

**Liberal Peace/  
Ethno-theocratic War:  
A Biopolitical Perspective on  
Western Policy in the Eelam War**

**A thesis submitted for the degree of  
Doctor of Philosophy**

**by**

**Ayshwarya Rajith Sriskanda Rajah**

**Department of Politics and History,  
School of Social Sciences,  
Brunel University.**

**March 2014**

## Abstract

This thesis develops a biopolitical perspective on Western states' longstanding opposition to the formation of a Tamil state (Tamil Eelam) in the northeastern parts of the island of Sri Lanka (Ceylon). It does so by adopting and applying the concept of biopolitics as developed by Michel Foucault in the 1970s. Foucault used the idea of biopolitics to explain power relations and to consider peace through the matrix of war. He was especially interested in using this to understand power relations that emerged in the eighteenth century and especially in terms of the tensions between military confrontation and commercial expansion.

This thesis adopts and applies the idea of biopolitics to the concept of liberal peace and its core principle, the security of global commerce, to offer a new interpretation of the rationale behind the opposition of Western states to the Tamil demand for political independence and their collaboration in Sri Lanka's biopolitical transformation of the island into a Sinhala-Buddhist ethno-theocracy. As practitioners of the biopolitics of liberal peace, Western states have waged wars and collaborated in the wars of their Southern counterparts, allowing populations, including liberalised ones, to be killed, condoning the subversion of civil liberties, human rights and other democratic freedoms, including the right to self-determination of nations, that they simultaneously promote. The thesis explores the extent to which the collaboration of the West with the Sri Lankan state's racist policies and counter-insurgency efforts is a continuation of the colonial policies of the British Empire in Ceylon.

In developing a biopolitical perspective on the liberal state-building practices of the British Empire in colonial Ceylon, Sri Lanka's adoption of the same practices, and the West's own efforts to neutralise the Tamils' armed struggle, the thesis explores the ways that power relations produce the effects of battle, and thus the way that peace becomes a means of waging war. When the power relations of law, finance, politics, and diplomacy produce the effects of battle, they become ways of waging war by other means.

As well as being a thesis on Western policy in the war in Sri Lanka, the work is therefore also to some extent an attempt to see how far Foucault's work on biopolitics might be pushed and developed and thus, at the same time, an attempt to turn the Foucauldian focus to an area thus far unexplored by those who have sought to engage with Foucault's work.

## Table of Contents

	<b>Abstract</b>	<b>1</b>
	<b>Acknowledgements</b>	<b>3</b>
	<b>Introduction</b>	<b>4</b>
<b>Chapter I</b>	<b>Foucault, war, and biopolitics</b>	<b>43</b>
	<i>Conceptualising war</i>	43
	<i>Grasping biopolitics</i>	58
	<i>The biopolitics of liberal peace</i>	67
	<i>The biopolitics of the Sri Lankan state</i>	77
<b>Chapter II</b>	<b>Liberal peace in theory</b>	<b>82</b>
	<i>Normative operations</i>	82
	<i>Institutional operations</i>	89
	<i>Towards a liberal empire?</i>	98
<b>Chapter III</b>	<b>Liberal peace in practice</b>	<b>108</b>
	<i>Containment and development</i>	108
	<i>Post-Cold War manifestations</i>	114
<b>Chapter IV</b>	<b>Liberal state-building and ethno-theocratic ambitions</b>	<b>123</b>
	<i>The fight for the control of Ceylon</i>	124
	<i>Liberal state-building in colonial Ceylon</i>	128
	<i>The dynamics of Sinhala-Buddhist ethno-theocratic nationalism</i>	135
	<i>Waging war through law</i>	150
	<i>Turning a blind-eye to ethno-theocratic ambitions</i>	156
<b>Chapter V</b>	<b>“Anything is fair”: liberal emergency in Sri Lanka</b>	<b>165</b>
	<i>The liberal origins of martial law</i>	166
	<i>Martial law in colonial Ceylon</i>	169
	<i>Continuity of martial law in contemporary Sri Lanka</i>	176
	<i>The commercial dynamics of Western endorsement</i>	184
<b>Chapter VI</b>	<b>Fighting the ‘Indira Doctrine’</b>	<b>191</b>
	<i>The ideological dynamics of Tamils’ armed struggle</i>	193
	<i>Western military assistance and the Indian response</i>	204
<b>Chapter VII</b>	<b>The build-up to the West’s war on the LTTE</b>	<b>212</b>
	<i>Enticing towards negotiations</i>	212
	<i>Sri Lanka’s ‘war for peace’</i>	216
<b>Chapter VIII</b>	<b>The West’s war on the LTTE</b>	<b>226</b>
	<i>Converging with Sri Lanka’s ‘war for peace’</i>	227
	<i>War through ‘peace’</i>	239
	<i>Towards the annihilation of the LTTE</i>	253
	<b>Conclusion</b>	<b>260</b>
	<b>References</b>	<b>267</b>

## **Acknowledgements**

I am greatly indebted to my supervisors, Dr. David Scott and Professor Mark Neocleous. Although in theory Dr. Scott was my first supervisor and Professor Neocleous was my second supervisor, in practice both of them acted as my first supervisors. I thank them for their unwavering support, wise advice, guidance, and most of all for their patience. I am grateful to Brunel University for appointing them to supervise my doctoral research.

I would also like to thank all of my independent reviewers and other members of staff at the Department of Politics and History who provided feedback on my research at PhD presentation days and during annual reviews. I am also grateful to the School of Social Sciences for providing me with an in-year studentship in 2012 to support my research.

Finally, I would like to thank my loving father, my sisters Mala and Divya, my nephews, aunt Rajes and aunt Adele, and my friends Sutha and Sathees for their support.

## Introduction

The post-colonial history of Sri Lanka (Ceylon)<sup>1</sup> is full of state violence, marked by racist policies, discriminatory laws, and large scale human rights abuses and war crimes against the island's Tamil population. Initially, when Tamils resisted state-aggression through non-violent means, Western states largely turned a blind-eye to their plight. However, when the Tamils' non-violent mode of resistance transformed into an armed struggle in 1972 to establish their own state (Tamil Eelam<sup>2</sup>) in the northeastern parts of the island under the principles of the right to self-determination of nations, Western states initially responded by aiding the Sri Lankan state's counter insurgency efforts, and later, as the armed conflict intensified, took a parallel initiative to neutralise the Tamils' armed struggle. Why did Western states, which have since the end of the Second World War promoted, under the banner of liberal peace, civil liberties, human rights and other democratic freedoms, including the right to self-determination of nations, first ignore the plight of Tamils, then aid Sri Lanka's counter-insurgency efforts, and later took a parallel initiative to neutralise the Tamils' armed struggle? Was it because the concept of liberal peace metamorphosised in practice into the power calculations of political realism, or is there a deeper contradiction within the concept itself? This is the key question of my doctoral research.

In this thesis, expanding on a number of key concepts and ideas that the French philosopher Michel Foucault developed in the 1970s to explain power relations, I trace the

---

<sup>1</sup> The island-state of Sri Lanka is a colonial construction of the British Empire. For many centuries, the Tamils and the Sinhalese divided the island between themselves, with the Tamils having their kingdoms and principalities in the northeastern parts, and the Sinhalese in the southern and central parts. Under British rule, these kingdoms and principalities were unified into a single administrative unit, which on 4 February 1948 became the newly constructed state of Ceylon, renamed in 1972 as Sri Lanka (see Chapter IV). In this thesis, I use the names Ceylon and Sri Lanka interchangeably to refer to the island, depending on the historical periods.

<sup>2</sup> The island of Ceylon was referred to as *Eelam* in ancient Tamil literatures and as *Lanka* in Sinhala chronicles. In 1922, with the rise of Tamil nationalism, Sir Ponnambalam Arunachalam, a Tamil politician, coined the name Tamil Eelam to refer to the Tamil homeland in the northeastern parts of Ceylon, meaning the Tamil part of Eelam (Wilson, 1988:8). However, in the later years, the name Eelam began to be misconceived as the acronym for Tamil Eelam, resulting in the use of the term 'Eelam War' to denote only the Tamils' armed struggle. In this thesis, conceptualising war beyond military action, I use the term to refer to the Tamil – Sinhala conflict from the day the island-state was created: it includes Sri Lanka's ethno-theocratic practices before the emergence of the armed conflict, Tamils' non-violent mode of resistance, and the armed conflict.

rationale behind Western policy in the Eelam War to the biopolitics of liberal peace. In the biopolitics of liberal peace, commercial globalisation is understood to be the key to making life live by bringing an end to the miseries that military confrontations between states can bring upon populations. It is as practitioners of this biopolitics that Western states have since the end of the Second World War waged wars and collaborated in the wars of their Southern counterparts to eliminate non-liberal actors who are considered to be a threat to global commerce and thus global populations. It is in these biopolitical wars to make life live by eliminating threats to life that Western states allow populations, including liberalised ones, to be killed, and condone the subversion of civil liberties, human rights and other democratic freedoms, including the right to self-determination of nations, that they simultaneously promote. These wars are waged not only in the form of military action, but through all power relations, i.e., law, finance, politics, and diplomacy, that produce the effects of battle.

Foucault first coined the term biopolitics in 1976, in Volume I of *The History of Sexuality*. Later, in his lecture series *The Birth of Biopolitics*, delivered at the College de France in 1979, Foucault provided an alternative account of liberal peace as a concept that emerged in the middle of the eighteenth century for ending military confrontations between European powers through commercial globalisation (2008: 54-58). Applying these two ideas to understand Western policy in the Eelam War, I reveal the biopolitics of liberal peace and demonstrate its collaboration with Sri Lanka's biopolitics centred on transforming the island into a Sinhala-Buddhist ethno-theocracy. To this end, I also build on from the concept of war that Foucault developed in his works *Discipline and Punish*, first published in 1975, and Volume I of *The History of Sexuality*, and the lecture series, "*Society Must Be Defended*", delivered at the College de France in 1976.<sup>3</sup> In developing a biopolitical perspective on the liberal state-building practices of the British Empire in colonial Ceylon, the 'liberal' Sri Lankan state's post-colonial ethno-theocratic practices against the Tamils, and Western states' own efforts to neutralise the Tamils' armed struggle, I am able to establish that all

---

<sup>3</sup> Although Foucault introduced his concept of biopolitics in Volume I of the *History of Sexuality* and some of his expositions on war can be found in *Discipline and Punish*, he developed his arguments further in the lectures that he delivered at the College de France between 1976 to 1979. Although some of those lectures were translated and published during Foucault's lifetime, most of them have only become available in recent years. For a full discussion on Foucault's expositions on war and his concept of biopolitics, see Chapter I.

power relations that produce the effects of battle are ways of waging war. Those effects include: death, injury and the expulsion of the enemy; destruction of the enemy's assets; appropriation of the enemy's land/property; and the submission of the enemy.

The distinct and original contribution this thesis forms to knowledge in the discipline of International Relations is twofold: on the one hand, the specific biopolitical perspective that has been developed in this thesis had never been tried before to explain Western policy in the Eelam War; on the other hand, none of the scholarly studies (including Foucauldian) that have examined the colonial and post-colonial practices of Western states in the global South have used this specific biopolitical perspective. Thus, as well as providing a new perspective on Western policy in the conflict in Sri Lanka, this thesis has also developed a novel way of using Foucault's work in an area thus far unexplored by many Foucauldian scholars.

A number of competing arguments are advanced to explain Western policy in the Eelam War. Those taking the realist standpoint argue that Western states are reluctant to heed the Tamil call for independence in order to avoid antagonising India, which has a much larger Tamil population than Sri Lanka and fears that the division of the island would in turn fuel secessionist demands in its own southern regional state of Tamil Nadu.<sup>4</sup> According to

---

<sup>4</sup> Even though most Tamils in Tamil Nadu support the secessionist demands of the Tamils in Sri Lanka, and in March 2013 the Tamil Nadu State Assembly passed a resolution calling upon the Indian central government to intervene in the island and initiate a UN-sponsored referendum to facilitate the creation of the state of Tamil Eelam (Tamil Nadu Legislative Assembly, 2013: 1), the general public in Tamil Nadu has not shown interest in breaking away from India. In the 1930s, when India remained under British colonial rule, there was popular support in Tamil Nadu for the creation of an independent South Indian state. However, this secessionism was not based on Tamil nationalist sentiments or the idea of carving out a Tamil state. Instead, it was based on the idea of carving-out a Dravidian country out of India. Although this Dravidian movement sought to incorporate the populations of the South Indian states of Kerala, Karnataka and Andhra Pradesh, and even the people of Bengal, in the proposed Dravidian country, it did not include the Tamils of Ceylon whose homeland lies only 20 miles away from Tamil Nadu (Krishna, 2000: 81). Yet, other than gaining popularity in Tamil Nadu, this movement failed to have an impact on the other populations of South India. In 1956, when the Indian central government devolved more power to the Tamil Nadu Assembly (formerly the Madras State Assembly), Dravidian secessionist sentiments in the state began to wane and finally died down in 1967 when the main Dravidian party, the Dravida Munnetra Kalagzam (DMK) came to power in Tamil Nadu (Krishna, 2000: 83). The Dravidian secessionist movement met its death when Tamil nationalism was on the rise in Ceylon and some sections of the Tamils in the island were contemplating launching an armed struggle to establish the state of Tamil Eelam. Although Tamil Nadu has stood by the freedom struggle of the people of Tamil Eelam, as the Indian intervention of 1987 to crush the Tamils' armed struggle and India's continuing military support for Sri Lanka shows, it has not been able to prevent India from adopting an anti-Tamil Eelam stance, even though before the conclusion of the armed conflict some scholars had predicted that the Tamils' armed struggle in Sri Lanka 'cannot be suppressed' without 'provoking strong reactions from Tamil Nadu' and that 'regional

Wickramabahu Karunaratne, a Sinhala scholar and politician, ‘Western powers are always guided by the Indian interest’ when it comes to dealing with the Tamil question in Sri Lanka: ‘Western countries listen to the Indian leadership and India doesn’t want the country to split’.<sup>5</sup> In this regard, Jeffrey Lunstead, a former US ambassador to Colombo, also claims that India and the US are ‘in general accord in their analysis of Sri Lanka and its ethnic problem’ as both believe ‘that the unity and territorial integrity of Sri Lanka needed to be preserved’ (2007: 25). However, those taking a liberal standpoint claim that the violent nature of Tamils’ freedom struggle was the key factor that turned the West against them. Simon Hughes, the deputy leader of the Liberal Democrats, argues that had Britain supported Tamils’ armed struggle for secession, it would have gone against its own policy of not supporting military insurrections: ‘The official position is – the British government has always been – we don’t support military insurrection against a government until it is clear that the military insurrection has the majority support of the people’.<sup>6</sup> Some Tamil Diaspora figures even argue that the West sided with Sri Lanka because the Tamils failed to convince it of the legitimacy of their political grievances and counter Sri Lanka’s intense lobbying. According to S.V.Kirubaharan, the secretary general of Paris-based Tamil Centre for Human Rights:

You cannot underestimate the propaganda lobby of the Sri Lankan government...  
The lobby of the Sri Lankan government is so smart, even today. So the

---

governments in southern India could lend substantive covert and overt support to the Tamil cause against the wishes of the federal government and provoke a federal-regional showdown’ (see Muppidi, 2001: 63-64).

<sup>5</sup> This statement was made by Karunaratne during an interview with me on 17 April 2012. Karunaratne is the leader of the Left Front in Sri Lanka and has a close rapport with Western diplomats in Colombo.

<sup>6</sup> Hughes made this statement to me during an interview on 28 September 2010. Hughes is well known for his close relationship with the Tamil Diaspora in Britain. Between 1996 and 2001, the Liberation Tigers of Tamil Eelam (LTTE), who spearheaded the Tamils’ armed struggle for political independence, had their international secretariat in Southwark, the constituency of Hughes. During this period and after the closure of the LTTE’s international secretariat following Britain’s proscription of the organisation, Hughes is known to have interacted with the LTTE’s UK-based high ranking political leaders. During the peak of the armed conflict in Sri Lanka (in the months of April and May 2009) he also acted as an unofficial intermediary between the British government and the pro-LTTE Tamil Diaspora protesters who occupied the Parliamentary Square for over two months demanding a Western-sponsored ceasefire in the island. During this time, he arranged Tamil Diaspora representatives to travel to New York and Geneva to discuss with UN officials on the crisis in Sri Lanka.



international community couldn't do anything because they were forced to listen to the state as well; whereas, I will say... the Eelam Tamils or Tamil Diaspora or the Tamils' lobby, compared to the government lobby, was very weak... In 1977, we Tamils voted for the external right to self-determination of the Tamils... How many of us are lobbying within this context? How many of us are taking this forward and telling the people that in 1977 we had a democratic mandate of our people to have the external right to self-determination? We did not correctly inform the world.<sup>7</sup>

Hughes also echoes Kirubaharan's argument on the failure of the Tamils to set out their political grievances clearly to the outside world. For Hughes, 'the British government's view has been that there has been no recognised majority voice for independence in Tamil Eelam'.<sup>8</sup> However, in developing a biopolitical perspective on Western policy in the Eelam War, I am able to reveal that these are not the most plausible explanations on Western support for Sri Lanka, nor their longstanding opposition to the formation of a Tamil state in the island.

Although India has today emerged in the South Asian region as a partner of Western states, collaborating in the fields of trade and investment, maritime security, counter-terrorism, and nuclear energy, the relationship between the West and India during the Cold War had not always been unproblematic (Lunstead, 2007: 23-25). Before obtaining dominion status for Ceylon, its Sinhala elites sought assurances from Britain that it would come to their aid if the island-state's security was threatened by India or any other external forces. Britain responded by reaching an agreement with the Sinhala elites that its armed forces would be responsible for the island-state's security until Ceylon developed the capacity to have its own military (Jayewardene, 1974: 42 & 46). When this arrangement was made, it was not done out of concern for Indian interests. As will be explained further in Chapter VI, from 1977 to 1987, Sri Lanka also became the battleground of a proxy war between the West and India.

---

<sup>7</sup> Kirubaharan stated this to me during an interview on 18 April 2012.

<sup>8</sup> Hughes stated this to me during the interview on 28 September 2010.

During this period, in the backdrop of its struggle against communism, the West enhanced military ties with the pro-liberal and pro-Western government of Sri Lanka, antagonising the then socialist government of India, which at that time considered outside influences in the South Asian region to be inimical to its national interest.<sup>9</sup> In an attempt to steer Sri Lanka away from the influence of the West, and thereby put a check on Western influence in its backyard, India armed, trained and financed the Tamil armed resistance movement and hosted exiled Tamil politicians in its territory (Lunstead, 2007: 24-25). Thus, while it is true that Indian influence remains one of the reasons behind Western opposition to the formation of a Tamil state in the island today, this is only a development of the post-Cold War period.

On the other hand, although the Tamils' armed struggle for political independence was violent, it hardly had any spill-over effects outside the borders of Sri Lanka, with the exception in the 1970s and 1980s when India allowed the Tamil rebels to use its territory to set up their training camps, and in 1991 when the former Indian Prime Minister Rajiv Gandhi was assassinated by a Tamil suicidal attacker.<sup>10</sup> Despite the claims of the Sri Lankan state, the Tamils' armed struggle also did not have extra-territorial ambitions (Weiss, 2011: 77; Moorcraft, 2012: 90). Unlike many insurgent groups in other parts of the world, in particular those in the Middle East, the LTTE was also not influenced by any religious ideologies, but

---

<sup>9</sup> Under the premiership of Indira Gandhi, between 1966-1977 and 1980-1984, India remained intolerant to 'external intervention in a conflict situation in any South Asian country if the intervention' was deemed to have 'implicit or explicit anti-Indian implication'; South Asian government's were expected by New Delhi not to 'ask for external assistance' if such assistance was intended to have 'an anti-Indian bias' (Gupta, 1983, cited in DeVotta, 1998: 457). Scholars have referred to this policy as the 'Indira Doctrine' (see Rao, 1988: 422; DeVotta, 1998: 457; also see Chacko 2012: 141). During a debate in the Indian Parliament on 5 August 1983, in response to Sri Lanka's violence against the Tamils and Western support for the island-state's counter-insurgency efforts, Indira Gandhi spelled-out this policy, although she did not enunciate it as a doctrine to bear her name: 'In this matter, India cannot be regarded just any country. Sri Lanka and India are the two countries who are directly concerned. Any extraneous involvement will complicate matters for both our countries' (1986: 409).

<sup>10</sup> In contrast to the anti-Sri Lankan policies of his mother Indira Gandhi, Rajiv Gandhi sent Indian troops to the Tamil homeland in July 1987 to crush the Tamils' armed struggle. However, the new government of Prime Minister V.P.Singh that came to power in New Delhi in December 1989 withdrew Indian troops from the Tamil homeland in March 1990 and even followed a non-interventionary approach in the Eelam War (see Chapters VI & VII). Rajiv Gandhi criticised this and even made pledges in public forums that if he returned to power, he would reverse the non-interventionary approach of Singh's government. On this basis, Indian investigators have accused the LTTE of assassinating Rajiv Gandhi using a Tamil female suicidal attacker as a retribution for sending Indian troops to the Tamil homeland and to deter India from carrying out another military intervention (see Subramaniam, 1998). However, the LTTE has consistently denied involvement in the killing.

followed secular policies (Murray, 2006: 194; Moorcraft, 2012: 90-91). Moreover, throughout the armed conflict, the LTTE not only distanced itself from terrorists and insurgent groups that were hostile to Western interests, in particular Islamist Jihadists, but also carefully avoided targeting Western tourists and investments, both within and outside the island. Western diplomats have acknowledged this (Lunstead, 2007: 15).

Although Western states have deplored the use of suicidal attackers by the LTTE in its military campaigns against the Sri Lankan state, this cannot be attributed to deaths caused to civilians in some of the attacks. Compared to other insurgent groups, while the LTTE is known to have carried out the highest number of suicidal attacks (Murray, 2006: 194), in most of those attacks civilians had hardly been the targets. As Namini Wijedasa, a Sinhala journalist who won the European Commission's Lorenzo Natali prize for her reporting on the conflict, notes, the LTTE does not 'usually deploy suicide cadres on civilian targets' (2008). According to Gordon Weiss, who served as the UN's spokesperson in Colombo during the last phase of the armed conflict, the LTTE used suicidal attackers as 'an efficient deployment of resources' in its military campaigns against the Sri Lankan state: they were used as 'the poor man's tactical weapon or smart bomb' (2011: 77). For Weiss, even the suicidal attackers of the LTTE cannot be called suicide bombers. They were 'suicide attackers only in the sense that the daring and destructive capacity of their attacks entailed almost certain death' for them: 'With their training and dedication they were, to the Tamils at least, the equivalent perhaps of the British SAS or the US army's elite Rangers corps' (Ibid.: 77 & 79). There were even occasions in which some of the suicidal attackers of the LTTE returned to their bases alive after successfully carrying out attacks against the Sri Lankan military<sup>11</sup> (Ibid.: 79). It would therefore be incorrect to assert that the West did not support the Tamils' armed struggle because the LTTE used suicidal attackers to target civilians. Instead, Western opposition to the LTTE's use of suicidal attackers was, as the FBI had noted, based on the belief that the latter's 'tactics have inspired terrorist networks worldwide' (2008).

---

<sup>11</sup> This was also confirmed by a former political official of the LTTE exiled in Malaysia during an interview with me in 2010.

Even this opposition is a development of the post-Cold War period. The LTTE carried out its first suicidal attack in July 1987 on a military base of the Sri Lankan state (Balasingham, 1993: 39), fifteen years after the armed struggle began in 1972. However, no further suicidal attacks were carried out for the next three years, even though the armed conflict continued. It was from July 1990 that the LTTE resumed suicidal attacks targeting the Sri Lankan military, which were later extended to the state's political leadership and often its economic infrastructures, culminating into a total of 137 of such recorded attacks when the armed conflict came to its conclusion on 18 May 2009 (Weiss, 2011: 77). However, Western states have collaborated with Sri Lanka's counter insurgency efforts long before the LTTE began using suicidal attackers in its armed struggle. It was only after Palestinian suicide bombers began imitating the methods of the LTTE in their attacks on Israeli civilians in the mid-1990s that Western states began turning their attention to the latter's suicidal tactics. Therefore, Western opposition to the use of suicidal attackers by the LTTE is also a development of the post-Cold War period, whereas their collaboration in Sri Lanka's counter insurgency efforts goes as far back as to 1977 when the island-state's pro-Western government of J.R.Jayewardene liberalised the economy (as I shall show in Chapter VI).

In addition, despite their hostility to the Tamils' armed struggle, Western diplomats and political leaders have time and again openly stated that the Tamils had legitimate political grievances in terms of their rights as citizens of Sri Lanka. For example, during his address to the House of Commons in June 2000, the British Foreign Office Minister Peter Hain stated that his government expected any political settlement in the island to respect 'the territorial integrity of Sri Lanka' as well as 'the rights of the Tamil community' (HC Deb 20 June 2000). Similarly, commenting on US policy in relation to the Tamils, Lunstead notes that the American government has recognised that 'the Tamils of Sri Lanka have legitimate grievances which the [Sri Lankan] government must address' (2007: 39). Moreover, the Tamils had long spelled out their desire to form a state of their own in the general election of 1977, in which the Tamil political party, Tamil United Liberation Front (TULF), that

advocated secession in its election manifesto won the majority of Tamil votes and became, for the first time in the post-colonial history of the island, the country's main opposition.<sup>12</sup>

It is therefore a fallacy to assert that Western states did not support the Tamils' armed struggle for political independence because of India or because it was violent; nor is it correct to assert that Western states supported Sri Lanka because the Tamils failed to set-out their political grievances clearly to the world and counter Sri Lanka's lobbying.

This being the case, why has the West, from the day that the island-state of Ceylon came into existence, followed the policy of supporting it and opposing the Tamils' demand for secession? During the Cold War, Western states threw their weight behind Sri Lanka on the basis that it was a 'liberal democracy' that stood against communism and for the best part of the Cold War upheld liberal economic policies, even though from 1956 to 1972 it incorporated semi-statist economic policies and from 1972 to 1977 adopted socialist economic policies. As Lunstead notes, the US government's 'engagement with Sri Lanka after independence was driven significantly by the Cold War and the worldwide struggle with the Soviet Union' (2007: 12). This rationale of the West in supporting Sri Lanka became more apparent with the Tamil national liberation movement<sup>13</sup> setting out its manifesto for secession in 1976<sup>14</sup> largely in line with the socialist policies of the Indian Prime Minister Indira Gandhi, who, despite advocating non-alignment, maintained close military ties with the Soviet Union. Thus, during his meeting with the Sri Lankan President Jayewardene at the White House on 18 June, 1984, the US President Ronald Reagan not only applauded his

---

<sup>12</sup> On 8 August 1983, six years after Tamils voted for independence in the general election of 1977, the Sri Lankan government amended the island-state's constitution, criminalising secessionist demands.

<sup>13</sup> In using the term Tamil national liberation movement, I mean Tamil political parties, civil society groups, politico-military organisations, which include the LTTE, and Tamil Diaspora organisations that advocate the political independence of Tamils. However, in using the term Tamil armed resistance movement, I am only referring to sections of the Tamil national liberation movement that waged the armed struggle. During the 1970s and 1980s, although the LTTE remained the dominant Tamil politico-military organisation, it was not the only organisation that waged the armed struggle. However, by 1990 the LTTE emerged, having disbanded other militant groups, as the sole politico-military organisation that waged the armed struggle. Thus, when I use the term Tamil armed resistance movement in the context of the armed conflict during the 1970s and 1980s, I am referring both to the LTTE and other Tamil armed organisations. However, when I use the same term for the period commencing 1990, I am only referring to the LTTE.

<sup>14</sup> This manifesto for independence was later put before the Tamil public in the general election of 1977.

counterpart for the latter's pro-market economic policies but also for following a 'genuine' policy of non-alignment (an issue we shall consider at length in Chapter VI).

In the post-Cold War period, despite the absence of the communist threat, Western diplomats and political leaders reiterated their support for Sri Lanka on the basis of their commitment to promoting democracy and liberal economic policies across the globe. Writing in 2011, two years after of the conclusion of the armed conflict, Lunstead claimed that the United States supported Sri Lanka as the latter had 'democratic government' (2011: 71). Nine years prior to this, Ashley Wills, another former US ambassador to Colombo, claimed during an interview to a Colombo-based weekly that his government supported Sri Lanka as part of its global efforts to promote democracy, human rights and 'free market approaches to organising a nation's economic life' (2002). Sri Lanka's democracy was, Wills lamented, 'being tested and torn by conflict, in particular ethnic conflict' (2001). Tamils' demand for political independence was neither 'possible' nor 'even desirable', and instead they must learn to live as Sri Lankans, Wills argued (Ibid.). These statements, among many others that I will be citing in Chapters IV to VIII, demonstrate that from the day that the island-state of Ceylon was created by the British Empire, Western policy towards it and the Tamils' demand for political independence have been underpinned by the concept of liberal peace.

Although much of the official statements that I will be citing in this thesis to explain Western policy in the Eelam War are from US diplomats and political leaders, this does not mean that Britain or other Western states have followed a different policy. During the Cold War, it was the US, with Britain playing a complementary role, that took the lead to promote Western liberal values and counter the Soviet threat in the global South while other Western states largely played the role of allies. This was no different in the case of Ceylon. As will be explained further in Chapter IV, even though until 1972 Ceylon was headed by the British monarchy<sup>15</sup> and was part of the British Commonwealth,<sup>16</sup> it was the US that played a key role in ensuring that the island-state did not become a satellite state of the Soviet Union. In this

---

<sup>15</sup> Even after independence in 1948, the British monarchy remained Ceylon's Head of State until 1972, when the island-state was renamed Sri Lanka and became a republic, replacing the British monarchy with an elected president. In 1978 further constitutional changes were made, establishing an elected executive presidency.

<sup>16</sup> Even today, Sri Lanka is part of the Commonwealth.

regard, in an internal policy statement circulated during the Korean War in 1951, the US Department of State noted that it expected ‘Ceylon to develop an attitude which would enable the US to obtain, and the UK to retain, facilities required in time of peace or in the event of war’ and ‘prevent the USSR from obtaining any form of military support or other assistance from Ceylon’ (1977: 2013). The US Department of State also noted that it expected Ceylon to ‘uphold the UK-Commonwealth point of view’ in foreign affairs (Ibid.). Thus, as Dominic John Chilcott, a former British ambassador to Colombo has acknowledged, although ‘the US has, from time to time, taken a contrary view from Britain in world affairs’, when it comes to ‘Sri Lanka’s conflict, Britain has been in agreement with America’ (2006).

This is also the case with other Western states. During the Cold War, even though many Western states did not have tangible interests in Sri Lanka, they nevertheless benefitted from the engagements of the US and Britain with the island-state. For example, during the Korean War<sup>17</sup> and the conflicts in Indo-China, the US and Britain as well as their other Western allies found Ceylon to be beneficial to them as a refuelling base for their ships and aircrafts (Jayewardene, 1974: 41). With the end of the Cold War, those Western states began to play an active role in the conflict, complementing those of the US and Britain. This role has ranged from facilitating a ceasefire and supervising its implementation, hosting the belligerents for peace talks, and providing development aid, to tilting the military balance in favour of the Sri Lankan armed forces by proscribing and isolating the LTTE as a terrorist organisation, taking legal action against its international operatives, sharing intelligence with Sri Lanka on the LTTE’s overseas fundraising and arm procurements, and providing military assistance to the government forces (in the form of arms and the training of troops) to disrupt the LTTE’s military supplies and destroy its capacity to continue the armed struggle.

Even though each Western state has played its part in the conflict independent of its Western allies, in most cases (as we will see in Chapters VII and VIII), these roles have been co-ordinated.<sup>18</sup> Acknowledging this, Erik Solheim,<sup>19</sup> Norway’s former cabinet minister who

---

<sup>17</sup> During the Korean War, troops from Australia, Belgium, Canada, Denmark, France, Greece, Italy, Luxembourg, Netherlands, New Zealand, Norway, Sweden, UK, and US fought alongside South Korean forces.

<sup>18</sup> By the time the Norwegian-sponsored ceasefire broke down in July 2006 (though the ceasefire continued to remain in theory as neither the LTTE nor the Sri Lankan government abrogated it), the US, UK, Canada and 26 other EU countries had proscribed the LTTE as a terrorist organisation. This was in addition to a number of

played a key role in the Norwegian-led Western intervention<sup>20</sup> in Sri Lanka, has noted that Oslo's efforts to end the armed conflict were not undertaken in isolation but as a contribution to global security: 'Basically we believe that this is the security policy for the twenty-first century. If we want a peaceful world we must contribute and if we want a peaceful Norway we must have a peaceful world' (2009). Similarly, in his reflections on the role of the US in Sri Lanka from 2001 onwards, Lunstead notes that there had been an unofficial 'division of labour' among Western states during the intervention (2007: 5-6). While the US took a harder line towards the LTTE, other Western states, intergovernmental organisations (IGOs) and international financial institutions (IFIs) played a softer role (Ibid.: 5-7 & 35). The objective of this carrot-and-stick policy of the West towards the LTTE (Ibid.: 16), as Richard Armitage (2002), the then US Deputy Secretary of State, spelled out during a mini-donor conference in Oslo in November 2002, was to compel the LTTE to renounce 'its armed struggle for a separate state'. In this regard, Suthaharan Nadarajah, a UK-based Tamil academic who acted as a resource person in the LTTE's peace delegation, notes that the Norwegian-led Western intervention in the Eelam War ultimately sought 'a solution that would maintain Sri Lanka's unity and lead to the LTTE's disarmament' (2008: 88).

Some recent studies (both official and academic) on the Eelam War have traced the origins of liberal peace in Sri Lanka to the Norwegian-sponsored ceasefire in 2002 (Goodhand, Spencer & Korf, 2011: 3; Sorbo et al., 2011: 71). According to a study

---

legal restrictions which were imposed on the LTTE in Australia and New Zealand. However, when the ceasefire agreement was signed in February 2002, the LTTE remained a proscribed organisation only in the US and UK, in addition to the restrictions imposed following 9/11 on its ability to raise funds in Australia and Canada.

<sup>19</sup> When the Norway entered the conflict in Sri Lanka in 1999 seeking to facilitate a ceasefire and political negotiations, Erik Solheim was first appointed by Oslo as the special envoy to Sri Lanka, the post which he held until 17 October 2005, when he became Norway's minister for international development. From then onwards until the conclusion of the armed conflict in May 2009, Solheim oversaw Norway's role in the conflict.

<sup>20</sup> Although the Norwegian-facilitated ceasefire and peace negotiations in the Eelam War are referred to in the mainstream media and official documents as the 'Norwegian peace process', given its strong interventionist characteristics and the way that 'Norwegian officials were muscular in setting both the agenda and pace of talks', some scholars, as well as some senior Sri Lankan government officials and ministers, have characterised it as an intervention (see Nadarajah, 2008: 88; Moorcraft, 2012: 112). In this thesis, I refer to it not simply as the Norwegian intervention but as the Norwegian-led Western intervention because it was part of the West's war to defeat the LTTE through means other than military action, i.e., law, finance, diplomacy, and politics.



commissioned by the Norwegian Agency for Development Co-operation (Norad) in 2011, when Norway successfully mediated the ceasefire in 2002 many international actors saw Sri Lanka as ‘a potential liberal peacebuilding success story’ (Sorbo et al., 2011: 44). Even though the study commissioned by Norad (Ibid.: 71 & 73) claims that ‘not all international actors were conscious agents of liberal peacebuilding’ and that ‘Norway was not a conscious proponent of liberal peacebuilding’, it acknowledges that all international actors were ‘influenced’ by many of the ‘key components and underlying assumptions’ of liberal peace:

The assumptions were that a peace settlement could be reached through a mediated settlement; that a peace deal would need to be linked to political reforms involving the democratization of the state through some form of devolution package; that economic growth achieved through liberalisation and a reconstruction package would help build security by creating a peace dividend and shared interests for peace; and that these three elements were inter-dependent and mutually reinforcing. The ‘liberal peace’ therefore can be understood, not just as an academic construct, but as a concrete phenomenon which implicitly or explicitly shaped the ground rules and approach to the peace process (Ibid.: 71).

Despite acknowledging the Norwegian-led Western intervention to have been underpinned by the concept of liberal peace, these studies have erred in tracing the latter’s origins in Sri Lanka to 2002. In this thesis, I am able to demonstrate that liberal peace has a longer genealogy in Sri Lanka, going back to 1948 when the island-state was created, and has a continuity with the liberal state-building practices of the British Empire in the island.

In using the term the ‘West’, I am referring to the states that exist in the continents of Europe, North America and Australia, and the two market democracies of East Asia (Japan and South Korea) that are wealthy and have political and economic systems largely mirroring those in the states of the former three continents. During the days of European colonialism, the term ‘West’, as well as the term ‘Occident’, was used largely to refer to Europe (Huntington, 1996: 32). After America’s entry in the First World War, the term ‘West’ began to be used more commonly to refer to Europe and the states created in the continents of North

America and Australia as a result of European colonial settlements. Later, scholars also used the term 'North' to refer to the West to signify its economic status (Huntington, 1996: 33). With the end of the Cold War, liberal scholars divided the world into two zones: the 'zones of peace' and the 'zones of turmoil' (Ibid.: 32). While the former was understood to include the 'West and Japan', the latter was understood to encompass the rest of the world (Ibid.), even though Michael Doyle (1986: 1164), whose works of the 1980s remain central to the liberal peace literature of the twentieth century, placed many non-Western states (such as Sri Lanka and India) within the 'zone of peace'. However, James M. Goldgeier and Michael McFaul, who use the terms 'liberal core' and 'Western core' to refer to the West as the 'zone of peace', claim that it encompasses 'Western Europe, North America, and parts of East Asia' (2001: 3 & 6). As this study is centred on the concept of liberal peace, in this thesis I will be using the term 'West' to collectively refer to the states that are understood to exist within this 'liberal zone of peace', i.e., and not to refer to a single geographical location in the world.

Although the non-Western world has been referred to by scholars using the terms the 'East', the 'third world', the 'periphery', and the 'global South', in this thesis I only use the term 'global South' to refer to it in the present context because other terms reflect more accurately the previous historical periods. Using the colonial term 'East' to distinguish the rest of the world from the West no longer makes sense because large sections of 'Eastern' populations have become, especially in the post-Cold War period, part of Western populations by migrating to the West. The term only makes sense when it is used to refer to the countries of Asia and Africa during the colonial period. Similarly, the terms 'third world' and 'periphery' also do not make any sense today as the world is no longer divided into three parts, as it was understood to have been during the Cold War; nor are relations between the West and the rest of the World conducted on the basis of domination and subordination (see Chapter II). While these three terms reflect different historical periods, the term 'global South' or 'South' cannot be situated in any such periods. It therefore remains a better term today to refer to the rest of the world. Even though the term is used today by many scholars to loosely refer to all non-Western countries where poverty is still a major issue (Huntington, 1996: 33; Duffield, 2002: 4), in using the term, I do not attach to it any such meaning. I am also not using it to mean a single geographical location: I am not using it in its literal sense.

However, in my studies on the colonial liberal state-building practices of the British Empire, I use the term 'East' instead of the term 'South' to refer to its colonies in Asia and Africa.

What are we to understand by the concept of liberal peace? During the Cold War, it was used by liberal scholars to explain theoretically the reasons behind the absence of military confrontations since the end of the Second World War between Western liberal democracies. While some have argued that the democratic nature of Western states has led to the absence of military confrontations between them (Babst, 1964), others have credited this to Western states' commitment to liberty, the rule of law, a free market economy, and representative government (Doyle, 1983). This concept has a geneology in the thoughts of early liberal thinkers such as Adam Smith, Immanuel Kant and the liberal statesman Woodrow Wilson.

With the end of the Cold War, the concept of liberal peace became the dominant paradigm in Western political thought and practice. On the one hand, many Western states began to articulate and conduct their foreign policies within the framework of liberal peace (Clinton, 1993; Blair, 1999; Bush, 2008; Obama, 2010). On the other hand, IGOs, IFIs, Western non-governmental organisations (NGOs) and human rights groups also began pursuing their activities in the global South within this framework (Duffield, 2002: 12). Espoused as the key to global peace, liberal peace was embedded in many of the Western-led post-Cold War humanitarian interventions, 'peacebuilding' missions, conflict resolution efforts, aid programmes, and the Global War on Terror (GWOt). Western states took the lead in institutionalising a liberal democratic system of government in the states of the global South, seeking to transform them into market democracies that adhered to the principles of rule of law, respected civil liberties and human rights, conducted periodic and genuine elections, and guaranteed the security of a free functioning and globalised market within their borders (Paris, 2009: 5). At the same time, as will be explained in Chapters III, VII and VIII, Western states also undertook interventions in the former colonies of European powers to reinstate and consolidate liberal democratic institutions of the colonial period. This is not to say that the concept of liberal peace was only embedded in Western interventions of the post-Cold War period. During the Cold War, the concept was also embedded in most of the Western interventions undertaken under the banner of containment and development. A full

discussion of the theoretical aspects of the concept of liberal peace will be made in Chapter II, followed by a further discussion in Chapter III about how it has unfolded in practice.

Despite having embedded in their foreign policies a concept that claims military confrontations between states can be brought to an end through political and economic liberalisation, why do Western states, in the name of bringing peace to the entire globe, wage wars as well as collaborate in the wars of their Southern counterparts, condoning the use of violence against certain groups of populations within the latter's borders and the subversion of human rights, civil liberties and other democratic freedoms, as in the case of Sri Lanka? In the post-Cold War period, with the increase in the number of Western interventions in the global South, a body of scholarly work has emerged claiming to 'critique' the concept of liberal peace. Much of it, however, has focused on the failure of Western interventions and suggesting ways of better managing liberalisation or alternative peacebuilding strategies, rather than explaining the rationale behind such interventions and the role of war.

