methods (Marcelline, 2011). This indicated that "terrorism" was considered a state of mind to be erased, if the rule of law and public order was to be implemented (Wickramasinghe, 2006).

The Tamil United Liberation Front (TULF) had in 1976 adopted the Vaddukoddai Resolution, declaring their intention to agitate politically for a separate state of Tamil Eelam. Noting that the post-colonial political system had reduced "the Tamil nation to the position of subject people" and placed

"the stamp of inferiority on the Tamils" under the majority Sinhalese, the Resolution laments the futility of engagement with Sinhalese leadership in attempting "to achieve the bare minimum of political rights consistent with the self-respect of the Tamil people" (Vaddukoddai Resolution, 1976).[88] Providing a concise summary of attempts to reclaim Tamil rights by advocating political reform, the Resolution declares 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" (Vaddukoddai Resolution, 1976).

In 1983, following the riots of "Black" July, recruits to the Tamil militant groups multiplied dramatically and the 6th amendment to the Constitution of Sri Lanka was introduced, defining support or advocacy for the establishment of a separate state within Sri Lanka as a punishable offence (Marcelline, 2011). Involvement in furthering the cause of Tamil national liberation was criminalised. The 6th amendment provided that, under threat of criminal punishment:

> "No person shall, directly or indirectly, in or outside Sri Lanka, support, espouse, promote, finance, encourage or advocate the establishment of a separate State within the territory of Sri Lanka" (Constitution of the Democratic Socialist Republic of Sri Lanka, Article 157A. (1)).

The same amendment also prohibited any "political party or other association or organisation" that has "as one of its aims or objects the establishment of a separate State within the territory of Sri Lanka" (A. 157A (2)). If such an entity adopts this position, it shall be deemed "for all purposes to be proscribed and any member of such political party or other association or organisation who is a Member of Parliament shall be deemed to have vacated his seat in Parliament" (A. 157A (5) (a)) and all members "shall be guilty of an offence" under the amended Constitution (A. 157A (5) (b)). Further, the 6th amendment demanded an oath of allegiance to the territorial integrity of Sri Lanka as a

[88] The resolution reminds the reader of previous attempts to protect the Tamil state from Sinhalese dominance. The process of marginalization and victimization leading to this point is detailed in Chapter Five.

unitary state. The measure criminalised political challenges to the unitary make-up of the state and it led to the mass resignation of Tamil politicians, thereby excluding Tamil representatives from the mainstream political process.

As argued by Nadarajah and Sentas (2013), the call for self-determination that came to the fore in 1976 revealed the reification of the Tamil homeland in Sri Lanka's social relations. In response to the continuing Sinhala project of majoritarian nation building, "Tamil resistance turned on the defence of this territorial space, and Sinhala domination on its denial and dismantling" (2013: 74). The call for self-determination voiced by the Tamil people in the traditional homeland of Tamil Eelam is based on a "history of independent existence as a separate state over a distinct territory for several centuries" prior to European colonisation, "their will to exist as a separate entity ruling themselves in their own territory" and the assertion that the Tamils inhabit "a nation distinct and apart from Sinhalese" (Vaddukoddai Resolution, 1976). The Tamil political movement is, in effect, founded on a concept of liberation from colonisation: the Sinhalese continued the colonisation of Tamil land when the British left Sri Lanka. It is a "national liberation struggle" (Nadarajah and Sriskandarajah, 2005: 88; Khalili, 2007). With the criminalisation of advocacy towards the Tamil political goal, the Sri Lankan state made explicit its definition of "separatism" as synonymous with "terrorism" (Nadarajah and Sentas, 2013: 74; Bartholomeusz, 2002). Real engagement with the political demands of the independence movement was rendered unnecessary within this framework.

With the rise of non-state actors in the early 1980s (bearing in mind that the LTTE was still but one of a mosaic of armed groups at this point in history), the Tamil political project was immediately conflated with terrorism. The political project for self-determination still occupied centre stage and the "armed Tamil groups were in the shadows of the Tamil independence movement" awaiting the progress of the TULF (Nadarajah and Sriskandarajah, 2005: 90). Ethnicity was essentialised in post-independence ethnic polarisation, enabling the "Tamils" – a complex and varied community – to be construed as an ethnic "whole." Tamil non-state armed groups challenging the state on political grounds were deemed "terrorists" rather than legitimate political actors (Nadarajah and Sriskandarajah, 2005; Kleinfield, 2003). Thus, Tamil political objectives under the principle of self-determination were undermined and de-legitimised. Ethnic polarisation was set by the majority's perception of politicised Tamil youth as a terrorist threat.

The UNP government of President Jayewardene framed the two separate issues of secessionist agitation and terrorism as one and the same and, in turn, "terrorism" in the late 1970s and early 1980s became conjoined with Tamil ethnicity (Nadarajah and Sriskandarajah, 2005). Political violence was conflated with terrorism and the political goals of the organisation were ignored and denied. Violence towards Tamils was institutionally approved. To quote a 1993 statement attributed to President Wijetunge, "there is no ethnic problem in Sri Lanka, only a terrorist problem" (quoted in Kleinfield, 2003). This conception of the conflict remains ingrained and wholly explanatory for Sinhalese hardliners and moderates alike in the post-conflict phase. In an interview with the Head of the Media Centre for National Security, Lakshman Hullugulle, he asserted:

> *"We had a issue with a terrorist problem, we never had a communal problem. Because the LTTE terrorists, they were not representing the Tamil community, they were a part of a terrorist organisation"* (LH, 2012).

As the "terrorists" were always ethnic Tamils, this led to the disproportionate application of counter-terror measures to Tamils: practices including draconian policing and detention and the institutional torture of Tamils (Pinto-Jayawardena, 2007; AHRC, 2010). Patricia Lawrence (2000: 228) provides a striking example of the manner in which the brutality of war progressed with an ethnicised logic. Enacting terrorist identity on the body through torture, torturers within the state security apparatus carved knife wounds in the shape of the letter 'L' as they branded LTTE "terrorists". This dehumanising act was similar to the way in which goats and cows were locally branded with Tamil letters of their owners' names.[89] Nadarajah and Sriskandarajah (2005: 93) assert that Tamils interpreted the violence inflicted on them by the Sri Lankan security forces as endorsed by the Sinhalese, just as the Sinhalese perspective saw militant violence as emanating from the popular will of the Tamils.

The framework of terrorism had the effect of mobilising Sinhala sympathy for the UNP regime and its actions and, despite continuing international criticism of endemic human rights abuse, this strategy largely won approval and support abroad (Nadarajah and Sriskandarajah, 2005). The results have been threefold: increased securitisation and militarisation of the island state; ingrained ethnic polarisation and inter-community suspicion; and the growth

[89] Lawrence offers the life experience of 'Santhakumar' as illustration of this bodily labelling.

of extremist discourse within the Sinhala-Buddhist nationalist base. Terrorism, as a framework, also functions as a powerful signifier of conflict characterisation that allows one "emplotted solution": to stamp out the terror and eradicate the terrorist (Kleinfield, 2003: 108).

The conflation of terrorism and the political objective of self-determination undermined attempted negotiations between the government and Tamil militant groups. The 6th Amendment heralded the resignation and resulting political impotency of the TULF politicians. Tamil political representation fell to groups discursively framed as terrorists: the militant groups vying for recognition in the early 1980s.[90] Political negotiations between the parties began in 1983 with the Round Table Conference, in the wake of Black July violence and under pressure from India. In 1984, the All Party Conference (APC) was held. The Thimpu peace talks of 1985 were orchestrated by India as negotiations between the Tamil militant groups and the Sri Lankan government. TULF politicians completed the Tamil delegation to Thimpu in Bhutan in July and August 1985. K. Padmanabha of the EPRLF expressed awareness that the Tamil delegation had not yet managed to "gain international recognition because of certain misconceptions and the lack of clarity about the nature of our struggle" (quoted in Marcelline, 2011). All of the militant leaders saw the Thimpu negotiations as a forum in which they could assert and claim their political legitimacy, realising that international credibility was crucial to success (Marcelline, 2011; Sahadevan, 2006). This legitimacy, justifying their resort to armed struggle, was based on exposing the Sinhala-Buddhist state's resistance to reform and the intention of the state to defeat Tamil separatism militarily:

> "By going through the peace process initiated by the Indian government, we feel that the incapacity of the Sri Lankan government to resolve the fundamental grievances of our people and its real design to solve the problem through military means will be fully and decisively exposed" (K. Padmanabha, quoted in Marcelline, 2011).

For the Sinhala political elite, the discourse of terrorism justified a minimalist position on state reform (Marcelline, 2011). Defining the Tamil militant groups as terrorists and a threat to the state precluded the possibility of a

[90] The other groups in question were named the Eelam Revolutionary Organisation of Students (EROS), the People's Liberation Organisation of Tamil Eelam (PLOTE), the Tamil Eelam Liberation Organisation (TELO) and the Eelam People's Revolutionary Liberation Front (EPRLF).

negotiated settlement on power sharing. Instead, peace talks became a "war by other means" for both the Sinhala and Tamil powers (Uyangoda, 2007: 11). The Sinhala political elite of the time, both in power and in opposition, advocated for the eradication of terrorism as a prior condition to state reform (Uyangoda and de Mel, 2013). The Tamil leadership, including TULF leader Amirthalingam in particular, were portrayed in the media as mere puppets in the service of the terrorist groups (Marcelline, 2011). Both parties lacked faith in a negotiation process, and the negotiations were perceived as a smokescreen, allowing time to prepare for war. Military engagement was expected to bring about more concrete outcomes (Marcelline, 2011).[91] The "one-sided, no-options politics" of terrorism and counter-terrorism persisted (Kleinfield, 2003: 108).

The construction of the irrational terrorist was transmitted via the popular media, particularly in the medium of the political cartoon. The Thimpu negotiations were constructed in the media as a forum where a legitimately elected government was forced to negotiate with terrorists due to external pressure. As the LTTE came to dominate Tamil politics in the mid-1980s and took over the exclusive mantle of Tamil representation,[92] the media was provided with an easily caricatured figure to represent the entirety of the Tamil independence movement. Political satire played on the term "Tamil Tiger" to depict Tamil militants in dehumanised forms, with serious implications for the conflation of ethnicity and violence. One cartoon in *The Island* newspaper showed a tiger sitting atop a cannon, grinning comfortably with his arms crossed. A sign bearing the declaration "ready for peace talks" hangs from the nose of the cannon. [93] Another example is a cartoon undermining the legitimacy of the LTTE as political representatives of the Tamil people, illustrating a tiger with stripes doubling as bars of prison, encaging the Tamil civilians within. [94] These depictions promoted the predominant discourse of Tamil militants as animalistic, terroristic and committed to an agenda of violence. In turn, the Tamil moderate leadership was portrayed as a mere instrument of terrorism. The Tiger symbol was

[91] This portrayal of the LTTE as insincere negotiators committed to militarism continued under Rajapaksa: "I even engaged in a discussion with the LTTE on the Ceasefire Agreement which was a threat to national security, the pride and sovereignty of the country... The response of the LTTE was to use the non-confrontational discussions to strengthen their war effort as done before" (Mahinda Chintanaya, 2010: 57).

[92] This process is described in Chapter Five on the development of Tamil nationalism.

[93] See http://www.island.lk/2001/05/12/cartoon.html

[94] See http://civil-war-conflict.blogspot.co.uk/

adopted by the Tamil militant groups for three reasons: as an equally powerful counterpart to that of the Sinhalese lion; because of the animal's reputation for ferocity and fearlessness; and also with reference to the Tamil identification with the Indian Chola empire (850-1200AD), whose dynastic emblem was the tiger. The tiger symbol is an allusion to the military character of the Chola Empire, implying that the LTTE meant to recreate the "Tamilness" of the kingdom, in a manner that Whittaker (2007: 206) terms "a particular kind of militant quality of being".

Though the state continuously attempted to undermine the LTTE's political legitimacy, Sri Lanka's four largest Tamil political parties forged a coalition in 2001, the TNA, with a manifesto recognising the LTTE as the "sole representatives" of the Tamil people. R. Sampanthan, then-chief candidate of the TNA, stated that the "wholehearted participation" of the LTTE was needed to find a political solution to the Tamil national question and called on the government to call a ceasefire as a precursor to talks (quoted in *Tamilnet*, 2001). He further stated that third party mediation - the supervision of the international community - was necessary for negotiations. The April 2004 parliamentary elections saw the TNA win a resounding victory in the Northeast, campaigning as self-acknowledged political proxies of the LTTE (Nadarajah and Sriskandarajah, 2005). While this outcome illustrates support for the LTTE, it must also be read in the context of LTTE ideological and physical control over the Tamil population and the complex interaction between Tamil nationalism, violence, cultural practices and community support for the LTTE's political strategies (Thiranagama, 2011).[95] Nationalist groups and the Rajapaksa government have pointed to disaffection of some Muslim and Tamil groups under the dominance of the LTTE as evidence that the conflict was not an ethnic conflict between the Tamil and Sinhalese communities, but purely a campaign against a terrorist group (Lewis, 2010: 655).

4.4 Post-9/11 Discourses of Terror

While both the Sri Lankan state and the Tamils have appealed to international institutions for support and legitimacy, the post 9/11 discourse of the 'War on Terror' further weakened the position of the Tamils in seeking a political solution to the conflict. Gordon Weiss (2011: 245) argues that the LTTE

[95] See Chapter Five on Tamil nationalism and commemorative practices.

leadership was "simply out of touch with the way the rest of the world had changed since 9/11". Margo Kleinfield (2003) offers a more nuanced analysis of the LTTE's efforts to use the emergence of this powerful global narrative to distinguish themselves from the global "terrorists" as "freedom fighters". President Chandrika Bandaranaike Kumaratunga's People's Alliance government and the LTTE immediately began to use 9/11 as a new opportunity to impose the label of terrorist on the other. As argued by Kleinfeld (2003: 105), this labelling was now "invigorated with the emotional intensity and moral certitude attached to the events in the United States and the global response." While the state and Sinhalese nationalists "became euphoric in light of the new global war on terror", the opportunity to position Sri Lanka as a "frontline state" in the global assault on terrorism did not arise as expected (Kleinfield, 2003: 111). The complexities of the local context were ignored in state rhetoric, keen to situate the Sri Lankan situation in the arising transnational networks of solidarity, sympathy and material support that would bring global relevance to their battle. Hopeful of a prime place in George W. Bush's global alliance, the state and its supporters were incensed when the US Embassy spokesperson in Colombo broke the news that the LTTE would not be a target of this alliance. This announcement negated the government's attempt to associate its own 'terrorist problem' with the new global paradigm. Kleinfield (2003: 112) describes how media reports argued for the "globality" of the problem, the interconnectedness of all terrorist networks and the LTTE's explicit links with al-Qaeda. The US exclusion of the LTTE as a target in the global 'War on Terror' caused outrage and was considered hypocritical. While nationalists ridiculed "terrorist groups that masqueraded as liberation movements" and scorned the possibility of negotiating with terrorists, a US official in Sri Lanka emphasised that negotiations with the LTTE were instigated by President Kumaratunga and attempted to "uncouple the Sri Lankan situation from September eleventh and the snowballing issue of global terror" (Amselem, 2001).

Masters of definition, the LTTE also turned strategically to the international community, couching their struggle for political rights in the popular lexicon available for adaption to their cause. The organisation attempted to reject the terrorist label imposed on them by challenging the "narrow definition" of terrorism that "has erased the distinctions between genuine struggles for political independence and terrorist violence" (Prabhakaran, 2001, quoted in Kleinfield, 2003: 119). At a time when all Tamil parties were labelled as terrorist, Prabhakaran used 9/11 to clarify the status of the LTTE:

> "Our struggle is based on the right to self-determination, a principle endorsed by the UN Charter. We are not terrorists. We are not mentally demented as to commit blind acts of violence impelled by racist and religious fanaticism. We are fighting and sacrificing our lives for the love of a noble cause i.e. human freedom. We are freedom fighters" (Heroes' Day Speech, 2001, quoted in Kleinfield, 2003: 119).

The US embassy's position that the Sri Lankan government ought to negotiate with the LTTE implied that the organisation did not belong in the category of "terrorists", with whom negotiation was untenable. Anton Balasingham, a Tamil nationalist intellectual leader and chief negotiator for the LTTE, decried the People's Alliance government's effort "to exploit the phenomenal tragedy faced by the American people to their own political advantage" in an LTTE leaflet circulated in Jaffna (Kleinfield, 2003: 113). The LTTE and its supporters recoded the narrative of the 'War on Terror' to identify the state as the "hate-filled attacker" in the local context. The state, they asserted, was the terrorist, necessitating violence in self-defence from the Tamil people. Though this argument may, as Kleinfield concludes, have influenced voters to support the opposition UNP in the December 2001 elections, removing the PA from power and heralding a period of peace talks, the 'War on Terror' nevertheless disadvantaged the LTTE in the longer term (Weiss, 2011). The resulting vilification of "terrorist" movements worldwide, including the increasingly widespread practice of listing and proscribing terrorist groups, meant that the LTTE were successfully labelled as such in the international realm and isolated both politically and materially. The politics of naming the LTTE, as discussed by Nadarajah and Sriskandarajah (2005), undermined the political project of the LTTE by denying the organisation international legitimacy. They argue that the term "terrorism" was, in fact, redundant domestically and understood in the context of the state's criminalisation of Tamil political agitation. The label, therefore, was deployed for the purpose of influencing international opinion and sat at the centre of the contest over the legitimacy of the struggle led by the LTTE.

4.5 International Proscription of the LTTE

The LTTE were widely proscribed as a terrorist group. In May 1978 in Sri Lanka, an Act of Parliament proscribed the LTTE and "any similar organizations" (Marcelline, 2011). By 2006, largely as a result of global hostility to 'terrorism' the organisation was banned in 32 countries. Weiss

(2011: 246) notes that the transnational narrative of the 'War on Terror' meant that the political costs of providing support to "murky national liberation movements" were too high and that, as Prabhakaran had argued in 2001, liberation groups were "conceptually too confused with terrorist causes" (quoted in Kleinfield, 2003: 119). Sri Lanka's closest neighbour, India, was first to proscribe the organisation in 1994 following the 1991 assassination of Rajiv Gandhi, the former Prime Minister. The LTTE never officially accepted responsibility for the attack but Anton Balasingham expressed regret over the act in 2006, calling it "a great tragedy, a monumental historical tragedy" (*BBC*, 2006a). His public statement fell short of an actual admission but came in the spirit of attempted reconciliation with India, in a context of increasing international isolation indicated by the spate of proscriptions that followed Ghandi's murder.[96] The US followed suit in 1997. The UK Terrorism Act 2000 criminalised fundraising and mobilisation on behalf of the LTTE in Britain. These measures came into force in 2001. The military capability of the LTTE did not seem to be hindered by these restrictions; they progressively launched offensives against the state forces, captured territory and, in 2000 and 2001, demonstrated a significant new conventional military capacity. If the objective of proscriptive measures was to stunt the military, political and administrative growth of the LTTE, Nadarajah and Skriskandarajah argue, the regime was a "demonstrable failure" (2005: 95). They argue that the intention was instead to undermine the Tamil political project.

However, as the 'War on Terror' discourse took root, the material difficulties and restrictions arising from proscription became apparent. The Sri Lankan government had formally de-proscribed the LTTE as a precondition for participation in the 2002 peace talks (Podder, 2006). After six rounds of talks held between September 2002 and April 2003, the LTTE unilaterally pulled out of the talks, though reiterating its commitment to uphold the Cease-Fire Agreement (CFA).[97] The LTTE took this decision on the basis of its exclusion from the preparatory donors' seminar that took place in Washington in April 2003. As the LTTE was listed as a terrorist organisation in the US, representatives could not attend the seminar. The imparity of status demonstrated on this occasion led the LTTE to perceive itself as subject to a "tactical snub" by the Sri Lankan government and "cloistered by 'an international security trap'" as the Sri Lankan state exhibited its international

[96] The LTTE's relationship with India, and the history between the two states, is complex. See Krishna (1999) for an examination of regional dynamics through the lens of postcolonial nation-building.

[97] See Podder (2006) for analysis of the content and progress of the Peace Talks.

legitimacy in contrast to the organisation's criminalisation (Podder, 2006: 585).[98] In May 2006, the European Union announced the LTTE's listing as a terrorist group, requiring the 25 EU member states to freeze financial assets attributable to the LTTE, prohibit the provision of funds directly or indirectly to the LTTE and enforce a travel ban on LTTE officials (Council of Europe, 2006). The EU framed this decision as a component of international pressure to bring the LTTE back to the negotiating table, as the 2002 peace talks had reached a stalemate. The EU proscription declaration expressly referred to a warning given to the LTTE in September 2005 that "it was actively considering the formal listing of LTTE as a terrorist organisation" (Council of Europe, 2006). Calling on all parties to resume negotiations, the EU urged them to show commitment and responsibility towards the peace process and to refrain from actions that could endanger a peaceful resolution and political settlement of the conflict.

With mediation from Norway, peace talks were resumed and held at the mutually acceptable venue of Geneva in February 2006. The LTTE withdrew from negotiations in April 2006 on logistical grounds, stating that difficulties with transportation had thwarted their preparations. Sri Lankan officials told international observers that this was a delaying tactic and a signal of the LTTE's unwillingness to engage with the talks (*BBC Sinhala*, 2006). The state forces, the LTTE and the unofficial paramilitaries associated with both parties, perpetrated on-going atrocities. The Sri Lankan Monitoring Mission (SLMM) - an organisation formed under the CFA and staffed by internationals - was mandated to record incidents violating the CFA. Two high-profile assassination attempts are thought to have prompted the EU's adoption of terrorist proscription of the LTTE – the successful attack on the Minister of Foreign Affairs, Lakshman Kadiragamar, in August 2005 and the attempted assassination of General Sarath Fonseka in April 2006. Also, due to high profile and devastating LTTE attacks in 2005 and 2006, the international climate had become extremely hostile towards the LTTE. The EU was careful to emphasise that "its decision is directed at the LTTE, and not at the Tamil people" (Council of Europe, 2006).[99]

[98] The LTTE understood from its inception and involvement in negotiations that parity of status with the state was necessary. In 1985, Anton Balasingham of the LTTE stated to the *Financial Times* that, "our aim is to shift the balance of military power in our favour so we can negotiate with the Government on our own terms" (quoted in Marcelline, 2011: 10).

[99] The death toll attributed to LTTE attacks in 2005 and 2006 was extremely high and included civilian and military targets. The Kebithigollewa massacre in June 2005 claimed the lives of 68 civilians, including 15 school children, and injured 78 others. The October 2006 Digampathana

Kadiragamar was instrumental in advocating for the LTTE's proscription abroad. Kleinfield (2003: 119) names him as "the architect of the international anti-LTTE campaign" under the PA government. Speaking at the UN General Assembly following the 9/11 attacks, Kadiragamar sympathised with the US, contending that, "terrorism threatened the very foundations of human society" (Atugoda, 2013). Drawing a comparison between the attack on the US and the situation faced by Sri Lanka, Kadiragamar is credited with having turned the tide of international opinion against the LTTE (building on the counter-terror discourse developed domestically by the state and on the basis also of the mounting atrocities carried out by the organisation) and framing the conflict as a "separatist terrorist war" (Atugoda, 2013). International condemnation of the LTTE was re-formed around the concept of national security and counter-terrorism, glossing over the foundations of the conflict based on minority persecution and a call for self-determination. Kadiragamar sought international cooperation in blocking the LTTE's financial support networks, stating at the First Ministerial Meeting of the Community of Democracies in 2000 that the resulting Warsaw Declaration, as "a demonstration of political will that sends a message to the terrorists of the world", would ensure that there would be "no succour, no solace, no safe haven, no place to hide, no place to run for the terrorists of the world because all of us the democratic states will stand together and fight together" (quoted in Atugoda, 2013). The LTTE never acknowledged responsibility for the minister's assassination but a colleague of his, Satharathilaka Banda Atugoda, recalled Kadirgamar as prophesising his death at the hands of the organisation: *"Atu. I have walked a few more steps towards the LTTE bullet"* (quoted in Atugoda, 2013).

Proscription of the organisation did not initially diminish the LTTE's support base in the Tamil diaspora and may in fact have consolidated the resolve of diaspora groups to support the LTTE, understood as representatives of the Tamil national movement (Nadarajah and Sriskandarajah, 2005: 97). After the EU's listing of the LTTE, however, the criminalisation of fundraising may have contributed to a reduction in material support for the LTTE, as the diaspora were reluctant to engage in illegal activities such as donating to the LTTE through it's front groups. The LTTE's office in London closed down with the UK's proscription of the group (HRW, 2006). Coinciding with the

attack targeted a convoy of military vehicles, carrying navy servicemen. The attack claimed over a hundred lives.

February 2002 ceasefire agreement signed by the LTTE and the Sri Lankan government, international fundraising from the Tamil diaspora waned; it was deemed illegal and personally risky, or unnecessary in light of new prospects for peace (HRW, 2006). However, the fundraising activity that continued, according to accounts recorded by Human Rights Watch (2006: 13), became more aggressive to compensate for the reduction in income. While many members of the Tamil diaspora had willingly contributed funds to the LTTE, identifying the organisation as legitimate representatives of the political interests of the Tamil people and expressing their faith in armed struggle, LTTE fundraisers engaged in widespread practices of pressure, intimidation and threats to obtain funds from the diaspora. Human Rights Watch describes the LTTE's dependence on the Tamil diaspora for financial support to wage their militant independence struggle and suggests that the diaspora had a responsibility or a "unique potential" to influence the LTTE's policies and behaviour, including its human rights practices (2006: 3). The report notes, however, that the LTTE assumed in their fundraising schemes that the diaspora had a responsibility to atone for their privilege, comfort and safety in foreign lands by providing financial support to the organisation.

The report concludes that the LTTE's "effective use of intimidation and extortion within the community" neutralised the potential of the diaspora to take the organisation to task with regard to the human rights implications of their military methods (2006: 3). But to what extent did the criminalisation of fundraising actually result in the rise of these coercive methods? By proscribing the LTTE, traditional channels of fundraising from the diaspora were cut off and following the breakdown of peace talks the LTTE's 'final war' faced a resource vacuum. The culture of fear nurtured by the LTTE in Sri Lanka transferred into the diaspora; threats, intimidation and the language of "traitors" to the Tamil political cause (Thiranagama, 2012) were powerful tools of extortion. In the face of waning financial support for the organisation's military endeavours, it relied evermore on coercion and violence.[100] The LTTE's rhetoric of means justifying ends was floundering and this was reflected in the community's reluctance to offer support. The depletion of resources, and the leadership's obdurate position, may have

[100] The LTTE's resort to these tactics of fundraising speaks to their increasing practices of forced recruitment and child recruitment in Sri Lanka: a response to waning voluntary recruitment in Sri Lanka's Northern Tamil community. Interviewees for the Human Rights Watch report referenced these practices in Sri Lanka as reasons not to donate money for the cause (HRW, 2006: 37-8).

directly prompted the organisation towards coercion and violence directed towards its own people.

Further, the proscription of the organisation immediately weakened the position of the LTTE position at the bargaining table and contributed to the breakdown of talks. The Permanent People's Tribunal, an independent group of experts, came together in Dublin in 2010 to analyse the Sri Lankan situation. They noted that "the USA, UK and others have been accused of undermining the LTTE and its commitment to peace by repeatedly calling for a complete renunciation of violence 'in word and deed'" (PPT, 2010: 12), thereby glossing over the violence perpetrated by the state and the political aims of the organisation. This, the PPT claimed, contributed to undermining its parity of status vis-à-vis the Sri Lankan state. The EU's decision to proscribe the LTTE, the PPT noted, "has also been seen as a grave error", leading to an imbalance in power between LTTE and state negotiators that ultimately thwarted the continuation of the peace process (2010: 12). The Sri Lankan government's position, however, was that the LTTE's intransigence and unwillingness to enter into negotiations on core political issues could be attributed to "the continued flow of funds to its war chest from overseas" (MEA, 2007).

The appropriation of the language of counter-terrorism and exploitation of the proscription resource by repressive states is a tool to weaken the capacity of non-state actors to wage a war in self-defence and for self-determination. The governments enforcing proscriptions of these organisations give "express support and authority to states who repress minority peoples in the name of counter-terrorism" (Sentas, 2010: 16) and thereby legitimate the violence of the state towards the group in question. Critics have argued that the EU's decision to label the LTTE as "terrorist" relates predominately to its failure to heed the demands of the major world powers to return to the bargaining table, rather than as a result of the atrocities attributed to the organisation (Nesan, 2006). A senior US State Department official admitted that the Bush administration had pushed the EU to outlaw the LTTE:

> "We have encouraged the EU to list the LTTE. We think the LTTE is very deserving of that label. We think it will help cut off financial supplies and weapons procurement…" (Donald Camp, quoted in Nesan, 2006).

The political violence of the LTTE was long labelled as terrorism by the state and accepted as such by the international community, which was increasingly drawn into taking a position on the Sri Lankan conflict. The "internationalisation" of the conflict arose from the vocal lobbying of the Tamil diaspora, the engagement of Norway and India in facilitating negotiations and peacekeeping and the posturing of world powers with respect to 'War on Terror' prerogatives. Mahinda Rajapaksa was elected in 2005, as the transnational discourse of the 'War on Terror' took root, and the Rajapaksa government's military strategy to 'counter the terrorist problem' gained (at least tacit) international support. This particular political construction of the Sri Lankan conflict enabled the state to narrate the conflict as a *"terrorist problem"* (LH, 2012), in line with *"the holy war against terrorism"* (JU, 2012) launched in the US and other countries. The international legitimacy offered to the state over the Tamil militants, and the justifying rhetoric of the 'War on Terror', was exploited to achieve international solidarity in the final war against the LTTE. The discursive power of the 'War on Terror' overwhelmed the international community's concerns over the Sri Lankan state's human rights record and justified a military strategy to defeat the "terrorists". Domestically, faith in the Norwegian-facilitated peace process plummeted under Rajapaksa's remit and "peace" itself became an unacceptable term, identified closely with sympathy for the LTTE in nationalist political circles (Lewis, 2010; Wallace, 2010). Molly Wallace notes that Rajapaksa's official speeches emphasised that the LTTE withdrew from negotiations on the "flimsiest of excuses" and returned to terrorism, "indiscriminately targeting innocent civilians" (Wallace, 2010: 166). He offered, in contrast, assertions of the government's willingness to engage in negotiations. The government was, he contended, compelled to return to military action as a last resort (2010: 166). By 2007, defeating "terrorism" by return to a military strategy gained overwhelming support in the south and became the only "patriotic choice" (Lewis, 2010: 656).

4.6 The Discourse of Humanitarianism and the End

As noted by Laleh Khalili (2007: 34), a new transnational discourse has arisen with emergence of an international human rights and humanitarian ethos that "seeks to redress the distant suffering through transnational juridical means, and through appealing to the widest possible audience's sense of pity and sympathy". Khalili names this discourse the "trauma drama". Narratives of suffering are maximised by NGOs and international agencies offering their

"non-political expertise" as they seek sympathy, attention and support from funders, thereby spreading the discourse of suffering and "redemption from suffering" and creating a "politics of pity" (2007: 34-6). The problem with this discourse, Khalili contends, is that the narrative of powerlessness and suffering actually perpetuates powerlessness and suffering in the same form. "Rather than addressing the man-made causes of suffering, the palliative quality of humanitarianism depoliticizes suffering and transforms it into a case for charity" (Khalili, 2007: 37). The rise of this discourse was not lost on President Rajapaksa's government and the Ministry of Defence. The political usefulness of the language of humanitarianism was recognised; its meaning and intent was domesticated and employed within Sri Lanka's particular political landscape.

The military and the LTTE, over the course of the conflict, both vied "to cast their polarised propagandistic perspectives as the single version of the truth" (AHRC, 2010: 6). Under advice from "*governmental spin doctors*" (LG, 2012), the state euphemised the final military obliteration of the opposition as an "unprecedented humanitarian operation", a "civilian rescue mission" to "save" the Tamil civilians from the LTTE (MOD, 2011). As described in Chapter Two's discourse analysis, interviewees spoke of the state-generated echo chamber of humanitarian rhetoric in the months preceding the End, a rhetoric that ricocheted in the compliant state media and shielded the state from criticisms. Crucially, as noted by a progressive Sinhalese political scientist:

> "*The state narratives of events are constructed in order to prevent legal consequences. Descriptions are constructed by lawyers - so that there would not be any clue to admission of guilt in the account…Narratives of events are written by people who are well-versed in international humanitarian law* (JU, 2012).

The narrative of witness-survivors of the End illustrate that civilian protection was not a priority. Reports filtered out of the conflict zone describing how the armed forces launched shells into government-designated safe zones, targeting hospitals and other civilian structures (UN, 2011; HRW, 2009). Illegal tactics and war crimes by the Sri Lankan armed forces and the LTTE characterised the military onslaught at the End (Reddy, 2009; HRW, 2009; UN, 2011). The ICRC, in a rare public statement that illustrated the appalling circumstances facing the population at the End, described an "unimaginable humanitarian catastrophe" (ICRC, 2009). The Tamil population considered it "*a deliberate and sustained assault on the civilian population of the Vanni*" (EV,

2012). Interviewees, when asked to describe the event, used words such as *"horrific"* (KD, 2012), *"massacres, genocide"* (TA, 2012), a component of *"eenaparikolai"* or structural genocide (KG, 2012), *"deliberate murder"* (MG, 2012) and *"wholesale slaughter"* (AH, 2012). Interviewees accepted as fact that the state deliberately re-framed events for international and Sinhalese consumption. One Sinhalese media worker described the state media strategy as *"Orwellian"* (SH, 2012). A Jaffna-based Tamil media worker argued that:

> *"[t]here was a big difference between the way the government represented the conflict and what happened. They said that they were safeguarding the people, which does not match what was happening. Reality was different"* (MTJ, 2012).

News of the atrocities occurring in the Vanni filtered out through media reports and personal interactions. As Sinthujan Varatharajah (2013) reminds us, information was in fact reaching the outside world. The problem was one of assumed "pro-Tiger" bias and a lack of international journalists who would be deemed more reliable and credible.

Rejecting the state discourse of a "humanitarian operation", media workers *"knew the real situation. Relatives and friends were there, dying in bombings and shelling attacks"* (PJ, 2012). The domestic media were *"voiceless and helpless, and Jaffna was under military control"* (PJ, 2012). The population *"knew that people were dying in the Vanni. They hated the UN, thought they were doing nothing, they were angry when they left"* (PJ, 2012). At the time, one INGO worker recalled, responsibility for the atrocities *"didn't matter. Everyone was dying. There were horrors committed by both sides, there is no doubt about that"* (AH, 2012).

The Tamil people were represented in state discourse as victims of the LTTE, seeking "liberation" from the militant group. This language was adapted to the state's agenda in a discursive battle for international support and legitimacy. In response to the LTTE's tactic of using civilians as human shields in the final phase, the state escalated the use of language of "civilian rescue", telling a story of hostages and terrorists that was amenable both to international terrorism discourse and the language of humanitarianism (MOD, 2009; Rajapaksa, 2009a). The President's personal humanitarian intentions necessitated the military push and characterised the manner in which it was carried out:

> "We can't use heavy weapons. And we can't do air attacks, because we are worried about the innocent people there…My heart would not allow any civilians to be killed by bullets" (Rajapaksa, 30 April 2009).

The President made explicit his armed forces' commitment to human rights in his "victory" speech. In an extract repeated by a Sinhalese civil society activist (JP, 2012) and respected Sinhalese academic (JU, 2012) as illustrative of the government's duplicitous propaganda, he proclaimed that the Sri Lankan armed forces defeated terrorism while:

> "carrying a gun in one hand, the Human Rights Charter in the other, hostages on their shoulders, and the love of their children in their hearts" (Rajapaksa, 19 May 2009).[101]

His proclamations were contested by reports filtering out of the conflict zone (Philp, 2009; ICRC, 2009; UN, 2011). The stated concern for civilian life, and adherence to international humanitarian law, is set in marked contrast by the state to the strategies of the 'barbaric', 'savage' and 'brutal' LTTE. Unconcerned with civilian life or humanitarian law, the state announced, the LTTE "uses tanks to fire at these people", it uses innocents as "hostages" and "human shields" (Rajapaksa, 2009a; Wallace, 2010). In response to an incident reported on the 21st of April 2009, military spokesman Brigadier Udaya Nanayakkara denied that the reported 1,000 civilians had died, stating that only 17 civilians were killed and that the perpetrators were the LTTE. He publicly stated that: "*Our troops are rescuing the trapped civilians. It's the LTTE which is preventing civilians from fleeing*" (quoted in Krishan, 2009). A Tamil politician vehemently rejected this official conjecture: *"The government were eliminating people, saying they were rescuing people"* (SP, 2012). Tamil survivors of the End rushed to the "government side", out of desperation and hunger, and despite their deep mistrust of the military arising from the years of war and indiscriminate shelling at war's end (Harrison, 2012). President Rajapaksa interpreted this for the international community:

> "Nearly 180,000 fleeing from the clutches of the LTTE to the cleared areas clearly serve to demonstrate a feeling of security and confidence in our security forces" (Rajapaksa, 7 May 2009).

Government photographers were on hand to photograph soldiers helping vulnerable Tamils to complete the journey, photographic evidence to support

[101] As Molly Wallace (2010: 165) notes, Rajapaksa "must mean the Universal Declaration of Human Rights here, though he could be conflating this with the UN Charter. This could also be an error in translation." JU (2012) believed that he was referring to the UDHR while JP (2012) used the phrase "human rights manual" in recounting the speech.

the narrative of a 'civilian rescue mission'. Adding to national engagement, personal identification and the sense of adventure associated with the "humanitarian operation", the MOD website uploaded photographs regularly to document the progress of the mission.[102]

4.7 Diplomatic 'Outmanoeuvring' in the UN Human Rights Council

Dayan Jayatilleka was Sri Lanka's Permanent Representative to the UN Human Rights Council in Geneva from June 2007 until late 2009. When Jayatilleka assumed his role in Geneva, he gathered his mission staff and told them the story of the three hundred Spartans at Battle of Thermoplyae, who "held on against incredible odds to provide the time and political space for the rest of the Greek Federation to mobilise and crush the aggressors" (Jayatilleka, 2013: 232). "This," he told them, "would be our task, and should animate our work and attitude" (2013: 232). Jayatilleka officiously contended that the "heroic task" underway in Sri Lanka – defeating the LTTE – was theirs to protect within the UN. "The Tiger" (the LTTE), he states, was a "globalized creature" in its contemporary form, supported by the pro-LTTE diaspora, the Western governments acting as patrons and committed protectors of the LTTE and the Tamil Eelam cause, and Tamil Nadu, where political parties were pledging support to the achievement of Eelam. This "three-pronged campaign to save the Tiger" threatened to stall the domestic military campaign (2013: 312). As reports of the war's toll on civilian life and the absence of civilian protection emerged in early 2009, the EU Parliament and Western governments lobbied UN member states to gain support for a special session on Sri Lanka (Smith, 2011). The desired outcome of this session would be a resolution requiring a "humanitarian pause" and "honourable exit" for the LTTE leadership, and the resumption of political negotiations with the group. To hold this session, 16 state signatures were required. For Jayatilleka and his team, the aim was to delay this session until the Sri Lankan forces could destroy the LTTE. They were ultimately successful, acknowledging that although there was "no possibility of preventing it… delay it we did" (2013: 319). The Sri Lankan people, Jayatilleka asserts, had relied on the international community before – in the form of the Indo-Lanka Accord of 1987 – and this time would resist such "coercive external intrusion"

[102]Available at: http://www.defence.lk/picturegallery/pic.asp?cat=ACHI [Accessed 29 June 2014].

in favour of achieving a military defeat over the "secessionist terrorist enemy" (Jayatilleka, 2013: 316-7).

For the Sri Lankan mission, the goal was framed in terms of reclaiming Sri Lanka's sovereignty and restoring territorial integrity. Mahinda Rajapaksa's position internationally has been that "Sri Lanka is prepared not only to defend its sovereignty and territorial integrity but also, —deploying all the resources of the State, to protect the people of Sri Lanka and their democratic way of life" (Rajapaksa, 14 May 2008, quoted in Wallace, 2010: 167). It was Sri Lanka's "fate" and "destiny" to recover its status as a unitary state "by any means necessary" (Jayatilleka, 2013: 317). The narrative of heroism, sacrifice for the nation and defiant sovereignty draws on an internationally recognisable narrative of liberation and anti-colonialism, attractive to both Sinhalese nationalist sentiment and the political agendas of formerly colonised potential allies in the international community (Khalili, 2007). The EU adopted the liberal humanitarian view espoused by the Tamil diaspora, independent news sources, NGOs and the UN in Sri Lanka that international action or intervention was required to prevent a "bloodbath on the beach" (Holmes, 2009). Sri Lanka's Mission to the UN, however, "returned to and refreshed" Sri Lanka's "Non Aligned roots", building alliances across the continents and positioning itself within the world order's "emergent multi-polarity" (Jayatilleka, 2013: 330). Appealing specifically to the countries of the Non-Aligned Movement (NAM),[103] Sri Lanka's defensive campaign attacked Western dominance in the UN.

Sri Lanka also sought solidarity within the South Asian Association for Regional Cooperation (SAARC), which champions:

> "respect for the principles of sovereign equality, territorial integrity, national independence, non-use of force and non-interference in the internal affairs of other States and peaceful settlement of all disputes" (SAARC Charter, 1985).

Sri Lanka's Mission urged a collective reassertion of these principles in the UN as it sought political space to finish the war. It stressed the danger presented to its sovereignty by purported Western interference and called on

[103] The Non-Aligned Movement is a grouping of states formed in Belgrade in 1961 representing the interests of developing countries. It was an attempt to hinder and undermine the Cold War. The member states are conjoined by policy and practical collaborations based on their formal non-alignment with established power blocs in the world order.

member states to affirm the principle of non-interference in the domestic affairs of other nations. Sri Lanka reasserted the value of sovereignty norms against the liberal norms and conflict resolution practices that have characterised the "liberal peace" international agenda since the 1990s.[104] The inviolability of state sovereignty was weakened under the framework of the "liberal peace", as democratic values and universal understandings of human rights gained privilege over the state's monopoly on security. This shift was a boon to groups self-identifying as victims of state repression and often offered parity of status in negotiations with the state. It was within the liberal peace framework that the LTTE were given voice on the international stage, with interventions in the form of negotiation facilitation from Norway and the support of NGOs and international institutions for the 2002-2005 Ceasefire Agreement.

The Rajapaksa government, on election in 2005, rejected all of the explicit or implicit "liberal peace" principles of the peace process (Lewis, 2010: 652). Drawing on Sinhala-Buddhist nationalist terminology, the government reiterated the privileged status of the sovereign state, withdrew state support for conflict resolution based on changes to territorial integrity, undercut the role of external parties to conflict resolution and refused to recognise the LTTE as the sole voice of the Tamil community. The discourse of the 'War on Terror' was useful in this regard, as described above, and Rajapaksa labelled the LTTE as "the demonic forces of terror" (Rajapaksa, 2007), in contrast to Sri Lanka's adherence to humanitarian law and liberal democratic principles. This discursive turn helped to justify the shift from the dominant conflict resolution model to a counter-insurgency framework. Sri Lanka propagated a reversion to a pre-1991 international model of conflict resolution, a shift supported by states such as Brazil, Russia, India, China (the BRICs), Indonesia and South Africa. This model promotes "maximalist understandings of state sovereignty and resisting norms that constrain particular ways in which force is used inside state borders" (Lewis, 2010: 658). A diplomatic cable from the US Mission to Washington in March 2008 noted the efficacy of Sri Lanka's approach of nurturing NAM alliances and avoiding international accountability on that basis:

[104] See Chapter Three's discussion of the liberal peace. David Lewis (2010: 650) describes the "more interventionist model of peacemaking" that emerged in the 1990s as intrastate conflicts became more prevalent. These new models disseminated new norms and rule governing external assistance in conflict resolution. The institutionalised practices – liberal political and economic policies - associated with this model came to be labelled (primarily by its critics) as the 'liberal peace'.

> "…its latest public relations campaign in Geneva…reflects a strategy of appealing to NAM countries, to whom it argues implicitly (and probably explicitly, behind closed doors) that it is willing to stand up to the West, which is unfairly picking on it. That message resonates particularly strongly in the Human Rights Council, further complicating our efforts to use that body to pressure Sri Lanka on its human rights record" (US Mission Cable, 10 March 2008).

Adopting a pro-active stance in Geneva in 2009, the Sri Lankan Mission under Jayatilleka held events "in debate mode" to present its position and welcomed NGOs and "pro-LTTE representatives" into discussions. Sri Lankan diplomats contested the liberal humanitarian norms ingrained in the UN system and actively pursued debate on alternative conflict resolution models. Lewis (2010) notes that Sri Lankan diplomats adopted a role of "norm entrepreneurs", arguing that the Human Rights Council was a forum for contesting, rejecting and adapting norms rather than merely perpetuating the liberal norms on which the institution was built. The model the Sri Lankans championed, however, was a nefarious strategy of denial, paving the way for a domestic military campaign without international oversight: what the international media and UN insiders termed a "war without witness" (Foster, 2009; Weiss, 2010; Buncombe, 2009).