For example, in *At Wars End*, Roland Paris attributes the failure of many liberal 'peacebuilding' missions to naive assumptions on the part of 'peacebuilders' that democratization and marketization automatically leads to peace, and suggests that in order to ensure the success of liberal peace, 'peacebuilders' should institutionalise authoritative and effective mechanisms of government before undertaking political and economic liberalisation: 'Only when a working governmental authority has been re-established should peacebuilders initiate a series of gradual democratic and market oriented reforms' (2009: 151-152 & 188). Oliver P. Richmond and Mitchell Audra, however, attribute the failure of liberal peace to its 'pragmatically implausible and intellectually or culturally alien' character to some of the 'developing states' of the world (2011: 326). The solution to overcoming such obstacles is to conceive resistance to liberal peace 'as important and valuable critiques' and make changes accordingly, or treat resistance as 'sources of alternative practices that more accurately reflect the needs, goals, and aspirations of local actors, and thus increase the legitimacy and durability of peace processes in question' (Ibid.: 327).

On the other hand, claiming that neo-liberal economic policies implemented as part of liberal 'peacebuilding' exacerbate conflicts, Marxist scholars such as Neil Cooper, Mandy Turner and Michael Pugh suggest an alternative strategy of peacebuilding that would lead to

‘a dialogue between heterodoxies’, accommodating alternative economic systems such as ‘tribal, religious and customary forms of production and exchange’ of the global South with neo-liberal and state welfarist, centralised, decentralised, protectionist, integrative, and modernising economic systems (2011: 6 & 11-12). Acknowledging ‘the variety of political economies’ in the South ‘as varied forms of peace’ by Western peacebuilders would be a right step in this direction (Ibid.: 12). Another step would be to reform ‘global economic structures’ and address the ‘gross inequalities and forms of exploitations in the global economy’ (Ibid.). Until Southern societies are allowed to adopt protectionist and social welfare policies on which Western societies had ‘based their original development’, undertaking ‘peacebuilding’ would be similar to ‘training a goldfish in a desert’ (Ibid.).

David Chandler (2010: 1) characterises ‘critiques’ of this nature, as well as some those that have sought to explain the rationale behind Western interventions (for example Duffield, 2007; Dillon & Reid, 2009), to be ‘uncritical critique of “liberal peace”’. They are uncritical, he argues, in that instead of criticising ‘liberalism for its inability to overcome social, economic and cultural inequalities’, they seek to explain the failure of liberal ‘peacebuilding’ on the assumption that ‘democracy or development are somehow not “appropriate” aspirations’ for non-Western societies ‘or that expectations need to be substantially lowered or changed to account for difference’ between Western liberal societies and the non-liberal ‘other’ societies (Chandler, 2010: 10). In essence, for Chandler, in portraying ‘the non-liberal other’ as the ‘barrier’ to the success of liberal ‘peacebuilding’, these critiques become apologies for the failure of liberal ‘peacebuilding’ (Ibid.: 10 & 12).<sup>21</sup>

Chandler also claims that it is conceptually incorrect to situate post-Cold War Western interventions within the framework of liberal peace: ‘It would appear that the key concepts and values of the “liberal peace” held to have been promoted with vigour with the “victory of liberalism” at the end of the Cold War were never as dominant a framing as their radical and policy critics have claimed’ (Ibid.: 12). While noting that ‘reconstruction or rebuilding of

---

<sup>21</sup> With the exception of the works of Paris, Duffield, and Dillon and Reid, although Chandler’s criticism of the works of Richmond, Cooper, Turner, and Pugh were based on those published prior to those cited above, it nevertheless remains a valid criticism in that in their later works the latter have upheld the arguments they had advanced before.

states' had been at the core of many post-Cold War Western interventions, Chandler argues that such interventions had never been 'aimed at the construction of a liberal international order' (Ibid.). Instead, they were intended to 'keep the lid on or to manage the "complexity" of non-Western societies', which are usually 'perceived in terms of fixed ethnic and regional divisions': the objective was to internationalise 'the mechanisms of governance', thereby 'removing substantive autonomy' of non-Western states (Ibid.).

While making such claims, Chandler (Ibid.: 11-12) neither substantiates them – other than referring to some of the official reports of World Bank (some of which are from the closing years of the Cold War, i.e., 1989 and 1990) in which it had been argued that Western interventions cannot simply rely on promoting political and economic liberalisation – nor addresses policy statements of political leaders of leading Western states (such as the US and UK) that have consistently justified post-Cold War Western interventions within the framework of liberal peace. For example, in his address to the forty-eighth session of the UN, the then US President Bill Clinton argued that the 'overriding purpose' of America 'must be to expand and strengthen the world's community of market-based democracies' (1993). Following Clinton, justifying Western intervention in Kosovo, the British Prime Minister Tony Blair claimed that it is in the 'national interests' of the West to 'establish and spread the values of liberty, the rule of law, human rights and an open society' (1999). In similar manner, justifying liberal state-building in Iraq, the American President George W. Bush claimed in 2004 that 'America is a nation with a mission' for 'democratic peace' (2008: 203).

Therefore, in this respect, Chandler's arguments rest on shaky grounds. However, Chandler's characterisation of 'critiques' of liberal peace as uncritical are not unwarranted, in that despite claiming to critique liberal peace they end up, at least implicitly, implicating non-Western societies for the failure of liberal 'peacebuilding' (see Duffield, 2007: 30; Paris, 2009: 159-175; Dillon & Reid, 2009: 83; Cooper, Turner & Pugh, 2011: 12; Richmond & Audra, 2011: 328-329). This is not to say that the works of scholars cited above do not provide any insights on the concept of liberal peace. The works of Richmond (2006) provide insights into the operation of various strands of liberal peace both at normative and institutional levels (this will be taken-up further in Chapter II). Similarly, despite their

limitations (which will be discussed below), the work of Foucauldian scholars have also succeeded in partially explaining the rationale behind post-Cold War Western interventions.

Using a Foucauldian framework, Mark Duffield has sought explain the rationale behind Western interventions in the South by conceptualising development undertaken as part of liberal ‘peacebuilding’ as ‘a regime of biopolitics that generically divides humankind into developed and underdeveloped species-life’ (2007: 16). In this biopolitical perspective of Duffield, Western populations are understood to belong to the developed part of the humankind while Southern populations are understood to constitute the underdeveloped life (Ibid.: 16 & 17). Citing a number of official publications of Western governments and IGOs, Duffield argues that Western political leaders and policy makers have understood that in light of globalisation they cannot remain blind to instability in the South because it can have a direct impact on Western societies: ‘The ripple effects of poverty, environmental collapse, civil conflicts or health crisis require international management, since they do not respect geographical boundaries. Otherwise, they will inundate and destabilize Western society’ (Ibid.: 1). It is therefore in an attempt to secure Western populations and their way of life from the effects of instability in the South that the West undertakes interventions (Ibid.: 2 & 30). In the first instance, Western states as well as Western non-state actors (such as NGOs) seek to improve the lives of Southern populations by developing their ‘self-reliance’ capabilities ‘in terms of their general economic, social and welfare requirements’ (Ibid.: 18). Whenever the self-reliance capabilities of Southern societies break down, Western interventions become ‘*a regime of international social protection of last resort*’ (Ibid.). In other words, whenever order within Southern societies breaks down, the West undertakes interventions within those societies to construct a liberal state-order, thereby assuming a ‘developmental trusteeship’ over them until such a state-order is established (Ibid.: 7-8). Duffield also argues that Western interventions are partly underpinned by the moral impulses of Western societies to improve the lives of Southern populations – which he calls ‘enlightened self-interest’ (Ibid.: 2). In essence, Duffield’s biopolitical perspective of development explains Western interventions to be underpinned by both the self-interest of Western states and the moral impulses of Western societies (Ibid.).

Also using a Foucauldian framework, Michael Dillon and Julian Reid have sought to explain the rationale behind Western interventions by conceptualising them as biopolitical endeavours underpinned by liberalism's commitment to bringing 'peace and prosperity' to the humankind through the removal of 'the scourge of war' from life (2009: 42). On the one hand, liberalism seeks to fulfil this commitment by making 'more states and societies look like liberal states and societies' on the belief that if 'we were all the same there would be no one to fight and nothing to fight over' (Ibid.: 48). On the other hand, it also seeks to fulfil this commitment by 'assaying life' that it considers to be 'inimical to the promotion of life' (Ibid.: 87). In other words, having committed to the peace and prosperity of the humankind, liberalism wages war on life that is seen to be a threat to fulfilling this commitment: 'It decides, implicitly or explicitly, whom to correct and whom to punish, as well as who shall live and who shall die, what life forms will be promoted and which will be terminated' (Ibid.). Thus, the biopolitical perspective of Dillon and Reid explains Western interventions to be underpinned by liberalism's commitment to liberalising states and populations, with peace and prosperity for the humankind being the ultimate objective.

As noted earlier, it has long been established that liberalisation remains at the core of most of the interventions undertaken by the West in the states of the South. In this sense, Duffield, and Dillon and Reid have correctly identified that by promoting, undertaking, and consolidating liberalisation programmes, the West seeks to liberalise global populations. It cannot also be denied that Western interventions in the South are linked to the safety and security of Western populations and their way of life, as Duffield, and Dillon and Reid argue. However, a number of limitations can be identified in their biopolitical perspectives.

Duffield's claim that Western interventions are partly underpinned by the moral impulses of Western societies is a misplaced one. It cannot be denied that some of the interventions undertaken by the West (such as those undertaken in the aftermath of natural disasters) have certainly been underpinned by the moral impulses of the West. However, not all Western interventions have been underpinned by such moral impulses. As we will see in Chapters VII and VIII, the Norwegian-led Western intervention in the Eelam War cannot be construed to have been underpinned by any moral impulses that the West may have had towards the island's Tamil population. Instead, it was undertaken to compel the LTTE to



give-up its secessionist armed struggle and accept Sri Lanka's sovereignty. In other words, the intervention sought to tilt the military balance in favour of the Sri Lankan state that was responsible for perpetrating mass-scale human rights abuses against the Tamils. Thus, Duffield's claim on the enlightened self-interest of the West makes sense only in certain cases; it cannot explain every intervention the West has undertaken in the South.

The same can be said of Dillon and Reid's claim that the West wages war to fulfil liberalism's commitment of bringing peace and prosperity to the humankind by promoting the liberal way of life. As will be explained in Chapters IV to VIII, under British colonial rule, the Tamils in Ceylon embraced liberal principles more than the Sinhalese: when the island-state was created in 1948, the Tamils were more liberalised than the Sinhalese. Yet, following decolonisation, despite being very well aware that the Tamils were facing state-aggression and discrimination, the West did not intervene in their favour to bring peace and prosperity them. Instead, it initially turned a blind-eye to their plight and later collaborated with Sri Lanka in its war to create a Sinhala-Buddhist ethno-theocratic identity for the island's population through its liberal democratic apparatus of governance. Clearly, these actions and inactions on the part of the West cannot be construed as having been underpinned by liberalism's commitment to bringing peace and prosperity to the humankind. Moreover, if promoting the liberal way of life for the humankind remains central to Western wars, why did the West not turn against Sri Lanka when a liberalised population within its borders faced aggression? The biopolitical perspectives of Dillon and Reid cannot explain these.

The limitations of the biopolitical perspectives of Duffield, and Dillon and Reid can be attributed to their tendency to either ignore or underplay the commercial dynamics of most of the Western interventions. Whereas the biopolitics of development used by Duffield to explain Western interventions in the global South does not take into account the central role played by global commerce in the manifestations of the concept of liberal peace, the biopolitics of peace and prosperity used by Dillon and Reid underplays the centrality of global commerce in Western efforts to liberalise Southern states and populations. To an extent, this tendency, as the work of Dillon and Reid indicate, is the result of two misconceptions: firstly, there is a misconception that recognising the central role that commerce plays in liberal biopolitics leads automatically to following 'traditional Marxist

accounts of the political economy of liberal rule and war'; secondly, there is a misconception that economy no longer remains central to liberal biopolitics (2009: 24 & 29).

Using the theoretical framework of imperialism, Marxist scholars Tarak Barkawi and Mark Laffey have sought to conceptualise Western interventions as imperial endeavours that have been undertaken to produce 'liberal spaces' so that 'territories and populations' can be administered in ways that are 'understood by US state manager to be consistent with US interests and with the preservation and extension of a US-centred liberal and capitalist order' (1999: 419). The production of liberal spaces, however, is not intended to extend the political and civil rights enjoyed by Western populations to their Southern counterparts (Ibid.: 418). Instead, it is intended to preserve order outside the West and defend 'economic rights for local and external elites' (Ibid.). In their view, the acclaimed commitment of the West to spread liberal democracy to the South through political liberalisation is nothing but a rhetoric. In essence, for Barkawi and Laffey, Western interventions are imperial endeavours undertaken by the capitalist West to exploit the South through economic liberalisation.

Unlike Duffield, and Dillon and Reid, although Barkawi and Laffey recognise the commercial dynamics of Western interventions, a number of flaws can nevertheless be identified in the way that they have sought to conceptualises them.

As will be explained in Chapter II, in pursuing liberalisation in the states of the South, the West does not seek to extend economic rights only to local and external elites: through the institutionalisation of the rule of law, the West seeks to extend commercial and property rights to all Southern populations (elites and non-elites alike) as well as to Westerners who are interested in maintaining commercial ties with Southern societies. Although the neo-liberalisation programmes promoted as part of liberal 'peacebuilding' have often led to capitalist exploitation of some sections of Southern populations, this does not mean that only Southern elites and Western capitalists have gained from those programmes; other sections within Southern populations have also benefited from those programmes. Thus, the claim of Barkawi and Laffey that the West only seeks to extend economic rights to Western capitalists and Southern elites through economic liberalisation programmes is a misplaced one.

In Chapter IV, using the case of liberal state-building undertaken by the British Empire from the middle of the nineteenth century in Ceylon, I also demonstrate that the extension of

civil and political rights to Southern populations is not a Western rhetoric, as Barkawi and Laffey claim, but a real commitment centred on creating conditions for global commerce (in colonial Ceylon's case Britain's global commerce). It is based on the assumption that liberal institutions and freedoms create conditions for global commerce. As we will see in Chapters I and II, the security of global commerce is understood to depend on the consumer freedom that states are able to produce within their borders: for commerce to be undertaken securely within states, a number of freedoms, such as 'the freedom of the market, freedom to buy and sell, the free exercise of property rights, freedom of discussion' and the 'freedom of expression' must exist within their borders (Foucault, 2008: 63). In other words, political and economic liberalisation are understood in liberal thought to be inextricably linked.

As we will see in Chapter II, the conceptualisation of Western interventions as imperial endeavours by Barkawi and Laffey is also a problematic one. It is certainly true that Western-dominated IFIs and IGOs such as the International Monetary Fund (IMF), World Bank, and the World Trade Organisation (WTO) do seek to influence the economic policies of Southern states, as Barkawi and Laffey argue (2001: 6). It also cannot be denied that in some parts of the South, such as Kosovo and Bosnia, Western officials have subverted elections to bring to power liberal regimes (Ibid.: 9). However, as we will see in Chapter II, the adoption of the imperial practices of the past by the West in contemporary interventions is not a sufficient ground to conceptualise them as imperial endeavours. Moreover, the concept of liberal peace that underpins those interventions is opposed to imperialism on the basis that the latter produces political monopolies, which lead to economic monopolies that hinder commercial interdependence between states. As we will also see in Chapter II, and as Michael Hardt and Antonio Negri have pointed out in *Empire*, the days of imperialism are over (2001: xiv).

The fallibility of the theoretical framework of imperialism used by Barkawi and Laffey becomes more apparent when examined within the context of Western policy in the Eelam War. As we will see in Chapters IV to VIII, since the island-state of Ceylon was created by the British Empire, Western collaboration with it has been to ensure that it continues to remain a self-governing market democracy devoid of threats and influences from non-liberal forces and ideologies, and not for exercising direct or indirect imperial control over the island for capitalist exploitation. Moreover, reducing Western collaboration with Sri Lanka as the

collaboration of capitalist elites in the West with their counterparts in the global South to exploit resources would not make sense because the indigenous Tamils have, since colonial times, been pro-capitalist than the Sinhala-Buddhists (see, for example Bloom, 2003: 58-59; Stokke & Ryntveit, 2000: 298). As we will see in Chapter IV, despite Sri Lanka incorporating semi-statist economic policies from 1956 to 1972 and adopting from 1972 to 1977 socialist economic policies, the West sought to appease it and turned a blind-eye to the plight of the pro-capitalist and liberalised Tamils because the island-state was opposed to communism. In doing so, during those years the West actually worked to the detriment of capitalism.

Therefore, despite recognising the commercial dynamics of contemporary Western interventions, by relying on the theoretical framework of imperialism to explain them, Barkawi and Laffey only reduce the concept of liberal peace as a contemporary form of capitalist exploitation and misconceive the West as an imperial state.

Given these limitations of existing Foucauldian and Marxist critiques, how can the wars waged by Western states under the banner of liberal peace and their collaboration in the wars of their Southern counterparts, especially with Sri Lanka, be explained theoretically? This thesis does this by developing a new biopolitical perspective on Western interventions using Foucault's account of liberal peace, his concept of biopolitics, and his expositions on war. Using this biopolitical perspective, it is also possible to conceptualise war beyond military action to include all power relations that produce the effects of battle (which will be discussed further in Chapter I). As will be argued in Chapters I and II, commercial globalisation remains central to the concept of liberal peace in that the economic interdependence it produces between states is understood to be capable of sustaining the state of 'peace' (understood in terms of the absence of military confrontations between states) that exists between Western states since the end of the Second World War, and would possibly lead to the extension of this state of affairs in their relationship with their Southern counterparts. In other words, commercial globalisation is understood to be the key to removing the miseries that military confrontations between states can bring upon populations. Therefore, in promoting, undertaking, and consolidating liberalisation programmes in the states of the South, Western states seek to create conditions for unhindered commerce within their borders. In this sense, liberal peace is a biopolitical project of making global populations

live. It is in this biopolitical endeavour of making global populations live that Western states wage wars and collaborate in the wars of their Southern counterparts to eliminate non-liberal actors who are considered to be a threat to the security of global commerce, and thus global populations. It is as practitioners of this biopolitics of making life live and killing life to make life live that Western states allow the subversion of civil liberties, human rights, and other democratic freedoms that they also simultaneously promote. It is also as practitioners of this biopolitics that Western states turn a blind-eye to as well as collaborate in the killing of populations (often liberalised populations such as the Tamils) by their Southern counterparts. In this biopolitical endeavour, wars, whether they be direct or collaborative, are waged not only using military might but using all power relations, in particular law, finance, politics, and diplomacy, that produce the effects of battle (as we will see in Chapters I to VIII). Therefore, if liberalisation continues in the same way that it is being undertaken since the end of the Second World War and every state in the world eventually becomes liberalised, we may see the expansion of the current liberal zone of 'peace' into a global liberal zone of 'peace'. However, as the history of the manifestations of the concept of liberal peace and the fact that wars are increasingly being waged through means other than military action shows, creation of a global liberal zone of 'peace' may not mean the eradication of war.

As will be explained further in Chapters IV to VIII, Western policy in the Eelam War has been underwritten by two long-standing and complementary assumptions. On the one hand, Western support for Sri Lanka has been premised on the belief that if its liberal democratic system of government was to provide security to global commerce within its borders, it must be helped to overcome the secessionist threat of the Tamils. On the other hand, Western opposition to the formation of a Tamil state has been centred on the perception that dividing the island into two ethnologically homogeneous states would only exacerbate ethnic tensions that had prevailed between two rival nations, which would in turn threaten commercial intercourse. As the ancient history of Sri Lanka before European colonial powers set foot in the island shows, the Tamil – Sinhala struggle for control of the island has a genealogy of nearly two thousand two hundred and fifty years<sup>22</sup> (see Mahavamsa, 1912: 142-

---

<sup>22</sup> The ancient Sinhala chronicle *Mahavamsa* has recorded of occasions when Tamil and Sinhala kings competed for control of the entire island of Sri Lanka, the earliest date of which is 237 B.C.

178). This fear is further compounded by the fact that the island is ‘located at the nexus of crucial maritime trading routes in the Indian Ocean connecting Europe and the Middle East to China and the rest of Asia’ (United States Senate, 2009: 3). This is something that has been acknowledged by Western statesmen from the seventeenth century to the present day (see Ribeiro, 1909; Blake, 2011). Instability in Sri Lanka is therefore seen as having the potential to ‘disrupt maritime trade’ through the Indian Ocean (United States Senate, 2009: 3).

While there is already a significant amount of scholarly work available today on the historical, political and economic dynamics of the Eelam War (see, for example Stokke & Ryntveitt, 2000; Gunasinghe, 2004; Uyangoda, 2011), and the Norwegian-led Western intervention in the armed conflict (see Lunstead, 2007 & 2011; Goodhand, Spencer & Korf, 2011; Sorbo et al., 2011), none of them have explained them using the specific biopolitical perspective that I have developed in this thesis. Although within recent years a number of scholars have explained Western policy in the Eelam War within a Foucauldian governmentality framework and demonstrated how the dynamics, trajectories, and outcomes of the Norwegian-led Western intervention can be understood as a ‘clash of governmentalities’ (see Nadarajah, 2010) and how liberal peace has appropriated, strengthened, and redeployed ‘in its own service the practices’ of Sri Lanka’s Sinhala-Buddhist ‘governmental project’ to establish a liberal order in the island (see Rampton & Nadarajah, 2012: 3), their study also ignores Foucault’s account of liberal peace.

One criticism levelled at Foucault’s concepts and ideas concerns their relevance to our understanding of international relations. Jan Selby, for example, claims that in using Foucault’s methods in international relations, Foucauldian scholars are engaged in “‘internationalising” a theorist whose focus was primarily on the “domestic” social arena’ of Europe (2007: 325 & 339). When Foucault’s work is ‘translated and “scaled up” to inform analysis of the current world order’, it becomes ‘less an interrogation of liberalism than a prop to reworked liberal accounts of the international arena’ (Ibid.: 326). For Selby, Foucault was preoccupied with biopower and governmentality in the ‘domestic arenas of modern “governmentalised” societies’, and as such his writings are suited only to ‘analysing discrete techniques and practices of liberal governance’ in European societies (Ibid.: 334). In ‘scaling up’ Foucault’s work ‘from the domestic social arena’ to develop ‘a newly Foucauldian

picture of contemporary world order', Foucauldian scholars are 'ambitiously' involved in producing 'reworked and reworded liberal accounts of international politics' (Ibid.).

On the other hand, while also accusing Foucauldian scholars of 'scaling up' Foucault, Chandler (2010a: 136) takes them to task for an additional reason. Foucault, Chandler (Ibid.: 141) argues, 'asserted an intimate relationship between politics and power': he explored 'the centrality of the state and its relationship to society as the foundational basis for differing rationalities of governing' (Ibid.). In contrast, Foucauldian scholars assume there to be 'the global disjunction between politics (confined to the nation-state) and power (alleged to be free-floating and unaccountable)' (Ibid.: 141-142). In doing so, Foucauldian scholars not only go against Foucault's methods of studying governmentality and biopolitics, but also incorrectly conceive power to lie 'beyond the contested claims of political reason' (Ibid.).

Some Foucauldian scholars have taken the inspiration for studying power as existing outside and beyond the state from a famous statement that Foucault made in Volume I of *The History of Sexuality* – that the critique of power should go beyond law and the state. The assumption that 'ideally and by nature, power must be exercised in accordance with a fundamental lawfulness' is not always correct, Foucault argued (1998: 88). In the Middle Ages 'the representation of power' had 'remained under the spell of monarchy', despite being different 'in epochs and objectives' (Ibid.). As a consequence, in contemporary 'political thought and analysis, we still have not cut off the head of the king' (Ibid.: 88-89). Taking this statement at face value, some Foucauldian scholars have sought to explain power relations by 'cutting off the king's head' (the state) and analysing how the social body can function without the head. However, in an interview to a Marxist journal in 1976, Foucault clarified that in calling on for 'the king's head to be cut off' from political thought and analysis, he did 'not mean in any way to minimise the importance and effectiveness of state power', but intended to highlight the dangers of taking power as the exclusive domain of the state:

I simply feel that excessive insistence on [the state] playing an exclusive role leads to the risk of overlooking all the mechanisms and effects of power which don't pass directly via the State apparatus, yet often sustain the State more effectively than its own institutions, enlarging and maximising its effectiveness. In

Soviet society one has examples of a State apparatus which has changed hands, yet leaves hierarchies, family life, sexuality and the body more or less as they were in capitalist society (Foucault, 1980: 72-73).

In another interview in 1977, Foucault reiterated this point: 'I don't want to say that the State isn't important; what I want to say is that relations of power, and hence the analysis that must be made of them, necessarily extend beyond the limits of the State' (Ibid.: 122). Later, in the lecture series *Security, Territory, Population*, delivered at the College de France in 1978, Foucault noted that the 'microscopic' analysis of power outside and beyond the state would, 'without paradox or contradiction', lead to understanding the 'general problems of the state' as well as government: 'an analysis in terms of micropowers comes back without any difficulty to the analysis of problems like those of government and the state' (2007: 358).<sup>23</sup>

Within this context, Chandler's criticisms of some Foucauldians' understanding of power and politics are justified. However, the claims of Chandler, as well as those of Selby, that Foucault's writings are not suited for understanding international relations do not have any grounding. It is true that Foucauldian accounts of international relations recognise that the current global order is by and large a liberal one. However, the claim that Foucault's writings are irrelevant to international relations represents a misreading of the French philosopher's meticulous study of power. Even though Foucault's analysis of power did not go beyond the West, it must be borne in mind that before the end of the Second World War, most states of the South had either remained as colonies or protectorates of European powers, where liberal modes of governance were exercised, though this differed from country to country. Notwithstanding this, in "*Society Must Be Defended*", Foucault himself asserted the link between biopolitics and European colonialism (2004: 257). This is a clear indication on the part of Foucault that his writings on Western societies can also have relevance in explaining the governmental practices of Europe's former colonies and protectorates, as well as Western states' relationship with them during the colonial period and after decolonisation.

---

<sup>23</sup> A full discussion on how one could conduct a study on law and the state using Foucault's methods will be made in Chapter I.



Thus, as Anna M. Agathangelou notes, ‘Foucault’s recognition of colonialism opens up space for us to reconstruct a much longer genealogy of the international, not contained by European borders’ (2010: 703; in this regard, also see the works of Prakash, 2000; Hussain, 2003; Neocleous, 2008). Moreover, in *The Birth of Biopolitics* Foucault (2008) also extended his study of liberal biopolitics and governmentality from Europe to America in the twentieth century and even made some attempts to link his ideas to international relations; he understood liberal governmentality in terms of the globalisation of commerce (Kiersey, 2009: 39; Agathangelou, 2010: 703). Many years before the publication of those lecture series, a number of scholars (for example Said, 1977; Hyam, 1990; Stoler, 1995; Escobar, 1995) successfully used the concepts and ideas of Foucault to explain power relations outside the West and the relations between Western and non-Western societies. It is therefore a fallacy to assume that Foucault’s writings are only suitable for studying Western societies.

## **Methodology**

My research methodology was qualitative in character. From the outset, I did not adopt quantitative methods. Quantitative methods, which involve the use of surveys and statistics, are generally accepted to be ‘rational, logical, planned and systematic’ in the study of the behaviour of populations (Pierce, 2008: 42). However, as politics is ‘an intra- and inter-group activity’, quantitative methods ‘often provide relatively limited information’ (Burnham et al., 2004: 31; Pierce, 2008: 46). In contrast, qualitative methods are better suited for research in politics in that they enable ‘theory to be created by induction’ (Pierce, 2008: 42).

Given the fact that Western policy in the Eelam War can only be understood by critically examining the liberal peace literature and conducting a detailed study of the policies of Western states towards the belligerents in Sri Lanka and *vice versa*, and not by obtaining the opinions of the general public either in Sri Lanka or the West, it was clear to me that in my doctoral research I had to rely entirely on qualitative methods and not quantitative ones. Notwithstanding this, it was also not realistic to send questionnaires either to Western government officials or the belligerents as many of them that I approached during my

research for interviews (all unstructured) either declined them or simply did not respond to my requests. Many of the key actors in the Eelam War were also killed in the conflict.

Therefore, the qualitative approach that I adopted was largely one of analysing existing documents on Western policy in the Eelam War. This mode of qualitative research is known as documentary analysis (also known as textual/content analysis) (Burnham et al., 2004: 165; Pierce, 2008: 264). It involves a close reading and interpretation of primary, and secondary sources. In political research, primary sources are understood to be best suited for documentary analysis in that they are evidence which are produced as part of an event or by the event (Lichtman & French, 1978: 18). However, secondary sources can complement primary sources in that they are also related to the event (Ibid.).

Even though my research was concerned with Western policy in the Eelam War, I was very well aware that if I was to develop the most plausible explanation on Western policy, I could not confine my studies to documents that emanated only from Western states but also had to cross reference them with documents that emanated from other actors in the conflict. This method of cross referencing is known in political research as triangulation. While some scholars have defined triangulation to be the use of ‘a variety of research methods’ for ‘cross-checking data’, and thus could involve a combination of qualitative and quantitative methods (Bryman, 2001: 206; Burnham et al., 2004: 31), others have defined it as involving ‘seeking accounts from three or more perspectives’, and could therefore include the use of either methods on their own or together (Burgess, 1982: 162; Pierce, 2008: 90). In this respect, my study involved cross referencing primary sources from Western states with primary sources from the belligerents in Sri Lanka (the LTTE and the Sri Lankan state). While some of the secondary sources were from outside observers in the Eelam War, such as academics and journalists, most of the secondary sources were from the belligerents as well as those who were closely associated with Western states during the conflict. Although both the primary and secondary sources that I gathered and analysed were not readily available for immediate analysis, as a journalist who had covered the Eelam War from the Norwegian-led Western intervention to its catastrophic conclusion, and being a keen observer before that, I knew where I could access relevant documents for my research. Therefore, I was able to gather

relevant documents without much difficulty. Interviews and discussions with individuals who played a key role in the Eelam War were also my methods of cross referencing.

When I began my doctoral research, there was already in existence a body of scholarly work that recognised the Norwegian-led Western intervention in the Eelam War to have been largely underpinned by the concept of liberal peace (Bastian, 2004 & 2008; Shanmugaratnam & Stokke, 2004; Walton, 2008). However, this body of scholarly work failed to trace the longer genealogy that the concept of liberal peace has in Sri Lanka; nor did this body of scholarly work acknowledge that Western policy in the Eelam War had a continuity with the liberal state-building practices of the British Empire in Ceylon before the island-state was created. Moreover, it also ignored the violent dynamics of liberal peace.

Therefore, in seeking to reveal the rationale behind Western states' longstanding opposition to the formation of a Tamil state in the island and their decision to collaborate with Sri Lankan state, I embarked on a detailed study of the concept of liberal peace as well as Western states' policies towards Sri Lanka and the secessionist demands of Tamils.

In "*Society Must Be Defended*" Foucault argues that what is established as truth by one could also be established by another as being completely false (2004: 163-164). In *The Birth of Biopolitics*, Foucault further claims that a 'regime of truth' is capable of making 'something that does not exist' to 'become something' (2008: 20). Making direct reference to politics and economy, in that lecture series Foucault also argues that they 'are things that do not exist and yet which are inscribed in reality and fall under a regime of truth dividing the true and false' (Ibid.). In Foucault's view, truth is something that is produced by power:

The important thing here, I believe, is that truth isn't outside power, or lacking in power: contrary to a myth whose history and functions would repay further study, truth isn't the reward of free spirits, the child of protracted solitude, nor the privilege of those who have succeeded in liberating themselves. Truth is a thing of this world: it is produced only by virtue of multiple forms of constraint. And it induces regular effects of power. Each society has its regime of truth, its 'general politics' of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish

true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts are true (1980: 131).

Thus, for Foucault, truth is not something that is to be ‘discovered and accepted’. Instead, it should be ‘understood as a system of ordered procedures for the production, regulation, distribution, circulation and operation of statements’; it is also ‘linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extend it’ (Ibid.: 133). Does this mean that in seeking to reveal the rationale behind Western policy in the Eelam War, this thesis challenges Foucault’s claim on ‘truth’?

Certainly not. In developing a biopolitical perspective on Western policy in the Eelam War, this thesis makes a contribution to what Foucault (2004: 7) calls the ‘insurrection of subjugated knowledges’. Foucault defines subjugated knowledges as either ‘historical contents that have been buried or masked in functional coherences or formal systematizations’ or ‘a whole series of knowledges that have been disqualified as nonconceptual knowledges, as insufficiently elaborated knowledges’ (2004: 7). The empirical findings of this thesis are historical contents that have largely remained buried and masked under structural theories (such as realism, liberalism and Marxism). In excavating and unmasking these historical contents, this thesis makes a contribution to the insurrection of subjugated knowledges. Moreover, Foucault’s account of liberal peace, his concept of biopolitics, and his expositions on war are, despite their usage in International Relations, insufficiently elaborated ones. Therefore, in using Foucault’s work to develop a biopolitical perspective on Western policy in the Eelam War, and thereby elaborating and expanding further on his concepts and ideas, this thesis also makes a contribution to the insurrection of subjugated knowledges. For Foucault, the reappearance of subjugated knowledges pave the way for the critique of existing knowledges (2004: 8). Thus, in making a contribution to the insurrection of subjugated knowledges, this thesis paves the way for the development of a critique of the concept of liberal peace in International Relations.

My research was initially undertaken on six fronts. Firstly, I undertook a study of liberal peace literature and the works of liberal thinkers from the seventeenth century

onwards, in whose thoughts the concept of liberal peace was asserted to have its roots. Secondly, I examined other theories of international relations, in particular, realist theories that claimed to present an alternative account to liberal theories of international relations, and Marxist and Foucauldian critiques that challenged the concept of liberal peace. Thirdly, I analysed the policy statements of Western political leaders and official reports of states, IGOs, and IFIs in which liberalisation was advocated as the key to global peace. Given the fact that there exists a wide array of policy statements and official reports in this regard, and examining all of them would be an impossible task, I developed the strategy of examining the key ones, which are widely cited in the liberal peace literature and scholarly works that are critical of it. Most of those policy statements and official reports were readily available on official online portals, often in the format that they were originally published. Fourthly, I analysed the policy statements of Western political leaders and diplomats in relation to Sri Lanka and the Eelam War. Again, given the fact that there exists a large volume of such policy statements, I developed the strategy of examining the key ones that were centred on important events in the history of the island (both colonial and post-colonial) and the Eelam War. Although most of the colonial literatures were available in UK libraries as well as some online archive portals (in original format), I had to obtain the rest from Sri Lanka through my contacts. Where it was not possible to obtain primary colonial literature, I used secondary sources. Fifthly, I undertook a study of the official statements of Sri Lankan political leaders, the LTTE, and first hand accounts of the conflict as well as the history of the island. Even though I was able to gather most of the official statements of Sri Lankan political leaders in official government publications and online portals, this was not the case with those of the LTTE because the organisation no longer exists. I therefore had to gather official documents of the LTTE from Tamil media outlets and Diaspora organisations which were known to have functioned as front organisations of the LTTE during the armed conflict. Finally, I conducted interviews and had discussions with a number of Western politicians, former political officials of the LTTE, Tamil parliamentarians, Tamil Diaspora lobbyists and activists, and Sinhala politicians. I also attended public meetings and panel discussions in which Western politicians (including former ministers) and senior UN officials gave keynote speeches,

during which I was able to ask them questions. Most of these studies, analyses, interviews, and discussions were not undertaken in isolated stages but largely at the same time.

My intention in undertaking a study of the liberal peace literature and the works of liberal thinkers was to gain a full understanding of the concept of liberal peace and ascertain any theoretical contradictions which may be inherent to it that enables it to become violent. Through this study, I was able to gain a full understanding of the concept of liberal peace and its various strands that operate both at normative and institutional levels. However, I could not explain Western policy in the Eelam War only by studying the liberal peace literature.

This was also largely the case with my study of realist accounts of international relations, and Marxist and Foucauldian critiques of liberal peace. My study of realist accounts of international relations failed to take me beyond the conventional wisdom of realism that states collaborate with each other to further their national interests (Morgenthau, 1966). This conventional wisdom was helpful for understanding neither the rationale behind Western support for Sri Lanka nor their longstanding opposition to the formation of a Tamil state; it was very much apparent that there was no convergence of the national interests of the West with that of Sri Lanka which made the former collaborate with the latter. As noted earlier, this was also the case with existing Marxist as well as Foucauldian critiques of liberal peace.

However, this was not the case when I examined the writings and lecture series of Foucault. Although Foucault did not provide a critique of liberal peace either in his writings or lecture series, the concepts and ideas that he advanced in the 1970s enabled me to develop the theoretical framework for my thesis. Building on from Foucault's concept of biopolitics, his account of liberal peace, and his expositions on war, I was able to develop a new biopolitical perspective on Western policy in the Eelam War and conceptualise war to include all power relations that produce the effects of battle (for a full discussion, see Chapter I).

Firstly, to ascertain the validity of Foucault's account of liberal peace, and to develop my own theory of the biopolitics of liberal peace, I re-examined the writings of Smith and Kant, the two key liberal thinkers of the eighteenth century whose works Foucault (2008: 54-59) cites in his lecture series *The Birth of Biopolitics* to introduce his account of liberal peace. I then also re-examined the works of Jeremy Bentham and John Stuart Mill, which have also helped shape the concept of liberal peace (as we will see in Chapter II). I also re-examined

the works of John Locke, who is sometimes referred to as a ‘student’ of liberal peace (see Paris, 2009: 6), even though he was writing in the seventeenth century. As a result of re-examining the works of some key liberal thinkers through the work of Foucault, I was able to conclude that although each liberal thinker has contributed to the concept of liberal peace in different ways, all of them, with the exception of Locke, had defined commercial globalisation as the key to ending military confrontations between European powers. In this regard, Kant (1917: 136) and Mill (1965: 594) went a step further and advocated commercial globalisation as the key to global peace. However, none of those liberal thinkers believed that war could be eradicated completely within or between states (see Chapter II). Moreover, with the exception of Kant, all of those liberal thinkers believed war to be an acceptable means for opening-up global markets and ensuring the security of global commerce (Smith, 1957: 54 & 386; Bentham, 1839: 546-547; Mill, 1984: 111). These ideas were also mirrored in the works of Joseph Schumpeter of the twentieth century (1991: 143, 185 & 196).

Secondly, in order to establish the empirical validity of my theory, I re-examined the large volume of policy statements of Western political leaders, ranging from Wilson (1916 & 1918) to Blair (1999; 2002; 2002a) and Bush (2002; 2004; 2008). I also re-examined the official statements of Western policy makers, ministers and diplomats, the United Nations and other IGOs, and IFIs. Through these studies, as will be explained further in Chapter III, I was able to establish empirically that it is as practitioners of the biopolitics of liberal peace that Western states wage wars and collaborate in the wars of their Southern counterparts, allowing the subversion of the principles that they simultaneously promote.

Thirdly, I was also able to establish empirically that this biopolitics of liberal peace had long underpinned Western policy in the Eelam War by re-examining a large volume of legal and policy documents, statements, speeches, media interviews and publications of Western politicians, diplomats, and policy makers in relation to Sri Lanka, including some of the cables of the US embassy in Colombo released by Wikileaks. In addition, after examining the memoirs and other publications of British colonial officials on Ceylon, I was able to establish that the biopolitics of liberal peace had a continuity with the British Empire’s biopolitics of liberal state-building in colonial Ceylon. Cross referencing them with some of the other British colonial publications revealed that these methods were also used in India. Moreover,

by examining a wide array of documents and works from the side of the Sri Lankan government, the LTTE, Tamil, Sinhala and Indian academics, journalists and civil society leaders, I was able to establish both theoretically and empirically that the Sri Lankan state's ethno-theocratic practices were also a form of biopolitics (see Chapters I and IV).

In an attempt to cross reference my findings, I also tried to interview senior Western politicians and diplomats who either played a key role in implementing the policies of their respective states during the Norwegian-led Western intervention and at the peak of the armed conflict or acted as unofficial intermediaries between their states, and the LTTE and the pro-LTTE Tamil Diaspora. British politicians who acted as unofficial intermediaries between the UK government, and the LTTE and the Tamil Diaspora agreed to my requests and were helpful in providing insights in this regard. However, many Western politicians and diplomats who played a key role in the conflict either failed to respond to my interview requests or evaded them when I revealed that I was pursuing a research that was critical of Western policy and the concept of liberal peace. A notable Western politician in this regard was the former Norwegian minister Solheim. When I first approached him, he agreed to meet me, on the condition that I send him my interview questions beforehand, and even suggested that he would be able to arrange meetings with the Norwegian team that played a key role in facilitating the ceasefire and peace negotiations between the LTTE and the Sri Lankan government. However, after receiving my interview questions he backed-off, claiming that he could not meet me as he was occupied with other matters. This was also the case with the former British Foreign Secretary David Milliband, who played a key role in the final stages of the armed conflict in Sri Lanka, and Gareth Thomas, who served as a minister in the UK's Department for International Development during the Norwegian-led Western intervention and at the peak of the armed conflict. Other British, US and Norwegian politicians and diplomats whom I approached did not respond to my interview requests. Nevertheless, I was able to gain insights from the same Western politicians (in particular Solheim and Milliband) who evaded my interview requests by participating in public meetings and panel discussions relating to the conflict in Sri Lanka in which they gave keynote speeches. I was also able to have discussions with key UN officials who were involved in the conflict in Sri Lanka by attending panel discussions in which they gave keynote addresses. In addition, I held



discussions with senior officials of human rights groups in public conferences. As part of my efforts to gain further insights into Western policy limited by direct access to Western officials, I also held interviews as well as discussions with Tamil Diaspora lobbyists, Tamil parliamentarians, academics, and Sinhala politicians who had a close rapport with Western states. During the armed conflict, as well as conveying their messages directly to the LTTE, Western states also used these individuals as their unofficial intermediaries. My interviews and discussions with them were therefore useful in gaining further insights.