A pro-state journalist stated that until January 2009, the international community *"believed the LTTE could stop the army"* at the crucial strategic juncture of Kilinnochchi (SF, 2012). *"But once the LTTE abandoned Kilinnochchi and retreated towards the Mullaitivu coast, they knew that they could not stop the offensive and they made a desperate bid to call for a ceasefire"* (SF, 2012). In early 2009, as a group of European countries lobbied to gather signatures for a special session in the Geneva Human Rights Council on Sri Lanka, the Mission countered that effort by presenting Sri Lanka as a sovereign nation unfairly under siege by Western "humanitarian interventionist" powers. The principles of NAM were in danger, Jayatilleka argued, in his role as Permanent Representative to the UN. The drive to persecute Sri Lanka, he contended, was not rooted in evidence but "carried on waves of mass demonstrations of diaspora protests" and personally led by David Milliband and Bernard Kouchner (Jayatilleka, 2013: 318). Foreign Ministers of the UK and France at the time, Milliband and Kouchner had visited Sri Lanka in April 2009 "to draw attention to the human suffering, to call for humanitarian aid and workers to be allowed in, and to call for the fighting to stop"

(Kouchner and Milliband, 2011). Concerns were being raised internationally, particularly in Europe, about the lack of civilian protection and the treatment of IDPs as the Sri Lankan forces closed in on the LTTE. The UN High Commissioner for Human Rights called for an independent international investigation into the allegations of human rights violations, and the UN Secretary-General expressed concern (Smith, 2011; OHCHR, 2009). Sri Lanka presented itself as a victim of terrorist propaganda, facing a coordinated assault by Western powers influenced by pro-LTTE elements in the Tamil diaspora. The pro-LTTE Tamil diaspora, Sri Lanka declared, had successfully rallied a global movement: an enemy external to Sri Lanka and formidable in strength (Jayatilleka, 2013: 312-3). SF (2012) argued that the international community displayed their bias towards the LTTE by failing to demand that the organisation lay down its arms:

> *"…they were basically asking the government to stop the offensive and to arrange a ceasefire which would enable the LTTE to control a part of the Vanni territory, which would have given them an opportunity to save its fighting cadre to fight another day"* (SF, 2012).

Sri Lanka assembled a coalition of allies in NAM, SAARC, Russia and China as proponents of non-intervention and sovereignty: "our natural constituency" (Jayatilleka, 2013: 327). As President Rajapaksa declared in his first speech following the defeat of the LTTE, Sri Lanka since independence had "followed a policy of non-alignment, manifesting a policy of good relations with all countries and enmity towards none" (Rajapaksa, 2009). At the End, Sri Lanka benefitted from "the harvest of a principled and active foreign policy practice" (Jayatilleka, 2013: 327). Support from these alliances assisted the state in avoiding international intervention and the implementation of investigations into alleged war crimes to date, though the UNHRC Resolutions of 2012, 2013 and 2014 have signalled a global turn 'against' Sri Lanka.

4.8 International Support: Before the End

The international push for a ceasefire at the End was a sign of international duplicity and inconsistent double standards for LF, a pro-government journalist. Although, he stated, "*America questions us, keeps on harassing us on human rights issues,"* the Sri Lankan state over the course of the war received "*tremendous support from the US government to destroy the LTTE"* (LF, 2012). It is

well documented that Western powers including the US and the UK (as one of at least 16 EU countries) supplied weapons to the state forces, including heavy weaponry, up until 2008 (Keen, 2013). Noting that the UK government granted 34 arms export licenses to Sri Lanka from 1 April 2008 to 31 March 2009, the Committees on Arms Export Controls (CAEC) recommended a review of all extant licences in 2009, asking the government to provide the Committees with an assessment of what "weapons, ammunition, parts and components" supplied by the UK were used by the state forces against the Tamil Tigers (CAEC, 2010). The government stressed to the CAEC that it "only issued licences for Sri Lanka that would not provoke or prolong the conflict or be used for internal repression" and that licences granted in 2006 for armoured vehicles, machine gun components and semi-automatic pistols had been approved whilst a ceasefire was in place and were therefore not in breach of the relevant Criteria (CAEC, 2010).[105] In preparing its 2010 report, the CAEC received evidence from UK government officials that a number of extant export licences allowing for arms supplies to be sold to Sri Lanka were revoked in October 2009 "in the light of changed circumstances" (CAEC, 2010: 144). The final offensive raised "grave concerns" on human rights issues and the government's review was marked by uncertainty as to whether the weapons and communication systems supplied by the UK were used or not. Though the government insisted that it was "very cautious" in issuing arms exports licenses to Sri Lanka due to longstanding human rights concerns, the review led to "lessons learnt" and the revocation of licences (2010: 148). The CAEC concluded that, "in the case of Sri Lanka, arms were exported during ceasefire periods, which, in retrospect was regrettable." The government ought to have taken a longer term view when authorising arms exports, CAEC claimed and ordered a review of the efficacy of the criteria in assessing the suitability of exports to "less stable countries and regions" on the basis that "it is the outcome of where weapons end up and the use that is made of them that is important" (CAEC, 2010: 150-1). Campaign Against the Arms Trade traces the UK government's issuance of arms export licences and their value from 2004 to 2010, demonstrating the consistent supply of arms to the country, despite a dip in 2009 (CAAT, 2011). A CAAT spokesperson, Kaye Stearman responded to the release of Channel 4's "Sri Lanka's Killing Fields" documentary in June 2011. She argued that a "proper investigation of the UK government's own complicity in selling arms to Sri Lanka" is required, as the government knew "how they were likely to be used" (CAAT, 2011a).

[105] CAEC noted that media speculation had suggested that these licences approved in September 2006 were in breach of the Consolidated EU and National Arms Control Criteria.

Stearman emphasised that "UK arms sales confer support and legitimacy on the Sri Lankan government" (CAAT, 2011a).[106]

The Permanent People's Tribunal (2013) determined that the healthy weapons trade benefiting Sri Lanka was a facet of international complicity in genocide against the Tamil people, particularly the US and the UK. In the West, David Keen acknowledges, the Sri Lankan government was in fact widely praised for its democratic nature and its developmental record despite the increasingly violent war. Keen (2013: 14) offers an *Economist* article published in April 2009, "when the killing was most intense," as evidence of Western support for Sri Lanka, which is presented as a functioning democracy and potential economic power and partner. The article noted the country's high economic growth outside the war zone, terming the conflict "'an increasingly anachronistic blot on a hopeful country'…a 'stain' that President Rajapaksa had 'almost erased'" (quoted in Keen, 2013: 15; *The Economist*, 2009). The same April 2009 *Economist* report identified Pakistan as Sri Lanka's main arms supplier. Other countries such as Iran, Libya and China provided financial and material resources to Sri Lanka during this period of high violence.[107] LF, who reported on the military's progress for *The Island* newspaper stated, "*we received a lot of support from Israel, Russia, Ukraine and India. China is out main arms supplier. Then Pakistan of course, always…Major armaments come from China, the aircraft from Israel*" (SF, 2012). As JU, a political scientist asserted, "*during the war, until May or June 2009, SL enjoyed a very friendly global environment, with the US, with the EU*" (JU, 2012). This environment existed because "*during the war, the Americans, the British, Europeans, Canadians, Indians, Japanese, Australians, all thought that the LTTE was the main obstacle to peace and development in SL*" (JU, 2012). Defeating the LTTE was seen as "*a necessary precondition*" (JU, 2012), demonstrating an international embrace of terrorism discourse and acceptance of the state's de-politicisation of the LTTE. Offering material and political support to the state over the "terrorist" group was expected to bring a democratic peace: "*that's what the government managed to convince the West in 2007 and 2008*" (JU, 2012). The Sri Lankan state courted this conflict interpretation and succeeded in creating political space to finish the conflict militarily.

[106] It is worth noting here that arms sales to Sri Lanka have resumed in the post-conflict period, though limited to "legitimate work countering the threat of piracy in the region" and granted to private companies, not to the state forces (Burt, 2013). Arms export licences are, as recommended by the CAEC in 2009, reviewed on a case-by-case basis (CAEC, 2010).

[107] Iran, the Economist article noted, was providing 70 per cent of Sri Lanka's oil supply on credit and Libya was poised to deliver a "soft loan" of US$500 million.

4.9 Interpreting International Advocacy at the End

Pro-government voices framed the 2009 movement as a persistent persecution of Sri Lanka, fuelled by Tamil diaspora hatred. Rajiva Wijesinha, for example, the former Secretary–General of the Sri Lanka Peace Secretariat (SCOPP) under the CFA and now the Presidential Advisor on Reconciliation, has publicly derided previous bids to field resolutions 'against' Sri Lanka in the Human Rights Council. In 2006 and 2007, Wijesinha argued Western nations made earlier attempts to "denigrate the Government" of Sri Lanka (Wijensinha, 2009). While these resolutions did not come to pass, he argued that "repeated criticism of Sri Lanka, from a few countries and from a plethora of Non-Governmental Organisations" persisted (Wijensinha, 2009). Both Wijesinha and Jayatilleka frame the movement "against" Sri Lanka in 2009 as a continuation of this "inappropriate" and unnecessary action, rather than a reaction to reports of wartime atrocity filtering out of the Vanni region (Wijensinha, 2009; Jayatilleka, 2013: 329). The Western countries reignited the campaign, Wijesinha (2009) suggests, not because of concern over human rights and alleged atrocity but "because of the determination of David Miliband to stamp his mark upon British Foreign Policy". He casts doubt on the sincerity of Western European concern, as they had "refused" an audience with the Sri Lankan delegation in March and suggests that they were acting primarily on the basis of "Tiger propaganda" which was "reaching fever pitch all over Europe and in America" (Wijesinha, 2009). Condemning NGOs and UN Special Rapporteurs who called for an independent inquiry into the situation in Sri Lanka, Wijensinha alleges funding-related bias and haste in attacking Sri Lanka publicly. He concludes that the predisposition of the Western states towards the interests of the LTTE rendered the campaign disingenuous, "nothing to do with humanitarian concerns but rather an obvious political ploy" that sought to selectively criticise Sri Lanka and demonise its allies (Wijensinha, 2009).

Despite "general agreement" in the UN that Sri Lanka was effective in "playing off the West against less developed countries" (US Embassy cable, 10 March 2008), the EU countries finally attained the requisite 16 signatures for a special session as the conflict came to an end. The Czech Republic, who held EU presidency, was active in gathering together a cross-regional group of states (Smith, 2011: 15). The EU circulated a draft resolution as a platform for

action, to communicate the actionable objectives to be sought at the proposed special session. On the 18th of May, Jayatilleka (2013: 324) recalls, the EU dropped the demand that the government "desist from final assault" and circulated a draft resolution calling for an international independent investigation and a special session at the Council. On the 19th of May, all the EU states on the Human Rights Council requested a special session on the "human rights situation in Sri Lanka." Argentina, Bosnia and Herzegovina, Canada, Chile, Mauritius, Mexico, South Korea, Switzerland and Ukraine offered support (Smith, 2011). In the "backstage talks", Jayatilleka describes the Western countries as "dogmatically insistent" that references to sovereignty be deleted and that international investigations be completed and a report presented to the Council within six months, with a view to informing an international accountability mechanism (2013: 320). Jayatilleka (2013: 320) "rejected such a sell-out of the Sri Lankan armed forces and citizens, our hard fought and finally won victory over secessionist terrorism, and the principles of the NAM". The EU countries worked with the Group of Latin American and Caribbean Countries (GRULAC) to refine and finalise the text of a draft resolution to be tabled at the special session. Internal coordination was time-consuming and while preparations were underway, Sri Lanka "took the initiative" and presented its own draft resolution, on the 22nd of May (Jayatilleka, 2013: 319; Smith, 2011). The EU filed its draft on the 25th of May. Under procedural rules, the Sri Lankan text, submitted first, would be considered first at the special session (Smith, 2011: 15-6).

Sri Lanka's text – itself a product of negotiations and collaboration with "a broad bloc of allies" in NAM and co-sponsored by 37 countries (Jayatilleka, 2013: 319, 331) – framed the country-specific resolution in terms of "assistance to Sri Lanka in the promotion and protection of human rights". Its content reaffirmed "the principle of non-interference in matters that are essentially within the domestic jurisdiction of states", congratulated the Sri Lankan government's defeat of "terrorism" and welcomed its commitment to the protection of human rights, and urged the international community to assist by increasing financial assistance to the country. On the 27th of May 2009, this resolution was tabled and passed by 29-12, with six abstentions. The President of the Council, Nigerian Ambassador Martin Uhoimoibhi, announced that the resolution prepared by the EU would not be under consideration, as it dealt with the same issues (Jayatilleka, 2013: 319). The EU's draft text, rendered impotent by Sri Lanka's procedural astuteness, expressed concern about the loss of life and violations of international humanitarian law at the End, and called on Sri Lanka to cooperate fully with

Special Procedures to address the situation and investigate allegations of war crimes (Smith, 2011). The Sri Lankan Mission and its allies had "outmanoeuvred" the "ineffectual" EU (Pillay, 2009, quoted in US embassy cable, 25 June 2009; Weiss, 2010: 256). Human Rights Watch referred to the resolution adopted by the Council as "deeply flawed", and criticised the Council for taking a "step backward" by ignoring calls for an international investigation (HRW, 2009a). The outcome demonstrated that a discourse emphasising the sanctity of sovereignty and the principle of non-interference "resonated strongly" amongst UNHRC members (Smith, 2011: 16; Jayatilleka, 2013: 333). David Lewis (2010) suggests that this special session illustrates shifting power relations in the UNHRC, which Sri Lanka perceptively harnessed to attain a resolution in its favour.

4.10 Conclusion

Sri Lanka has benefitted from astute diplomatic strategising and the shrewd and consistent adaption of international discourses of terrorism and humanitarianism by state officials and media. Though the 'Sri Lankan situation' is on the international agenda and monitored by the UN Human Rights Council, the predominant message delivered in the aftermath of the End is that insurgencies can be crushed militarily rather than through peace talks. The reasserted emphasis on state sovereignty, territorial integrity and the right of the state to counter threats to state power by force has challenged the conflict resolution formula of the past two decades: peace talks, inclusive political engagement and the reform of institutions (Lewis, 2010; Thiranagama, 2013). The 'scorched earth' tactics adopted by the state forces at the End have received worldwide attention and vocal criticism, though allegations are repudiated by the government and denials are focused on the 'humanitarian' purpose and strategies of the 'civilian rescue mission.' The rhetoric includes consistent reminders of the impossibility of negotiating with 'uncivilised and irrational terrorists'. Building on the diplomatic success of 2009, Sri Lanka is protecting its position by maintaining these alliances and touting itself as, in contrast to the US and Western countries who "bully" Sri Lanka, "the only country to have successfully defeated terrorism on its own soil" (Defence Seminar Website, 2014). The Colombo-based MOD conferences have become annual events since 2010, where Sri Lanka's armed forces "offer valuable insights on local as well as regional security" to military leaders from nearly 40 countries, including China, Russia, the US and the UK. In 2013, nearly 50 delegation representatives attended, including from the EU and

Palestine. Sri Lanka is touted as a 'model counter-insurgency' that might be emulated in India and elsewhere (Keen, 2013).

The "norm entrepreneurs" (Lewis, 2010) responsible for Sri Lanka's diplomatic escape from international scrutiny at the End both utilised and perpetuated this shift towards a more internal, state-focused (and potentially more violent) conflict resolution methods. An international inquiry into the events at the End has, at the time of writing in June 2014, finally been mandated in the HRC's third Resolution on Sri Lanka. The arrangements of this investigation remain vague and the Sri Lankan government has renounced the resolution (HRW, 2014). Meanwhile, the government continues to court BRIC, SAARC and NAM countries and to propagate the 'Sri Lanka model' of defeating terrorism in military conferences and official speeches. The cost of Sri Lanka's success in defeating 'terrorism' remains unclear. As Sharika Thiranagama (2013) argues, this will, in the end, concern us all.

Chapter Five
Tamil Nationalism, Victimhood and the End

5.1 Introduction

This chapter examines the collective memory of the End within the Tamil community. It describes the forms of commemoration available to the people in the post-conflict phase and the manner in which the state exercises violence and repression to subjugate narratives that contest its official account of the End. Archival records of atrocity at the End are few and contested, primarily stored online in images and mobile phone videos archived by journalists, activists and human rights documentary sources. As it fades into the past, the End exists also in the individual and group memory of the Tamil survivors. Foucault (1989: 91-92) contended that "memory is actually a very important factor in struggle…if one controls people's memory, one controls their dynamism." He articulated the notion of "counter-memory": memories that differ from and challenge dominant discourses. Winter and Sivan (1999) postulate that collective memory exists only in the form of commemorative practices. They privilege the term "collective remembrance" over "collective memory", in fitting with an analysis that emphasizes the role of individual "memory workers" and, in particular, political or ethnic entrepreneurs who orchestrate memory practices in pursuit of a political or social project. Collective memory is something that is consolidated in an organised manner, usually within a framework of understanding sponsored by elite political players. In this conception, we can see memories as collectively performed. Following Maurice Halbwachs (1992), the literature on memory concurs that remembering is a dynamic, dialectic practice located in public praxis as well

as inhabiting private spaces. Halbwachs posited that virtually all events, experiences and perceptions are shaped by the individual's interactions with others. Commemorative ceremonies, rituals, rallies, museums, war tourism and reconciliation projects therefore provide the framework of interaction within which memory work takes place.

This chapter distinguishes between collective memory as a field of inquiry and "mnemonic practices", public performances of rituals and narratives (Olick, 2003). Khalili argues that particular events are "remembered" as a shared basis of peoplehood (2007: 3). The term "community of memory" befits a community that does not forget its past, one that retells its story as its "constitutive narrative" (Bellah et al., 1985: 143). This chapter looks to the forms and content of commemoration that sustained Tamil nationalism within the LTTE's project of nation-building. It traces the way in which the End has entered the Tamil community's "constitutive narrative." The End, the political Tamil diaspora contend, changed the nature of the struggle for the rights of the Tamil people (and the achievement of Tamil Eelam) (Rudrakamaran, 2012). It stands to be incorporated into the narrative of national struggle, a narrative based on persecution and victimhood, as this chapter will elucidate. Interviews with Tamil representatives sought to locate the End in the evolution of Tamil nationalism.

5.2 Collective Memory and Commemoration

Collective memories provide a context for identity and are powerful meaning-making tools for individuals and for the community (Pennebaker and Banasik, 1997: 18). Maurice Halbwachs (1992) describes collective memory as "the active past that forms our identities," a shared memory that is collectively recalled, recognised, localised and reconstructed in a social process. This process is, where political and social space is granted, a dynamic social and psychological endeavour, an endeavour that consists of a continuous conversation about an event among affected individuals (Pennekar and Banasik, 1997: 4). This conversation is informed by both the needs and desires of the community in the present and the identity inhabited by that community. Identity, understood as an active project constituted and maintained by social practices, is based on narratives of the past that have been accepted by a community as its "constitutive narrative" (Bellah et al, 1986: 143). The End cannot be separated from preceding events and perceptions that form the foundation of the Tamil collective memory of

suffering, persecution and victimisation. An ideology of victimhood also draws on history and myth within which the past is viewed as glorious and prosperous. The narrative of transformation and decay can reveal conditions of discrimination, socio-economic abjectness and suffering (Thangarajah, 1995).[108] The collective memory of victimisation, in Sri Lanka's post-conflict phase, exists as a counter-memory to the official state narrative of humanitarianism and triumph over terrorism. It exposes the state's attempt to impose a collective memory of the conflict from above, predicated on selective suppression of the past.

Commemoration can take various forms: history-telling, monuments, ceremonies and public events, symbols, clothing and iconography. These sites, forms and practices are also established and maintained as markers of national and other identities (Olick and Robbins, 1998: 124). Commemoration has various purposes. Rituals and practices provide a social forum to support the cultural identity of a group, thereby affirming community (Winter, 1995). They can proffer visions of nationhood and possible strategies of cohesion and struggle (Khalili, 2007: 3). For Olick and Robbins (1998: 126), "[m]emory sites and memory practices are central loci for ongoing struggles over identity". They recognise, also, that traditions - histories of commemorative practices - began to be seen as manipulations and mechanisms to political power with the popularity of Foucault's "archaeological" approach (Olick and Robbins, 1998: 108). Foucault's thought provided philosophical support for traditions to be desacralised, recognising that the politics of memory and history writing are inherently linked to power. Those with the power to impose their version also have the power to change memory traces (Somasundaram, 2010). The literature on memory studies will be briefly analysed in its relevance to the imposition and manipulation of memory in Sri Lanka, by both the state and the LTTE. The framework of memory studies allows us to understand how the Tamil "experiences of subjugation have filtered into the present" and how past losses and humiliations are revisited and relived in the present, triggered by political violence and the environment of terror (Derges, 2012: 4). Commemorative practices made "traditional" by the LTTE are also analysed here. These practices have been outlawed in the Northeast in the post-conflict phase, a development that has

[108] Yuvi Thangarajah's work on the indigenous Vedda community in the Eastern Province of Batticalao sets out a useful conception of victimisation as a refuge for the community, who were cast out of the monolithic identity of Tamilness promoted by the LTTE. Despite this, the Sri Lankan military did not recognise the difference between the Veddas and Tamils; the Veddas fell victim to the same searches, arrests and assaults as Tamils in the region.

restricted the public expression of grief and communal consolation. This is a form of violence in itself, justified under a paradigm that frames commemorative practices as glorifying terrorism. This chapter interrogates the effect of this restriction on the Tamil community, which naturally consists of "a sustaining support system, nourishing environment and network of relationships" (Somasundaram, 2010). Without cultural and traditional commemorative practices, how can "recovery" and "reconciliation" occur?

Somasundaram (2010) asserts that "relationships, trust, cohesion, beliefs and ethical values" have declined, deteriorated or been destroyed among Vanni Tamils, a finding perhaps applicable to the Northeastern Tamil community more generally. Restrictions on access for psychosocial services, counselors and cultural healers compound the "unanticipated degree of distrust and ambivalence regarding the past, present and future" (Derges, 2012: 2; Crisis Group, 2012; Somasundaram, 2010). Story-telling and local practices of communication are subdued: testament to the suffering endured over the years of war. To speak openly of suffering, political aspirations and human rights is considered dangerous in an atmosphere of threat, surveillance and betrayal. Over the years of war, the Tamils have "learnt to keep within themselves their pain and loss in the face of denial and negation" (Derges, 2012: 6). Derges traces the relationship between memories of violence and the corresponding practice of silence that has been a 'protective shield' and a method by which dignity and autonomy could be maintained.

The potential for a coherent counter-memory to emerge exists in "the archive" (de Mel, 2007): a growing repository of media and new media reports, mediated accounts (often predicated on advocacy positions) and emerging recorded testimony from victim-survivors of the conflict. Archives of suffering have taken the form of narratives and films directed at international audiences and processes of accountability such as the UN Human Rights Council, seeking independent investigations into wartime atrocity (for example, the Channel 4 "Sri Lanka's Killing Fields" documentaries and Leena Manimekalai's "White Van" documentary). Elite Colombo-based advocacy workers, photographers, artists, activists, researchers, academics and architects have also curated memory projects.[109] These projects have a

[109] For example, the 'I am' project at www.iam.lk beautifully compiles video footage and stories of Sri Lanka's elders and the 'HerStories' archive at www.herstoryarchive.org collects the narratives of women across the country affected by the war. The *Groundviews* citizen journalism website also created a fantastic online archive of memorial material in relation to the 30th anniversary of Black July.

tendency to beautify the experience of suffering in order to attain the sympathies and interest of the elite classes and the international community. Though wonderfully presented, important and compelling, they are abstract from the lived experience of the Tamil people, and tend to depoliticise the suffering portrayed by speaking the language of "oneness". Most projects require an online platform and are conducted in English, rendering them inaccessible to the destitute and war-affected Tamil-speaking population of the North. The value of these resources, however, is their potential to overturn the dominant state narrative in the post-conflict phase. In the international arena, the official narrative is considered unreliable and advocacy towards an international investigation into the End relies on sources of "counter-memory." As Elizabeth Jelin states: "all policies for conservation and memory, by selecting which artefacts and traces to preserve, conserve or commemorate, have an implicit will to forget" (2003: 18). The completeness of collective memory can never be guaranteed. The manner in which narratives are officially collated illustrates a process by which some life is framed as "grievable" while others face exclusion from public mourning (Butler, 2004).

5.3 Memories of Violence and Practices of Silence: Interviews and Restrictions

The Tamils, beset by violence and war, have primarily embodied their memories rather than explicitly narrate their experiences. Carrying "secrets" within them, a "hidden or private transcript", (Derges, 2012: 9) the Tamil community created an "authentic inner life" in order to survive (Bastin, 1997: 400). The interviews carried out for this thesis were conducted with individuals spanning a spectrum of media, social support and advocacy work, with local staff and international workers, but not victim-survivors of the End themselves. This chapter, therefore, is necessarily based on mediated accounts. The interviews conducted in Jaffna, Batticaloa and Trincomalee, while providing essential accounts of life in the region, can be viewed as anomalous in a sense. Interviewees spoke as self-appointed representatives of a silenced population, grasping opportunities in the "post-conflict" environment to communicate the contradictions of this term. Faith in the power and moral rectitude of the international community and the UN system was damaged by their failure to intervene at the End. Post-war, the Tamil perspective of the responsibility of the outside world transformed: many interviewees voiced a perception that the international community must now correct the harms done to the Tamils and atone for their failures at

the end of the war by influencing post-conflict justice in their favour (MR, MSP, AHB, 2012). *"A reasonable political solution: that is, I think, the responsibility of the international community. At least there is an opportunity for them to deliver justice now"* (MR, 2012).

These accounts served to describe the continuing subjugation of the Tamils and confirm the *"voiceless"* status of the people (AHB, 2012). The narratives of interviewees are recognised here as self-conscious stories and interviews are relied upon as "commentaries", coming from particular social and political perspectives, which shed light on the lived experience of the war and its aftermath (Thiranagama, 2011: 5).

5.4 Foregrounding a Counter-Memory

Previous chapters have focused on the state's imposition of its own narrative on the final phase of the Sri Lankan conflict, crafted specifically to draw support from the Sinhala-Buddhist majority, to avoid accountability for war crimes committed at the end of the war and to design the process of reconciliation according to the terms of the Rajapaksa brothers. This narrative has been imposed forcefully, through media domination and censorship, the astute appropriation of international discourses of counter-terrorism and humanitarianism, practices of professionalised denial, and the institutionalisation of state terror. This chapter, in contrast, offers a central role to conflict memory among the Tamils as a means of understanding the wider implications of the End. The Tamil people, interviewees suggested, understand the End as the logical conclusion to a persecutory war within which the Tamils have borne social, religious, cultural and personal losses. By attempting to trace a counter-memory in the accounts gathered since the End, a double intent is inherent in this work. As recognised by Elizabeth Jelin (2003: 29), counter-memory seeks to expose the "true" version of events, a pursuit that necessarily includes demanding justice on that basis.[110] In a population rendered "voiceless" - a word repetitively intoned by Tamil interviewees - one issue dominates discourse and advocacy for justice: the right of the families of the missing to information regarding loved ones.

5.5 A Catastrophe

[110] See Chapter Three's discussion of "truth" in the transitional justice paradigm.

The experience of the Tamils at the end of the war can be considered to have caused a "profound sense of cultural disruption across the members of the community," fitting the criteria of what Gray and Oliver term a "catastrophe" (2004: 7). Gray and Oliver (2004) argue that a catastrophe also produces new knowledge, causing a critique of current social and cultural norms. In conceptualising the End, the term is appropriate as it indicates a sense of limit; as argued by Aradau and van Munster (2012), a catastrophe allows us to examine the limits of our knowledge and capacity to react to the unforseen. A catastrophe can be seen as the limit of knowledge and the limit of governmental practice, an opportunity for new imaginings (Aradau and van Munster, 2012). The etymological roots of the word as an "overturning" are important too, as catastrophes can challenge and overturn the expected in practices of governance, politics, and security. The unpredictability of catastrophe can provoke new understandings and pioneering turns of imagination (Aradau and van Munster, 2012). Tellingly, the Palestinian term 'Naqda,' describing the violence and enforced exile of 1948, translates from Arabic to 'catastrophe'. Khalili's (2007) work on commemoration of 1948 by Palestinians, and the ways in which that memory is constructed and reconstructed for the purpose of producing historical or national memory – and consequently national sentiment – is instructive here.

Times of crisis are sites of struggle and a catastrophe can bring the conditions that support the work of ideology and institutional apparatus into question (de Mel, 2007). The event of a catastrophe is open to interpretation by political forces and other "memory-makers" such as civil society leaders, the media, archivists, storytellers and religious leaders. The state is often the dominant memory-maker, with resources to support the initiation of the national story. It can use commemorative practices, holiday cycles and particularly textbooks to establish a consensus view of the past (Khalili, 2007: 5). The state can also dictate the manner in which personal experiences and memories are considered significant, marshalling specific memories into the state narrative of the past while excluding others.[111] These excluded memories are of interest here. Similar to the Palestinian case, the sizeable Tamil diaspora has been important in influencing the forms and content of commemoration internationally. In Canada and internationally, led by diaspora entities such

[111] Penneker and Banasik (1997: 5) refer to "flashbulb memories", where the meaning attached by an individual to personal memories around an event can be rendered inaccurate because the "collective" meaning of such event is established afterwards.

as the Transnational Government of Tamil Eelam (TGTE), commemorative practices have followed the schedule and form of the LTTE, though the 19th of May, the final day of the End (which occurred at Mullivaikal), is now also commemorated with demonstrations.[112] The diaspora contend that this day has left:

> "…an indelible mark in the national psyche of our people. Just as the word 'holocaust' holds a very special place in the collective memory of the Jewish people, the term Mullivaikal holds a similar place in the collective memory not only of Eelam Tamils, but of Tamils around the world" (Rudrakumaran, 2012).

In the face of erasure and state denial, the diaspora have chosen to commemorate this day "to bear witness to the mass atrocities that occurred in Mullivaikal" and "to ensure that there is "never again" a Mullivaikal" (Rudrakumaran, 2012). For the diaspora, and many Tamil activists such as Guruparan and Rajamanorahan (2013), the End should be remembered as evidence of genocide. This is reflected in the language chosen. Killed in their masses (by the use of disproportionate force in conflict) because of their Tamil identity, the political and advocacy groupings domestically and internationally contend that the "intent to destroy" criteria of the Genocide Convention has been met (Rudrakumaran, 2012; Guruparan and Rajamanoharan, 2013; TAG, 2010). For the TGTE, the End has brought coherence internationally, similar to the effect that Black July brought had on Sri Lankan Tamils in 1983:

> "Our narrative, our grief, the outrage of international civil society, our togetherness, the togetherness not only of Eelam Tamils, but of Tamils around the world is different from, makes us stronger than before" (Rudrakumaran, 2012).

The battleground is different. The form of struggle for Eelam has been transformed into "a new democratic and diplomatic struggle" (Rudrakumaran, 2012). In this struggle, the End has created new and

[112] TGTE are an elected body in the diaspora, mandated to "win the freedom of the Tamil people on the basis of their fundamental political principles of Nationhood, Homeland and Right of self-determination" (TGTE-US, 2013). According a spokesman (in personal interview with author), they use the Tibetan model of 'government in exile' as a model to some extent. The TGTE see themselves as supporting the TNA rather than actually actively engaging in Sri Lankan politics. *"They want to work with them, support them and get the diaspora perspective across to them and through them. TGTE do not want to be antagonistic, cause people to resent the diaspora"* (VJ, 2012).

powerful allies internationally, though these allies - human rights organisations, foreign governments such as the US, UK and Canada and media groups such as Channel 4 – are less concerned with the achievement of Eelam than state accountability for atrocity and the achievement of political and social rights for the Tamil people.

While locally the End is remembered as a state-perpetrated atrocity, the LTTE were also responsible for great violence against the Tamils. The LTTE had been accepted as a normative force in Tamil-dominated areas (Derges, 2012). The presence of the LTTE in the lives of the people had generated "hope and terror, devotion and fear" (Derges, 2012: 8). The End was catastrophic for Tamil identity and has left the people in a state of uncertainty and political flux. How does this fall into the extant "constituent narrative" of Tamil nationalism? And how has it been influenced by post-war developments and state actions? This section introduces the historical foundations of that nationalism and the particular concepts that were identified by interviewees as defining the End: self-determination, persecution, victimhood and subsequent (re-)colonisation at the hands of the Sinhalese.

5.6 Tamil Nationalist Thought and Separatism

In their pursuit of autonomy and self-determination, the Tamil population of Sri Lanka has claimed the Northeast of the island as their own homeland of Tamil Eelam. This separatist assertion is founded on the history of the Tamils as traditional landowners in the area, where Tamil kingdoms existed up to colonial times (Emmanuel, 2000; Sabaratnam, 2010). Tamil history contests the claims of the Sinhala-Buddhist historical chronicles, the Mahavamsa, which claims righteous ownership of Sri Lanka for the Sinhalese. Instead, it presents the "rivalry" between the groups as between equal adversaries in a struggle for power over the regions of Sri Lanka (Sabaratnam, 2010). The Tamil people have been disadvantaged in their territorial claims because of the lack of a written history and religiously justified attachment to the island, as opposed to the documented strength of the Sinhalese nationalist contentions (Kleinfield, 2005; Thiranagama, 2013; Daniel, 1996). However, the Tamils contend that *disproving* their historical claim to the island is impossible.[113] The

[113] See E. Valentine Daniel's (1996) distinction between the way that the Sinhalese and Tamil (particularly Jaffna Tamils) communities perceive the past, a difference that became important as adversarial identities crystallised. He argues that while the Tamils see themselves as a timeless people, living embodiments of tradition and Tamil heritage, the core of Sinhalese history is

Jaffna library, which stored up to 100,000 Tamil books and ancient documents and was the major repository for all known literary source material of the Tamil people (including some irreplaceable documents), was incinerated in 1981 (Knuth, 2006; Nesiah, 2003). Eyewitnesses accused the state forces of acquiescence and complicity in this cultural decimation (Emmanuel, 2000; Peris, 2001). For the Tamils, this assault on their cultural and historical knowledge was "iconic marker of the physical and imaginative violence" visited on them by the Sinhalese (Nesiah, 2003).

Kleinfield (2005) warns that Sri Lankan territorial claims based on history and original ownership of land can be considered whimsical, biased and sometimes simply false. Both the Sinhalese and the Tamils have used claims of seniority to support their respective territorial claims (Whall, 1996: 190). The territorial claims have a complicated, far-reaching and contradictory history, in which bias is extremely difficult to expulse (Kleinfield, 2005). As one Sinhala-Buddhist interviewee stated, "*it boils down to where history starts for any particular person…and which part of history that you privilege*" (MS, 2012).

The claim of self-determination for the Tamils is based on fulfilment of the "test of nationhood" in an historical and territorial light:

> "…a historical past in this island (which is) at least as ancient and as glorious as that of the Singhalese, secondly by the fact of their being a linguistic entity different from that of the Singhalese, with unsurpassed classical heritage…and finally, by reason of their territorial habitation of definite areas which constitute over one third of this island" (Chelvanayagam, 1951, quoted in Emmanuel, 2000: 45-6). [114]

As Whall (1996: 187) argues, the Sri Lankan Tamils' claim to self-determination is not only based on the grounds that they are a distinct people with a distinct heritage, culture and language, who have suffered a marked discrimination, but also on the grounds that they occupy a contiguous and homogenous territory in the North and Eastern Provinces.

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rooted in a single historical event: the entrustment of the island to the Sinhalese by Buddha. The concept of the nation-state also contributed to the Sinhalese fixed notion of historical consciousness (1996: 46).

[114] Leader of the Federal Party, S. J. V. Chelvanayagam is considered the "father of Tamil nationalism," whose contribution is described in greater detail below.

5.7 The Development of Tamil Nationalism

At its core, post-independence Tamil politics has always presented itself as safeguarding the Tamils against the domination of the Sinhalese (Emmanuel, 2000). The unique cultures of the two groups have been emphasised in support of Tamil nationalist claims, drawing on linguistic, religious and ritualistic differences that faced threat of destruction under Sinhalese rule. Under colonialism, firstly the Portuguese in 1591 and perpetuated by the Dutch and British, the existing Jaffna kingdom was annexed to Sri Lanka as one part of a larger political unit, never to recover its independence (Whall, 1996: 196).[115]

The reconstruction of a collective cultural Tamil consciousness had begun in the nineteenth century with the preaching of Arumuga Navalar (1822 – 1879). He sought to revive the Saiva Hindu traditions in the Tamil dominated areas, to undo the decay wrought by centuries of colonisation and to prevent further conversions to the Protestant religion introduced by the British colonisers in power during his lifetime (Satkunanathan, 2012; Sabaratnam, 2010). G. G. Ponnambalam, the founder of the All Ceylon Tamil Congress, played an instrumental role in the ideological development of Tamil nationalism in preparation for independence from the British in 1948. "He raised the consciousness of the Tamils to the point where they abandoned their sense of national awareness within an all-island polity and began thinking of themselves as having a separate identity" (Wilson, 2000: 80). He was an excellent orator and his rhetorical skills influenced and excited the youth. His words were more rousing than the constitutional debates on community representation underway at the time: "We were intoxicated with his slogan: Proclaim yourself a Tamil and walk with your heads held high" (Sabaratnam, 2010).

On the shoulders of this revivalist movement and political activism, a Tamil nationalism advocating for self-determination was developed in response to the "Sinhala Only" programme begun in the 1950s, a nationalism that arose from "the common experience of discrimination and an uncertain future" (Satkunanathan, 2012). The identity of the Tamils as pan-regional culture across the North and East of Sri Lanka began in the 1950s in response to

[115] Some Tamil activists, seeing the success of Sinhalese identity consolidation by drawing on the past documented in the Mahavamsa, sought to emphasise the greatness of Tamil kingdoms of the past and write that "history" as a legitimising story of belonging (Daniel, 1996; Bartholomeusz and de Silva, 1998: 6-7).

discrimination and Sinhalese riots against the Tamils. The group was bound together by the perception that one was a target simply on the basis of Tamil identity, regardless of class, caste or geographical location (Tambiah, 1986). The threat of violence impelled the growth of Tamil nationalism in the 1950s and 1960s, a defensive nationalism generated in response to Sinhalese-Buddhist nationalism (Rasaratnam, 2006; Satkunanathan, 2012; Wilson, 2000). Although ancient historical data is relied upon to support legal and political claims, Tamil nationalism is largely considered to be a modern phenomenon, originating in the nineteenth century (Satkunanathan, 2012).

The defensive nationalism evolved to a separatist claim that became salient as an aspiration in the face of discrimination by the majority, anti-Tamil violence, poor economic conditions, and the unlikelihood of a power-sharing agreement coming to fruition (Kleinfield, 2005). The deepening of ethnic divides was prompted by the state-sponsored peasant resettlement schemes or "colonisation schemes" in the 'Dry Zone', which altered the demographic of the area in favour of the Sinhalese and was seen by the Tamils as encroachment into their traditional areas (Whall, 1996: 187).[116] The separatist demand was also underpinned by the realisation that the North and Eastern Provinces could constitute a viable autonomous politico-economic entity (Whall, 1996: 203; Shastri, 1990). The Sinhala Only Act of 1956 cemented the requirement of autonomy for the Tamils. The TULF leader, Appapillai Amirdhalingam said, in a 1983 interview, "not until 1956 did we really believe that we were second-class citizens" (in Daniel, 1996: 158). The parity of status denied to the Tamil language was felt very keenly in terms of employment and contact with the national apparatus of administration. It spoke to a lack of recognition and dignity for the Tamils. Campaigns of Tamil political parties in the 1970s and 1980s tapped into the emotional element of this denial, calling on the people to "vote for Tamil" and for *Thamil unarvu*, which translates as Tamil emotion or sentiment (Satkunanthan, 2012: 620, footnote 26). Campaigns of civil disobedience began under the direction of the Federal Party in 1960 requesting parity of status in law for the Tamil language (Manogaran, 1987). The movement included the establishment of a parallel postal system, the peaceful blocking of governmental office entrances, and attempting to conduct business with Sinhalese government officials in Tamil (Clarance, 2007: 36).

[116] The Dry Zone includes regions in the North Central, Northern and Eastern Provinces, within the land considered the traditional Tamil "homeland" (Whall, 1996: 187).

On the introduction of the 1972 Constitution, federalism – originally called for by the Federal Party under the leadership of the "father of Tamil nationalism" S. J. V. Chelvanayakam in 1951 (Emmanuel, 2000) - was discounted as an option by the government and, accordingly, Tamil politicians also. The policies adopted by the Sinhalese government led to a "gradual but steady" realisation amongst the Tamils that "living as one Sri Lankan multi-ethnic, multi-religious people" was not possible in the political environment (Emmanuel, 2000). Their safety and future development was seen as dependent on re-claiming their pre-colonial and traditional homeland. Discrimination under Sinhala-dominated politics seemed beyond transformation under the existing system. Tamil politicians were heckled and silenced in Parliament and peaceful Tamil protests, following Gandhi's message of *ahimsa*, were met with state terror and mob violence (Emmanuel, 2000). The 13th amendment to the Constitution incorporated the provisions of the Official Languages Act 1987, declaring Tamil as an official language, but the damage to ethnic relations had been cemented (Samaranayake, 1991). The political landscape was polarised between Sinhala-Buddhist nationalism supported and embodied by the government and Tamil calls for self-determination.

The self-identification of Tamils as victims of discrimination under majority Sinhalese rule drove the Tamil secessionist movement which officially began in May 1976 with the Vaddukoddai Resolution, adopted by Tamil politicians, which declared the goal of a separate state of Tamil Eelam (or Thāmilīlam) (Roberts, 2013: 59). Group violence against the Tamil population occurred throughout the 1970s and 1980s amid allegations of government involvement in the perpetration and organisation of this violence. The achievement of an autonomous state of Tamil Eelam was perceived as the only means of protection. Tamil politicians came together as the Tamils United Front (TUF) in 1972, renamed Tamil United Liberation Front (TULF) in 1976, and declared the situation of the Tamils as a colonised people under Sinhalese rule:

> "…the Republican Constitution of 1972 has made the Tamils a slave nation ruled by the new colonial masters, the Singhalese, 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 and thereby destroying all the attributes of nationhood of the Tamil nation" (TULF statement, 1976, in Emmanuel, 2000).

In 1985, TULF in conjunction with the major Tamil militant groups at the time delineated the "Thimpu Principles", which contained the aspirations of the Tamil political community:

> ''…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" (quoted in Kleinfield, 2005 :290).

The government rejected the Thimpu Principles as a violation of Sri Lanka's sovereignty. The 6th amendment to the Constitution (discussed in Chapter Four), prohibited this violation and demanded an oath of allegiance from all politicians to the unitary state. On the resignation of the TULF MPs, who refused to take this oath, political discussions were considered hopeless. The nationalist agenda of the Sinhala leadership negated the possibility of compromise with the aggrieved Tamils. Combined with youth restlessness and economic struggle, sporadic mob violence against the Tamils, and the criminalisation of political advocacy for Eelam, conditions were primed for violent separatist agitation.

5.8 The Liberation Tigers of Tamil Eelam

Frustrated with the political stalemate, the Tamil youth became more radical in their politics and resorted to tactics of violence as a form of political expression and pressure. The separatist campaign took the shape of roughly thirty-five disjointed violent groups (Clarance, 2007; Samaranayake, 1991). The blanket term "Tigers" was attributed to the members of this post-1972 movement, the term by which the separatist movement has gained international recognition (Samaranayake, 1991). The fragmented groups were disorganised in their operation and communication with one another. As discussed by Wilson (2000: 131), the Tigers lacked a "properly formulated idea of national regeneration", representing "essentially a nuisance to the Sinhala state, but beyond this could not be counted as political forces". The LTTE, through a campaign of violent elimination and assimilation, emerged as the strongest of these militant youth groups. The LTTE came to represent the Tamil separatist movement and the interests of the Tamil community (Clarance, 2007, Thiranagama, 2011). The Tamils were impressed by the clarity of their political vision and the charisma of their leader, Velupillai

Prabhakaran (Clarance, 2007; Samaranayake, 1991). They alone, Wilson (2000) argues, had a formulated policy and a constructive nationalist ideology. The other militant groups at the time focused on resistance to the centralised Sinhalese state and its oppressive practices. The LTTE presented itself as protecting the "heroic policies" of S. J. V. Chelvanayakam on the battlefield, rising up as "his heirs" and continuing his heritage, not allowing the progress he made to be "bartered away" (Wilson, 2000: 132: footnote 10). The LTTE embraced political violence in the pursuit of Tamil Eelam, initially targeting Sinhalese soldiers and political representatives. Over the course of the organisation's existence, it's own survival as the singular voice of the Tamils was ensured by the elimination and silencing of opposition Tamil politicians and voices (Brun, 2008: 420). In the 1980s, they began to target Sinhalese civilians, further prompting the government into repressive responses in the shape of harsh security measures and emergency legislation (Imtiyaz and Stavis, 2008: 11). The LTTE was responsible for thousands of civilian deaths, both Tamil and Sinhalese.

The LTTE's battle for self-determination within a Tamil nation was a homogenising, constraining, oppressive, and eviscerating process (Ismail and Jeganathan, 1995). Tamil nationalism espoused and defined by the organisation portrays the Tamil people as victims of the Sinhalese state's oppression. Despite the LTTE's heavy reliance on violence, the nonviolent background of the Tamil political movement is emphasised in literature on the development of the LTTE (Balasingham, 2004; Emmanuel, 2000). Separatist ideology holds that the Tamil people took up arms as a means of protection, that a resort to violence was necessary in response to state violence. Victimisation and the denial of Tamil rights by the Sinhalese state defined "Tamilness". The LTTE succeeded in making the organisation itself the core of Tamil identity and ingrained itself in every aspect of life (Thiranagama, 2011). Wilson argues that the majority of the Tamil population supported or sympathised with the LTTE, despite their violent tactics. He maintains that those who asserted otherwise were guilty of "double-speak" (2000: 131).

The LTTE's violent tactics were met with violence and harsh repression by the Sinhalese-dominated state and its security apparatus. Daily life in the years that followed became a violent contest between the crude justice of the LTTE and the fierce and invasive practices of the Sri Lankan police, military forces and the various unofficial paramilitaries operating in Tamil-dominated areas (Somasundaram, 2010; Philipson, 2011). The Tamil 'suspect community' came

to face persecution under an anti-terror campaign couched in illegality.[117] Daniel states that every Tamil between the age of 16 and 40 was "considered a terrorist whose tactic was surprise" (1996: 170). Especially post-1983, discrimination was clear and openly discussed amongst Tamils; the brute realities of violence and discrimination brought with it high levels of politicisation (Daniel: 1996). From these beginnings, the conflict with the LTTE heightened to the status of a bloody civil war and this pattern of political behaviour – violence discursively framed as state terror and terrorism alike, but better understood as Sri Lankan state crime and Tamil resistance (Nadarajah and Sentas, 2013) - continued for nearly three decades. Draconian counter-terror legislative measures combined with institutional racism against Tamils all over the island. Ethnicity was the basis for intrusive searches, disruptive prohibitions on movement, disappearances and institutionalised torture that became characteristic of the conflict.