In order to also gain insights into the ideological dynamics of the Tamil armed resistance movement, I also interviewed and had discussions with a number of exiled former middle-ranking political officials of the LTTE, academics who had acted as resource persons in the LTTE's peace delegation, and Tamil politicians based in Sri Lanka who were known to have had a close relationship with the LTTE's leadership. Since the entire political and military leadership of the LTTE was wiped out in the last phase of the armed conflict, these individuals were the ones best placed to provide insights on the LTTE's armed struggle. I was also able to gain further insights by accessing the archives of Tamil Diaspora media outlets that had publications relating to the conflict in Sri Lanka and some of the correspondences between Western leaders and the LTTE that were not made public.

Moreover, I also held interviews and discussions with former Tamil political prisoners, lawyers, parliamentarians and political activists. My objective in interviewing these individuals was to gain further insights on the dynamics of Sri Lanka's emergency laws as well as to cross reference my existing findings derived through documentary analysis.

Using all the insights gained through these studies, analyses, interviews, and discussions, I was able to establish both theoretically and empirically the biopolitics of liberal peace and Sri Lanka's ethno-theocratic biopolitics, as well as the collaboration of the former with the latter. Moreover, I was also able to establish both theoretically and empirically that all power relations that produce the effects of battle are ways of waging war.

## Overview of Chapters

In *Chapter I*, expanding on Foucault's expositions on war, I theoretically establish that all power relations that produce the effects of battle are ways of waging war. In that chapter, I also examine Foucault's concept of biopolitics and show how war remains central to it. I then apply Foucault's account of liberal peace to his concept of biopolitics to develop my theory of the biopolitics of liberal peace. I also situate Sri Lanka's Sinhala-Buddhist ethno-theocratic ambitions within Foucault's concept of biopolitics to theoreticise it as a form of biopolitics.

Thereafter, in *Chapter II*, I examine the operation of liberal peace at normative and institutional levels and establish that it is centred on commercial globalisation. I also explain that it is not a concept that seeks to create a Western empire, despite its biopolitics having roots in the British Empire's biopolitics of liberal state-building in the colonies. In *Chapter III*, I examine how liberal peace was embedded during the Cold War, under the banner of containment and development, in the West's struggle against communism, and extended in the post-Cold War period to humanitarian interventions, 'peacebuilding' missions, conflict resolution efforts, aid programmes, and the GWoT. Where Chapter II examines the theoretical dynamics of liberal peace, Chapter III examines its manifestations in practice.

Applying the theoretical insights of Chapters I and II to the case of British rule in colonial Ceylon, I demonstrate in *Chapter IV* how the security of Britain's global commerce remained central to its biopolitics of liberal state-building in the island. I then show how after its creation, the 'liberal democratic' state of Ceylon appropriated liberal mechanisms of government, in particular law, left behind by the British Empire, to wage war against the island's Tamil population. In addition, by undertaking a study of Western states' decision, in light of their concerns for the security of global commerce in the Cold War period, to turn a blind-eye to Ceylon's racist policies and practices, I demonstrate how as practitioners of the biopolitics of liberal peace Western states condoned Sri Lanka's ethno-theocratic biopolitics in order to prevent the island from coming under the influence of communism.

*Chapter V* examines further the use of law as a way of waging war in light of Sri Lanka's use of emergency laws in its war to crush the Tamils' armed struggle for political independence. Tracing the origins of Sri Lanka's emergency laws to Britain's colonial

emergency regime, I show that in the same way that the British Empire used martial law as part of its biopolitics of liberal state-building in colonial Ceylon and to secure its global commerce in the island, Sri Lanka used its liberal emergency laws as part of its biopolitics.

In *Chapter VI*, I demonstrate how during the 1970s and 1980s, underpinned by continuing concerns for the security of global commerce, the West collaborated with Sri Lanka's counter insurgency efforts to crush the Tamils' armed struggle. As a consequence, the island became the battleground of a proxy war between India and the West.

Pulling together all of the theoretical and empirical insights of the previous chapters, I conceptualise in *Chapters VII and VIII* Western efforts from 1997 onwards to neutralise the Tamils' armed struggle as a war that was waged parallel to that of the Sri Lankan state. While Sri Lanka's war was underpinned by ethno-theocratic ambitions, the West's war was underpinned by continuing concerns for the security of global commerce. The distinct nature of these two biopolitical wars was the mobilisation of the power relations of law, finance, politics, and diplomacy, in addition to military might, to achieve their goals.

## Chapter I

### Foucault, war, and biopolitics

Although Foucault's ideas have remained influential in the study of power since he introduced them, arguably it was with the onset of the GWoT that they gained significance in the discipline of International Relations. However, much of the scholarly work that has built on from Foucault's ideas to explain international relations have ignored his expositions on war. In the first section of this chapter, expanding on Foucault's expositions on war, I establish theoretically that all power relations that produce the effects of battle are ways of waging war. In that section, I also demonstrate that it is possible to conceptualise law as a way of waging war without going against Foucault's (1998: 90) suggestion for the study of power beyond law. I then examine Foucault's concept of biopolitics, in light of competing interpretations of the term that have been developed after him, and explain how war remains inscribed in it. In the final two sections, I present two forms of biopolitics that are central to this thesis: the biopolitics of liberal peace, and the biopolitics of the Sri Lankan state.

#### Conceptualising war

In his treatise *On War*, Carl von Clausewitz defined war as 'a duel on an extensive scale' (1832/1997: 5). This definition has become the conventional wisdom that war is generally understood in terms of violence that involves military action. As a consequence, when wars are waged through other means, they are not seen as wars, except when the term is used metaphorically, i.e., 'war on drugs', 'war on gun crime', and so on. However, when Clausewitz wrote his treatise, there existed more than one definition of the term 'war'. This was acknowledged by Clausewitz himself, even though he did not elaborate what these different definitions of war were: 'We shall not enter into any of the abstruse definitions of war used by publicists. We shall keep to the element of the thing itself, to a duel' (1997: 5).

In the lecture series "*Society Must Be Defended*", Foucault considered power relations through the matrix of war on the basis that force remains central to them (2004: 15). For

Foucault, politics ‘sanctions and reproduces the disequilibrium of forces manifested in war’; it achieves this by ‘perpetually’ reinscribing the ‘relationship of force’ in ‘institutions, economic inequalities, language, and even the bodies of individuals’ (Ibid.: 16). Similarly, as a form of power, law is, even in its most regular form, inscribed with the mechanisms of war (Ibid.: 50-51). This was also a point that Foucault made when he touched on the subject of the violent dynamics of law in Volume I of the *History of Sexuality*, published in the same year that he gave his lecture “*Society Must Be Defended*”: ‘Law cannot help but be armed, and its arm, *par excellence*, is death; to those who transgress it, it replies, at least as a last resort with that absolute menace. The law always refers to the sword’ (1998: 144).

In “*Society Must Be Defended*”, Foucault (2004: 47-48) also inverted Clausewitz’s (1997: 22) principle that war was the continuation of politics by other means. In this regard Foucault (2004: 48) claimed that he was not inverting Clausewitz’s principle but restating a thesis that had actually been in circulation in the seventeenth and eighteenth centuries before it was inverted by Clausewitz. Even though Foucault did not unearth any scholarly work of those two centuries that specifically referred to politics as the continuation of war, to uphold his claim he cited the works of a number of English and French thinkers of those centuries – of which the works of the English jurist Edward Coke and the French aristocrat and historian Henri de Boulainvilliers were the key ones – that formed the basis of political struggles to limit the powers of the absolute monarchy. Referring to those works as a ‘historico-political discourse’, Foucault (2004: 49) argued that the latter understood war as ‘a permanent social relationship, the ineradicable basis of all relations and institutions of power’. Citing the works of Coke in which Saxon laws were invoked to advance the claim that before the Norman invasion the king ‘exercised absolute and unchecked sovereignty over the social body’ only in times of war, and those of Boulainvilliers in which it was argued that by possessing unlimited power the monarch was exercising the powers which were conferred to him in ancient French aristocratic societies only in times of war, Foucault (2004: 106 & 148) claimed that the works of both thinkers conceptualised the exercise of absolute power by the

monarchy in times of peace to be the continuation of war. For Foucault (Ibid.: 165), it was this thesis that later inspired Clausewitz to conceptualise war as the continuation of politics.<sup>24</sup>

Although Foucault's arguments in this regard were actually his own interpretations of the works of Coke and Boulainvilliers (as well as some of their contemporaries and successors), most of them were certainly credible interpretations. For example, in *The First Part of the Institutes of the Lawes of England* (first published in 1658), Coke defined peace to be the time 'when the Courts of Justice be open, and the Judges and Minsters of the same may by Law protect men from wrong and violence, and distribute Justice to all' (2003: 732). In contrast, 'when by invasion, Insurrection, Rebellions, or such like, the peaceable course of Justice is disturbed and stopped, so as the Courts of Justice bee as it were shut up, *Et silent leges inter arma* [amidst the clash of arms the laws are silent]', it becomes the time of war (Ibid.). Coke elaborated further on his definitions of war and peace in following terms: 'So as hereby it also appeareth, that time of peace is the time of law and right, and time of warre is the time of violent oppression, which cannot be resisted by the equall course of Law' (Ibid.: 733). When read together with *The Petition of Right 1627* (3 Cha. 1, c. 1), which was enacted in the English Parliament in 1628 under the guidance of Coke, these definitions reveal how the exercise of absolute powers by the monarch was understood at that time as war by other means. As well as seeking to curtail the monarch's powers to raise forced loans to fund wars, section VIII of *The Petition of Right 1627* also sought to end the use of martial law in times of peace and to ensure that ordinary laws prevailed when the country was not at war:

And that the aforesaid Comissions for proceeding by Martiall Lawe may be revoked and annulled. And that hereafter no Comissions of like nature may issue forth to any person or persons whatsoever to be executed as aforesaid, lest by colour of them any of your Majesties Subjects be destroyed or put to death contrary to the Lawes and Franchise of the Land (3 Cha. 1, C. 1).

---

<sup>24</sup> In his later lecture series *Security, Territory, Population*, delivered two years later in 1978, Foucault (2008: 300-301) also stated that Clausewitz's principle was based on the fact that war functioned as an instrument of diplomacy/politics in the 'Balance of Europe' system that emerged at the end of the Thirty Years War.

In other words, in defining the ‘time of violent oppression’ as the time of war, which martial law under the reign of Charles I produced in England, Coke (2003: 733) implied that when the monarch exercises absolute power in times of ‘peace’, politics becomes war.

Can we then conceptualise war beyond military action on this basis? Certainly not. In inverting Clausewitz’s principle and by establishing that he was restating a thesis that had actually been in existence before Clausewitz, even though Foucault challenged ‘the idea that politics and war are in principle separate and different’ (Spieker, 2011: 7), the historico-political discourse that he relied on to justify his arguments cannot be used as the basis for conceptualising war beyond military action in contemporary societies. Firstly, in contemporary Western societies that have constitutional monarchies (such as Britain), the monarch no longer exercises absolute power over the social body, either in times of ‘peace’ or in times of war. If this state of affairs is analysed within the context of the historico-political discourse that Foucault relied on to invert Clausewitz’s principle, politics would signify peace, and not war. Secondly, law does not signify peace (even though Coke (2003: 733) argued as such), which Foucault (1998: 144; 2004: 50-51) pointed out in Volume I of *The History of Sexuality* and in “*Society Must Be Defended*”. As Mark Neocleous (2008: 50) established in *Critique of Security* (and as we will see in Chapter V in the context of the Sri Lanka’s emergency laws), the very martial law that Coke and his contemporaries sought to confine to times of war through *The Petition of Right 1627* has today become part and parcel of ordinary laws in ‘the logic of emergency’. How then do we conceptualise war beyond military action? To do this, we need to turn to Foucault’s other expositions on war.

In “*Society Must Be Defended*”, Foucault pointed out that before the ‘state acquired monopoly on war’, in the Middle Ages there existed a form of war known as ‘day-to-day warfare’, which was also called ‘private warfare’ (2004: 48). The state, ‘endowed with military institutions’, replaced ‘the day-to-day and generalised warfare’ as well as ‘a society that was perpetually traversed by relations of war’ (Ibid.: 49). This was also a point that Foucault made in Volume I of *The History of Sexuality* and reiterated later in the lecture series *Security, Territory, Population* (1998: 87; 2008: 300-301). For Foucault, before the monarchy established its supremacy over society, war had existed both as a private relationship (between individuals) as well as a public relationship (between princes):

What, after all, was war in medieval conceptions? I was going to say that war was basically a judicial behaviour. Why did one go to war? One waged war when there was injustice, when there was a violation of right, or anyway when someone claimed a right that was challenged by someone else. In the medieval world there was no discontinuity between the world of right and the world of war. There was not even any discontinuity between the universe of private law, in which it was a matter of settling disputes, and the world of confrontations between princes, which was not, and could not be called international and public law. One was always in the realm of disputes, of the settlement of disputes – you have taken my inheritance, you have seized one of my lands, you have repudiated my sister – and one fought, wars developed, within this juridical framework of public war and private war. It was public war as private war, or private war that took on the public dimension. It was a war of right, and the war was settled moreover exactly like a juridical procedure, by a victory, which was like a judgement of God. You lost, therefore right was not on your side (2008: 300-301).

Foucault also argued that the ‘great institutions of power that developed in the Middle Ages’ in the form of the ‘monarchy’ and ‘the state with its apparatus’ actually rose as ‘agencies of regulation, arbitration, and demarcation’ over other forms of war, i.e., ‘feudal and private wars’ as well as ‘the private settling of lawsuits’, that existed at that time (1998: 86-87). In its attempt to transcend all forms of war, the monarchy used law, through the ‘mechanisms of interdiction and sanction’, both as ‘a weapon’ as well as the ‘mode of manifestation and the form of its acceptability’ (Ibid.: 87). In this sense, law performed a war-making functions for the monarchy, paving the way for the latter to establish its supremacy over medieval society.

Cross referencing these claims of Foucault with the works of two key social contract theorists of the Enlightenment brings to light that even in the early modern period, war as a relationship between individuals was not erased from society’s memory. In *De Cive*, published in 1651, Thomas Hobbes claimed that ‘the natural state of men, before they entered



into society, was a mere war': it was 'a war of all men against all men' (1949: 29).<sup>25</sup> Later, in *The Second Treatise of Government*, published in 1690, John Locke also argued that 'force, or a declared design of force, upon the person of another, where there is no common superior on earth to appeal for relief, is the state of war' (1980: 15). However, this state of war between individuals was understood to cease when they enter civil society. For Hobbes, on becoming part of civil society, individuals are understood to have 'conveyed their whole right of war and peace' to 'some one man or council' (1949: 73). Similarly, Locke also argued that when individuals become part of political societies, they 'give up all the power' that they had in the state of nature (1980: 53). Coke also advanced similar arguments, even though not within the framework of social contract theory. For Coke, individuals did not have the right to wage war and this right only belonged to the king: 'no subject can levie warre within the Realme without authority from the King, for to him it only belongeth' (2003: 969). In advancing these arguments, although Hobbes and Locke, as well as Coke, sought to denounce the right of the individual to wage war, in doing so they also revealed that war as a relationship between individuals had not been erased from the memories of society.

A close reading of the works of other political thinkers in the later years of the Enlightenment also reveals that even at the end of the eighteenth century, war as a relationship between individuals was not erased from society's memory. A number of political thinkers of the eighteenth century not only saw the order established by the state through law as the substitute for the relationship of war between individuals, but also believed that when this order is challenged, it should trigger the response to war from the state. They classified an individual who broke the law as the enemy of society, against whom the power mechanisms of the state had to be mobilised; he had to be treated as 'the common

---

<sup>25</sup> In "*Society Must Be Defended*", Foucault (2004: 92) claimed that Hobbes's 'war of all men against all men' in the state of nature was not actually about any 'primitive wars' that predated political societies but about a 'state of war'. There are no battles, blood, or bodies in this state of war; instead there are 'presentations, manifestations, signs, emphatic expressions, wiles, and deceitful expressions' (Ibid.: 93). Hobbes's state of war was a 'relationship of fear' in a 'theatre where presentations are exchanged' (Ibid.). For Foucault (Ibid.: 59), Hobbes was not a theorist of war, and his works did not belong to the historico-political discourse. In cross referencing Foucault's arguments on war as a relationship between individuals with the works of Hobbes, I am not challenging Foucault's claims on the former. Instead, I am citing the works of Hobbes to establish that war as a relationship between individuals was not erased from the memories of society in the early modern period.

enemy’, a ‘traitor’ and ‘monster’, against whom ‘all the forces, all the power, all the rights’ had to be used (Foucault, 1991: 90). This was in contrast to the arguments of Coke in the seventeenth century that only certain actions on the part of the individual can be construed as wars against the king. For Coke, when an individual rises to ‘expulse strangers, to deliver men out of prisons, to remove Counsellors, or against any statute, or to any other end, pretending Reformation of their heads, without warrant’, this becomes the ‘levying of war against the King’ (2003: 970). Similarly, if an individual rises to ‘alter Religion established within the Realme, or Laws, or to go from Town to Town generally, and to cast downe enclosures’, this also becomes ‘a levying of war’ (Ibid.). However, in *The Social Contract*, published in 1762, Jean-Jacques Rousseau<sup>26</sup> argued that when an individual breaks the law of his country, he makes ‘war on it’, and needs to be destroyed in order to preserve the state as well as the lives of his fellow countrymen (1999: 71). The offender ‘becomes a rebel and a traitor to his country’ and is put to death as ‘an enemy rather than as a citizen’: ‘He who wills that his life may be preserved at the expense of others must also, when necessary, give his life for their sake’ (Ibid.). In 1796, Immanuel Kant also made similar arguments. In Part I of the *Metaphysics of Morals*,<sup>27</sup> Kant argued that when an individual commits a crime, he endangers the ‘Commonwealth’ and can therefore be destroyed: ‘It is better that *one* man should die than that the whole people should perish’ (1887: 195-196). The right to punish a criminal, Kant claimed, was ‘the Right of Retaliation (*jus talionis*)’ (Ibid.: 196). This was also the case with resistance against the sovereign’s laws. In Kant’s view, when an individual rises against the ‘ruling Authority’ of the state, ‘he would expose himself as a Citizen, according to the law and with full right, to be punished, destroyed, or outlawed’ (Ibid.: 174). For Kant, resistance ‘on the part of the people to the Supreme Legislative Power of the State’, even

---

<sup>26</sup> In *The Social Contract*, Rousseau also argued that ‘a private war between man and man cannot exist’ either in the ‘state of nature’ or ‘in the social state’ on the basis that in the former ‘there is no permanent possession of property’, and in the latter ‘everything is controlled by laws’ (1999: 51). However, the very fact that Rousseau tried to deny the right of the individual to wage wars is an indication that at the time he wrote his treatise, war as a private relationship between individuals had not been erased from the memories of society. Moreover, despite these arguments, Rousseau (Ibid.: 51) noted that during the reign of Louis IX, private wars were authorised in France, even though he denounced them as ‘an abuse due to feudal government’.

<sup>27</sup> The first part of Kant’s *Metaphysics of Moral* has been translated as *The Philosophy of Law, An Exposition of the Fundamental Principles of Jurisprudence as The Science of Right* (also known as the *Doctrine of Right*).

when the monarch abuses his power, 'is in no case legitimate' (Ibid.: 176). Therefore, any effort on the part of the people to rise against the ruling order constituted high treason:

[W]hen the Supreme power is embodied in an individual Monarch, is there any justification under the pretext of his abuse of power, for seizing his person or taking away his life (*monarchomachismus sub specie tyrannicidi*)? The slightest attempt of this kind is *High Treason (proditio eminens)*; and a traitor of this sort who aims at the *overthrow* of his country may be punished, as a political parricide, even with Death. It is the duty of the People to bear any abuse of the Supreme Power, even though it should be considered to be unbearable (Ibid.: 176-177).

These arguments clearly indicate that in the early modern period the concept of 'war' had at least three meanings. Firstly, it was understood as a power relation between individuals. Secondly, it was understood as a power relation (primarily in terms of military action) between states. Thirdly, it was understood as a power relation (in terms of military actions against internal rebellions, legal actions against individuals who broke the law, and politics as the exercise of power that managed military actions and law) between a state and its citizens.

Foucault's key expositions on law's war-making function can be found in *Discipline and Punish*, published a year before his lecture series "*Society Must Be Defended*" and Volume I of *The History of Sexuality*. In that text, Foucault gave examples of how crimes from the Middle Ages to the early modern period triggered a response to war from the sovereign. For Foucault, in those years, the prince's 'right to punish' the criminal was understood to be 'an aspect of the sovereign's right to make war on his enemies'; in this respect, law, in the form of punishment that it meted on the criminal, preserved 'something of the battle' (1991: 48 & 51). In reference to the presence of the sovereign's troops, both armed and in large numbers, around the scaffold where the criminal was executed, Foucault claimed that, as well as having been intended to 'prevent any escape or show of force' by the criminal and 'to prevent any outburst of sympathy or anger on the part of the people', it was also intended to be 'a reminder' that every crime was 'a rebellion against the law' and 'that the

criminal was an enemy of the prince' (Ibid.: 50). Thus, in executing the criminal, the prince was actually performing his functions as the head of justice and as the head of war:

As a ritual of armed law, in which the prince showed himself, indissociably, both as head of justice and head of war, the public execution had two aspects: one of victory, the other of struggle. It brought to a solemn end a war, the outcome of which was decided in advance, between the criminal and the sovereign; it had to manifest the disproportion of power of the sovereign over those whom he had reduced to impotence (Ibid.).

Crime was therefore understood to be 'an act of hostility'; it was the 'first sign of rebellion' (Ibid.: 57). In witnessing the execution of the criminal and accepting the invitation to insult him, and often by attacking him, the people performed a 'scaffold service' to the sovereign: 'the people had to bring its assistance to the king when the king undertook "to be avenged on his enemies", especially when those enemies were to be found among the people' (Ibid.: 59).

Although by the end of the eighteenth century public executions began to be looked upon with horror by the general public and the 'scaffold service' that they were expected to offer to the sovereign became that of 'confrontation between the violence of the king and the violence of the people', crime and the response of the state that it triggered nevertheless continued to be understood in terms of war (Foucault, 1991: 73 & 90). Foucault attributes this continuing state of affairs to the emergence of the social contract theory; having entered into the social pact the 'citizen is presumed to have accepted once and for all, with the laws of society, the very law by which he may be punished' (Ibid.: 89-90). As a result, when an individual breaks the law, he is understood to make war on society (Ibid.: 90). War, through law, is no longer waged on behalf of the sovereign but the entire social body: 'The right to punish has shifted from the vengeance of the sovereign to the defence of society' (Ibid.).

While advancing these arguments, Foucault also claimed that in modern societies punishment is no longer controlled by law but by the 'autonomous' prison apparatus (1991: 222-223, 231, 246 & 307-308). For Foucault, unlike in the Middle Ages when the body of the criminal was treated as 'the king's property' on which 'the sovereign left his mark and

brought down the effects of his power', in modern societies the criminal has become the 'property of society' for its collective appropriation and use (Ibid.: 109). In modern societies, law detaches the criminal from society and sends him to prison where he is interned and disciplined to be returned to society as its good member upon completing the sentence imposed on him (Ibid.: 110-111, 122-123, 126-127; also see Foucault, 1976/1980: 39). While the prison punishes the criminal by depriving him of his liberty during the time he is interned there, it also acts like a military barrack, a strict school and a dark workshop that disciplines him (Foucault, 1991: 233; also see Foucault, 1980: 40). In other words, the prison, through its disciplinary mechanisms, helps to re-qualify the criminal as a good member of society. Although the prison functions within the framework set out by the state's law, the latter does not have immediate control over the former's disciplinary activities once the criminal is taken away from society and interned for re-qualification (Foucault, 1991: 223 & 246). Thus, in functioning autonomously from law, the prison apparatus performs a productive function:

That the prison is not the daughter of laws, codes or the judicial apparatus; that it is not subordinated to the court and the docile or clumsy instrument of the sentences that it hands out and of the results that it would like to achieve; that it is the court that is external and subordinate to the prison. That in the central position it occupies, it is not alone, but linked to a whole series of 'carceral' mechanisms which seem distinct enough – since they are intended to alleviate pain, to cure, to comfort – but which all tend, like the prison, to exercise a power of normalization. That these mechanisms are applied not to transgressions against a 'central' law, but to the apparatus of production – 'commerce' and 'industry' – to a whole multiplicity of illegalities, in all their diversity of nature and origin, their specific role in profit and the different ways to which they are dealt with by the punitive mechanisms (Ibid.: 307-308).

These arguments of Foucault create the impression that law, despite continuing to make war on the criminal on behalf of society, has lost its significance in modern power relations. In turn, this leads to the misconception that law's war-making function has become ceremonial.

This is further compounded by the fact that in Volume I of *The History of Sexuality* Foucault suggested that ‘we must construct an analytics of power that no longer takes law as a model and a code’ (1998: 90). This was, Foucault argued, because modern power relations ‘go beyond the state and its apparatus’ and do not simply deal with ‘deduction’ and ‘death’, as law does, but also operate on the basis of technique, normalisation and control (Ibid.: 89). Later on in the text, Foucault came back to this point and asserted that while ‘law always refers to the sword’, other modern power relations that are not controlled by law, rather than displaying themselves in their ‘murderous splendour’,<sup>28</sup> ‘qualify, measure, appraise, and hierarchize’ life and thus distribute ‘the living in the domain of value and utility’ (Ibid.: 144).

As a consequence of these suggestions and the impression of the ceremonial role of law that Foucault created from Part II of *Discipline and Punish*, many Foucauldians have become accustomed to ignoring law (both in its domestic and international manifestations) in their studies on power relations. Although some scholars have examined the counter-terrorist practices of Western states during the GWoT within a Foucauldian framework, they have done so (as will be explained below and later in Chapter V) by placing counter-terrorism laws in a space without law (see, for example Neal, 2008; 2010; also see Duffield, 2007). Yet, as the works of some scholars have demonstrated (for example Aradau, 2007; Neocleous, 2008), it is possible to conduct a study on law which involves Foucault’s methods.

A close reading of Foucault’s writings reveals that he suggested a study of power beyond law on three assumptions: firstly, law only deals with repression; secondly, law is not central to all power relations; thirdly modern power relations are not simply repressive but are also productive. On this basis, if one wishes to conduct a study on the productive (or the positive) dynamics of power, then it would certainly be necessary go beyond law (even though law cannot be ignored entirely, given the fact that, as will be explained below, the repressive functions of law can also have some productive consequences). Similarly, if one wishes to conduct a study on all forms of power relations, again the focus needs to go extend beyond law (but as before, cannot ignore law entirely). However, if one intends to examine

---

<sup>28</sup> In touching on the subject of the ‘murderous’ nature of other power relations that are not controlled by law, Foucault implied that all power relations, regardless of their productive dynamics, have a violent face.

the war-making functions of the state (whether internally or externally) then one cannot ignore law. The state (particularly the one that upholds the rule of law) does not deal with its citizens without law. As Foucault himself acknowledged in Volume I of *The History of Sexuality*, modern power relations do not make the law fade into the background (1998: 144). This is a point that Foucault reiterated in the lecture series *Security, Territory, Population* (2007: 10). In that lecture series, Foucault also stated that it is law that, as well as setting out what is to be permitted and what is to be prohibited, sets out the punishment for crime (Ibid.: 5). By making this statement, Foucault (1998: 144) not only reiterated his earlier claim that law always means the sword but also implied that this sword remains as forceful as before, and is thus capable of producing the effects of battle, i.e., death, injury, submission, expulsion, or the appropriation of persons or property. In essence, in equating law with the sword, Foucault did not underplay the former's war-making function in modern societies. On this basis, and given the fact that Foucault himself devoted the first part of *Discipline and Punish* to law's war-making function from the Middle Ages to the early modern period, one would not be going against Foucault's suggestion of conducting a study of power beyond law if the concern of the study is the repressive actions of states. Even this kind of study, as we will see below, would not ignore the productive dynamics of law.

Scholars often criticise Foucault for equating 'law with pre-modern forms of power' (see Hunt & Wickham, 1998: 59; Rose, 1984: 191-192; Neocleous, 1996: 67). For Alan Hunt and Gary Wickham, Foucault's 'conception of law as the commands of a sovereign backed by sanctions imposed on bodies of the transgressors correspond to a somewhat simplistic, if albeit common, view of law which equates "law" with the punitive forms of criminal law' (1998: 59). This 'entirely ignores, eliminates, suppresses' the 'other faces of law' that 'make up its great bulk of provisions' and deal with 'the detail of economic and kinship relations and the distribution of social authority' as well as other social relations (Ibid.: 60). Law not only represses crime but also lays down 'detailed rules and procedures for a host of specialised areas of activity' such as 'detailed provisions concerning welfare entitlements, construction standards, product safety, credit transactions, and so on' (Ibid.: 67). In this regard, Gillian Rose also accuses Foucault of having simplified 'legal development by conflating sovereignty with monarchy and government with sovereignty' and thus making

law seem 'monolithic and uniform' (1984: 191-192). In *Administering Civil Society*, Neocleous takes Foucault to task for holding on to a 'command theory of law' (1996: 67). For Neocleous, law is not only 'concerned with saying "no"', but acts 'as a constitutive force across and throughout the whole of society' (Ibid.). Referring to the growth of tribunals in Britain 'during the early part of the twentieth century' to deal with issues such as 'health, social security' and 'professional discipline' outside the 'ordinary court system', Neocleous points out that as well as repressing crime, law also administers 'disputes between the individual and the state' (Ibid.: 69). Thus for Neocleous, law not only performs the repressive function but also carries out 'constitutive, regulative, and policing functions' (Ibid.: 67).

There is no denying that Foucault's expositions on law were confined largely to the Middle Ages and the early modern period. However, this cannot be used as the reason to dismiss them as being suitable for understanding only forms of law that function in repressive mode today, i.e., criminal law. Even today, force remains central to all forms of law, whether they be civil or criminal. If law cannot be enforced, it would only remain in text books. Force is the key to the enforceability of law. In this sense, Foucault's (1998: 144) assertion that law always signifies the sword is certainly a valid one. However, the sword that law signifies is not a sword that is only concerned with repression. The sword that performs the repressive function is also the same sword that protects: it is the same law that prohibits theft that simultaneously protects the property of the individual; it is the same law that prohibits murder that protects the life of the individual; it is also the same law that empowers the individual to seek damages for negligence that takes away from the wrongdoer part of his wealth in the form of damages. Law therefore always performs a dual function: repression and protection. In this sense, even though Foucault was correct to equate law with the sword, he erred in asserting that it is only concerned with repression and does not have a productive function.

A criticism that one encounters in using Foucault's expositions on war is the danger of making the term meaningless by broadening its parameters. In "*Society Must Be Defended*", Foucault claimed that 'a battlefield runs through the whole of society', both 'continuously and permanently', placing everyone 'on one side or the other' (Foucault, 2004: 51). In making this statement, Foucault left every exercise of power to be conceptualised as war. In this regard, Neocleous (1996: 86) notes that this broad conceptualisation, in addition to



Foucault's 'rejection of the state-civil society distinction', only 'encourages us to conflate all struggles into one universal struggle, rename it social warfare, and leave it at that'. Rose (1984: 193-194) also criticises Foucault for using the terminologies of war to explain power relations, in particular law and sexuality. However, it must also be borne in mind that before broadly conceptualising war, in "*Society Must Be Defended*" Foucault also pointed out that in using war as the 'matrix' for analysing power relations, he was 'simply taking an extreme [case] to the extent that war can be regarded as the point of maximum tension, or as force relations laid bare' (2004: 46). This statement is a clear indication on some of the reservations that Foucault had in conceptualising all forms of power relations as war.

There can be no doubt that all forms of power relations are capable of having recourse to force (whether they be the power relations of the family or that of the state). There can also be no doubt that most institutions of power today are modelled on the military institution, as Foucault pointed out in *Discipline and Punish* (1991: 168). However, this does not mean that force is always exercised in every power relations. Even when force is exercised, it does not always produce the effects of battle, i.e., death, injury, destruction of property, and so on.

How then can war be conceptualised beyond military action without at the same time rendering the term meaningless? In this thesis, building on from Foucault's expositions on war, while I assert war to be inscribed in all power relations, I only treat power relations that produce the effects of battle to be ways of waging war. Those effects include: death, injury and the expulsion of the enemy; destruction of the enemy's assets; appropriation of the enemy's land/property; and the submission or the disarming of the enemy. Using the cases of liberal state-building undertaken by the British Empire in Ceylon, Sri Lanka's post-colonial ethno-theocratic practices against the Tamils, and the West's war to neutralise the Tamils' armed struggle, I demonstrate in chapters IV to VIII that law, finance, politics, and diplomacy are ways of waging war in that they produced the effects of battle in the Eelam War.

Within recent years, a body of work known as lawfare has emerged, affirming the relationship between law and war. Charles J. Dunlap (a US military judge), who first coined the term lawfare, defined it as 'the use of law as a weapon of war' and claimed that it has become 'the newest feature of 21<sup>st</sup> century combat': it is 'a method of warfare where law is used as a means of realizing a military objective' (2001: 1, 2 & 4). Later, expanding further

on his earlier definition, Dunlap conceptualised lawfare as a ‘strategy of using – or misusing – law as a substitute for traditional military means to achieve an operational objective’ (2010: 122). Building on Dunlap’s concept of lawfare, and the legal scholar David Kennedy’s (2006: 33) characterisation of war as a ‘legal institution’, Eyal Weizman claims that ‘the use of law as a weapon of war’ (when war is understood in terms of military action) has two dimensions: on the one hand, law can be used by a weaker, non-state actor to ‘constrain military action against it by claiming that war crimes have been committed’; on the other hand, states can also use law (in particular international humanitarian law) in wars as the ‘ethical vocabulary for marking legitimate power and justifiable death’ (2010: 13). Unlike Dunlap, Weizman traces the original use of law in war to colonial times. Law was used in the seventeenth and eighteenth centuries to legitimise the ‘tactics of Western warfare’ in the colonies and to ‘delegitimize the subaltern violence of the colonised’ (Weizman, 2010: 13).

Even though this new body of work certainly acknowledges the relationship between law and war, three key weaknesses can be identified in its formulations. Firstly, it fails to go beyond the conventional understanding of war in terms of military action. Secondly, it misconceives the use of law in wars to be the development of the twenty-first century. Thirdly, it only assumes law to be a weapon in military conflict and not a way of waging war. As discussed earlier in this section, Foucault traced the genealogy for the functions of law both as a weapon as well as a way of waging war to the Middle Ages (1998: 86-87). In doing so, Foucault established the ground for conceptualising war beyond military action and for examining the actions of states from the Middle Ages through the matrix of war.

By law, I do not only mean ordinary laws but also emergency laws that exhibit violence in its naked form. In *State of Exception*, Giorgio Agamben claims that although the state of exception – the basis of emergency laws – today appears in the form of laws, it is in fact ‘the legal form of what cannot have legal form’: it ‘is not a special kind of law (like the law of war)’, but ‘a suspension of the juridical order itself’ (2005: 4). The state of exception, Agamben argues, lies ‘at the limit between politics and law’ (Ibid.: 1). Challenging this notion of Agamben, and scholars after him, Neocleous argues that emergency laws do not exist in a ‘space without law’, but being ‘*entirely constitutional*’ they are themselves part of law: ‘far from *suspending* the law, violent actions conducted in “emergency conditions” have

been legitimated through law on the grounds of necessity and in the name of security’ (2008: 41 & 71). In his study on the history of British colonialism in India, Nasser Hussain also argues that it is incorrect to assert emergency laws to be existing outside the rule of law (2003: 20). Similarly, in her study on the post-9/11 ‘exceptional’ practices of the American and British governments, Claudia Aradau also points out that such governmental practices are not undertaken in a space without law, but rather signify the ‘ongoing transformation of law’ (2007: 490). As law ‘governs the “realities” of society’ it also adjusts to the ‘imperatives of necessity’ (Ibid.: 499). A full discussion on how emergency laws function as part of law, both as a weapon as well as a way of waging war, will be undertaken in Chapter V.

### **Grasping biopolitics**

Although Foucault coined the term ‘biopolitics’ in Volume I of *The History of Sexuality*, it was in the lecture series *Security, Territory, Population* that he provided a concise definition:

By this I mean a number of phenomena that seem to me to be quite significant, namely, the set of mechanisms through which the basic biological features of the human species became the object of political strategy, of a general strategy of power, or, in other words, how, starting from the eighteenth century, modern Western societies took on board the fundamental biological fact that human beings are a species. This is roughly what I have called biopower (2007: 1).<sup>29</sup>

On the basis of this definition and a number of expositions Foucault made in his works and other lecture series, the concept of biopolitics can be understood in the following terms.

Firstly, biopolitics deals with life at the level of populations (Foucault, 1998: 137). In this regard, Foucault noted that biopolitics ‘aims to treat the “population” as a set of

---

<sup>29</sup> In his works and lecture series, Foucault used the terms ‘biopolitics’ and ‘biopower’ as synonyms. Although Hardt and Negri distinguish the term ‘biopower’ from ‘biopolitics’ on the basis that the latter can be a form of resistance against capitalism (2001: 411), many Foucauldian scholars continue to use both terms as synonyms.

coexisting living beings with particular biological and pathological features' (2007: 367). Unlike the ancient sovereign power that dealt with life at the level of the individual, biopolitics addresses the 'multiplicity of men' as a 'global mass'; it is a 'massifying' power directed at 'man-as-species' (Foucault, 2004: 242-243). This does not mean that biopolitics is a system of power that ignores life at the level of the individual: it is not only a macro power relation. Biopolitics also deals with life at the level of the individual through disciplinary mechanisms: as well as infiltrating and embedding itself in disciplinary mechanisms, biopolitics also integrates them, dovetails into them, and to some extent modifies them (Foucault, 2004: 242). In this way, biopolitics disciplines the body of the individual as a machine to optimise its capabilities, extort its forces, increase its usefulness and docility, and integrate it into systems of efficient and economic controls (Foucault, 1998: 139).

Secondly, biopolitics is not exterior to the exercise of political power. In this regard, Foucault noted that biopolitics should be understood on the basis of the theme of 'the management of state forces' (2007: 367). It is concerned with processes such as 'birth, death, production, illness, and so on' that affect the population in general (Foucault, 2004: 243). In this sense, biopolitics is about improving the life chances of populations by carrying out interventions and imposing regulatory controls on biological processes that affect them in general: it is about intervening and regulating the 'propagation' of life, 'births and mortality, the level of health, life expectancy and longevity' and 'all the conditions that can cause these to vary' in populations (Foucault, 1998: 140; 2004: 243; 2007: 367; 2008: 317).

Thirdly, remaining part and parcel of the exercise of political power, biopolitics is also the power to take human lives; as well as being a power that makes life live, it is also a power that kills life. The ancient sovereign power over the life of the individual was largely exercised as the power of death (Foucault, 1998: 136). It was exercised 'as a means of deduction' that was 'levied on the subjects' to 'appropriate a portion of wealth, a tax of products, goods and services, labor and blood' (Ibid.). Although biopolitics emerged in the eighteenth century as a form of power concerned with administering bodies and managing life in a calculated way, it did not put behind the ancient sovereign power of death. Instead, it has supplanted the ancient sovereign power of death (Ibid.: 139-140). In this regard Foucault notes: 'I wouldn't say exactly that sovereignty's old right – to take life or let live – was

replaced, but it came to be complemented by a new right which does not erase the old right but which penetrates it, permeates it' (2004: 241). In biopolitical rule, the power of death (or the right to kill) has shifted from the sovereign and is now manifested as 'the right of the social body to ensure, maintain, or develop its life' (Foucault, 1998: 136).

As a system of power that deals with life at the level of populations and concerned with making the human species live, how is the power of death (or the right to kill) exercised in biopolitics? This power of death/the right to kill is exercised by creating a binary division within the human species: the 'good' part of the human species that must be looked after and the 'bad' part of the human species that must be eliminated for the 'good' part of the human species to live (Foucault, 2004: 254-255). People of different races, political adversaries, the criminals, the mentally ill, and people with various anomalies become defined as biological threats to the existence of the 'good' part of the human species (Ibid.: 258-259 & 262). In the 'biopower system', killings are undertaken in order for the 'elimination of the biological threats to and the improvement of the species or race' (Foucault, 2004: 256). In Mitchell Dean's words, in biopolitical rule, the 'criminal and dangerous classes, the feebleminded and the imbecile, the invert and the degenerate, the unemployable and the abnormal' are considered to be threats to populations (2010: 119). Thus, as Foucault points out, in biopolitical rule 'massacres have become vital' for the human species to live (1998: 137). Today, 'wars are no longer waged in the name of a sovereign who must be defended': instead, they are waged 'on behalf of the existence of everyone; entire populations are mobilised for the purpose of wholesale slaughter in the name of life necessity' (Ibid.). Within this context Foucault notes: if 'genocide is indeed the dream of modern powers, this is not because of a recent return to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population' (Ibid.).

Despite borrowing the term 'biopolitics' from Foucault, many scholars after him have developed competing definitions of the term that its usage today has become both ambiguous and contentious. As Jorg Spieker notes, biopolitics today 'means different things to different thinkers' (2011: 94). It is beyond the scope of this thesis to examine every scholarly work that has built on from Foucault's concept of biopolitics. However, I will outline some of the key ones and state how they have either reinterpreted the term or circumscribed its meaning.