The LTTE controlled a "civil administration" in the North Eastern Province from 1987, which was to some extent parasitic on the Sri Lankan state, and established a ruthless and arbitrary system of justice (Philipson, 2011: 108). The LTTE were cultural purists and insisted on the strict adherence to traditional Tamil mores and societal structures. Digressions and dissent were dealt with on a spectrum of punishment – public, creative and harsh - with the prospect of execution an ever-present threat (Philipson, 2011: 108-9). The rule of the LTTE guaranteed that the sole representatives of the Sinhalese people and the Sri Lankan state in the North were soldiers. The Tamil ethnic identity, guided by myths, memories, values and symbols (Smith, 1986, 1999), was gradually appropriated and defined by the LTTE (Roberts, 2010). This identity was contrasted with that of the Sinhalese soldier. This was devastating for inter-ethnic relations, as "[y]oung Tamils in the North…had never met a Sinhalese person who wasn't a soldier pointing a gun at them" (Harrison, 2012: 61). In the South, the Tamil population lived, as Pradeep Jeganathan (1998) describes, in the "Shadow of Violence" cast by the chronology of anti-Tamil riots, a string of dates giving rise to the constant state of "anticipation of violence": "'56 '58 '61 '74 '77 '81…" (1998: 99). Drawing on a play named *"Rasanayagam's Last Riot"* by Ernest McIntyre (1993), Jeganathan draws out the impact of this periodic violence on Tamil identity in Sri Lanka and the "tactics of anticipation" that Tamils adopted in expectation of more violence; violence that exploded beyond the level that anyone had expected in July 1983 (1998: 99-100). The production of identity

[117] Those discriminatory and repressive practices are described in detail in Chapter Two.

for Tamils in the South was in contrast to the Sinhalese in a different way: they learned repertoire of tactics to survive more violence (1998: 100). Persecution and victimisation were internalised and folded into Tamil identity. While the LTTE enforced Tamil unity and homogenisation, the greatest force behind Tamil solidarity and the fusion of disparate and divided groups in Tamil society was the force unleashed on the Tamils by the Sri Lankan state. Perceived as widely "anti-Tamil", this force flattened the divides that previously segregated the Tamil community (Daniel, 1996: 164). After the violence of the 1983 riots, Tamils all over the island "had become brothers and sisters under the trauma of persecution, arrests, torture and death" (Daniel, 1996: 170).

5.9 The Meaning of the End

The End represented a phase of collective punishment for the Tamil population, fitting with the nationalistic narrative of persecution and resulting in a deep sense of victimhood. Post-event, the atrocity continued in mass imprisonment in "welfare villages." The memory of betrayal by the LTTE and state forces alike, the separation of families, the sense of being dehumanised in camps, and the continued colonisation of Tamil land has compounded the Tamil perception of persecution and victimhood (AB, SM, FY, YO, 2012). The memory of the End, as a counter-memory to that of the official state narrative, is being enfolded into the Tamil nationalist narrative. The End has provided a new historic event, a catastrophe that strengthens the extant template of self-defensive nationalism. In Daniel's words, it is a "nourishing ground" for nationalist thought, based on persecution and victimhood (1996: 50). In this sense, it fits a pattern of atrocity, discrimination and state crime, along with the anti-Tamil riots and brutal counter-terror practices. Black July in 1983 is the only comparable "rallying point" in Tamil history (Daniel, 1996), confirmative evidence of structural persecution by the Sinhalese state, amounting to genocide (Rudrakumaran, 2012; Guruparan and Rajamoranaharan, 2013; Kingsbury, 2011).

In commemorative practices, such events are sites of production and reproduction, where memory can be historicised (Khalili, 2007). It is precisely in the face of the state's counter-terror and humanitarian discourse that the Tamils fear erasure. The state's post-conflict mechanics of repression place the Tamil memory of conflict under threat. Constraints on storytelling and commemoration through repression, the rhetoric of "glorifying terrorism"

and state terror contribute to the state imposition of a hegemonic conflict narrative in discourse and on the physical space.

Humphrey (2000: 7-8) writes that "[t]he legacy of suffering persists in the individual victim as an uncertain balance between a continuing harm induced by the fear that the past can return…and a memory available for political re-appropriation for further disempowerment or personal liberation". Crucial to understanding the politics of memory in Sri Lanka is to recognise that "the context of retelling is crucial to the nature of the memory" (Kirmayer, 1996: 174). Story-telling related to the End is a dangerous undertaking under Sri Lanka's national security paradigm: a context of intimidation, harassment, violence and disappearances. The lived reality of repression and fear for victim-survivors and civil society representatives severely limits the space for narrating conflict memory and seeking recognition, accountability and reparations (as evidenced below). There are cultural obstacles also. Silence pervades Tamil culture in the former conflict zones: a result of the years of war, surveillance, suspicion, and the fragmented nature of the community (Derges, 2012; Thiranagama, 2011; Somasundaram, 2013). Different actors have attempted to reconstruct stories in the international sphere, in a necessarily mediated form (Olick and Robbins, 1998: 102). While claiming to speak on their behalf, often with the best intentions and in pursuit of accountability, the appropriation of these accounts from the Tamil people amounts to "mining" stories for particular agendas, a practice that Razack terms "stealing the pain of others" (Razack, 2007). The 'victim' status of the Tamil population requires examination in the political implications of this identity, both internationally and locally.

In line with Khalili (2007) and Thiranagama (2011, 2013), I argue that the 'national story' of the Tamil people can be seen as something produced and performed rather than "natural" and pre-existing. A collective memory was nurtured and instrumentalised by the LTTE through commemorative practices based on the discourse of martyrdom, sacrifice and the destiny of the Tamil people: to return to the glory of the former Tamil kingdom, free from Sinhalese persecution. There are mechanics of production and elements of political performance to be examined here. Turning to the commemorative practices of the LTTE, we see the cultivation of these narrative threads of Tamil nationalism. Interrogating the narrative power of these practices, we can see how memory work and the suppression of commemoration inform Tamil nationalism and conceptions of loss in the post-conflict period. The "politically charged realm of commemoration" can tell us a great deal about

current state-Tamil dynamics and the reconfiguration of Tamil political agency (Schramm, 2011).

5.10 The LTTE: Commemorations and Performed Nationalism

The LTTE's militant nationalism, emerging in the early 1980s, altered the Tamil identity in reference to loyalty to itself (Thiranagama, 2011). Now, in the post-LTTE era, the identity that bound the inhabitants of the nascent Tamil Eelam together has lost its centre. Under the LTTE's mastery of definition in ideology, culture and politics, "Tamilness" came to pivot on the existence of the LTTE and one's relationship to the organisation (Thiranagama, 2011). This realignment and production of identity was maintained through ritual, rhetoric and commemorative practices. The self-promoted reification of the LTTE, maintained by fear and intimidation as well as fetishisation of themselves in propaganda and rituals, left the Tamil people reliant on them as representatives (Thiranagama, 2011). The emotional connection with the population was sustained with rituals such as Martyrs' Day, described below. Widespread forced conscription, as well as huge recruitment numbers in reaction to state violence, ensured the intimate infiltration of the LTTE into the community (UTHR-J, 2007).[118] While the LTTE endured, losses could be justified to an extent as part of the violent struggle for separatism. Cultural coherence and the community's faith in the organisation were crafted on the basis of a shared belief in the necessity and inevitability of Tamil Eelam. An ideology of victimisation and martyrdom was marshalled towards the achievement of Eelam as the source of safety and protection for the Tamil people. Agamben examines the links between martyrdom and witnessing, noting that the Greek the word 'martis' is derived from the verb 'to remember'. "The survivor's vocation is to remember; he cannot not remember" (1999: 26). The doctrine of martyrdom, he states, justifies the scandal of a meaningless death (1999: 27).[119] Memories of loss and subjugation were co-opted into the separatist discourse and as the LTTE

[118] UTHR-J describe the "harshness of the LTTE's conscription regime" as leaving "a deep undercurrent of resentment and fear" amongst the Tamil population in the North. However, the campaign was "counterbalanced by the Government's utterly irresponsible approach to the minorities." It was relatively easy for the LTTE to "whip up" anger against the state forces because of their reactionary responses to LTTE violence, often perpetrated against civilians and entire villages (UTHR-J, 2007: 17:2).

[119] See Daniel Kent (2010) on the Sinhala-Buddhist justification of the deaths of soldiers, actively designed by monks to ease the suffering of families.

expanded their ideological and physical control over the population, "Tamilness" came to be measured by one's "knowledge" of the LTTE and the possibility of its rule over you, no matter where you were (Thiranagama, 2011: 26). [120]

The political nature of commemorations over the course of the war in Sri Lanka has been widely acknowledged (SM, AB, 2012; Thiranagama, 2011; de Mel, 2007; Perera, 2010). For the state, commemoration of the state forces war dead is a practice of identity building on the tenets of Sinhala-Buddhist nationalism. For the LTTE, commemorative practices fed the "cult of martyrdom" (Spencer, 2000: 126) and thus ensured the longevity of the conflict, recruiting many willing Tamil youths on emotive terms. The population was constantly reminded of sacrifices made by LTTE cadres for the cause. Memories of violence perpetrated against Tamils, on the basis of ethnicity, reinforced belief in the exigency of the movement. The Tamil collective memory was formed around concepts of defensive war, glorification of martyrs and victimhood at the hands of the Sinhalese state. P. L. de Silva (1995: 179-180) states that commemoration practices and memorials institutionalized by the LTTE acted as "emotional shields". These practices were brought into play in the organisation's manipulation of symbolic systems to create order in the lives of the cadres.

De Silva (1995: 179) outlines how images, symbols and language were used by the LTTE "as hiding places and a way of interpreting or mapping the world". These tools were particularly apparent in staging ceremonies related to death and mourning. He mentions the use of the Tiger insignia, flags draped on coffins, small arms fire at gravesites, commemorative billboards and public notice boards bearing the names and images of fallen cadres, monuments to the dead and official photograph albums dedicated to LTTE martyrs as tools in the creation of a monolithic worldview.[121] For De Silva, the LTTE depended on the support of the people: a populist, emotion-based support. By drawing on the emotional continuum - personal connections to lost cadres - the LTTE

[120] "Knowing" here refers to the "shared secret" of the Tamils, regardless of geographical location, that the LTTE created through self-promotion and insertion into the lives of every family in the Tamil "homeland". Sharika Thiranagama describes this knowledge as a reconfiguration of Tamil identity around an "ethnic cultural intimacy" maintained through surveillance and intra-community distrust (2011: 26-7).

[121] From 1983 to 1987, Daniel describes, the Tigers wrote the names of those killed by the armed forces on blackboards at major junctions. People would come and check the names on the board; it was a means of propagating martyrdom in an early form. When the IPKF arrived in 1987, the boards were wiped clean and stayed clean (Daniel, 1996: 145).

maintained faith in the "combat mode" they established over the years of war. The use of rituals and symbols based on martyrdom, personal loss and self-defensive war were attempts to consolidate support from a population that cannot be considered homogenous in terms of culture or political ideology (De Silva, 1995: 182). His analysis demonstrates how the LTTE recognised the value of performing "Tamilness" on these terms. The organisation realised of the strength the movement stood to gain by being internalised into Tamil culture. Thiranagama (2011), Tambiah (1985) and Daniel (1996) agree that a "unified" Tamil identity was created before the establishment of the LTTE as a normative force. It was a defensive identity creation, in response to state and Sinhala mob violence. Their ethnicity condemned them to discrimination and violence, forging a Tamil identity based on victimhood. This unity was maintained, cultivated and enforced by the LTTE as they achieved dominance (Thiranagama, 2011, 2010).

De Silva's argument fits coherently with Bar-Tal's understanding of memorials and rituals commemorating the conflict dead. He understands these practices as expressions of a culture of violence that becomes more entrenched with the passing years (Bar-Tal, 2003: 89). Physical monuments to the fallen and graveyards as sacralised space - spaces made sacred by ritual or commemorative practices (Schramm, 2011) - are manifestations of loss, pain and nationalism, held up publicly in an express demand for collective engagement and identification. For the LTTE, seeking emotional support from the population was based on propaganda pivoting largely around burial rituals, memorials and graveyards. In commemorative and community rituals, death and sacrifice were valourised (Schalk, 1997). The organisation's operations also involved a process of "inclusion through exclusion", a concept that Thiranagama (2011) explores with the use of Giorgio Agamben's (1998) work on sovereignty. She describes the LTTE's strategy of constructing unity through the elimination of "traitors" and the creation of "martyrs". The organisation performed its power and demonstrated its position as sovereign by making "the administration of death its centre" (2011: 214). The martyr's lives were of value only when sacrificed for the sovereign's cause and, under these conditions, their lives were considered sacred. "Traitors" were termed as such and killed to eradicate dissent, to build the fear and intimidation on which the LTTE's power relied. It also served to demonstrate the organisation's position as the centre of Tamil identity. Traitors were simply erased, allowing the LTTE to build a selective memory of the conflict in which the organisation was unchallenged (Spencer, 2000).

The sovereign - the LTTE - created in its ranks a zone of exception in which there were different rules about death and dying (Thiranagama, 2011). Death was sacralised to the extent that entry to the organisation was marked with the promise of death: every cadre wore a cyanide capsule (*kuppi*) around his or her neck and was ordered to commit suicide on capture rather than betray the cause (Thiranagama, 2011; Roberts, 2007). The voluntary acceptance of death signified by wearing the *kuppi* came "to symbolise a sense of self-sacrifice by cadres of the movement, their determination, their commitment to the cause, and ultimately, of course, their courage" (Balasingham, 1991). Transformation into heroes, *maaveerar*, was available only for conscripts, maintaining the zone of exception as a desired place for Tamils, tying honour to an oath of allegiance by which they committed themselves to the organisation's *punita cutantiram* – the holy aim of liberation (Roberts, 2007). In exchange, cadres lost their kin ties, personal and family lives and dedicated themselves wholly to the cause (Schalk, 1997). The *kuppi* symbolised the prospect of a certain and honourable death; in offering control over life and death, it prompted fearlessness and tenacity:

> "The thought of certain death is a great trial. But to whom? Certainly not to us. Because we are married to our cyanide. Yes, our death lives with us. It sleeps with us. We carry it in our shirt pockets and around our necks. That makes us clear-headed and purposeful" (LTTE cadre, quoted in Wilson, 2000: 133).

The LTTE claimed secularity, not wishing to alienate any religions, an outcome that would undermine the "unity" sought. The ideology of Tamil nationalism was based on a united defence of Tamils and Tamilness that could succeed only if internal differences were subsumed under representation of Tamils as homogenous and monolithic (Thangarajah, 1995). In the early 1990s, the LTTE began to bury its cadres rather than cremate them in accordance with Hindu tradition, the religion of the majority of Tamil militants. The official explanation for this shift in ritual, according to Mr Pon Thiyagam of the *Maaveerar*'s (Heroes) office in Puthukudiyiruppu in the Northern Province, stated:

> "Before 1991 we burnt [the fighters] according to Hindu rituals. If the parents asked for the ashes, we gave them. But Christians and Muslims …the parents didn't want to burn them. A meeting of the leaders was organized and they decided to study what other countries like America and England did for their soldiers. They saw that they used to bury

their soldiers. Then they decided to proceed in the same way" (in Natali, 2008: 228).

Natali (2008: 229) perceives this switch in ritual as unsurprising, given the LTTE's insistence on its status as an army, not a terrorist group. Adherence to the funerary practices of Western armies is consistent with its self-categorisation as an armed group, displaying conformity with international norms and reinforcing "combat mode" (De Silva, 1995). However, Natali found that the official explanation was neither significant nor acceptable to Tamil civilians, particularly for the relatives of the dead. Alternative explanations have gained purchase in the Tamil population: the need for a physical place of remembrance and the metaphorical attractiveness of burying the cadres in the soil that they died defending (Natali, 2008; Derges, 2012). The practice is justified by the majority in the assertion that the burial practice exists within the mainstream of Hindu tradition (Natali, 2008: 291). A Tamil priest in Trincomalee contended that *"heroes in Tamil history were buried…the LTTE followed these practices"* (ER, 2012). Huge cemeteries were seen as a *"resting place, withurail"*, meaning that cadres *"will rise again"* (ER, 2012). A practical theory relates to the impossibility of cremating the thousands of cadres killed in battle with the Sri Lankan army at Elephant Pass in 1991 (Derges, 2012). It is clear, however, that the LTTE deliberately became *"masters of definition"* (AB, 2012) and symbolism based on sacrifice and religion was incorporated into ritual practices in order to meld LTTE customs with Tamil traditions (Schalk, 1997; Thiranagama, 2011). The "Office of the Great Heroes of the LTTE" was established in the mid-1990s for precisely this purpose, dedicated to research on religious and mythological ideological tools (Schalk, 1997).

With reference to the sacred nature of space, Michel de Certeau describes space as "practiced place" (Schäuble, 2011). The rituals practiced in a particular place render the geographical area in question sacred. Graveyards are highly important physical vehicles of memory. Holding the bodies of the dead and acting as a reminder of the cause for which they died, they are visited often by relatives and are the site of commemorative rituals and religious ceremonies. An LTTE fighter interviewed by Natali (2008: 291) referred to graveyards as "a place of memory", asserting that burning the *maaveerar* would destroy the history of the place and the movement. Benedict Anderson (1983) stated that nationalistic ideology has the capacity to offer citizens a means of converting their own deaths into a shared immortality. Considering the separatist sentiment of the LTTE in the Sri Lankan conflict to

be inseparable from territory, the burial practices of the LTTE framed the dead bodies of the deceased fighters as "seeds" of the movement (Natali, 2008). Because their bodies were buried, new martyrs would arise from the sacred land of Eelam. The idea of shared immortality also had a hierarchical aspect, as fallen cadres were considered to go to a different, superior heaven – *Veera Sukarrkkam* – as a reward for the sacrifice made for Eelam (Derges, 2012). The family of the deceased martyr also received benefits in the form of material support and displays of respect. The discourse of earthly rewards relating to the actual achievement of Tamil Eelam and protecting Tamil rights was also regularly invoked (Derges, 2012). Jonathon Spencer refers to the emphasis on death as the pursuit of a politics of uncertainty. The unclear conception of heaven in LTTE ideology, where death is a "mysterious but unambiguous point of reference," left the cadres to build a moral world and a sense of community on the very act of death (Spencer, 2000: 134). Prabhakaran, the mythologised and charismatic leader of the LTTE, spoke of the death of an LTTE cadre as a "miraculous event which bestows life," "a lofty ideal" rather than a normal event of death:

> "The truth is that a liberation fighter – vitulai viran – does not die…Indeed, what is called "flame of his aim" which has shone for his life, will not be extinguished. This aim is like a fire like a force in history (vakalarru caktiyaka) and it takes hold of others. The national soul of the people (inattin teciya anmavai) has been touched and awakened" (Prabhakaran, quoted in Schalk, 1997: 79).

The "national soul" of the Tamil people spreads in the act of death to others, tying the community together in mourning and bestowing meaning on the deaths of the cadres. The performance of rituals commemorating *Maaveerar Naal* (Great Heroes Day), the 27th November, spread the "national soul" amongst the diaspora, creating a "transnational martial community" on the basis of martyrdom (de Mel, 2007: 18). For the diaspora, commemorative spectacles enacting "performatives that keep the histories of oppression and martial success alive" have centred on the deaths of martyrs (de Mel, 2007: 18). These performatives were consistent with the pervasive presence of death in the North, at the hands of the persecutory Sinhalese state: "Our houses became our graves…Our villages became our cremation grounds. The Sinhalese racist demons slowly take over our ancient lands" (quoted in Wilson, 2000: 133). On *Maaveerar Naal*, the LTTE held an annual day of

remembrance for fallen fighters.[122] The date is significant as the anniversary of the death of Shankar, the first LTTE cadres to lose his life for the cause. As Prabhakaran's birthday fell on the 26th of November, commemorations began at midnight. This can be viewed as an act of self-reference consistent with his strategy of seeking idolatry and personal loyalty. On this day, graveyards were the focal point of separatist sentiment and political rallying, with speeches from the LTTE leadership infused with ancient mythology amenable to Hindus and Christians alike, and Muslims to a lesser extent (Derges, 2012). Michael Roberts (2008) notes that Hinduism and Christianity are not irreconcilable as religious systems and that the notion of "karmic Christians" exists in Sri Lanka, while Peter Schalk (1997b: 1) emphasises the strategic use of iconography to enhance solidarity and to marshal the "familiar and successful tradition" of religion to imbue LTTE doctrine with meaning.

5.11 Post War: The Erasure of Tamil Nationalist Commemoration

The Tamils are now fighting for space both politically and culturally. The LTTE propagated apocalyptic visions of defeat and destruction of the Tamil people by the Sinhala state, presenting itself as the only viable protectors (de Silva, 1995). The catastrophe of the End, the mass deaths of Tamils, prolonged detention in camps and the post-war socio-economic and political abjectness have, for the Tamils, proven this propaganda to be true. Aware of the symbolic dimension, the state forces have destroyed LTTE graveyards and the "seeds" of separatism are buried under the concrete of Sri Lankan army camps in the Northern and Eastern Provinces (MTJ, JP, FY, YO, 2012). The state is uncomfortable with the documentation of this erasure, unless state-delivered as Sinhala-Buddhist nation-building propaganda. A military sentry point opposite the entrance of an army camp built on the remains of the Kopai graveyard in Jaffna prevents passers-by in vehicles from taking photographs.[123] The LTTE, at the height of its rule, appropriated the bodies of

[122] Other days of commemoration on the LTTE calendar include the 10th of October, the anniversary of the death of the first female LTTE cadre, named Malati day; the 23rd of October in commemoration of the deaths of the hunger strikers Thiyagi Thileepan and Annai Poopathy, who protested the Indo-Lanka Accord of 1987 and the violence of the state, the LTTE and the IPKF, respectively; and the 5th of July, Black Tiger Day, that marks the first LTTE suicide attack in 1987, carried out by Captain Miller at a Sri Lankan army camp near Nelliday, Jaffna. See de Mel (2007).

[123] A large and important graveyard at Kopai, near Jaffna in the Northern Province, was bulldozed by the military and replaced by an army camp. The author was brought past the former graveyard site during fieldwork in 2012. Though the driver was reluctant to stop, the replacement of the graveyard with a huge military structure was clear and evidenced by

the dead from their families and ritualised their deaths in pursuit of Tamil unity and the aspiration of Eelam.[124] Prabhakaran had stated:

> "Our history of liberation has been written in the lifeblood of these *maka veerar* (great heroes). Their passing away are not losses without meaning, their deaths have become the power that move forward our history – [they are] the life-breath of our struggle" (quoted in Bose, 1994: 120).

A discerning Sinhalese psychosocial worker commented that the construction and use of graveyards could be regarded as both *"a symbol of heroic deaths and wasted lives"* (AB, 2012). The destruction of graveyards in the post-war environment ignores the familial, religious and cultural attachment to these sites. A religious leader in Trincomalee simply stated, "*families need these"* (FY, 2012). Another religious leader in the town emphasised the cultural importance of the last rites for the Tamil people, a right that was denied to so many at the End:

> *"It is a regret for people. There was no time for the right to carry out last rites. It is something sacred, to give the best for the funeral to the dead ones, in traditional Tamil culture. This was denied in the last phase of the war"* (ER, 2013).

Derges (2012) recounts how the LTTE, when the Kopai graveyard near Jaffna was bombed in the mid-90s, moved the broken pieces of headstones to a glass cabinet and displayed them as reminders of the violence committed against the Tamil people. Echoing this act, people in Mullaitivu, the location of the End and a site of Tamil graveyards, took stones from the rubble of the graveyards after they were destroyed and have kept them in acts of remembrance (NR, 2012). Even without the presence of the LTTE, physical memorials for the dead are important to the people. The identity of persecution and victimhood persists and is manifest in these acts, in a desire to commemorate the dead. Social identity theory holds that an individual's core identity exists in parallel with a social identity, "that part of the

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reference to a map. A military sentry point opposite the entrance, the driver asserted, had previously confiscated cameras from people attempting to take photographs.

[124] See Elaine Scarry (1985: 119) on the non-referential bodies of the war dead. She explains that bodies of soldiers killed on the battlefield are indistinguishable from one another but for the symbols and decorations on their clothing. She argues that once they are dead, their individual agency has ceased and their bodies are empty signifiers on which meaning is projected.

individual's self-concept which derives from his knowledge of his membership of a social group (or groups) together with the value and emotional significance attached to that membership" (Tajfel, 1981: 251). Faced with the End, a catastrophe that claimed thousands of lives and the aftermath of which has allowed no space for commemoration (described below), the Tamil relationship to death is dramatically altered. Without LTTE coercion and commemorative rituals, how can the Tamil community reconfigure their identity in the post-conflict phase? How can they reconcile with the history of the LTTE and the fall of the movement? Can the community 'recover' and unify without recourse to ideologies of martyrdom and Eelam?

5.12 Erasure: Physical Memory and Collective Scars

State forces have destroyed the LTTE memorials that previously embellished the landscape of the Jaffna peninsula and wider LTTE-controlled areas in the Northern and Eastern Provinces. Replacing those physical vehicles of memory are victorious monuments honouring the Sri Lankan armed forces, army camps dotted along the landscape and Buddhist stupas. Freud (1909: 13) referred to monuments and memorials as mnemonic symbols of traumatic experiences, symbols that draw up memories of painful experiences of the past. While the trope of collective trauma might misleadingly apply an individual condition to the collective (Kansteiner, 2002), for the Tamil population, these new arrivals on the landscape are symbols of domination and colonisation (JU, 2012). It is *"difficult"* for the people (MSB, 2012) to see these new marks on the landscape. They are scars on the Tamil homeland, reminders of the brutal End, and symbols of the overthrow of a political ideology that defined Tamil lived experience for three decades. The master narrative of triumph over terrorism is imposed on the physical space and signifies the construction of a new conflict memory, a memory authored the state alone as the entity with the "power and the ability to dictate reality" (Perera, 2012). Vihanga Perera views this act as an indication of how insecure as a nation Sri Lanka has become, where political opponents must be "razed and vaporized from the face of the earth, and history" (Perera, V., 2012). More than that, however, the erection of monuments is an act of memory entrepreneurship by the government, a forceful imposition of conflict narrative upon the land that serves one purpose, as noted by a Tamil UN policy advisor: *"to remind the population 'you have been conquered'"* (AS, 2012). The construction of these monuments is a violent act of colonisation and a crucial symbolic element of Sinhala-Buddhist nation-building. There is also a

very visible disparity between the war memorials erected for the purpose of valorisation of the (Sinhalese) Sri Lankan armed forces and the lack of public recognition of the Tamil civilian lives lost at the End.[125] Symbolically, this is important for the Tamils:

> "*It doesn't take much symbolically to show people that they are equal citizens, that you are not treating them as conquered people. But it is as if the state is going out of its way to show the opposite"* (AS, 2012).

The state has, in contrast, commemorated civilians killed by the LTTE, particularly atrocities carried out against the Sangha, as representatives of the Sinhala-Buddhist state. For example, President Mahinda Rajapakse inaugurated a memorial museum in 2013 in Aranthalawa, Ampara Province in remembrance of the Aranthalawa massacre of June 2, 1987. The graphic sculpture by artist Anil Amarapura surrounds the bus in which the 31 Buddhist monks travelled on the day they were killed (*Daily Mirror*, 2013).

5.13 Commemorating the War, Erasing Civilians

The absence of a physical monument for the Tamil civilians killed in the war is extremely significant. It is a carefully planned absence, an institutionalised forgetting that erases the Tamil dead and relegates them to a liminal pace in the newly constructed nation-state. A monument is a mere reminder of violence; it cannot bring an end to a cycle of violence or remedy continuing injustices. It certainly does not seek to return the victims to their pre-atrocity state, to repair the damage done or act as a full substitute for the losses endured (Roht-Arriaza, 2004; Butler, 2004). The value of a monument, however, is where it represents a "willingness by the state or civil society institutions to exhume the buried issues of the past" (Hamber and Wilson, 2002: 39). Symbolic reparations such as monuments are, ideally, physical embodiments of a society's recognition, remorse and atonement for wrongs inflicted (Roht-Arriaza, 2004: 122). In Sri Lanka, no such sentiments are available to be symbolised and no such monuments are offered. This is in marked contrast to the state's hasty construction of triumphant war

[125] Although, as an international agency senior staff member pointed out, there are no names on monuments erected for the soldiers killed. In this way, Southerners *"can sympathise"* with the Tamils of the North and their search for recognition of the dead. The government, he predicted, will not allow solidarity to grow between the two groups (RD, 2012).

memorials, loaded with Sinhala-Buddhist iconography: an act of nationalistic authorship on a defeated land.

Interviewees spoke of state-driven efforts to forcibly suppress memory (MT, GK, 2012; RF, 2013), destroying graveyards and the monuments that represent the losses of the community as remnants on the physical space. These physical transformations of the landscape happened immediately post-war, along with a considerable rise in militarisation and the suppression of organised movements seeking accountability for the Tamil dead and missing. Responding to questions on these physical destructions and the impact on the community, interviewees were uniform in their response:

> *"We can't do anything"* (SM, 2012);
>
> *"You can't open your mouth, or you will be missing…People can't raise memory for children at graves"* (YO, 2012);
>
> *The history of the LTTE is being wiped out. This is affecting people a lot….the leaders of the country failed, they could have risen above this"* (FY, 2012);
>
> *"What can they [the people] do? They feel that they are modern slaves"* (PJ, 2012).

Along with this defeatist, colonised attitude, a determination to remember becomes a form of resistance:

> *"You can destroy the physical things but you can't destroy memory"* (MTJ, 2012);
>
> *"They can break the graveyards but they can't break minds"* (TA, 2012).

The words "destroy" and "break" are adversarial and accusatory, recognising the symbolic aspect of physical destruction and equating it with an attempt to decimate the resilience of the Tamil people and their separatist intentions. It is a display of hostility towards the state. The immediate bulldozing of physical vehicles of memory and separatist sentiment insinuates that *"[t]he state is very in tune with these techniques and LTTE symbolism. It knows where the power lies"* (AB, 2012).

A quote from a TNA politician in the Eastern Province is illustrative of an urge to remember based on lives lost and sacrificed during the struggle and the need to honour the dead cadres. While it represents an extension of the LTTE discourse on death that promoted the separatist ideology, it also illustrates the level of community interaction (whether coerced or voluntary) with commemorative rituals and the extent to which those rituals became important to them:

> *"These people sacrificed their lives for the Tamil people. They [the people] have very big pain. They are breaking graveyards and building [army] camps. They are asking people to walk on the graves. People respect the graveyards. Before, people used to go and pray there, Prabhakaran would make a speech, the people would 'lamp' - carry campur and coconut oil in a little dish. Every year on the 27 November since 1988, they would respect them. There would be an LTTE speech, then they would 'lamp'. The government wants to delete remembrance from the Tamil people"* (TA, 2012).

The actions of the state perpetuate the discourse of the LTTE in its absence: a discourse of historical and continuing persecution and victimisation of the Tamil community by the Sinhalese-Buddhist state. At a personal and individual level, the destruction of graveyards also means that a physical place to mourn the dead has become inaccessible to their families. A human rights activist stated:

> *"The emotional consolation of the physical place is being taken away. Feelings are not respected. There is no dignity at all afforded to the person. This is basic thing, human nature. No rights are allowed to them – even as fundamental as being allowed to cry at a cemetery"* (NR, 2012).

However, it is important to remember that these cemeteries were *"not value-free"* (SM, 2012). The collective memory of victimhood and martyrdom was instrumentalised by the LTTE in rituals and practices to imbue the Tamil identity with the concept of persecution and victimhood at the hands of the Sinhala-dominated state.

5.14 Mourning in the North, Celebration in the South

The victimhood of the Tamil population – an identity nurtured by the LTTE and also used as a political tool by the state in the final months of the war – is brought to its logical conclusion in the suppression of mourning for LTTE

cadres and the lack of information afforded to the Tamil people on the missing and disappeared. Mourning is associated with recognising and counting the dead, a practice avoided by a government wary of war crimes allegations. "*No mourning is allowed now. The government even asked the temples not to do Puja in the Vanni*" (YO, 2012).[126] The 18th May and 27th November, the anniversary of the End and the LTTE-promoted Heroes Day respectively, are important dates of commemoration for the Tamil population. This is testament to the success of the LTTE's cultural infiltration. For the families affected by loss, a Catholic activist noted, the choice to mourn on Heroes Day is not entirely political; it is the performance of tradition (RF, 2013). May the 18th is an emotive date for the Tamil population, as the End was devastating in terms of lives lost, injuries, and damage to property and livelihoods. It is also symbolic as the date of defeat of the LTTE's protective Tamil nationalist ideology. At the End, there was no pronounced public mourning: "*There was no room, no space for that. Nobody organised anything*" (SM, 2012). In the present day, practices of mourning and commemoration continue to be suppressed on these emotive and controversial days. The choice to mourn on the anniversary of the End is "*also a counter to the celebrations held in the south for the end of the war*" (RF, 2013). The message the Tamil population hopes to convey is: "*We don't celebrate, we are mourning*" (RF, 2013). The rejection of a celebratory anniversary is a call for recognition of their losses and suffering.

The government announced the date of the End as a day of official celebration, National Victory Day (Rajapaksa, 2009). In response to the announcement of the defeat of the LTTE, the streets in the South were sites of celebration (CM, 2012; Wickramasinghe, 2009). The wave of triumphalism and relief arising from the defeat of the LTTE overpowered any concern about civilian casualties and the manner in which the war was won. Interviewees spoke of their discomfort with the celebrations, viewing them as "*indecent*" and potentially hurtful for the affected Tamil population (SM, MSP, MC, 2012). More appropriate, one Batticaloa-based NGO worker stated, would be for the government to declare an official day of mourning for the losses in the war. The people had the right to celebrate the end of the war, he contended, but ought to have been brought together to mourn also, to advance inter-ethnic solidarity and grant recognition to the grief and loss of the Tamils. "*Everyone suffered under this war*" (MSB, 2012). The LLRC Report

[126] Puja is a ceremony carried out in both Hindu and Buddhist religions, among others, in order to host, honour and worship deities, or to spiritually celebrate an event. The word puja is derived from Sanskrit, and means reverence, honour, homage, adoration, and worship.

recommended a similar strategy of remembrance, that a *"separate event be set apart on the National Day to express solidarity and empathy with all victims of the tragic conflict…"* (LLRC, 2011: para. 8.304).

With the militarisation of the Northern Province, people are *"not permitted to have religious mourning ceremonies"* (FY, ER, 2012; OHCHR, 2013: para. 54-55). Pro-government assailants have brutally broken up assemblies calling for information on the missing.[127] For Judith Butler (2004), to grieve is not to be resigned to inaction but, rather, can be understood as a process by which we develop a point of identification with suffering itself. Departing from the disorientation of grief, Butler argues, can allow us to evaluate the conditions under which certain forms of human life are more vulnerable and considered more grievable than others. The grieving process prompts questions such as "Who have I become?", "What is left of me?" and "What is it in the Other that I have lost?" that can be directed towards an appreciation of others on the basis of common human vulnerability (Butler, 2004: 30). Certainly, a hierarchy of grief can be identified in the manner in which lives are mourned and loss is apprehended. Sri Lankan soldiers are afforded dignity and recognition in state-sponsored monuments and idolised as war heroes. The losses suffered by Tamils civilians, conversely, (whether involved with the LTTE or not) are ignored and public commemoration and mourning is disallowed. Butler asks: "How do our cultural frames for thinking the human set the limits on the kind of losses we can avow as loss?" (2004: 32)

In the state's conception of wartime losses, Tamil life is not the grievable kind. To grieve for the Tamils is to betray the Sinhalese-Buddhist concept of the state, to distinguish between civilians and terrorists and to establish a common humanity that might legitimise calls for equal rights in the post-war state. Butler's potential new politics, arising from grief and apprehending Others in their suffering, has been rejected in Sri Lanka, despite the recommendations of the LLRC and the rhetoric of 'oneness'. The commonality upon which nation-building could occur at this post-conflict juncture has been precluded by the Rajapaksa regime's adherence to the discourse of counter-terror and Sinhala-Buddhist chauvinism. We can consider Tamil life, in Butler's conception, as "unreal"- excluded from the state's concept of humanity, a concept reminiscent of Fein's (1990) "universe of moral obligation". Those affected by violence "cannot be mourned because

[127] For example, the National Peace Council (2013) reported that a public protest was organised by families of missing persons in Trincomalee on International Human Rights Day, 10 December.

they are always already lost or, rather, never "were" and they must be killed, since they seem to live on, stubbornly, in this state of deadness" (Butler, 2004: 34). The state discourse of terrorism and Sinhala-Buddhist nationalism "derealized" the Tamils, rendering the violence perpetrated against them, particularly at the End, unsurprising. Dehumanisation had already been at work in the culture for some time.

There is hyper-awareness of the dissimilarity in community reactions to the End - between celebrations in the South and the feeling of grief in the North and East. Framed as "*triumph in the South and mourning in the North*" (FY, 2012), the adversarial foundations of commemoration perfectly encapsulate the politicisation of memory in post-conflict Sri Lanka and the nature of continuing Tamil grievance. An activist mused that the celebrations in the South prompted a reactionary, accusatorial kind of commemoration in the North: "*If the celebrations in the South die down, maybe there would be less in the North*" (RF, 2012). Noted by the Office of the High Commissioner for Human Rights in its 2013 report, commemoration in Sri Lanka ought to be "an integral component of reparations" but "has been non-inclusive, a fact that risks further disaffecting the minority population" (2013: para. 55).

5.15 Suppressing Commemoration: Maaveerar Naal 2012

Heroes Day is now a day of stifled remembrance. On Heroes Day in Jaffna, three years into the post-conflict phase, reports told of plain-clothes men, "presumed to be military intelligence officers," and suspected CID (Criminal Investigation Department) personnel storming university grounds to prevent commemorative ceremonies, demanding identification and terrorising people with intimidating behavior. Groups of students who gathered at the Jaffna University grounds to commemorate the dead and light lanterns of remembrance were threatened and intimidated by armed "unidentified men" on motorcycles (Watchdog, 2012). A student from Jaffna University was quoted as saying:

> "...as today is Maaveerar Naal, Government forces are trying to prevent any type of commemorations from taking place. Last year too, forces were deployed at many temples and churches, preventing them from carrying out even routine rituals and religious activities. Therefore, it is most definitely a military intelligence activity to prevent

people from lighting oil lamps and paying tribute to the martyrs" (in Watchdog, 2012).

Heroes Day in 2012 coincided with a Poya public holiday, a Sri Lankan Buddhist celebration of the full moon. The Hindu celebration of Diwali, the festival of lights, also fell on the same day. Oil lamps are traditionally lit on this day to remember the dead. The military prohibited the lighting of lamps in churches, Hindu temples and individual homes (*Groundviews*, 2012), treating all remembrance as political in nature.

A protest was held by the students the next day, protesting the "terror tactics" of the military intelligence and the lack of freedom of assembly and association afforded to them. The students asserted their right to mourn and to do so without fear, exposing the state of terror in place in the unstable and militarised environment in the Northern Province. The Riot Police and plain-clothes officers responded with force, breaking up the assembly and resulting in numerous injuries. The security forces alleged that the students had thrown stones at them, prompting a violent reaction, while university staff told the Jaffna media that the protest was peaceful in nature and that the authorities had attacked the students without cause (AI, 2013). The *Sri Lanka Guardian* reported days later that four students who attended the protest (who had previously been engaged in protests against human rights violations by the military in Jaffna) were arrested regarding an alleged arson attack on the office of the Sri Tamil Eelam Liberation Organization (TELO) (*Sri Lanka Guardian*, 2012). The Sri TELO are widely considered to be a para-military group supportive of the government and connected to the state forces.[128] The charges against the students later came to include the distribution of Heroes Day posters around Jaffna University. Both Human Rights Watch and Amnesty International launched campaigns in the wake of the arrest of the students, who were detained for "rehabilitation" in state-run de-radicalisation camps meant for LTTE cadres (AI USA, 2012; HRW, 2012). The Kopai police summoned seven students involved in the protest. Four of those students were subsequently detained, without charge or due process, in Welikanda Rehabilitation Camp in the Eastern Province for "rehabilitation" after "engaging in subversive activities" (*Colombopage*, 2013). A fifth student surrendered to Jaffna TID and also spent over a month in Welikanda

[128] Sri TELO is a splinter group of TELO. TELO is now within the TNA, having abandoned paramilitary activity in the mid-90s. The "Sri" in Sri TELO denotes the name of the TELO leader Sri Sabaratnam, who was killed by the LTTE in 1986.

(Amnesty, 2013). A civil society grouping expressed concern that the students' arrest was "baseless and politically motivated, and constituted an act of reprisal against their activism and campaign against human rights violations by the Sri Lanka Army" (AHRC, 2012).

This case raises serious questions about the punitive nature of detention for 'rehabilitation'. It is a method of silencing critics and repressing advocacy for political and human rights (Sasitharan, quoted in *Tamil Guardian*, 2014). There is a lack of due process in determining who ought to undergo this rehabilitation. In early 2014, veiled threats were made against Ananthi Sasitharan in this regard, an elected TNA member of the Northern Provincial Council. Responding to the comment made by a senior Defence Ministry official, Sasitharan identified the suggestion that she should be 'rehabilitated' because of her marriage to an LTTE leader "an atrocious threat, made to silence voices like herself in the run-up to the UN Human Rights Council session in March" (*Tamil Guardian*, 2014). The possibility of detention as a response to commemorative activity equates to the criminalisation of commemoration. The case also demonstrates that the state is willing to suppress commemorative practices with force, intimidation and extra-legal detention, amounting to undue restrictions on freedom of expression and association and illustrating an official policy of "political pacification" (TAG, 2013). The intention of the government is to link any remembrance activities to political support of the LTTE, thereby amplifying the national security paradigm on which the government still relies. The notorious Prevention of Terrorism Act (1978) was brought into play in this case. In a performative act of clemency and at the behest of their parents, President Rajapaksa pardoned the students and they were released.[129]

Mourning in some Tamil factions is indeed politicised in line with LTTE ideology, given the extent to which the organisation had bound its militant ideology into the traditions of the community. A senior international agency official offered his analysis:

> *"It was not smart when people chose heroes day, martyrs day to mourn victims; a politically sensitive day. There needs to be some intelligence, sensitivity about the approach to this issue. It was almost provocative"* (RD, 2013).

[129] Rajapaksa pardoned two of the detained students on the 13th February 2013 on these terms. The other two students had been released earlier. See *ColomboPage* (2013).

The notion of 'provocation' falls in line with the rhetoric of restraint discussed in Chapter Two. It assumes that political assertions and acts of solidarity within the Tamil community are justifiably countered with violence. The Sinhalese-dominated state favours a peace facilitated by repression over the honest contemplation of Tamil grievance. The state, a woman human rights defender stressed, sees the Tamil people *"as a residue of the LTTE, holding the same ideology"* (NR, 2012). All communities, as posited by the National Peace Council (2012) in response to the incident, have the right to mourn their war dead and to collectively remember the past. The reaction of the military, the police and the state in suppressing mourning ceremonies and brutally disbanding protests has the potential to "inflame ethnic tensions and obstruct the post-war reconciliation process" (NPC, 2012). Contrary to the recommendations of the LLRC (2011) that the war dead of all communities should be commemorated, the mourning permitted is on an ethnic basis, demonstrating that Sinhala-Buddhists sit atop the hierarchy of power in post-conflict Sri Lanka.

Considering the political sensitivity of this date, however, the LTTE's reach and influence into cultural traditions must be recognised. For the LTTE, graveyards, rituals and traditional days were a means of *"centralising mourning"* (SM, 2012). The Tamil community mourns the individuals lost to the movement, to the war and at the hands of the state forces. Rather than exclusively politicised mourning, MR (2012) explained, it is a religious and cultural display of melancholia and loss:

> *"…virtually every family, they have lost something which you cannot replace. I may have lost my son. Somebody may have lost his father. Somebody may have lost his husband or wife. Once it is lost it is lost. So this is the psyche of the general community…*(MR, 2012).

5.16 Systematic Suppression of Commemoration:

Interviewees spoke of a pattern of suppression of mourning since the End. A priest in Trincomalee listed the elements of the *"traditional way of mourning"*: *"garland photos, light lamps and incense."* Post-war, he stated, *"this is not allowed, even in private homes"* (ER, 2012). *Groundviews* quoted people in Jaffna who complained that the army had stationed themselves at a local graveyard, Navanthurai, and prevented people from lighting lamps for the dead on

Heroes Day 2012 (Watchdog, 2012). The report quoted the Chairman of a local divisional council, Anaimukan Velayutham: "Some unidentified people stormed into my home and set some vehicle tires on the floor in the middle of my home and set them on fire." Velayutham said that this attack was carried out because he was accused of paying homage to "fallen heroes," in his home. A local businessman in Kilinnochchi, the previous LTTE administrative capital, was assaulted and intimidated by the military on the 28th November 2012, in reaction to his commemorative lighting of lamps in his shop on *Maaveerar Naal* (Watchdog, 2012). Unidentified men attacked Subramaniam Thavapalasingham, President of the Jaffna University Students' Union, in October 2011, accusing him of supporting Tamil separatism (AHRC, 2011). Similarly, a brutal attack on P. Tharshananth in May 2012 prevented him from attending a memorial ceremony for victims of the conflict (AI USA, 2013). Some stories have reached activists and religious figures of police and military intrusion into homes suspected of honouring dead cadres (RF, 2013; ER, 2012).

The presence of the military automatically sustains a state of fear that restricts freedom of expression and assembly, particularly on politically sensitive issues (RD, 2013). The fear psychosis generated by these incidents sends a very clear message to the population. The restrictions on freedom of speech on this issue call to mind the question posed by Judith Butler: "We have to wonder under what conditions public grieving constitutes an "offense" against the public itself, constituting an intolerable eruption within the terms of what is speakable in public?" (2004: 35). Following this logic, considering the relation between the violence by which the lives were lost and the prohibition of public grieving, she asks: "Are the violence and the prohibition both permutations of the same violence?" (2004: 36). The structural violence inflicted upon the Tamils is continued in the post-conflict phase. The criminalisation of public (and private) commemorations as "glorifying terrorism" is problematic in a society where the vilified group was comprised of the local community. Actions such as the incidents in November 2012 can be expected to further marginalise the Tamil community and confirm their position as "precarious life" (Butler, 2004). In post-war Sri Lanka, Tamil life is not grievable. The determined adherence to traditional mourning practices can be expected in the face of state repression (RF, 2013), where the Tamil perception is of unequal treatment and persecution under Sinhalese-Buddhist rule (RD, 2013).