In *Homo Sacer*, claiming to correct and complete the Foucauldian thesis of biopolitics, and drawing on ancient Greek political thought, Giorgio Agamben (1998: 1 & 4) divides life as 'bare life' (meaning 'the simple fact of living common to all living beings') and 'qualified life' (meaning 'the form or way of living proper to an individual or group'). Accusing Foucault of having misconceived biopolitics as a development of modern power politics, and citing the ancient Roman law figure of the *Homo Sacer* (the criminal whose execution is 'classifiable neither as sacrifice nor as homicide') as an example, Agamben claims that the 'inclusion of man's natural life in the mechanisms and calculations of power' are not modern but 'absolutely ancient' (Ibid.: 9 & 82). Modern politics is not so much characterised by the inclusion of bare life in politics or the use of life as 'a principal object of the projections and calculations of State power', but the entry of both bare life and qualified life into 'zone of irreducible indistinction' coupled with the 'processes by which the exception everywhere becomes the rule' (Ibid.: 9). Although Agamben confines much of his study on biopolitics to the Nazi state, he also notes its thanatopolitical<sup>30</sup> character in modern liberal democracies: in liberal democracies, as both the 'bearer of rights' and 'sovereign subject', every individual is a *Homo Sacer*, who may be killed when he commits a crime (Ibid.: 124 & 142). In essence, for Agamben, biopolitics is the thanatopolitics over the individual's life.

Contesting this claim of Agamben, in *Biopower Today*, Paul Rabinow and Nikolas Rose claim that biopolitics is not the power to take life but the power to foster life: biopolitics should be understood to 'embrace all the specific strategies and contestations over problematizations of collective human vitality, morbidity and mortality; over forms of knowledge, regimes of authority and practices of intervention that are desirable, legitimate and efficacious' (2006: 197). For Rabinow and Rose (Ibid.: 211), Foucault's concept of biopolitics 'operates according to logics of vitality, not mortality'. While acknowledging biopolitics to include 'circuits of exclusion', Rabinow and Rose argue that '*letting die* is not *making die*' (Ibid.). Claiming the Nazi state to be 'one configuration that modern biopower can take', Rabinow and Rose (Ibid.: 201) criticise Agamben for characterising it as the 'hidden dark truth of biopower'. Biopower, under the Nazi state 'was dependent upon a host

---

<sup>30</sup> The politics of death.

of historical, moral, political and technical conditions' that functioned alongside 'a complex mix of the politics of life and the politics of death' (Rabinow & Rose, 2006: 201).

In "*Society Must Be Defended*", Foucault noted the Nazi state's appropriation of biopolitics to be 'a paroxysmal development' (2004: 259). Taking this characterisation at face value, Rabinow and Rose (2006: 199 & 201) claim that Foucault understood the Nazi state to be only an 'exceptional' development in the history of biopolitics: for Rabinow and Rose, Foucault understood biopolitics to be the techniques for 'maximising the capacities of both the population and the individual' within various domains of power – such as medicine, town planning, and so on – and not the power to kill. This is an incorrect assertion. As noted earlier in this section, in introducing the concept of biopolitics to the study of power relations, Foucault presented both its productive and violent dynamics. Moreover, Foucault did not refer to the appropriation of biopolitics by the Nazi state to be a paroxysmal development because it was the only state that exercised biopolitics as the right to kill. Instead, Foucault made this characterisation on the basis that the Nazi state was the only state that used disciplinary power and biopower so tightly since the emergence of those forms of power:

After all, Nazism was in fact the paroxysmal development of the new power mechanisms that had been established since the eighteenth century. Of course, no State could have more disciplinary power than the Nazi regime. Nor was there any other State in which the biological was so tightly, so insistently, regulated. Disciplinary power and biopower: all this permeated, underpinned, Nazi society (control over the biological, of procreation and of heredity; control over illness and accidents too). No society could be more disciplinary or more concerned with providing insurance than that established, or at least planned, by the Nazis. Controlling the random element inherent in biological processes was one of the regime's immediate objectives (2004: 259).

In another work, Rose also argues that the death pole of biopolitics should not be understood as the power to kill but as the power to allow death to occur through 'contraception, abortion, preimplantation, genetic diagnosis, debates about the right to die' and so on (2007: 64). This

claim of Rose, as Spieker (2011: 103) points out, was not actually derived from Foucault's writings or lecture series. Thus, in developing a concept of biopolitics based on race, reproduction and genomic medicine, both Rabinow and Rose effectively depoliticise it.

This is not to say that Agamben's conceptualisation of biopolitics is a faultless one. In his work, even though Agamben, unlike Rabinow and Rose, has recognised the violent dynamics of biopolitics, the Roman metaphorical figure of *Homo Sacer* that he uses to develop his concept of bare life has nothing to do with the concept of biopolitics. The metaphorical figure of *Homo Sacer* falls within the ambit of the ancient sovereign power of death that dealt with life at the level of the individual. As Foucault notes, biopolitics does not only deal with life at the level of the individual but at the level of populations (1998: 140). Agamben's work can also be faulted for failing to ignore the fact that the power of death/the right to kill in biopolitics is intimately linked to the power of making life live.

In *Empire*, Michael Hardt and Antonio Negri define biopolitics as the form of power that is concerned with administering the 'production and reproduction of life' in service of global capitalism: 'In the biopolitical sphere, life is made to work for production and production is made to work for life'; it is a power that 'extends throughout the depths of the consciousness and bodies of population' and 'across the entirety of social relations' (2001: 23-24 & 32). While much of their work is concerned with the '*productive* dimensions of biopower', and how biopower is being used today in the service of global capitalism, unlike Rabinow and Rose, Hardt and Negri (2001: 27 & 35) recognise its violent dynamics.

On the other hand, in *The Liberal Way of War*, while recognising the violent dynamics of biopolitics and its intimate relationship with capitalism, Dillon and Reid define it as 'an order of politics and power which, taking species existence' of humans 'as its referent object, circumscribes the discourse of what it is to be a living being to the policing, auditing and augmenting of species properties' (2009: 24 & 29). The biological feature of human species are today used in 'security and war' (Ibid.: 29). For Dillon and Reid (Ibid.: 24-25), when Foucault coined the term biopolitics, economy (understood in terms of 'capitalist modes of production and exchange') was the key expression of species life in liberal biopolitics. However, as a result of the 'confluence of the digital and molecular revolutions', economy has today become one, among many, of the primary expressions of 'species properties' of



biopoliticised life (Dillon & Reid, 2009: 23-24 & 28-29). On this basis, Dillon and Reid argue that biopolitics today can only be understood by examining the life sciences (Ibid.: 46).

In most of his works and lecture series, Foucault (1998: 140-143; 2007: 1 & 367; 2008: 22 & 317) acknowledged biopolitics to be ‘an indispensable element in the development of capitalism’, even though, as Claudia Aradau and Tobias Blanke (2010: 44-45) have pointed out, much of his study was preoccupied with capitalism’s appropriation of biopolitics for disciplining individual bodies and governing circulation in Europe. For Foucault, capitalism would not have been able to develop without ‘the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population to economic processes’ (1998: 140-141). It was the biopolitics of the human species that helped to adjust the ‘accumulation of men to that of capital’; biopolitics went hand-in-hand with the ‘growth of human groups’, the ‘expansion of productive forces’, and the ‘differential allocation of profit’ (Ibid.: 141). It also helped to prevent, contain, and often eliminate, threats – such as epidemics and famines – to the human species as well as capitalism (Ibid.: 142). With biopolitics working hand-in-hand with capitalism, the ‘Western man’<sup>31</sup> gradually learnt the meaning of existing as ‘a living species in a living world, to have a body, conditions of existence, probabilities of life, and individual and collective welfare, forces that could be modified, and a space in which they could be distributed in an optimal manner’ (Ibid.: 142). Within this context, Hardt and Negri cannot be faulted for asserting the relationship between biopolitics and capitalism. However, this does not mean that biopolitics is only about the production and reproduction of life in the service of global capitalism.

For Foucault, it was not only capitalism that appropriated biopolitics; it was also used by European colonialism, the Nazi State and Soviet-type socialist states (2004: 257 & 258-263). It was European colonialism that first used biopolitics in thanatopolitical mode (Ibid.: 257). Despite being capitalist, European colonialism did not initially use biopolitics in a productive way, but used it in a destructive way, which Foucault calls ‘colonizing genocide’: biopolitics under European colonialism was used to ‘justify the need to kill people, to kill

---

<sup>31</sup> Although in Volume I of *The History of Sexuality* and the lecture series *Security, Territory, Population*, Foucault (1998; 2007) did not conduct his studies on capitalism’s appropriation of biopolitics for disciplining bodies and governing circulation beyond Europe, he often referred to Europe as the West.

populations, and to kill civilizations' in colonies (Ibid.: 275). This was also the case with the Nazi state, which was also capitalist. The Nazi state largely used biopolitics in its project of constituting the German race as the 'superior race' by seeking to eliminate and enslave other races (Ibid.: 259-260). Soviet-type socialist states (in particular Stalinist ones) also used biopolitics in a destructive manner to 'deal with the mentally ill, criminals, political adversaries, and so on' (Ibid.: 261-262). Thus, as Foucault spelled out in the last lecture of "*Society Must Be Defended*", biopolitics not only functions in the service of capitalism. Nor is it a system of power in which the capitalist economy has become one among many of the species properties of the human species in liberal rule. Instead, biopolitics is a system of power that has been appropriated by various power complexes to manage populations in a calculated way. Each power complex promotes its own way of life for the human species and kills groups (the 'bad' part of the human species) that are seen to be a threat to promoting its way of life and the existence of the human species. Foucault refers to this relationship of life and death in biopolitics – that is 'if you want to live, you must take lives, you must be able to kill' – as the 'relationship of war' (2004: 255). It is a relationship that has origins in the 'principle underlying the tactics of battle – that one has to be capable of killing in order to go on living' (Foucault, 1998: 137). Understood in this context, war is central to biopolitics not because it is inscribed, as in all power relations, with force, but because it is exercised using the principle underlying the tactics of battle and can produce the effects of battle.

In this thesis, I am bringing a biopolitical perspective to bear on the complex of power relations constituted as the British Empire, liberal peace, and the Sri Lankan state. Although each of them have functioned with different ends, they have all exercised the power of life and death over populations, promoting their own way of life for the human species. The notable aspect of the biopolitics of liberal peace is that it has a continuity with the British Empire's biopolitics of liberal state-building in its colonies. Therefore, the full dynamics of the biopolitics of liberal peace can only be grasped when examined together with the British Empire's biopolitics of liberal state-building. Although this is not the case with the biopolitics of the Sri Lankan state, to further the ethno-theocratic ambitions of Sinhala Buddhism, it has relied heavily on the liberal mechanisms of government left behind by the British Empire.

The biopolitical perspective on liberal peace being developed in this thesis is different from the biopolitical perspective on capitalism developed by Hardt and Negri. As we saw in the Introduction, and as will be discussed further in the next section, in the biopolitics of liberal peace global commerce is understood to be the key to making global populations live by ending the miseries that military confrontations between states can bring upon them. However, in the biopolitical perspective of Hardt and Negri, the significance of global commerce is limited to facilitating the accumulation of capital: it is understood to be one of the conditions that leads to profit (2001: 190). In their work, Hardt and Negri (Ibid: 20) also conceptualise Western wars as police actions of the Empire to ensure order so that the production and reproduction of life in the service of capitalism can be ensured, and not as endeavours to make global populations live. Nevertheless, the contributions that Hardt and Negri have made in developing the concept of biopolitics cannot be discounted. Whereas Foucault's work briefly examined the role of biopolitics in the development of capitalism during modernity, Hardt and Negri have extended his focus to the contemporary context.

The same can be said of the way other Foucauldian scholars have developed the concept of biopolitics. Where the work of Duffield (discussed in the Introduction) provides insights on the way that biopolitics remains central to development, the work of Dillon and Reid brings to light the contributions made by the molecular (in relation to life forms) and digital revolutions in developing biopolitics as a sophisticated system of power. This is also the case with Agamben's work. Despite misconceiving biopolitics to be a development of ancient times, Agamben has nevertheless expanded on Foucault's brief expositions on the genocidal dynamics of biopolitics in Nazi Germany (in this regard, see Agamben, 1998: 136-180). In similar manner, the work of Rabinow and Rose also provides insights on the productive dynamics of biopolitics in light of developments in medical and life sciences today.

Although this thesis largely deals with the violent dynamics of the biopolitics of liberal peace in removing threats to unhindered global commerce, this does not mean that efforts to govern populations within states by improving their life chances – i.e., in the form of interventions in the areas of health, hygiene, circulation, and so on – are losing their significance. In the same way that Western states undertake interventions within their borders

to better the life chances of their populations, Southern states that undergo liberalisation are also expected to carry out similar interventions within their borders to improve the life chances of their own populations. The role of Southern states are complemented by humanitarian relief programmes and development activities of IGOs, IFIs, and INGOs. The biopolitical perspective of development used by Duffield provides insights in this regard.

### **The biopolitics of liberal peace**

When liberal peace emerged as a concept in the eighteenth century, commercial globalisation was understood to be the key to ending military confrontations between European powers (Foucault, 2008: 57-58). With the end of the Second World War, the concept of liberal peace became embedded in the foreign policies and practices of Western states (as we will see in Chapters II & III). Today, the absence of military confrontations between Western states is understood to have come about as a consequence of the economic interdependence that commercial globalisation has produced between them (see Doyle, 2005: 464-465). In other words, commercial globalisation is understood to be the key to bringing an end to the miseries that military confrontations between states can bring upon populations. It is in this biopolitical endeavour of making life live through commercial globalisation that as part of their interventions<sup>32</sup> Western states have promoted, undertaken, and consolidated liberalisation programmes in the states of the South. These liberalisation programmes are intended to institutionalise civil liberties, human rights, the rule of law, liberal democratic governance and free market economy (Paris, 2009: 5; Richmond & Audra, 2011: 294). Political liberalisation, together with economic liberalisation, is understood to be the key to making Southern populations become accustomed to liberal political and economic values, thus allowing global commerce to be undertaken in a secure environment, devoid of threats and influences from non-liberal forces and ideologies, such as extremism and communism. In

---

<sup>32</sup> In using the term intervention, I mean military interventions (both humanitarian and non-humanitarian), state-building/'peacebuilding' missions, aid programmes, and mediatory efforts to resolve intra-state conflicts.

other words, in undergoing liberalisation, Southern populations are expected to become capable of respecting civil liberties, human rights, the rule of law, adhere to liberal democratic governance, and participate in a globalised free market economy. On this basis it can be seen that political liberalisation of the South is not a rhetorical commitment of the West, as some Marxists (for example Barkawi & Laffey, 1999: 418) have argued.

As in all biopolitics, groups within the human species that either refuse to submit to or challenge the liberalising goal of liberal peace are considered to be the 'bad' part of the human species and become targets for elimination. During the Cold War, communist regimes and revolutionary movements that harboured or were seen to be harbouring the communist ideology were placed within this category. In the post-Cold War period, even after communism became a redundant ideology, armed national liberation movements, terrorist organisations and networks, and regimes that oppose liberal values continue to remain in this category. This is not to say that it is possible to find any official publications that refer to these groups explicitly as the 'bad' part of the human species. Instead, the terminologies of terrorists, extremists, barbarians, and rogue states are used to refer to them. As the way that the US-led GWoT was conducted demonstrates, liberty, human rights, and redress from international law are understood to be outside the reach of these groups (Aradau, 2007: 497; also see Aradau, 2008: 309). Through this dehumanisation, Western states are able to justify wars which violate the very principles – civil liberties, human rights and international law – that they also promote under the banner of liberal peace.

These wars have not always been waged directly by Western states. Nor have they been waged only in the form of military action. As well as directly waging wars, Western states have also collaborated in the wars of their Southern counterparts to eliminate non-liberal actors. In these wars, whether direct or collaboratory, to eliminate the 'bad' part of the human species, the power relations of law, finance, politics, and diplomacy (as well as other power relations that produce the effects of battle), in addition to military might, have been mobilised. A notable aspect of these wars is that they have largely mirrored the wars waged by the British Empire as part of its biopolitics of liberal state-building in its Eastern colonies.

When European colonialism set in motion from the end of the fifteenth century, it largely took the form of slave trade, plunder of resources in the colonies and the annihilation

of colonial subjects who challenged the conquerors (see, for example Fanon, 1963: 101; Nehru, 1994: 277, 280-281, 295-297 & 325). During those early years of colonialism, British imperialism was also no different in this respect. As the study of the Portuguese and Dutch rule of Ceylon in the sixteenth and seventeenth centuries and up to the last quarter of the eighteenth century in Chapter IV will demonstrate, before European colonialism became biopolitical, only a minority of colonial subjects, such as local rulers who accepted or helped to maintain colonial rule, mercenaries who served colonial armies, local merchants who helped the conquerors to plunder resources and further the slave trade, and converts who helped to spread Christianity, were fostered by their colonial masters. Even this was not undertaken at the level of populations but at the level of individuals. Although this was not the case with some of the mass killings that took place in the colonies (such as those in America, Africa, and Australia), those killings cannot be termed as biopolitical killings because they were not undertaken as part of the strategy of eliminating the 'bad' part of the human species in order for the human species to live. Instead, those killings were undertaken as part of the strategy of colonising lands and plundering resources found therein. Many of those who were killed by the European conquerors were the ones who rose against the colonisation of their lands or the plunder of their resources. Those who submitted to the colonial order were allowed to live. However, nothing substantial was done by the colonial rulers to better the lives of those who refrained from challenging the colonial order.

Even when biopolitics became part of European colonialism in the eighteenth century, it was largely destructive in character (Foucault, 2004: 257). This is not to say that nothing was done to better the lives of the colonial subjects. With the entry of biopolitics, some interventions, such as efforts to contain epidemics, were carried out among the populations in the colonies. Despite these limited productive dynamics, in the initial stages the biopolitics of European imperialism was by and large dominated by the ancient sovereign power of death.

However, this gradually began to change from the middle of the nineteenth century onwards, in particular in Britain's Eastern colonies. Having already emerged as the empire in which the sun never set, it was from this time onwards that Britain initiated liberal state-building in its colonies. While liberal institutions similar to those that existed at home were gradually built in the colonies, efforts to better the lives of colonial populations expanded

from containing epidemics to the introduction of better health, hygiene, transport, and often housing as well as educational facilities. The slave trade was also abolished in the colonies. As a consequence, more and more colonial subjects became involved in the colonial civil service as well as in colonial commerce. The beginning of liberal state-building changed the life and death relationship of biopolitics in the colonies. This is not to say that the biopolitics of liberal state-building in Britain's colonies was entirely peaceful. It was as violent as the biopolitics of liberal peace today. However, compared to the period when liberal state-building was not initiated in the colonies, the life and death relationship was no longer tilted largely in favour of the power of death: it was not as asymmetrical as it had been.

In the same way that the terminologies of 'terrorists' and 'extremists' are used today to dehumanise the 'bad' part of the human species, the term barbarian was used extensively during the British Empire's biopolitics of liberal state-building. Colonial subjects who showed willingness to become liberalised were understood to be capable of embracing order, culture and civilisation. However, those who resisted colonial rule were understood to be 'barbarians' who continued to live in 'chaos and disorder' (Cooper, 2002: 11). Thus, the colonial subjects who refused to enter 'civilisation' became the 'bad' part of the human species against whom the power of death/the right to kill was exercised.

A study of Adam Ferguson's (1782) *An Essay on the History of Civil Society* provides interesting insights into the development of the terminologies of 'civilisation' and 'barbarism'. Although these terminologies were largely used during the Enlightenment to distinguish Europeans from non-Europeans, it was Ferguson who defined those terms on the basis of legally governed property relations (Foucault, 2008: 306). Property relations governed by law, Ferguson argued, signified 'civilisation' (1782: 135-136). While the principle object of 'barbarians' is the 'care and desire of property', relations among them are not guaranteed by law (Ibid.: 136). In contrast, in a civilisation, 'by the authority of law, every citizen' secures 'the protection of his personal rights' (Ibid.: 315 & 316). For Ferguson, law 'has a principle reference to property': law 'would ascertain the different methods by which property may be acquired, as by prescription, conveyance, and succession; and it makes the necessary provisions for rendering the possession of property secure' (Ibid.: 260-261). Many liberal thinkers of the Enlightenment also considered the primary function of law

to be either guaranteeing the right of the individual to own property or take part in commerce. Locke defined political power as the 'right of making laws' for 'the regulating and preserving of property' (1980: 8). Later, Jeremy Bentham argued that 'property and law were born together, and would die together' (1914: 146-147). Law exists, Bentham claimed, to protect the property of the individual (Ibid.). For Adam Smith, law's role was to provide security to the market from internal threats (1954: 163-164). Unless the buyer and seller are equal in the eyes of law and justice is administered according to law, prosperity through trade cannot be achieved (Ibid.). This idea was also mirrored in the thoughts of John Stuart Mill in the nineteenth century. For J.S.Mill, the benefits of trade can only be realised if both the seller and the buyer are allowed to conduct their business as equals before law (1985: 60 & 164).

However, unlike other liberal thinkers before him, J.S.Mill (1836/1977) provided a definition of the term 'civilisation' that largely mirrored that of Ferguson. His definition is significant in that it emerged when liberal state-building was in its rudimentary stages in the British Empire's Eastern colonies. For J.S.Mill, to be called a 'civilisation' a people must have all of the following four qualities: it must be made up of 'a dense population' that dwells in 'fixed habitations' and 'largely collected together in towns and villages'; the country in which it dwells must be 'rich in the fruits of agriculture, commerce, and manufactures'; it should 'act together for common purposes in large bodies' (such as in the form of organised militaries in wars) and also enjoy 'the pleasures of social intercourse'; and its 'arrangements of society' (in the the form of law and the administration of justice) for 'protecting the persons and property of its members' should be 'sufficiently perfect' to maintain internal peace (1977: 120). The people who did not possess these four qualities, J.S.Mill claimed, constitute the 'savages' or 'barbarians' (Ibid.). Ferguson distinguished the 'barbarians' from the 'savages' on the basis that while the latter are not 'acquainted with property', the former, despite having the 'care and desire' of property as their principle object, do not have laws to govern property relations (1782: 135-136 & 315-316). However, J.S.Mill did not make such distinction but simply classified those who did not fall within his definition of 'civilisation' as living in the modes of 'rudeness' and 'barbarism' (1977: 120).

Using Ferguson as well as J.S.Mill's definitions as the matrix for understanding the usage of the terminology of 'civilisation' in Britain's colonies in the nineteenth century, it



becomes apparent that liberal state-building was largely about institutionalising the rule of law to govern property relations. As we will see in Chapter II, establishing property rights and the rule of law are important aspects of liberal state-building in the states of the global South today, as it was in the British Empire's liberal state-building in its Eastern colonies.

Liberal state-building in Britain's colonies did not automatically result in 'political and civil liberties' being granted to the colonial subjects (Hobson, 1902: 25). In the initial stages, colonial rule continued to remain as despotic as it had been before. J.S. Mill, who justified imperialism to be a mission for 'civilising' the Eastern races (1985: 69), claimed despotism to be an acceptable method of governing them, provided that it had 'civilisation' as its end:

Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne, if they are fortunate to find one (1985: 67).

This was, though, not the case with law. Before liberal state-building was initiated, two separate legal systems were maintained in the colonies: while the legal system that was used to govern the settlers resembled that at home, the legal system that was used to govern the colonial subjects was made up of different laws. A number of liberal thinkers of the Enlightenment, such as Bentham and James Mill, justified this on the basis that ordinary laws that applied in Britain to a 'civilised race' could not also apply to the 'uncivilised' colonial subjects (Hussain, 2003: 40). This began to change when liberal state-building was initiated in the middle of the nineteenth century. As liberal state-building progressed, by the dawn of the twentieth century Britain's colonial legal system began to mirror the one at home.

This is not to say that law assumed the role of governing property relations and commercial intercourse in the colonies in a peaceful manner. As we will see in Chapters IV and V, law became a way of waging war within the colonies, eliminating threats to liberal state-building as well as to the security of Britain's global commerce. During occasions when the use of ordinary laws in the colonies failed to overcome threats to Britain's commercial interests or the emerging liberal state-order, martial law took its place. Although by the turn

of the nineteenth century martial law had been replaced in Britain with a number of legislations that normalised the violent functions of law, in the colonies, however, it was not codified into law but unleashed in its naked form to put on show its violent characteristics (Rossiter, 1948: 136-137 & 141-142; Neocleous, 2008: 44). It was the use of martial law in the colonies that reminded the subject population that law always signified the sword. It reminded them that law would always assume its extreme form whenever the liberal state-order being built in the colonies or the security of Britain's global commerce was threatened (this subject will be discussed further in Chapter V). While those who did not challenge liberal state-building were fostered to become 'civilised' in accordance with liberal political and economic values, the fate of the indigenous populations of America, Australia and, some parts of Africa befell those who resisted it: they were dehumanised and annihilated.

It was only after the indigenous populations became accustomed to the new colonial legal system that political and civil liberties were granted to them. As Frederick Lugard was later able to claim proudly in *The Dual Mandate in British Tropical Africa*, the British Empire was discharging its 'civilising' mission by establishing 'Courts of Law' and creating within the indigenous populations 'a sense of individual responsibility, of liberty and of justice' (1922: 5). However, as the limited role the indigenous populations continued to play in the legislative, executive and judicial branches of many colonies, and the strict military codes that were imposed on local soldiers depriving them access to newspapers shows, the grant of political rights and liberties to the indigenous populations was not understood primarily in terms of their self-governing rights (see Nehru, 1994: 329). Liberty for the indigenous populations did not entail liberty in its strict sense. Instead, it was largely centred on creating conditions for Britain's global commerce to be undertaken freely and securely within the borders of the colonies. As Foucault (2008: 62-65) notes, in liberal thought liberty is understood as a condition that allows commerce to be undertaken freely: it is a freedom that is created to ensure that 'the freedom of economic processes' are not endangered:

[T]his governmental practice in the process of establishing itself is not satisfied with respecting this or that freedom, with guaranteeing this or that freedom. More profoundly, it is a consumer freedom. It is a consumer freedom inasmuch as it can

only function insofar as a number of freedoms actually exist: freedom of the market, freedom to buy and sell, the free exercise of property rights, freedom of discussion, possible freedom of expression, and so on (Ibid.: 63).

The biopolitics of British liberal state-building reached its end-stage in the inter-war years of the twentieth century when universal franchise was introduced and liberal democratic system of government was institutionalised in the colonies. With power being concentrated neither in the hands of one or many, a check on political monopolies, which have the potential to lead to economic monopolies, was effectively placed in the colonies. By the time this occurred, much of the colonial populations had become accustomed to adhering to the rule of law, respecting civil liberties, and were actively participating in Britain's global commerce. Thus, when decolonisation began after the end of the Second World War, many of Britain's colonies had evolved into market democracies. They had, armed with law, and other power relations of the state, inherited the functions earlier performed by the British Empire's colonial apparatus. The end result of the liberal state-building undertaken by Britain in its colonies was the creation of self-governing market democracies in the global South.

The emergence of Britain's colonies as market democracies at the end of the Second World War also coincided with the decline of the former's global military might. In the nineteenth century, with its global military might and monopoly over global markets, and claiming to be the guardian of 'civilisation', Britain sought 'a political and economic role as the economic mediator between Europe and the world market' (Foucault, 2008: 60). J.S. Mill, who worked for the British East India Company, argued that even though Britain's colonial victories over 'barbarian forces' had placed 'it in a position to command liberty of trade' across the globe, it continued to work for the benefit of 'all mankind': Britain was not interested in making 'treaties stipulating for separate commercial advantages' as it desired 'no benefit to itself at the expense of others' (1984: 111). Similar claims were also made by a number of other British colonial officials who argued that by 'civilising' the Eastern races and opening-up their lands for commerce, the British Empire was helping European enterprises to develop in the East (see, for example Clarence, 1899). However, with the decline of its global military might and the emergence of its colonies as market democracies

at the end of the Second World War, Britain opted for decolonisation and gave-up its monopoly over global markets. It also aligned with America and other Western states to create conditions for unhindered global commerce. This became possible with the emergence of ‘a strong belief amongst allied Powers that the protectionist trade policies of the 1930s had contributed significantly’ to war, and opting for global free trade, with ‘an appropriate role for state intervention in the market’, would lead to ‘peace’ (Thomas, 2005: 649).

Frantz Fanon argues that decolonisation in the third world was fundamentally about throwing colonies that waged violent struggles for independence ‘back to the Middle Ages’, in the form of withdrawing colonial capital and investors ‘and setting up around the young State the apparatus of economic pressure’, or turning those who sought national liberation through peaceful means into ‘economically dependent’ states (1963: 96-98). While Fanon’s claims are true in the case of colonies which sought independence through armed struggles, in the case of colonies which resorted to non-violent methods of achieving independence, decolonisation signified their evolution as self-governing market democracies capable of providing security to global commerce within their borders. One example would be Ceylon (India would be another). A full discussion in this regard will be undertaken in Chapter IV.

The liberalisation programmes undertaken by Western states today, whether directly, through other liberal non-state actors, international institutions, or through their Southern counterparts, to institutionalise the rule of law, liberal democratic governance, and free trade in the states of the South and make them and their populations become accustomed to respecting civil liberties and human rights are a continuation of the liberal state-building activities undertaken by the British Empire in its Eastern colonies. In this respect, the biopolitics of liberal peace cannot be differentiated from that of the British Empire in methods. However, both forms of biopolitics can be distinguished in their objectives.

The biopolitics of the British Empire was centred on creating conditions for its own global commerce to be undertaken securely in its Eastern colonies.<sup>33</sup> In the biopolitics of the

---

<sup>33</sup> This does not mean that liberal state-building in the colonies did not serve any other purpose for the British Empire. Through liberal state-building the British Empire was also able to minimise the costs of administering and defending the colonies, i.e., it did not have to bring in a large number of civil servants and soldiers from Britain or rely on local princes and their troops to administer and defend the colonies, but was able to recruit

British Empire, efforts were undertaken to improve the living conditions of the local populations (making life live) and the power of death/the right to kill exercised over them for the enrichment of Britain's home populations (both in Britain and in the colonies), even though it also resulted in the enrichment of some sections of the colonial populations. In this sense the biopolitics of the British Empire in its Eastern colonies was intimately linked to its biopolitics of governing its home populations. In essence, it was a biopolitics centred on monopolising global markets and remained subordinate to the economic interests of Britain's home population. It cannot be denied that it is as part of the biopolitics of governing their home populations that today under the banner of liberal peace Western states collectively promote, undertake, and consolidate liberalisation programmes in the states of the global South, often assisted by liberal non-state actors, international institutions, and their Southern counterparts, and exercise the power of death/the right to kill over Southern populations. Western states are very well aware that if the miseries that military confrontations between states can bring upon their populations are to be avoided, as well as maintaining a harmonious relationship with their Western counterparts, they must also extend this state of affairs in their relationship with their Southern counterparts: in the same way that Western states are no longer tempted to engage in military confrontations with each other, Southern states must also in the long run be made to avoid the temptations of engaging in military confrontations with Western states as well as with their Southern counterparts. In this way, both Western as well as Southern populations can avoid the miseries that military confrontation between states can bring upon them. It is this that makes unhindered global commerce, in which no individual state (including those from the West) is expected to have monopoly over global markets, central to the biopolitics of liberal peace. Western states believe that in the same way that economic interdependence through commercial globalisation has produced a harmonious relation between them, it will also help to sustain this state of affairs and possibly lead to its extension in their relationship with their Southern counterparts. Thus, although the biopolitics of liberal peace, like the biopolitics of the British

---

at low cost a large number of its colonial subjects for the same purpose. Nevertheless, creating conditions for commerce to be undertaken securely in the colonies was central to the British Empire's liberal state-building.

Empire, is intimately linked to the biopolitics of Western states for governing their home populations, it is not a biopolitics that remains subordinate to the economic interests of the home populations of Western states. Being a biopolitics centred on unhindered global commerce, both Western and Southern populations have stakes in it. In this way, the biopolitics of liberal peace can be differentiated from that of the British Empire in objectives.

### **The biopolitics of the Sri Lankan state**

Although ethnicity has often remained central to nationalism (Snyder, 2000: 23), it is no longer possible to find states in the West existing purely along ethnological or theological lines. In contrast, outside the West, it is possible to find both ethnocracies and theocracies. Even in states that had not originally been constituted as such (as in the case of Sri Lanka), ethnicity and religion often dominate state policy and the way that populations are governed. While in liberal political thought both ethnocratic and theocratic forms of government are understood to be ‘primitive’ and ‘irrational’, and thus a threat to liberal values (Fukuyama, 1992: xi, 45 & 201), in practice, liberal states often find it convenient to collaborate with non-liberal regimes (as the case of longstanding collaboration with the monarchies of the Middle East and other non-liberal regimes demonstrates), while also promoting liberal values under the banner of liberal peace elsewhere (Rampton & Nadarajah, 2012; Laffey & Nadarajah, 2012). However, collaboration with Sri Lanka is distinctly different. Collaboration with Sri Lanka is not a case of liberal democracies collaborating with a non-liberal state. It is the collaboration of liberal democracies with a state that possesses liberal democratic institutions and uses them to further its ethno-theocratic ambitions. Although Sri Lanka claims to be ‘one of Asia’s oldest functioning democracies’ (Rajapaksa, 2011) and Western states have justified their collaboration with it on this basis (Lunstead, 2011: 71), the Sinhala-Buddhist ethno-theocratic values that it has upheld since its creation by the British Empire in 1948 makes it difficult for it to be placed alongside Western liberal democracies.

As will be explained in detail in Chapter IV, Sri Lanka’s national identity, constitution, institutions of state, and the name of the state itself reflect Sinhala-Buddhist ethno-theocratic

values. Even though the Tamils, along with the Sinhalese, constitute the original people<sup>34</sup> of the island with a distinct national identity of their own and a historical homeland in the northeastern parts of the island, since the state was created, the Sinhala-Buddhists, monopolising the numerical advantage they began to enjoy as a consequence of the electoral system of government left behind by the British Empire, have sought to transform the island into a Sinhala-Buddhist ethno-theocracy. Although the state leads this project of transforming the island into a Sinhala-Buddhist ethno-theocracy, the island's Sinhala-Buddhist clergy, political parties, grass-root groups, and other social organisations also play their part.

In his studies on the conflict in Sri Lanka, Neil DeVotta uses the term 'ethnocracy' to refer to the island-state (2002: 19; 2004: 76; 2007: 19). For DeVotta, a state can be characterised as an ethnocracy 'when the dominant ethnic group' within its borders 'eschews accommodation, conciliation, and compromise with the state's minorities and instead seeks to institutionalize its preferences so that it alone controls the levers of power' (2007: 56). In light of Sri Lanka's racist policies and practices towards the Tamils since its creation, and the fact that it has given the 'foremost place' to Buddhism and the 'pre-eminent position' to the Sinhala language in its two republican constitutions, DeVotta finds it fit to refer to the island-state as an ethnocracy, rather than as a liberal democracy (Ibid.: 19). In *The Politics of Transformation*, Suthaharan Nadarajah and Luxshi Vimalarajah also use the term ethnocracy to refer to the island-state. They make this characterisation on the basis that Sri Lanka's system of government provides uneven protection for political and civil rights 'across ethnic, class and territorial units', and because the island-state's last two 'mono-ethnic' constitutions had 'enshrined Buddhism as a specially protected religion and endorsed the unitary model of governance' (Nadarajah & Vimalarajah, 2008: 16-17). Although these definitions take into account both the ethnological and theocratical dynamics of Sri Lanka's project, the term itself underplays its theocratical dimensions. Therefore, I use the term 'ethno-theocracy' to refer to Sri Lanka's project of creating a Sinhala-Buddhist identity for the island and its population.

For one thing, this ethno-theocratic project of Sri Lanka is a biopolitical one. It divides the island's population along Sinhala-Buddhist ethno-theocratic lines: while the Sinhala-

---

<sup>34</sup> For a discussion on Sri Lanka's ethnic groups, see Chapter IV.

Buddhists and all other ethnic and religious groups that accept the supremacy of the Sinhala language and Buddhism are fostered through interventions to improve their health, hygiene, living standards, education, employment opportunities, and so on, the Tamils, and other ethnic and religious groups (such as the Muslims, the Burghers and the Sinhala Christians), who either claim a distinct identity for themselves or refuse to accept the supremacy of Sinhala-Buddhism are understood to constitute the 'bad' part of the human species who need to be eliminated. As we will see in Chapter IV, Sri Lanka's biopolitics is based on ancient myths that assert the island to be the holy land of Sinhala-Buddhism. These myths were revived under British rule in the nineteenth century by Sinhala-Buddhist scholars to create national consciousness among the Sinhala-Buddhist masses. Although Sinhala-Buddhist nationalism did not go well with British imperialism, and the latter was largely hostile to the former, much of the liberal state-building practices undertaken by the British Empire in Ceylon, in particular the amalgamation of the separate administrative apparatuses of the territories of the island's former Tamil and Sinhala kingdoms and principalities into a single administrative unit and the institutionalisation of an electoral system that pushed the Tamils to the status of an ethnic minority, went hand-in-hand with the former's desire to bring the island under a single state and institutionalise ancient myths after independence.

A notable feature of Sri Lanka's biopolitics is its appropriation of liberal mechanisms of government to further its ethno-theocratic ambitions. Moreover, from the day that it was created to the emergence of the Tamil armed resistance movement in 1972, claiming to guarantee the security of global commerce within the island's borders from the threat of communism, Sri Lanka managed to make the West turn a blind-eye to its racist policies and practices towards the Tamils (see Chapter IV). One thing needs to be made clear. The biopolitics of the Sri Lankan state is not the same as that of liberal peace. Whereas Sri Lanka's biopolitics is concerned with developing a Sinhala-Buddhist ethno-theocratic identity for the island and its populations, the biopolitics of liberal peace discourages the formation of such identities and instead promotes unhindered global commerce as the solution to ending ethnic and religious rivalries and building harmonious relationship between global populations. In other words, the biopolitics of the Sri Lankan state and the biopolitics of liberal peace stand at opposite poles. Nevertheless, before the emergence of the



Tamil armed resistance movement, the West allowed Sri Lanka to wage war against the Tamils because it wanted to prevent communists – whom it considered to be the ‘bad’ part of the human species – from taking control of governmental power in the island. Up until the end of the Cold War, Sri Lanka also managed to mobilise the support of the West in its counter-insurgency efforts against the Tamil armed resistance movement on the basis that it was fighting the ‘bad’ communist human species on behalf of the West, even though, as we will see in Chapter VI, the Tamil armed resistance movement only posed an armed challenge to Sri Lanka’s ethno-theocratic ambitions. In the post-Cold War period, although the Tamil armed resistance movement was no longer identified with communism, Sri Lanka was able to keep the West on its side as the latter understood armed struggles to be a threat to the security of global commerce, especially when these struggles are undertaken against liberal democracies (see Chapter III). It was by invoking arguments centred on the security of global commerce that Sri Lanka was able to portray the Tamil armed resistance movement as the ‘bad’ part of the human species. It was through this that Sri Lanka was able to mobilise Western support for its counter-insurgency efforts in the post-Cold War period, which eventually led to the West launching a parallel war to neutralise the Tamils’ armed struggle (see Chapters V, VII and VIII). Sri Lanka defeated the Tamil armed resistance movement and thereby removed the armed challenge to its ethno-theocratic ambitions only after the West enhanced its collaboration with the island-state by launching and later intensifying a parallel war to neutralise the Tamils’ armed struggle. Thus, from a biopolitical perspective, Western collaboration with the Sri Lankan state can be explained in the following terms: for the Sri Lankan state, the Tamil population, the communists (including the Sinhala Marxist youth), and the Tamil armed resistance movement constituted the ‘bad’ part of the human species; in the eyes of the West, as the communists and the Tamil armed resistance movement also constituted the ‘bad’ part of the human species who had to be eliminated, Sri Lanka’s massacre of Tamil civilians in its efforts to eliminate the ‘bad’ part of the human species, and thus turn the island into an ethno-theocracy, was unpreventable.

With the elimination of the communist threat and the annihilation of the Tamil Tigers,<sup>35</sup> the relationship between the West and the Sri Lankan state is gradually descending from collaboration to confrontation. However, as this thesis is concerned with Western policy in the Eelam War until end of the armed conflict, it will not be examining these developments. Instead, it will only be examining their relationship of collaboration. Before undertaking a full study in this regard, the next chapter will examine the theoretical dynamics of the concept of liberal peace and reveal that the security of global commerce remains central to it.

---

<sup>35</sup> Tamil Tigers is the acronym for the LTTE.

## **Chapter II**

### **Liberal peace in theory**

This chapter is divided into three sections. In the first two sections, I examine the normative and institutional operations of the concept of liberal peace. I then scrutinise the credibility of construing post-Cold War Western interventions underpinned by the concept of liberal peace as global missions for creating an empire and show that such attempts ignore the fact that as a concept centred on unhindered global commerce, liberal peace is opposed to imperialism because imperial control of global markets has the potential to lead to economic monopolies.

#### **Normative operations**

In contemporary Western political thought and practice, the concept of liberal peace operates at two levels: normative and institutional. Oliver Richmond identifies four strands in its normative operation: victor's peace, institutional peace, constitutional peace and civil peace (2006: 293). In addition to these, democratic peace theory can be included as the fifth strand of the concept of liberal peace, even though many scholars use it as a synonym for the latter.

During the Cold War, liberal scholars often avoided framing democracy as the central tenet of liberal peace. This can be attributed to two reasons: firstly, the term 'democracy' was used by communists to denote one-party dictatorship; secondly it was not understood to 'stand for political rights and liberties' (Ivie, 2005: 96). With the defeat of communism and the end of the Cold War, liberal scholars have become accustomed to using the terms 'democracy' and 'liberalism' as synonyms. Tarak Barkawi and Mark Laffey argue that the distinction between democracy and liberalism has 'collapsed' because liberalism has become the 'dominant ideology of modern state in the contemporary West' (2001: 13). As a consequence, the concept of liberal peace is now also referred to as democratic peace theory. Thus, Michael Doyle, who referred to Western states as 'liberal states' in his writings of the Cold War period, now uses the terms 'democracy' and 'liberalism' interchangeably. In one of

his works of the post-Cold War period, 'Three Pillars of Liberal Peace', Doyle refers to liberal peace both as 'democratic peace' and 'liberal democratic peace' (2005: 463).