Furthermore, mourning processes can be conceptualised in terms of memory and cultural identity as a method by which a dialogue can be maintained with the past, drawing on melancholia and mourning as analytical principles to engage with the history of events of loss (de Mel, 2007). Mourning allows for "continuous engagements with the past that permits new insights and new understandings of lost objects whether loved ones, a place or an ideal" (de Mel, 2007: 161; Eng and Kazanjian, 2003: 3-4). Where mourning is suppressed and dialogue about the dead, suffering and loss is prohibited and forcefully suppressed, how can the Tamils understand what has been lost? As a former senior Tamil minister in Jaffna explained, while "*trying to trace some of the wounds that this society is unable to bear with after the war*", the Tamil people "*are yet to recover to know what has happened to them…People are still in shock*" (MR, 2012). Eng and Kazanjian (2003: 2), in their work on the politics of memory argue that "what is lost is known only by what remains of it, by how these remains are produced, read and sustained." Where loss cannot be mourned, where the remains of the past are denied and suppressed, how can that loss be comprehended? For MR (2012), "*people have lost hope. Why? This society has just got stunned. Being unable to tell others…what has happened to us? It [society] is so damaged*". Post-war, cultural erosion continues, he asserted, introduced by the state in a "*planned*", "*deep and intelligent*" way (MR, 2012).

5.17 Tamil Political Agency Post-LTTE

Sharika Thiranagama (2011) argues for an appreciation of the ambivalent experience of being shaped by war and the fraught nature of the resultant identities. The "positive and creative qualities" (Fanon, 1963: 73) that violence invokes in people are "at the same time one's trauma" (Thiranagama, 2011: 76): the traces of violence embedded in a life of war. Echoing Kimberly Theidon (2007), Thiranagama (2011: 12) argues that new and deep identities emerged because of the war, a war that was "injurious yet productive and constitutive". Identities must be negotiated anew in the post-conflict phase. Derges (2012) posits that a process of reconciliation and recovery must involve a total re-establishment of society and a readjustment to the profound losses suffered.

The 2013 UNHRC Resolution states that "devolution of political authority" to the Tamil minority in Northeast Sri Lanka "is integral to reconciliation and the full enjoyment of human rights by all members of its population". The international community housed in the UNHRC deems both accountability

and a political solution necessary to post-war recovery. With the establishment of the Northern Provincial Council in September 2013, and the landfall success of TNA candidates in the elections, there has finally been some progress towards a political solution. The role of the international community in prompting this development cannot be understated.

A Tamil academic voiced optimism that the NPC – a strong civil administration – has the potential to secure a political voice for the Tamils and to curb the process of militarisation (KD, 2012). The Tamil people attended the polls and voted overwhelmingly in favour of the TNA candidates, including Ananthi Sasitharin, a Tamil teacher and the wife of an LTTE leader who disappeared after surrendering to the state forces in May 2009 (Jeyaraj, 2013a). Sasitharin contested the election as a candidate seeking truth and justice for the families of persons who have gone missing or have disappeared during and after the war: a pertinent issue in the post-war environment and one the state is keen to suppress. She received the second highest number of votes in the elections, second only to C. V. Wigneswaran (*Tamil Guardian*, 2013).

The newly elected Northern Provincial Council Chief Minister C. V. Wigneswaran is a multilingual Jaffna-born Tamil who grew up in multi-ethnic Colombo (Jeyaraj, 2013a, Jayatilleka, 2013a) His sons are married to Sinhalese women and all communities respect him in his capacity as a retired Supreme Court Judge. He was, when announced as the TNA's candidate for the position, hailed as a "master-stroke" by the TNA leader R. Sampanthan – a strategic thinker "willing to stand up to and sacrifice more obvious ethno-populist passions and pressures" and capable of political resurrection amongst the Tamils (Jayatilleka, 2013a). Although seen as capable of negotiating effectively and vociferously with the central government and an advocate of self-determination and federalism, he was not perceived as supporting separatism (Jayatilleka, 2013a). His candidacy, therefore, soothed the fears of the Sinhalese that the Provincial Council in the North was a "stepping stone" towards Tamil Eelam (Jeyaraj, 2013a). Seen as a moderate influence between the Sinhalese establishment and the Tamils, who could "help us discover a middle path", Wigneswaran was elected in September 2013 (Jayatilleka, 2013a).

The NPC can be considered as a promising first step towards a political solution, though highly restricted in terms of powers and constrained by the militarisation of the political establishment in the North. It is important

primarily as an institution capable of channelling Tamil political agency. The state-appointed Governor is former Army Major-General Chandasiri and is reportedly involved in a power struggle with Chief Minister Wigneswaran, who calls him the "military official serving as Governor of the Northern province" (Jeyaraj, 2013b). Neloufer de Mel observes that the success of Sri Lanka's militarisation process has meant that its military institutions and militant groups enjoy more prestige than their unarmed civilian counterparts (2007a: 242). The TNA has used the issue as a symbol of resistance, to emphasise the extent of the militarisation of the Northern Province. The journalist D. B. S. Jeyaraj accuses the TNA of "cheap politics" in this regard whereas, I argue, calls for a civilian Governor speak to the Tamil peoples' latent resentment of life in a militarised environment.

The TNA Manifesto calls for de-militarisation, speedy resettlement of displaced person, improved relations with the Muslim community – particularly important in advocating for one merged Northern and Eastern Provincial Council - and, as espoused by Councillor Ananthi Sasitharan, information on the missing and disappeared. Some commentators hailed the TNA's success at the NPC polls as a separatist referendum, though the party's manifesto declares an intention to pursue devolution of power within a unitary state, "on the basis of shared sovereignty" (TNA Manifesto, 2013). The TNA manifesto asserts the Tamil right to self-determination, demands an independent international inquiry into alleged war crimes by the state and LTTE at the End and rejects the 13th amendment as a final solution to the political question, given the concentration of power with the central government and the Governor (TNA Manifesto, 2013). The Provincial Council system constitutionally established in the 13th amendment (a result of the Indo-Lanka Accord 1987 and subsequently perceived by Sinhalese nationalists as an Indian imposition) is island-wide and was originally envisioned as a mechanism of power decentralisation, intending to aid in the process of seeking a political solution to the conflict. In the midst of debate about whether generous implementation of the measure (termed "13 plus" or "13A" in public discourse) would amount to a political solution, academic interviewees derided the state's interpretation of the measure as "13 minus" - entirely insufficient to satisfy Tamil aspirations of political powers of self-determination (KD, PNB, Guruparan, 2014). Chief Minister Wigneswaran claimed in his first budget speech that the TNA intends to expose the shortcomings of the 13th amendment *"while established in office"* rather than criticising from the side-lines (quoted in Jayatilleka, 2013).

Interviewees in early 2012 were sceptical as to whether the government would allow the 13th amendment to remain in the Constitution. Sinhala-Buddhist nationalists have resisted the measure since its incorporation into the Constitution to such an extent that common sense understandings of the 13th amendment are exceedingly negative. The Northern Provincial Council (NPC), ironically, is the only inactive branch of this system on the island. A Sinhalese political science professor in the South described how students at his university designed posters on the subject. They drew "13 +" in a symbolic fashion: designed to look like a demon, drawn to appear *"big and threatening"* (PNB, 2012). The Provincial Council system in the North has been deemed as "an impediment to the post-war development process" and a possible vehicle towards separatism by Gotabhaya Rajapaksa, the Secretary of Defence (Rajapaksa, G., 2012). In media interviews in 2012, he called for the repeal of the 13th amendment. The Jathika Hela Urumaya (JHU) hard-line Sinhala-Buddhist political party concurred with the Secretary of Defence and tabled a Bill to Parliament demanding the repeal of 13+ (*Daily Mirror*, 2013a). Two other coalition government parties - the National Freedom Front (NFF), and the Eelam People's Democratic Party (EPDP) – have also voiced hostility to 13+ and argued for its repeal or amendment (ICPVTR, 2013). In the environment of persisting separatist sentiment, the devolution of power to the Northern Province under 13+ is perceived as a step back towards separatist agitation and conflict.

The NPC election campaign was marked by pro-state violence and interference. The Centre for Monitoring Election Violence (CMEV) (2013: 6) referred to the intimidating presence of the military in its final report, indicative of the institutionalised manner in which the state forces were involved in election campaign and polling. The CMEV recorded incidents including intimidation of TNA candidates and supporters while canvassing by the EPDP and CID officers; physical assaults on TNA candidates Ananthi Sasitharan and Mr. Kajadeepan and their supporters; obstruction of a TNA meeting by military intelligence and the EPDP; attacks on the property of TNA candidates; and accounts of unidentified groups "roaming" the streets, discouraging voting (CMEV, 2013). Many of the individuals in question spoke Sinhala and monitors asserted their conviction that they were military intelligence officers (CMEV, 2013). Election day was marred by reports of intimidating behaviour towards voters and TNA candidates by police officers, military officers and unidentified groups of persons, deterring voters in some circumstances (CMEV, 2013).

Months before the election, in April 2013, the distribution centre and printing press of the regional newspaper *Uthayan* were destroyed, in Killinochchi and in Jaffna respectively (CMEV, 2013; TAG, 2013). TAG (2013) allocates responsibility for these attacks to the state forces. A particularly striking tactic of deception during the election campaign was the circulation of a false *Uthayan* newspaper, reporting that the TNA was boycotting the election and that Ananthi Sasitharin had defected to the government's party (TAG, 2013; *Colombo Telegraph*, 2013a). False election posters depicting C. V. Wigneswaran were distributed in Jaffna, encouraging voters to vote for candidate number 7, rather than number 10, Wigneswaran's actual candidate number (*Colombo Telegraph*, 2013a). Following the vote count, M. A. Sumanthiran, a TNA MP, was quoted in the media:

> "Despite heavy army presence, blatant violations, voter intimidation and violence against our candidates, we secured a great victory. We bow to the Tamil people here" (quoted in Karthrik, 2013).

The overt interference with the elections did not deter voting in favour of the TNA and the reconfiguration of Tamil political agency must now develop in an institutional setting, with the TNA advocating for an acceptable political solution with the Rajapaksa government from a position of relative power. The party's staunch position rejects the state as a purveyor of political rights for the Tamils and faults the government's apparent unwillingness to engage in real dialogue towards resolution of Tamil political grievances. The TNA has refused to engage with state initiatives such as the Parliamentary Select Commission, as noted by MP Suresh Premachandran (2013): "We are not expecting any meaningful, fruitful things from PSC." Tamil nationalism remains the primary mobilising ideology, which has been re-shaped by the catastrophe of the End. Chief Minister of the Northern Provincial Council, C. V. Wigneswaran has drawn on Tamil nationalistic language, controversially stating that the "activities of successive Governments in this Country have bordered on genocide if not genocide," and refusing to condemn the LTTE – sparking vilification in the South (quoted in Jayatilleka, 2013).

5.18 The Northern Provincial Council Election: Evoking the LTTE

During the NPC election campaign, Wigneswaran and the TNA moved away from a presumed "moderate" political positioning and openly engaged in the politics of mourning and the LTTE's ideology of martyrdom. During the NPC

polls campaign the TNA observed two minutes silence in honour of the *Maaveerar* and used the language of Great Heroes, central to the Tamil nationalism of the LTTE (Jeyaraj, 2013). TNA candidates in the elections praised the leaders of the LTTE, demonstrating the complexity of the community's relationship with the movement and the manner in which the LTTE remains at the core of Tamil nationalism. The long-established and widely read journalist D. B. S. Jeyaraj (2013a) accused the TNA of attempting to bring about "an emotional renaissance in favour of the tigers through platform rhetoric" and of striking a Faustian bargain by appealing to pro-LTTE forces in its electoral strategy. While Chief Minister Wigneswaran has definitively rejected violence – "as far the Tamil people are concerned that they will never get involved in any activities endangering the national security" (Wigneswaran, 2013) – he spoke with veneration of the LTTE. On an electoral campaign visit to Valvettithurai, birthplace of the LTTE leader and described as the "cradle of Tamil militancy" by Jeyaraj, Wigneswaran asserted:

> "Prabhakaran is not a terrorist. He is a great hero who fought for the freedom of the Tamil people" (quoted in Jeyaraj, 2013a).

In Wigneswaran, we see a figurehead who is willing to honestly engage with the ambiguous yet highly personal place the LTTE occupies in the Tamil community. He argues for the right to remember the militant form of struggle for self-determination while laying it to rest in favour of a new phase of political engagement and, if necessary, agitation. Where the LTTE cultivated a societal embrace of death, Wigneswaran's NPC encourages the embrace of life, rejuvenation and political promise. On *Maaveevar Nal* in 2013, the Tamil media reported that the Sri Lankan military in Jaffna prevented the NPC from planting trees at a memorial square (*Tamilnet*, 2013). Criticising the "narrow minded" approach of the government to commemorative practices, the Chief Minister stated:

> "If you put the ball inside the water and push it downwards, it would bump up" (quoted in *Tamilnet*, 2013).

Wigneswaran describes commemorative practices as manifestations of the emotional needs of the people. Responding to those practices with military force, he argues, is counterproductive and will, in turn, lead to a negative response. The purpose of commemorative practice, he clarifies, is not an act of

glorification but a performance of laying an incarnation of the movement to rest:

> "We plant trees symbolising our desire for the arrival of a new generation as one generation has left us" (quoted in *Tamilnet*, 2013).

His focus is on political change; not condemning the history of the Tamil struggle under the LTTE but emphasising the advent of a new Tamil political life, a new generation. Drawing on the LTTE's analogy of "seeds" of the movement, Wigneswaran's construal is one based on growth rather than death and rebirth. Planting trees on private land, within the Ministerial complex, and proclaiming that act as outside of the jurisdiction of the military, he publically signalled the new meaning implicit in this commemorative act:

> "While praying that peace be upon the souls of those perished, we also regard this event as a sign of bringing ourselves into a new world" (quoted in *Tamilnet*, 2013).

Resolutions were passed in October in two TNA-controlled divisional councils, Karaichchi and Chavakachcheri, calling for the renovation of LTTE cemeteries (Jeyaraj, 2013). *The Island* reported that all local authorities administered by ITAK could move similar resolutions (Ferdinando, 2013), a prospect that caused the Sri Lankan defence authorities to "express concern" (Perera, 2013a). Jehan Perera, a Sinhalese liberal who heads the National Peace Council, noted that the Northern Provincial Council and the leadership of the TNA have not expressed support. He interprets their silence on the issue as a sign that "they do not wish to confront either the government or the security forces on this emotional issue" and argues that the government ought to appreciate this acquiescence as a gesture of amenability (Perera, 2013a).

5.19 Conclusion

The Tamil population had a complex relationship with the LTTE over the years of war: the organisation inserted itself deeply into the lives and culture of the people and was largely perceived as the only protection available against the persecutory Sri Lankan state. This chapter illustrated the genealogy of Tamil nationalism as a mode of resistance to state persecution and its performance in ritual practice as a means of public engagement. After

the End, the ban on commemorative practices is a performance of power that exposes the continuing repression of the Tamil people and the superficiality of the 'post-conflict' framework in Sri Lanka. The Chief Minister of the Northern Province has begun to challenge this blanket ban on commemorative practices and to reclaim the history of the LTTE as a manifestation of Tamil nationalism that has passed.

In times of "political opening" such as stated periods of transition, it is presumed that "multiple social and political actors come to the scene, and they craft narratives that confront each other's, and in doing so, they also convey their projects and political expectations for the future" (Jelin, 2003: 29). Sri Lanka, however, is not open to a "transformation of the state, a new foundational moment, with new meanings and readings given to the past" (Jelin, 2003: 30). Political culture determines the form of collective memory produced (Gibson, 2006), and the suppression of commemoration illustrates the nature of the repressive rule under which the Tamils exist.

Conclusion
Consolidating the 'National Story'

6.1 Introduction

This thesis has examined the production of Sri Lanka's 'national story', its exclusionary and repressive nature and its political benefits for the Rajapaksa government. It has analysed the authorship of the national story as a form of state-corporate collusion designed to avoid accountability for war crimes at the End. It has sought to reveal state political performativity, as a method of state crime denial, one that aligns with acceptable ethnic behaviour and international discourses. This performativity reproduces the hierarchy of power with the Rajapaksa family at the apex.

The modern state, and its process of 'nation-building', demands a common past as well as a common future (Perera, 2008). Domination, Paul Ricoeur reminds us, does not exclusively rely on coercion but instead attempts to entice the dominated by means of "an enterprise of seduction and intimidation in the form of words" (2004: 85). States draw on and create particular interpretations of history in order to consolidate their support base and to enhance ideologies or nationalistic sentiments that work in their favour (Hodgkin and Radstone, 2009: 5). By resisting or contesting the state's official

version of history, counter-narratives from other groups with alternative perspectives of history (such as opposition political parties, minority groups and civil society groups) can challenge the hegemonic framing and remembrance of history. Hegemony is in a constant state of contestation, re-written and re-framed in relation to political imperatives and ideologies (Gramsci, 1971).

This research has explored ways in which the state lexicon was managed. Exploring the dynamics by which words are forbidden, promoted and distorted sheds light on the consolidation of discursive frameworks in Sri Lanka. An exploration of language itself, and the implications of a state-managed lexicon, I have argued, reveals sites of power and the production of that power (Foucault, 1980). My empirical research in Sri Lanka demonstrates the widespread adherence to this lexicon and the motivations and pressures guaranteeing the maintenance of the national story.

ii. Sri Lanka's National Story

For the Sinhalese-dominated government and majority population, the End was an "epic" event (Kirschenbaum, 2005: 106) and a "lieu de memoire" (Nora, 1989). It was an event mythologised as it occurred and invested with huge symbolic significance for the project of nation-building that lay ahead. As the prevalence and influence of extremist Sinhala-Buddhist elements in politics has risen, the desire for a hegemonic state identity has shifted further towards exclusion of minorities (Raghavan, 2013). Forging a national identity premised on the principles of Sinhalese-Buddhism has meant a consolidation of power in the Rajapaksa brothers, a government that has brought continuity and closure to this mytho-history in the present day. The promotion of Sinhalese identity as a nationalist ideology unites the majority under the Rajapaksa government and conceals the very real grievances of minorities. As Wickramasinghe (2009: 1047) states, "the president's vision merges nation and state and promotes a love of country based on a particular reading of the history and foundation myth of the Sinhala people in which all other groups—those formally known as minorities—are present merely as shadows, not as constitutive elements of a common political culture."

For criminologists, the techniques of distortion used by the state and the objectives of that distortion are worthy of analysis. This distortion can enable state deviance and the avoidance of accountability for harm caused to its population, contrary to the state's obligation to respect human rights. In this way, it becomes an element of state crime (Green and Ward, 2004). The state can author and reconstruct history. It can promote and institutionalise a 'national story' that supports its political objectives, often as events are unfolding. In this endeavour, the state has many partners available for hire. As this thesis has demonstrated, the Sri Lankan state has deliberately pieced together a favourable narrative with input from advisors, including lawyers and public relations companies. The involvement of such actors indicates what I describe as a rising professionalisation of state denial, resulting in impunity for gross violations of human rights and international law.

Far from reconciliatory, the institutionalisation of a 'history' based on Sinhala supremacy and Tamil 'terrorism' is a violent interpretation, designed to glorify the military, justify the enormous violence perpetrated upon the Tamil people at the End, and promote the Rajapaksas as war heroes. The discourse of triumph over terrorism masks the violence perpetrated upon the Tamil population at the End, and simplifies the complex relationship between the defeat of the LTTE, the legacies of the LTTE's Tamil nationalism and the possibility of equal rights for the Tamil people in the Sinhala-Buddhist state. The Tamil nationalist movement is stripped from the official public record; the *"undisciplined army"* (MR, 2012) of the Tamil people is depoliticised and demonised; the people are left humiliated and destitute.

iii. Conclusion

This thesis has sought to explore the Sri Lankan post-war landscape by tracing the continuities of political contestations into the present, in order to demonstrate how the End has been folded into the competing historical nation-building narratives. Contributing to the literature on the End and Sri Lanka's 'transition' from war to a peace founded on "securitized development" (Goodhand et al., 2011), I contend that attention to discourse and its production reveals the state's mechanisms of manufacturing consent for atrocity and continuing the repression of the Tamil minority. Authoring the End, I argue, is a contemporary imperative for the contesting nation-building projects. By interrogating the content, rhetorical presentation and commemorative practices of Sinhala-Buddhist and Tamil nationalisms, this

thesis has demonstrated that the military 'End' of the war has resolved little. Post-conflict, the political contestations remain the same. Tamil distrust and hostility towards the state remains, just as state violence and terror persists.

This thesis has explored the role of state discourse in consolidating Sinhala-Buddhist hegemony in a national security state. The state has re-narrativised and reworked violence during the war (and particularly at the End) through orchestrated techniques of denial and mass ritual discourse, drawing on and perpetuating a heightened Sinhala-Buddhist nationalism that consolidates power under Sinhalese political elites, sustains minority grievances and, in turn, sustains the repression of the Tamil community of the Northeast. Offering a genealogy of Sinhala-Buddhist power, this thesis has interrogated the state's mechanisms of discursive control, the structural forms of political violence and institutionalised terror, the adaptation of international discourses in the pursuit of local and international legitimacy, and the promotion of an exclusionary form of nationalism in political performances and authorship of public space. In this context, I argue, the End represents a striking contemporary landmark in a process of persecution and anti-democratic nation-building.

In the aftermath of the End, atrocity becomes the inescapable foundation of Sinhalese-dominated post-conflict nation-building. The End is the backdrop against which political contestations continue in the post-conflict phase: an event illustrative of state power, Sinhala-Buddhist politico-military dominance and the persecution of the Tamil community. The original empirical work informing this thesis bolsters the wider claim that violence and repression are embedded methods of post-war governance in the Tamil-dominated North and Eastern Provinces. Interviews revealed the ways in which state discourses of triumph over terrorism, humanitarianism, and reconciliation are rejected, contested and strategically appropriated. The struggle to define the End, I argue, is crucial to understanding the restrictions on Tamil political agency in the present. Violence wielded by the state to politically pacify the Tamil people – in the form of militarisation and detention for 'rehabilitation' for example - is consistently renamed, reframed and marketed as progressive and positive. Interviews confirmed the overwhelming presence of violence in Tamil lived experience.

The End is consigned to the past by the state's post-conflict rhetoric of 'moving on', development and reconciliation, and the support of the international community for reconciliation and accountability initiatives (in

line with increasingly standardised approaches to post-conflict and transitional justice). Despite this, the End exists in the present. It is embedded in every personal interaction and political decision in post-conflict Sri Lanka. It has been folded into the constituent narrative of the competing Sinhala-Buddhist and Tamil nationalisms. Mainstream conceptions of post-conflict 'recovery' (and accountability as a process from which that recovery can begin) fail to comprehend that this profound alteration in the Tamil struggle for self-determination – the destruction of the LTTE – has not altered the essence of the struggle nor the position of the state regarding the Tamil minority.

My research demonstrates that the conflict continues in the present day in different forms, more veiled and sophisticated than armed conflict. Discursive and physical violence follows a primarily ethnic logic and amounts to Tamil persecution and oppression. The state, over the course of the conflict, has increasingly relied on expansive security measures and apparatus to suppress political activism and violence, both Sinhalese and Tamil. The defeat of the LTTE has not led to a reduction in the state's repressive capacities. In fact, the post-conflict phase has been further marked by features associated with a national security state paradigm: the centralisation of power in the hands of the executive at the expense of accountability and transparency normally derived from the separation of state powers; the use of surveillance and violations of due process guarantees; an expanded role for the military and intelligence agencies in civil life; and increased restrictions on individual rights of liberty, speech, association and privacy (Mullin, 2014).

With this in mind, this thesis offers a challenge the application of mainstream post-conflict and transitional justice concepts and processes to Sri Lanka. Rejecting international discourses of accountability, the state asserts that 'time and space' is all that is required to heal and 'rebuild' the nation. Post-conflict, the state's purported adherence to 'transition' as directed by the global liberal peace framework is a deliberate and staged performance, designed to conceal on-going violence and oppression, and to facilitate favourable political and trade agreements with international partners (Thiranagama, 2012; Gowing, 2013; Höglund and Orjuela, 2013). Discourses of accountability and 'healing' do not account for the extent to which the End has altered social and political life in Sri Lanka, nor the encroachment of the Sinhala-dominated oppressive apparatus into Tamil life. On-going processes perpetuate the narratives by which the conflict has been authored in propaganda, nationalistic rhetoric and denials.

The struggle to author the End is important in this period of 'transition' because it is a defining moment in the conflict on which 'nation-building' (as envisioned by the architects of power) is premised. The End underpins the contemporary narrative of the country's contesting nationalisms. By recognising nationalism as a tool in the construction of hegemony within the framework of the nation-state, by which political elites retain power, it becomes clear that 'nationalisms' must be consistently performed in order to stabilise the political order (Thiranagama, 2011). To stabilise the meaning of the End in state triumph and victory over 'terrorism' is to seal the achievement of hegemony on the basis of Sinhala-Buddhist nationalism. The persistent counter-narrative of the Tamil community (which influences the international movement for accountability) destabilises this hegemony and offers a form of resistance. Domestically, this resistance continues to be couched in Tamil nationalism, discernible in the political narrative of the Tamil National Alliance (TNA). The conflict is unchanged in its essence.

Appendix One

List of Ministry of Defence and Urban Development News Portal Reports in Discourse Analysis

Available at the 'Archive': http://www.defence.lk/archives.asp?id=0

22 December 2008

"Free innocent Tamils or face ban - President to LTTE"

"Six air raids at LTTE positions - Kilinochchi, Mullaittivu"

"Troops march towards Kilinochchi; LTTE suffered heavy damages in confrontations – Kilinochchi"

"Wanni exodus continue, 60 civilians seek protection with security forces- Mullaittivu"
"59 Div troops extend their defences; LTTE body found – Mullaittivu"
"Army sniper guns down a terrorist – Muhamalai"
"Jets strike at identified LTTE positions, attack craft destroyed"

13 January 2009
"Secretary Defence visits Indonesia: Discussions for more stringent counter terrorist activities"
"86 Tamil civilians reach security forces seeking safety – Jaffna"
"Tigers used Thanniyuttu - Mulliyavalai hospital in Army hands"
"Mass exodus expected from Wanni"
"LTTE receives heavy damages in confrontations – Mullaittivu"
"Troops continue the offensive march; 2 LTTE bodies found - kilinochchi front"

31 January 2009
"DMK flays LTTE for not responding to 48-hour ceasefire"
"Troops overrun LTTE terror base, seize large haul of military hardware in Mullaittivu"
"LTTE sea tiger 'group leader' killed in confrontation- Mullaittivu"
"Defamation enjoining order further extended"
"Underground built two storied, luxury LTTE hideout found- Mullaittivu"
"UNSG welcomes President Rajapaksa's announcement of safe passage for civilians"
"More civilians flee from LTTE: Over 100 seek protection with security forces- Mullaittivu"
"57 Div troops locate high profile LTTE hideout- Visuamadu"

2 February 2009
"Troops avert LTTE suicidal attempt to wreck disaster: 'planned to destroy Iranamadu Tank bund'"
"96 civilians flee from LTTE: seek protection with security forces"
"SLAF raids identified LTTE resistance positions in Mullaittivu"
"LTTE continues firing artillery from civilian safe zone in Mullaittivu"
"President calls LTTE to surrender, Military operations irreversible and irrevocable:"

9 February 2009
"Health Secretary holds ICRC responsible"

"Sri Lankan ambassador in Washington calls upon LTTE to release Tamil civilians"
"Over 4500 Tamil civilians reach security forces seeking safety – Mullaittivu"
"SLAF raids sea tiger facility - North of Mullattivu lagoon"
"Security forces enter Sugandirapuram: 7 LTTE bodies uncovered – Mullaittivu"
"'"We have no sympathy for LTTE" says Indian External Affairs Minister"
"Troops uncover military hardware during search operations- Kilinochchi
"Govt not prepared to reverse ongoing operations"
"United Nations deplores LTTE suicide attack on IDP rescue center"
"United States government condemns LTTE suicide attack on Tamils civilians"
"Civilian accounts give lie to the UN reports on civilian casualties in Sri Lanka"
"Widespread condemnation of LTTE suicide attack on Tamil civilians fleeing terror"
"LTTE continues targeting Tamil civilians: suicide bomb attack at IDP rescue centre – Kilinochchi"

10 February 2009
"2 STF personnel killed, civilian injured in pressure mine explosion- "Okanda"
"Counter terrorist operations continue in the Mullaittviu battlefront"
"LTTE takes heavy beating in fighting at Puthukkudiyirippu- Mullaittivu"
"'Failed attempt to trigger a backlash' - The Island editorial"
"Over 6500 civilians seek protection with security forces: Unveil LTTE perpetrated humanitarian tragedy"
"'"GoSL to be congratulated on prosecution of war against LTTE" says defence analyst"
"Defence Sec. tells intl. organizations to be mindful of the responsibility cast upon them"
"MI-24 Helicopters strafe LTTE reinforcements – Mullaittivu"
"LTTE fire fleeing civilians; 19 killed , Army rescue 1046 civilians - Puthukkuduyiruppu [Updated]"
"Army 57 Div reach Kuravilkulam Junction – Mullaittivu"

12 February 2009
"Professional counseling for those kept as LTTE hostages"
"Colombo Bishop condemns LTTE, Tigers must stop suppression of Tamil civilians"

“Government tells Tamil Diaspora to realise the suffering LTTE has brought on Sri Lankan Tamils”
“US treasury targets LTTE front office”
“Take courageous, just measures required to curb terrorism, Mahanayakes tell President”
“Troops avert LTTE attempt to cripple normalcy – Jaffna”
“Amnesty International forgets suicide bombers kill people”
“Army 58 Div makes significant gains on battleground- North of A-35”
“Navy assists in evacuating sick and wounded Tamil civilians in Mullaithivu”
“Sri Lanka welcomes U.S. decision to designate the 'Tamil Foundation' as LTTE front”
“Foreign Minister meets with the ICRC Head”
“'No fire zone' declared further facilitating civilian safety”
“Catholic nun claims shot at by LTTE, while evacuating sick people”
“"Mischievous media reports have distorted developments in Northern Sri Lanka" says Ambassador Aryasinha”

13 February 2009
“'Piece-makers': Dark secrets unravel as troops close-in on LTTE- Mullaittivu”
“373 more people seek protection with security forces- Mullaittivu”
“Troops of 57 Div uncovered more LTTE military items and vehicles – Visuamadu”
“Sri Lanka rejects Britain's special envoy as intrusive and disrespectful”
“58 Div troops inflict damages to enemy; 2 LTTE bodies uncovered - North of A-35”
“Donation of shaving razors for our war heroes”
“1657 Civilians reach to government controlled area”
“Intense fighting reported in Pudukudiirippu; heavy damages to terrorists”
“Boston Globe favouring LTTE - Prof. Rajiva Wijesinha”
“Ellawala Medananda thero donates wheel chairs for war heroes”
“Oceans' full harvest now ours – President”
“SLAF commander visits Palaly Air Force base – Palaly”
Year of English & IT”
“2009 - Year of Peace, Reconciliation and true Independence – President”
“Soldiers of humanity”

19 February 2009
“57 Div troops uncover 50 AP mines, 32 claymore mines in search operations – Mullaittivu”

“Troops make further inroads at Puthukkudiyirippu: LTTE confined to mere 100sq.Km's”
“And then they came for UN staff- Island Editorial”
“Govt to probe NGO spending in North and East”
“Heavy confrontations result more damages to LTTE; 5 LTTE bodies found – Puthukkudiyiruppu”
“More catholic priests from Wanni receive Tender Hospitality”
“Three LTTE infiltrators killed; LTTE military items found – Oddusudan”
“LTTE's largest fuel distribution center captured – Puthukudiyiruppu”
“Commander Evaluates Security in Jaffna”
“John Holmes meets Secretary Defence”
“'Winning hearts and minds: Sri Lanka's humanitarian campaign to save civilians'”
“LTTE has caused damage to Tamils, should lay down arms – India”

9 April 2009
“19th batch of patients and civilians trapped in Mullaittivu evacuated with the Naval Assistance”
“Mexico reassures Sri Lanka of its support”
“Rebellion crushed in the NFZ?”
“Democratic Tamils condone LTTE 'attention rallies'”
“LTTE THREAT TO SONIA GANDHI AND CHILDREN”
“Indian spy satellite to eye terrorists”
“Opportunities dawn for Puttalam IDPs”
“Counter terror operations continued - Puthukkudiyiruppu East”

4 May 2009
“'Let the civilians leave', Akashi urges LTTE”
“Foreign media taken on a free ride by the LTTE”
“"Miliband and Kouchner went speechless" when questioned on duplicity treating terrorism, says Al-jazeera”
“More arrests in pro-LTTE attack on Indian Army convoy”
“LTTE takes heavy beating, troops capture earthbund – Mullaittivu”

5 May 2009
“Seized camera reveals dark secrets of LTTE”
“UNOSAT Data on Sri Lanka: Interpretation not substantiated with out ground verifications - Says Remote Sensing expert”
“LTTE attacks fleeing civilians at Vellamullivaikkal”
“'Canada won't support LTTE terrorists' says Minister Oda”

"Employment opportunities at SLT for disabled war heroes"
"'Attack on Army convoy is a dangerous trend'-Chidambaram"
"LTTE triggers claymore mine, civilian killed- Konketiyawa"
"'How UK can help SL' - Island Editorial"
"Kill or be killed: 11-year-olds forced to fight for Tamil Tigers"
"Troops close in on last LTTE hideout, amidst stiff LTTE resistance"
"Mr. Miliband Prevaricates"
"'No let down in food distribution to NFZ, over 3000MT delivered- WFP"
"Sri Lankans in Cyprus make donation for war heroes"
"JHU demands 50 billion pounds from UK"
"Pirith Chanting to bless country & War heroes"
"More LTTE military hardware found in recently liberated areas"

Appendix Two

President Mahinda Rajapaksa's Speeches
Available at: http://www.president.gov.lk/speech_latest.php

- "We will liberate the people and children of the North from terror – President" 22 September 2008
- President's speech at the 63rd UN General Assembly, 24 September 2008
- Finalize global conventions against terrorism – President at Ankara, 3 December 2008
- Address by H. E. President Mahinda Rajapaksa at the ceremonial opening of the Kerawalapitiya Combined Cycle Power Station, 9 December 2008
- Keynote Address by President Mahinda Rajapaksa to the Honorary Consuls of Sri Lanka abroad - Presidential Secretariat, Colombo, 19 January 2009
- Address by His Excellency President Mahinda Rajapaksa, at the 61st Independence Anniversary Celebrations. Galle Face, Colombo, 4 February 2009
- Address by His Excellency President Mahinda Rajapaksa, at the ceremonial launch of "2009 - Year of English and Information Technology", 13 February 2009
- Address by His Excellency President Mahinda Rajapaksa, at launching the National Campaign against the Recruitment of Children for Armed Conflict, 26 February 2009
- President Mahinda Rajapaksa addressing the SAARC Foreign Ministers Conference in Colombo, 27 February 2009
- President Mahinda Rajapaksa announcing the extension of the Colombo – Jaffna Railway Line, and the resumption of the Yal Devi Express train service, 29 March 2009
- President Mahinda Rajapaksa addressing the ceremony to mark the 90th anniversary of the International Labour Organization at the Presidential Secretariat, 28 April 2009
- The speech made by His Excellency the President at the ceremony to mark the 50th anniversary of the Chandrikawewa, 30 April 2009
- President Mahinda Rajapaksa addressing the new ministers and members at the Western Provincial Council at Presidential Secretariat, 4 May 2009
- Address by H. E. President Mahinda Rajapaksa to the Diplomatic Community in Colombo on current developments in Sri Lanka at Presidential Secretariat, 7 May 2009
- Address by President Mahinda Rajapaksa at the G-11 Summit, Jordan, 16 May 2009

- Address by HE President Mahinda Rajapaksa at the ceremonial opening of Parliament, Sri Jayawardhanapura - Kotte, 19 May 2009
- Address by President Mahinda Rajapaksa at the Victory Day Parade and National Tribute to the Security Forces following the defeat of terrorism, Galle Face Green, Colombo, 3 June 2009

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Appendix Three

List of Interviewees, Anonymised as Requested

1. Gomin Dayasri (GD):
A Sinhalese lawyer and political commentator based in Colombo, Dayasri writes prolifically on the conflict, political issues and with legal analysis, most notably rejections of the UN investigative process into the End.

2. KG:
A Tamil lawyer and academic based in Jaffna, KG is involved with Tamil civil society and legal challenges to state land grabs. He writes in public and international forums on militarisation, the post-war environment and political solutions to the conflict.

3. LG:
LG is a Sinhalese, Marxist former state-owned newspaper editor (during a liberal period under President Chandrika Kumaratunga) based in Colombo. Now a freelance journalist and free media activist, LG has links to international free media movements. LG is a progressive political commentator and analyst of political theory and inter-ethnic relations.

4. PNB:
PNB is a senior Tamil political science academic based in Peradenyia. Involved in National Integration initiatives funded by Norway under President Chandrika Kumaratunga, PNB writes on constitutionalism, state-crafting projects and political solutions for the conflict, such as devolution.

5. EV:
A retired Tamil criminal lawyer and political analyst based in Colombo.

6. AS:
A Tamil UN Human Rights adviser, researcher and academic based in Colombo, AS writes on militarisation, human rights and Tamil minority rights academically and on public international platforms.

7. AH
An international aid worker based in Batticaloa, AH worked in the North-East through the final stages of the war. AH has strong networks within the humanitarian sphere, local and international.

8. CB:

A Tamil representative of a local branch of an international charity, CB works on human rights, peace and inter-community mediation in Batticaloa and the surrounding regions, between the Tamils, Muslims and Sinhalese.

9. Dinesh Dodamgoda (DD):
A former United National Party MP, lawyer and political science academic, Dodamgoda is embedded in the "reconciliation sector" in Colombo, writes on reconciliation, the politics of accountability and presents a Sinhalese political talk show.

10. FY:
A Tamil religious civil society leader based in Trincomalee, FY leads an organisation that provides legal services, support services on Human Rights and other issues pertaining to the post-war environment, such as militarisation, disappearances and employment difficulties.

11. JP:
A Sinhalese civil society and peace worker in Colombo, JP writes prolifically on political issues, human rights abuses and makes regular public recommendations to government. JP is one of the primary voices in civil society.

12. KD:
A Marxist political commentator and senior academic based in Colombo, KD writes on political issues in both local and international platforms.

13. Lakshman Hullugulle (LH):
Hullugulle is the former Head of the Media Centre for National Security (Head at the time of interview). The Secretary of Defence Gotabhaya Rajapaksa established the MCNS for the specific purpose of countering LTTE 'propaganda', as a vehicle for the state's conflict narrative.

14. MM:
A senior academic, trade unionist and free media activist based in Colombo, MM speaks publicly on democracy, rights issues, education and the rule of law. MM is vocal on the violent suppression of students by the state security apparatus.

15. Mano Ganesan (MG):

A Tamil, Colombo-based politician, Ganesan is the leader of the Democratic People's Front and a human rights activist. Convener of the Civil Monitoring Commission, he works publicly on issues related to the disappeared and extrajudicial killings. His co-convener, Nadarajah Raviraj, MP, was murdered in Colombo 50 days after the formation of the CMC. He lives in a fortified suburban home, with an armed guard on 24-hour duty.

16. Malinda Seneviratne (MS):
A Sinhalese newspaper editor at *The Nation*, Seneviratne is a political commentator and poet. A prolific writer and a strong Sinhala-Buddhist nationalist, he is known for public attacks on adversaries.

17. MSP:
A Sinhalese academic in the History Department of Peradeniya, MSP was introduced to me as exceptional amongst his peers for his incisive political critique, especially as it relates to the state's misuse and distortion of Buddhism.

18. MA:
A Muslim newspaper editor and free media advocate based in Colombo, MA has links to international free media movements. MA speaks Tamil, Sinhalese and English, which allows a comparative media critique.

19. MR:
A senior Tamil public figure in Jaffna, MR is a former first citizen of Jaffna. MR was a thoughtful and mournful interviewee, with much to say about Tamil cultural erosion and structural discrimination throughout the war and in its aftermath.

20. NR:
A Tamil woman Human Rights defender, NR is based in Colombo but engaged in countrywide and international programmes on women's rights, leadership and empowerment.

21. Sharminda Ferdinando (SF):
A Sinhalese journalist at *The Island* newspaper, Ferdinando covered the conflict in detail, with specific emphasis on the mechanics of warfare, as well as politics more generally. Pro-government and virulently anti-LTTE, he often covers stories on Sri Lanka's engagement with the international community.

22. Prabath Sabahunda (PS):
Sabahundu is editor of *The Island*. This English language newspaper has one of the largest circulations in the country, particularly in Colombo where the English-speaking urban elite is concentrated. A Sinhalese man, he denies state involvement with the running of the newspaper and claims that it is fully independent.

23. PJ:
A Tamil journalist based in Jaffna, PJ reports for both national and international news wires on Jaffna news. PJ was assaulted and detained by supporters of the ruling SLFP as he attempted to expose a corruption scheme in Jaffna several years ago. Some of his land has been grabbed by the military as a High Security Zone.

24. Pushpi Weerakoon (PW):
A young, Sinhalese, Western-educated Rotarian, Weerakoon is at the heart of Sri Lankan reconciliation initiatives. She is coordinator of the Sri Lanka Youth Reconciliation Forum and works closely with Professor Rajiva Wijensinha, the Presidential Advisor for Reconciliation. She is responsible for identifying needs "on the ground" and personally seeks independent funding to launch programmes. Her work receives no state funding.

25. Buddhi Passaperuma (BP):
Passaperuma is Chairman/Chief Executive Officer of the Resettlement Authority, Sri Lanka. The Authority was established under The Resettlement Authority Act (2007), arising from concern about the lack of a coherent policy on resettlement for the displaced. A senior public official, Passaperuma is Western-educated and deeply dutiful and patriotic.

26. RF:
A Sinhalese Human Rights defender and activist, RF is largely involved with the war-affected in the North. Concerned with disappearances, the missing, freedom of expression and detention, RF has organised networks of activists in the Northeast on advocacy issues and visits to detained persons. Arrested under the Prevention of Terrorism Act in the course of his work, but released after national and international outcry.

27. SH:
A Sinhalese media activist based in Colombo, SH presents a critical political "in conversation with" talk show and promotes new media freedom of

information and citizens' journalism. SH is the editor of a prominent online alternative news platform.

28. AHB:
A former/occasional journalist based in Trincomalee, AHB was forced to relocate due to threats and intimidation related to his work. Now a senior staff member at a local social support organisation, he is dedicated to improving the lies of the poor and "downtrodden" through administrative help and advice, protection work and project activities aimed at improving community relations.

29. CM:
A Sinhalese senior lawyer at a Colombo-based legal human rights organisation, CM is involved in research, legal advice and support work, arguing human rights cases in the courts and providing public information on cases.

30. SB:
A half-Tamil, half-Sinhalese television journalist based in Colombo, with a history in documentary production. Oversees a regular English-language news "update" programme with a high circulation that focuses on issues related to social justice, sustainable development and conflict resolution.

31. SHC:
A Senior Sinhalese sociology academic based in Colombo, SH is internationally respected and works on youth, social change and globalisation, violence and governance.

32. MSB:
A Tamil civil society actor and NGO worker based in Batticaloa, MSB works primarily on development programmes and local community economic programmes in the Batticaloa region.

33. MT:
MT is a senior Tamil academic based in Sri Lanka. A qualified lawyer, he works on human and minority rights, constitutionalism, humanitarianism and public international law, among other subjects. He has served on a number of expert panels on free media, constitutional rights and education.

34. JU:

A highly respected, progressive Sinhalese academic based in Colombo, JU writes on the conflict, constitutionalism, political solutions and sociological perspectives on violence.

35. MTJ:
As head of a Tamil-language media education and training centre in Jaffna, MTJ is concerned with providing exceptional media skills to students and promoting international engagement. MTJ is dedicated to improving the standard of journalism in Sri Lanka.

36. YT:
A Tamil journalist for a popular Tamil-language newspaper in Jaffna, YT and I met at an event organised to pay tribute to the journalist Marie Colvin. The newspaper has faced arson and attacks in the past, and journalists live in fear of attacks, surveillance and intimidation.

37. YO:
A senior Tamil staff member of an international charity, YO is based in Batticaloa. Many of the organisation's staff members were detained in the state "welfare camps" for months after the End. It is a humanitarian aid organisation, which largely remains silent on political issues.

38. ER:
A Tamil Catholic priest based in Trincomalee, ER is Western-educated and has studied human rights and international relations. He is an educator and community leader.

39. VJ:
VJ is a senior member of the Transnational Government of Tamil Eelam, a democratically elected organisation founded in 2010. Based in London, he and other members of the TGTE attempt to coordinate and speak for the diaspora, to support the Tamil National Alliance political party in Sri Lanka and to funnel aid to war-torn areas.

40. VV:
A long-standing member of the Tamil diaspora community in London, VV directs a low-key human rights documentation and legal advice centre with a focus on education and asylum aid.

41. HR:

HR is a coordinator at a Jaffna human rights advocacy, free legal aid and administrative assistance clinic. He travels regularly to the local villages. After the End, people with connections to the LTTE (however tentative) came to his organisation and sought their advice and protection before surrendering to the military or declaring their connection. The organisation provides buses from Jaffna to the camps in the Vanni and organises advocacy events.

42. IT:
A former ICRC worker based in Trincomalee, IT worked providing medical supplies and infrastructure. He left his position at the ICRC after the End because they could not get access to war-affected areas and began to work for the Italian Organisation for Solidarity among People, a medical charity. IOSP set up medical infrastructure in the camps and provided necessities. Once people began to leave the camps, the organisation could not get permission to shift to supporting local villages.

43. TA:
Tamil National Alliance MP in the Batticaloa area. Agreed to meet in a clandestine fashion, on condition of anonymity.

44. MAB:
A senior member of a Muslim welfare charity in Batticaloa, MAB works on food security, micro-finance and infrastructure work for education, water and sanitation. Part of the North East Inter-Religious Forum for Reconciliation, MAB also contributes to peacebuilding and intercommunity initiatives.

45. PSJ:
A Political Science academic based in Jaffna, PSJ would not give his name in interview; he has faced threats and intimidation over the phone for expressing views critical of the government. In a clandestine interview, he expressed great hopelessness and fear and spoke of militarisation, surveillance and the lack of social justice for Tamils.

46. PK:
A senior Tamil academic at Peradeniya University, PK is a political scientist and feminist activist. She advocates passionately for women's participation in politics and education.

47. RD:
A senior international organisation staff member, RD was posted in Sri Lanka in the aftermath of the End. His organisation works with the government on infrastructure, aid, the movement ("return") and registration of people, and psychosocial and medical support. RD's organisation funds local NGOs and provides livelihood and employment assistance. The organisation was initially working within the rehabilitation camps but stopped once criticised by human rights groups for complicity in this process.

48. SBP:
A political economist based in Colombo, SBP was attached for a time to the prestigious International Centre for Ethnic Studies. SBP has published widely on the political economic implications of the conflict and on democracy, devolution and foreign aid.

49. SP:
A senior Tamil National Alliance MP based in Colombo. SP suggested that we meet in the TNA offices: humble, unmarked offices in an accessible part of Colombo. Involved in local and international politics, SP often acts as spokesperson for the party.

50. ST:
A senior Tamil National Alliance MP based in Colombo, ST is a qualified lawyer and vocal participant in parliamentary debates on post-conflict justice, land grabs and political issues. He lives in suburban Colombo in a fortified house with a 24-hour armed guard.

51. NT:
NT is a Tamil National Alliance MP based in Trincomalee and spoke on condition of anonymity. Keen to speak of 'Sinhalisation', NT is particulary concerned with corruption and the ethnicised staffing of development projects in the area.

52. AB:
A psychosocial worker based in Batticaloa, AB is an incisive and thoughtful socio-political analyst and pioneer in the delivery of psychosocial care. AB founded systems in Sri Lanka that encourage civic engagement, in order to

promote empathetic and effective psychosocial services to survivors of war and natural disaster.

53. SM:
A Tamil academic based in Batticaloa, SM works on Tamil nationalism, women's issues, literature and Tamil culture.

Bibliography

- Abeygoonasekera, A. and Gunaratna, R. (2012) "Reconciliation after Terrorism: The Sri Lankan Experience", 30 August. Available at: http://dbsjeyaraj.com/dbsj/archives/10144 [Accessed 19 June 2014].

- Abeyratne, S. (2004) "Economic Roots of Political Conflict: the Case of Sri Lanka" *World Economy* 27 (8), pp. 1295–1314.

- Abeysekara, A. (2001) "The Saffron Army: Violence, Terror(ism), Buddhism, Identity, and Difference in Sri Lanka" *Numen-International Review for the History of Religions* 48, pp. 1-46.

- Abeysekara, C. and Gunasinghe, N. (eds.) (1984) *Sri Lanka: The Ethnic Conflict: Myths, Realities and Perspectives*, Navrang: New Delhi.

- Abeywickrema, M. A. (2013) "A Mayor – The Army, And White Van Abductions", *The Sunday Leader*, 18 March. Available at: http://www.thesundayleader.lk/2012/03/18/a-mayor-the-army-and-white-van-abductions/ [Accessed 19 June 2014].

- Adnan, S. (2014) "Panel Discussion on Comparative Land Issues in Ethnocratic Regimes: An Agenda for Research", International Conference on State Grabs of Tamil Land in the Island of Sri Lanka, 31 January - 2 February. Report available at: http://tamilsforum.co.uk/wp-content/uploads/2014/05/Land-Grab-Conference-Report.pdf [Accessed 27 June 2014].

- *AFP News* (2009) "Sri Lanka Plans for Increased Defence Spending", 19 August. Available at: http://www.defensenews.com/story.php?i1/44241553 [Accessed 6 February 2011].

  --- (2011) "Sri Lanka slams 'fictional' UN war crimes report" *Colombo Informer*, 28 April. Available at: http://colomboinformer.com/5503/sri-lanka-slams-fictional-un-war-crimes-report-afp/ [Accessed 19 June 2014].

- Agamben, G. (1998) *Homo Sacer: Bare Life and Sovereign Power*, Stanford University Press: California.

  ---- (2002) *Remnants of Auschwitz: The Witness and the Archive*, Zone Books: New York.

- Alison, M. (2003). "Cogs in the Wheel? Women in the Liberation Tigers of Tamil Eelam" *Civil War* 6(1), pp. 37-54.

- *Al-Jazeera* (2009) "The history of the Tamil Tigers" Focus: Sri Lanka. Available at: http://www.aljazeera.com/focus/2008/11/200811201911585134 3.html [Accessed 19 June 2014].

  --- (2013) "In pictures: Sri Lanka's war tourism" In Pictures, by Kim Wall. Available at: http://www.aljazeera.com/indepth/inpictures/2013/12/pictures-sri-lanka-war-tourism-20131221121535359841.html [Accessed 5 January 2014].

- Amnesty International (AI) (2009) "Twenty Years of Make-Believe: Sri Lanka's Commissions of Inquiry", London, UK.

  --- (2009a) "Unlock the Camps in Sri Lanka: Safety and Dignity for the Displaced Now", Briefing Paper, 10 August. Available at: http://www.amnesty.org/en/library/info/ASA37/016/2009 [Accessed 19 June 2014].

  --- (2011) "Sri Lanka: Repressive laws remain despite end to state of emergency", Media Centre, 26 August. Available at: http://www.amnesty.org/en/for-media/press-releases/sri-lanka-repressive-laws-remain-despite-end-state-emergency-2011-08-26 [Accessed 19 June 2014].

--- (2012) "Locked Away: Sri Lanka's Security Detainees", London, UK.

--- (2013) "Impunity persists for crimes under international law as Sri Lanka escalates attacks on critics: Amnesty International's written statement to the 22nd session of the UN Human Rights Council (25 February- 22 March)". Available at: http://www.amnesty.org/en/library/asset/ASA37/004/2013/si/ffece79f-2be1-4f53-85e6-c61a350911d7/asa370042013en.html [Accessed 19 June 2014].

- Amnesty International and Forrest, D. (1996) *A Glimpse of Hell: Reports on Torture Worldwide*, Continuum International Publishing Group Ltd.: London.

- Amnesty International USA (AI USA) (2010) "Investigate Disappearance of Sri Lankan Journalist", USA Advocacy. Available at: http://act.amnestyusa.org/eaaction/action?ea.client.id=1839&ea.campaign.id=26985 [Accessed 19 June 2014].

--- (2013) "Urgent Action: Two Students Released from Detention", 29 January. Available at:

http://www.amnestyusa.org/actioncenter/actions/uaa34712.pdf [Accessed 27 June 2014].

- Amselem, L. (2001) US Chargé D'Affaires, quoted in Kleinfield, M. (2010) "Strategic troping in Sri Lanka: September eleventh and the consolidation of political position" *Geopolitics* 8(3), pp.105-126.

- Andersen, M. K. and B. Fernando (2009) *The Phantom Limb: A Study of Police Torture in Sri Lanka*, Hong Kong.

- Angell, M. (1998) "Understanding the Aryan Theory" in Tiruchevam, M. and Dattathreya, C. S. (eds.) *Culture and Politics of identity in Sri Lanka*, International Centre for Ethnic Studies: Colombo.

- Anketell, N. (2013) "Hijacked justice? Truth and reconciliation in Sri Lanka" *OpenDemocracy*, 3 December. Available at: http://www.opendemocracy.net/opensecurity/niran-anketell/hijacked-justice-truth-and-reconciliation-in-sri-lanka [Accessed 19 June 2014].

- Anonymous (2011) "Against the Grain: Pursuing a Transitional Justice Agenda in Postwar Sri Lanka" *The International Journal of Transitional Justice* 5, pp. 31–51.

- Antze, P. and Lambek, M. (1996) "Introduction: Forecasting Memory" in Antze, P. and Lambek, M. (eds.) (1996) *Tense Past: Cultural Essays in Trauma and Memory*, Routledge: London and New York, pp. xi-xxxviii.

- Aradau, C. and van Munster, R. (2011) *Politics of Catastrophe: Genealogies of the Unknown*, Routledge: London and New York.

- Arendt, H. (1970) *On Violence*, Harcourt Publishers: San Diego.

- Aryasinha, R. (2013) quoted in *Reuters* (2013) "Sri Lanka rejects film on alleged war crimes shown at United Nations as 'orchestrated campaign'", *NDTV*, 2 March. Available at: http://www.ndtv.com/article/world/sri-lanka-rejects-film-on-alleged-war-crimes-shown-at-united-nations-as-orchestrated-campaign-337368 [Accessed 19 June 2014].

- Army Media Unit (2013) "LLRC Observations Cleared; Army Commander Hands Over Court of Inquiry Report to Secretary Defence" Ministry of Defence and Urban Development website, 10 April. Available at: http://www.defence.lk/new.asp?fname=LLRC_Observations_Cleared_Army_Commander_Hands_Over_Court_of_Inquiry_Report_to_Secretary_Defence_20130410_06 [Accessed 19 June 2014].

- Article 19 (2007) "Article19 statement on the ban of Tamilnet in Sri Lanka" *ICT4Peace*, 20 June. Available at: http://ict4peace.wordpress.com/2007/06/20/article19-statement-on-the-ban-of-tamilnet-in-sri-lanka/ [Accessed 19 June 2014].

- Asian Human Rights Commission (AHRC) (2010) "The State of Human Rights in Sri Lanka in 2010". Available at:

http://www.humanrights.asia/resources/hrreport/2010/AHRC-SPR-010-2010.pdf [Accessed 19 June 2014].

--- (2011) "SRI LANKA: Perpetrators of brutal attack on student leader of Jaffna University have not been arrested", News, 19 October. Available at: http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-211-2011 [Accessed 27 June 2014].

--- (2012) "SRI LANKA: The clergy and civil society condemn the arrest and unlawful detention of four students from the University of Jaffna and call for their immediate release", News, 7 December. Available at: http://www.humanrights.asia/news/forwarded-news/AHRC-FST-056-2012 [Accessed 27 June 2014].

- *Asian Tribune* (2009) "Prabhakaran death: endless rumour mills at work", 21 May. Available at: http://www.asiantribune.com/node/17763 [Accessed 19 June 2014].

- *Associated Press (AP)* (2014) "Sri Lanka mulls SAfrican-model truth commission", 14 February. Available at: http://www.huffingtonpost.com/huff-wires/20140219/as--sri-lanka-reconciliation/ [Accessed 19 June 2014].

- Asylum and Refugee Law Project (2013) "Sri Lanka", 22 May. Available at: http://uqrefugeeresearch.wordpress.com/tag/sri-lanka/ [Accessed 25 September 2013].

- Athas, I. (2008) "War on media takes ugly turn", *The Sunday Times Online*, Situation Update, 25 May. Available at: http://www.sundaytimes.lk/080525/Columns/sitreport.html [Accessed 19 June 2014].

- Atugoda, S. B. (2013) "A Patriot and an Illustrious Son of Sri Lanka: Lakshman Kadirgamar PC", *Daily News EPaper*. Available at: http://epaper.dailynews.lk/art.asp?id=2012/08/10/pg09_2&pt=p&h= [Accessed 19 June 2014].

- Azeem, Z. (2008) "Preferential Policies and Ethnic Violence: A Case Study of Sri Lanka and Malaysia" *Latitudes* 2 (Spring).

- Bakhurst, D. (1990) "Social Memory in Soviet Thought" in Middleton, D. and Edwards, D. (eds.) *Collective Remembering*, Sage: London, pp. 203-226.

- Balasingham, A. (2001) *Will to freedom*, Mitcham: Fairmax Publishing.

- Balasingham, A. (2004) *War and peace: Armed struggle and peace efforts of Liberation Tigers of Tamil Eelam,* Mitcham: Fairmax Publishing.

- Bandarage, A. (2009) *The Separatist Conflict in Sri Lanka: Terrorism, ethnicity, political economy*, Routledge: New York.

- Bardhan, P. (1997) "Method in the Madness? A Political-Economy Analysis of the Ethnic Conflicts in Less Developed Countries" *World Development* 25 (9), pp. 1381–1398.

- Bar-Tal, D. (2003) "Collective Memory of Physical violence: its Contribution to the Culture of Violence" in Cairns, E. and Roe, M. D. (eds.) (2003) *The Role of Memory in Ethnic Conflict*, Palgrave MacMillan: Houndsmill, pp. 77-93.

- Bar-Tal, D., and Bennink, G. H. (2004) "The nature of reconciliation as an outcome and as a process" in Bar-Siman- Tov, Y. (ed.) (2004) *From conflict resolution to reconciliation,* Oxford University Press: Oxford, pp. 11-38.

- Bartholomeusz, T. J. and de Silva, C. R. (1998) "Buddhist Fundamentalism and Identity in Sri Lanka" in Bartholomeusz, T. J. and de Silva, C. R. (eds.) (1998) *Buddhist Fundamentalism and Minority Identities in Sri Lanka*, State University of New York Press: New York, pp. 1-35.

- Bastians, D. (2013) ""This is a Sinhala country, Sinhala Government": Bodu Bala Sena" *Daily Financial Times*, 18 February. Available at: http://www.ft.lk/2013/02/18/this-is-a-sinhala-country-sinhala-government-bodu-bala-sena/[Accessed 19 June 2014].

  --- (2013a) "Five Years After 'The Humanitarian Operation'; Nobody Is Truly Free", *Colombo Telegraph*, 13 December. Available at:

https://www.colombotelegraph.com/index.php/five-years-after-the-humanitarian-operation-nobody-is-truly-free/ [Accessed 19 June 2014].

---- (2014) "The Road from Geneva" *Daily Financial Times*, 6 February. Available at: http://www.ft.lk/2014/02/06/the-road-from-geneva/[Accessed 19 June 2014].

- Bastin, R. (1997) "The Authentic Inner Life: Complicity and Resistance in the Tamil Hindu Revival," in Roberts, M. (ed.) (1997) *Sri Lanka: Collective Identities Revisited*, Vol. 1, Marga Institute: Colombo.

- Bateman, G. (2011) "Sri Lanka's continued militarisation", East Asia Forum:

  Economics, Politics and Public Policy in East Asia and the Pacific, 5 November. Available at: http://www.eastasiaforum.org/2011/11/05/sri-lanka-s-continued-militarisation/ [Accessed 27 June 2014].

- *BBC News* (2006) "Tamil Tiger 'regret' over Gandhi", 27 June. Available at: http://news.bbc.co.uk/1/hi/5122032.stm [Accessed 19 June 2014].

  --- (2006a) "Sri Lanka forces attack reservoir", 6 August. Available at: http://news.bbc.co.uk/1/hi/world/south_asia/5249884.stm [Accessed 19 June 2014].

  --- (2009) "Sri Lanka leader hails 'victory'" 19 May. Available at: http://news.bbc.co.uk/1/hi/8056752.stm. [Accessed 24 June 2014].

  --- (2011) "Sri Lanka under fire over PR firm Bell Pottinger speech", 6 December. Available at: http://www.bbc.co.uk/news/world-asia-16051177 [Accessed 27 June 2014].

  — (2011a) "Sri Lanka's jailed ex-army chief Fonseka given new term" 18 November. Available at: http://www.bbc.co.uk/news/world-asia-15787672 [Accessed 19 June 2014].

  --- (2012) "Sri Lanka's sinister white van abductions", 14 March. Available at: http://www.bbc.co.uk/news/world-asia-17356575 [accessed 25 May 2014].

  — (2012a) "Sri Lankan Muslims strike over Dambulla mosque", 26 April. Available at: http://www.bbc.co.uk/news/world-asia-17852900 [Accessed 28 April 2014].

--- (2013) "Altered Images: Faked posters 'confuse voters'", *Voices from Elsewhere*, 27 September. Available at: http://www.bbc.co.uk/news/blogs-news-from-elsewhere-24285568 [Accessed 19 June 2014].

- *BBC Sinhala* (2005) "JVP- PM policy agreement", 5 September. Available at: http://www.bbc.co.uk/sinhala/news/story/2005/09/050905_jvp_points.shtml [accessed 12 January 2008].

--- (2006) "EU ban on LTTE urged", 23 April. Available at: http://www.bbc.co.uk/sinhala/news/story/2006/04/printable/060423_eu_ban.shtml [Accessed 19 June 2014].

--- (2008) "Prelate urges JVP unity", 20 April. Available at: http://www.bbc.co.uk/sinhala/news/story/2008/04/080420_wimal_kandy.shtml [Accessed 14 June 2014].

--- (2011) "'Allow' lawyers to visit detainees", June 25. Available at: http://www.bbc.co.uk/sinhala/news/story/2011/06/110625_boossa_ltte.shtml [Accessed 19 June 2014].

--- (2011a) "UN report release angers Sri Lanka", 27 April. Available at: http://www.bbc.co.uk/sinhala/news/story/2011/04/110427_un_govt_response.shtml [Accessed 19 June 2014].

--- (2011b) "Thousands rally against UN report" 1 May. Available at: http://www.bbc.co.uk/sinhala/news/story/2011/05/110501_may_day_un.shtml [Accessed 19 June 2014].

--- (2012) "Court 'cannot decide' on rehabilitation", 6 January. Available at: http://www.bbc.co.uk/sinhala/news/story/2012/01/120106_court_rehabilitation.shtml [Accessed 14 September 2013].

--- (2012a) "Former Tigers 'threatened' in north", 23 January. Available at: http://www.bbc.co.uk/sinhala/news/story/2012/01/120123_ltte_threatened.shtml [Accessed 19 June 2014].

- *BdNews24* (2007) "Sri Lanka Military Offers Amnesty to Deserters", 12 January. Available at: http://ns.bdnews24.com/details.php?id=48236&cid=1 [Accessed 23 December 2013].

- Beetham, D. (1991) *The Legitimation of Power*, Palgrave: London.

- Bell, C. (2009) "Transitional Justice, Interdisciplinarity and the State of the 'Field' or 'Non- Field'" *International Journal of Transitional Justice* 3 (1), pp. 5-27.

- Best, G. (1983) *Humanity in Warfare: The Modern History of the International Law of Armed Conflict*, Weidenfeld and Nicolson: London.

- Billig, M. (1995) "Rhetorical Psychology, Ideological Thinking, and Imagining Nationhood" Johnston, H. and Klandermans, B. (eds.) (1995) *Social Movements and Culture*, University of Minnesota Press: Minneapolis, pp. 64-84.

  --- (2008) "The language of critical discourse analysis: the case of nominalization" *Discourse and Society* 19 (6), pp. 783-800.

- Beigbeder, Y. (2006) *Judging War Crimes and Torture: French Justice and International Criminal Tribunals and Commissions (1940 - 2005)*, Martinus Nijhoff Publishers: Leiden/Boston.

- Bellah, R., Madsen, R., Sullivan, W., Swidler, A. and Tipton, S. (1985) *Habits of the Heart: Individualism and Commitment in American Life*, Harper and Row: New York.

- Bell-Fialkoff, A. (1993) "A Brief History of Ethnic Cleansing" *Foreign Affairs* 72 (3), pp. 110–121.

- Blakeley, R. (2010) "State Terrorism in the Social Sciences: Theories, Methods and Concepts " in Jackson, R., Murphy, E. and Poynting, S. (eds.) (2010) *Contemporary State Terrorism: Theory and Practice*, Routledge: New York, pp.12-27.

- Bloom, M. M. (2003) "Ethnic conflict, state terror and suicide bombing in Sri Lanka" *Civil Wars* 6 (1), pp. 54–84.

- Bopage, L. (2010) "Sri Lanka: Is there a way forward for peace and reconciliation?" *Global Change, Peace & Security (formerly Pacifica Review: Peace, Security & Global Change)* 22 (3), pp. 355-364.

- Bose, S. (1994) *States, Nations, Sovereignty: Sri Lanka, India and the Tamil Eelam Movement,* Sage Publications: New Delhi.

- Bourdieu, P. (1977) *Outline of a Theory of Practice*, Cambridge University Press: Cambridge.

- Bowen, J. R. (1996) "The myth of global ethnic conflict" *Journal of Democracy* 7 (4), pp. 3–14.

- Brav, L., Bouchet-Saulnier, F. and Olivier, C. (2007) *The Practical Guide to Humanitarian Law* (2nd ed. revised.), Rowman and Littlefield Publishers: Maryland.

- Breau, S. and Joyce, R. (2012) "Identifying and Recording Every Casualty of Armed Conflict" *International Journal of Contemporary Iraqi Studies* 5 (3), pp. 357–386.

  --- (2013) "The Responsibility to Record Casualties of Armed Conflict" *Global Responsibility to Protect* 5 (1), pp.28-55.

- Brett, S., Bickford, L., Ševčenko, L. and Rios, M. (2007) "Memorialisation and Democracy: State Policy and Civic Action" *International Center for Transitional Justice.*

- British Tamils Forum (BTF) (2013) "Reconciliation in Sri Lanka? A Situation Report", 8 August. Available at: http://tamilsforum.co.uk/wp-content/uploads/2013/10/Reconciliation-in-Sri-Lanka_web-copy.pdf [Accessed 19 June 2014].

- British Tamils Forum (BTF) and All Party Parliamentary Group for Tamils (APPGT) (2014) International Conference on State Grabs of Tamil Land in the Island of Sri Lanka, 31 January - 2 February. Report available at: http://tamilsforum.co.uk/wp-content/uploads/2014/05/Land-Grab-Conference-Report.pdf [Accessed 27 June 2014].

- Brooks, R. E. (2004) "War Everywhere: Rights, National Security Law, and the Law of Armed Conflict in the Age of Terror" *University of Pennsylvania Law Review* 153 (2), pp. 675–761.

- Brow, J. (1981) "Class Formation and Ideological Practice: A Case from Sri Lanka" *The Journal of Asian Studies* 40 (4), pp. 703–718.

  --- (1988) "In Pursuit of Hegemony: Representations of Authority and Justice in a Sri Lankan Village" *American Ethnologist* 15 (2), pp. 311–327.

- Brubaker, R. and Laitin, D. D. (1998) "Ethnic and Nationalist Violence." *Annual Review of Sociology* 24 (1), pp. 423-452.

- Brubaker, R. and Cooper, F. (2000) "Beyond 'Identity'" *Theory and Society* 29 (1), pp. 1–47.

- Brun, C. (2008) "Birds of Freedom" *Critical Asian Studies* 40 (3), pp. 399-422.

- Bryman, A. (2008) *Social Research Methods* (3rd ed.), Oxford: Oxford University Press.

- Buncombe, A. (2009) "British envoy banned in war without witnesses" *The Independent*, 14 February. Available at: http://www.independent.co.uk/news/world/asia/british-envoy-banned-in-war-without-witnesses-1609188.html [Accessed 15 August 2013].

- Bureau of the Commissioner General of Rehabilitation (BCGR) (2013) *Rehabilitation of Ex-Combatants*, 31 May. Available at: http://www.bcgr.gov.lk/docs/Rehabilitation%20of%20Ex-Combatants%20(Compiler%20-%20Brigadier%20Dharshana%20Hettiarrachchi).pdf [Accessed 19 June 2014].

  --- (2012) "Farewell to the CGR Major General Chandana Rajaguru", 22 February. Available at: http://www.bcgr.gov.lk/news.php?id=155 [Accessed 19 June 2014].

- Burt, A. (2013) "Letter from FCO Minister to The Independent on UK arms exports to Sri Lanka", Foreign & Commonwealth Office, 20

February. Available at: https://www.gov.uk/government/news/letter-from-fco-minister-to-the-independent-on-uk-arms-exports-to-sri-lanka [Accessed 19 June 2014].

- Butenis, P. (2010) United States Mission to Sri Lanka Classified Cable, *Wikileaks*, 15 January. Available at: https://www.wikileaks.org/plusd/cables/10COLOMBO32_a.html [Accessed 27 June 2014].

- Butler, J. (2004) *Precarious Life: The Powers of Mourning and Violence*, Verso Books: London and New York.

- Cairns, E. and Roe, M. D. (2003) *The Role of Memory in Ethnic Conflict*, Palgrave Macmillan: Houndsmill.

- Calhoun, C. (1993) "Nationalism and Ethnicity" *Annual Review of Sociology* 19, pp. 211–239.

- Campaign Against the Arms Trade (CAAT) (2011) "UK export licences to Sri Lanka", *Campaign: "This is not OK"*. Available at: http://www.caat.org.uk/campaigns/this-is-not-ok/arms-sales/sri-lanka.php [Accessed 19 June 2014].

  ---- (2011a) "Sri Lanka's Killing Fields displays UK complicity in arms sales" *Press Release*, 15 June. Available at: http://www.caat.org.uk/media/press-releases/2011-06-15.php [Accessed 19 June 2014].

- Canagarajah, A. S. (1994) "Competing Discourses in Sri Lankan English Poetry" *World Englishes* 13 (3), pp. 361 - 376.

- Carment, D. (1993) "The International Dimensions of Ethnic Conflict: Concepts, Indicators, and Theory" *Journal of Peace Research* 30 (2), pp. 137-150.

- Census of Population and Housing (1981), National Data Archive of Sri Lanka. Available at: http://nada.statistics.gov.lk/index.php/catalog/936 [Accessed 27 June 2014].

- Centre for Human Rights and Development (CHRD) (2009) *Sri Lanka: Prevention of Terrorism Act: A Critical Analysis*, Centre for Human Rights and Development: Sri Lanka.

- Centre for Monitoring Election Violence (CMEV) (2013) "Final Report on Election Related Violence", October, Centre for Policy Alternatives: Colombo. Available at: http://cmev.wordpress.com/ [Accessed 27 June 2014].

- Centre for Policy Alternatives (CPA) (2011) "Freedom of Expression on the Internet in Sri Lanka", 11 November. Available at: http://cpalanka.org/wp-content/uploads/2011/11/FOE-REPORT-NOV-2011-FINAL-CPA.pdf [Accessed 19 June 2014].

  --- (2013), "A List of Commissions of Inquiry and Committees Appointed by the Government of Sri Lanka (2006 – November 2013)". Available at: http://www.cpalanka.org/a-list-of-commissions-of-inquiry-and-committees-appointed-by-the-government-of-sri-lanka-2006-2012/ [Accessed 19 June 2014].

  --- (2013a) "The Need to Repeal and Replace the Prevention of Terrorism Act (PTA)", 19 May. Available at: http://www.cpalanka.org/the-need-to-repeal-and-replace-the-prevention-of-terrorism-act-pta/ [Accessed 19 June 2014].

  --- (2014) "Joint Civil Society Memorandum to the Human Rights Council and the International Community", 4 March. Available at: http://www.cpalanka.org/joint-civil-society-memorandum-to-the-human-rights-council-and-the-international-community/ [Accessed 19 June 2014].

- Chaaminda, S. (2011) "Sri Lanka. Politics and Ideology in the Sinhala Press: A Site of Power and Struggle" *Dissenting Dialogues* 2, February.

- Chandra, K. (2007) *Why Ethnic Parties Succeed: Patronage and Ethnic Head Counts in India*, Cambridge Univ Press: Cambridge.

- *Channel 4 News* (2011) "Sri Lanka's Killing Fields". Available at: http://www.channel4.com/programmes/sri-lankas-killing-fields [Accessed 2 December 2013].

--- (2012) "No Fire Zone". Available at: http://www.channel4.com/programmes/sri-lankas-killing-fields [Accessed 2 December 2013].

- Chiapello, E. and Fairclough, N. (2002) "Understanding the new management ideology: a transdisciplinary contribution from critical discourse analysis and the new sociology of capitalism" *Discourse and Society* 13 (2), pp. 185-208.

- Chomsky, N. (1991) "International Terrorism: Image and Reality" in George, A. (ed.) (1991) *Western State Terrorism*, Polity Press: Cambridge.

-----(1996) *Power and Prospects*, Pluto Press: London.

--- (2002) *Pirates and Emperors, Old and New: International Terrorism in the Real World*, South End Press: New York.

- Clarance, W. (2007) *Ethnic warfare in Sri Lanka and the UN crisis*. Pluto Press: London.

- Cohen, S. (1993) "Human rights and crimes of the state: The culture of denial." *Australian and New Zealand Journal of Criminology* 26, pp. 97–97.

--- (1995) "State Crimes of Previous Regimes: Knowledge, Accountability, and the Policing of the Past" *Law & Social Inquiry* 20 (1), pp. 7–50.

--- (1996) "Government Responses to Human Rights Reports: Claims, Denials and Counterclaims" *Human Rights Quarterly* 18, pp. 517-543.

--- (2001) *States of Denial: Knowing about Atrocities and Suffering*, Polity Press: Malden, MA.

- *Colombopage* (2013) "Sri Lanka President orders release of arrested Jaffna University students", 12 February. Available at: http://www.colombopage.com/archive_13A/Feb12_1360677085CH.php [Accessed 27 June 2014].

--- (2013a) "Tamil - Muslim alliance will grab power in Eastern PC, Sri Lanka Minister warns", 14 July. Available at: http://www.colombopage.com/archive_13B/Jul14_1373801558KA.php [Accessed 19 June 2014].

--- (2014) "Sri Lanka's post-war progress is completely ignored - Minister Peiris", 14 March. Available at: http://www.colombopage.com/archive_14A/Mar15_1394867681CH.php [Accessed 19 June 2014].

- Colombo, Telegraph (2012) "Civil Society Condemns Unlawful Detention Of Jaffna University Students", 7 December. Available at: https://www.colombotelegraph.com/index.php/civil-society-condemns-unlawful-detention-of-jaffna-university-students/ [Accessed 19 June 2014].

  --- (2012a) "Muslim Owned Fashion Bug Is Attacked By A Mob Led By Buddhist Monks", 28 March Available at: https://www.colombotelegraph.com/index.php/muslim-owns-fashion-bug-is-attacked-by-a-mob-led-by-buddhist-monks/ [Accessed 25 May 2014].

  --- (2013) "Jaffna Tamils' Land Grabs: More Time Given For Govt To File Objections", 27 August. Available at: https://www.colombotelegraph.com/index.php/jaffna-tamils-land-grabs-more-time-given-for-govt-to-file-objections/ [Accessed 19 June 2014].

  --- (2013a) Last Minute Dirty Tricks As North Starts Polling, 21 September. Available at: https://www.colombotelegraph.com/index.php/last-minute-dirty-tricks-as-north-starts-polling/ [Accessed 19 June 2014].

  --- (2013b) "Full Speech: UN High Commissioner For Human Rights Navi Pillay At The Press Conference On Her Mission To Sri Lanka", 31 August. Available at: https://www.colombotelegraph.com/index.php/full-speech-un-high-commissioner-for-human-rights-navi-pillay-at-the-press-conference-on-her-mission-to-sri-lanka/ [Accessed 19 June 2014].

  --- (2013c) "Hulugalle's Dangerous Liaisons With A Casino Queen Links To The Closure Of The Media Centre For National Security" 8 December. Available at: https://www.colombotelegraph.com/index.php/hulugalles-dangerous-liaisons-with-a-casino-queen-links-to-the-closure-of-the-media-centre-for-national-security/ [Accessed 27 June 2014].

- Colville, R. (2012) quoted in "Senior UN official warns against harassing Sri Lankan human rights defenders", *UN News Centre,* 23 March. Available at: http://www.un.org/apps/news/story.asp?NewsID=41617#.U6LrcpSwJoA [Accessed 19 June 2014].

- Committee to Protect Journalists (CPJ) (2012) "19 Journalists Killed in Sri Lanka since 1992/Motive Confirmed". Available at: http://cpj.org/killed/asia/sri-lanka/ [Accessed 19 June 2014].

  --- (2013) "CHOGM leaders should urge media freedom in Sri Lanka", 5 November. Available at: https://cpj.org/2013/11/chogm-leaders-should-urge-media-freedom-in-sri-lan.php [Accessed 19 June 2014].

- Committees on Arms Export Controls (CAEC) (2010) "Scrutiny of Arms Export Controls (2010): UK Strategic Export Controls Annual Report 2008, Quarterly Reports for 2009, licensing policy and review of export control legislation". Available at: http://www.publications.parliament.uk/pa/cm200910/cmselect/cmquad/202/20210.htm#a27/ [Accessed 19 June 2014].

- Coomaraswamy, R. (1996) "Tiger Women and the Question of Women's Emancipation" *Pravada* 4 (9), pp. 8-10.

- Council of Europe (2006) "Declaration by the Presidency on behalf of the European Union", 31 May. Available at: http://www.statewatch.org/terrorlists/docs/89790.pdf [Accessed 19 June 2014].

- Creswell, J. W. (2013) *Qualitative Inquiry and Research Design: Choosing among Five Traditions*, Sage Publications: California.

- Crisis Group (2010) "War Crimes in Sri Lanka", Asia Report N°191, 17 May.

  --- (2012) "Sri Lanka's dead and missing: the need for an accounting" Cris Group Blogs, 27 February. Available at: http://www.crisisgroupblogs.org/srilanka-lastingpeace/2012/02/27/sri-lanka%E2%80%99s-dead-and-missing-the-need-for-an-accounting/[Accessed 19 June 2014].

  --- (2012a) "Sri Lanka's North II: Rebuilding under the Military", Asia Report N°220, 16 March.

  --- (2011) "Reconciliation in Sri Lanka: Harder than Ever", Asia Report N°209, 18 July.

- Cryer, R. (2005) "International Criminal Law vs. State Sovereignty: Another Round?" *European Journal International Law* 16 (5), pp. 979-1000.

- Culbertson, R. and Pouligny, B. (2007) "Re-imagining Peace after Mass Crime: A Dialogical Exchange Between Insider and Outside Knowledge" in Pouligny, B., Chesterman, S. and Schnabel, A. (2007) *After Mass Crime: Rebuilding States and Communities*, UN University: Tokyo, pp. 271-287.

- *Daily FT* (2013) "ICRC resumes visits to Sri Lanka's LTTE rehabilitation camps", 27 February. Available at: http://www.ft.lk/2013/02/27/icrc-resumes-visits-to-sri-lankas-ltte-rehabilitation-camps/[Accessed 19 June 2014].

- Dag Tjaden, J. (2012) "The (Re-)Construction of 'National Identity' through Selective and Mass Ritual Discourse: The Chilean Centenary, 1910", *Studies in Ethnicity and Nationalism* 12 (1), pp. 45-63.

- *Daily Mirror* (2010) "UN on alert over threat", 30 June. Available at: http://www.dailymirror.lk/index.php/news/4753-un-monitoring-threat.html [Accessed 19 June 2014].

  --- (2013) "Memorial museum for Aranthalawa massacre", 24 March. Available at: http://www.dailymirror.lk/caption-story/27158-memorial-museum-for-aranthalawa-massacre.html [Accessed 19 June 2014].

  --- (2013a) "The JHU private member motion proposed bill to repeal the 13th Amendment", 23 May. Available at: http://www.dailymirror.lk/opinion/172-opinion/29842-the-jhu-private-member-motion-proposed-bill-to-repeal-the-13th-amendment.html [Accessed 19 June 2014].

  --- (2014) "Northern PC Resolution on accountability issues before Geneva well-timed", 30 January. Available at: http://www.dailymirror.lk/opinion/172-opinion/42330-northern-pc-resolution-on-accountability-issues-before-geneva-well-timed-.html [Accessed 24 June 2014].

- *Daily News* (2012) "Govt. to bring thousands to Colombo on Monday", 23 February. Available at: http://www.dailymirror.lk/news/17050-govt-to-bring-thousands-to-colombo-on-monday.html [Accessed 25 May 2014].

  --- (2013) "Consensus on TNA's Disaster", *Editorial*, 16 September. Available at: http://www.dailynews.lk/editorial/consensus-tna-s-disaster [Accessed 5 April 2013].

--- (2013a) "CHOGM 2013 highlights", 16 November. Available at: http://www.dailynews.lk/?q=local/chogm-2013-highlights [Accessed 25 May 2014].

--- (2014) "President extends mandate of Missing Persons Commission by six months", 21 February. Available at: http://www.dailynews.lk/?q=local/president-extends-mandate-missing-persons-commission-six-months [Accessed 19 June 2014].

- Daniel, E. V. (1996) *Charred Lullabies: Chapters in an Anthropography of Violence*, Princeton University Press: Princeton.

- Das, V., Kleinman, A., Ramphele, M. and Reynolds, P. (eds.) (2000) *Violence and Subjectivity*, University of California Press: Berkeley.

- David, K. (2012) "International responses to the LLRC Report" Sri Lanka Brief, 5 January. Available at: http://srilankabrief.blogspot.co.uk/2012/01/international-responses-to-llrc-report.html [Accessed 27 June 2014].

- Davies, E. (1996) "The Museum and the Politics of Social Control in Modern Iraq" in Gillis, J. R. (ed.) (1996) *Commemorations: The Politics of National Identity*, Princeton University Press: Princeton, pp. 90-104.

- Deegalle, M. (2004) "Politics of the Jathika Hela Urumaya monks: Buddhism and ethnicity in contemporary Sri Lanka" *Contemporary Buddhism: An Interdisciplinary Journal* 5 (2), pp. 83-103.

- Defence Seminar Website (2014) Available at: http://www.defseminar.lk/ [Accessed 27 June 2014].

- De Mel, N. (2007) *Militarising Sri Lanka: Popular Culture, Memory and Narrative in the Armed Conflict,* Sage Publications: India.

--- (2007a) "Between the War and the Sea", *Interventions: International Journal of Postcolonial Studies* 9 (2), pp. 238-254.

--- (2013) “The Promise of the LLRC: Women’s Testimony and justice in Post-War Sri Lanka”, International Centre for Ethnic Studies: Sri Lanka.

- Department of Census and Statistics – Sri Lanka (2008), Population and Housing. Available at: http://www.statistics.gov.lk/page.asp?page=Population%20and%20Housing [Accessed 27 June 2014].

- Derges, J. (2013) *Ritual and Recovery in Post-conflict Sri Lanka*, Routledge: New York.

- De Silva, K. M. (1981) *A History of Sri Lanka*, C. Hurst and Co. Publishers Ltd.: London.

--- (1997) “Sri Lanka: Surviving Ethnic Strife” *Journal of Democracy* 8 (1), pp. 97–111.

- De Silva, P. L. (1995) "The Efficacy of Combat Mode: Organisation, Political Violence, Affect and Cognition in the Case of the LTTE" in Jeganathan, P. and Ismail, Q. (eds.) (1995) *Unmaking the nation: The politics of identity and history in modern Sri Lanka*, Social Scientists’ Association: Colombo, pp. 174-187.

- De Silva, P. (2013) "Reordering of Sri Pada Temple in Sri Lanka: Buddhism, State and Nationalism" *History and Sociology of South Asia* 7 (2), pp. 155–176.

- DeVotta, N. (2004) *Blowback: Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka (Contemporary Issues in Asia & the Pacific)*, Stanford University Press: Stanford.

--- (2005) “From ethnic outbidding to ethnic conflict: the institutional bases for Sri Lanka’s separatist war” *Nations and Nationalism* 11 (1), pp.141–159.

--- (2007) *Sinhala Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*, East-West Center: Washington.

--- (2010) "From Civil to Soft Authoritarianism: Sri Lanka in Comparative Perspective" *Global Change, Peace and Security* 22 (3), pp. 331–343.

--- (2011) "Sri Lanka: From Turmoil to Dynasty" *Journal of Democracy* 2 (2), pp. 130 - 144.

- Dhanapala, J. and Goonesekere, S. (2013) "Rajapaksa Should Address The Nation Denouncing The Anti-Muslim Campaign And Its Sponsors", *Colombo Telegraph*, 7 March. Available at: https://www.colombotelegraph.com/index.php/rajapaksa-should-address-the-nation-denouncing-the-anti-muslim-campaign-and-its-sponsors/ [Accessed 24 June 2014].

- Dheeranda, Rev. H. (2006) "The Historical Tradition of the Mahavamsa and Ethnic Amity" in Jayawardene, A. (2006) *Perspectives on National Integration in Sri Lanka*, National Integration Programme Unit: Colombo.

- Dillon, M. and Reid, J. (2001) "Global Liberal Governance: Biopolitics, Security and War" *Millennium - Journal of International Studies* 30 (1), pp. 41-66.

- Dixit, J. (1998) "India's ex Foreign Secretary in 'Assignment Colombo'", Konarak Publishers, quoted in Mehta, R. K. (2010) *Lost Victory: The Rise & Fall of LTTE Supremo, V. Prabhakaran*, Pentagon Press: New Delhi.

- Duffield, M. (2001) *Global Governance and the New Wars*, Zed Books: London.

- Dunham, D., and Jayasuriya, S. (1998) "Economic Crisis, Poverty and War in Contemporary Sri Lanka: On Ostriches and Tinderboxes" *Economic and political weekly* 33 (49), pp. 3151–3156.

- Dwyer, L. and Santikarma, D. (2007) "Speaking from the Shadows: Memory and Mass Violence in Bali" in Pouligny, B., Chesterman, S. and Schnabel, A. (2007) *After Mass Crime: Rebuilding States and Communities*, UN University: Tokyo, pp.190-214.

- *The Economist* (2011) "Bayan: Truth and Consequences", 28 April. Available at: http://www.economist.com/node/18620572 [Accessed 19 June 2014].

--- (2011a) "Sri Lanka: The Son also Rises", 17 May. Available at: http://www.economist.com/node/18389199 [Accessed 19 June 2014].

--- (2012) "Sri Lanka's opposition: Letting the general out of the bottle", 23 May. Available at: http://www.economist.com/blogs/banyan/2012/05/sri-lankas-opposition [Accessed 19 June 2014].

- Edirippulige, S. (2004) *Sri Lanka's Twisted Path to Peace: Some Domestic and International Obstacles to the Peace Process*, Resource Management Foundation: Sri Lanka.

- Emmanuel, S. J. (2000) The Agonies and Aspirations of the Tamil National Struggle, Jaffna.

- Eng, D. and Kazanjian, D. (2003) *Loss: the Politics of Mourning*, University of California Press: Berkeley, Los Angeles and London.

- *Engage Sri Lanka* (2011) "Appalling Journalism: Jon Snow and Channel 4 News on Sri Lanka", Sri Lanka Media Watch, November. Available at: http://www.engagesrilanka.com/mediawatch.html [Accessed 19 June 2014].

- *Enumeration of Vital Events, Northern Province, Sri Lanka* (EVE) (2011), Department of Census and Statistics, Ministry of Finance and Planning. Available at: http://www.statistics.gov.lk/PopHouSat/VitalStatistics/EVE2011_FinalReport.pdf [Accessed 23 June 2014].

- Eschebach, I. and Harsch, G. F. (2011) "Soil, Ashes, Commemoration: Processes of Sacralisation at the Ravensbrück Former Concentration Camp" *History and Memory* 23 (1), pp. 131-156.

- Eriksen, T. H. (1991) "Ethnicity versus Nationalism" *Journal of Peace Research* 28 (3), pp. 263-278.

- Etherington, J. R. (2007) "Nationalism, Exclusion and Violence: A Territorial Approach" *Studies in Ethnicity and Nationalism* 7 (3), pp. 24-44.

- European Commission (2009) "Commission Statement on Sri Lanka GSP+ Report", 19 October. Available at:

http://trade.ec.europa.eu/doclib/press/index.cfm?id=466 [Accessed 23 June 2014].

- EveryCasualty website. Available at: http://www.everycasualty.org/ [Accessed 29 June 2014.

- Fairclough, N., (2001) "Critical Discourse Analysis" in McHoul, A. and Rapley, M. (2001) *How to Analyse Talk in Institutional Settings: A Casebook of Methods*, Contiuum Press: London and New York.

- Fairclough, N. and Wodak, R. (1997) "Critical Discourse Analysis" in Van Dijk, T. (ed.) (1997) *Discourse as Social Interaction. Discourse Studies: A Multidisciplinary Introduction*, Vol. 2, Sage: London, pp. 258–84.

- Fanon, F. (1963) The Wretched of the Earth (trans. Constance Farrington), Grove Press: New York.

- Fearon, J. D., and Laitin, D. D. (2003) "Ethnicity, Insurgency, and Civil War" *American Political Science Review* 97 (1), pp. 75–90.

- Fearon, J. D. (1995) "Rational Explanations for War" *International Organisation* 49 (3), pp. 379-414.

- Fein, H. (2002) "Genocide: A Sociological Perspective" in Hinton, A. L. (ed.) (2002) *Genocide: an Anthropological Reader,* Blackwell Publishers: Oxford, pp. 74-90.

- Feitlowitz, M. (1998) *A Lexicon of Terror: Argentina and the Legacies of Torture*, Oxford University Press: New York.

- Feldman, A. (1991) *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland,* University of Chicago Press: Chicago and London.

- Feldman, D. (1989) "The Nature of Legal Scholarship" *Modern Law Review* 52, pp. 498–517.

- Ferdinando, S. (2013) "ITAK-run Chava PS wants NPC to rebuild LTTE cemeteries in NP", *The Island*, 16 October. Available at:

http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=90283 [Accessed 23 June 2014].

- Fernando, B. and Anderson, M. K. (2009) *The Phantom Limb: Failing Judicial Systems, Torture and Human Rights Work in Sri Lanka*, Asian Human Rights Commission (AHRC), Hong Kong and the Rehabilitation and Research Centre for Torture Victims (RCT). Available at http://www.humanrights.asia/resources/books/AHRC-PUB-007-2009 [Accessed 23 June 2014].

- Fernando, B. and Weerawickrame, S. R. (2007) *A Baseline Study of Torture in Sri Lanka*, Asian Human Rights Commission: Hong Kong. Available at http://www.humanrights.asia/resources/books/AHRC-PUB-004-2009 [Accessed 23 June 2014].

- Fernando, R. (2010) quoted in *Tamil Guardian* (2010) "A new (cultural) campaign in Vanni", 30 June. Available at: http://www.tamilguardian.com/article.asp?articleid=2772 [Accessed 23 June 2014].

- Fernando, S. (2010) "Sri Lanka's Parliament Approves 18th Amendment with a Majority of 144 Votes, 161 Vote in Favor & 17 Against and 46 Boycotted the Voting", *Asian Tribune*, Colombo, 9 September. Available at: http://www.asiantribune.com/news/2010/09/09/sri-lanka%E2%80%99s-parliament-approves-18th-amendment-majority-144-votes-161-vote-favor-17- [Accessed 23 June 2014].