Despite these conceptual tensions, on the basis that some scholars (see, for example Russett, 1993) do not consider economic liberty to be one of the conditions that leads to peace, at the normative level democratic peace theory can be classified as a distinct strand of liberal peace than as its synonym. In *Grasping the Democratic Peace*, Bruce Russett defines democracy in terms of universal franchise and argues that democracies are peaceful towards their counterparts regardless of their respect for 'economic liberty' (1993: 15). Although Richmond does not define democratic peace theory as another strand of liberal peace, in a work co-authored with Mitchell Audra he claims it to be one of its sources (2011: 326). However, treating liberal peace as a single concept, Adam Quinn and Michael Cox define democratic peace theory as the 'sister theory' of the former: the concept of liberal peace varies from democratic peace theory 'in also emphasising a broader set of specifications than simple democracy, most notably the adoption of liberal capitalist economics, and also more specifically liberal interpretations of how democracy should be defined' (2007: 500-501).

Of the four strands operating at the normative level within the concept of liberal peace, victor's peace is based on the idea that peace depends on war (Richmond, 2006: 293). Doyle (1986: 1151), using the term 'liberal imperialism', traces the origins of this idea to Niccolo Machiavelli's work, *The Discourses*. Machiavelli, who believed republics to be the prudent forms of government best suited for upholding the liberty of the individual, also argued that conquering foreign territories to be the best way of bringing peace and security to republics. Foreign conquests, he claimed, would provide republics with defence from external invasions and a diversion from internal unrest (Machiavelli, 1972: 154 & 158-159). In addition to Machiavelli, some scholars have also traced the war making tendencies of liberal peace to the works of John Stuart Mill. For example, Beate Jahn (2005: 599) argues that, as a leading British official of his time directly involved in governing the Indian subcontinent, J.S. Mill espoused an imperialism that has been 'reproduced through liberal practices in the contemporary world'. Although, as I shall establish at the end of this chapter, it is conceptually incorrect to equate contemporary manifestations of liberal peace with imperialism, being a biopolitical project it is, as we saw in Chapter I, inscribed with war.

Roland Paris (2010: 351) denounces Richmond's characterisation of victor's peace as a strand of liberal peace and argues that it is a 'dubious' assertion that does not hold ground either theoretically or empirically. Victor's peace, he argues, is theoretically associated with realism, and, in empirical terms, peacebuilding operations of the post-Cold War period have not been based on 'preference for military victory', but have largely been consensual (Ibid.).

Countering these claims of Paris, Neil Cooper, Mandy Turner and Michael Pugh point out that war victory has been a driving force of many 'liberal peacebuilding' missions of the post-Cold War period. Citing the cases of Western-led interventions in Croatia,<sup>36</sup> Bosnia, Somalia and Sierra Leone, they argue that 'peacebuilding' operations of the post-Cold War period conducted within the framework of liberal peace have not always been consensual but have largely depended on military might and war victories. Thus, in a direct attack on Paris, they argue that in empirical terms he has failed to 'acknowledge the far more extensive gradations that exist between poles of "pure" peacebuilding after conquest and "pure" peacebuilding after ceasefire and consent', and point out that 'peace operations can move backwards and forwards along a spectrum of consent and coercion over time' (Cooper, Turner & Pugh, 2011: 5). This has exactly been the case in the Norwegian-led Western intervention in the Eelam War, which will be dealt with in detail in Chapters VII and VIII.

Notwithstanding these, in contrast to Paris's claim, in theoretical terms war is not an absent feature of liberal peace. In this regard, many liberal scholars accept that liberal states, despite being peaceful in their relations with their liberal counterparts, are 'prone to war' with non-liberal states (see, for example Doyle, 1986: 1152; 2005: 464; also see Owen, 1994: 95-96). For Michael Doyle, the liberal peace equation only relates to peace between liberal states; not in terms of relations between liberal states and non-liberal states. Challenging this 'separate peace' thesis of Doyle and other liberal scholars after him, in *On Liberal Peace* John MacMillan (1998: 16) argued that 'pacifism is interwoven' and is a 'constitutive

---

<sup>36</sup> Although the UN mission (United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium) in Croatia was staffed by military and police personnel from fifteen non-Western countries, it can be classified as a Western-led intervention on the basis that fifteen Western countries also contributed military and police personnel to the mission and because its key institutions were headed by officials from the US (the transitional administration), Belgium (the military force), and Austria (the police force). Moreover, the mission itself was conducted within the broad framework of liberal peace (see Paris, 2009: 107-110).

element of liberalism'. For MacMillan, wars between liberal states and non-liberal states can be attributed to 'the failure, weakness, or circumvention of liberal constitutional-institutional constraints, the influence of non-liberal ideological currents, and the complexities of the political process itself', and not because of any defects in liberalism as a 'body of political philosophy' (1998: 273). In a recent work, citing the case of the reluctance of the US in 2002 to intervene in Venezuela to support the pro-Washington opposition that briefly overthrew the democratically elected anti-American government of Hugo Chavez, MacMillan argues that 'there is some evidence that liberal norms *have* been consequential in limiting the capacity of large democracies to do harm to small democracies' (2012: 356). Yet, in the same work, MacMillan acknowledges that the historical trends in 'violence between democratic states, the violence of democratic states (and their proxies) towards democratic movements within states, and violence within democracies' indicate that 'the development of a universal Democratic Peace – one that includes the periphery – will be challenging and difficult' (Ibid.: 359-360). This state of affairs, MacMillan notes, suggests that instead of manifesting as a 'universal "just" peace', liberal peace is becoming in practice a 'hegemonic peace' (Ibid.: 359). Also citing the cases of social violence in Western societies (in particular the political violence in France in 2005 and the riots in London in 2011 as well as the 'rise of criminality, drugs, gangs, anti-social behaviour, and the exacerbation of racial, religious, and ethnic divisions' in general), and the 'rise of more invasive and repressive state practices' in response, MacMillan acknowledges that these state of affairs are 'surely not "peace"' (Ibid.: 357-358). While these acknowledgements of MacMillan come close to one of the key claims of this thesis (as outlined in the Introduction and Chapter I) that the absence of military confrontation between states is not peace *per se* (the absence of war), they also recognise the fact that in its manifestations war is not an absent feature of liberal peace.

The idea of war as the means for achieving liberal peace can be found in the speeches of the American statesman Woodrow Wilson, who is cherished by some liberal scholars as 'a political messiah' of liberal peace (see, for example Mandelbaum, 2002: 17 & 21), and whose name is sometimes used to refer to the concept of liberal peace as Wilsonianism (see Paris, 2009: 6). Wilson believed that military confrontations between states can be brought to an end through liberalisation. However, in order to do this, it was necessary to use military

force. During a meeting with the British envoy Sir William Tyrell in November 1913, Wilson was reported to have not only justified the interventions of his predecessors in Latin America but also spelled out his intention to intervene in Mexico by claiming that he would ‘teach South American republics to elect good men’ (cited in Wolfensberger, 2004: 1-2; also see Ikenberry, 2008: 14). A year before steering USA into the First World War, Wilson even argued that America would use its military might to establish peace centred on liberal values:

America is always going to use her army in two ways. She is going to use it for the purpose of peace, and she is going to use it as a nucleus for expansion into those things which she does believe in, namely, the preparation of her citizens to take care of themselves (1916: 234-235).

With the onset of the GWoT, President George W. Bush, who is often referred to as Wilson’s heir (see Kaplan, 2003: 21; Kennedy, 2005: 36), also advanced similar arguments. In his State of the Union address of 2004, Bush announced that America would use its military might to advance the mission for liberal peace, although he used the term ‘democratic peace’:

America is a nation with a mission, and that mission comes from our most basic beliefs. We have no desire to dominate, no ambitions of empire. Our aim is a democratic peace, a peace founded upon the dignity and rights of every man and woman (2008: 203).

Thus, from Wilson to Bush, war has been understood as the key to realising liberal peace.

In contrast to victor’s peace, institutional peace, the second normative strand of liberal peace, is founded on the principles of multilateralism in international relations. It is based on liberal ideas that seek to ‘anchor states within a normative and legal context in which states multilaterally agree how to behave and how to enforce or determine their behaviour’ (Richmond, 2006: 293). The theoretical origins of this strand of liberal peace can be traced to the works of Immanuel Kant and Jeremy Bentham. According to Tim Dunne (2005: 188-

189), the peace ‘manifestos’ of Kant and Bentham ‘contain the seeds of core liberal ideas, in particular the belief that reason could deliver freedom and justice in international relations’.

In *Perpetual Peace*, Kant argued that one of the conditions for establishing peace is the creation of a ‘federation of free states’ that would ‘secure conditions of freedom among states in accordance with the idea of the law of nations’ (1917: 128 & 134-135). Universal hospitality, which meant the recognition of the right of every individual to enter foreign territories for peaceful and commercial intercourse, was Kant’s another condition for peace (Ibid.: 137). This ‘cosmopolitan right’, he claimed, would complement existing ‘constitutional’ and ‘international law’ and lead to ‘the realisation of perpetual peace’ (Ibid.: 142). However, Bentham was more explicit in suggesting the institutionalisation of international law to deal with inter-state disputes. In *A Plan for an Universal and Perpetual Peace*, while calling upon statesmen to conduct diplomacy in a transparent manner, Bentham argued that states should seek to resolve their disputes through a non-coercive ‘common court of judicature’ (1839: 547 & 552). The theoretical elements of institutional peace can also be found in Wilson’s *Fourteen Points* speech of 8 January, 1918. Like Kant’s articulation of the creation of a federation of states and Bentham’s plan for a common international tribunal, Wilson also envisaged the creation of an ‘association of nations’ to guarantee the ‘political independence’ and ‘territorial integrity’ of existing states (1918). The founding of the League of Nations, the United Nations, and other inter-governmental bodies that emerged in the twentieth century can thus be situated within Kant, Bentham and Wilson’s ideas on multilateralism. Given the position that Wilson occupies in two contrasting strands of liberal peace (victor’s peace and institutional peace), John Ikenberry (2008: 13) claims that Wilson’s ideas embody ‘impulses toward “liberal internationalism” as well as “liberal imperialism”’.

The third normative strand of liberal peace, constitutional peace, complements the former by seeking to embed the principles of liberty, the rule of law, free trade and liberal democracy in the constitutions of states. Again, its theoretical origins can be traced to Kant’s writings (Richmond, 2006: 293; Doyle, 1983: 207). Kant argued that the ideal constitution of a state would be one that enshrines the freedom of the individual to pursue his desires, with the individual being dependent on and equal before law (1917: 121). Although Kant advocated elective aristocracy as the ideal form government (which he called republicanism)



and opposed democracy on the grounds that it had the despotic potential to suppress the freedom of the individual (Ibid.: 125 & 127), today liberal scholars find it acceptable to associate Kant's republicanism with liberal democracy on the grounds that modern Western liberal democracies uphold the principles of 'freedom (with legal equality of subjects), representative government, and the separation of powers' that Kant had envisaged (Russett, 1993: 4). However, while articulating these ideas, Kant also argued that every state that guarantees the rights of the individual is entitled to 'demand' its neighbours to uphold the same principles (1917: 128). Moreover, Kant claimed that external interventions in foreign states were acceptable, provided that the end result was the prevention of anarchy (Ibid.: 113). Similar arguments are also to be found in the speeches of Wilson and Bush. In his *Fourteen Points* speech, Wilson claimed that America's 'programme' to promote liberalisation was the 'programme of the world's peace' (1918). Similarly, justifying his intention to spread liberal values across the globe, Bush claimed that 'liberty and self-government' were universal values which 'God has planted in every human heart' (2008: 202). Echoing these sentiments, Tony Blair also argued that 'the values of liberty, the rule of law, human rights and a pluralistic society are universal and worthy of respect in every culture'; spreading them does not mean 'trampling on local sensitivities' (2002a: 121).

In contrast to these three normative strands (victor's peace, institutional peace and constitutional peace), which place an emphasis on the state and international institutions, civil peace 'requires individual agency' to achieve its objective of attaining or defending 'individualism and rights' at the global level. It derives from 'the phenomena of direct action, of citizen advocacy and mobilisation' (Richmond, 2006: 293-294). The works of J.S.Mill, which also exist within the victor's peace strand of liberal peace, and that of Bentham, which belongs to the institutional peace strand, can be situated within this strand as well. In *On Liberty*, J.S.Mill claimed that individual agency was a powerful weapon against the 'tyranny of opinion' (1985: 131-32). Similarly, Bentham also argued that it was the duty of every Christian to advocate peace, and employing the press as his 'engine' he would work towards preparing 'men's minds for the reception' of his own ideas for peace (1839: 546).

## **Institutional operations**

Despite their contradictions at the normative level, each strand complements the other in the manifestation of liberal peace at the institutional level in Western interventions. Espoused in the post-Cold War period as having the capacity to create ‘self-sustaining peace within domestic, regional and international frameworks of liberal governance’ where ‘both overt and structural violence are removed and social, economic and political models conform to a mixture of liberal and neo-liberal international expectations in a globalised and transnational setting’, the concept of liberal peace has been incorporated in ‘most policy documentation associated with peace and security issues’ (Franks & Richmond, 2008: 83). With 9/11, it has also become part of the ‘discourse of counter terrorism’ (Goodhand & Walton, 2009: 305).

The operation of liberal peace at this level is ‘predominantly state-centric’ and is characterised by ‘a balance of consent, conditionality, and coercion’ (Richmond, 2006: 296 & 298). Western states, which predominantly act as ‘custodians’ for ‘reform of governance’ in the global South, undertake liberalisation through ‘a combination of inducement, consent, and co-operation, occasionally verging upon the coercive, or even the outright use of force’ (Ibid.: 299). Given the fact it is Western states, the victors of the Cold War, that primarily promote, undertake, and consolidate liberalisation programmes in the South, it will be no exaggeration to say that at the institutional level liberal peace is largely underpinned by victor’s peace. It is victor’s peace that also ‘underpins’ the operation of ‘constitutional and institutional’ strands of liberal peace at the institutional level (Richmond, 2006: 298). This is further complemented by the ‘bottom-up’ approach of civil peace, where NGOs and civil society groups act as the agents of liberal peace (Richmond, 2006: 299; MacGinty, 2008: 144).

Western states, also assisted by liberal non-state actors, international institutions, and often Southern states, promote, undertake, and consolidate ‘marketization’ and ‘austerity programmes’ in the states of South on the claim ‘that the market will provide the motive force for peace and reconstruction’ (MacGinty, 2008: 144). At the same time, political liberalisation programmes are also promoted, undertaken, and consolidated in Southern states on the basis that liberal democracy and market economy correspond with each other:

First, individual choices are paramount. The popular sovereignty by which states are selected in democracies corresponds to the principle of consumer sovereignty in the market, by which individual preferences determine what gets produced and the prices at which products are sold. Second, the reach of the state is limited, with certain areas – political rights in the case of democracy, private property in a market economy – fenced off from government control (Mandelbaum, 2002: 268-269).

Liberal scholars argue that in the same way that the institutional arrangements of Western liberal democracies ideologically commits them to maintain ‘peace’ internally, their commitment to a ‘commercial spirit’ also helps them to develop and sustain peaceful relations with their liberal counterparts: commercial interdependence between liberal states through commercial globalisation is understood to help ‘create cross-cutting transnational ties that serve as lobbies for mutual accommodation’ (see Doyle, 2005: 464-465). Thus, as Georg Sorensen points out, establishing a post-Cold War global liberal order by promoting, undertaking, and consolidating political and economic liberalisation in the states of the global South is justified on the assumption that ‘interdependence’ between states leads to ‘social and economic interaction’ and results in the ‘mutual benefit’ of global ‘peace’ (2006: 253 & 257).

In his lecture series *The Birth of Biopolitics* Foucault (2008: 58) identified commercial globalisation to be central to liberal peace. Tracing the ideological origins of liberal peace to the physiocrats, Adam Smith, and Kant, Foucault (Ibid.: 54-55) argued that it emerged in the middle of the eighteenth century as a concept for ending military confrontations between European states through ‘unlimited economic progress’ in the form of the ‘globalisation of the market’. In contrast to mercantilism and the idea of European equilibrium, liberal peace was premised on the idea that opening up global markets for competitive trade would lead to the collective enrichment of Europe, and thereby ‘avoid the conflicts which derive from a finite market’ (Ibid.). In essence, the absence of military confrontations between European states was not to be guaranteed by the ‘enrichment of some and the impoverishment of others’ but their collective enrichment through ‘commercial globalisation’ (Ibid.: 55-58).

In *The Wealth of Nations*, published in 1776, Smith argued that the power of commerce can only be realised in an unrestricted market (1957: 15). This, however, Smith lamented, was being hindered by wars between European states for monopoly over global markets. The solution to this, Smith claimed, lay in opening up global markets for competitive trade:

Europe, however, has hitherto derived much less advantage from its commerce with the East Indies than from that with America. The Portuguese monopolized the East India trade to themselves for about a century, and it was only indirectly and through them that the other nations of Europe could either send out or receive any goods from that country. When the Dutch, in the beginning of the last century, began to encroach upon them, they vested their whole East India commerce in an exclusive company. The English, French, Swedes, and Danes have all followed their example, so that no great nation in Europe has ever yet had the benefit of a free commerce to the East Indies (Ibid.: 394).

Smith believed that, in the same way that when left to function freely the domestic market can provide 'a dual profit' in the form of 'maximum profit for the seller' and 'minimum expense for the buyers', free trade would collectively enrich Europe (Ibid.: 54 & 386).

However, this did not imply the collective enrichment of the world; nor did it imply the eradication of war in Europe's relation with the rest of the world. Instead, it implied that commercial globalisation would summon the whole world 'around Europe to exchange its own and Europe's products in the European market' (Foucault, 2008: 55). In order to achieve and secure this, individual European states had to maintain their armies, Smith argued:

The first duty of the sovereign, therefore, that of defending the society from the violence and injustice of other independent societies, grows gradually more and more expensive as the society advances in civilization. The military force of the society, which originally cost the sovereign no expense either in time of peace or in time of war, must, in the progress of improvement, first be maintained by him in time of war, and afterwards even in time of peace (1954: 197).

Smith was not an opponent of war: he opposed inefficient wars of his time that yielded no benefit to individual European states. In calling on individual European states to end their sole monopoly over global markets, Smith was not hesitant to assure them that keeping global markets open would lead to waging wars efficiently without hindering commerce:

It is not always necessary to accumulate gold and silver in order to enable a country to carry on foreign wars, and to maintain fleets and armies in distant countries. Fleets and armies are maintained, not with gold and silver, but with consumable goods. The nation which, from the annual produce of its domestic industry, from the annual revenue arising out of its lands, labour, and consumable stock, has wherewithal to purchase those consumable goods in distant countries, can maintain foreign wars there (1957: 386).

Smith was not the only liberal thinker of the eighteenth century to advance such arguments.

Nineteen years after Smith published *The Wealth of Nations*, Kant argued in *Perpetual Peace* that commercial spirit would be the key to peace: for Kant, as ‘commercial spirit’ takes ‘possession of every nation’, war would find it difficult to ‘co-exist’ with it (1917: 157).

Tomas Baum (2008: 434) takes to task scholars, beginning with Doyle, for tracing the ideological origins of liberal peace to Kant and argues that there is a need ‘for a reorientation towards Bentham’, whom he claims to be ‘a more suitable source of insight, policy, and hope’ for liberal peace. Baum (2008: 438, 443 & 446) claims that while mentioning ‘the spirit of commerce and the role of trade’ as ‘a counterbalance to war and conflict’, Kant failed to develop in detail how it will guarantee perpetual peace, and was instead preoccupied with nature as its guarantor, rather than free trade. Unlike Kant, Baum (2008: 442) asserts, Bentham was a defendant of free trade and his peace plan was ‘a plea for the free market’, more than the *Perpetual Peace* of Kant. For Baum (2008: 448), while much of the contemporary liberal peace literature is preoccupied with Kant’s work, it is ‘Bentham’s philosophy’ that ‘reflects the thrust’ of the liberal peace more ‘than the Kantian flag’.

While it is true that Bentham was a proponent of free trade, Baum makes an incorrect assertion in claiming that Kant's argument that nature would act as the guarantor of perpetual peace ignored the power of commerce. As Foucault (2008: 58) points out, Kant believed that nature would act as the guarantor of perpetual peace through the commercial spirit: 'Perpetual peace is guaranteed by nature and this guarantee is manifested in the population of the entire world and the commercial relationships stretching across the whole world'. Kant himself made this clear in the First Supplement of his treatise. In the same way that nature would through war make people in every part of the world to 'submit to the restraint of public law', through 'the commercial spirit' it would also 'appeal to their mutual interests', and thereby act as the guarantor of perpetual peace: 'nature guarantees the coming of perpetual peace, through the natural course of human propensities' (Kant, 1917: 152 & 157).

Despite presenting his treatise as a plan for global peace, Kant also outlined, in the treatise as well as in another work published thereafter, the rights of states to wage war.

In the Third Preliminary Article of *Perpetual Peace*, despite calling for 'standing armies' to 'be abolished in course of time', Kant claimed that citizens of every state cannot be deprived of their right to take part in 'voluntary periodical military exercise' to 'secure themselves and their country against attacks from without' (1917: 110-111). A close reading of this article with the First Supplement of the treatise reveals that Kant preferred armies drawn from civilians to defend the state rather than from those in society who found honour in the martial courage and have had war as a hereditary occupation. For Kant, the 'martial courage' can be 'looked upon as of great value in itself' in wars; however, it cannot be looked upon as a great value 'in order that there should be war' (Ibid.: 151). Kant's opposition to the existence of armies made up of the warrior caste is also evident in the Third Definitive Article of his treatise in which he despised the 'men-of-war' (Ibid.: 137). For Kant, there was no question of states disbanding their armies; however, these armies had to be civilian ones. Kant's desire for armies drawn from civilians is also apparent in the First Definitive Article of *Perpetual Peace* in which he claimed that republicanism (in which armies would be drawn from citizens) was the ideal form of government that had the potential to lead to perpetual peace (Ibid.: 121-122). In that Article, Kant argued that when citizens are under the duty to

defend themselves, given the miseries that war can produce, they would ensure that full consideration is given to the benefits and drawbacks of waging wars against other states:

Now the republican constitution apart from the soundness of its origin, since it arose from the pure source of the concept of right, has also the prospect of attaining the desired result, namely, perpetual peace. And the reason is this. If, as must be so under this constitution, the consent of the subjects is required to determine whether there shall be war or not, nothing is more natural than that they should weigh the matter well, before undertaking such a bad business. For in decreeing war, they would of necessity be resolving to bring down the miseries of war upon their country. This implies: they must fight themselves; they must hand over the costs of the war out of their own property; they must do their poor best to make good the devastation which it leaves behind; and finally, as a crowning ill, they have to accept a burden of debt which will embitter even peace itself, and which they can never pay off on account of the new wars which are always impending (Ibid.: 121-123).

In this regard, Timothy R.W.Kubik (2001: 100) points out that the creation of ‘a citizen militia is a central tenet of Kant’s republican program’ and his idea of perpetual peace. Kant also expressed his support for the formation of militaries drawn from civilians in Part I of the *Metaphysics of Morals*, published a year after *Perpetual Peace*. In that text, Kant argued that in all wars declared and undertaken with the ‘free consent’ of the citizens through their representatives, the state had the right to demand the services of the former (1887: 217).

In that text, Kant also explicitly set out the rights of nations as states to wage war (Ibid.: 215-224). For Kant, states may legitimately ‘go to war’ and ‘carry on hostilities’ if ‘they regard themselves as injured’ (Ibid.: 218). Similarly, if a ‘threat or menace may be given by the active preparation of *Armaments*’ or ‘by acquisition of Territory’ by a state towards another, the latter has the ‘Right of Prevention (*jus proeventionis*)’ to go to war against the former (Ibid.). A state that is ‘forced to war’ has the right to take ‘defensive measures and means of all kinds’ (Ibid.: 220). The end result of wars should be, Kant argued, ‘a lasting

peace' (Ibid.). In other words, wars can be waged for peace. Kant also set out the unlimited rights of states to wage war against 'an unjust Enemy' (Ibid.: 223). For Kant, an enemy 'whose publicly expressed Will, whether in word or deed' would 'make a state of Peace among the nations impossible' should be treated as an unjust enemy (Ibid.). Against this kind of enemy, a state may use 'all those means that are permissible and in reasonable measure in so far as they are in its power, in order to assert its Rights to what is its own' (Ibid.).

In *Perpetual Peace*, Kant claimed that the formation of a 'federation of nations' would help nations as states to deal with disputes between them without resorting to war (1917: 136). In Part I of the *Metaphysic of Morals*, he referred to this federation as the 'Permanent Congress of Nations' (Kant, 1887: 224). However, in both works, Kant never believed that the formation of a body of nations, whether it be a federation of nations or a Permanent Congress of Nations, would be one of indefinite duration. For Kant, this body can exist only as 'a voluntary combination of different states that would be *dissoluble* at any time' (1887: 225). Moreover, Kant never believed that this body would be able to establish 'a real *state of peace*' (Ibid.: 224). For Kant, 'a real *state of peace* could be established' only 'in a universal Union of States analogous to that by which a Nation becomes a state' (Ibid.). However, even if this universal body was to come into existence, given its inability to protect 'its individual members' across the world, it ultimately 'would bring round a state of war' (Ibid.). Thus, it would be no exaggeration to say that despite presenting his ideas as plans for perpetual peace, Kant recognised that states, as well as all types of bodies that may be formed to deal with inter-state disputes, would ultimately have to make recourse to war. In other words, Kant's ideas for perpetual peace brings states in full circle back to waging war.

Kant, along with Smith, is often portrayed by liberal scholars as an opponent of imperialism (see MacMillan, 1998: 102). This is largely due to his expression of aversion to the 'injustices' exhibited by European states of his time on 'visiting foreign lands and races' and his idea of 'universal hospitality' (Kant, 1917: 137-142). However, a closer examination of Kant's writings reveal that he opposed imperialism on the belief that it yielded no real economic benefits, and instead led to the continuation of war between European states:



The worst, or from the standpoint of ethical judgment the best, of all this is that no satisfaction is derived from all this violence, that all these trading companies stand on the verge of ruin, that the Sugar Islands, that seat of the most horrible and deliberate slavery, yield no real profit, but only have their use indirectly and for no very praiseworthy object – namely, that of furnishing men to be trained as sailors for the men-of-war and thereby contributing to the carrying on of war in Europe (Ibid.: 142).

Retrospectively, had imperialism produced economic benefits and led to the cessation of hostilities between European states, Kant may have had no reason to object to it.

Bentham, Kant's contemporary, argued that imperial endeavours should be undertaken only for commercial purposes. In *A Plan for an Universal and Perpetual Peace*, published six years after Kant's *Perpetual Peace*, Bentham (1839: 550) argued that foreign land should be conquered and colonies maintained only 'for the compelling of trade or the formation of commercial treaties'. The principle 'avowed' reason for maintaining colonies is for the 'benefit of trade'; however, where maintaining colonies results in the loss of capital, such endeavours should be abandoned (Ibid.: 547). As long as the 'conquerors fatten', colonialism would deem to have 'some sense' and 'a rational object' (Ibid.: 557). Navies, for Bentham, should be maintained also for opening-up new territories for trade, for the defence of colonies, and for countering threats to commerce from pirates (Ibid.: 546 & 550). However, colonising lands to monopolise global markets would only lead to the continuation of war between 'civilised' nations, Bentham argued. Therefore, appealing to Britain to end its colonial wars with France for monopoly over global markets, Bentham stated that the former should not seek to make commercial treaties only to its own advantage: 'it is not in the interest of Great Britain to have any treaty with any power whatsoever, for the purpose of possessing any advantage whatsoever in point of trade, to the exclusion of any nation whatsoever' (Ibid.: 546). This, Bentham noted, also applied to France (Ibid.).

In the twentieth century, similar arguments were also advanced by Joseph Schumpeter, whom Doyle (1986: 1152) refers to as a liberal pacifist who believed that capitalism and democracy had the potential to lead to global peace. Although Schumpeter denounced

imperial conquests that had the glory of the monarch and the expansion of his dominions as their objectives to be 'objectless' endeavours, he nevertheless argued that colonial conquests that had free trade as their end and result in 'foreign raw materials and foodstuffs' becoming 'accessible to each nation as though they were within its own territory' to be objectful, and thus acceptable endeavours: 'Where the cultural backwardness of a region makes normal economic intercourse dependent on colonization it does not matter, assuming free trade, which of the "civilized" nations undertakes the task of colonisation' (1991: 143, 185 & 196). Under such circumstances, the navies of colonial powers that take the responsibility of providing security to global commerce act as 'maritime traffic police' (Ibid.: 196). On the basis of these arguments, Schumpeter's liberal pacificism can be summarised in the following terms: imperialism that leads to free trade is acceptable; in this sense imperialism is a 'civilising' mission; and military strength is the key to realising this 'civilising' endeavour.

In this respect, it would be no exaggeration to say that Schumpeter's liberal pacifism was actually the twentieth century version of J.S.Mill's justifications on imperialism. In his works of the nineteenth century, as well as supporting colonialism on the basis of the economic benefits that it was understood to be capable of yielding, J.S.Mill went a step further and argued that commercial intercourse it produces between nations would ultimately lead to global peace. For Mill, as 'civilisation' spreads through colonialism and 'barbarians' become 'civilised', people in distant parts of the world would begin interacting with each other (1965: 594). This would in turn develop commercial intercourse between nations, which would ultimately make war redundant and create peace between them:

Commercial adventurers from more advanced countries have generally been the first civilizers of barbarians... It is commerce which is rapidly rendering war obsolete, by strengthening and multiplying the personal interests which are in natural opposition to it. And it may be said without exaggeration that the great extent and rapid increase of international trade, in being the principal guarantee of the peace of the world, is the great permanent security for the uninterrupted progress of the ideas, the institutions, and the character of the human race (Ibid.).

Given these liberal views in favour of imperialism, can we call contemporary Western interventions underpinned by the concept of liberal peace as new missions for imperialism?

### **Towards a liberal empire?**

With the onset of the GWoT, it has often been suggested by some Western policy makers that the liberalisation of the South can be undertaken by reverting to ‘the rougher methods’ of European colonialism (Cooper, 2002: 16). Writing in the aftermath of the US invasion of Afghanistan, Robert Cooper, an advisor to the then British Prime Minister Blair, claimed that the ‘most logical way to deal with chaos’ in ‘failed states’ that had become breeding grounds of terrorism was to turn to colonialism: ‘a new kind of imperialism’ was the only way to ‘export stability and liberty’ to ‘failed states’ of the South and create conditions conducive for ‘investment and growth’ (2002: 16-17). This ‘postmodern imperialism’, he argued, should take the form of armed interventions to transform ‘failed’ states into market democracies:

Postmodern imperialism takes two forms. First there is the voluntary imperialism of the global economy. This is usually operated by an international consortium through international financial institutions such as the IMF and the World Bank – it is characteristic of the new imperialism that is multilateral. These institutions provide help to states wishing to find their way back into the global economy and into the virtuous circle of investment and prosperity. In return they make demands which, they hope, address the political and economic failures that have contributed to the original need for assistance. ...The second form of postmodern imperialism might be called the imperialism of neighbours. Instability in our neighbourhood poses threats which no states can ignore. ...Osama Bin Laden has now demonstrated for those who had not already realised, that today all the world is, potentially at least, our neighbour (Ibid.: 18-19).

Although not all Western policy makers have subscribed to this view of Cooper, a number of liberal, Foucauldian and Marxist scholars have equated post-Cold War Western interventions in the global South with imperialism, albeit for different conceptual reasons.

Those conceptualisations differ from those of Michael Hardt and Antonio Negri. In referring to the contemporary global order underpinned by the concept of liberal peace as an empire, they are not equating it with European imperialism or other empires of ancient times (Hardt & Negri, 2001: xiv). Instead, they use the term to mean the ‘new global form of sovereignty’ which they claim has been ‘composed of a series of national and supranational organisms united under a single logic of rule’ (Ibid.: xii). Whereas European imperialism was ‘an extension of the sovereignty of the European nation-states beyond their own boundaries’, the empire that has emerged today ‘establishes no territorial centre of power’ nor relies ‘on fixed boundaries or barriers’: instead, it regulates the ‘globalisation of economic and cultural exchanges’, along ‘with the global market and global circuits of production’, (Ibid.: xi, xii & xv). In essence, the empire of Hardt and Negri is ‘an impersonal empire of market laws’ (Chandler, 2003). It is an empire that is not ‘imperialist’ (Barkawi & Laffey, 2002: 117).

In *Empire Lite*, Michael Ignatieff, however, directly refers to Western interventions of the post-Cold War period as the ‘imperial exercise of power’ (2003: 11). Throughout his work, Ignatieff largely uses the term ‘empire’ to denote America’s global power which seeks to ‘order the World of states and markets to its national interests’, even though he also occasionally conflates it with a ‘humanitarian empire’ within ‘which Western powers, led by the United States, band together to rebuild state order and reconstruct war-torn societies for the sake of global stability and security’ (Ibid.: 2 & 19). However, at the end of the text, he claims that the ‘new humanitarian empire’ is not an ‘*American* empire’ but a Western empire under the ‘leadership’ of America, with ‘other Western powers’ having ‘formidable stakes’ in its success (Ibid.: 112). In the contemporary world, ‘imperialism has become a precondition for democracy’: without imperialism, it would not be possible to maintain ‘order over barbarian threat’ (Ibid.: 22 & 24). For Ignatieff, the success of this Western empire depends on the liberalisation of states that exist outside that West (Ibid.: 112 & 124).

Following Ignatieff, in *Development, Security and Unending War*, Duffield also conceives liberal peace to be a ‘new empire’ of ‘developmental trusteeship’ of the West ‘that

allows the powers of freedom to be learned and safely applied' by Southern states (2007: 7-8). In his earlier work, *Global Governance and the New Wars*, Duffield, denounced the characterisation of liberal peace by some Marxists<sup>37</sup> as the 'reworking of imperialism' for the 'manipulation and oppression' of the South to be 'outmoded solidarity politics' that exchanged 'critical analysis for silent faith' and reflected 'an inability to imagine that the nature of power and authority may have changed radically': whereas imperialism was based on 'direct territorial control where populations were ruled through juridical and bureaucratic means of authority', liberal peace is 'a non-territorial, mutable and networked relation of governance' in which 'economic, political and social processes' are managed and regulated (2002: 33-34). Nevertheless, in reconceptualising liberal peace as a Western empire in his later work, Duffield does not concede to the criticisms of Marxists. Instead, he reiterates his earlier claim that the 'ultimate goal of liberal peace' is stability (Duffield, 2002: 33-34; 2007: 2). For Duffield, because liberalism had in the past both criticised 'imperial excess and violence' and accepted 'colonial rule when the responsibility of trusteeship was deemed to be humanely' and 'effectively discharged', as long as this continues to be the case in contemporary Western 'imperial' interventions, they are acceptable (2007: 4 & 7). This is premised on his belief that 'since the beginning of modernity a liberal rationality of government has always been based on the protection and betterment of the essential processes of life associated with population, economy and society' (Ibid.: 4).

In contrast to Ignatieff and Duffield, while also characterising liberal peace as imperialism, Marxist scholars such as Barkawi and Laffey (1999) take a different approach. For Barkawi and Laffey, democratic peace (which they use as a synonym for liberal peace) is characterised by 'a zone of peace among core states' and 'international relations of domination and subordination in the periphery' (Ibid.: 407). In justifying their use of the term 'imperialism' to denote liberal peace, Barkawi and Laffey maintain that despite its lack of a central authority, liberal peace can be classified as imperial since historically empires have not displayed 'the centralisation of authority' – even at the peak of their glory – but have 'included both direct and indirect rule, through clients and private companies' as the means

---

<sup>37</sup> In this respect, Duffield (2002) referred to the works of Frank Furedi (1994) and Noam Chomsky (1999).

of governing their colonial subjects (Ibid.: 414). In this sense, liberal peace is no different to the former ‘imperial project of extending European rule and social institutions’ to the ‘states and populations’ in the other parts of the world (Ibid.). Western states are currently embedded ‘in geostrategic and political economic relations that buttress international state and capitalist power in hegemonic’, in particular in ‘non-violent ways’ (Ibid.: 419). It is an imperial project of the contemporary ‘Western or transnational *state*’ – which they also call ‘a Western international state’: it is an imperial peace that is ‘consistent with US interests and with the preservation and extension of a US-centred liberal and capitalist world order’ (Ibid.: 414, 417 & 419). The powers of this Western international state have been internationalised since the end of the Second World War ‘through a proliferating set of institutions and arrangements, with the US always at its core’ (Barkawi & Laffey, 2002: 124-125).

Similar arguments have also been advanced by B.S.Chimni (2004) to characterise liberalisation programmes undertaken by international institutions as imperialism, even though he does not explicitly use the term ‘liberal peace’. According to Chimni, international institutions have constituted ‘a *nascent global state*’ with ‘an *imperial* character’ to ‘realise the interests of transnational capital and powerful states in the international system to the disadvantage of third world states and peoples’ (Ibid.: 1-2). For Chimni, international institutions place an ‘emphasis on civil and political rights’ to facilitate the ‘pursuit of the neo-liberal agenda’ outside the West: liberalisation is undertaken by international institutions in ‘a bid to pry open markets, help transnational capital take over public sector assets at throwaway prices, and avoid regulation of its activities in public interests’ (Ibid.: 8 & 11).

Whereas for Ignatieff and Duffield the imperialism of liberal peace characterises a humanitarian empire, for Barkawi, Laffey and Chimni it is the imperialism of the capitalist West for the exploitation of the South: it is a Western imperialism of class exploitation. Similar arguments have also been advanced by other Marxist scholars who either claim liberal peace to be an agenda of capitalist subjugation (see Pugh, 2005), or as a US-led imperialist method of controlling the global economy (for example Harvey, 2005).

Chandler also uses the term ‘imperialism’ to denote post-Cold War Western interventions ‘which breach the formally established rights of sovereign equality and state sovereignty, in areas peripheral to the world economy’ (2003). The empire that has emerged

with the end of the Cold War, Chandler argues, is both formal and informal and has resulted in ‘direct hierarchical regulation of international relations, and the degrading of political and legal equality between Western and non-Western states’ (Ibid.).

A counter argument to such positions is to be found in Paris’s work, *Saving Liberal Peace*. While conceding that parallels can be drawn between the way imperialism was justified before the end of the Second World War on ‘the belief that European colonial powers had a duty to improve the people living in their overseas possessions’ to the ‘contemporary parlance of “capacity building” and ‘good governance’ of Western interventions underpinned by the concept of liberal peace, Paris denounces attempts to analogise the two on the grounds that ‘colonialism was practiced largely to benefit the imperial state’, whereas in contemporary Western interventions, resources flow ‘from international actors to the host state’, although these have not always been ‘wholly altruistic’ and largely reflect ‘the interests of the World’s most powerful countries’ (2010: 348-350). Due to ‘echoes of colonialism in peacebuilding’, liberal peace may be ‘viewed as a modern version of the old’ colonial ‘*mission civilisatrice*’; however, it is inappropriate to assert ‘their equivalence’, and doing so only ‘serves to discredit and delegitimise peacebuilding’ (Ibid.).

Given these competing claims, how plausible is it to conceptualise contemporary Western interventions underpinned by the concept of liberal peace as imperialism?

As explained in the study on the biopolitics of liberal peace in Chapter I, the difference between imperialism, especially that of British imperialism, and liberal peace are not arbitrary: the British Empire’s biopolitics of liberal state-building in its Eastern colonies is largely mirrored in the biopolitics of liberal peace in the states of the global South today. However, this is not a sufficient ground for equating the concept of liberal peace with imperialism. Whereas British imperialism was largely monopolistic in nature, liberal peace is centred on creating conditions for global commerce to be undertaken freely and securely. As the interventions of the post-Cold War period demonstrate, in promoting as well as undertaking liberalisation in the states of the South, Western states have not sought to establish either direct or indirect imperial control over global markets. Instead, Southern states that undergo liberalisation are expected to uphold the rule of law, respect civil liberties and human rights, adopt a representative system of government and free trade, and thereby

make their populations become accustomed to liberal political and economic values. This is understood to be the key to creating conditions for global commerce to be undertaken freely and securely within Southern states. Thus, Southern states that become liberalised are expected to keep away from the market mechanism. States are only expected to step in when the security of the market is threatened (Mandelbaum, 2002: 272). Creating a Western empire, whether it be of direct or indirect control, would only lead to state-interference in the market mechanism that would in turn lead to economic monopolies.

In *Imperialism*, published in 1917, claiming monopoly to be ‘deepest economic foundation of imperialism’, Vladimir Lenin defined the latter as ‘a specific historical stage of capitalism’ that is characterised by ‘(1) monopoly capitalism; (2) parasitic, or decaying capitalism; (3) moribund capitalism’ (1999: 100 & 124). In Lenin’s view, by the dawn of the twentieth century imperialism succeeded in completing ‘the division of the world among a handful of states’, allowing them to occupy a ‘monopoly position in the world market’ (Ibid.: 106). In doing so, imperialism had pushed capitalism in the direction of its own death (Ibid.: 125). For Lenin, ‘imperialism is *moribund* capitalism, capitalism in transition to socialism: monopoly, which grows out of capitalism, is already dying capitalism, the beginning of its transition to socialism’ (Ibid.: 125). As Hardt and Negri note, even though imperialism initially contributed to ‘capital’s survival and expansion’, in doing so, as ‘a machine of global striation, channelling, coding, and territorializing the flow of capital, blocking certain flows and facilitating others’, it also threatened the latter’s future by blocking ‘the free flow of capital, labor, and goods’ (2001: 332-333). On this basis, Hardt and Negri argue that ‘*imperialism would have been the death of capital had it not been overcome*’ (2001: 333).