- Fernando S., Bandara, J. S., and Smith, C. (2012) "Regaining Missed Opportunities: The Role of Tourism in Post-war Development in Sri Lanka" *Asia Pacific Journal of Tourism Research* 18 (7), pp. 685-711.

- Fernando, T. (2010) "Tiger cubs and metropolitan Police in London" *InfoLanka*, 30 December. Available at: http://www.infolanka.com/org/diary/249.html [Accessed 23 June 2014].

- Foster, Y. (2009) quoted in Amnesty International (2009) "Call for a

truce in Sri Lanka as humanitarian situation deteriorates", 6 February. Available at: http://www.amnesty.org/en/news-and-updates/news/call-for-truce-sri-lanka-humanitarian-situation-deteriorates-20090206 [Accessed 11 February 2012].

- Foucault, M. (1977) "Nietzsche, Genealogy, History," in Bouchard, D. F. (ed.) (1977) *Language, Counter-Memory, Practice,* Cornell University Press: Ithaca, pp. 139-64.

  --- (1989) *Collected Interviews 1961-84*, Lotringer, S. (ed.) Semiotexte: New York.

  --- (1980) *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, Gordon, C. (ed.) Harvester: Brighton.

- Fowler, R., Hodge, B., Kress, G., and Trew, T. (1979) *Language and Social Control*, Routledge: London.

- Fox, J. (2004) "The Rise of Religious Nationalism and Conflict: Ethnic Conflict and Revolutionary Wars, 1945-2001" *Journal of Peace Research* 41 (6), pp. 715-731.

- Francis, K. (2013) "New fears in Sri Lanka amid anti-Muslim campaign" *Huffington Post*, 7 April. Available at: http://www.huffingtonpost.com/huff-wires/20130407/as-sri-lanka-muslims-under-fire/[Accessed 23 June 2014].

- Fraser, N. (1997) *Justice interruptus: Critical reflections of the "postsocialist" condition,* Routledge: London.

  --- (2002) "Recognition Without Ethics?" in Lash, S. M., and Featherstone, M. *Recognition and Difference: Politics, Identity, Multiculture*, Sage Publications Ltd.: London, pp. 21-43.

- Freud, S. (1909) *Five Lectures on Psycho-analysis* (Strachey, J. trans. and ed.) (1990) W. W. Norton: New York and London.

- Fuglerud, Ø. (1999) *Life on the outside: The Tamil diaspora and long-distance nationalism*, Pluto Press: London.

- Furlong, R. (2009) "Tamil hunger strike in third week" *BBC News*, 23 April. Available at: http://news.bbc.co.uk/1/hi/uk/8015199.stm [Accessed 23 June 2014].

- Galtung, J. (1969) "Violence, Peace, and Peace Research" *Journal of Peace Research* 6 (3), pp. 167-191.

  --- (2001) "After Violence: Reconstruction, Reconciliation and Resolution coping with visible and invisible effects of war and violence" in Abu-Nimer, M. (ed.) (2001) *Reconciliation, justice and coexistence: Theory and Practice*, Lexington Books: Lanham MD.

- Gamburd, M. R. (2004) "The Economics of Enlisting: a Village View of Armed Service" in Winslow, D. and Woost, M. D. (2004) (eds.) *Economy, Culture and Civil War in Sri Lanka*, Indiana University Press: Bloomington, IA, pp. 151-167.

- Ganeshalingham, V. S. (2009) "Impact of the PTA on Fundamental Rights Recognized by the Constitution" in *Sri Lanka: Prevention of Terrorism Act: A Critical Analysis,* Centre for Human Rights and Development: Sri Lanka.

- Gearty, C. A. (2006) *Can Human Rights Survive?* Cambridge University Press: Cambridge.

- Gee, J. P. (2011) *An Introduction to Discourse Analysis: Theory and Method,* Routledge: London and New York.

- Geertz, C. (1994) *The Interpretation of Cultures*, Basic Books: New York.

- Geiger, W. (trans.), (2007) *Mahavamsa: Great Chronicle of Ceylon*, (Facsimile of 1912 ed.) Asian Educational Services: India.

- Gellner, E. (1983) *Nations and Nationalism*, Illustrated edition. Wiley-Blackwell: New Jersey.

- Gibbs, J. P. (1989) "Conceptualization of Terrorism" *American Sociological Review* 54 (3), pp. 329–340.

- Gibson, J. L. (2006) "The Contributions of Truth to Reconciliation: Lessons from South Africa" *The Journal of Conflict Resolution* 50 (3), pp. 409-432.

- Gilbert, P. (1994) *Terrorism, Security, and Nationality: An Introductory Study in Applied Political Philosophy*, Psychology Press: Abingdon.

- Gillis, J. R. (1994) "Memory and Identity: the History of a Relationship" in Gillis, J. R. (ed.) (1994) *Commemorations: The Politics of National Identity*, Princeton University Press: Princeton, pp. 1-12.

- Gilroy, P. (2000) *Against Race: Imagining Popular Culture Beyond the Colour Line*, Harvard University Press: Boston.

- *Global Peace Support* (2013) "UN's Navi Pillay visits Sri Lanka former war zone" 28 August. Available at: http://www.globalpeacesupport.com/2013/08/uns-navi-pillay-visits-sri-lanka-former-war-zone/ [Accessed 23 June 2014].

- *Global Times* (2014) "Sri Lanka, South Africa deepen relations with air services agreement", 25 February. Available at: http://www.globaltimes.cn/content/844678.shtml [Accessed 23 June 2014].

- Gloppen, S. (2005) "Roads to Reconciliation: A Conceptual Framework" in Skaar, E., Gloppen, S. and Suhrke, A. (eds.) (2005) *Roads to Reconciliation*, Lexington Books: Oxford, pp. 17-50.

- Gluck, C. (2012) Keynote Presentation, Regions of Memory Conference, Genealogies of Memory Project: Warsaw.

- Gombrich, R. and Obeyesekere, G. (1988) *Buddhism Transformed: Religious Change in Sri Lanka*, Princeton University Press: Princeton.

- Goodhand, J. (2010) 'Stabilizing a Victor's Peace? Humanitarian action and reconstruction in eastern Sri Lanka" *Disasters* 34 (3), pp. 342-367.

- Goodhand, J., Rampton, D., Venugopal, R. and de Mel, N. (2011) "Sri Lanka: Strategic Policy Assessment", February. Unpublished Report.

Available at:
http://personal.lse.ac.uk/venugopr/Sri%20Lanka%20Strategic%20Policy%20Assessment%202011.pdf [Accessed 29 June 2014].

- Goodhand, J., Klem, B. and Sørbø, G. (2011a) *Pawns of Peace: Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997-2009*, commissioned by Norad Evaluation Department, Report 5/2011. Available at: http://www.norad.no/en/tools-and-publications/publications/evaluations/publication?key=386346 [Accessed 23 June 2014].

- Goodhand, J. and Walton, O. (2009) "The Limits of Liberal Peacebuilding? International Engagement in the Sri Lankan Peace Process" *Journal of Intervention and Statebuilding,* 3 (3), pp. 303-323.

- Goonetileke, R. (2011), quoted in Ranjith Perera, J. P. (2011) *Winning an Unwinnable War: A Tribute to our War Heroes*, Sarasavi Publishers: Nugegoda, p. 109.

- Gowing, R. (2013) "War by Other Means? An analysis of the contested terrain of transitional justice under the 'Victor's Peace' in Sri Lanka" *Development Studies Institute Working Papers Series*, London School of Economics: London.

- Gramsci, A. (1971) *Selections from the Prison Notebooks,* (eds. and trans. Hoare, Q. and Novell-Smith, G.), Lawrence and Wishart: London.

- Gray, P. and Oliver, K. (2004) *The Memory of Catastrophe,* Manchester University Press: Manchester.

- Green, P. (2003) "Researching the Turkish State" in Tombs, S. and Whyte, D. (2003) (eds.) *Unmasking the Crimes of the Powerful: Scrutinizing States and Corporations*, Peter Lang Publishers: Oxford, pp. 166-180.

- Green, P. and Ward, T. (2000) "State Crime, Human Rights and the Limits of Criminology", *Social Justice* 27 (1) pp. 101-115.

--- (2004) *State Crime: Governments, Violence and Corruption*, Pluto Press: London and Sterling, V.A.

- Greenhouse, C. (2002) "Introduction" in Greenhouse, C., Murtz, E. and Warren, K. B. (eds.) (2002) *Ethnography in Unstable Places: Everyday Lives in Contexts of Dramatic Political Change,* Duke University Press: Durham and London.

- *Groundviews* (2010) "The protest by Wimal Weerawansa against the UN in Sri Lanka: Condoned by government?" 8 July. Available at: http://groundviews.org/2010/07/08/the-protest-by-wimal-weerawansa-against-the-un-in-sri-lanka-condoned-by-government/ [Accessed 23 June 2014].

--- (2012) "Updates on ground situation in Jaffna", 14 December. Available at: http://groundviews.org/2012/12/10/updates-on-ground-situation-in-jaffna/ [Accessed 6 April 2013].

--- (2013) "The Sri Lankan President's Twitter archive and Propaganda 2.0: New challenges for online dissent", 12 February. Available at: http://groundviews.org/2013/02/12/the-sri-lankan-presidents-twitter-archive-and-propaganda-2-0-new-challenges-for-online-dissent/ [Accessed 23 June 2014].

- Gunaratna, R. (1990) *Sri Lanka: A Lost Revolution? The Inside Story of the JVP*, Institute of Fundamental Studies: Kandy.

- Gunasekara, L. (1994) "The Role of Press Institutes and Journalists Associations in Promoting Pluralism in Sri Lanka" *AMIC Seminar on Media and Pluralism in South Asia*, Asian Media Information and Communication Centre: Kathmandu.

- Gunasekara, T. (2013) "Playing With Fire, Again" *Colombo Telegraph Opinion*, 4 July 4. Available at http://www.colombotelegraph.com/index.php/playing-with-fire-again/[Accessed 23 June 2014].

--- (2013a) "Re-thinking Patriotism: Reimagining the Patriot" *Sri Lanka Guardian*, 18 August. Available at: http://www.srilankaguardian.org/2013/08/rethinking-patriotism-re-imaging-patriot.html [Access 23 June 2014].

- Gunasinghe, N. (2004) "The Open Economy and Its Impact on Ethnic Relations in Sri Lanka" in Winslow, D. and M. D. Woost (eds.) (2004) *Economy, culture, and civil war in Sri Lanka,* Indiana University Press: Bloomington, IA, pp. 99-114.

- Gunatilleke, G. (2011) "Truth and Accountability: The Last Stages of the War in Sri Lanka: An Analysis and evaluation of the Report of the UN Secretary General's (UNSG) Panel of Experts on Accountability in Sri Lanka", Working Paper prepared for the Seminar on "Accountability, Restorative Justice and Reconciliation: A review of the Report of the UNSG's Panel of Experts on Accountability in Sri Lanka" 21 July. Available at: http://transcurrents.com/files/Truth_Accountability_GG.pdf [Accessed 23 July 2013].

- Gurr, T. R. (1993) *Minorities at Risk: A Global View of Ethnopolitical Conflicts*. United States Institute of Peace Press: Washington DC.

- Guruparan, K. (2013), quoted in "Land acquisition by occupying military challenged in Sri Lanka Courts", *Tamilnet*, 24 May. Available at: http://www.tamilnet.com/art.html?catid=13&artid=36347 [Accessed 27 June 2014].

- Guruparan, K. and Rajamanoharan, S. (2013) "Four years on, genocide continues off the battlefield", *OpenDemocracy*, 20 May. Available at: http://www.opendemocracy.net/opensecurity/kumaravadivel-guruparan-sivakami-rajamanoharan/four-years-on-genocide-continues-off-bat [Accessed 23 June 2014].

- Guss, D. (2000) *The Festive State: Race, Ethnicity, and Nationalism as Cultural Performance,* University of California Press: Los Angeles and Berkeley.

- Gutman, I. (1985) *Denying the Holocaust*, Shazar Library: Jerusalem.

- Halbwachs, M. (1992) *On Collective Memory* (Cosner, L. A., trans. and ed.) University of Chicago Press: Chicago and London.

- Hamber, B. (2009) *Transforming Societies after Political Violence: Truth, Reconciliation, and Mental Health*, Springer Press: London and New York.

- Hamber and Wilson (2002) "Symbolic closure through memory, reparation and revenge in post-conflict societies" *Journal of Human Rights* 1 (1), pp. 35-53.

- Handunnetti, D. (2009) "The price of media freedom is death", T*he Sunday Leader*, 11 January. Available at: http://www.thesundayleader.lk/20090111/spotlight-1.htm [Accessed 27 june 2014].

- Hapuarachchi, Brigadier N. (2012) quoted in *BBC Sinhala*, "Former Tigers 'threatened' in north", 23 January. Available at: http://www.bbc.co.uk/sinhala/news/story/2012/01/120123_ltte_threatened.shtml [Accessed 23 June 2014].

- *HardTalk* (2010) "Expertise: Api Venuwen Api". Available at: http://www.hardtalk.lk/expertise_api.php [Accessed 27 June 2014].

- Hardin, R. (1995) *One for All: Logic of Group Conflict*. Princeton University Press: Princeton.

- Harris, S. (2010) "Humanitarianism in Sri Lanka: Lessons Learned?" Feinstein International Centre, Briefing Paper, June. Available at: http://www.alnap.org/resource/5865 [Accessed 23 June 2014].

- Harrison, F. (2012) *Still Counting the Dead: Survivors of Sri Lanka's Hidden War*, Portobello Books: London.

- Hattotuwa, S. (2009) "Terrorised Media" *Index on Censorship* 38 (1), pp. 40–44.

---- (2012) “Illusory Independence”, *The Nation*, 5 February. Available at: http://www.nation.lk/edition/feature-viewpoint/item/2298-illusory-independence.html [Accessed 23 June 2014].

- Haviland, C. (2010) "Sri Lanka mass wedding for former Tamil rebels", *BBC News*, 14 June. Available at: http://www.bbc.co.uk/news/10308540 [Accessed 23 June 2014].

  --- (2012) “Sri Lanka’s Sarath Fonseka freed from prison”, *BBC News*, 21 May. Available at: http://www.bbc.co.uk/news/world-asia-18143907 [Accessed 25 June 2012].

- Hayner, P. B. (2001) *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*, Routledge: London and New York.

- Hechter, M. (1995) “Explaining Nationalist Violence” *Nations and Nationalism* 1 (1), pp. 53-68.

- Heimo, A and Peltonen, U. (2005) “Memories and Histories, Public and Private: After the Finnish Civil War,” in Hodgkin, K. and Radstone, S. (eds.) (2005) *Memory, History, Nation: Contested Pasts*, Transaction Publishers: New Jersey, pp. 42-56.

- Hensman, R. (2009) "Why are the Vanni civilians still being held hostage?" *Groundviews*, 22 June. Available at: http://groundviews.org/2009/06/22/why-are-the-vanni-civilians-still-being-held-hostage/ [Accessed 23 June 2014].

- Herman, E. S. and Chomsky, N. (1988) *Manufacturing Consent: The Political Economy of the Mass Media*, Pantheon Books: New York and Random House: Toronto.

- Hettiarachchi, Brigadier D. (2012) Commissioner General of Rehabilitation, quoted in “Sri Lanka's success story on rehabilitation” Ministry of Defence and Urban Development News, 6 April. Available at: http://www.defence.lk/new.asp?fname=Sri_Lanka%27s_success_story_on_rehabilitation_20120604_03 [Accessed 23 June 2014].

- Hettige, S. T. (ed.) (1992) *Unrest or Revolt? Some Aspects of Youth Unrest in Sri Lanka*, Goethe-Institute, German Cultural Institute and American Studies Association: Sri Lanka.

- Hickman, T. R. (2005) "Between Human Rights and the Rule of Law: Indefinite Detention and the Derogation Model of Constitutionalism", *Modern Law Review,* 68 (4), pp. 655-668.

- Hillyard, P. (1993) *Suspect Community: People's Experience of the Prevention of Terrorism Acts in Britain*, Pluto Press in association with Liberty, London: Boulder, Colorado.

  --- (2003) "Imaginative Crimes or Crimes of the Imagination: Researching the Secret State" in Tombs, S. and Whyte, D. (2003) (eds.) *Unmasking the Crimes of the Powerful: Scrutinizing States and Corporations*, Peter Lang Publishers: Oxford, pp. 201-218.

- Hinton, A. L. (2002) *Annihilating Difference: The Anthropology of Genocide*, University of California Press: California.

- Ho, C. (2014) "Qorvis acquired by global PR firm Publicis", The Washington Post, 19 January. Available at: http://www.washingtonpost.com/business/capitalbusiness/qorvis-acquired-by-global-pr-firm-publicis/2014/01/17/55f0a470-7dfb-11e3-93c1-0e888170b723_story.html [Accessed 27 June 2014].

- Hobsbawm, E. J. (1997) *On History*, New Press: New York.

- Hodgkin, K. and Radstone, S. (eds.) (2005) *Memory, History, Nation: Contested Pasts*, Transaction Publishers: New Jersey.

- Höglund, K and Orjuela, C. (2011) "Winning the peace: conflict prevention after a victor's peace in Sri Lanka" *Contemporary Social Science: Journal of the Academy of Social Sciences* 6 (1), pp. 19-37.

  --- (2012) "Transitional Justice, Globalization and Friction in Post-war Sri Lanka" Paper presented at the *National Conference in Peace and Conflict Research*, University of Gothenburg, June

  --- (2013) "Friction and the pursuit of justice in post-war Sri Lanka" *Peacebuilding* 1 (3), pp. 300-316.

- Hogg, C. L. (2011) "Sri Lanka: Prospects for Reform and

Reconciliation", Asia Programme Paper ASP PP 2011/06, Chatham House. Available at: http://www.chathamhouse.org/sites/default/files/1011pp_srilanka_0.pdf [Accessed 23 June 2014].

--- (2007) "Sri Lanka's leader takes a step backward on human rights" *New York Times Opinion*, 15 August. Available at: http://www.nytimes.com/2007/08/15/opinion/15iht-edhogg.1.7125348.html?_r=0 [Accessed 23 June 2014].

- Hollup, O. (1998) "The Impact of Land Reforms, Rural Images and Nationalist Ideology on Plantation Tamils" in Bartholomeusz, T. J. and de Silva, C. R. (eds.) (1998) *Buddhist Fundamentalism and Minority Identities in Sri Lanka*, State University of New York Press: New York, pp. 74-88.

- Holmes, J. (2009) "Comment and debate: Let them decide: Civilians trapped with Tamil Tiger fighters must be offered an exit before a bloodbath ensues" *The Guardian, 8* April. Available at: http://www.guardian.co.uk/commentisfree/2009/apr/08/tamil-protests-sri-lanka-johnholmes?commentpage=1 [Accessed 19 December 2012].

- Hoole, R., Somasundaram, D., Sritharan, K. and Thiranagama, R. (1990) *The Broken Palmyra: The Tamil Crisis in Sri Lanka - An Inside Account,* The Sri Lanka Studies Institute: Jaffna.

- Howard, R. E., and Donnelly, J. (1986) "Human Dignity, Human Rights, and Political Regimes" *The American Political Science Review* 80 (3), pp. 801–817.

- Howarth, D. and Stavrakakis, Y (2000) "Introducing discourse theory and political analysis" in Howarth, D., Norval, A. and Stavrakakis, Y. (eds.) (2000) *Discourse Theory and Political Analysis: Identities, Hegemonies and Social Change*, Manchester University Press: Manchester, pp. 1-23.

- Hubbard, P. and Kitchin, R. (eds.) (2010) *Key Thinkers on Space and Place* (2nd edition), Sage Publications: London.

- Hughes, D. (2013) *Violence, Torture and Memory in Sri Lanka: Life after Terror*, Routledge: London and New York.

- Hughes, R. (2005) "Nationalism and Memory at the Tuol Sleng Museum of Genocide Crimes, Phnom Penh" in Hodgkin, K. and Radstone, S. (eds.) (2005) *Memory, History, Nation: Contested Pasts*, Transaction Publishers: New Jersey.

- Hullugalle, L. (2010) quoted in Transparency International Sri Lanka (2010) "NGO Secretariat under Defence Ministry now", 15 June. Available at: http://www.tisrilanka.org/?p=5336 [Accessed 2 February 2012].

- Human Rights Watch (2004) "Living in Fear: Child Soldiers and the Tamil Tigers in Sri Lanka", 11 November. Available at: http://www.hrw.org/sites/default/files/reports/srilanka1104.pdf [Accessed 23 June 2014].

  --- (2006) "Funding the "Final War": LTTE Intimidation and Extortion in the Tamil Diaspora". Available at: http://www.hrw.org/reports/2006/ltte0306/ltte0306webwcover.pdf [Accessed 27 June 2014].

  --- (2008) "Trapped and Mistreated: LTTE Abuses against Civilians in the Vanni", December 15. Available at: http://www.hrw.org/reports/2008/12/15/trapped-and-mistreated-0 [Accessed 23 June 2014].

  --- (2009) "Sri Lanka: Repeated Shelling of Hospitals Evidence of War Crimes" 8 May 8. Available at: http://www.hrw.org/news/2009/05/08/sri-lanka-repeated-shelling-hospitals-evidence-war-crimes [Accessed 24 June 2014].

  --- (2009a) "Sri Lanka: UN Rights Council Fails Victims: Member States Ignore Need for Inquiry Into Wartime Violations" *News*, 27 May. Available at: http://www.hrw.org/news/2009/05/27/sri-lanka-un-rights-council-fails-victims [Accessed 23 June 2014].

  --- (2010) "Sri Lanka: Events of 2009" in *World Report 2010*. Available at: http://www.hrw.org/world-report-2010 [Accessed 23 June 2014].

  --- (2011) "Sri Lanka: 'Bait and Switch' on Emergency Law", 7 September. Available at: http://www.hrw.org/news/2011/09/07/sri-lanka-bait-and-switch-emergency-law [Accessed 23 June 2014].

--- (2011a) "Sri Lanka: Report Fails to Advance Accountability", *News*, 16 December. Available at: http://www.hrw.org/news/2011/12/16/sri-lanka-report-fails-advance-accountability [Accessed 23 June 2014].

--- (2013) "'We Will Teach You a Lesson' Sexual Violence against Tamils by Sri Lankan Security Forces", 26 February. Available at: http://www.hrw.org/reports/2013/02/26/we-will-teach-you-lesson [Accessed 23 June 2014].

--- (2014) "Sri Lanka: Comply with Rights Council Investigation", News, 20 May. Available at: http://www.hrw.org/news/2014/05/19/sri-lanka-comply-rights-council-investigation [Accessed 30 June 2014].

- Humphrey, M. (2000) "From Terror to Trauma: Commissioning Truth for National Reconciliation" *Social Identities* 6 (1), pp. 7-27.

--- (2005) "Reconciliation and the Therapeutic State" *Journal of Intercultural Studies* 26 (3), pp. 203-220.

- Huyse, L. (2003) "The process of reconciliation" in Sorenson, B. R. et al. (2003) *Reconciliation after Violent Conflict: A Handbook,* International Institute for Democracy and Electoral Assistance: Stockholm.

- Immigration and Refugee Board of Canada (IRBC), "Sri Lanka: Treatment of suspected Liberation Tigers of Tamil Eelam (LTTE) members or supporters, including information about how many are in detention; whether the government continues to screen Tamils in an attempt to identify LTTE suspects (January 2010-21 January 2011)", 21 February. Available at: http://www.refworld.org/docid/4e43b8b32.html [Accessed 6 February 2014].

- Imtiyaz, A. R. M. (2013) "Buddhism and Electoral Politics in Sri Lanka Politicization, tensions and de-politicization of Buddhism" *Journal of Asian and African Studies* 0 (0), pp. 1-17.

- Imtiyaz, A. R. M., and Stavis, B. (2008) "Ethno-Political Conflict in Sri Lanka" *Journal of Third World Studies* 25 (2), pp. 135–152.

- Internal Displacement Monitoring Centre (IDMC) (2011) "Sri Lanka: IDPs and returnees remain in need of protection and assistance" 14 January. Available at: http://www.internal-displacement.org/assets/library/Asia/Sri-Lanka/pdf/Sri-Lanka-January-2011.pdf [Accessed 23 June 2014].

  --- (2012) "A Hidden Displacement Crisis", October. Available at: http://www.internal-displacement.org/south-and-south-east-asia/sri-lanka/2012/a-hidden-displacement-crisis [Accessed 27 June 2014].

- International Bar Association (IBA) (2009) *Justice in Retreat: A Report on the Independence of the Legal Profession and the Rule of Law in Sri Lanka*, May, London. Available at: http://www.ibanet.org/Human_Rights_Institute/HRI_Publications/Country_reports.aspx [Accessed 24 June 2014].

- International Centre for Political Violence and Terrorism Research (ICPVTR), Analysis Reports, Sri Lanka (20-26 May 2013). Available at: http://www.pvtr.org/ICPVTR/index.php?option=com_content&view=article&id=606:srilanka-20-26-may-2013&catid=34:weekly-reports&Itemid=232 [Accessed 23 June 2014].

- International Centre for Transitional Justice (ICTJ) (2009) "What is Transitional Justice?" Issues in Transitional Justice Series. Available at: http://ictj.org/sites/default/files/ICTJ-Global-Transitional-Justice-2009English.pdf. [Accessed 12 July 2012].

- Ikenberry, J. and Wright, T. (2008) "Rising Powers and Global Institutions", The Century Foundation: Washington, DC. Available at: http://72.32.39.237:8080/Plone/publications/2008/2/pdfs/pb635/ikenberry.pdf [Accessed 23 June 2014].

- International Civil Society Action Group (ICAN) (2013) "Elusive Peace, Pervasive Violence: Sri Lankan Women's Struggle for Security and Justice" Brief 8, Spring.

- International Crisis Group (ICG) (2009) "Development Assistance and Conflict in Sri Lanka: Lessons from the Eastern Province", Asia Report No. 165, April. Available at: http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/165-development-assistance-and-conflict-in-sri-lanka-lessons-from-the-eastern-province.aspx [Accessed 23 June 2014].

  --- (2010a) "Sri Lanka: A Bitter Peace", Asia Briefing No. 99, January.

Available at: http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/B099-sri-lanka-a-bitter-peace.aspx [Accessed 23 June 2014].

--- (2010b) "The Sri Lankan Diaspora after the LTTE", Asia Report No. 186, February. Available at: http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/186-the-sri-lankan-tamil-diaspora-after-the-ltte.aspx [Accessed 23 June 2014].

--- (2010c) "War Crimes in Sri Lanka", Asia Report No. 191, May. Available at: http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/191-war-crimes-in-sri-lanka.aspx [Accessed 23 June 2014].

---- (2011) "Statement on the Report of Sri Lanka's Lessons Learnt and Reconciliation Commission", 21 December. Available at: http://www.crisisgroup.org/en/publication-type/media-releases/2011/asia/statement-on-the-report-of-sri-lanka-s-lessons-learnt-and-reconciliation-commission.aspx [Accessed 23 June 2014].

--- (2012) "Sri Lanka's North II", Asia Report No. 220, 16 March. Available at: http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/220-sri-lankas-north-ii-rebuilding-under-the-military.aspx [Accessed 23 June 2014].

- International Press Freedom and Freedom of Expression Mission (IPFFEM) (2008) *Media Under Fire: Press Freedom Lockdown in Sri Lanka,* December. Available at: http://www.rsf.org/IMG/pdf/rapport_sri_Lanka.pdf [Accessed 24 June 2014].

- Ismail, Q. (2013) "Not By Ourselves Alone: A Critique of (Tamil) Self-Determination" *Groundviews*, 7 October. Available at: http://groundviews.org/2013/10/07/not-by-ourselves-alone-a-critique-of-tamil-self-determination/ [Accessed 23 June 2014].

- International Commission of Jurists (ICJ) (2009) "Sri Lanka: Briefing Paper. Emergency Laws and International Standards", March. Available at: http://icj.wpengine.netdna-cdn.com/wp-

content/uploads/2012/05/SriLanka-emergencylaws-advocacy-2009.pdf [Accessed 23 June 2014].

--- (2010) “Beyond lawful constraints: Sri Lanka’s mass detention of LTTE suspects”, Briefing Note, September. Available at: http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2012/06/Sri-Lanka-mass-detention-LTTE-analysis-brief-2010.pdf [Accessed 23 June 2014].

--- (2013) "ICJ condemns impeachment of Sri Lanka’s Chief Justice", News, 11 January. Available at: http://www.icj.org/icj-condemns-impeachment-of-sri-lankas-chief-justice/ [Accessed 23 June 2014].

- International Committee of the Red Cross (2009) "Sri Lanka: humanitarian assistance can no longer reach civilians", News Release, 14 May. Available at: http://www.icrc.org/eng/resources/documents/news-release/2009-and-earlier/sri-lanka-news-140509.htm [Accessed 27 June 2014].

--- (2009a) *Annual Report on Sri Lanka 2009*, ICRC Resource Centre. Available at: http://www.icrc.org/eng/resources/documents/annual-report/sri-lanka-icrc-annual-report-2009.htm [Accessed 19 June 2014].

- *IRIN News* (2007) "SRI LANKA: Tsunami aid “missing”, says anti-corruption group" 28 December. Available at: http://www.irinnews.org/report/76025/sri-lanka-tsunami-aid-missing-says-anti-corruption-group [Accessed 24 June 2014].

--- (2009) "SRI LANKA: UN calls for “maximum restraint” to protect civilians", 28 April. Available at: http://www.irinnews.org/report/84025/sri-lanka-un-calls-for-maximum-restraint-to-protect-civilians [Accessed 23 June 2014].

--- (2012) "SRI LANKA: "Former Tiger fighters battle for a normal life", 28 May. Available at: http://www.irinnews.org/report/95525/sri-lanka-former-tiger-fighters-battle-for-a-normal-life [Accessed 23 June 2014].

--- (2012a) "SRI LANKA: Thousands missing three years after war ends", 18 May. Available at: http://www.irinnews.org/report/95477/ [Accessed 24 June 2014].

--- (2012b) “SRI LANKA: Menik Farm IDP camp to close by 30 September”, 21 September. Available at: http://www.irinnews.org/report/96366/SRI-LANKA-Menik-Farm-IDP-camp-to-close-by-30-September [Accessed 6 April 2013].

- Irwin-Zarecka, I. (1994) *Frames of Remembrance: The Dynamics of Collective Memory*, Transaction Publishers: Brunswick, New Jersey.

- Jackson, R. (2005) *Writing the War on Terrorism: Language, Politics and Counter-terrorism*, Manchester University Press: Manchester and New York.

- Jackson, R., Murphy, E. and Poynting, S. (eds.) (2010) *Contemporary State Terrorism: Theory and Practice*, Routledge: New York.

- Jäger, S. and Maier, F. (2009) “Theoretical and Methodological Aspects of Foucaldian Critical Discourse Analysis and Dispositive Analysis” in Wodak, R. and Meyer, M. (eds.) (2009) *Methods of Critical Discourse Analysis*, Sage: London, 34-61.

- Jaworski, E. (2003) ""Military Necessity" and "Civilian Immunity": Where is the balance?" *Chinese Journal of International Law* 2 (1), pp. 175-206.

- Jayaratne, C. (2010) "LLRC: Submission by the Friday Forum" *Groundviews*, 1 October. Available at: http://groundviews.org/2010/10/01/llrc-submission-by-the-friday-forum/ [Accessed 23 June 2014].

- Jayasuriya, R. (2012) "Rage in Colombo, post Geneva", *Sri Lanka Brief*, 25 March. Available at: http://srilankabrief.blogspot.co.uk/2012/03/rage-in-colombo-post-geneva.html [Accessed 23 June 2014].

- Jayathunga, N. (2010) "Mahinda Rajapaksa – The Statesman", *The Island,* Opinion, 28 January. Available at: http://www.island.lk/2010/01/28/opinion2.html [Accessed 27 June 2014].

- Jayatilleka, D. (2009) "Battleground Geneva: the Special Session of the HRC on Sri Lanka" *Groundviews*, 1 June. Available at: http://www.groundviews.org/2009/06/01/battleground-geneva-the-special-session-of-the-hrc-on-sri-lanka/[Accessed 2 August 2013].

  --- (2013) *Long War, Cold Peace: Conflict and Crisis in Sri Lanka*, Vijitha Yapa Publications: Colombo.

  --- (2013a) "The Wigneswaran Factor: Sampanthan's Master-Stroke" *Groundviews*, 16 July. Available at: http://groundviews.org/2013/07/16/the-wigneswaran-factor-sampanthans-master-stroke/[Accessed 24 June 2014].

  --- (2013b) "Sri Lanka at a critical crossroad: JHU and the 13th Amendment" *Groundviews*, May 30. Available at: http://groundviews.org/2013/05/30/sri-lanka-at-a-critical-crossroad-jhu-and-the-13th-amendment/ [Accessed 24 June 2014].

  --- (2013c) "Chief Minister Wigneswaran alleges genocide, calls for plebiscite" *Groundviews*, 15 December. Available at: http://groundviews.org/2013/12/15/chief-minister-wigneswaran-alleges-genocide-calls-for-plebiscite/ [Accessed 15 June 2014].

- Jayawardane, A. (2006) *Perspectives on National Integration in Sri Lanka*, National Integration Programme Unit: Colombo.

- Jayawardene, President J. R. (1983) quoted in Imtiyaz, A. R. M. and Stavis, B. (2008) "Ethno-Political Conflict in Sri Lanka," *Journal of Third World Studies* 25 (2), pp.135–152: 10.

- Jeganathan, P. (1995) "Authorising History, Ordering Land: The Conquest of Anuradhapura" in Jeganathan, P. and Ismail, Q. (eds.) (1995) *Unmaking the nation: The politics of identity and history in modern Sri Lanka*, Social Scientists' Association: Colombo, pp. 108-137.

  --- (1998) "In the Shadow of Violence" in Bartholomuesz, T. J. and C.R. de Silva (eds.) (1998) *Buddhist Fundamentalism and Minority Identity in Sri Lank*a, State University of New York Press: New York, pp. 89-109.

- Jeganathan, P. and Ismail, Q. (1995) "Introduction: Unmaking the nation" in Jeganathan, P. and Ismail, Q. (eds.) (1995) *Unmaking the nation: The politics of identity and history in modern Sri Lanka*, Social Scientists' Association: Colombo, pp. 2–9.

- Jegathesean, R. (2012) "Pakiasothy, Sunila and Nimalka working with LTTE rump" *Daily News*, 14 March. Available at: http://www.dailynews.lk/2012/03/14/news11.asp [Accessed 24 June 2014].

- Jelin, E. (2003) *State Repression and the Labors of Memory*, University of Minnesota Press: Minneapolis, MN.

  ---(2012) Keynote Presentation, Regions of Memory Conference, Genealogies of Memory Project: Warsaw.

- Jens, N., Lavy, R., Mulaka, A. and Crisp, J. (2002) "UNHCR's programme for internally displaced persons in Sri Lanka: Report of a joint appraisal mission by the UK Department for International Development and UNHCR" *United Nations High Commissioner for Refugees*, Evaluation and Policy Analysis Unit: Switzerland. Available at: http://www.unhcr.org/3ce371264.pdf [Accessed 24 June 2014].

- Jeyaraj, D. B. S. (2010) "Horror of a pogrom: Remembering "Black July" 1983", 24 July. Available at: http://dbsjeyaraj.com/dbsj/archives/1545 [Accessed 24 June 2014].

  --- (2011) Channel 4 film on Sri Lanka's Killing Fields will premiere in Geneva on June 3rd, 1 June. Available at: http://dbsjeyaraj.com/dbsj/archives/2247 [Accessed 24 June 2014].

  ---(2012) "Soldiers Guide Pre-dominantly Sinhala Visitors on 'Terrorism Tour' of Mullaitheevu District", 21 July. Available at: http://dbsjeyaraj.com/dbsj/archives/8322 [Accessed 24 June 2014].

  --- (2012a) "Firmly Entrenched in Power Mahinda Must be Pondering Where to From Here?" 17 November, Available at: http://dbsjeyaraj.com/dbsj/archives/12513 [Accessed 24 June 2014].

  --- (2013) "Why and How Ex- SC Judge CV Wigneswaran Praised LTTE Leader Prabhakaran as a Great Hero", 19 September. Available at: http://dbsjeyaraj.com/dbsj/archives/25697 [Accessed 24 June 2014].

  --- (2013a) "Attack Launched After Midnight on TNA Woman Candidate Ananthi Sasitharan's Residence at Chulipuram" 19 September. Available at: http://dbsjeyaraj.com/dbsj/archives/25930 [Accessed 24 June 2014].

- Jinadasa, U., Premachandra, W., Asanga, K., Nishantha, I.P.S., Priyadarshani, P.M.R. and Ranchagoda, T. (2013) "Recently Discovered Archeological Sites showing Evidence of Buddhism in Mullaitivu District in Northern Sri Lanka: A Study using Geo-Informatics Tools", Sri Lanka Department of Archaeology, SAARC Cultural Centre: Sri Lanka. Available at: http://www.saarcculture.org/index.php?option=com_content&view=article&id=218 [Accessed 24 July 2014].

- Jindal School of International Affairs (JSIA) and Jindal Global Law School (JGLS) (2012) "Rethinking International Institutions: A Global South Agenda". Available at: http://www.jsia.edu.in/UploadedDocuments/FinalCGGPReport.pdf [Accessed 27 June 2014].

- Johnson, C. (2008) "Partitioning to Peace: Sovereignty, Demography, and Ethnic Civil Wars" *International Security* 32 (4), pp. 140–170.

- Journalists for Democracy Sri Lanka (JDS) (2010) "Introduction: Media workers killed in Sri Lanka (2004 - 2010)." Available at: http://www.jdslanka.org/index.php/killed-media-workers [Accessed 24 June 2014].

- Jowett, G. S. and O' Donnell, V. J. (2012) *Propaganda and Persuasion*, 5th edition, Sage Publications: California.

- Jordan, K. and Denov, M. (2007) "Birds of Freedom? Perspectives on Female Emancipation and Sri Lanka's Liberation Tigers of Tamil Eelam" *Journal of International Women's Studies* 9 (1), pp. 42-62.

- Kalyvas, S. N. (2006) *The Logic of Violence in Civil War*, Cambridge University Press: Cambridge.

- Kannangara, N. and Wickrematunge, R. (2013) "Azath Salley's Arrest", *The Sunday Leader*, 5 May. Available at: http://www.thesundayleader.lk/2013/05/05/azath-salleys-arrest/[Accessed 24 June 2014].

- Kansteiner, W. (2002) "Finding Meaning in Memory: A Methodological Critique of Collective Memory Studies" *History and Theory* 41, pp. 179-197.

- Kapferer, B. (1988) *Legends of People, Myths of State: Violence, Intolerance, and Political Culture in Sri Lanka and Australia*, Smithsonian Institution Press: Washington DC.

- Karannagoda, W. (2011), quoted in Ranjith Perera, J. P. (2011) *Winning an Unwinnable War: A Tribute to our War Heroes*, Sarasavi Publishers: Nugegoda, pp. 109.

- Kardigarmar, A. (2013) "Fear And The Predicament Facing Muslims", *Colombo Telegraph*, 23 July. Available at: http://www.colombotelegraph.com/index.php/fear-and-the-predicament-facing-muslims/ [Accessed 24 June 2014].

- Karthrik, S. (2013) "Tamil National Alliance wins northern provincial elections in Sri Lanka", *Times of India*, 22 September. Available at: http://timesofindia.indiatimes.com/world/south-asia/Tamil-National-Alliance-wins-northern-provincial-elections-in-Sri-Lanka/articleshow/22880319.cms [Accessed 24 June 2014].

- Kaufman, S. J. (2001) *Modern Hatreds: The Symbolic Politics of Ethnic War*, Cornell University Press: New York.

- Keen, D. (2006) *Endless War: The Hidden Functions of the War on Terror*, Pluto Press: London.

  --- (2013) "'The camp' and 'the lesser evil': humanitarianism in Sri Lanka", *Conflict, Security & Development* 14 (1), pp. 1-31.

- Keenan, A (2013) "When public relations meets militarisation" *International Crisis Group*, 22 August. Available at: http://blog.crisisgroup.org/asia/2013/08/22/when-public-relations-meets-militarisation/ [Accessed 24 June 2014].

- Keenan, A. and Nesiah, V. (2004) "Human Rights and Sacred Cows: Framing Violence, Disappearing Struggles in Gordon, N. (ed.) (2004) *From the Margins of Globalization: Critical Perspectives on Human Rights*, Lexington Books: New York, pp. 261-298.

- Keerthasinghe, L. I. (2013) "Pillay's Duplicity and the Need to Counter" *Daily Mirror*, 16 March. Available at: http://www.dailymirror.lk/opinion/172-opinion/26750-external-interference.html [Accessed 25 May 2014].

- Kennedy, D. (2004) *The Dark Sides of Virtue: Reassessing International Humanitarianism*, Princeton University Press: Princeton and Oxford.

  ----(2005) "Reassessing International Humanitarianism: The Dark Sides". Available at: http://www.law.harvard.edu/faculty/dkennedy/speeches/TheDarkSides.pdf [Accessed 23 June 2014].

  --- (2012) "Lawfare and Warfare" in Crawford, J., and Koskenniemi, M. (eds) (2012) *The Cambridge Companion to International Law* (Paperback) Cambridge University Press: Cambridge, pp. 158-184.

- Kent, D. (2010) "Onwards Buddhist Soldiers" in Jerryson, M. K. and Juergensmeyer, M. (2010) *Buddhist Warfare*, Oxford University Press: New York.

- Khalili, L. (2007) *Heroes and Martyrs of Palestine: The Politics of National Commemoration*, Cambridge University Press: Cambridge.

  --- (2013) *Time in the Shadows: Confinement in Counterinsurgencies*, Stanford University Press: California.

- Ki-Moon, B. (2009), quoted in United Nations (2009) "Civilian casualties in Sri Lanka conflict 'unacceptably high' – Ban", 1 June. Available at: http://www.un.org/apps/news/story.asp?NewsID=30984#.U7B2dY1dVj4 [Accessed 27 June 2014].

- Kingsbury, D. (2011) *Sri Lanka and the responsibility to protect: politics, ethnicity and genocide,* Routledge: London.

- Kirmayer, L. M. (1996) "Landscapes of Memory: Trauma, Narrative, and Dissociation," in Antze, P. and Lambek, M. (eds.) (1996) *Tense Past: Cultural Essays in Trauma and Memory*, Routledge: London and New York, pp. 173-98.

- Kirschenbaum, L. A. (2004) "Commemorations of the Siege in Leningrad: A Catastrophe in Memory and Myth" in Gray, P. and Oliver, K. (eds.) (2004) *The Memory of Catastrophe*, Manchester University Press: Manchester.

- Kleinfeld, M. (2003) "Strategic troping in Sri Lanka: September eleventh and the consolidation of political position" *Geopolitics* 8 (3), pp. 105-126.

  --- (2005) "Destabilizing the Identity–Territory Nexus: Rights-Based Discourse in Sri Lanka's New Political Geography" *GeoJournal* 64 (4), pp. 287–295.

- Knuth, R. (2006) *Burning Books and Leveling Libraries: Extremist Violence and Cultural Destruction*, Praeger: United States.

- Kriesberg, L. (2007) "External Contributions to Post-Mass Atrocity Crime Rehabilitation" in Pouligny, B., Chesterman, S. and Schnabel, A. (eds.) (2007) *After Mass Crime: Rebuilding States and Communities*, UN University: Tokyo, pp. 243-270.

- Krishna, S. (1999) *Postcolonial Insecurities: India, Sri Lanka and the Question of Nationhood,* University of Minnesota Press: Minneapolis.

- Kristín Birnir, J. (2007) "Divergence in Diversity? The Dissimilar Effects of Cleavages on Electoral Politics in New Democracies" *American Journal of Political Science* 51 (3), pp. 602-619.

- Kumarasingham, H. (2013) 'The Jewel of the East yet has its Flaws': The Deceptive Tranquillity surrounding Sri Lankan Independence" Working Paper 72, *Heidelberg Papers in South Asian and Comparative Politics*. Available at: http://archiv.ub.uni-heidelberg.de/volltextserver/15148/ [Accessed 23 June 2014].

- Kumaratunga, C. (2004) "Speech at the 21st Anniversary of 'Black July'", *Presidential Secretariat,* Colombo, 23 July. Available at: http://www.satp.org/satporgtp/countries/shrilanka/document/papers/BlackJuly2004.htm [Accessed 5 April 2013].

- Kunanayakam, T. (2011) quoted in *Lanka Business Online* (2011) "Sri Lanka says Amnesty war probe allegations 'interference'", 10 September. Available at: http://www.lankabusinessonline.com/news/sri-lanka-says-amnesty-

war-probe-allegations-interference/1483891849 [Accessed 24 June 2014].

- Kumara, S. (2010) "US cable demonstrates Sri Lankan government's collusion with paramilitary death squads" *World Socialist Web Site*, 29 December. Available at: http://www.wsws.org/en/articles/2010/12/slwi-d29.html [Accessed 27 June 2014].

- Kuran, T. (1998) "Ethnic Norms and their Transformation through Reputational Cascades" *The Journal of Legal Studies* 27 (2), pp. 623–659.

- Kuwali, D. (2009) "Article 4(H) and R2P: Towards a Doctrine of Persuasive Prevention to End Mass Atrocity Crimes" *Interdisciplinary Journal of Human Rights Law* 3 (1), pp. 55-85.

- Kymlicka, W. (2009) *Multicultural Odysseys: Navigating the New International Politics of Diversity*, Oxford University Press: Oxford.

- Laclau, E. (1990) *New Reflections on the Revolution of our Time*, Verso: London.

--- (2005) *On Populist Reason*, Verso: London.

- Laclau, E. and Mouffe, C. (1985) *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics,* Verso: London.

- Lake, D. A. and Rothchild, D. (1996) "Containing Fear: The Origins and Management of Ethnic Conflict" *International Security* 21 (2), pp. 41-75.

- Lambourne, W. (2009) "Transitional Justice and Peacebuilding after Mass Violence" *International Journal of Transitional Justice* 3 (1), pp. 28-48.