Fifteen years before Lenin, in his study of imperialism, and referring particularly to British imperialism, John A. Hobson (1902: 380) denounced it as a policy that ‘marks a straight road to ruin’. Given its tendency to place a major strain on the state’s resources to defend the interests of an individual investor who seeks to gain by investing in hostile foreign countries, Hobson held that imperialism constituted a ‘supreme danger’ to modern states: ‘Analysis of Imperialism, with its natural supports, militarism, oligarchy, bureaucracy, protection, concentration of capital and violent trade fluctuations, has marked it out as the supreme danger of modern national states’ (Ibid.: 381). In Hobson’s view, it is only in a



world of 'strong, secure, well-developed, and responsible nations' that harmonious relations between states can be established, and for this to happen imperialism must end (Ibid.: 383).

Being a concept that seeks to create conditions for unhindered global commerce in which no individual state is expected to have monopoly over global markets, leading to harmonious relations between states, liberal peace cannot co-exist with imperialism. As the great wars between European colonial powers in the seventeenth, eighteenth and nineteenth centuries had demonstrated, imperialism, through the economic monopolies it created, lead to military confrontations between major powers in their attempts to control global markets. In contrast, as the harmonious relationship that prevails between Western states since the end of the Second World War demonstrates, abandoning imperialism, and thus individual state-monopoly over global markets, has brought an end to military confrontations between them. As noted in Chapter I, with the emergence of Britain's former colonies at the end of the Second World War as market democracies, Western states have recognised that the security of global commerce, and thus the unhindered flow of capital across the globe, can be guaranteed by promoting, undertaking, and consolidating political and economic liberalisation in the states of the global South. Therefore, if Marxists are to hold on to the theory of imperialism to explain the contemporary manifestations of liberal peace, they cannot do so without admitting that Lenin was wrong in characterising imperialism as the death-stage of capitalism. As the history of capitalism for the past one hundred years demonstrates, having gone through the stage of imperialism, the former has not met its death. Instead, it has triumphed over its rivals. This is not because Lenin was wrong but because Western states abandoned imperialism at the end of the Second World War and sought to establish a global economic order centred on unhindered global commerce.

In this regard, even the thoughts of liberal thinkers whose works have become central to the concept of liberal peace cannot be used as a ground for equating it with imperialism. Even though all of those liberal thinkers supported (either directly or tacitly) imperialism (which was conditional on the economic benefits it was understood to be capable of yielding), the central thrust of their arguments was unhindered global commerce.

Within this context, like their Marxist counterparts, both liberal and Foucauldian scholars also err in characterising contemporary Western interventions underpinned by the

concept of liberal peace as imperialism. These characterisations only serve to exaggerate Western interventions as altruistic missions. Even though Western military personnel have risked their lives in some missions to rescue Southern populations from genocide and racial violence, as the case of the interventions in East Timor and Kosovo demonstrate, they were nevertheless not driven purely by the moral impulses of the West. As Ignatieff (2003: 111) admits, it is beyond the interests and capabilities of the West to change the lives of all populations of the world. Western powers would, as the post-Cold War interventions demonstrate (and as we will see in Chapter III), only seek to better the lives of Southern populations 'where it is safe to do so' and the costs 'are known to be worth the risk' (Ignatieff, 2003: 111). Moreover, despite being a biopolitical project of making life live, liberal 'peacebuilding' has, as well as bringing benefits to Southern populations, often brought miseries to them, as the cases of neo-liberalisation programmes implemented in Nicaragua, El Salvador, Guatemala and Mozambique that exacerbated economic inequalities within the populations of these countries demonstrate (see Paris, 2009: 113, 146 & 153).

In *The Case for Goliath*, Michael Mandelbaum denounces the use of the term imperialism to denote America's post-Cold War interventions. For Mandelbaum, America's efforts to spread the ideas of 'peace, democracy, and free markets' outside the West should not be construed as imperial exercise of power but instead be understood as the actions of a 'World Government' (2005: 9 & 27). The defining features of an empire, Mandelbaum argues, are 'subordination' and 'coercion' of political societies by another political society that is different in 'ethnic, national, religious, or racial' terms: an empire is quintessentially characterised by 'command' (Ibid.: 4-6). However, the term government, he claims, connotes the 'more nearly neutral' action of steering societies into the right path and providing them with services (Ibid.: 6). For Mandelbaum, in the same way that individual states provide services to their subject-societies, America 'furnishes' services to 'the society of sovereign states' by making the world a safe place for them in the form of its actions to curtail the proliferation of nuclear weapons, coping with the consequences of fiscal crises outside its borders, and keeping global markets open to trade (Ibid.: 7 & 196-226).

Although Mandelbaum's opposition to equating the post-Cold War interventions of the US as imperialism have grounds, his claim that it plays the role of world government is an

exaggeration. With the end of the Cold War, America has certainly taken the lead in most of the Western interventions that have been underpinned by the concept of liberal peace. However, these are not interventions in which America provides the services of a world government while other states – including other Western states – sit back and relax. Instead, these are missions predominantly led by America in which other Western liberal states and a myriad of non-state liberal actors play an active role. There have also been instances (as the case of political and economic liberalisation programmes undertaken in Somalia demonstrate) in which European states and IFIs have taken the lead in promoting liberalisation.

In *The Birth of Biopolitics* Foucault claimed that in Western liberal democracies the market has become the centre of governmental rationality (2008: 121). The government accompanies ‘the market economy from the start to finish’ with the ‘market economy’ remaining ‘the general index for defining all governmental action’; the ‘overall exercise of political power’ is, he argued, modelled on ‘the principles of a market economy’ (Ibid.). Almost a decade later, Anthony Arblaster referred to Western liberal democracies as ‘limited democracies’ (1987: 78). They are limited democracies, he claimed, in the sense that they function within the framework of ensuring that the power of the *demos* does not threaten ‘liberal values and institutions of personal freedom, private property and the market economy’ (Ibid.). In Western liberal democracies, the will of the *demos* cannot ‘change or abolish capitalism’; it remains ‘subordinate to the nature and processes of capitalist economy’ (Ibid.: 85). The government represents the will of the people but the people is not empowered to exercise its own will independently of the government. Rather, political leaders who compete in elections are empowered to exercise the will of the people. In elections, political leaders may renew or lose their mandate to govern. Nevertheless, elections do not alter the role of government to provide security to commercial intercourse. Thus, for Arblaster, in liberal states freedom and democracy oscillate within the limits of capitalism: ‘Tolerance is only extended to those who do not seriously threaten capitalism’ (1987: 85).

Although such claims are open to criticism and it is beyond the scope of this thesis to examine their validity in contemporary Western liberal democratic societies, it is certainly the case in the West’s relationship with the states of the global South. In promoting, undertaking, and consolidating liberalisation in the global South, Western states ensure that Southern

states become capable of providing security to global commerce within their borders. Where insurgencies within the borders of an already liberalised state of the South threaten the security of global commerce, Western states endorse the respective state's use of its war-making mechanisms of liberal democratic governance to crush the insurgency, in addition to providing necessary military, financial, political, and diplomatic support (as in Sri Lanka). Where the Southern state in question is unable to crush the insurgency, Western states intervene directly either using their military might (as in Sierra Leone) or other forms of power relations (as in Sri Lanka) to reconstitute the liberal order. Similarly, where peace within the borders of non-liberal Southern states threatens the security of global commerce, Western states wage both covert and overt wars to overturn the illiberal peace and instil a liberalised state-order (as in Guatemala, the Dominican Republic, Chile and Nicaragua during the Cold War). In those interventions, eliminating threats to the security of global commerce over-rides concerns for civil liberties, human rights and other democratic freedoms, and even the death of populations. The next chapter will consider these manifestations of liberal peace.

## Chapter III

### Liberal peace in practice

In this chapter, I examine the manifestations of liberal peace in the foreign policies and practices of Western states since the end of the Second World War to the GWoT. In the first section, I examine the manifestations of liberal peace during the Cold War within the framework of the Western policy of containment and development. I then explore its contemporary manifestations from the end of the Cold War onwards, in particular its manifestations in most of the Western-led post-Cold War humanitarian interventions, ‘peacebuilding’ missions, conflict resolution efforts, aid programmes, and the GWoT.

#### Containment and development

Among proponents of liberal peace, Woodrow Wilson, who steered America into the First World War, occupies a special place as the first statesman to have articulated liberalisation as the key to global peace (see Mandelbaum, 2002; Paris, 2009). In his *Fourteen Points* speech, Wilson (1918) argued that free trade, coupled with democratisation and the maintenance of military strength to ensure ‘domestic safety’ – which liberal scholars often conflate with disarmament (see, for example Mandelbaum, 2002: 21) – would lead to peace. Like Adam Smith and Jeremy Bentham, Wilson was opposed to individual states having monopoly over global markets and control of the seas for their sole advantage. In the second and third points of his speech, Wilson called for the ‘absolute freedom of navigation upon the seas, outside territorial waters’, at times of war and peace, and the removal ‘of all economic barriers and the establishment of an equality of trade conditions among all nations consenting to the peace and associating themselves for its maintenance’ (1918). In his warning to Germany to give-up its quest for global economic and military supremacy, Wilson made this an explicit point:

We do not wish to fight her either with arms or with hostile arrangements of trade if she is willing to associate herself with us and the other peace-loving nations of

the world in covenants of justice and law and fair dealing. We wish her only to accept a place of equality among the peoples of the world – the new world in which we now live – instead of a place of mastery (1918).

Yet, Wilson's ideas failed to influence the foreign policies of Western states during the inter-war years and initially 'his career came to be regarded as a failure' (Mandelbaum, 2002: 17). It was only after the Second World War that Wilson's vision materialised and the concept of liberal peace came to be embedded in the foreign policies and practices of Western states.

With the decline of its imperial military might, and foreseeing the political and economic dangers that Europe would face if America returned to 'her pre-war isolation', Britain gave-up its monopoly over global markets and opted for a global economic order centred on 'free trade' (Howard, 2008: 104-105). This is not to say that free trade was a post-war phenomenon or an idea of Wilson. As noted in the previous chapter, leading liberal thinkers such as Immanuel Kant, Smith, and Bentham were strong proponents of free trade. In addition, as European imperialism progressed through the nineteenth century, despite continuing their monopoly over colonial markets, individual European powers also partially eased their protectionist policies. Nevertheless, it was only after the end of the Second World War that individual European powers abandoned their monopoly over global markets and opted for free trade; they sought a global economic order centred on unhindered commerce.

However, with the spread of communism and the onset of the Cold War, this Western quest for a global economic order centred on unhindered commerce came under serious threat. Western political leaders and policy makers feared that if left unchecked, communism would engulf the emerging global economic order by overthrowing capitalism in Europe as well as in their former colonies and bring nuclear destruction to Western liberal democracies. As a counter-measure, the policy of containment and development was articulated. It was advanced on the claim that unhindered global commerce was the key to realising democratic freedoms and peace that would defeat communism (Mandelbaum, 2002: 266 & 268).

In *On the Slogans for a United States of Europe*, published two years before the Russian Revolution of 1917, Vladimir Lenin stated that 'after expropriating the capitalists and organising their own socialist production, the victorious proletariat' of the first country

that overthrows capitalism ‘will rise against the rest of the world – the capitalist world – attracting to its cause the oppressed classes of other countries, stirring uprisings in those countries against the capitalists’ and where necessary use ‘even armed forces’ to achieve its objective (1915/1974: 342). Citing this statement of Lenin, George F. Kennan, the architect of the policy of containment, argued in 1947 that communism was not only an ideology that was centred on the assumption that capitalism ‘contains the seeds of its own destruction’ but was also underpinned by the belief that a ‘final push was needed from a revolutionary movement in order to tip over the tottering structure’ of capitalism (1947/1987: 852-853). For Kennan, it was on the basis of this belief that the Soviet Union felt obliged to assist communist revolutions in other parts of the world to overthrow capitalism (1987: 858). In Kennan’s view, the Russians were looking ‘forward to a duel of infinite duration’ with the ‘free world’ (Ibid.: 862). Under these circumstances, America, assisted by its allies, should seek to contain Soviet pressure to ‘the free institutions of the Western world’ by skilfully and vigilantly applying ‘counterforce at a series of constantly shifting geographical and political points, corresponding to the shifts and maneuvers of Soviet policy’ (Ibid.: 862 & 868). Kennan’s policy of containment can thus be summarised in the following terms: the Soviet Union intends to re-create the world in its communist image; in order to realise this objective, the Soviet Union is looking forward to a war of infinite duration with the ‘free world’; therefore, it is inevitable that America, assisted by its allies, takes necessary steps to counter this threat; the counter-force of the ‘free world’ should not only be applied to certain part of the world but to every part of the world where efforts are undertaken by communists to overthrow capitalism. In essence, war was understood to be key to containment: Western states led by the United States of America had to conduct interventions in the states of the South to prevent the spread of communism and thereby guarantee unhindered commerce.

Similarly, development was also understood to be another method of countering the communist threat and securing the emerging global economic order. Western policy makers believed that with the market functioning as ‘the engine of growth’ economic liberalisation would result in the development of Southern states, thereby making them hostile to communism (Thomas, 2005: 649-650). Writing during the Cold War, W.W.Rostow argued that the final stage of economic growth in any society is its entry into ‘the age of high mass-

consumption’ – which he claimed America had entered; when the Soviet Union enters this stage, he predicted, its leaders would ‘face difficult political and social problems’ (1991: 4 & 10-11). Retrospectively, Rostow implied that development in the form of economic liberalisation would eventually lead to the defeat of communism.

As Lenin argued in *Imperialism*, one of the objectives of European colonialism had been the acquisition of ‘new lands to settle surplus population’ in Europe and ‘to provide new markets for the goods produced’ in European ‘factories and mines’ (1999: 84). Central to Lenin’s (1984: 84) argument was that by ‘exploiting the periphery’ (in this case the colonies) the ‘bourgeoisie in the core countries’ were able to ‘improve the lot of their own proletariat’, thereby preventing civil wars at home – the basis of world-system theory developed by Immanuel Wallerstein and the scholars of the Latin American Dependency School (Hobden & Jones, 2005: 231). However, the development policies of the Cold War period had not been premised on preventing civil wars within the borders of Western states, as world-system theorists had argued. Those policies certainly favoured a small group of Western states and resulted in economic inequalities within the South and between Western and Southern states (Thomas, 2005: 649 & 654). Nevertheless, central to those policies was the belief that development would entice states of the South towards free trade, and thus eliminate threats to global commerce. This was evident in the way that structural adjustment policies of the IMF and World Bank – under the guidance of Western powers – were implemented in the Southern states during the 1980s. These policies were intended to steer Southern states away from communism and towards global free trade by compelling them to open-up their economies for foreign investment, while at the same time helping them to earn foreign exchange through exports – in order that they would have the financial means to repay their debts – rather than transforming them into dependencies of the West (Thomas, 2005: 654).

A notable aspect of the incorporation of the Cold War policy of containment and development in US foreign policy was that America’s security interests were broadly framed to include free trade outside its borders. In 1952, in its report that set out the course of action to be taken by America in South East Asia to counter the communist threat from China, the US National Security Council (NSC) argued that ‘communist domination, by whatever means, of all South East Asia’ would not only endanger the ‘free world’, but also ‘seriously



endanger in the short term, and critically endanger in the longer term, United States security interests' (1952: 127). However, in spelling out the 'security interests' of the United States, the NSC referred to the 'economic interests' of post-colonial market democracies of Asia as well as those in other parts of the world. For example, in reference to Malaya and Indonesia, the NSC warned that if any of those two countries came under the influence of communism, this would affect the flow of 'natural rubber, tin' and 'petroleum and other strategically important commodities' to the 'world'. Similarly, in reference to Burma and Thailand, the NSC cautioned that if they become under the influence of communism, the flow of rice to 'Malaya, Ceylon, and Hong Kong', as well to 'Japan and India', which it defined as 'important areas of free Asia' would be affected 'critically' (1952: 127).

One of the measures that the NSC set out for America to undertake in the South East Asian region – in addition to spreading anti-communist propaganda, extending economic and technical assistance, obtaining military assistance from its Western allies, conducting covert operations, and undertaking other defensive measures – was to 'encourage the countries of South East Asia to restore and expand their commerce with each other and with the rest of the free world, and stimulate the flow of the raw material resources of the area to the free world' (1952: 128-129). The report, which was commissioned by the then US President Harry S. Truman, mirrored his ideas on free trade enunciated in his special message to the Congress on the Marshall Plan in 1947. In his special message, Truman claimed that Americans have long understood that 'enduring peace must be based upon increased production and an expanding flow of goods and materials among nations for the benefit of all' and it was in line with this that his government had 'taken the lead in world-wide efforts to promote industrial and agricultural reconstruction and a revival of world commerce' (1947).

Thus, with Britain and other Western allies playing a complementary role, under the banner of containment and development America took the lead to guarantee the security of global commerce from the threat of communism by conducting interventions in the South. Some of those interventions took the form of development aid and counter-insurgency support. Southern states that opposed communism, and thus contributed to securing the emerging post-war global economic order, became 'part of the "Free World"' (Howard, 2008: 113). Efforts were made to liberalise the populations of those states in order for global

commerce to be undertaken securely within their borders: Western states promoted free trade and showered anti-communist regimes with development aid (as in the case of South Korea and Taiwan). Counter-insurgency support was also provided to Southern market democracies. Regardless of their political ideologies or affiliations, many armed nationalist and revolutionary movements that posed a threat to market democracies of the South were largely seen as ‘clients of Moscow’ (Howard, 2008: 113) and active measures were taken to eliminate them. It was partly based on the tendency in the West to judge ‘any violent political challenge to a liberal-democracy or even to any polity that meets the formal requirements of a liberal-democracy’ to be illegitimate and thus terrorist (Guibernau, 1999: 127).

In addition, covert military operations were also conducted against democratically elected Southern states (as in the case of US operations in Guatemala, the Dominican Republic, Chile and Nicaragua) that were perceived to harbour communist ideologies (Mann, 2001: 71). Although some liberal scholars have justified such interventions to be prudent and defensive ‘popular wars fought to promote freedom, to protect private property’ and ‘to support liberal allies against nonliberal enemies’ (see Doyle, 1986: 1156 & 1160), these justifications contradict with the underlying claim of democratic peace theory that democracies do not fight each other. Bruce Russett, who defines war to be an inter-state affair that had to result in at least ‘one thousand battle fatalities’ (with the exception of the UK-Argentine war), denies such interventions to be wars between democracies. For Russett, those states in which the US intervened during the Cold War (such as Guatemala, the Dominican Republic, Chile and Nicaragua) were not democracies but anocracies and therefore such interventions cannot be termed as wars between democracies, but interventions by a democracy in anocracies (1993: 16 & 121-122). Michael Mann dismisses such categorisations to be ‘massaged’ conceptions of war and democracy (2001: 71). However, a biopolitical analysis of such interventions reveals that they were largely underpinned by concerns for the security of global commerce, coupled with geopolitical interests. Southern democracies that incorporated communist ideologies in their economic policies were seen as threats to the emerging global economic order centred on free trade. It did not matter whether those regimes had the popular mandate of their respective people. As Allen Dulles, the head of CIA during Dwight Eisenhower’s presidency, had argued justifying US interventions in

Iran and Guatemala, as soon as a regime expressed its desire to adopt communist ideologies in its economic policies, its existence became intolerable in the eyes of the ‘free world’:

In Iran, a Mossadegh, and in Guatemala, an Arbenz had come to power through the usual processes of government and not by any Communist coups as in Czechoslovakia. Neither man at the time disclosed the intention of creating a Communist state. When this purpose became clear, support from outside was given to loyal anti-communist elements in the respective countries – in one case to Shah’s supporters; in the other, to a group of Guatemalan patriots. In each case the danger was successfully met (2006: 223).

In other words, every regime that was sympathetic to the communist ideology was considered a threat to the free world, and thus the post-war global economic order centred on free trade.

### **Post-Cold War manifestations**

With the end of the Cold War, the concept of liberal peace moved away from containment and development and was embedded in most of the Western-led humanitarian interventions, peacebuilding missions, conflict resolution efforts, aid programmes, and later the GWOt.

During the 1990s, the existence of armed national liberation movements in the market democracies of the global South continued to be perceived as a threat to the security of global commerce. This was largely on the basis that by continuing to use violence to further their goals, they were creating a climate of insecurity for the flow of capital within the borders of Southern market democracies. The liberal belief that violent challenges to liberal democracies should not be allowed to continue also compounded hostility towards armed struggles:

Liberal peace has questioned violent conflict as a legitimate vehicle for social change. We live in a world that, potentially, already has the best possible mix of

social relations, economic structure and political institutions. The task is not to challenge this order but to make it work better (Duffield, 2002: 129-130).

Therefore, as during the Cold War, nationalist movements that waged armed struggles within the borders of Southern market democracies continued to be criminalised. They were perceived to be a threat to liberalising global populations as well as for global commerce. Interventions were therefore undertaken by Western states in the conflict zones.

However, not all interventions were conducted primarily to eliminate or disarm armed nationalist movements. Some interventions, as in the case of those undertaken in the Balkans and Haiti, were conducted largely with the objective of curtailing the flow of refugees from the conflict zones to Western countries (Mandelbaum, 2002: 194). Yet, these cannot be construed as having been undertaken in isolation with concerns for the security of global commerce. Firstly, the flow of refugees from the conflict zones created an additional labour force that often brought instability to the home labour market of Western countries: jobs of local population often went to immigrants at cheap wages. In this sense, conflicts in the South were causing instability in the domestic markets of Western countries. Secondly, the continuation of armed conflicts in the South prevented Western entrepreneurs from making investments there and bringing the benefits home. In this sense, conflicts in the South were also preventing Western countries from reaping the benefits of commercial globalisation. Recognising this, particularly in stressing the importance of initiating political and economic liberalisation in the states of the former Communist bloc, the then American President Bill Clinton noted thus in his State of Union Address of 25 January, 1994:

We will continue to urge Russia and the other states to press ahead with economic reforms. And we will seek to cooperate with Russia to solve regional problems, while insisting that if Russian troops operate in neighbouring states, they do so only when those states agree to their presence and in strict accord with international standards. But we must also remember as these nations chart their own futures – and they must chart their own futures – how much more secure and more prosperous our own people will be if democratic and market reforms

succeed all across the former Communist bloc. Our policy has been to support that move, and that has been the policy of the Congress. We should continue it (1994).

Thus, the concept of liberal peace remained central to all of the interventions undertaken by Western states in the conflict zones of the South, although this was not always stated explicitly (Paris, 2009: 5). The ‘conflict resolution and prevention’ programmes that were promoted as part of those interventions undertaken to reconstruct ‘social networks’, strengthen ‘civil and representative institutions’, promote ‘the rule of law’, and reform the ‘security sector’ were largely ‘in the context of a functioning market economy’ (Duffield, 2002: 11). The role of Western states in those interventions were complemented by IGOs, IFIs, NGOs, private security companies, and commercial enterprises (Ibid.: 12).

As will be discussed in Chapters VII to VIII, those interventions also sought to limit the concept of the right to self-determination to the populations of former communist states of Eastern Europe.<sup>38</sup> This policy resembled in many ways Wilson’s claim in the *Fourteen Point* speech that the right to self-determination only applied to the Western World (1918). Mandelbaum argues that since the ‘claim to be nations has no limits’, honouring all claims would result in ‘international chaos’ (2002: 188). However, the former UN Secretary General Boutros Boutros-Ghali was more explicit in linking secession to global economic instability: ‘if every ethnic, religious or linguistic group claimed statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve’ (1992). In *An Agenda for Peace*, Boutros-Ghali suggested that instead of honouring secessionist demands, measures should be taken to promote human rights, democratic governance, and ‘sustainable economic and social development’ in the conflict zones (1992). Commenting on this conflict resolution strategy, Roland Paris notes thus:

The typical formula for peacebuilding included promoting civil and political rights, such as the right to free speech and a free press, as well as freedom of

---

<sup>38</sup> Eritrea, East Timor, and recently South Sudan are the only exceptions in this regard. Of those three countries, Eritrea is the only one in which political and economic liberalisation has not been undertaken.

association and movement; preparing and administering democratic elections; drafting national constitutions that codified civil and political rights; training or retraining police and justice officials in the appropriate behaviour for state functionaries in a liberal democracy; promoting the development of independent “civil society” organisations and the transformation of formerly warring groups into democratic political parties; encouraging the development of free-market economies by eliminating barriers to the free flow of capital and goods within and across a country’s borders; and stimulating the growth of private enterprise while reducing the state’s role in the economy (2009: 19).

In other words, liberalisation was understood to be the key to resolving nationalist conflicts.

In addition, economic interventions were also carried out in the states of the South that faced economic crisis. Western states, IGOs, and IFIs extended financial assistance to Southern states that showed willingness to embrace free market economic policies. Such assistance was provided through ‘a system of carrots and sticks’, where co-operation entailed ‘development assistance’ while ‘non-cooperation’ meant ‘isolation’ (Duffield, 2002: 34). It resembled the strategy adopted by Western states and IFIs during the early 1980s when Latin American countries which sought debt relief were required to adopt ‘liberal economic measures’ in the form of ‘selling off state-owned assets, reducing government oversight and direction of economic activity, and the opening of their countries to goods and capital from abroad’ (Mandelbaum, 2002: 283). India was one such country that was required to radically reform its economy. Although during the Cold War India was a liberal democracy in name, in practice it did not adhere to market economic policies. Instead, it was closely aligned with the Soviet Union and adopted a statist economic system modelled on Soviet-style Socialism (see Chapter VI). However, in 1991, when India faced ‘a balance of payment crisis’, in order to become eligible for receiving financial aid, it was required by the IMF to ‘open its economy, to cut back on its regulations, and to pare its state-owned industrial sector’ (Mandelbaum, 2002: 283-284). These conditionalities also applied to East Asian countries which could not cope with the Asian financial crisis of the late 1990s (Ibid.: 285). Thus, as in the case of

interventions undertaken in countries that were affected by nationalist conflicts, economic liberalisation was prescribed as the remedy for Southern states that faced economic crisis.

Comparatively, most Western interventions in the 1990s were not as violent as those undertaken as part of the GWoT. This was because efforts to liberalise Southern populations were neither pursued whole-heartedly nor aggressively (as in the case of Somalia). It was only in the regions where the flow of refugees threatened to cause instability to their home labour-market that Western states expended their resources. In conflicts that did not have a major impact on the home labour-market, Western interventions were either 'so modest' with 'only minimal investments' that they failed miserably, or in worst cases there was simply no intervention (as in Chechnya and Rwanda) (Mandelbaum, 2002: 194-195). This was largely due to lack of 'enthusiasm' on the part of Westerners to shed 'blood' and 'money' for interventions outside their borders (Ibid.: 196). For many Westerners, the collapse of communism meant the elimination of a major threat to their security and way of life (Ibid.).

However, this changed with the terrorist attacks of 9/11. Under the banner of the GWoT, Western states were able to undertake aggressive interventions to liberalise Southern populations. The climate of insecurity that 9/11 created paved the way for this. In the same way that they were able to justify interventions during the Cold War under the banner of containment and development to defeat the communist threat, following 9/11 Western states were able to expend their resources under the banner of the GWoT to eliminate threats to global commerce. Thus, as well as targeting Islamist terror groups, Western states also turned the full swing of the GWoT on armed national liberation movements and non-liberal states.

In this regard, George Bush declared: 'Our war on terror begins with al-Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated' (2008: 68). Bush made it clear that one of the key objectives of the GWoT was to spread free trade across the world. America would, Bush declared, use the 'moment of opportunity' afforded by the GWoT 'to extend the benefits of freedom across the globe' by actively working 'to bring the hope of democracy, development, free markets, and free trade to every corner of the world' (2002: v). 'Free markets and free trade', Bush stated, were 'key priorities' of America's 'national security strategy' (2002: 23). For Bush, 'economic openness' coupled with 'democracy' were 'the best foundations for domestic

stability and international order' (2002: v). These sentiments were also echoed by Tony Blair who claimed that participation in 'global markets' was 'central to every nation's prosperity'. For Blair, free trade should not be construed simply as 'an economic phenomenon' but understood as the key to 'political change' and for overcoming security threats (2002a: 119).

As in the 1990s, during the GWOt secessionism continued to be classified as a threat to global economic instability. With regard to the territorial integrity of existing states, Blair announced that 'boundaries' would remain 'virtually fixed' and 'any territorial ambition' would be seen as a threat to 'stability' and 'prosperity' (2002). In effect, the GWOt reinforced the liberal conception of linking territorial integrity 'to prosperity and the successful working of the global market' (Elden, 2009: 147). Only in exceptional cases was statehood granted to nations that aspired for a state of their own. Even this largely depended on the the aspiring nation becoming accustomed to political and economic liberalisation, as in the case of the Kosovar Albanians (see Franks & Richmond, 2008: 81).

Another aspect of the GWOt was the tacit acceptance that war can be waged through all power relations. As Bush noted in his *National Security Strategy*: 'To defeat this threat we must make use of every tool in our arsenal – military power, better homeland defenses, law enforcement, intelligence, and vigorous efforts to cut off terrorist finances' (2002: iv).

Paris argues that it is incorrect to situate the GWOt within the framework of liberal peace. While admitting that 'elections, constitutional processes, market oriented economic adjustment and institution-building were central to the US plan in Iraq and also part of the standard formula for UN-mandated peace operations', he maintains that it is wrong to analogise 'UN peacebuilding and the American-led "war on terror"' as the US invasion of Iraq and the peacebuilding that followed were non-consensual, 'whereas most peacebuilding missions since the end of the Cold War had been' consensual (Paris, 2010: 345 & 348). However, as Neil Cooper, Mandy Turner and Michael Pugh point out, the US-led invasion of Kosovo and the liberal 'peacebuilding' that followed were no different to what took place in Afghanistan and Iraq (2011: 4). As Paris himself concedes reluctantly, Kosovo is not the only case where liberal peace was imposed through war, but there are also other 'examples of post-Cold War peace operations that began in less consensual conditions' (2010: 348). Thus, Paris's attempts to distinguish liberal peace from the GWOt rest on shaky grounds.



This is not to say that every violent intervention undertaken under the banner of the GWoT was intended to guarantee the security of global commerce. For example, the Western invasion of Afghanistan was undoubtedly in response to the security threat that al-Qaeda and the Taliban posed to the West. Even though political and economic liberalisation remained central to state-building in Afghanistan after the invasion, the invasion itself cannot be characterised as having been undertaken to guarantee the security of global commerce. Instead, it was largely undertaken with the objective of depriving al-Qaeda and the Taliban of a permanent base to launch attacks on Western countries and their populations.

However, the same cannot be said of the invasion of Iraq. Although Saddam Hussein made attempts to develop nuclear weapons, those efforts never materialised. Even President Bush's claims before the invasion that Iraq possessed weapons of mass destructions and was promoting Islamist terrorism proved to be false after the invasion. The only apparent threat that Saddam's regime posed to the West was the free flow of oil from Iraq. This was clearly an economic threat that endangered unhindered global commerce (Mandelbaum, 2002: 404). Thus in removing Saddam's regime, America and its allies eliminated a threat to unhindered global commerce in the Middle East by opening-up Iraq's energy resources. France was the only Western state that was left in a disadvantaged position as its 'commercial interests in Iraq, including contracts to exploit its oil reserves' were jeopardised following the fall of Saddam's regime (Mandelbaum, 2002: 407). The commercial rationale behind the US invasion of Iraq became apparent a few weeks after the fall of Saddam's regime. In his Commencement Address at the University of South Carolina in May, 2003, President Bush proposed 'the establishment of a U.S. – Middle East free trade area within a decade' in the Middle East. Bush justified this on the basis that 'free market and trade have helped defeat poverty and taught men and women the habits of liberty' across the world and would 'encourage creativity and tolerance and enterprise' in the region (2003).

A notable aspect of the GWoT was that 'civilisational' arguments were repeatedly invoked, most notably by President Bush. In his televised address following the terrorist attacks of 9/11, Bush noted that America's 'way of life' and 'freedoms' were attacked by terrorists (2008: 57). A week later, in his address to the Congress, Bush announced that the GWoT would not simply be 'America's fight' but the 'civilization's fight': 'This is the fight

of all who believe in progress and pluralism, tolerance and freedom’ (Ibid.: 70). In essence, for Bush, the GWoT was ‘civilisation’s’ struggle to sustain its way of life. A year later, in his *National Security Strategy*, Bush claimed freedom to be ‘the non-negotiable demand of human dignity; the birthright of every person – in every civilization’ (2002: vi). In the same document, Bush also defined ‘real freedom’ in terms of the relationship of commerce:

The concept of “free trade” arose as a moral principle even before it became a pillar of economics. If you can make something that others value, you should be able to sell it to them. If others make something that you value, you should be able to buy it. This is real freedom, the freedom for a person – or a nation – to make a living (Ibid.: 18).

Bush elaborated further on his usage of the term civilisation in 2006 in his address to the nation on the fifth anniversary of 9/11. In his speech, Bush argued that the GWoT was not ‘a clash of civilizations’ but a ‘struggle for civilization’; it was a war ‘to maintain the way of life enjoyed by free nations’ (2008:427). These are clear indications that use of the term ‘civilisation’ during the GWoT had a political as well as an economic meaning attached to it; it was used more or less in the same way it had been used by liberal thinkers in the eighteenth and nineteenth centuries and when liberal state-building was undertaken in Britain’s colonies.

This was also evident from the way that with the onset of the GWoT regimes in the South that upheld liberal values were provided with wide-ranging support by the West. A notable case in this respect was India. In his *National Security Strategy*, Bush applauded India for ‘moving towards greater economic freedom’ and claimed that as ‘two large democracies’ both America and India had ‘a common interest in the free flow of commerce, including through the vital sea lanes of the Indian Ocean’ (2002: 27).<sup>39</sup> Another notable case in this regard and relevant to this thesis was the Sri Lankan government of Ranil Wickremasinghe, which was showered with military, political, diplomatic, legal, and

---

<sup>39</sup> Given the fact that India also faces threats from Islamist Jihadists and has the potential to balance China’s influences in the South Asian region, America has much to gain by aligning with the former.

financial support for its armed forces to gain an upperhand against the Tamil Tigers. Bush described America's relationship with Sri Lanka more or less in the same way that he described the latter's relationship with India: 'the United States and Sri Lanka have enjoyed close relations based on common support for the values of democracy, the rule of law, human rights and free trade' (2005) (for a full discussion, see Chapters VII and VIII).

During the GWoT, Islamist terror groups and non-liberal regimes (in particular, the regimes of Saddam and the Taliban) were frequently referred to by both Bush (2008: 76, 117, 423 & 560) and Blair (2002a: 124) as 'barbarians', and often as 'savages'. A few months before the end of his second presidential term, Bush even claimed that his 'greatest achievement' was 'the liberation of 50 million people from the clutches of barbaric regimes' (2008a). However, a close reading of the statements of Bush and Blair indicate that unlike the use of the term 'civilisation', no political or economic meaning was attached to the usage of the terms 'barbarian' (as well as the term 'savage'). Instead it was simply used to refer to the brutal tactics of Islamist terror groups and governments that opposed liberal values. Thus, unlike the periods in which the British Empire undertook liberal state-building in its colonies, the terminologies of 'civilisation' and 'barbarian' (as well as 'savage') were not used with corresponding meaning in the manifestations of liberal peace in the GWoT.

The rest of this thesis will undertake a study on the manifestations of liberal peace in the Eelam War in Sri Lanka from the day the island-state was created to the end of the armed conflict. The next chapter will begin this study by examining the British Empire's biopolitics liberal state-building in Ceylon to show their continuity in the biopolitics of liberal peace.

## Chapter IV

### Liberal state-building and ethno-theocratic ambitions

The period that Foucault (2008) identifies in *The Birth of Biopolitics* as the time that the concept of liberal peace emerged (the middle of the eighteenth century) was an important epoch in the history of the island of Ceylon. It was at this period of time that European colonial powers, especially the Dutch, the British and the French, competed for control of the island in order to secure their colonial possessions and markets in India. In 1796 the British took control of the coastal territories<sup>40</sup> of Ceylon from the Dutch. In the following years, the British conducted military operations against local rulers in the interior parts of Ceylon and in 1815 brought the entire island under their control. The conquest of Ceylon provided the British Empire with a key military station to secure its markets in India and police colonial trade through the sea-lanes of the Indian Ocean. However, the British did not limit their presence in Ceylon to making use of the island as a military station. They also undertook liberal state-building in Ceylon in order to secure commerce within the island's borders and to govern the indigenous populations. British liberal state-building in the island reached its endstage at the end of the Second World War with the creation of the 'liberal democratic' state of Ceylon, which became the ally of the West in the latter's fight against communism.

This chapter is divided into four sections. In the first section, I examine the rationale behind the desire of various European colonial powers to conquer Ceylon in the sixteenth, seventeenth and eighteenth centuries and show that the Portuguese and the Dutch rule of the island's coastal territories was largely about plundering its resources. This is followed by a study on the liberal state-building practices of the British Empire in Ceylon in the nineteenth century. In the third section, I examine the dynamics of Sinhala-Buddhist nationalism that emerged under British rule and explain that liberal state-building undertaken by the British Empire in Ceylon, which included the unification of the Tamil and Sinhala kingdoms and principalities, helped to further the ethno-theocratic ambitions of Sinhala-Buddhists after the island-state was created. In the fourth section, I show that during the Cold War, making use

---

<sup>40</sup> In British colonial literature the coastal territories of Ceylon are referred to as the maritime provinces.

of the liberal mechanisms of government left behind by the British Empire, the post-colonial state of Ceylon was able to wage its ethno-theocratic war against the Tamils without having the need to make recourse to military might. In the final section, I explain that during the Cold War, the concept of liberal peace remained central to the decision of Western states to turn a blind-eye to Sri Lanka's ethno-theocratic war against the Tamils.

### **The fight for the control of Ceylon**

Following Vasco da Gama's discovery of the sea-route to India in 1498, the Portuguese, the Spanish, the Dutch, the French and the British competed for control of the island of Ceylon. Despite briefly occupying the Eastern port town of Trincomalee in 1782, the French failed to take control of the island. This was also the case with the Spanish; despite using the services of their Portuguese allies in the seventeenth century to obtain the island's resources, the Spanish also could not take control of the island. Even though the Portuguese and later the Dutch managed to control the coastal territories of the island, Britain was the only European power that managed to bring the entire island under its writ. The principle objective of Portuguese and Dutch control of the island was trade, especially monopoly over the cultivation of cinnamon, and the procurement of elephants and pearl-fisheries (Clark, 1910: 10). In a work addressed to his King in Lisbon in 1685, Captain Joao Ribeiro, a Portuguese commander, even suggested that they should abandon their 'possessions in India' and instead occupy the island of Ceylon, establishing settlements to obtain its resources (1909: 405).

Unlike the Dutch and the Portuguese, the Spanish, however, recognised Ceylon, despite failing to take control of it, as the key to the security of their markets in India. In a letter written to the King of Spain in 1611, the Spanish commander Antonio Martins noted:

[T]his island of Ceilao [Ceylon] is the key of the whole of India, in so far as concerns trade and merchandise, which is what aggrandizes and enriches it... All this being then the truth, as it is, it is clear that if the said Dutch enemies were masters of this said island, or of its point of Gale, which God forbid, with great

ease they would become masters of all the ships that called there; and the trade of India would infallibly be lost; and thus if Your Majesty does not command that this matter be taken up and remedied shortly, the said enemies will be masters of this country so fertile and so extremely valuable, and will very seriously injure the whole of India and its commerce... (cited in Ferguson, 1998: 340-341).

Likewise, the British also recognised Ceylon as the key to the security of their Indian markets. Announcing the takeover of the island from the Dutch to the House of Commons in 1798, the then British Prime Minister William Pitt noted that Ceylon was the ‘most valuable colonial possession on the globe’ that would give the British Indian Empire ‘a security which it had not enjoyed from its establishment’ (cited in de Silva, 1953: 20). Similarly, in a work addressed to the Duke of York in 1803, Robert Percival, a British commander in Ceylon claimed that the ‘acquisition’ of Ceylon was important ‘both in a commercial and political point of view’: ‘From the observation I then made, I am enabled to affirm that its retention in our hands must prove of the greatest benefit to our East India trade, and our commerce in general’ (1803: vi). Berating Portuguese commander Albuquerque for his failure to understand the significance of Ceylon in terms securing trade in India, Percival lamented:

Ceylon in particular seemed designed by nature to secure the possessions, and extend the influence of the Portuguese in the Eastern world. ...Albuquerque, however, was too much engrossed with extending his conquests over the coasts of India, to pay due attention to these advantages; and Ceylon, instead of being made the centre and guardian of Portuguese possessions in India, continued to be cultivated by them chiefly on account of its own natural productions (Ibid.: 6-7).

In the following year, during a debate in the House of Commons on sending additional troops to Ceylon, T.Creevy, an MP, also reiterated Pitt’s point on the importance of the island by describing it as the British Empire’s ‘most important colony’ (HC Deb 14 March 1804).

With the plunder of resources being the central objective of occupying the coastal territories of Ceylon, both the Portuguese and the Dutch paid less attention to directly

governing the island's populations than the British – even though they did show a keen interest in the safety of those who converted to Christianity (see Ribeiro, 1909: 408).

When the Portuguese first set foot in Ceylon, they encountered at least ten kingdoms and a number of principalities within the island's borders.<sup>41</sup> Of these, five of them were Sinhalese, which were situated in the southwestern, southern and central parts of the island, and the remaining five were Tamil, coupled with their principalities, in the northern, eastern and northwestern parts of the island (Ribeiro, 1909: 3-4). For the best part of their presence in the coastal territories of Ceylon in the sixteenth and seventeenth centuries, the Portuguese allowed the local kings and princes to deal with the business of governing their own populations, with the condition that Lisbon had monopoly over the island's resources and trade. It was only during occasions when the local kings and princes revolted against Lisbon's commercial monopoly in their territories, refused to pay tributes, or prevented Christian missionaries from spreading the Christian faith that the Portuguese resorted to direct rule of the island's coastal kingdoms and principalities (Perera, 1954: 19-35).

After the Portuguese, the Dutch also followed suit. In parts of the coastal territories that did not have a local king or prince (dethroned by the Portuguese), the Dutch resorted to governance through their East India Company, and in the rest of the coastal territories they allowed the rule of local princes (for example in the Tamil principalities of Vanni). A study of the memoirs<sup>42</sup> of Hendrick Zwaardecroon, a Dutch commander of the Tamil kingdom of Jaffna and its adjoining principalities of Vanni, indicates that the Dutch were more interested in extracting resources from the island than governing its populations. In his memoirs, while Zwaardecroon claimed that it was difficult to rule the indigenous populations, let alone know how many of them lived in the Dutch-controlled territories (1697/1911: 16), he nevertheless suggested that the Dutch East India Company can gain more profits from the island by instilling fear among the local populations and ignoring most of their ways of living:

---

<sup>41</sup> According to the Portuguese commander Captain Joao Ribeiro, when Lisbon's troops set foot in Ceylon, they encountered the Sinhala kingdoms of Cotta, Uva, Candia, Ceitavaca and Jaula, and the Tamil kingdoms of Batecalau, Trequimale, Jafnapatao, Mantota, Chilao and other principalities (1909: 3-4).

<sup>42</sup> As the title of the memoir makes it clear, Zwaardecroon, wrote it for the guidance of the Council of Jaffna, when he went on a special duty as Commissioner to the Coast of Malabar in South India (1911: i & iii).

I will therefore now leave in Your Honours' care the government of a Commandement from which much profit may be derived for the Company, and where the inhabitants, though deceitful, cunning, and difficult to rule, yet obey through fear; as they are cowardly, and will do what is right more from fear of punishment than from love of righteousness. I hope that Your Honours may have a more peaceful time than I had, for you are well aware how many difficulties, persecutions, and public slights I have had to contend with, and how difficult my government was through these causes, and through continual indisposition, especially of late (Ibid.: 89).

As the Dutch control of the coastal territories of Ceylon had plunder of resources as its objective (like that of the Portuguese), hardly any state-building efforts were undertaken. The Dutch administration was so lax that even roads were not maintained within the coastal territories. Instead, the task of maintaining roads was entrusted to local landlords, who frequently extended their fences and encroached upon highways (Zwaardecroon, 1911: 87).

According to Percival, instead of investing in governing the local populations, the Dutch expended most of their resources to 'prevent any intercourse between the natives and foreigners' and adopted cruel tactics (1803: 20 & 38). As a consequence, even though the 'natives' had 'not the smallest idea of political freedom', they remained loyal to their own rulers as the latter seldom violated 'their customs or the liberty of their persons' (Ibid.: 20). In addition, as a consequence of the cruelties of the Dutch (as well as their Portuguese predecessors), the local populations developed hatred against all Europeans (Ibid.).

Although European culture and lifestyle were introduced in Ceylon under the Portuguese and the Dutch, it was only the British who undertook liberal state-building in the island. Like the Portuguese and the Dutch, the British were also interested in extracting Ceylon's resources and making commercial gains. However, unlike their predecessors, the British recognised that their commercial interests within Ceylon could be furthered by improving the lives of the island's populations and undertaking liberal state-building.



## **Liberal state-building in colonial Ceylon**

Although the Dutch did not resist the British take-over of Ceylon's coastal territories in 1796, the conduct of British troops towards the local populations was initially both violent and bloody (Schrikker, 2007: 133). However, after the British writ was established among the indigenous populations, the conduct of British troops became less violent and the conquered territories were made a dependency of the British East India Company (Schrikker, 2007: 133; Mills, 1933: 16). Two years later in 1798, the control of the coastal territories was 'divided between the Crown and the East India Company' and a dual government was established. However, by 1802, the Company's governmental control was abolished and the coastal territories became a Crown Colony, under the direct control of the British Colonial Office (Mills, 1933: 27 & 41). This enabled London to directly oversee its military stations in Ceylon as well as govern the indigenous populations in the island's coastal territories.

Before the arrival of the British in Ceylon, under the Dutch, 'native' chiefs had 'nearly unlimited' authority over their local subjects; the 'native' chiefs were able to 'exact unpaid forced labour for the cultivation of their own estates' (Mills, 1933: 121-122). As a consequence, trade within the coastal territories was hampered. In an attempt to overturn this state of affairs, the British replaced local chiefs with civil servants and established a separate civil service for Ceylon (Ibid.: 42 & 122-123). The powers of local chiefs in judicial matters were also curbed (Schrikker, 2007: 144). In addition, a land survey department was established to handle land disputes (Mills, 1933: 44). A consequence of this was that local chiefs' monopoly over land and trade was curtailed and commercial intercourse developed.

However, the existence of the Tamil principalities of Vanni in the northeastern parts of the island and the Sinhala kingdom of Kandy – under the rule of a Tamil monarch – posed a threat to British interests and commerce in the island. Therefore, the British sought to dismantle the principalities of Vanni and the kingdom of Kandy.<sup>43</sup> In 1803, after a violent

---

<sup>43</sup> When the British sought to end the rule of indigenous kings and princes in Ceylon and turn the island into a Crown Colony, the Tamil prince of Vanni, Kulasegaram Vairamuththu Pandara Vanniyan, and the Tamil ruler of Kandy, Sri Wickramarajahsinga (Kannuchamy) joined forces and vowed to expel the British (Lewis 1895: 18).

campaign and a show of military might, the British dismantled the principalities of Vanni (Lewis, 1895: 18-20). This was followed by the dismantling of the kingdom of Kandy in 1815. Although military might and the collaboration of local chiefs was the key to British success in dismantling the principalities of Vanni and the kingdom of Kandy, martial law became a way of waging war to overcome internal threats. Unlike under the Portuguese and Dutch rule, annihilation went beyond the tactic of plunder and became one of the techniques of building a colonial liberal order in the island. This will be dealt in the next chapter.

In 1828, an independent judiciary for Ceylon was established, while the legislative and executive branches of government remained under the control of the colonial governor (Mills, 1933: 99-101). Judges were appointed by London and the Ceylon government remained answerable to the judiciary and the English Courts for breaches of law (Ibid.: 100-101). As a consequence, the judiciary and the executive often collided (Ibid.: 48-49).

Five years later, liberal economic policies were introduced in the island. While during the early years of British rule Ceylon's economy was transformed from one of 'domestic agrarian' to a 'commercial export economy' (Perera, 1954: 205-206), it was only in 1833 that the imperial government's monopoly over agriculture and trade was abolished (Mendis, 1946: 37). Until 1833, cinnamon trade in Ceylon was also monopolised by the imperial government (in the early years of British rule it was monopolised by the British East India Company). In addition, despite replacing local chiefs with civil servants, the British continued to allow the local economy to be dominated by the caste system, which kept the indigenous populations under a state of serfdom (Mendis, 1946: 36-37). However, in 1833, Britain abandoned its monopoly over cinnamon, agriculture and trade in Ceylon, and ended its recognition for the caste-based socio-economic order. Although this did not result in the abolishment of the caste system, it certainly transformed the island's society from a feudal one to a commercial one and paved the way for 'trade and enterprise' (Ibid.: 36-37).

British liberal state-building in Ceylon also saw the development of transport and communication networks. This led to the creation of new towns in industrial and plantation areas, resulting in internal trade, which in turn resulted in the influx of foreign capital in the island. The introduction of Western education also led to the emergence of an English-educated middle class (Perera, 1954: 223-224 & 226-227). With the onset of economic

liberalisation, the British colonial government also sought to eliminate obstacles to commerce within the borders of the island. One of the obstacles was the condition of the island's peasantry. Therefore, the colonial government undertook measures to improve the lives of the island's peasantry, without which internal trade or the movement of labour within the island would have not been possible (Ibid.: 233). As Sir West Ridgeway, who served as Ceylon's colonial governor from 1896 to 1903, was able to claim later, the British Empire was upholding its 'civilising' mission of improving the lives of populations under its governance:

England recognises her duties and responsibilities wherever she hoists her flag. The promotion of commerce and the development of the resources of the country are of paramount interest, but equally important is the amelioration of the lot of the native population and care for their physical and moral welfare. These are the principles on which England rules and which she expects us to follow in her territories overseas (cited in Perera 1954: 233-234).

Although the island's population was not granted the right to chose their own legislature and executive until the introduction of universal franchise in 1931, the political liberalisation of Ceylon nevertheless went hand-in-hand with economic liberalisation. In 1833, at the same time that economic liberalisation was introduced in Ceylon, its administrative apparatus was also reformed. Until 1833, the island's Tamil kingdoms and principalities, and the Sinhala kingdoms, were governed as separate units by the British colonial governor. However, with the administrative reforms of 1833, a single administrative unit for the entire island was established. The governor's legislative and executive functions were also replaced with separate legislative and executive councils, with some representation for the local populations. Separate laws that existed for Europeans and the locals were also abolished and Ceylon's supreme court was vested with equal jurisdiction over Europeans and the local populations (Mendis, 1946: 38-39). As the Sinhala historian G.C.Mendis noted later:

The administrative unification of the island gradually led to the people of Ceylon to be treated as if they belonged to one nation. The reforms in the judiciary gave

people civil liberty. The principle of representative government established through the Legislative Council prepared the way for the gradual introduction of representative and responsible government based on democratic principles (Ibid.: 39).

British liberal state-building in Ceylon was so extensive that John Ferguson, a member of Ceylon Legislative Council from 1903 to 1908, was able to claim in the opening years of twentieth century that under British rule, Ceylon's population had become 'far better housed, clothed, and fed, better educated and cared for in every way' (1903: 86). In 1934, during a debate in the House of Commons on the government of Ceylon, Brigadier-General Sir Henry Croft,<sup>44</sup> a Conservative MP, went a step further and claimed that had the British not taken control of the island from the Dutch in 1796, its population would have gradually died out:

What has been the history of Ceylon in the 137 years since the British occupation? We found a people who were nerveless, who were poor, who were famine-stricken, unhealthy and gradually dying out. There were only 800,000 inhabitants when we went there. Under British rule, the population has multiplied nearly seven times, and there is now a population of 5,300,000 souls. Since our occupation, I think we may claim that the Colony has reached a state of prosperity which is probably unequalled in any similar community in the world (HC Deb 21 February 1934).

Some of Croft's claims in this regard are certainly contestable. Firstly, there exists no reliable records to ascertain as to how many people actually lived in Ceylon when the British took over the island's territories from the Dutch. Secondly, there is no evidence to point that Ceylon's population was gradually dying out when the British set foot in the island. Thirdly,

---

<sup>44</sup> Although Croft made this point during the debate in the House of Commons on the feasibility of revoking the universal franchise introduced in Ceylon in 1931, and even claimed that democracy is a failure in 'unsuitable soils', of which he argued Ceylon was one (HC Deb 21 February 1934), I am nevertheless citing his statement to show how liberal state-building undertaken by the British Empire in Ceylon was understood by British politicians as a project of improving the lives of their colonial subjects – the biopolitics of making life live.

the increase in the islands population can partly be attributed to the arrival of tens of thousands of Muslims and one million Indian Tamils (who, as we will see in the next section, were actually imported by the British to work in the island's plantation sectors). Despite these reservations, it would not be an exaggeration to state that liberal state-building undertaken by the British Empire in Ceylon did certainly improve the lives of the island's population.

Rather than remaining a colony whose resources could be plundered at the colonial master's will, Ceylon's population was allowed to participate in commerce both within and outside the island. Thus, fifteen years before the island became an independent state, Lennox Mills, an academic of the University of Minnesota who sought to write a comprehensive account of British rule in Ceylon, was able to argue that the island's population had 'a far larger direct share in the export trade' under the British than their former Portuguese and Dutch colonial masters (1933: 251). These claims were also echoed by Sinhala historians. In a work published two years before the island became independent, Mendis claimed that British liberalisation of Ceylon was influenced by Adam Smith's advocacy of free trade: 'The statesmen in England at this time [1833] were influenced by the ideas Adam Smith proclaimed in his *Wealth of Nations*. He had opposed government interference in agriculture and trade, and advocated free trade and the encouragement of private enterprise' (1946: 37).

Although it is not possible to find any historical records of the nineteenth century that specifically state that British statesmen were influenced by Smith's advocacy of free trade in initiating political and economic liberalisation in Ceylon, a close reading of House of Commons debates during the 1830s does reveal that the liberal idea of minimal governmental interventions in commerce partly contributed to liberal state-building undertaken by the British Empire in the island. During a debate on 27 May, 1830 to establish a Select Committee to inquire into the revenues and expenditures of Ceylon's colonial government, John Stewart, an MP, called for an end to government monopoly of trade (including cinnamon trade) in the island. Citing a letter sent by Sir Edward Barnes (who served as an officer in the British colonial administrative apparatus in Ceylon) to Lord Bathurst on 18 August, 1820, Stewart suggested that introducing free trade in the island and undertaking administrative reforms, including a curb on the governor's powers over the island's colonial judiciary, would be in the interest of the island as well as that of the British Empire (HC Deb

27 May 1830). During the same debate, O'Connell, another MP, also denounced the colonial government's monopoly of trade, and even claimed that government is 'always a bad merchant' (Ibid.). Like Stewart, O'Connell also called for curbs on the colonial governor's powers. In O'Connell's view, in Ceylon 'the will of the Governor was the sole law' with 'no other legislator' (Ibid.). Echoing similar sentiments, Joseph Hume, another MP, stated that Ceylon 'was a case crying for inquiry and reform, not only as related to the pecuniary affairs of the colony, but as to its trade, its judicial administration and its government' (Ibid.).

The liberalisation of Ceylon under the British did not end with the economic, administrative and judicial reforms of 1833. In 1865, in three predominantly Sinhala cities, Colombo, Kandy and Galle, municipal councils were established with a majority of elected members. Elections were also introduced to village committees in 1871 (Jennings, 1949: 26). However, it was not until 1912 that elections were introduced to Ceylon's Legislative Council, wherein four members of the twenty-one member council were elected by Western-educated members of the island's population (Mills, 1933: 266-267). This was followed in 1921 with the increase in the number of elected officials (Ibid.: 269). An important development in the reforms of 1921 was the special place reserved for commercial interests in the legislature, wherein two elected members represented the island's Chamber of Commerce and Low-country Product Association (Mendis, 1946: 124-125). Finally, in 1931, universal franchise was introduced in the island allowing all males and females of 21 years of age to vote in local and general elections. The Executive Council of Ceylon was also replaced with a Board of Ministers to run the business of governing the island's population, and the governor's authority became 'supervisory rather than executive' (Mills, 1933: 269-270).

By the time Ceylon's elites sought dominion status in 1942, it had emerged as a market democracy, with laws and martial law to provide security to commerce within its borders. Five years later, during the debate on the second reading of *Ceylon Independence Bill*, recognising that the liberal state-building undertaken by his government in Ceylon had reached its endstage, Creech Jones, UK's Secretary of State for the colonies noted thus:

What we are doing today is to register another fulfilment of our work and purpose, the attainment in the case of Ceylon, following our all-too-modest declarations of

policy, of independence and of responsible self-government... There is little need for me to relate to the House the political evolution of Ceylon during the past 30 years... It is only necessary for me to mention the work of the Donoughmore Commission and the bold steps taken in the Constitution which emerged from that enquiry. It was an experiment in adult suffrage and in responsible democracy, and it contributed much to the political maturity and drive for effective democracy of the people of Ceylon. The system established by that Constitution worked for 15 years, without serious political trouble, and it stood the strain of a world war. Another Constitution has since come into operation as the result of the Soulbury Commission. May I again pay a tribute to Lord Soulbury and the members of his Commission for the wisdom of their work? The meeting of the new Parliament under that Constitution will be the occasion next week of great rejoicing in Ceylon. Full Cabinet responsibility under a Prime Minister has been established, and the Government is now responsible to a Parliament of two Chambers (HC Deb 21 November 1947).

This is not to say liberal state-building in Ceylon was undertaken in an entirely peaceful manner. Annihilation of those who challenged the colonial order was part of liberal state-building. Notwithstanding the death of local civilians during the advance of British troops into the coastal territories of the island in 1796 and the dismantling of the principalities of Vanni and the kingdom of Kandy, at least 10,000 Sinhalese were estimated to have been 'killed in action or had died from disease or famine' during the revolt of 1818 alone (Mills, 1933: 163). As will be explained further in the next chapter, under British rule, both military might and martial law remained the key to annihilating threats to liberal state-building as well as Britain's commercial interests in the island. This was the marked characteristic of British rule in Ceylon throughout the nineteenth century and the first half of the twentieth century.

The most violent development of British liberal state-building in Ceylon was, however, the birth of Sinhala-Buddhist nationalism that sought, after independence, to transform the island-state into an ethno-theocracy by either assimilating or annihilating the Tamils. As we will see in the following sections, with the creation of the state of Ceylon, Sinhala-Buddhist

nationalism assumed a biopolitical character in that it divided the island's populations along Sinhala-Buddhist ethno-theocratic lines; the Tamils and other ethnic and religious groups, including the Christian Sinhalese, came to be understood as the 'bad' part of the human species who had to be eliminated in order for the island's Sinhala-Buddhist population to flourish. Though its biopolitics stood at the opposite pole of the biopolitics of liberal peace, Ceylon nevertheless advanced it by using the liberal democratic mechanisms of governance left behind by the British Empire, and by claiming to guarantee the security of global commerce within its borders that remains central to the biopolitics of liberal peace.

### **The dynamics of Sinhala-Buddhist ethno-theocratic nationalism**

The island of Ceylon is the home to four ethnic groups: the Tamils, the Sinhalese, the Tamil-speaking Muslims and the Burghers. Although the tribal people (the Veddas) of Ceylon are often referred to as a distinct ethnic group, in reality they do not have a separate language or culture for themselves. While those from the central and southern parts of the island speak the Sinhala language, those in the eastern parts speak Tamil and follow the customs of Tamil tribes in South India. It is therefore incorrect to assert the Veddas to be a distinct ethnic group. Instead they constitute the tribal people of Ceylon's Tamil and Sinhala communities.

For at least two thousand five hundred years, the island of Ceylon has remained the historical habitat of the Tamils and the Sinhalese. While the majority of the Tamils are Hindus and the Sinhalese are Buddhists, from the sixteenth century onwards Christianity has become the second dominant religion within both communities. Although Sinhala chronicles depict the Tamils as 'non-Buddhist invaders' from South India and the Sinhalese 'as the preservers and champions of Buddhism' who migrated from the eastern Indian region of Bengal before the Tamils (Tambiah, 1986: 6), given the proximity of Ceylon to South India, some scholars believe that the Tamils were most likely to have been the earliest settlers in the island (see Jennings, 1949: 22; Wilson, 1974: 6). In this regard, Ivor Jennings notes:



Geography would suggest that there were Tamils in Ceylon before the Sinhalese arrived, for the Jaffna Peninsula<sup>45</sup> is more like South India than the rest of Ceylon, and Tamil fishermen take their catamarans down the coasts when the monsoon is favourable. It is probable, therefore, that there were Tamil settlements before the Sinhalese migration began. There was in any case, as there still is, constant intercourse between India and Ceylon (1949: 22).

Ironically, the same Sinhala chronicles that depict the Tamils as invaders also trace the maternal lineage of the Sinhalese to Tamil women from the Pandiyan Empire of Tamil Nadu, who were claimed to have married the first Sinhala 'settlers' in the island (Mahavamsa, 1912: 59-61). These notwithstanding, archaeological and anthropological findings of the colonial period suggest that the Sinhalese constitute an intermixed race of speakers of an ancient eastern Indian language<sup>46</sup> and the Tamils (see Obeyasekere, 1984: 154; McGowan, 1992: 146). Given these factors, and coupled with the fact that the Sinhalese cannot be physically differentiated from the Tamils, some scholars opine that the Sinhalese are actually descended from settlers of eastern India who intermarried with the Tamils (Obeyasekere, 1984: 154; Kapferer, 1988: 35; Tambiah, 1992: 133-134; McGowan, 1992: 146; Krishna, 2000: 38).

A thousand years ago, the Tamils and Sinhalese were joined by the Muslims (the Moors), who are the descendants of Arab traders (Balasingham, 2004: 1 & 3). The second wave of the immigration of Muslims took place in the seventeenth century when the Dutch brought in an army of Javanese (Malay) mercenaries who also settled permanently in the island (Wilson, 1974: 55-56). The third wave of Muslim settlement in the island took place in the nineteenth century under British rule. These Muslims, also known as the Hambayas, are of South Indian, Pakistani and Afghan origin (Ramanathan, 1916). Despite being made up of various ethnic groups, the Muslims of Ceylon have adopted Tamil as their mother-tongue. In addition to those three groups of Muslims, there also exists a group of Tamils who converted to Islam during Dutch rule. In the nineteenth century, the British also brought in one million

---

<sup>45</sup> The Jaffna peninsula, in the north of the Tamil homeland, lies close to the South Indian coast of Tamil Nadu.

<sup>46</sup> The Sinhala language is believed to have originated from the now extinct ancient Indian language Pali.

Tamils from South India as labourers to work in the island's plantation sectors, who also settled there permanently. There also exists another ethnic group known as the Burghers, the descendants of European settlers (mainly the Portuguese) many of whom have, over the centuries, intermingled with the Tamil and Sinhala communities through marriage.

Unlike the Muslims and the Burghers, both the Tamils and Sinhalese have had their own kingdoms and principalities in the island, the boundaries of which shifted from time to time, and often competed for control of the entire island (Jennings, 1949: 22). Evidences of ancient power struggles between the Tamils and Sinhalese for control over the island can be found in one of the ancient Sinhala chronicles, *Mahavamsa* (1912: 175), which was composed in the sixth century C.E. by Sinhala-Buddhist monks. Many centuries before Western colonial conquests, the island also remained the centre of power struggle between two Tamil empires of South India – the Chola and Pandiyan empires. The Cholas, with the 'objective of making the Bay of Bengal a Chola lake' and seeking to monopolise 'trade to Malasiya and China', frequently invaded the island, often with the support of local Tamil kings and princes, dethroning the Sinhala monarchies and driving them into exile (Wilson, 1974: 8). Historical records indicate that in an attempt to put a check on the supremacy of the Cholas in the island, the Pandiyan Empire, despite being ethnically Tamil, maintained close matrimonial ties with the Sinhala dynasties in the island (Krishna, 2000: 37-38).

Despite these, when the Portuguese first set foot on the island in 1505, the Tamils and Sinhalese had divided the island among them, with the Muslims having adopted the Tamil language as their mother tongue and residing within the Tamil and Sinhala kingdoms and principalities. Thus, after the takeover of the island from the Dutch at the end of the eighteenth century, Sir Hugh Cleghorn, the then British colonial Secretary noted in 1799:

Two different nations, from a very ancient period have divided between them possessions of the island: first, the Sinhalese inhabiting the interior parts of the country, in its southern and western parts from river Walloure to that of Chilaw, and secondly the Malabars<sup>47</sup> who possess the northern and eastern districts. These

---

<sup>47</sup> The Tamils were often referred to as the Malabars in colonial literatures.

two nations, differ entirely in their religion, language and manners (cited in Balasingham, 2004: 3; also see Kemper, 1991: 144).

In spite of this, the ethno-theocratic form of Sinhala-Buddhist nationalism that emerged in the latter part of the nineteenth century under British colonial rule continued to portray the Tamils as foreign invaders. It was a 'divisive, racist, and aggressive' form of nationalism (McGowan, 1992: 144) that emerged in response to the dominant role played by the Tamils in the British colonial administrative apparatus and the island's economy. Under British rule, the Tamils embraced Western education and quickly rose as the white-collar elites in the island's civil service. This was in stark contrast to the Sinhalese, who were prevented from embracing Western education by the Buddhist clergy and thus could not enter the civil service (Snyder, 2000: 277), with the exception of the Christian Sinhalese who learned English. In addition, with the increase in economic intercourse between Ceylon and India, Tamils from South India entered the island in large numbers as wage-labourers seeking to better their lives. In the 1840s, when the Sinhalese refused to work in British coffee and tea plantation sectors in the island's hill country, Britain 'imported' a million Tamil labourers from the neighbouring South Indian state of Tamil Nadu. While thousands of them perished on their way and while working in the plantation sectors, majority of those who managed to survive formed settlements in predominantly Sinhala-Buddhist villages. Despite toiling in 'utter misery' in the plantation sectors, the Tamil labourers of South India were considered by the Sinhala-Buddhists to be a threat to their existence in the island (Balasingham, 2004: 3-6).

As the twentieth century dawned and the liberal state-building undertaken by the British Empire progressed, 'under the slogan of Buddhist religious renaissance', Sinhala-Buddhist nationalists began to speak of 'the greatness of the Sinhalese Aryan race', with 'strong sediments of Tamil antagonism' in them (Balasingham, 2004: 6). Buddhist clergymen (the monks) portrayed the Sinhalese as the descendents of an 'Aryan lion race' that originated from the eastern Indian region of Bengal (Wickramasinghe, 2006: 122; Kapferer, 1988: 34), and the indigenous Tamils as 'non-humans' and 'demons' who possessed 'super-human' powers (Balasingham, 2004: 1; McGowan, 1992: 142). As Nira Wickramasinghe notes:

In the early twentieth century the Sinhalese literati considered the province of Bengal the land of the Aryans and the motherland of the Arya Sinhalas. Thus, those who could not trace their ancestry to Bengal and did not speak Sinhala as their mother tongue were perceived as ‘non-Aryans’ (2006: 122)

A leading Sinhala-Buddhist scholar of that particular period of time who invoked this ‘Aryan lion race’ myth to glorify the ‘greatness’ of the Sinhalese was Anagarika Dharmapala:

Two thousand four hundred and forty-six years ago a colony of Aryans from the city of Sinhapura, in Bengal, leaving their Indian home, sailed in a vessel in search of fresh pastures, and they discovered the island which they named Tambapanni, on account of its copper coloured soil. The leader of the band was an Aryan prince by the name of Wijaya, and he fought with the aboriginal tribes and got possession of the land. The descendants of the Aryan colonists were called Sinhala after their city, Sinhapura, which was founded by Sinhabahu, the lion-armed king. The lion-armed descendants are the present Sinhalese, whose ancestors had never been conquered, and in whose veins no savage blood is found (1902/1965: 479).

The roots of this ‘lion race’ myth can be traced to the *Mahavamsa* (1912: 3 & 53), which claims that the island was ‘conquered’ by Lord Buddha for his doctrine to ‘shine in glory’ and his religion to be protected by the Sinhala race. The *Mahavamsa* portrays the leader of the Sinhala ‘settlers’, prince Vijaya, as the grandson of a lion and a princess from Bengal. According to the chronicle, when the forefathers of the Sinhalese landed on the shores of Ceylon, they were confronted by ‘superhuman beings’,<sup>48</sup> whom they defeated, and there were ‘no men’ in the island to challenge them (Mahavamsa, 1912: 43, 55 & 59). Similar claims

---

<sup>48</sup> In this regard, P.E.Pieris (1920: 2 & 21), a Sinhala historian, notes that the ‘superhumans’ described in the *Mahavamsa* were more likely to have been ordinary human beings who lived in the island among whom the ‘the new settlers freely intermarried’, even though no ‘traces of their civilisation’ can be found today. Despite invoking the *Mahavamsa* to develop the ‘Aryan lion race’ myth of the Sinhala people, Dharmapala (1965: 479) also accepted that the ‘superhumans’ described in the chronicle were the ‘aboriginal tribes’ of the island.

can also be found in *Pujavaliya*, a Sinhala prose composed in the thirteenth century C.E. In that prose, it is claimed that the island of Ceylon ‘belongs to Buddha himself’; therefore, the residence of non-Buddhist in the island ‘will never be permanent’ (*Pujavaliya* 1926: 656).

Although another myth (known as the ‘Hela’ myth) emerged in the middle of the twentieth century dismissing the ‘Aryan lion race’ myth and claiming that ‘the Sinhalese did not have Aryan origins but were the descendents of the indigenous people of the island’, it was nevertheless also based on the idea of the racial purity of the Sinhalese:

The proponents of a Hela identity refused to accept the Indian origin of the people of Sri Lanka. The people of the island had no extraneous origins. Even Pali was not considered a language fathered by the Hela people. Significantly the keystone of the Helese identity was the pure Sinhala (Elu or Hela) language (Wickramasinghe, 2006: 91).

However, despite its racist characteristics, this ‘Hela’ myth failed to become as dominant as the ‘Aryan lion race’ myth in Sinhala-Buddhist nationalist thought and practice. In contrast, the ‘Aryan lion race’ myth has become inscribed into the official history of the contemporary Sri Lankan state; it ‘seems to have gradually and unproblematically imposed itself as the most significant foundational myth of the Sinhalese’ (Wickramasinghe, 2006: 92).

The Sinhala-Buddhist nationalism that emerged under British colonial rule lay claim to the entire island of Ceylon for the Sinhala-Buddhist people. According to Dharmapala:

Ethnologically, the Sinhalese are a unique race, inasmuch as they can boast that they have no slave blood in them, and were never conquered by either the pagan Tamils or European vandals who for three centuries devastated the land, destroyed ancient temples and nearly annihilated the historic race... This bright, beautiful island was made into a paradise by the Aryan Sinhalese before its destruction was brought about by the barbaric vandals (1965: 479 & 482).

It was a nationalism that was antagonistic not only towards the Tamils, but also launched vicious attacks on the island's Muslim population (see Dharmapala, 1965: 540). As a consequence of the economic liberalisation programmes undertaken by the British, like the Tamils in Ceylon's civil service and plantation sectors, the Muslims dominated the island's import and export trades. Moreover, as Tamil investors and British bankers controlled the island's banking sector, the Sinhalese could not gain access to finances to compete with the Muslims. The majority of Sinhalese not only had to 'vie with Burghers and Tamils for state and private employment' but also had to confront the Muslims (Bloom, 2003: 59).

In addition to targeting the Tamils and Muslims, Sinhala-Buddhist nationalism also hit-out at the Jews and Christians across the world (see Dharmapala, 1989: 14). It was an attack based on the claim that while the Sinhalese, along with ancient Greeks and Romans, belonged to the Aryan race of Indian origin, the other races of the world constituted the inferior ones:

The ancient civilization of Greece was Oriental in character. The ancient Greeks thought like the ancient Aryans of India. The gods they worshipped were not of the Semitic type. Zeus was the chief god of the Greeks, and in the classic age the Aryan god was Indra. In dress, in manners, between the ancient Greeks and the ancient Aryans of India there was much similarity. The draped figures of the Greek poets and philosophers were exact representations of the statues of ancient Aryan Bhikkhus. The modern Indian Sari and the cloak worn by the ancient Greek women were similar. The classical dress of ancient Rome was purely Aryan. The religions of Persia, Egypt, Babylonia, and India helped the religious thought of Rome. The poets of Greece, and Rome before the latter country went under the domination of the Semitic religion, gave to the world their great thoughts in accordance with the spirit of harmony. The idea of an eternal hell came like a miasma poisoning the atmosphere of freedom. Despotism was enthroned and freedom of thought was no more possible (Dharmapala, 1989: 101-102).

Parallels can be drawn between the way that the Aryan myth was invoked by the Sinhala-Buddhist scholars in Ceylon and some Hindu nationalist scholars in North India in the

nineteenth century and the first quarter of the twentieth century to develop popular resistance to British rule. Both groups sought to establish a 'civilisational' link between the Asian 'Aryan' races and the Germanic Aryans. Bal Gangadhar Tilak, a Hindu scholar, claimed that Indian Brahmins were descendents of Aryans who lived in the Arctic between 10,000 and 8,000 B.C. and migrated to Europe and Asia in search of lands suitable for settlement; in many respects it resembled the Nazi's Aryan myth (Goodrick-Clarke, 1998:36-37).

This attempt of the Sinhala-Buddhists and Indian Hindu nationalists to establish a link between the Asian 'Aryans' and the Germanic European Aryans could partly be attributed to the writings of some European thinkers, including Immanuel Kant and G.W.F.Hegel, in the eighteenth and nineteenth centuries. For example, Friedrich Schlegel and Karl Ritter tried to trace the origins of European Aryans to Asia, in particular to India. Voltaire and Kant also tried to trace the origins of all arts and civilisation to India. Hegel and a number of other philosophers further contributed to this myth by providing speculations on the linkages between the Aryans of Europe and Asia (Goodrick-Clarke, 1998:29 & 33). Thus, Dharmapala was able to claim that the Sinhalese and European Aryans were related (1989: 101).

Attempts to develop a link between the Sinhala-Buddhists and the Germanic Aryans culminated during the Second World War in the form of the glorification of Nazi symbols:

[L]ike their German counterparts, Sinhalese intellectuals used Aryan theory to define their own glorious national identity and to denigrate minorities. A magazine called *The Aryan* was started in 1906 and a book of "Aryan" Sinhalese names was a best seller around that time, too. In the late thirties there was much cheering for Hitler's racial programs, especially his policies banning mixed marriages. As Sinhala nationalists called for a struggle to cleanse their society of elements that were *thuppahi* – a derogatory term for something bastardized and impure – Nazi propaganda poured into the country and comparisons were drawn between the Thousand-Year Reich and the multi-millennial reign of the Buddha outlined in ancient myth (McGowan, 1992: 146).

Even though Max Muller had, at the time the Aryan myth developed, made it clear that it referred to the family of Indo-European languages, and not any family of races, Dharmapala and other Sinhala-Buddhist scholars continued to invoke it to develop a racist ideology for Sinhala-Buddhist nationalism (Kemper, 1991: 200). As Steven Kemper (1991: 200) notes, ‘Dharmapala used “Aryan” as a racial category, which allowed him to portray the Sinhalese as an ancient people, different from other ethnic communities of Sri Lanka’. The use of the Aryan myth to develop Sinhala-Buddhist nationalism had a meaning similar to that of Hitler’s ‘Final Solution’: it meant that ‘to be Buddhist is to be Aryan Sinhalese by “race” and “language,” and to be Sinhalese by race gives the right to exclude, perhaps even exterminate, other “races” in Sri Lanka, especially the Dravidians’<sup>49</sup> (Tambiah, 1986: 59).

There were indications as early as the 1920s that as a consequence of political liberalisation undertaken by the British Empire, the Tamils and the Sinhalese would end up in a collision course. In 1921, when elections to the Legislative Council of Ceylon ‘returned thirteen Sinhalese to territorial constituencies as against three Tamils’ it immediately created a ‘rift between the Sinhalese and the Tamil leadership’ (Wickramasinghe, 2006: 59). The results of the elections reinforced Tamil fears that under the unitary electoral system that was being developed they would lose their status as a nation and instead become a minority. On the other hand, the Sinhalese feared that granting voting rights to Tamils of Indian origin who had settled in the central hill country would substantially diminish their representation in those parts of the country. Thus, while a number of Tamil political leaders demanded recognition of their people as a nation and many called for increased votes for non-Sinhala communities, the Sinhala political elites and the Buddhist clergy opposed such demands.

This was even highlighted in the UK Parliament less than three months before Ceylon became independent. During the debate in the House of Commons on *Ceylon Independence Bill* in November 1947, Sir Leonard David Gammans, a Conservative MP, warned:

---

<sup>49</sup> The word Dravidian in the context of Sri Lanka means the Tamils. However, in India the term is used to refer to the populations of the South Indian states of Tamil Nadu, Kerala, Andhra Pradesh, and Karnataka.



Ceylon is not a single racial unit. There are two races in Ceylon, the Sinhalese and the Jaffna Tamils,<sup>50</sup> who are in the northern part of the island, and number 1,500,000, out of a total of 6,500,000. They differ from the Sinhalese in race, language, religion, and, to a large extent, in background... Where there is a racial minority in the country the danger is that it may become a permanent political minority, and if it does become a permanent political minority, Ceylon's evolution on a democratic basis is bound to fail. This imposes on the two peoples of Ceylon a very great responsibility. It imposes on the Sinhalese the responsibility of seeing that they grant fair and, if necessary, rather more than fair, treatment to the minority not only in political power, but also in administrative responsibility, so that that minority is not inevitably driven to regard itself as a permanent political minority. There is also an obligation on the Tamils that they should not ask for more than is reasonable, above all that they do not keep on threatening the country that they will make affiliations with India, nor demand more than their just due (HC Deb 21 November 1947).

This statement of Gammans is a clear indication that although British politicians were very well aware of the dangers of leaving behind a unitary state apparatus for Ceylon, they were nevertheless not prepared to accept the secessionist demands of the Tamils or even entertain the idea of making the Tamil homeland in Ceylon a part of Tamil Nadu in South India.

In this regard, the solution espoused by the British colonial rulers was to encourage the Tamils and Sinhalese to forge a Ceylonese identity. As a way of containing ethnic tensions, British colonial rulers 'looked for institutional forms that would maintain political order by delaying the emergence of political parties which they feared would become vehicles for ethnic interests' (Kemper, 1991: 202). Rejecting calls for increased votes for non-Sinhala communities, Britain's Donoughmore Commission, which proposed constitutional reforms for the island, argued in 1928 that asserting ethnic identities were 'canker in the body politics,

---

<sup>50</sup> Tamils of Ceylon have often been referred to as Jaffna Tamils on the basis that their last kingdom in the island was known by the name Jaffna, which at the peak of its power controlled the northern, eastern and western parts of the island. However, Jaffna today refers a district in the northern part of the Tamil homeland.

eating deeper and deeper into the vital energies of the people, breeding self-interest, suspicion and animosity, poisoning the new growth of political consciousness and effectively preventing the development of a national or corporate spirit' (cited in Harris, 1990: 210).

Using Ferguson and Mill's definitions of 'civilisation' as a matrix for understanding the attempts of the British to forge a Ceylonese identity for the island's population reveals that they were intended to consolidate efforts made earlier to liberalise the latter by erasing, at least politically, their ethnic and religious identities and make them become accustomed to liberal values that would pave the way for harmonious commercial intercourse between them which would not be affected by ethnic and religious differences. This was what the Donoughmore Commission meant in claiming that forging a common Ceylonese identity would help to develop a national and corporate spirit among the island's communities.

There is also evidence of naivety among British colonial rulers of the time that Sinhala-Buddhist nationalism would not emerge as powerful and violent as it is now. Developing a common Ceylonese identity was believed to be capable of putting a check on Sinhala-Buddhist nationalism. Moreover, with the exception of two rebellions, one in 1817 and another in 1848, and an ethnic riot against the Muslims in 1915, the Sinhalese had largely remained obedient to British rule. The first and last resistance that the British faced after setting foot on the shores of Ceylon was from the Tamils: the prince in the north and the king in the central hill country of the island who put up resistance against the British were both Tamils. It was also with the support of the local Sinhala chiefs of the central hill country that the British dethroned the Tamil king, whom the British often referred to as a 'cruel monster' and 'tyrant king' (Ferguson, 1903: 4 & 6). Thus, given the fact that the Sinhalese co-operated with the British when the latter took control of the island and largely remained obedient to British rule, it was mistakenly assumed that that they would not use state-power after independence against the Tamils or other ethnic groups. In this regard, during the debate in the House of Commons on *Ceylon Independence Bill* in November 1947, while Jones, the British Secretary of State for the Colonies, expressed confidence that the people of Ceylon 'will prove themselves a great free democracy', another MP, Sir Harry Mackeson, claimed that the 'Sinhalese and the people of Ceylon have had sufficient experience of running their own affairs' and on this basis 'they can be trusted to show a high standard of efficiency and

responsibility' (HC Deb 21 November 1947). There was also a belief that constitutional arrangements would safeguard the rights of other communities against the encroachment of the Sinhalese. In 2006, a British High Commissioner to Sri Lanka regretted for this decision:

When the British came to Ceylon in 1796 there were three distinct kingdoms. The British made it one country for purposes of administrative convenience. If one were to truly examine Britain's role, one important aspect deserves special mention. That is the constitutional arrangement that Britain left behind. It left behind the Soulbury Constitution. Britain considered the Soulbury Constitution as having the necessary arrangements to provide for safeguards for minorities. Britain thought that the rights of the Tamils in particular would be safeguarded by these arrangements. However history has proved otherwise that these safeguards were inadequate and not robust enough. I regret that Britain's policies have to such an extent been the cause for the problems (Chilcott, 2006).

Notwithstanding these, developing a Ceylonese identity was for the British the most prudent way of governing the island and maintaining trade within its borders. It was both administratively convenient, as the British High Commissioner had noted (Chilcott, 2006), and an expedient way of developing commercial intercourse between the island's communities, which would in turn help to sustain global commerce. However, allowing the historically antagonistic Tamils and the Sinhalese to have separate power centres, with control over commerce, would hinder trade within the island's borders: if ethnic rivalry expanded into the economic domain, it could have potentially lead to monopolistic policies. Therefore, at independence, leaving behind a unitary state apparatus for the island would have seemed the best option for the British in terms of global commerce in the island.