- Lash, S. M. and Featherstone, M. (2002) *Recognition and Difference: Politics, Identity, Multiculture*, Sage Publications Ltd: London.

- Laul, R. (2013) "The War May Be Over But The Idea Lives On" *Tehelka* 17 (10).

- Law and Society Trust (2010) "Sri Lanka: State of Human Rights 2009-2010", Colombo.

- Law Library of Congress (2014) "Sri Lanka: Amendment Planned for NGO Funding Rules", *Global Legal Monitor*. Available at: http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403953_text [Accessed 24 June 2014].

- Lawrence, P. (2000) "Violence, Suffering, Amman: The Work of Oracles in Sri Lanka's Eastern War Zone" in Das, V., Kleinman, A., Ramphele, M. and Reynolds, P. (eds.) (2000) *Violence and Subjectivity*, University of California Press: Berkeley, pp. 171-204.

  --- (2000a) "Kāli in a Context of Terror: The Tasks of a Goddess in Sri Lanka's Civil War" in Fell McDermott, R. and Kripal, J. J. (2000) Encountering Kālī: In the Margins, at the Centre, in the West Motilal Banarsidass: Delhi, pp. 100-123.

- Lederach, J. P. (1997) *Building Peace: Sustainable Reconciliation in Divided Societies*, United States Institute of Peace Press: Washington D.C.

- Lee, J. (2009) "Sri Lanka taps Qorvis", *PR Week*, 10 December. Available at: http://www.prweekus.com/article/sri-lanka-taps-qorvis/1269298 [Accessed 24 June 2014].

- Lemay-Hébert, N. (2009) "State-building without nation-building? Legitimacy, State Failure and the Limits of the Institutionalist Approach" *Journal of Intervention and Statebuilding* 3 (1), pp. 21-45.

- Lessons Learnt and Reconciliation Commission (LLRC) (2011) "Report of the Commission of Inquiry on Lessons Learnt and Reconciliation", November. Available at: http://www.presidentsoffice.gov.lk/index.php?option=com_content&view=article&id=54:llrc-report&catid=53&Itemid=290 [Accessed 27 June 2014].

- Lessons Learnt and Reconciliation Commission Archive, Notes from LLRC Submissions, Vavuniya. Available at: http://groundviews.org/llrc-media-coverage-and-submissions/ [Accessed 27 June 2014].

- Levi, P. (1989) *The Drowned and the Saved* (trans. Raymond Rosenthal), Random House: New York.

- Lewis, B. (2011) "U.N. pressures Sri Lanka over alleged war atrocities" *Reuters*, 31 May. Available at: http://in.reuters.com/article/2011/05/31/idINIndia-57403020110531 [Accessed 20 June 2014].

- Lewis, D. (2010) "The failure of a liberal peace: Sri Lanka's counter-insurgency in global perspective" *Conflict, Security & Development* 10 (5), pp. 647-671.

- Lindberg, J. and Orjuela, C. (2011) "Corruption and conflict: connections and consequences in war-torn Sri Lanka" *Conflict, Security & Development* 11 (2), pp. 205-233.

- Lindsey, R. (2004) "Remembering Vukovar, forgetting Vukovar: constructing national identity through the memory of catastrophe" in Gray, P. and Oliver, K. (eds.) *The Memory of Catastrophe*, Manchester University Press: Manchester, pp. 190-204.

- Loader, I. and Sparks, R. (2010) *Public Criminology?* Routledge: Abingdon.

- Lopez, G. A. (1984) "A Scheme for the Analysis of Government as Terrorist" in Stohl, M. and Lopez, G. A. (1984) *The State as Terrorist: The Dynamics of Governmental Violence and Repression (Contributions in Political Science)*, Greenwood Press: Connecticut, pp. 59-81.

- Lundy, P. and McGovern, M. (2008) "Whose Justice? Rethinking Transitional Justice from the Bottom Up" *Journal of Law and Society* 35 (2), pp. 265–292.

- Marcelline, S. (2011) "Thimpu and the APC: The Making of a War Trap", International Centre for Ethnic Studies: Sri Lanka.

- Madlingozi, T. (2010) "On Transitional Justice Entrepreneurs and the Production of Victims" *Journal of Human Rights Practice* 2 (2) pp. 208–228.

- Mahanamahewa, P. (2013) quoted in *The Sunday Observer* (2013) "Pro-LTTE misinformation campaign cracked", 10 March. Available at:

http://www.sundayobserver.lk/2013/03/10/sec02.asp [Accessed 24 June 2014].

- *Mahinda Chinthana* (2005) "Victory for Sri Lanka, Presidential Election 2005". Available at: http://www.president.gov.lk/pdfs/MahindaChinthanaEnglish.pdf [Accessed 27 June 2014].

  --- (2010) "Sri Lanka: The Emerging Wonder of Asia", The Development Policy Framework, Government of Sri Lanka. Available at: http://www.treasury.gov.lk/publications/mahindaChintanaVision-2010full-eng.pdf [Accessed 27 June 2014].

- Mahindapala, H. L. D. (2010) "The genius of Mahinda Rajapaksa - The chosen one", *Ministry of Defence and Urban Development*, 30 December. Available at: http://www.defence.lk/new.asp?fname=20090523_04 [Accessed 6 April 2013].

- Mahindapala H. L. D. (2012) "Judging Sri Lanka through Western lenses", *Ministry of Defence and Urban Development,* 15 October. Available at: http://www.defence.lk/new.asp?fname=Judging_Sri_Lanka_through_Western_lenses_20121015_04 [Accessed 24 June 2014].

- **Majeed, I. (2012)** "28 Buddha statues erected along A-9 Highway since war ended in May 2009" *Transcurrents*, 19 February. Available at: http://transcurrents.com/news-views/archives/8355 [Accessed 24 June 2014].

- Malik, S. (2012) "Tamils deported to Sri Lanka being tortured, victim claims", *The Guardian*, 5 June. Available at: http://www.theguardian.com/uk/2012/jun/05/tamils-deported-sri-lanka-torture [Accessed 27 June 2014].

- Manimekalai, L. (2013) "White Van Stories: Sri Lanka's 'disappeared' - video" *Channel 4 News*, 14 November. Available at: http://www.channel4.com/news/white-van-stories-sri-lanka-disappeared-video [Accessed 24 November 2013].

- Manikkalingam, R. (2008) "Promoting Peace and Protecting Rights: How are Human Rights Good and Bad for Resolving Conflict?" *Essex Human Rights Review* 5 (1), pp. 1-12.

- Manogaran, C. (1987) *Ethnic Conflict and Reconciliation in Sri Lanka*, University of Hawaii Press: Honolulu.

  --- (1994) "Colonization as Politics: Political Use of Space in Sri Lanka's Ethnic Conflict" in Manogaran, C. and Pfaffenberger, B. (eds.) (1994) *The Sri Lankan Tamils: Ethnicity and Identity*, Westview Press: Boulder, CA., pp. 84-125.

- Manoharan, N. (2008) *Democratic dilemma. Ethnic violence and human rights in Sri Lanka*, Samskriti: New Delhi.

- May 17 Movement (2013) "4th Year Candle Light Vigil for Eelam Tamil Genocide and Ethnic Cleansing" 17 May. Available at: http://may17movement.com/index.php?option=com_content&view=article&id=31:4th-year-candle-light-vigil-for-eelam-tamil-genocide-and-ethnic-cleansing&catid=1:report [Accessed 24 June 2014].

- McCamant, J. (1984) "Governance without blood: social science's antiseptic view of rule; or, the neglect of political repression" in Stohl, M. and Lopez, G. A. (eds.) (1984) *The State as Terrorist*, Greenwood Press: Connecticut, pp. 11-42.

- McGinn, C. (2000) "Conflict Resolution and Transitional Justice in Sri Lanka: International Experiences and Applications" *Ethnic Studies Report* XVIII (2), International Centre for Ethnic Studies: Sri Lanka.

- McEvoy, K. (2007) "Beyond Legalism: Towards a Thicker Understanding of Transitional Justice" *Journal of Law and Society* 34 (4), pp. 411-440.

  --- (2012) "Locality and Legimacy in Transitional Justice" in Palmer, N., Clark, P., Granville, D., (eds.) *Critical Perspectives in Transitional Justice*, Intersentia: Antwerp, pp. 311-319.

- McEvoy, K. and McConnachie, K. (2013) "Victims and Transitional Justice: Voice, Agency and Blame" *Social & Legal Studies* 22, pp. 489-513.

- McEvoy, K. and McGregor, L. (eds.) (2008) *Transitional Justice from Below: Grassroots Activism and the Struggle for Change*, Hart Publishing: Oxford.

- McGregor, L. (2006) "Reconciliation: I Know It When I see It" *Contemporary Justice Review: Issues in Criminal, Social, and Restorative Justice* 9 (2), pp. 155-174.

- McRaith, C. (2012) "Arbitrary Detention in Sri Lanka: Internment, Rehabilitation, and Surrendees in the Prison System", *Groundviews,* 14 February. Available at: http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lankainternment-rehabilitation-and-surrenderees-in-the-prison-system/ [Accessed 27 February 2012].

- Mehta, R. K. (2010) *Lost Victory: The Rise & Fall of LTTE Supremo, V. Prabhakaran*, Pentagon Press: New Delhi.

- Memmi, A. (1965) *The Colonizer and the Colonized*, Orion Press: London.

- Mendlehoff, D. (2004) "Truth-Seeking, Truth-Telling and Postconflict Peacebuilding: Curb the Enthusiasm?" *International Studies Review* 6, pp. 335-380.

- Mickler, D. (2010) "Darfur's Dread: Contemporary State Terrorism in the Sudan" in Jackson, R., Murphy, E. and Poynting, S. (2010) *Contemporary State Terrorism: Theory and Practice*, Routledge: New York, pp. 28-47.

- Miliband, D. and Kouchner, B. (2011) "The Silence of Sri Lanka", *New York Times Opinion,* 20 June. Available at: http://www.nytimes.com/2011/06/21/opinion/21iht-edmiliband21.html?_r=0 [Accessed 24 June 2014].

- Miller, P. (2013) "A Slap on the Wrist: Sri Lanka at the UN Human Rights Council" *OpenDemocracy*, 14 March. Available at: http://www.opendemocracy.net/opensecurity/phil-miller/slap-on-wrist-sri-lanka-at-un-human-rights-council [Accessed 24 June 2014].

- Ministry for Rehabilitation and Prison Reforms (2012) "Rehabilitated LTTE cadres join the Civil Defence Force", 1 October. Available at: http://www.reprimin.gov.lk/index.php/news/175-rehabilitated-ltte-cadres-join-the-civil-defence-force [Accessed 24 June 2014].

- Ministry of Defence and Urban Development (2008) "Sacred Tears in Anuradhapura Sri Maha Bodhi Remembered" 14 May. Available at: http://www.defence.lk/new.asp?fname=20080514_04 [Accessed 26 May 2014].

--- (2009) "World's largest hostage rescue mission becomes success", 20 April. Available at: http://www.defence.lk/hm/hm.asp [Accessed 5 April 2013].

--- (2009a) "LTTE defeated; Sri Lanka liberated from terror", 19 May. Available at: http://www.defence.lk/new.asp?fname=20090518_10 [Accessed 24 June 2014].

--- (2009c) "Prabhakaran's body found - Army Chief [Updated]", 19 May. Available at: http://www.defence.lk/new.asp?fname=20090519_03 [Accessed 27 June 2014].

--- (2010) "Service Commanders tell Lessons Learnt and Reconciliation Commission: Forces maintained zero civilian casualty rate at all times", 30 December. Available at: http://www.defence.lk/new.asp?fname=20100912_01 [Accessed 5 April 2013].

--- (2011) "Half of Ex LTTE Cadres Left Custody --- Rehabilitation Commissioner", 4 January. Available at: http://www.defence.lk/new.asp?fname=20110104_07 [Accessed 24 June 2014].

--- (2011a) "'We conducted a Humanitarian Operation, with zero civilian casualties' – President", 11 January. Available at: http://www.defence.lk/new.asp?fname=20110111_01 [Accessed 24 June 2014].

--- (2011b) "Lies Agreed Upon" [Video], 1 August. Available at: http://www.defence.lk/new.asp?fname=20110801_LAUvdo [Accessed 24 June 2014].

--- (2012) 27th remembrance of the Sri Maha Bodhi massacre by LTTE, 14 May. Available at: http://www.defence.lk/new.asp?fname=27_th_remembrance_of_sri_maha_bodhi_massacre_20120514_05 [Accessed 24 June 2014].

--- (2013) "Sri Lanka celebrates fourth Victory Day", 19 May. Available at: http://www.defence.lk/new.asp?fname=Sri_Lanka_celebrates_fourth_Victory_Day_20130519 [Accessed 24 June 2014].

--- (2013a) Socialisation of Suicide Cadres", 29 August. Available at: http://www.defence.lk/new.asp?fname=Socialisation_of_suicide_cadres_20130829_02 [Accessed 24 June 2014].

--- (2013b) "Ranaviru Seva Authority: Adding strength to the War Heroes", 4 November. Available at: http://www.defence.lk/new.asp?fname=Ranaviru_Seva_Authority_Adding_strength_to_the_War_Heroes_20131104_03 [Accessed 27 June 2014].

- Ministry of Education (2004) *The Development of Education National Report*, Sri Lanka, August. Available at: http://www.ibe.unesco.org/National_Reports/ICE_2004/srilanka.pdf [Accessed 24 June 2014].

- Ministry of External Affairs (MEA) (2007) "LTTE's terrorist activity has transgressed our national sovereignty - Foreign Minister Bogollagama" *News Archive*, 8 March. Available at: http://www.mea.gov.lk/index.php/en/media/news-archive/321-lttes-terrorist-activity-has-transgressed-our-national-sovereignty-foreign-minister-bogollagama [Accessed 24 June 2014].

- Minority Rights Group (MRG) (2011) *No War, no Peace: The Denial of Minority Rights and Justice in Sri Lanka*, 19 January. Available at: http://www.minorityrights.org/10458/reports/no-war-no-peace-the-denial-of-minority-rights-and-justice-in-sri-lanka.html [Accessed 24 June 2014].

- Minow, M. (1999) *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, Beacon Press: Boston.

- Mohr, R. (2003) "Law and Identity in Spatial Contests" *National Identities* 5 (1), pp. 53-66.

- Moon, C. (2006) "Narrating Political Reconciliation: Truth and Reconciliation in South Africa" *Social and Legal Studies* 15 (2), pp. 257-275.

- Moonesighe, G. (ed.) *Nation Building: Priorities for Sustainability and Inclusivity*, Shramaya: Sri Lanka.

- Moore, M. (1993) "Thoroughly Modern Revolutionaries: The JVP in Sri Lanka" *Modern Asian Studies* 27 (3), pp. 593-642.

- Mouffe, C. (1979) "Hegemony and ideology in Gramsci" in Mouffe, C. (ed.) (1979) *Gramsci and Marxist Theory*, Routledge and Kegan Paul: London, pp. 168-204.

- Mullin, C. (2014) "Tunisia's Revolution and the Domestic-International Nexus" in Sadiki, L. (ed.) (2014) *Routledge Handbook of the Arab Spring: Rethinking Democratization,* Routledge: Abingdon.

- Murphy, T. and Whitty, N. (2013) "Making History: Academic Criminology and Human Rights" *British Journal of Criminology* 53, pp. 568 - 587.

- Nadarajah, S. (2005) "Sri Lanka's Vernacular Press and the Peace Process" The Asia Foundation: Colombo.

- Nadarajah, S. and Sriskandarajah, D. (2005) "Liberation struggle or terrorism? The politics of naming the LTTE" T*hird World Quarterly* 26(1), pp. 87-100.

- Nadarajah, S. and Sentas, V. (2013) 'The Politics of State Crime and Resistance - Self-determination in Sri Lanka" in Stanley, E. and McCulloch, J. (eds.) (2013) *State Crime and Resistance,* Routledge: Abingdon, pp. 68-83.

- Nagy, R. (2008) "Transitional Justice as Global Project: Critical Reflections" *Third World Quarterly* 29 (2), pp. 275-289.

- Nairn, T. (1981 [1977]) *The Break-up of Britain*, Verso Books: London.

- Natali, C. (2008) "Building Cemeteries, Constructing Identities: Funerary Practices and Nationalist Discourse Among the Tamil Tigers of Sri Lanka" *Contemporary South Asia* 16 (3), pp. 287-301.

- National Action Plan for the Implementation of LLRC Recommendations (NPA), Available at: http://llrcaction.gov.lk/en [Accessed 27 June 2014].

- National Peace Council (2012) "Deal with the Past Constructively", 7 December. Available at: http://www.lankastandard.com/2012/12/deal-with-the-past-constructively/ [Accessed 27 June 2014].

  --- (2013) "Violent prevention of public protest violates government's commitment to basic rights", 18 December. Email circular.

  --- (2013a) "Media Release: Truth and Reconciliation without Whitewash: The Message of Nelson Mandela to Sri Lankans", *Sri Lanka Guardian*, 7 December. Available at: http://www.srilankaguardian.org/2013/12/truth-and-reconciliation-without.html [Accessed 27 June 2014].

- Nesan, K. (2006) "European Union ban on LTTE heightens danger of war in Sri Lanka" *World Socialist Web Site*, 2 June. Available at: https://www.wsws.org/en/articles/2006/06/sril-j02.html [Accessed 24 June 2014].

- Nesiah, V. (2003) "Monumental History and the Politics of Memory: Public Space and the Jaffna Public Library", *Lines Magazine*, February.

--- (2005) "Coming to Terms with Irreconcilable Truths", in Skaar, E., Gloppen, S. and Suhrke, A. (eds.) (2005) *Roads to Reconciliation*, Lexington Books: Oxford, pp. 271-286.

--- (2009) "Unpacking the Truth in Sri Lanka", *Sunday Island*, 16 August. Available at: http://www.island.lk/2009/08/16/features5.html [Accessed 24 June 2014].

- Networking for Rights in Sri Lanka (NfR), INFORM Human Rights Documentation Centre, Sri Lanka, Free Media Movement, Sri Lanka (FMM) (2012) "NGO Submission - Universal Periodic Review - second cycle on Sri Lanka (14th UPR Working Group – Oct / Nov. 2012), 23 April 23. Available at: https://nfrsrilanka.files.wordpress.com/2012/06/nfr-sri-lanka-joint-upr-submission-sri-lanka-nov-2012-defenders-freedom-of-assembly-freedom-of-association-and-dissent.pdf [Accessed 24 June 2014].

- Newman, M. and Wright, O. (2011) "We wrote Sri Lankan President's civil war speech, say lobbyists", *The Independent*, 6 December. Available at: http://www.independent.co.uk/news/world/asia/we-wrote-sri-lankan-presidents-civil-war-speech-say-lobbyists-6272765.html [Accessed 27 June 2014].

- Nissan, E. (1989) "History in the Making: Anuradhapura and the Sinhala Buddhist Nation" *Social Analysis* 25 (1), pp. 64-77.

- Nonis, Chris (2012) "A diplomat's view: Sri Lankan High Commissioner to the UK" in The Report Company (2012) "Sri Lanka: Asia's New Wonder?" *The Guardian Supplement*, 6 June.

- Nora, P. (1989) "Between Memory and History: Les Lieux des Memoires", *Representations* 26, pp. 7-24.

- Novick, P. (1988) *That Noble Dream: The 'Objectivity Question' and the American Historical Profession (Ideas in Context)*, Cambridge University Press: Cambridge.

- Oberoi, V. (2010), quoted in Paranamanna, S. (2010) "Ex-LTTE cadres unite in wedlock at mass marriage ceremony", *Transcurrents*, 20 June. Available at: http://transcurrents.com/tc/2010/06/exltte_cadres_unite_in_wedlock.html [Accessed 25 June 2014].

- Oberst, R. C. (1992) "A War Without Winners in Sri Lanka" *Current History: A World Affairs Journal*, pp. 128-131.

- Obeysekere, G. (1992) "Myth and Political Legitimization at the Sacred Centre in Kataragama, Sri Lanka" in Bakker, H. (ed.) (1992) *The Sacred Centre as the Focus of Political Interest,* Egbert Forsten: Groningen.

- Office of the United Nations High Commissioner for Human Rights (OHCHR) (2008) "Rule-of Law Tools for Post-Conflict States: Reparations programmes" United Nations: New York and Geneva. Available at: http://www.ohchr.org/Documents/Publications/ReparationsProgrammes.pdf [Accessed 24 June 2014].

  --- (2009) "Human Right Council adopts Resolution on Assistance to Sri Lanka in the Promotion and Protection of Human Rights", News, 27 May. Available at: http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=9105&LangID=E [Accessed 24 June 2014].

  --- (2013) "Report of the Office of the United Nations High Commissioner for Human Rights on advice and technical assistance for the Government of Sri Lanka on promoting reconciliation and accountability in Sri Lanka", Human Rights Council, Twenty-second session, 11 February. Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-38_en.pdf [Accessed 27 June 2014].

- Olick, J. (2003) *States of Memory: Continuities, Conflicts and Transformations in National Retrospection*, Duke University Press: Durham NC.

- Olick, J. and Robbins, J. (1998) "Social Memory Studies: From 'Collective Memory' to the Historical Sociology of Mnemonic Practices" *Annual Review of Sociology* 24, pp. 105-140.

- Ondaatje, M. (2000) *Anil's Ghost*, Vintage books: London.

- Osiel, M. (1997) *Mass Atrocity, Collective Memory and the Law*, Transaction Publishers: New Jersey.

- Ó Tuathail, G. (1996) *Critical Geopolitics: The Politics of Writing Global Space,* University of Minnesota Press: Minneapolis, MN.

- Ó Tuathail, G. and Agnew, J. (1992) "Geopolitics and Discourse: Practical Geopolitical Reasoning in American Foreign Policy" *Political Geography* 11 (2), pp. 190–204.

- *One Sri Lanka* (2011) "Beyond Prejudice: Sri Lanka's Unique Rehabilitation Process" 11 November. [Website disabled, republished at: http://reconciliationyouthforum.org/category/former-combatants/ - link broken].

- Pallmeyer-Nelson, J. (1992) *Brave New World Order*, Orbis Books: New York.

- Pankhurst, D. (1999) "Issues of justice and reconciliation in complex political emergencies: conceptualising reconciliation, justice and peace" *Third World Quarterly* 20 (1), pp. 239-256.

- Paranamana, L. (2010) "Wimal claims cops bribed", *Daily Mirror*, 7 July. Available at: http://www.dailymirror.lk/news/4894-wimal-claims-cops-bribed.html [Accessed 25 June 2014].

- Paranamanna, S. (2010) "Ex-LTTE cadres unite in wedlock at mass marriage ceremony", *Transcurrents*, 20 June. Available at: http://transcurrents.com/tc/2010/06/exltte_cadres_unite_in_wedlock.html [Accessed 25 June 2014].

- Pardini, N. (2013) "The Bullish Case for Sri Lanka" *Emerging Market Insider*, 1 May. Available at: http://www.dailymirror.lk/business/features/31466-the-bullish-case-for-sri-lanka.html [Accessed 25 June 2014 - republished].

- Passaperuma, B. (2013) quoted in Kannangara, N. and Wickrematunge, R. (2013) "Systematic Sinhalisation In The North?" *The Sunday Leader*, 13 June. Available at: http://www.thesundayleader.lk/2013/04/28/systematic-sinhalisation-in-the-north/ [Accessed 24 June 2014].

- Patel, I. (2012) "The Role of Testimony and Testimonial Analysis in Human Rights Advocacy and Research" *State Crime* 1 (2), pp. 235-265.

- Pathirana, S. (2010) "Sri Lanka 'pays PR firm £3m to boost post-war image'", *BBC Sinhala*, 22 October. Available at: http://www.bbc.co.uk/news/world-south-asia-11606899 [Accessed 19 June 2014].

- Pathmanathan, S. (2009), quoted in *The Economic Times* (2009) "Tamil Tigers official repeats claim Prabhakaran still alive: Tamilnet", 22 May. Available at: http://articles.economictimes.indiatimes.com/2009-05-22/news/28415943_1_global-tamil-community-tamil-tigers-pottu-amman [Accessed 27 June 2014].

- Patranobis, S. (2009) "Prabhakaran cremated", *Hindustan Times*, 23 May. Available at: http://www.hindustantimes.com/world-news/prabhakaran-cremated/article1-413914.aspx [Accessed 25 June 2014].

- Peace and Conflict Timeline (PACT) (2013). Available at: www.pact.lk/24-july-1983/ [Accessed 5 April 2013].

- *PeaceBuilder* (2012) "Sri Lanka Rotarian Heads Reconciliation Efforts" Eastern Mennonite University's Center for Justice and Peacebuilding (CJP), 10 May. Available at: http://emu.edu/now/peacebuilder/2012/05/sri-lankan-rotarian-heads-reconciliation-efforts [Accessed 25 June 2014].

- Peiris, G. L. (2011) "Speech made by Honourable Minister of External Affairs, Prof. G. L. Peiris", Inaugural National Conference on Reconciliation, 24 November.

  --- (2013), quoted in Patranobis, S. (2013) "No militarisation in North Lanka, reconciliation in progress", *Hindustan Times*, 29 May. Available at: http://www.hindustantimes.com/world-news/China/No-militarisation-in-North-Lanka-reconciliation-in-progress/Article1-1067775.aspx [Accessed 25 June 2014].

- Pennebaker, J. W., Páez, D., Rimé, B. (eds.) (1997) *Collective Memory of Political Events: Social Psychological Perspectives*, Erlbaum Publishers: Mahwah, NJ.

- Pennebaker, J. W. and Banasik, B. L. (1997) "On the Creation and

maintenance of Collective Memories: History as Social Psychology" in Pennebaker, J. W., Páez, D., Rimé, B. (eds.) (1997) *Collective Memory of Political Events: Social Psychological Perspectives*, Erlbaum Publishers: Mahwah, NJ, pp. 3-19.

- Perera, J. (2011) "TNA report to Parliament exposes negative peace", *The Island*, 31 October. Available at: http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=38085 [Accessed 25 June 2014].

  --- (2012) "LLRC Action Plan And Taking LLRC Report Seriously", *Colombo Telegraph*, 30 July. Available at: https://www.colombotelegraph.com/index.php/llrc-action-plan-and-taking-llrc-report-seriously/ [Accessed 27 June 2014].

  --- (2013a) "Strategic Acts Of Goodwill That Can Sustain Budding Relations", *The Sunday Leader*, 27 October. Available at: http://www.thesundayleader.lk/2013/10/27/strategic-acts-of-goodwill-that-can-sustain-budding-relations/ [Accessed 25 June 2014].

  --- (2014) "'LLRC Plus' only viable option to overcome mounting international pressure", *The Island*, 10 February. Available at: http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=97641 [Accessed 25 June 2014].

- Perera, S. (1999) "Non Government Organizations in Sri Lanka: The Dynamics, the Impact, the Rhetoric and the Politics" (Paper presented at the Ecumenical Institute for Study and Dialogue, Colombo on 28 March 1998) in Peries, A. (ed.) (1998 and 1999) *Dialogue* 25 (double issue), Ecumenical Institute for Study and Dialogue: Colombo.

  --- (2004) *Living With Torturers, and Other Essays of Intervention: Sri Lankan Society, Culture and Politics in Perspective* (4th edition), International Centre for Ethnic Studies: Colombo.

  --- (2010) "Remembering and Contested Patriotism: Embodied Practices of the Sri Lankan Nation-state" in Thapan, M. (ed.) (2010) *Contested Spaces: Citizenship and Belonging in Contemporary Times*, Orient Black Swan: India, pp. 21-46.

- Perera, V. (2012) "Vaporizing the opponent: Lessons from War Graves", *Journalists for Democracy Sri Lanka*, 2 July. Available at: http://www.jdslanka.org/index.php/2012-01-30-09-31-17/human-rights/122-lessons-from-war-graves [Accessed 27 June 2014].

- Permanent Peoples' Tribunal on Sri Lanka (PPT) (2010) Tribunal on Sri Lanka, 14-16 January. Available at: http://www.ifpsl.org/images/files/peoples_tribunal_on_srilanka.pdf [Accessed 27 June 2014].

  --- (2013) Session II, 7-10 December, Bremen, Germany, Permanent Peoples' Tribunal and The International Human Rights Association. Available at: http://ptsrilanka.org/images/documents/ppt_final_report_web_en.pdf [Accessed 25 June 2014].

- Phelps, T. G. (2004) *Shattered Voices: Language, Violence and the Work of Truth Commissions*, University of Pennsylvania Press: Philadelphia.

- Peris, V. (2001) "Two Decades After the Burning Down of the Jaffna Library in Sri Lanka", *World Socialist Web Site*, 30 May. Available at: http://www.wsws.org/en/articles/2001/05/sri-m30.html [Accessed 25 June 2014].

- Philipson, L. (2011) "Whose War? Whose Peace?" in Goodhand, J., Korf, B. and Spencer, J. (eds.) (2011) *Conflict and Peacebuilding in Sri Lanka: Caught in the Peace Trap?* Routledge: Abingdon, pp. 106-118.

- Philipson, L. and Thangarajah, Y. (2005) "The Politics of the North-East": Part of the Sri Lanka Strategic Conflict Assessment 2000–2005, The Asia Foundation: Colombo.

- Philp, C. (2009) "The Hidden Massacre: Sri Lanka's Final Offensive Against Tamil Tigers", *The Times,* 29 May. Available at: http://www.thetimes.co.uk/tto/news/world/asia/article2610488.ece [Accessed 24 June 2014].

- Pillay, N. (2013) "Full Speech: UN High Commissioner For Human Rights Navi Pillay At The Press Conference On Her Mission To Sri Lanka", *Colombo Telegraph*, 31 August. Available at:

https://www.colombotelegraph.com/index.php/full-speech-un-high-commissioner-for-human-rights-navi-pillay-at-the-press-conference-on-her-mission-to-sri-lanka/ [Accessed 25 June 2014].

--- (2013a), quoted in Rutnam, E. (2013) “Pillay Pessimistic after Visit”, *The Sunday Leader*, 1 September. Available at: http://www.thesundayleader.lk/2013/09/01/pillay-pessimistic-after-visit-exclusive/ [Accessed 25 June 2014].

- Pinto-Jayawardena, K. (2007) "A “Praxis” Perspective on Subverted Justice and the Breakdown of Rule of Law in Sri Lanka" in Joseph, J. (ed.) (2007) "Sri Lanka’s Dysfunctional Criminal Justice System", Asian Human Rights Commission: Hong Kong, pp. 36-62. Available at http://www.ahrchk.net/pub/pdf/Dysfunctional_AHRC.pdf [Accessed 25 June 2014].

  --- (2009) "The Rule of Law in Decline: Study on Prevalence, Determinants and Causes of Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment in Sri Lanka" The Rehabilitation and Research Centre for Torture Victims: Copenhagen. Available at: http://material.ahrchk.net/srilanka/AHRC-FST-024-2009-CIDTP.pdf [Accessed 25 June 2014].

  --- (2010) "Post-War Justice in Sri Lanka: The Rule of Law, The Criminal Justice System and Commission of Inquiry", Geneva and Bangkok, International Commission of Jurists. Available at http://www.icj.org/IMG/Sri_Lanka_COI_18.01.09-°©-2.pdf [Accessed 27 June 2014].

- Podder, S. (2006) "Challenges to Peace Negotiations: The Sri Lankan Experience" *Strategic Analysis* 30 (3), July - September.

- Pouligny, B., Chesterman, S. and Schnabel, A. (2007) "Picking up the Pieces" in Pouligny, B., Chesterman, S. and Schnabel, A. (2007) *After Mass Crime: Rebuilding States and Communities*, UN University: Tokyo, pp. 1-18.

- Prabhakaran, V. (1984) quoted in Pratap, A. (1984) “Interview with Velupillai Pirabakaran, leader of the Liberation Tigers for Tamil Eelam”, *Sunday Magazine*, India 11-17 March.

--- (2000-2008) Heroes' Day speeches, 27 November. Available at: http://www.tamilnet.com/art.html?catid=13&artid=27599 [Accessed 27 June 2014].

- Pratap, A. (1984) "Interview with Velupillai Pirabakaran, leader of the Liberation Tigers for Tamil Eelam," *Sunday Magazine*, India 11-17 March.

- Premachandran, S. (2013) quoted in "TNA Unsure About Lankan President's Call for Dialogue, *Outlook*, 25 December. Available at: http://www.outlookindia.com/news/article/TNA-Unsure-About-Lankan-Presidents-Call-for-Dialogue/822333 [Accessed 30 May 2014].

- Primoratz, I. (2005) "State Terrorism and Counterterrorism" in G. Meggle (ed.) (2005) *Ethics of Terrorism and Counter-Terrorism*, Ontos Verlag: Frankfurt, pp. 69–82.

- Project on Government Oversight (POGO) (2010) "Sri Lanka Qorvis Communications, LLC Government of Sri Lanka", 5 April. Available at: http://www.pogo.org/tools-and-data/foreign-influence-database/data/254696-sri-lanka-qorvis-communications-llc-government.html [Accessed 27 June 2014].

- Qorvis (/MSLGroup) (2014) "Post-war Narrative: Republic of Sri Lanka". Available at: http://qorvis.com/work/post-war-narrative [Accessed 27 June 2014].

- Radhakrishnan, T. (2010) "A Cultural Analysis of the Ethno-Political Conflict in Sri Lanka" *Maritime Affairs* 6 (2), pp. 90-107.

- Raghavan, S. (2013) "(Re)Designing Democracy with Sinhala Buddhism" *Journal of the Oxford Centre for Buddhist Studies* 4, pp. 88-104.

--- (2013a) "Bodu Bala Senā and Buddhism's militant face in Sri Lanka", *Groundviews*, 15 January. Available at: http://groundviews.org/2013/01/15/bodu-bala-sena-and-buddhisms-militant-face-in-sri-lanka/ [Accessed 27 June 2014].

- Rahula, W. (1974) *The Heritage of the Bhikkhu* (trans. Edmund F. Perry) Grove/Atlantic: New York.

- Rajagopal, B. (2003) *International Law from Below: Development, Social Movements and Third World Resistance*, Cambridge University Press: Cambridge.

- Rajapaksa, G. (2009) "Defence Secretary Gotabaya Rajapaksa Salutes the War Heroes", *Business Today*, June. Available at: http://www.businesstoday.lk/cover_page.php?issue=211 [Accessed 27 June 2014].

  --- (2010) "Transcript- Gotabaya Rajapaksa", LLRC Archives: Unofficial archives of the Sri Lanka Lessons Learnt & Reconciliation Commission, 17 August. Available at: http://llrclk.wordpress.com/2010/08/17/gotabaya-rajapaksa/ [Accessed 27 June 2014].

  --- (2011) Keynote Speech, "Defeating Terrorism-The Sri Lankan Experience" Conference, 31 May. Available at: http://www.army.lk/detailed.php?NewsId=3363 [Accessed 25 June 2014].

  --- (2011a) "Secretary Defence Mr. Gotabaya Rajapaksa at the release of the report, "*Humanitarian Operation: Factual Analysis*" on 01st August, 2011 at Hilton - Colombo." Available at: http://www.defence.lk/new.asp?fname=20110801_04 [Accessed 25 June 2014].

  --- (2012), quoted in Ferdinando, S. (2012) "Repeal 13A without delay says Gotabhaya: 'Separatist sentiment still strong'", 13 October. Available at: http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=63716 [Accessed 25 June 2014].

  --- (2013) "I deplore any form of extremism" *Daily Mirror,* Interview by Hafeel Farisz, 4 July. Available at: http://www.dailymirror.lk/opinion/172-opinion/31838-i-deplore-any-form-of-extremism.html [Accessed 25 June 2014].

  --- (2013a), quoted in *The Hindu* (2013) "Gotabhaya Rajapaksa criticises Navi Pillay visit", 3 September. Available at: http://www.thehindu.com/news/international/south-asia/gotabhaya-rajapaksa-criticises-navi-pillay-visit/article5089460.ece [Accessed 25 June 2014].

- Rajapaksa, M. (2007) "Address by President Mahinda Rajapaksa at the "Neganahira Navodaya" – New Dawn in the East - celebration at

Independence Square, Colombo", 19 July. Available at: http://www.island.lk/2007/07/20/features2.html

--- (2009) Address at the ceremonial opening of Parliament, Sri Jayawardhanapura - Kotte, May 19. Available at: http://www.defence.lk/new.asp?fname=20090519_04 [Accessed 29 June 2014].

--- (2009a) quoted in Wax, E. (2009) " Sri Lanka Gives Rebels 24 Hours to Surrender After Civilians Escape War Zone", *The Washington Post*, 21 April. Available at: http://www.washingtonpost.com/wp-dyn/content/article/2009/04/20/AR2009042003231.html [Accessed 29 June 2014].

--- (2012) "Rural people should be given the results of giant development works - President", 4 February. Available at: http://www.defence.lk/new.asp?fname=20120204_02 [Accessed 27 June 2014].

--- (2013) "'People of my country should have the right to live freely,' - A clarion Call by President Mahinda Rajapaksa", *Asian Tribune*, 4 February. Available at: http://www.asiantribune.com/node/61473 [Accessed 25 June 2014].

--- (2013a), quoted in *Al-Jazeera* (2013) "Mahinda Rajapaksa: This is all propaganda", Talk to Al-Jazeera, 28 September. Available at: http://www.aljazeera.com/programmes/talktojazeera/2013/09/mahinda-rajapaksa-this-all-propaganda-201392716130376448.html

- Rajanayagam, D-H. (1994) "Tamils and the Meaning of History" in Manogaran, C. and Pfaffenberger, B. (eds.) (1994) *The Sri Lankan Tamils: Ethnicity and Identity,* Westview Press: Boulder, pp. 54-83.

- Rajasingham-Senanyake, D. (1999) "The Dangers of Devolution: The Hidden Economies of the Armed Conflict" in Rotberg, R. I. (1999) *Creating Peace in Sri Lanka: Civil War and Reconciliation*, Brookings Institute Press: Washington DC, p. 57-69.

--- (2002), quoted from an interview in Bloom, M (2003) "Ethnic conflict, state terror and suicide bombing in Sri Lanka" *Civil Wars* 6 (1), pp. 69.

--- (2009) "Buddhism and the Legitimation of Power: Democracy, Public Religion and Minorities in Sri Lanka" *Institute of South Asian Studies Working Paper,* National University of Singapore: Singapore.

--- (2009a) “From National Security to Human Security: The Challenge of Winning Peace in Sri Lanka” *Strategic Analysis* 33 (6), pp. 820-827.

--- (2010) "One Year After Terrorism: Sri Lanka Needs to Demilitarise Reconstruction and Development for Sustainable Peace" *Strategic Analysis* 34 (5), pp. 690-696.

- Rajasingham, K. T. (2010) "Minister Wimal Weerawansa to start fast unto death from today in front of the UN Complex", *Asian Tribune*, 8 July. Available at: http://www.asiantribune.com/news/2010/07/08/minister-wimal-weerawansa-start-fast-unto-death-today-front-un-complex [Accessed 25 June 2014].

- Rampton, D. (2007) "Setting the Scene: Humanitarian Crisis and the Undeclared War" presented at *Seminar on Humanitarian Action and the Undeclared War in Sri Lanka*: Geneva, Switzerland, 22 September.

--- (2011) "'Deeper hegemony': the politics of Sinhala nationalist authenticity and the failures of power-sharing in Sri Lanka" *Commonwealth & Comparative Politics* 49 (2), pp. 245–273.

- Ranasinghe, S. (2010), quoted in Haviland, C. (2010) "Sri Lanka mass wedding for former Tamil rebels", *BBC News*, 14 June. Available at: http://www.bbc.co.uk/news/10308540 [Accessed 25 June 2014].

- Ranjith Perera, J. P. (2011) *Winning an Unwinnable War: A Tribute to our War Heroes*, Sarasavi Publishers: Nugegoda.

- Rasaratnam, M. (2006) "Re-envisioning Sri Lanka's Ethno-nationalism" in Centre for Just Peace and Development (2006) *Envisioning New Trajectories for Peace in Sri Lanka,* CJPD: Luzon, Switzerland.

- Ratnayake, D. (2010), quoted in Paranamanna, S. (2010) “Ex-LTTE cadres unite in wedlock at mass marriage ceremony”, *Transcurrents*, 20 June. Available at: http://transcurrents.com/tc/2010/06/exltte_cadres_unite_in_wedlock.html [Accessed 25 June 2014].

- Razack, S. H. (2007) "Stealing the Pain of Others: Reflections on Canadian Humanitarian Responses" *Review of Education, Pedagogy, and Cultural Studies* 29 (4), pp. 375-394.

- Rear, D. (2013) "Laclau and Mouffe's Discourse Theory and Fairclough's Critical Discourse Analysis: An Introduction and Comparison", Shibauru Institute of Technology. Available at: https://www.academia.edu/2912341/Laclau_and_Mouffes_Discourse_Theory_and_Faircloughs_Critical_Discourse_Analysis_An_Introduction_and_Comparison [Accessed 25 June 2015].

- Reddy, B. M. (2008) "Revolt in the JVP", *The Hindu,* April [undated]. Available at: http://www.hindu.com/thehindu/thscrip/print.pl?file=20080509250905400.htm&date=fl2509/&prd=fline& [Accessed 24 June 2014].

  --- (2009) "Final Hours", *Frontline* 26 (12), 6 - 9 June. Available at: http://www.frontline.in/static/html/fl2612/stories/20090619261200900.htm [Accessed 24 June 2014].

- Redress (2001) "Torture Survivors' Perceptions of Reparation Redress". Available at: http://www.redress.org/downloads/publications/TSPR.pdf - Accessed 25 June 2014].

- Reporteurs Sans Frontier (2004) "Sri Lanka Annual Report" RSF: Paris.

- *Republic Square* (2013) "Hundreds protest against disappearances of two missing activists on World Human Rights Day", 11 December. Available at: http://www.therepublicsquare.com/politics/2013/12/11/hundreds-protest-against-disappearances-of-two-missing-activists-on-world-human-rights-day/ [Accessed 25 June 2014].

- *Reuters* (2013) "Sri Lanka rejects film on alleged war crimes shown at United Nations as 'orchestrated campaign'", *NDTV*, 2 March. Available at: http://www.ndtv.com/article/world/sri-lanka-rejects-film-on-alleged-war-crimes-shown-at-united-nations-as-orchestrated-campaign-337368 [Accessed 23 June 2014].

  --- (2013a) "Sri Lanka's Rajapaksa removes chief justice after impeachment", 13 January. Available at: http://in.reuters.com/article/2013/01/13/srilanka-impeachment-idINDEE90C05R20130113 [Accessed 20 January 2014].

- Richmond, O. P. (2002) "State of Sovereignty, Sovereign States, and ethnic claims for international status" *Review of International Studies* 28, pp. 381-402.

  --- (2004) "UN Peace Operations and the dilemmas of the peacekeeping consensus" *International Peacekeeping* 11 (1), pp. 83-101.

- Ricoeur, P. (2004) *Memory, History, Forgetting*, University of Chicago Press: Chicago.

- Robertson, G. QC. (2013) "Report on the Impeachment of Sri Lanka's Chief Justice", Human Rights Committee of the Bar of England and Wales. Available at: https://www.barhumanrights.org.uk/report-impeachment-sri-lanka%E2%80%99s-chief-justice-conducted-bhrc-geoffrey-robertson-qc [Accessed 23 April 2014].

- Robins, S. (2011) *Addressing the needs of families of the Missing: A test of contemporary approaches to transitional justice*, PhD Thesis, University of York: York.

- Roberts, M. 2008) "Tamil Tigers: Sacrificial symbolism and 'dead body politics'" *Anthropology Today* 24 (3), June.

  --- (2010) *Fire and Storm. Essays in Sri Lankan Politics*, Yapa: Colombo.

  --- (2012) "Sinhalaness and its Reproduction: 1232-1818" in Welikala, A. (ed.) (2012) *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice*, Centre for Policy Alternatives: Colombo.

  --- (2013) "Towards Citizenship In Thamilīlam: Sri Lanka's Tamil People Of The North, 1983 −2010" *South Asia Research* 33 (57), 57-75.

- Rogers, J. D. (1987) "Social Mobility, Popular Ideology, and Collective Violence in Modern Sri Lanka" *The Journal of Asian Studies* 46 (3), pp.

583-602.

- Rogers, J. D., Spencer, J. and Uyangoda, J. (1998) “Sri Lanka: Political violence and ethnic conflict” *American Psychologist* 53 (7), pp. 771–777.

- Roht-Arriaza, N. (2004) "Reparations in the Aftermath of Repression and Mass Violence" in Weinstein, H. M. and Stover, E. (2004) *My Neighbour, My Enemy: Justice and Community in the Aftermath of Mass Atrocity,* Cambridge University Press: Cambridge, pp. 121-140.

- Rotberg, R. I. (1999) *Creating Peace in Sri Lanka: Civil War and Reconciliation*, Brookings Institute Press: Washington DC.

- Roy, A. (2009) "Killings and Concentration Camps: A Colossal Humanitarian Tragedy is Underway in Sri Lanka and No One is Saying a Word" *Alternet*, Comment is Free, 1 April. Available at: http://www.alternet.org/story/134528/killings_and_concentration_camps%3A_a_colossal_humanitarian_tragedy_is_underway_in_sri_lanka_and_no_one_is_saying_a_word [Accessed 24 June 2014].

- Rubin, H. and Rubin, I. (1995) *Qualitative Interviewing: The Art of Hearing Data*, Sage Publications: Thousand Oaks.

- Rubli, S. (2012) "Transitional Justice:
Justice by Bureaucratic Means?" *Swisspeace Working Paper*: Bern.

- Rudrakumaran, V. (2012) "Mullivaikal has transformed the mode of our struggle - Prime Minister Rudrakumaran", Transnational Government of Tamil Eelam, Address on Third Anniversary of Mullivaikal, 19 May.

- Ruki (2009) "Three years after the war in Sri Lanka: To celebrate or mourn?" *Groundviews*, 19 May. Available at: http://groundviews.org/2012/05/19/three-years-after-the-war-in-sri-lanka-to-celebrate-or-mourn/ [Accessed 25 June 2014].

- Rushton, B. (2006) "Truth and reconciliation? The experience of Truth Commissions" *Australian Journal of International Affairs* 60 (1), pp., 125-141.

- Rutnam, E. (2012) "For Rehabilitated Cadres" *The Sunday Leader,* 5 February. Available at: http://www.thesundayleader.lk/2012/02/05/for-rehabilitated-cadres/ [Accessed 25 June 2014].

  --- (2013) "Pillay Pessimistic after Visit", *The Sunday Leader*, 1 September. Available at: http://www.thesundayleader.lk/2013/09/01/pillay-pessimistic-after-visit-exclusive/ [Accessed 25 June 2014].

- SAARC Charter (1985). Available at: http://www.saarc-sec.org/SAARC-Charter/5/ [Accessed 25 June 2014].

- Sabaratnam, T. (2010) "Sri Lankan Tamil Struggle", Ilankai Tamil Sangam. Available at: http://www.sangam.org/2010/08/Lanka_Struggle_2.php [Accessed 27 June 2014].

- Sahadevan, P. (2006) "Negotiating peace with the LTTE" in Sahadevan, P. and DeVotta, N. (2006) *Politics of Conflict and Peace in Sri Lanka*, Manak Publications: New Delhi, pp. 232-297.

- Samaranayake, G. (1991) "Ethnic conflict in Sri Lanka and prospects of management: An empirical inquiry" *Terrorism and Political Violence* 3 (2), pp. 75–87.

  --- (1997) "Political violence in Sri Lanka: A diagnostic approach" *Terrorism and Political Violence* 9 (2), pp. 99-119.

- Samarasinghe, M. (2012) Speech at the 19th Session of the UN Human Rights Council in Geneva, 27 February. Available at: http://www.europarl.europa.eu/meetdocs/2009_2014/documents/dsas/dv/speech_samarasing/speech_samarasinghe.pdf [Accessed 25 June 2014].

  --- (2009), quoted in "All civilians rescued without shedding a drop of blood", *The Times of India*, 18 May. Available at: http://articles.timesofindia.indiatimes.com/2009-05-18/south-asia/28195299_1_tamil-civilians-load-sri-lankan [Accessed 5 April 2013].

- Samarasinghe, S. W. R. A. (1984) "Sri Lanka in 1983: Ethnic Conflict and the Search for Solutions" *Asian Survey*, pp. 250–256.

- Sampanthan, R. (2008) quoted in Weiss, G. (2011) *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers*, The Bodley Head: London.

  --- (2013), quoted in "TNA ready for durable political solution: Sampanthan", *Sunday Times Online*, 27 April. Available at: http://www.sundaytimes.lk/latest/32987-tna-ready-for-durable-political-solution-sampanthan.html [Accessed 27 April 2013].

- Santhirasegaram, S. (2013) "Military and Poverty: A Critical Study in Sri Lanka" *Developing Country Studies* 3 (8), pp. 90-97.

- Saravanamuttu, P. (2013) "From Post-War to Post-Conflict: Reconciliation is pivotal", *The Daily Mirror*, 17 June. Available at: http://www.dailymirror.lk/opinion/172-opinion/31012-from-post-war-to-post-conflict-reconciliation-is-pivotal-.html Accessed 25 June 2014].

- Satkunanathan, A. (2012) "Whose Nation? Power, Agency, Gender and Tamil Nationalism" in Welikala, A. (ed.) (2012) *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice*, Centre for Policy Alternatives: Colombo, also available at: http://republicat40.org.

  --- (2013) "Militarisation as panacea: development and reconciliation in post-war Sri Lanka", *OpenDemocracy*, 19 March. Available at: http://www.opendemocracy.net/opensecurity/ambika-satkunanathan/militarisation-as-panacea-development-and-reconciliation-in-post-w [Accessed 25 June 2014].

  --- (2013a) "Sri Lanka remembers to forget", *OpenDemocracy*, 21 May. Available at: http://www.opendemocracy.net/opensecurity/ambika-satkunanathan/sri-lanka-remembers-to-forget [Accessed 24 June 2014].

- Scarry, E. (1985) *The Body in Pain: The Making and Unmaking of the World*, Oxford University Press: New York.

- Schachter, O. (1983) "Human Dignity as a Normative Concept" *The American Journal of International Law* 77 (4), pp. 848–854.

- Schalk, P. (1994) "Women Fighters of the Liberation Tigers in Tamil Ham: The Martial Feminism of Atel Palacinkam" *South Asia Research* 14 (2).

  --- (1997) "Resistance and Martyrdom in the Process of State-formation in Tamililam" in Pettigrew, J. (1997) *Martyrdom and Political Resistance*, V. U. Press: Amsterdam, pp. 61-84.

  --- (1997a) "Historisation of the martial ideology of the Liberation Tigers of Tamil Ealam (LTTE)" *Journal of South Asian Studies* 20 (2) pp. 35-72.

  --- (1997b) "The revival of martyr cults among Ilavar" *Temenos: Studies in Comparative Religion* 33, pp. 151-190. Available at: http://tamilnation.co/ideology/schalk01.htm [Accessed 25 June 2014].

  --- (2009) "Children in Sri Lanka's Concentration Camps" *Tamilnet*, 28 October

- Schauble, M. (2011) "How History Takes Place: Sacralized Landscapes in the Croatian-Bosnian Border Region" *History and Memory* 23 (1), pp. 23-61.

- Schirmer, J. (1998) *The Guatemalan Military Project: A Violence Called Democracy*, University of Pennsylvania Press: Philadelphia.

- Scraton, P. (2007) *Power, Conflict and Criminalisation*, Routledge: New York.

- Schramm, K. (2011) "Introduction: Landscapes of Violence: Memory and Sacred Space" *History and Memory* 23 (1), pp. 5-22.

- Schubert, A. (2013) "Victorious Victims: An Analysis of Sri Lanka's Post-War Reconciliation Discourse", International Centre for Ethnic Studies: Colombo.

- Selvakumar, S. (2013) "No Complaints Against Rehabilitated LTTE Cadres" Bureau of the Commissioner General of Rehabilitation, Sri Lanka, 19 May. Available at: http://www.bcgr.gov.lk/news.php?id=245 [Accessed 25 June 2014].

- Sen, A. (2009) *The Idea of Justice*, Allen Lane: London.

- Senaratne, L. B. (2005) "Mahinda-JHU deal sealed", *Daily Mirror e-Edition,* 14 September. Available at: http://archives.dailymirror.lk/2005/09/14/front/1.asp [Accessed 25 June 2014].

- Seneviratne, M. (2012) "The politics of commemoration", *The Nation,* 16 December. Available at: http://www.nation.lk/edition/fine/item/13530-the-politics-of-commemoration.html [Accessed 25 June 2014].

- Sentas, V. (2009) *Traces of Terror: Counter-Terrorism Law and Policing in Australia*" PhD Thesis, School of Political and Social Inquiry, Monash University.

  --- (2010) "The violence of 'terrorist organisation' bans" *Criminal Justice Matters* 82 (1), pp. 16-17.

- Seton-Watson, H. (1977) *Nations and States. An Enquiry into the Origins of Nations and the. Politics of Nationalism*, Westview Press: Boulder, CO.

- Shastri, A. (1990) "The material basis for separatism: The Tamil Eelam movement in Sri Lanka" *The Journal of Asian Studies* 49 (1), pp. 56 -77.

  --- (2004) "An open economy in a time of intense civil war: Sri Lanka, 1994–2000" in Winslow, D. and M. D. Woost (eds.) *Economy, culture, and civil war in Sri Lanka,* Indiana University Press: Bloomington, I.A., pp. 73–94.

- Shaw, R. and Waldorf, L. (eds.) (2010) *Localizing Transitional Justice: Interventions and Priorities after Mass Violence*, Stanford University Press: Stanford, CA.

- Singh, S. (2013) "Sri Lanka's Northern Provincial Council elections: reconciliation and reputation", *OpenDemocracy*, 21 August. Available at: http://www.opendemocracy.net/shweta-singh/sri-

lanka%E2%80%99s-northern-provincial-council-elections-reconciliation-and-reputation [Accessed 25 June 2014].

- Sirial, R. (2011) "Sri Lanka says U.N. war crimes report threatens peace efforts," *Reuters*, Colombo, 27 April. Available at: http://www.reuters.com/article/2011/04/27/columns-us-srilanka-un-idUSTRE73Q3JD20110427 [Accessed 25 June 2014].

- Siriam, C. L., King, J. C., Mertus, J. A., Martin-Ortega, O. and Herman, J. (eds.) (2009) *Surviving Field Research: Working in Violent and Difficult Situations*, Routledge: Abingdon.

- Sivachandran, S. (2012) (Head of the Centre for Women and Development, Jaffna), quoted in *IRIN News* (2012) "Sri Lanka's long road to reconciliation", 9 November. Available at: http://www.irinnews.org/report/96737/analysis-sri-lanka-s-long-road-to-reconciliation [Accessed 25 June 2014].

- Sivajilingam, M. K. (2012) quoted in *BBC Sinhala* (2012) Former Tigers 'threatened' in north, 23 January. Available at: http://www.bbc.co.uk/sinhala/news/story/2012/01/120123_ltte_threatened.shtml [Accessed 25 June 2014].

- Skaar, E., Gloppen, S. and Suhrke, A. (eds.) (2005) *Roads to Reconciliation*, Lexington Books: Oxford

- Sluka, J. A. (2000) *Death Squad: the Anthropology of State Terror*, University of Pennsylvania Press: Philadelphia.

- Smith, A. D. (1986) *The Ethnic Origin of Nations*, Blackwell Publishing: Oxford.

  --- (1991) *National Identity,* University of Nevada Press: Reno.

  ---- (1999) *Memories and Myths of the Nation*, Oxford University Press: Oxford.

- Smith, K. A. (2011) "The European Union and the Review of the Human Rights Council" European Parliament, Directorate-General for External Policies of the Union, Policy Department. Available at: http://personal.lse.ac.uk/SMITHKE/EU%20and%20HRC%20final%20published%20report.pdf [Accessed 25 June 2014].

- Somasundaram, D. (1998) *Scarred Minds: The Psychological Impact of War on Sri Lankan Tamils* (Illustrated edition), Sage Publications: New Delhi.

--- (2010) "Parallel Governments: Living Between Terror and Counter Terror in Northern Lanka (1982–2009)" *Journal of Asian and African Studies* 45 (5) pp. 568–58.

--- (2013) "Collective trauma in the Sri Lankan context" *Sri Lankan College of Psychiatrists, 10th annual academic session*, Colombo [Video]. Available at: https://www.youtube.com/watch?v=8S0aShG8Oac [Accessed 25 June 2014].

- Sontag, S. (2004) *Regarding the Pain of Others*, Penguin Books: London and New York.

- Spencer, J. (1990) *Sri Lanka: History and the Roots of Conflict*, Routledge: London.

--- (2000) "On Not Becoming a "Terrorist": Problems of Memory, Agency and Community in the Sri Lankan Conflict" in Das, V., Kleinman, A., Ramphele, M. and Reynolds, P. (eds.) (2000) *Violence and Subjectivity*, University of California Press: London, pp. 120- 140.

- Spencer, J., Handler, R., Kapferer, B., Khare, R. S., McGilvray, D. B., Obeyesekere, G., Segal, D. A. and Southwold, M. (1990) "Writing Within Anthropology: Nationalism and Culture in Sri Lanka" *Current Anthropology* 31 (3), pp. 283-300.

- Spivak, G. C. (1988) "Can the subaltern speak? Marxism and the interpretation of culture" in Nelson, C. and Grossberg, L. (eds.) *Marxism and the interpretation of culture*, Macmillan Education: Basingstoke, pp. 271–313.

- Sri Lanka Army (2013) "Tamil Woman Soldiers Pass Out in Glittering Ceremony", 20 December. Available at: http://www.army.lk/detailed.php?NewsId=7183 [Accessed 24 June 2014].

- Sri Lanka Campaign (2013) "What we do". Available at: http://www.srilankacampaign.org/whatwedo.htm [Accessed 27 June 2014].

  --- (2014) "Crimes Against Humanity in Sri Lanka's Northern Province: A legal analysis of post-war human rights violations", 4 March. Available at: http://www.srilankacampaign.org/welcome.htm [Accessed 27 June 2014].

- Sri Lanka Integrated Survey, World Bank (2000), quoted in Venugopal, R. (2011) "Military Fiscalism and the Politics of Market Reform at a Time Civil War", *Economic and Political Weekly* 46 (49), pp. 67-75.

- Sri Lanka Media Watch (2011) "Appalling Journalism: Jon Snow and Channel 4 News on Sri Lanka", November. Available at: http://www.defence.lk/news/pdf/Appalling%20Journalism.pdf [Accessed 27 June 2014].

- Sri Lankan Government (2012) "Responses to List of issues to be considered during the examination of Sri Lanka's 3rd and 4th combined periodic reports on the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment". Available at: http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.LKA.Q.3-4.Add.1_en.pdf [Accessed 24 June 2014].

- Stanley, E. (2007) "Towards a Criminology for Human Rights" in Barton, A., Corteen, K., Scott, D. and Whyte, D. (eds.) (2007) *Expanding the Criminological Imagination*, Willan: Cullompton, pp. 168-197.

- Stanley, E. and McCulloch, J. (2013) "Resistance to State Crime" in Stanley, E. and McCulloch, J. (eds.) (2013) *State Crime and Resistance*, Routledge: New York, pp. 1-13.

- Stokke, K. (1998) "Sinhalese and Tamil nationalism as post-colonial political projects from 'above': 1948–1983" *Political Geography* 17(1), pp. 83–113.

  --- (2006) "Building the Tamil Eelam State: emerging state institutions and forms of governance in LTTE-controlled areas in Sri Lanka" *Third World Quarterly* 27(6), pp. 1021-1040.

- Stokke, K. and Uyangoda, J. (eds) (2011) *Liberal Peace In Question: Politics of State and Market Reform in Sri Lanka*, Anthem South Asian Studies: London and New York.

- Stohl, M. and Lopez, G. A. (eds.) (1984) *The State as Terrorist*, Greenwood Press: Connecticut.

- Straus, S. (2012) "Retreating from the Brink: Theorizing Mass Violence and the Dynamics of Restraint" *Perspectives on Politics* 10 (2), pp. 343-362.

- Subotic, J. (2012) "The Transformation of International Transitional Justice Advocacy" *The International Journal of Transitional Justice* 6 (1) pp. 106-25.

- Sultana, G. (2013) "Religious Tensions in Sri Lanka", Institute for Defence Studies and Analyses (ISDA), 22 April. Available at: http://idsa.in/idsacomments/ReligiousTensionsinSriLanka_gsultana_220413?q=print/11918 [Accessed 25 June 2014].

- Sundarji, P. R. (2013) "Sri Lankan issue being used by TN for political gains, says Justice CV Wigneswaran", *Hindustan Times*, 19 July. Available at: http://www.hindustantimes.com/editorial-views-on/InterviewsNews/Sri-Lankan-issue-being-used-by-TN-for-political-gains-says-Justice-CV-Wigneswaran/Article1-1095241.aspx [Accessed 25 June 2014].

- *Sunday Observer* (2008) "Triad's Api Wenuwen Api bags top Advertising Award", 12 October. Available at: http://www.sundayobserver.lk/2008/10/12/new13.asp [Accessed 19 June 2014].

- Sumantharin, M. A. (2012) quoted in Majeed, I. (2012) "28 Buddha statues erected along A-9 Highway since war ended in May 2009," *Transcurrents*, 19 February. Available at: http://transcurrents.com/news-views/archives/8355 [Accessed 24 June 2014].

- Sutherland, C. (2005) "Nation-building through discourse theory" *Nations and Nationalism* 11 (2), pp. 185–202.

- Svensson-McCarthy, A. (1998) *The International Law of Human Rights and States of Exception: With Special Reference to the Preparatory Works and the Case-law of the International Monitoring Organs,* Martinus Nijhoff Publishers: The Hague.

- Staub, E. (1989) *The Roots of Evil*, Cambridge University Press: Cambridge.

- Tajfel, H. (1981) *Human Groups and Social Categories*, Cambridge University Press: Cambridge.

- Tambiah, S. J. (1986) *Sri Lanka: Ethnic fratricide and the dismantling of democracy*, University of Chicago Press: Chicago.

  --- (1992) *Buddhism Betrayed?: Religion, Politics, and Violence in Sri Lanka*, University of Chicago Press: Chicago.

- *Tamil Guardian* (2013) "Ananthi Sasitharan describes attacks and public threats on Tamil demonstrators", 16 November. Available at: http://www.tamilguardian.com/article.asp?articleid=9242 [Accessed 25 June 2014].

  --- (2013a) "TG View: Erasing the Dead", 4 December . Available at: http://www.tamilguardian.com/article.asp?articleid=9410 [Accessed 25 June 2014].

  --- (2014) "Rehabilitation threat to silence human rights activists - Ananthy Sasitharan", 16 January. Available at: http://www.tamilguardian.com/article.asp?articleid=9748 [Accessed 24 June 2014].

- Tamil National Alliance (TNA) (2012) "Response to the Lessons Learned and Reconciliation Commission Report", January. Available at: http://www.sangam.org/2012/01/TNA_LLRC_Response.pdf [Accessed 24 June 2014].

- Tamil National Alliance Manifesto (2013) "Full Text: TNA's Northern Provincial Council Election Manifesto – 2013", *Colombo Telegraph*, 3 September. Available at: https://www.colombotelegraph.com/index.php/full-text-tnas-northern-provincial-council-election-manifesto-2013/ [Accessed 25 June 2014].

- *TamilNet* (2001) "Tamil parties' alliance formed to support liberation struggle -TULF", 28 October. Available at: http://www.tamilnet.com/art.html?catid=13&artid=6422 [Accessed 25 June 2014].

--- (2013) "Allow people to give way to their emotions, Wigneswaran warns Colombo on Heroes Day", 27 November. Available at: http://www.tamilnet.com/art.html?catid=13&artid=36852 [Accessed 25 June 2014].

- *Tamil News Network* (2009) "Prabhakaran alive and well: Tamil Tigers", 19 May. Available at: http://www.tamilnewsnetwork.com/2009/05/19/prabhakaran-alive-and-well-tamil-tigers/ [Accessed 29 June 2014].

- (2012) "TNA plans boycotting UNHRC, requests people to remain 'calm'", 26 February. Available at: http://www.tamilnewsnetwork.com/2012/02/26/tna-plans-boycotting-unhrc-requests-people-to-remain-calm/ [Accessed 25 June 2014].

- Tamils Against Genocide (2010) "Annual Report". Available at: http://www.tamilsagainstgenocide.org/Data/Docs/TAG-Annual-Report-2010.pdf [Accessed 25 June 2014].

- --- (2012) "Sri Lanka's White Vans: Dual Criminality of the Sri Lankan State and the Rajapakse Administration". Available at: http://www.tamilsagainstgenocide.org/data/docs/WhiteVanv7-15.pdf [Accessed 25 June 2014].

--- (2013) "Silencing the Press: An Analysis Of Violence Against the Media in Sri Lanka". Available at: http://www.tamilsagainstgenocide.org/Data/Docs/Silencing-The-Press-Nov.06.2013.pdf [Accessed 25 June 2014].

--- (2014) “Sri Lanka’s ‘Rehabilitation’ of the Liberation Tigers of Tamil Eelam: A Programme of Physical and Mental Pacification”, February. Available at: http://www.tamilsagainstgenocide.org/Data/Docs/TAG-Rehabilitation-Report-January-2014-Final.pdf [Accessed 25 June 2014].

- Taussig, M. (1984) "Culture of terror—Space of death. Roger Casement's Putumayo report and the explanation of torture" *Comparative Studies in Society and History* 26 (3), pp. 467-497.

  - (1987) *Shamanism, Colonialism, and the Wild Man: A Study in Terror and Healing*, University of Chicago Press: Chicago.

- Taylor, C. (1992) *Multiculturalism and the Politics of Recognition*, Princeton University Press: New Jersey.

- Tennekoon, S. (1988) "Rituals of Development: The Accelerated Mahaweli Development Programme of Sri Lanka" *American Ethnologist* 15 (2), pp. 294-310.

- Thangarajah, Y. (1995) "Narratives of Victimhood as Ethnic Identity Among the Veddas of the East Coast" in Jeganathan, P. and Ismail, Q. (eds.) (1995) *Unmaking the nation: The politics of identity and history in modern Sri Lanka*, Social Scientists’ Association: Colombo, pp. 191-218.

- Thapan, M. (ed.) (2010) *Contested Spaces: Citizenship and Belonging in Contemporary Times*, Orient Black Swan: India.

- *The Economic Times* (2009) "Prabhakaran cremated: Sri Lanka army chief", 23 May. Available at: http://articles.economictimes.indiatimes.com/2009-05-23/news/28473504_1_tamil-tiger-supremo-pottu-amman-daya-master [Accessed 25 June 2014].

- The Elders (2010), “Sri Lanka’s Disturbing Actions Met by ‘Deafening Global Silence’”, 3 August. Available at: http://theelders.org/article/sri-lankas-disturbing-actions-met-deafening-global-silence [Accessed 25 June 2014].

- *The Guardian* (2009) “Editorial: In praise of ... Lasantha Wickrematunge” Comment is Free Editorial, 13 January. Available at: http://www.guardian.co.uk/commentisfree/2009/jan/13/praise-lasantha-wickrematunge [Accessed 23 June 2014].

--- (2013) "Sri Lanka: Cameron pushes for international war crimes inquiry" 16 November. Available at: http://www.theguardian.com/world/2013/nov/16/sri-lanka-cameron-international-war-crimes-inquiry [Accessed 23 June 2014].

- *The Hindu* (2010) "Sri Lankan Minister Ends Fast", 10 July. Available at: http://www.thehindu.com/news/international/sri-lankan-minister-ends-fast/article509641.ece [Accessed 25 June 2014].

--- (2012) "Protests in Sri Lanka against proposed U.N. rights resolution", 27 February. Available at: http://www.thehindu.com/news/international/protests-in-sri-lanka-against-proposed-un-rights-resolution/article2938786.ece [Accessed 25 May 2014].

--- (2014) "Sri Lanka's Northern Council seeks international war crimes probe", 28 January. Available at: http://www.thehindu.com/news/international/sri-lankas-northern-council-seeks-international-war-crimes-probe/article5623473.ece [Accessed 25 May 2014].

- The Social Architects (TSA) (2012) "Post-war Sri Lanka's Thought Police: The Rehabilitation of Ex-Combatants and the Denigration of Tamil Identity" *Groundviews*, 16 June. Available at: http://groundviews.org/2012/06/16/post-war-sri-lankas-thought-police-the-rehabilitation-of-ex-combatants-and-the-denigration-of-tamil-identity/ [Accessed 24 June 2014].

--- (2012a) "Post-war Sri Lanka's Thought Police: The Rehabilitation of Ex-Combatants and the Denigration of Tamil Identity: Part Two", *Groundviews*, 24 June. Available at: http://groundviews.org/2012/06/24/post-war-sri-lankas-thought-police-the-rehabilitation-of-ex-combatants-and-the-denigration-of-tamil-identity-part-two/ [Accessed 24 June 2014].

- *The Sunday Leader* (2012) "Wimal calls for boycott of US products", 13 March. Available at: http://www.thesundayleader.lk/2012/03/13/wimal-calls-for-boycott-of-us-products/ [Accessed 27 June 2014].

--- (2013) "Pillay Pessimistic after Visit", 1 September. Available at: http://www.thesundayleader.lk/2013/09/01/pillay-pessimistic-after-visit-exclusive/ [Accessed 24 June 2014].

- *The Times of India* (2013) "Sri Lanka to release 107 rehabilitated LTTE cadres", 8 September. Available at: http://articles.timesofindia.indiatimes.com/2013-09-08/south-asia/41873495_1_vavuniya-ltte-tamil-tigers [Accessed 27 June 2014].

- The Report Company (TRC1) (2012) "Sri Lanka: Asia's New Wonder?" *The Guardian Supplement*, 6 June.

- Theidon, K. (2007) "Intimate Enemies: Post-war communities in Ayacucho, Peru" in Pouligny, B., Chesterman, S. and Schnabel, A. (2007) *After Mass Crime: Rebuilding States and Communities*, UN University: Tokyo, pp. 97-121.

- Thiranagama, S. (2011) *In My Mother's House: Civil War in Sri Lanka*, University of Pennsylvania Press: Philadelphia.

  --- (2012) "In Praise of Traitors: Intimacy, Betrayal and the Sri Lankan Tamil Community" in Thiranagama, S. and Kelly, T. (2012) *Traitors: Suspicion, Intimacy, and the Ethics of State-Building*, University of Pennsylvania Press: Philadelphia, pp. 127-149.

  --- (2013) "Claiming the State: Postwar Reconciliation in Sri Lanka" *Humanity* 4 (1) pp. 93-116.

- Thoms, O. N. T., and Ron, J. (2007) "Do Human Rights Violations Cause Internal Conflict?" *Human Rights Quarterly* 29 (3), pp. 674-705.

- Thottam, J. (2009) "Dying for Journalism: Lasantha Wickrematunge of Sri Lanka", *Time*, 8 January. Available at: http://content.time.com/time/world/article/0,8599,1870440,00.html [Accessed 25 June 2014].

- Tiruchevam, M. and Dattathreya, C. S. (eds.) *Culture and Politics of Identity in Sri Lanka*, International Centre for Ethnic Studies: Colombo.

- Transnational Government of Tamil Eelam (TGTE) (undated) "About Us". Available at: http://www.tgte-us.org/about.html [Accessed 27 June 2014].

- Trawick, M. (2007) *Enemy Lines: Childhood, Warfare, and Play in Batticaloa*, University of California Press: Berkeley.

- Triad (2013) 'Api Wenuwen Api' Case Study, Available at: http://triad.lk/ [Accessed 27 June 2014].

- Tripp, C. (2013) "Performing the Public: Theatres of Power in the Middle East" *Constellations* 20 (2), pp. 203-216.

- Tuan, Y. (1977) *Space and Place: The Perspective of Experience*, University of Minnesota Press: Minneapolis and London.

- United Nations (2004) *Report of the High Level Panel on Threats, Challenges and Change*. United Nations General Assembly, 2 December. Available at: http://www1.umn.edu/humanrts/instree/report.pdf [Accessed 27 June 2014].

  --- (2011) *Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka*, 31 March. Available at: http://www.un.org/News/dh/infocus/Sri_Lanka/POE_Report_Full.pdf [Accessed 27 June 2014].

  --- (2011a) "Statement Attributable to the Spokesperson for the Secretary-General on Public Release of Panel of Experts Report on Sri Lanka," 25 April. Available at: http://www.un.org/sg/statements/?nid=5222 [Accessed 27 June 2014].

  --- (2012) *Report of the Secretary-General's Internal Review panel on United Nations Action in Sri Lanka*, November. Available at: http://www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf [Accessed 27 June 2014].

- United Nations Commission on Human Rights (1999) *Report of the Working Group on Enforced or Involuntary Disappearances*, 21 December. Available at: http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/e6d08bb09c61c6d7802568a9006830f1?Opendocument [Accessed 23 March 2012].

- United Nations High Commissioner for Refugees (UNHRC) (2012) "Sri Lanka's displacement chapter nears end with closure of Menik Farm" News Stories, 28 September. Available at: http://www.unhcr.org.uk/news-and-views/news-list/news-detail/article/sri-lankas-displacement-chapter-nears-end-with-closure-of-menik-farm.html [Accessed 27 June 2014].

- United Nations Human Rights Council Resolution (2009) "S-11/1 Assistance to Sri Lanka in the promotion and protection of human rights" (A/HRC/S-11/L.1/Rev.2) Eleventh Special Session, 27 May. Available at: http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/144/09/PDF/G0914409.pdf?OpenElement [Accessed 27 June 2014].

  --- (2012) "Action on Resolution on Promoting Reconciliation and Accountability in Sri Lanka" (A/HRC/19/L.2/Rev1) Nineteenth Session, 22 March. Available at: http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/G12/126/71/PDF/G1212671.pdf?OpenElement [Accessed 27 June 2014].

  --- (2013) " Promoting reconciliation and accountability in Sri Lanka" (A/HRC/22/L.1/Rev.1) Twenty-second session, 21 March. Available at: http://daccess-dds-ny.un.org/doc/RESOLUTION/LTD/G13/122/61/PDF/G1312261.pdf?OpenElement [Accessed 27 June 2014].

- United Nations High Commissioner for Human Rights (2013) *Report of the Office of the United Nations High Commissioner for Human Rights on advice and technical assistance for the Government of Sri Lanka on promoting reconciliation and accountability in Sri Lanka* (A/HRC/22/38) Twenty-second session, 11 February. Available at: http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/109/26/PDF/G1310926.pdf?OpenElement [Accessed 27 June 2014].

- *United Nations News Centre* (2009) "UN Rights Chief Deplores Conditions for Civilians Trapped in Sri Lanka Fighting," 29 January. Available at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=8854&LangID=E [Accessed 27 June 2014].

- United Nations Secretary General (2009) "Joint Statement by UN Secretary-General, Government of Sri Lanka", Department of Public Information News and Media Division, New York, 26 May. Available at: http://www.un.org/News/Press/docs/2009/sg2151.doc.htm [Accessed 27 June 2014].

- United States Mission to the United Nations (2008) Cable 10 March, quoted in Jayatilleka, D. (2013) *Long War, Cold Peace: Conflict and Crisis in Sri Lanka*, Vijitha Yapa Publications: Colombo, pp.330.

- United States State Department (2009) *Report to Congress on Incidents During the Recent Conflict in Sri Lanka*. Available at: http://www.state.gov/documents/organization/131025.pdf [Accessed 27 June 2014].

- University Teachers for Human Rights - Jaffna (UTHR-J) (2006) "The Wider Implications of the Human Rights and Humanitarian Crisis in Jaffna", Information Bulletin 41, 14 September. Available at: http://www.uthr.org/bulletins/bul41.htm [Accessed 27 June 2014].

  --- (2007) "From Welikade to Mutur and Pottuvil: A Generation of Moral Denudation and the Rise of Heroes with Feet of Clay", Special Report 25, 31 May. Available at: http://www.uthr.org/SpecialReports/spreport25.htm [Accessed 27 June 2014].

  --- (2009) "Let Them Speak: Truth About Sri Lanka's Victims of War", Special Report 34, 13 December. Available at: http://www.uthr.org/SpecialReports/Special%20rep34/Special_Report_34%20Full.pdf [Accessed 27 June 2014].

- Uyangoda, J. (2003) "Sri Lanka: A "Pragmatic" Peace Agenda" in Uyangoda, J. and Perera, M. (eds.) (2003) *Sri Lanka's Peace Process 2002: Critical Perspectives*, Social Scientist's Association: Colombo, pp. 3-6.

  --- (2003a) "Sri Lanka's Peace Process: Surprising Possibilities?" in Uyangoda, J. and Perera, M. (eds.) (2003) *Sri Lanka's Peace Process 2002: Critical Perspectives*, Social Scientist's Association: Colombo, pp. 7-15.

  --- (2007) *Ethnic Conflict in Sri Lanka: Changing Dynamics*, East-West Centre: Washington.

  --- (ed.) (2008) *Matters of Violence: Reflections on Social and Political Violence in Sri Lanka*, Social Scientists' Association: Colombo.

- Uyangoda, J. and de Mel, N. (2012) *Reframing Democracy: Perspectives on the Cultures of Inclusion and Exclusion in Contemporary Sri Lanka*, Social Scientists' Association: Colombo.

- Valkyrie (2010) Reconciliation through 'Rehabilitation' & 'Reintegration' of Ex-LTTE members in Sri Lanka: Separating Fact from Fiction, *Groundviews* 19 October. Available at: http://groundviews.org/2010/10/19/reconciliation-through-%E2%80%98rehabilitation%E2%80%99-%E2%80%98reintegration%E2%80%99-of-ex-ltte-members-in-sri-lanka-separating-fact-from-fiction/ [Accessed 27 June 2014].

- Van de Voorde, C. (2005) "Sri Lankan Terrorism: Assessing and Responding to the Threat of the Liberation Tigers of Tamil Eelam" *Police Practice and Research: An International Journal* 6 (2), pp. 181-199.

- Varatharajah, S (2013) "Forgotten heroes of the Eelam war", *The Weekend Leader*, 29 October. Available at: http://www.theweekendleader.com/Opinion/1638/forgotten-heroes-of-the-eelam-war-.html [Accessed 27 June 2014].

--- (2012) "Temples, Rose Petals and Guns", *Journalists for Democracy Sri Lanka*, 21 August. Available at: http://www.jdslanka.org/index.php/2012-01-30-09-31-17/politics-a-economy/174-temples-rose-petals-and-guns [Accessed 27 June 2014].

--- (2013) "Possessing Memories, Designing Cemeteries: The Production And Policing Of Memories In Post-War Sri Lanka", 22 May. Available at: https://www.colombotelegraph.com/index.php/possessing-memories-designing-cemeteries-the-production-and-policing-of-memories-in-post-war-sri-lanka/ [Accessed 27 June 2014].

- Venugopal, R. (2008) "Cosmopolitan Capitalism and Sectarian Socialism: Conflict, Development and the Liberal Peace in Sri Lanka" Unpublished thesis, University of Oxford.

--- (2009) "The Making of Sri Lanka's Post- Conflict Economic Package and the Failure of the 2001 – 2004 Peace Process" *CRISE Working Paper* 64, January, Oxford University, Oxford.

--- (2011) "The Politics of Market Reform at a Time of Ethnic Conflict: Sri Lanka in the Jayewardene Years" in Stokke, K. and Uyangoda, J. (eds.) (2011) *Liberal Peace in Question: the Politics of State and Market Reform in Sri Lanka*, Anthem South Asian Studies: London and New York, pp. 77-102.

--- (2011a) "Military Fiscalism and the Politics of Market Reform at a Time Civil War" *Economic and Political Weekly*, Vol. 46 (49), pp. 67-75.

- Waduge, S. W. (2013) "When TNA leaders go shopping for separatist sponsorship in Canada and US", *Ministry of Defence and Urban Development*, 19 August. Available at: http://www.defence.lk/new.asp?fname=When_TNA_leaders_go_shopping_for_separatist_sponsorship_in_Canada_and_US_20130818_03 [Accessed 27 June 2014].

- Wallace, M. (2010) "Confronting Wrongs, Affirming Difference: The Limits of Violence, the Power of Nonviolence, and the Case of Nonviolent Intervention in Sri Lanka", Unpublished PhD Dissertation, Brown University. Available at: https://repository.library.brown.edu/fedora/objects/bdr:11110/datastreams/PDF/content [Accessed 27 June 2014].

- Walters, J. (1995) "Multi-religion on the Bus: Beyond "Influence" and "Syncretism" in the Study of Religious Meetings" in Jeganathan, P. and Ismail, Q. (eds.) (1995) *Unmaking the nation: The politics of identity and history in modern Sri Lanka*, Social Scientists' Association: Colombo, pp. 25-54.

--- (1996) *The History of Kelaniya,* Social Scientists' Association: Colombo.

- Walton, O. (2012) "Peace building without using the word "peace": National NGOs' reputational management strategies during a peace–to–war transition in Sri Lanka" *Critical Asian Studies*, 44 (3), pp. 363-390.

--- (2011) (with Saravanamuttu, P.) "In the Balance? Civil Society and the Peace Process 2002–2008', in Goodhand, J. Spencer, J. and Korf, B. (eds.) (2011) *Conflict and Peacebuilding in Sri Lanka: Caught in the Peace Trap?*, Routledge: London, pp.183–200.

- Watchdog (2012) "The death of Freedom of Assembly, Expression and Religion in the North of Sri Lanka", *Groundviews*, 1 December. Available at: http://groundviews.org/2012/12/01/the-death-of-freedom-of-assembly-expression-and-religion-in-the-north-of-sri-lanka/ [Accessed 27 June 2014].

--- (2012a) "A disappearance every five days in post-war Sri Lanka", *Groundviews*, 30 August. Available at: http://groundviews.org/2012/08/30/a-disappearance-every-five-days-in-post-war-sri-lanka/ [Accessed 27 June 2014].

--- (2012b) "New wave of abductions and dead bodies in Sri Lanka", *Groundviews*, 26 February. Available at: http://groundviews.org/2012/02/26/new-wave-of-abductions-and-dead-bodies-in-sri-lanka/ [Accessed 27 June 2014].

--- (2013) "Police detains families of disappeared from Northern Sri Lanka and prevents peaceful protest and petition to the UN", *Groundviews*, 5 March. Available at: http://groundviews.org/2013/03/07/police-detains-families-of-disappeared-from-northern-sri-lanka-and-prevents-peaceful-protest-and-petition-to-the-un/[Accessed 27 June 2014].

- Weber, S. (2004) "'War,' 'Terrorism,' and 'Spectacle': On Towers and Caves" in *Theatricality as Medium,* Fordham University Press: United States, pp. 326-336.

- Weerakoon, P. (2011) "The Nitty Gritty of 'Moving On': National Reconciliation Unit". Available at: http://reconciliationyouthforum.org/nitty-gritty-of-moving-forward-national-reconciliation-unit/ [Accessed 7 July 2012].

- Weerasinghe, J. (2012) "The Disappearance of the 'Shrine'", *Lanka News Web*, 27 January. Available at: http://lankanewsweb.net/news/3030-the-disappearance-of-the-shrine [Accessed 27 June 2014].

- Weeratunga, L. (2010), quoted in *The Sunday Observer* (2010) "Sri Lanka was on a Strong Wicket at the UN - Lalith Weeratunga". 3 October. Available at: http://www.sundayobserver.lk/2010/10/03/fea01.asp [Accessed 4 June 2011].

--- (2014), quoted in *Reuters* (2014) "Sri Lanka says war crimes probe would bring 'chaos'", 29 January. http://uk.reuters.com/article/2014/01/27/uk-srilanka-warcrimes-usa-idUKBREA0Q1PA20140127

- Weerawansa, W. (2009) "LTTE terrorism should be crushed - Wimal Weerawansa", 28 September. Available at: http://www.wimalweerawansa.net/LTTE_terrorism_should_be_crus

hed___Wimal_Weerawansa-9-6--interviews.html [Accessed 27 June 2014].

- Wedagedara, A. (2011) "The Continuing 'State of Emergency' in Sri Lanka", *Institute for Defence Studies and Analysis*, Comment, 5 September. Available at: http://www.idsa.in/idsacomments/TheContinuingStateofEmergencyinSriLanka_awedagedara_050911 [Accessed 27 June 2014].

- Weinstein, H. M. and Stover, E. (2004) "Introduction: Conflict, Justice and Reclamation" in Weinstein, H. M. and Stover, E. (2004) *My Neighbour, My Enemy: Justice and Community in the Aftermath of Mass Atrocity,* Cambridge University Press: Cambridge, pp. 1-26.

- Weiss, G. (2011) *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers* The Bodley Head: London.

  --- (2011a) "With truth about Sri Lankan war crimes emerging, we need a proper inquiry", *The Guardian*, 26 April. Available at: http://www.theguardian.com/commentisfree/2011/apr/26/sri-lanka-war-crimes-inquiry [Accessed 27 June 2014].

- Weissman, F., (2011) "Sri Lanka: In All-Out War" in (2011) Magone, C., Neuman, M. and Weissman, F. (eds.) (2011) *Humanitarian Negotiations Revealed: The MSF Experience*, Hurst and Co.: London, pp. 15–33.

- Welikala, A. (2008) *A State of Permanent Crisis: Constitutional Government, Fundamental Rights, and States of Emergency in Sri Lanka*, Centre for Policy Alternatives and Friedrich Naumann Stiftung: Colombo.

  --- (2011) "Inconvenient truths: international accountability and domestic politics in Sri Lanka", *Open Democracy*, 19 August. Available at: http://www.opendemocracy.net/asanga-welikala/inconvenient-truths-international-accountability-and-domestic-politics-in-sri-lanka [Accessed 27 June 2014].

  --- (2011a) "Sri Lanka: war crimes and accountability", 30 May. Available at: http://www.opendemocracy.net/asanga-welikala/sri-lanka-war-crimes-and-accountability [Accessed 27 June 2014].

--- (ed.) (2012) *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice*, Centre for Policy Alternatives: Colombo, also available at: http://republicat40.org.

- Weschler, L. (1990) *A Miracle, A Universe: Settling Accounts with Torturers,* Pantheon: New York.

- Whall, H. J. (1995) *The Right to Self-Determination: The Sri Lankan Tamil National Question*, Tamil Information Centre: London.

- *White Flags* (2014) "5 years on: The White Flag Incident, 2009-2014". Available at: http://white-flags.org/ [Accessed 27 June 2014].

- Whitaker, M. (2007) *Learning Politics from Sivaram*, Pluto Press: London.

- Wickramasinghe, N. (2006) "Unthinking the Terrorism – Globalization Nexus" in Ahmed, I. (ed.) (2006) *Understanding Terrorism in South Asia: Beyond Statist Discourses*, Manohar: New Delhi, pp. 371-410.

--- (2009) "After the War: A New Patriotism in Sri Lanka?" *The Journal of Asian Studies* 68 (4), pp. 1045-1054.

- Wickrematunge, L. (2009) "And Then They Came For Me", *The Sunday Leader*, Editorial, 11 January. Available at: http://www.thesundayleader.lk/20090111/editorial-.htm [Accessed 27 June 2014].

- Wickrematunge, R. (2009) "Sri Lanka: The Campaign for Justice for Political Prisoners", *GreenLeft Online*, 14 November. Available at: https://www.greenleft.org.au/node/42821 [Accessed 27 June 2014].

--- (2013) "Standards on Salley's Arrest", *The Sunday Leader*, 12 May. Available at: http://www.thesundayleader.lk/2013/05/12/standards-on-salleys-arrest/[Accessed 4 November 2013].

- Wickremasekara, D. (2010) "Weerawansa's death fast ends; President gives him glass of water", *The Sunday Times*, 11 July. Available at: http://www.sundaytimes.lk/100711/News/nws_03.html [Accessed 27 June 2014].

- Wigneswaran, Chief Minister C. V. (2013) "Inaugural Address at Northern Provincial Council Sri Lanka", 25 October. Available at: http://www.scribd.com/doc/179559546/Chief-Minister-CV-Wigneswaran-Inaugural-Address-at-Northern-Provincial-Council-Sri-Lanka [Accessed 27 June 2014].

- Wijedasa, N. (2012) "Soilders Guide Pre-dominantly Sinhala Visitors on 'Terrorism Tour' of Mullaitheevu District", *D. B. S. Jeyaraj Blog*, 21 July. Available at: http://dbsjeyaraj.com/dbsj/archives/8322 [Accessed 27 June 2014].

- Wijesinha, R. (2009) "How the West was sidelined [for the moment), Ministry of Defence, 14 May. Available at: http://www.defence.lk/PrintPage.asp?fname=20090518_14 [Accessed 27 June 2014].

  --- (2011) "The following responses were sent to questions from the Daily News with regard to the work of the Reconciliation Office", 22 November. Available at: http://rajivawijesinha.wordpress.com/2011/11/22/ [Accessed 24 June 2014].

  --- (2012) "Modalities of Reconciliation - the importance of Grama Niladhari Divisions". Available at: http://www.peaceinsrilanka.lk/press-releases-details/press-releases-details/2945 [Accessed 4 May 2013].

  --- (2013) "Getting the balance right: David Cameron and foreign relations" *Colombo Telegraph*, 27 November. Available at: https://www.colombotelegraph.com/index.php/getting-the-balance-right-david-cameron-and-foreign-relations/[Accessed 27 June 2014].

- Wilson, A. J. (2000) *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, University of British Columbia Press: Vancouver.

- Wilson, R. A. (2003) "Anthropological Studies of National Reconciliation Processes" *Anthropological Theory* 3, pp. 367-387.

- Winter, J. (1995) *Sites of Memory, Sites of Mourning: The Great War in European Cultural History*, Cambridge University Press: Cambridge.

- Winter, J. and Sivan, E. (1999) *War and Remembrance in the 20th Century*, Cambridge University Press: Cambridge.

- Wodak, R. and Meyer, M. (2009) "Critical Discourse Analysis: history, agenda, theory and methodology" in Wodak, R. and Meyer, M. (eds.) (2009) *Methods of Critical Discourse Analysis*, Sage Publications: London.

- Women's Action Network (WAN) (2012) "Sri Lanka: Tamil Women Coerced Into Joining The Military", Asian Human Rights Commission, 10 December. Available at: http://www.humanrights.asia/news/forwarded-news/AHRC-FST-060-2012 [Accessed 27 June 2014].

- Wood, N. (1999) *Vectors of memory: legacies of trauma in postwar Europe*, Berghoff: Oxford.

- Yapa, Minister A. P. (2012), quoted in Gunatilleke, N. (2012) "Parties with Vested Interests Inciting People - Yapa" *Daily News*, 21 February. Available at: http://archives.dailynews.lk/2012/02/21/news22.asp [Accessed 27 June 2014].

- Yerushalmi, Y. H. (1982) *Zakhor: Jewish History and Jewish Memory*, University of Washington Press: United States.

- Yiftachel, O. (2014) "Panel Discussion on Comparative Land Issues in Ethnocratic Regimes: An Agenda for Research", International Conference on State Grabs of Tamil Land in the Island of Sri Lanka, 31 January - 2 February. Report available at: http://tamilsforum.co.uk/wp-content/uploads/2014/05/Land-Grab-Conference-Report.pdf [Accessed 27 June 2014].

- Yusuf, S. (2013) "Sri Lanka's tryst with reconciliation: Where are we today?", *Groundviews*, 31 January. Available at:

http://groundviews.org/2013/01/31/sri-lankas-tryst-with-reconciliation-where-are-we-today/[Accessed 27 June 2014].

- Zakaria, F. (1997) "The Rise of Illiberal Democracy" *Foreign Affairs* 76 (6), pp. 22–44.

- Zuhair, A. (2011) "An Interview with Alan Keenan: Sri Lanka Project Director and Senior Analyst, International Crisis Group", *Daily Mirror*, 20 October. Available at: http://www.dailymirror.lk/political-features/14235-an-interview-with-alan-keenan-sri-lanka-project-director-and-senior-analyst-international-crisis-group.html [Accessed 27 June 2014].

- Zulaika, J. and Douglas, W. A. (1996) *Terror and Taboo: The Follies, Fables, and Faces of Terrorism*, Routledge: London and New York.