This decision of the British had far reaching consequences for Ceylon's Tamil population. While the unitary state apparatus that Britain left behind survived, the Ceylonese identity that it attempted to develop crumbled after independence. On the one hand, the electoral system that Britain left behind reduced the Tamils from the status of a nation to an ethnic minority, denying the prospects of gaining governmental power, except by

bandwagoning with the Sinhala political parties. On the other hand, the numerical advantage enjoyed by the Sinhala-Buddhists as the majority community in the island gave them virtual monopoly over the state-apparatus and control of government. The unitary state apparatus also reinforced the claims of the Sinhala-Buddhist nationalists for ‘an all-island sovereignty’ to justify the killing of Tamils, which can be traced, as with the Aryan myth, to the ancient Sinhala chronicle *Mahavamsa* (Wilson, 1974:7). The chronicle glorifies the killing of Tamils as a historically acceptable phenomenon for asserting Sinhala-Buddhist supremacy in the island (Trawick, 2007: 24). Recounting the ancient war victory of the Sinhala King Dutthagamani<sup>51</sup> over the Tamil King Ellalan<sup>52</sup> in the second century B.C., the *Mahavamsa* depicts it as the glorious event in the Sinhala people’s claim for the entire island:

[T]he army of the Damilas [Tamils] was scattered; nay, Elara turned to flee and they slew many Damilas. The water in the tank there was dyed red with the blood of the slain... When he had thus been victorious in battle and had united Lanka under one rule he marched, with chariots, troops and beasts for riders, into the capital... When he had thus overpowered thirty-two Damila kings, Dutthagamani ruled over Lanka in single sovereignty (1912: 174-175).

Moreover, the *Mahavamsa* also justifies the killing of non-Buddhists on the basis that they are no different to beasts. In reference to the death of Tamils in the Ellalan-Dutthagamani war, the *Mahavamsa* recounts a conversation between Dutthagamani and Buddhist monks:

The great king greeted them, and when he had invited them to be seated and had done them reverence in many ways he asked the reason of their coming.

‘We are sent by the brotherhood at Piyafigudipa to comfort thee, O lord of men.’

---

<sup>51</sup> Dutthagamani is also known in Sinhala literatures as Dutugemunu.

<sup>52</sup> In Sinhala chronicles, the Tamil king Ellalan is referred to as Elara.

And thereon the king said again to them: ‘How shall there be any comfort for me, O venerable sirs, since by me was caused the slaughter of a great host numbering millions?’

‘From this deed arises no hindrance in thy way to heaven. Only one and a half human beings have been slain here by thee, O lord of men. The one had come unto the (three) refuges,<sup>53</sup> the other had taken on himself the five precepts.<sup>54</sup> Unbelievers and men of evil life were the rest, not more to be esteemed than beasts. But as for thee, thou wilt bring glory to the doctrine of the Buddha in manifold ways; therefore cast away care from thy heart, O ruler of men!’ (1912: 178).

In this regard, Margaret Trawick notes that the *Mahavamsa* not only imposes upon the Sinhala-Buddhists the duty of unifying Sri Lanka but also advances the argument that such unification of the island under a single flag ‘entails warfare and bloodshed’ (2007: 24).

With their virtual monopoly over the state apparatus and control of government, immediately after independence Sinhala-Buddhist nationalists embarked on asserting the supremacy of the Sinhala language and Buddhism. Although the Tamils were singled out as the main group, other ethnic communities were not left out. With the entry of biopolitics, states today wage wars ‘as managers of life and survival, of bodies and race’ (Foucault, 1998: 137). In post-colonial Ceylon’s case, the state waged its war against the Tamils and other ethnic groups as the manager of the Sinhala-Buddhist race. The socio-economic and religious fears entertained by the Sinhala-Buddhists also contributed to this war of the Sri Lankan state:

[T]hese Buddhists, in particular their indigenous oriented elites, entertain fears in respect of two important minority groupings. They complain that the Ceylon

---

<sup>53</sup> The three refuges of Buddhism are: Lord Buddha, the *Dharma* (moral code), and the *Sangha* (the council of Buddhist clergy).

<sup>54</sup> The five precepts of Buddhism are: avoid killing living creatures; avoid taking what is not given; refrain from sexual misconduct; avoid incorrect speech; and avoid taking intoxicating drinks and drugs.

Tamils have a disproportionate share of jobs in the public and private sectors, and when taken with the one million odd Indian Tamils they tend to regard the total Tamil population as a threat to the existence of the Sinhalese race especially when viewed in the context of neighbouring South India's Dravidian millions. The Christians (the majority of whom are Sinhalese and the rest Tamils and Burghers) pose as big a problem. Their efficient organisation and the superior resources, the Sinhalese Buddhists opine, are a menace to the stability of their social and religious structures (Wilson, 1974: 15).

Although the Sinhala-Buddhist nationalism that emerged under British colonial rule was pinned to the biological idea of 'Aryan' superiority, in post-colonial Ceylon, this was not often the case. In colonial Ceylon, being a Sinhala-Buddhist was considered a birth right. However, in post-colonial Ceylon, one could become a Sinhala-Buddhist by assimilating into the Sinhala-Buddhist community, either by becoming a Sinhala-Buddhist or by accepting the supremacy of Sinhala Buddhism. A number of examples can be cited in this respect.

In the Western parts of the island, in particular in the districts of Puttalam and Negombo, as a consequence of the state's socio-economic policies that privilege the Sinhalese, a large number of Tamils have gradually shed their ethnic and religious identities and have instead assimilated into the Sinhala-Buddhist community through marriage, religious conversions, and by adopting the Sinhala language as their mother tongue. Although a few decades ago they were Tamils, today they identify themselves as Sinhalese (see Spencer, 1990). Among the Muslim population of the island, this assimilation has taken a different form. Instead of shedding their ethnic and religious identities, the majority of Muslims have, despite continuing to identify themselves as a distinct ethnic group, built harmonious relationship with the Sinhalese by accepting the supremacy of Sinhala Buddhism.

However, this process of assimilation is not limited to the non-Sinhala speaking communities. Ceylon's second prime minister, S.W.R.D. Banardaranaike, who was a Sinhala Christian at birth, ascended to power by converting to Buddhism when he entered politics (Harris, 1990: 212). This was also the case of J.R. Jayewardene, Sri Lanka's first executive president. Although both Sinhala leaders are well known for advocating and implementing

racist policies towards the Tamils, a number of Sinhala and Western historians have traced their ancestors as Tamils (see de Silva & Wriggins, 1988: 22; Kemper, 1991: 129).

### **Waging war through law**

Before the emergence of the Tamil armed resistance movement, the post-colonial state of Ceylon waged its war against the Tamils through law to further its ethno-theocratic ambitions. With their monopoly over governmental power through liberal democratic electoral politics, Sinhala-Buddhist nationalists were able to enact with immunity a number of racist and oppressive legislations against the Tamils. As the Tamils' resistance at that time was non-violent, the state did not resort to military action. Nevertheless, police brutality was often let loose on non-violent Tamil protestors (Balasingham, 2004: 14).

In addition, state-sponsored riots were also frequently unleashed on the Tamil population, the worse one being in July 1983 which lasted for nearly a week, known as the '83 Black July Holocaust' among the Tamils (Balasingham, 2004: 39; Kapferer, 1988: 29). They can be classified as state-sponsored riots in that the state's armed forces and police stood back, and in many instances encouraged the Sinhala mobs, while Tamils were attacked and their properties looted. In reference to the riots of 1983, Bruce Kapferer notes:

Gangs of Sinhalese thugs roamed the streets with lists of Tamil houses, buildings and businesses, systematically burning them and slaughtering their inhabitants. Added to this horror was the sight of large gatherings of ordinary Sinhalese who looked on while, in some instances, Tamil victims were burned alive. By the end of July most of the 300,000 Tamils of Colombo had fled the city or were in refugee camps. Many of the 800,000 Tamil tea-estate laborers were similarly driven away. The Sri Lankan government admits that something in the region of 350 Tamils were killed. The numbers are certainly far greater. Some Sinhalese did shelter and protect Tamils, but the systematic way Tamils were attacked, the fact that it was Sinhalese murdering Tamils – virtually no Sinhalese were killed – and

the fact that for two or three days the government and its agents took no preventive action while the killings continued has led to some members of the Tamil population to draw stark parallels with Nazi pogroms (1988: 29).

Justifying the actions of his armed forces in the aftermath of the 1983 riots, Jayewardene, Sri Lanka's president at that time claimed that because 'there was a big anti-Tamil feeling among the forces', his troops 'felt that shooting the Sinhalese who were rioting would have been anti-Sinhalese', and thus stood back (cited in Tambiah, 1986: 25). According to Sri Lanka's current Defence Secretary Gotabaya Rajapaksa (2013), Jayewardene was responsible for the July 83 riots 'because for three days he did not take action to arrest the situation'.

Arguably, the first phase of the war that the post-colonial state of Ceylon launched through law was directed at one million Tamils of Indian origin who had settled in the central parts of the island. If in the nineteenth century Indian Tamils were viewed by Sinhala-Buddhist nationalists to be a threat to their economic life, in the twentieth century, as the island's population became politically liberalised through electoral politics, they were perceived to be an obstacle for Sinhala-Buddhists to attain and monopolise political power:

The Indians [Tamils] posed a threat to the Sinhalese only when the question of representation in the legislature became an issue in the 1920s and thereafter. To have given large number of Indians the vote, as the Donoughmore Commission recommended in 1928, would from a Sinhalese point of view have meant... a dilution of the electoral strength of the Kandyan Sinhalese in most of the constituencies in the Kandyan areas. (Wilson, 1974: 29)

Glimpses of the hostility shown by Sinhala-Buddhist nationalists towards the Indian Tamils can be found in some of the statements made by the former in the run up to the years before Ceylon became independent. During a meeting with Mahatma Gandhi in 1940, Jayewardene referred to the Indian Tamils as 'exploiters' and claimed that till 'poet Tagore, Gandhiji, Pandit Nehru and a few other eminent Indians came to Lanka' his people had 'met only the exploiting Chettiars and the immigrant Indian labourers' (de Silva & Wriggins, 1988: 109).



Hostility towards Indian Tamils was further compounded by the fact that at independence, they constituted twelve percent of the island's total population (Wickramasinghe, 2006: 162).

Thus, within a few months after attaining independence, using its elected legislature the post-colonial state of Ceylon enacted laws to disfranchise the Indian Tamils and made an overwhelming majority of them stateless (Wilson, 1974: 30-31). Although around 130,000 Indian Tamils who owned property and had education were able to obtain citizenship, the rest were made stateless, and thus without voting rights (Balasingham, 2004: 7; Wickramasinghe, 2006: 162). Of those stateless Indian Tamils, around 600,000 of them were deported to India in the following years (Harris, 1990: 212). However, as a large number of deportees could not prove their Indian origins, the Indian government also refused to accept responsibility for them, and they therefore had to remain in refugee camps in India as stateless refugees for many decades (Wilson, 1974: 32). In effect, the post-colonial state of Ceylon managed to successfully cleanse large parts of its central hill country areas, which had before British colonial rule remained predominantly Sinhalese, by making them free of Indian Tamils. The state then turned its attention towards the remaining stateless Indian Tamils by enticing them to shed their ethnic and religious identities and assimilate them into the Sinhala-Buddhist community (Wilson, 1974: 34). Although it was the state's police, immigration and other civil service departments that executed this ethno-theocratic war against the Indian Tamils, it was the state's liberal democratic law making apparatus that gave them the authority to do so.

Ceylon's military, headed by the British monarchy and led by British army and navy officers, also played a part in this war. While the state's police, immigration and other civil service departments rounded up Indian Tamils and deported them to India, from 1951 to 1963 the Ceylon Army and the Royal Navy of Ceylon conducted a joint operation, codenamed MONTY, to prevent the further influx of Tamil immigrants from South India. This was the first operation launched by Ceylon's military (Moorcraft, 2012:48). For the first four years of this operation Ceylon's army was headed by two British military officers: Brigadier Sinclair The Earl of Caithness and Brigadier F.S.Reid. During those years Ceylon's navy was also headed by British naval officers: Capt. W.E.Banks, Capt. J.R.S.Brown and Capt. P.M.B.Chavasse. According to Lt.Colonel H.W.G.Wijeyekoon, a Sinhalese officer in

Ceylon's army at that time, preventing 'illicit immigration from South India' was 'considered the national problem' during those years (cited in *The Sunday Times*, 2005).

The second phase of the state's war was directed at Tamils all over the island and the English speaking Christian elites. This was in the form of an official language Act (widely known as the 'Sinhala Only Act')<sup>55</sup> that made Sinhala the state's official language. This Act was intended to 'make it difficult in the future for the Ceylon Tamils to enter the public services' (Wilson, 1974: 21). In 1955, a year before enacting the 'Sinhala Only Act', Ceylon's Prime Minister Bandaranaike argued that the 'fact that in the towns and villages, in business houses and in boutiques, most of the work' was 'in the hands of Tamil-speaking people', it would 'inevitably result in fear', which he claimed to be not unjustified, 'of the inexorable shrinking of the Sinhalese language', and therefore it was necessary to rectify this through the state's legislature (cited in Wilson, 1974: 25). A year later in 1956, as the Act was to be passed through the Parliament, a similar justification was also put forward by the country's opposition leader Jayewardene, who argued: 'The time has come for the whole Sinhalese race, which has existed for 2,500 years jealously safeguarding its language and religion, to fight without giving any quarter to save its birthright' (cited in McGowan, 1992: 161). As a result of the 'Sinhala Only Act', as the Sinhala leaders had expected, the number of Tamils in the public sector fell from thirty percent to six percent (Harris, 1990: 213).

The third phase of the state's war was intended to change the demographic composition of the Tamil homeland by establishing Sinhala-Buddhist settlements in predominantly Tamil villages and towns. It was undertaken by invoking the *Mahavamsa's* myth of all-island sovereignty for the Sinhalese and in the name of developing agrarian lands. Many Sinhalese understood these actions of the state as the reversal of conquests by Tamils during the medieval period (Kemper, 1991: 161-163 & 144): the state was able to claim that it was regaining areas in the northeastern parts of the island that the Sinhalese had 'lost' to ancient and medieval Tamil invaders. As the state intensified its colonisation and Sinhalisation of the Tamil homeland, riots broke-out between the indigenous Tamils and Sinhala settlers (Wickramasinghe, 2006: 304). In response, the state armed Sinhala settlers by forming

---

<sup>55</sup> The official name of the act is *Official Language Act No.33 of 1956*.

homeguard units. The consequence of this phase of the state's war is that 'nearly three thousand square miles of Tamil territory' has become Sinhalaised (Balasingham, 2004: 8).

The fourth phase of the state's war through law was directed not at the Tamils, but the disenchanted Sinhala youth. As a consequence of economic hardships, and inspired by Marxist revolutionary ideals, in 1971, the Sinhala youth, led by a Marxist militant organisation known as the JVP (Janatha Vimukti Peramuna or People's Liberation Front), rose against the state's ruling order (Harris, 1990: 214). The state responded to the rebellion, under the cover of its emergency laws, by massacring at least 10,000 Sinhala youths who were suspected of taking part in the insurgency (Harris, 1990: 214; McGowan, 1991: 32). In this instance, like the Tamils, the rebelling Marxist Sinhala youth became the enemies of Sinhala-Buddhist nationalism. Another massacre of Marxist Sinhala youth (this time amounting to around 100,000 of them) took place between 1987-1989 (see Chapter V).

While the suppression of the Sinhala Marxist insurgency saved the state's ruling order, it also sparked the fifth phase of the war on the Tamils. In 1972, the war was unleashed against the Tamils in the form of laws restricting their entry to university education. As a way of reducing unemployment among the Sinhala youth and solidifying the loyalty of the Sinhalese, the state introduced a method known as 'the standardization of university entries' (Harris, 1990: 215). Under this system brought into force by the *University of Ceylon Act* No.1 of 1972, the Sinhala youth were placed at an advantaged position over the Tamils, even when Tamils achieved higher marks in university entrance exams. For example, the qualifying mark for admission to the medical faculties for the Sinhalese was set differently from those for the Tamils: while the qualifying mark for the Sinhalese was set at 229, for the Tamils it was increased to 250. This was also the case with exams in English (Wilson, 2000: 102). As a result, a large number of Tamil youth began migrating to the West in search of foreign university education, resulting in the beginning of the emergence of the Tamil Diaspora (Harris, 1990: 215). While the state succeeded in bringing further demographic changes to the Tamil homeland by compelling Tamils to leave the shores of the island, its policies also paved the way for the emergence of the Tamil armed resistance movement, founded by Tamil youths who were denied university education (Balasingham, 2004: 19).

As it had done during the Marxist insurgency of the Sinhala youth, the state confronted the Tamil armed resistance movement by unleashing its military might and emergency laws against the rebels and the Tamil civilian population in general. Those emergency laws, which included a counter terrorism legislation known as the *Prevention of Terrorism Act 1979*, ‘provided the main legitimation for military and police actions against the Tamil community’ (Tambiah, 1986: 42). Widely denounced as ‘draconian’ by human rights groups and Tamils (Harris, 1990: 216), it empowered the state with ‘the power of detention without resort to charge or judicial review and without access to relatives or lawyers’ (Tambiah, 1986: 39). It not only allowed the state to use confessions obtained under duress (including torture) as ‘admissible evidence’ in Courts, but also allowed for ministers to order the police to detain individuals who were suspected of involvement in ‘unlawful’ activities (Tambiah, 1986: 43). The question of Sri Lanka’s emergency laws will be considered in the next chapter.

The state began the sixth phase of its war against the Tamils in the form of legalising its ethno-theocratic ideology. In 1972, Ceylon broke its administrative ties with the British monarchy and became a republic, changing its name to Sri Lanka. While the republican constitution gave Buddhism ‘the foremost place’ and the state was given the duty to ‘protect and foster’ it, it also ‘guaranteed a pre-eminent position’ for the Sinhala language (Wilson, 1974: 234 & 246). This was a victory for Sinhala-Buddhist nationalists, who had, since independence, worked ‘symbolically to appropriate the principles of democracy’ and ‘pressed for a Buddhist prototype of democracy to give it an indigenous tint, and for the moral authority of the *Sangha* to be recognised by the state’ (Wickramasinghe, 2006: 157).

When Ceylon was re-named Sri Lanka, Tamils strongly objected to it (McGowan, 1991: 15). While Ceylon is a Western name of colonial origin and thus is devoid of any political meaning either for the Tamils or the Sinhalese, the addition of the word ‘Sri’ (which means holy) in front of the Sinhala word ‘Lanka’ gives a Sinhala-Buddhist ethno-theocratic twist to the island, and thus the impression that its population belongs to the Sinhala-Buddhist community; it legalised *Mahavamsa*’s all-island sovereignty claim for the Sinhala-Buddhists.

This ethno-theocratic identity had, however, already been entrenched partially in the island’s national identity at independence, in the form of the national flag embedding a sword-wielding lion, symbolising *Mahavamsa*’s ‘Aryan lion race’ myth of the Sinhalese. In

1978, the Sri Lankan government amended the republican constitution further and completed this move by placing the sword wielding lion in the middle of four Indian fig leaves (under which Lord Buddha is believed to have attained enlightenment), symbolising the duty of the Sinhalese to uphold Buddhism with the sword (see de Silva and Wriggins, 1988: 196-198). Asserting this, the then Sri Lankan President Jayewardene claimed that as the majority, the Sinhalese had ‘a duty to protect the Buddha *Sasana*’ (ideology) and should ‘pledge that every possible action would be taken to develop it’ (cited in Kemper, 1991: 174). Defining Sri Lanka and Sinhala to be synonymous terms, Jayewardene argued that the ‘Sri Lankan nation has stood out as the most wonderful nation in the world because’ it has followed ‘Buddhism for an unbroken period of 2500 years’ and had Sinhala, which he claimed to be ‘one of the oldest Aryan languages in the world’, as its language (cited in Krishna, 2000:41).

What links can there be established between this ethno-theocratic war of the post-colonial state of Ceylon/Sri Lanka against the island’s Tamil population and the Cold War policies of Western states under the banner of containment and development?

### **Turning a blind-eye to ethno-theocratic ambitions**

Until 1972, while the post-colonial state of Ceylon waged its war against the Tamils, its successive governments were headed by the British monarchy. One of the key conditions for a state to remain in the Commonwealth, as enunciated in the *London Declaration*, was cooperation ‘in the pursuit of peace, liberty, and progress’ (The Commonwealth, 1949), all of which Ceylon was violating through its discriminatory policies and practices towards the island’s Tamil population. Despite this, the British monarchy neither censured Ceylon’s successive governments nor removed the island-state from the Commonwealth.

When the island-state of Ceylon was created in 1948, its legislature was modelled on the Westminster Parliament: it was made up of the Crown (the British monarchy), the Senate, and the House of Representatives. Section 4 (2) of *Ceylon (Constitution) Order in Council 1946*, which remained in force until 1972, allowed the British monarchy as well as its governor-general for Ceylon to exercise their ‘powers, authorities and functions’ in

‘accordance with the constitutional conventions applicable to the exercise of similar powers, authorities and functions in the United Kingdom’ by the monarch.<sup>56</sup> Moreover, Section 1 (1) of the *Ceylon Independence Act 1947* (11 Geo. 6, c. 7), while removing the power of the UK Parliament to legislate on its own right for Ceylon, continued to vest it with the power to enact laws on the *request* of the state of Ceylon, of which the British monarch and its governor-general were members. During the debate in November 1947 in the House of Commons on *Ceylon Independence Bill*, in response to a question on guaranteeing British interests (in particular defence and economic) in the island after independence, the Secretary of State for Colonial Affairs pointed out that even after granting Ceylon dominion status, Britain would be able to influence the actions of Ceylon’s governments through the British monarch’s governor-general for Ceylon and adapt British laws in the island by Order in Council:

The provision of Clause 4 (1) inter alia enables His Majesty by Order in Council to make adaptations of Acts and other instruments in addition to those made by the Bill in order that all necessary modifications in Acts and other instruments not foreseen may be covered (HC Deb 21 November 1947).

This was in addition to the prerogative that the British monarch held until 1971 to entertain appeals from Ceylon through the Judicial Committee of the Privy Council. Although Ceylon’s Court of Criminal Appeal ruled in 1963 in the case of *R v Hemapala* that the Privy Council did not have the authority to function as the island-state’s highest court of appeal, the latter overturned this decision in the following year in the case of *Ibralebbe v. R* (1964) and asserted its powers. In the latter case, the Privy Council noted that although the British monarch only held nominal authority in the legislative and executive branches of Ceylon, it nevertheless continued to have the judicial prerogative to deal with judicial matters:

---

<sup>56</sup> In May 1958, when Ceylon’s government of Prime Minister Bandaranaike took no action to control Sinhala mobs who unleashed violence against Tamil civilians, the governor-general stepped in and declared a state of emergency and used the armed forces to restore order (see US Department of State, 1992: 395).

Their Lordships can now summarise what is, in their opinion, the effect of Ceylon's attainment of independence and of the accompanying legislative provisions, so far as concerns the present right of Her Majesty to make Orders in Council affecting Ceylon. There is no power to legislate for Ceylon: to do so would be wholly inconsistent with the unqualified powers of legislation conceded by the 1946 Order. There is no power to participate in the government of Ceylon through the medium of Orders in Council, since the control and direction of the government of the territory are in the charge of the Cabinet of Ministers, responsible to the Parliament of Ceylon, and in the Governor-General according to his constitutional powers. But the structure of courts for dealing with legal matters and the system of appeals existing at the date of independence have not been affected by any of the instruments that conferred that status, and it follows that, inasmuch as an Order in Council made upon report of the Judicial Committee is the effective judgment to dispose of and implement the Committee's decision of an appeal, the power to make such an Order remains unabated (*Ibralebbe v R* 1964: 18).

The British monarch's judicial prerogative in Ceylon was only abolished after the enactment of *Court of Appeal Act* No.44 of 1971 by the island-state's parliament (Marshall, 1973: 155).

This occurred only after the Privy Council directed Ceylon's Supreme Court in 1969 to consider the constitutional validity of the 'The Sinhala Only Act' (thirteen years after it was enacted) in response to a case brought by a Tamil civil servant who claimed that Ceylon's government had violated the island-state's constitution by enacting and implementing discriminatory laws (see *Kodeeswaran v Attorney General* 1969). This was the only case in which the British monarchy exercised its judicial prerogative in favour of the Tamils within the twenty-one years period in which the island state was created. With the exception of this instance, and the declaration of a state of emergency in 1958 by the governor-general, the British monarchy maintained silence over Ceylon's actions towards the Tamils.

As a consequence of the British monarchy's silence, Ceylon's Sinhala-Buddhist leaders were able to claim in public forums that they were upholding liberal values, while at the same

time waging an ethno-theocratic war against the Tamils. For example, in his vote of thanks to Queen Elizabeth II, during her visit to Ceylon in 1954 in her capacity as the island's head of state, Jayewardene, then a cabinet minister in her government boasted: 'A citizen of the Commonwealth walks through its wide domains without fear of tyranny or oppression, for his life, liberty and property are protected by Your Majesty's writ which operates only with the sanction of independent courts of law' (1974: 38). These claims were made by the cabinet minister of Ceylon while his government and the opposition were gearing towards enacting 'The Sinhala Only Act' to prevent Tamils from gaining employment in the public sector and deporting the Indian Tamils, having already disenfranchised them and made them stateless. Jayewardene even claimed that by remaining as Ceylon's Head of State, the British monarch was performing her 'regal duty' to the people of the island through her 'elected representatives' according to the principles of the Sinhala chronicle *Mahavamsa* (1974: 39).

Therefore, although in practice the British monarchy's role in Ceylon was ceremonial, in theory it did have the power to directly influence the actions of the island-state's successive governments as well as exercise its prerogative in judicial matters. Yet it refrained from doing so. This was also the case with the British state. Despite being Ceylon's former colonial master, the British state, like its monarch, turned a blind-eye to the plight of Tamils. The actions of other Western states were also no different in this regard.

Why did Western states follow this policy of turning a blind-eye to the Tamils' plight? A study of Ceylon's post-colonial economic policies in the backdrop of the West's Cold War policy of containment and development provide the key to understanding this. The Sinhala-Buddhist dominated government to which Britain handed over power at independence was opposed to communism and adopted liberal economic policies. The first Prime Minister of Ceylon, D.S.Senanayake, claimed that 'International Communism did not seek peace, but sought to bring trouble in other countries' (cited in Jayewardene, 1974: 44). Senanayake even claimed that he was 'in politics to protect Ceylon from Communism' and 'would be born over and over again to help in the fight against communism' (Ibid.). During a speech in 1954, Ceylon's then cabinet minister Jayewardene even claimed that if America 'is laid low, Communism will sweep throughout the world' (1974: 45). Ceylon government's pro-market and pro-Western approach was so apparent that in 1954 when Marxists sought guarantees



that they would not be arrested for protesting against Queen Elizabeth II's visit to Ceylon, the island state's then Prime Minister Sir John Kotelawala had reportedly threatened them that he had given instructions to his officers that Marxists who demonstrate against the Queen 'should be taken, not to police stations, but hospital' (cited in de Silva and Wriggins, 1988: 286-287). In the same year, during his address to the National Press Club in Washington, proclaiming himself as the 'Hammer of the Hammer and Sickle' in Ceylon, Kotelawala expressed his support for the West in its fight against communism in the following terms: 'if there is anything I can do, whether in my own country or anywhere else, to stop the further advance of Communism, I shall certainly do it' (1954/2005: 150). Kotelawala did not shy away from claiming that he was making this statement to impress upon the Americans Ceylon's anti-communist stance: 'I could have spoken to you on another theme, but I want to impress on everyone in America over and over again our attitude to Communism' (Ibid.: 152). Kotelawala's efforts to impress upon the Americans his anti-communist stance was not in vain. Three months later, applauding Ceylon's anti-communist policies, in a telegram to President Dwight Eisenhower, John Foster Dulles, the then US Secretary of State noted thus:

My visit to Ceylon is a very happy one with an atmosphere of great cordiality prevailing and evidence of strong sympathy for our international policies. I have conferred first with the Prime Minister, whom you may recall was in Washington, and then with Governor General, who is a former Finance Minister and a very astute man. They are 100 percent anti-commie and very apprehensive of Nehru's policies. The Governor General in particular begs the US to stand firm and says that any weakening of our position in the Western Pacific would turn the whole Asian area over to Communism (1987: 267).

As a former US ambassador to Sri Lanka notes, 'U.S. engagement with Sri Lanka after independence was driven significantly by the Cold War and the worldwide struggle with the Soviet Union for influence' (Lunstead, 2007: 12). The American government did not want Ceylon to adopt a 'statist, closed economic system' (Ibid.). It was for this reason that 'the U.S. expended substantial resources in Sri Lanka during that period' (Ibid.). In this regard, in

a policy statement circulated internally in 1951, the US Department of State noted: ‘We desire increased Ceylonese responsibility for the solution of its problems, and further development of economic and political institutions along democratic lines’ (1977: 2013).

However, at the same time that Kotelawala’s government was espousing liberal economic policies and voicing strongly against communism, the opposition led by Bandaranaike began to flirt with statist economic policies. In 1956, after winning the general election, the new government of Bandaranaike, which also remained under the leadership of the British monarchy, began implementing semi-statist economic policies while at the same time maintaining the liberal economic system. As Newton Gunasinghe, a Sinhala economist, notes, these policies were implemented in order for the ‘upliftment of a fair section of middle-level Sinhala entrepreneurs to the position of captains of industry’ (2004: 100). Although the West felt uneasy about Ceylon’s flirtations with statist economic policies (Lunstead, 2007: 12), given the fact that the island-state continued to remain hostile to communism, Bandaranaike’s government was not considered an immediate threat to the post-war global economic order. Yet, given his semi-statist policies, the West did fear that in the long-term Ceylon may come under the influence of communism. In this regard, in the *National Intelligence Estimate* of 1958, the US Intelligence Advisory Committee warned:

Radical leftist and communist influence is likely to expand within the government and in the country at large because of Bandaranaike’s tendency to compromise, the declining standards of living, and increasing Sino-Soviet Bloc activities. However, it is unlikely that communists could win an election or form an effective government within the next few years. Over the longer run there is a danger that the general leftward tendency in Ceylon may lead to beyond its present neutralist policy to a position unfriendly to the West (US Department of State, 1992: 377-378).

It was in an attempt to ensure that Ceylon did not embrace communism that in the late 1950s the West continued its aid programmes to Bandaranaike’s government. In this regard, the US government noted in an internal circular in 1958 that if it ceased aid programmes to Ceylon,

‘the leftward trend of the government might be accelerated’ (US Department of State, 1992: 391). In other words, for the West, maintaining friendly relations with Ceylon and continuing aid programmes was the most prudent way of disciplining the island-state in the direction of liberal economic policies. With the escalation of the Cold War, the last thing that Western liberal powers wanted was Ceylon becoming a Soviet satellite state, and thus emerging as an obstacle for global commerce in the sea-lanes and trades routes of South Asia. When left with the option of turning a blind-eye to Ceylon’s racist policies or allowing the island-state to become a Cuba<sup>57</sup> in Asia by antagonising it for its action against the Tamils, Western states chose the former. The last straw that would break the camel’s back in the West’s relation with the government of Ceylon was not to be the latter’s racist policies towards the Tamils.

Ceylon’s government that disenfranchised one million Tamils and began the process of their deportation in 1948 was the same government that stood shoulder-to-shoulder with the West in the latter’s fight against communism. In taking away the employment opportunities of the Indian Tamils and giving them to the Sinhalese, Ceylon’s government did not damage the island’s export trade that depended on the tea and rubber plantation sectors of the central hill country; the Sinhalese quickly filled these sectors dominated by the Indian Tamils during British colonial rule (de Silva and Wriggins, 1988: 213). The disenfranchisement and the deportation of Indian Tamils by Ceylon’s government was also seen by the West as a justifiable measure. In this regard, in its internal circular of 1951, the US Department of State noted that the Indian Tamils were not only a burden to Ceylon’s economy but also had communist leanings: ‘This large group... appears to be more loyal to India than to Ceylon, has demonstrated some sympathy toward communism and opposition to the Government, and represents a drain on Ceylon exchange through remittances to India’ (1977: 2017).

Similarly, when the ‘Sinhala Only Act’ was enacted in 1956, both the ruling party and the opposition had reached a consensus that Sinhala should be the state’s official language. It was especially at this time that the ruling party began to adopt semi-statist policies, while the opposition continued to espouse free trade. There was therefore no reason for Western powers to push the opposition into an anti-market direction by opposing its language policy.

---

<sup>57</sup> This comparison was made by Karunaratne when I interviewed him on 17 April 2012.

In addition, the Sinhalisation projects of the Tamil homeland undertaken by the state in the name of developing dry zones into agrarian lands had the funding of the West. It was in 1956, the same year that pro-statist party of Bandaranaike came to power, that the USAID began its operations in Ceylon, which intensified in the 1970s and 1980s, spending on an average of \$40 million every year on development projects. USAID's involvement in Ceylon during the 1960s and 1970s, as a former US ambassador had admitted, was intended to curtail Soviet and Chinese communist influences in the island (Lunstead, 2007: 12 & 18).

The period, commencing 1972 to 1977, when Ceylon's government crushed the Sinhala Marxist insurgency, brought in legislation to curtail Tamils' access to university education, and legalised and institutionalised its ethno-theocratic ideology was a delicate time in the West's relationship with the island-state. After crushing the Sinhala Marxist rebellion, Ceylon's government of that time turned towards socialist policies and adopted a closed economic system. It was at this period of time that the island-state became a republic.

However, the socialist economic policies of this period were finally reversed in 1977 with the return to power of the pro-market and pro-Western government of Jayewardene.

Samuel Huntington, who describes Sri Lanka as a success story of democratisation in the 1950s and 1960s, refers to the five years when it adopted a closed economic system to be the time when it lost its democratic characteristics. For Huntington, as soon as Sri Lanka adopted socialism, it ceased to be a democracy (1991: 19). Despite defining democracy as a political system in which 'its most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote' (Ibid.: 7), Huntington uses an additional economic criteria to define Sri Lanka's political system during this five years period. This argument of Huntington brings us back to the claim of Foucault (2008: 121) that the 'market economy' remains the 'the general index for defining all governmental action' in liberal thought and that of Arblaster (1987: 78 & 85) that the will of the *demos* remains 'subordinate to the nature and processes of capitalist economy', that I have referred to in Chapter II.

Western response to Ceylon's conduct towards the Tamils during the Cold War can therefore stated in the following terms: if the security of global commerce was to be assured within the borders of Ceylon, Western states had to ensure that they did not antagonise the

Ceylon state, and thus had to turn a blind-eye to its actions. It did not matter whether Ceylon was waging a war against the liberalised indigenous Tamils or the Indian Tamils who had 'communist' leanings. What mattered was that Ceylon had to be given a free-hand to fight the communist 'bad' human species who constituted a threat to the security of global commerce within the island's borders. The refusal of the late British Prime Minister Margaret Thatcher, during her visit to Colombo on 12 April, 1985, to comment on the treatment of Tamils by the Sri Lankan government or the political demands of Tamils exemplifies this. While applauding the liberal economic policies of Jayewardene's government, Thatcher announced that the 'matter of the Tamils is a matter for the Sri Lankan Government' and she would not make any comments in this regard (1985; 1985a). This policy of the West demonstrates that despite promoting, undertaking, and consolidating liberalisation programmes in the global South, the West is also prepared to allow liberalised populations to be killed when the security of global commerce is endangered by 'dangerous' elements within them.

This Western policy will be examined further in Chapter VI focusing on the period from 1977 – when the free market economic system was reinstated in Sri Lanka – to the end of the Cold War. However, before moving on to that chapter, the next chapter will examine the liberal origins of Sri Lanka's emergency laws and how its successive governments have used them to crush two Sinhala Marxist insurgencies and the Tamils' armed struggle. In a marked departure from the remaining chapters, the next chapter will take a thematic approach rather than a chronological one and will do so by first returning to the colonial period.

## Chapter V

### “Anything is fair”: liberal emergency in Sri Lanka

Since the beginning of the Sinhala Marxist uprising in 1971 and the thirty-seven year Tamil armed national liberation struggle that followed, the ‘liberal democratic state’ of Sri Lanka has almost continuously been governed through emergency laws: within the past forty-two years, militarisation, abductions, secret detentions and targeted killing of civilians, journalists and political activists have become the norm. Despite these brutal tactics, the Sri Lankan state has, notwithstanding frequent lukewarm criticisms, continuously been endorsed by Western states as a ‘liberal democracy’ (see US Department of State, 2009; Lunstead, 2011). On what basis did Western states endorse Sri Lanka as a liberal democracy when the latter’s brutal tactics have resulted in the subversion of human rights and civil liberties?

Tracing the liberal origins of Sri Lanka’s emergency laws, I will argue that the island-state had been able to obtain the endorsement of the West for its continued use of emergency laws by deploying the same arguments used by Britain in the nineteenth century and the first quarter of the twentieth century for its own use of martial law within the borders of the island.

In the last chapter, I established empirically that law is a way of waging war by examining Ceylon’s use of law in its war against the Tamils. In this chapter, I expand on this argument further by examining the island-state’s emergency laws. To this end, I utilise some of the arguments advanced by Mark Neocleous in ‘The Problem with Normality: Taking Exception to “Permanent Emergency”’ (2006) and *Critique of Security* (2008). In his works, Neocleous has brought to light the presence of emergency as a permanent feature of liberal governmentality and applied it to a wider context that extends beyond the states of the West; this chapter focuses on the use of emergency powers in Sri Lanka for the past two hundred and ten years, both during British colonial rule and after the island became independent.

In the first section, I build on the link that Neocleous (2008) established between John Locke’s prerogative and emergency powers and demonstrate the liberal origins of martial law. I then show how martial law was used by Britain in colonial Ceylon as part of liberal state-building and to overcome threats to commerce within the island’s borders. Thereafter, I establish the continuity of martial law in the island-state’s post-colonial emergency regime.

Finally, I show that concerns for the security of global commerce within the island's borders was the key factor behind Western states' endorsement of Sri Lanka's brutal tactics, both during the Cold War and after, notwithstanding the liberal origins of its emergency laws.

### **The liberal origins of martial law**

During the nineteenth century, Britain had recourse to martial law – which was 'indulged' through its common law system (Finlason, 1872: 5) – to deal with threats in its colonies. Even though martial law had almost disappeared 'as a legal concept or practical institution' in nineteenth century England and Britain had at its disposal a number of legislations to deal with emergency issues at home, it was nevertheless deployed during a number of occasions in its colonies (Rossiter, 1948: 136-137 & 141-142; Neocleous, 2008: 44). Although Britain did not always use martial law in its colonies to deal with threats to its commercial interests, since rebellions and riots had the potential to disrupt its colonial trade, arguably the use of martial law helped it to secure and sustain its commercial interests in the colonies.

Sixty-three years before Locke wrote *The Second Treatise of Government* in 1690, *The Petition of Right 1627* sought to prevent the Crown's use of terror against its own citizens by limiting the application of martial law in England to the military and the state's enemies (3 Cha. 1, c. 1; also see Rossiter, 1948: 141; Neocleous, 2008: 42). However, martial law continued to be used in England until 1780, even though it never existed in a codified form and had sometimes been confused with law governing the military (Rossiter, 1948: 139-140; Neocleous, 2008: 42). According to Albert Venn Dicey, a leading British jurist and constitutional theorist of the nineteenth century and the early part of the twentieth century, the term 'martial law' had two meanings. On the one hand, it meant 'the suspension of ordinary law and the temporary government of a country or parts of it by military tribunals' (1885/1982: 182). Understood in this sense, martial law 'is unknown to the law of England', Dicey claimed (Ibid.). On the other hand, martial law is 'the power of the government or of loyal citizens to maintain public order, at whatever cost of blood or property may be necessary' (Ibid.: 185). Understood in this sense, 'martial law is assuredly part of the law of

England', Dicey argued (Ibid.). Despite these distinctions made by Dicey, in relation to the use of martial law in Britain's colonies in the nineteenth century, many eminent English legal authorities have understood it as the suspension of ordinary laws by the executive. In this regard, Sir David Dundas, UK's Judge Advocate-General from 1849 to 1852, stated:

It is unwritten law; it arises upon the necessity of the occasion to be judged of by the executive. It is unwritten law, it is not law properly so called. There are no rules laid down for martial law; it must be executed by those who have to execute it, firmly and faithfully, with as much humanity as the occasion will allow of according to their sense and conscience (1850, cited in Finlason, 1872: 12).

Affirming Dundas's definition of martial law, Thomas Emerson Headlam, his successor from 1859 to 1866, noted that when martial law is proclaimed, ordinary law is suspended:

The effect of a proclamation of martial law is notice to the inhabitants that the executive government has taken upon itself the responsibility of suspending the jurisdiction of all ordinary tribunals for the protection of all life, person, and property, has authorised the military authorities to do whatever they think expedient for the public safety (cited in Finlason, 1872: 15).

However, the most clear-cut definition of martial law can be found in *The Petition of Right 1927* itself: 'such summary course and order as is agreeable to Martiall Lawe and as is used in Armies in tyme of warr' (3 Cha. 1, c. 1). In his writings on martial law, William Blackstone, the leading English jurist of the eighteenth century, also defined martial law in similar terms:

There is a great distinction, though often lost sight of, between *military* and *martial law*, the former affecting the troops or forces only, to which its terms expressly apply equally in peace and war, by previously defined regulations; the latter extending to all the inhabitants of the district where it is in force, being



wholly arbitrary, and emanating entirely from a state of intestine commotion or actual war (1765/1893: 414).

On the basis of the definition of martial law found in *The Petition of Right 1627* and Blackstone's writings, William Francis Finlason, a legal writer of the nineteenth century, claimed that martial law was understood in the UK Parliament, Courts and among constitutional writers as 'the discretionary exercise of military authority' which was 'always used and acknowledged in case of any rebellion which required it' (1872: 3). Citing Lord Matthew Hale, Finlason (1872: 4) also claimed that martial law superseded the law and constitution of the state, since law and constitution were applicable only in times of peace. In this regard, although Blackstone (1893: 413) refused to acknowledge martial law as law, citing Hale he nevertheless acknowledged that it was indulged by law: 'For martial law, which is built upon no settled principles, but is entirely arbitrary in its decisions, is, as Sir Matthew Hale observes, in truth and reality no law, but something indulged rather than allowed as law'. On this basis, Finlason argued that even though martial law is not common law, because it is indulged by common law, it can be understood to be controlled by it (1872: 4 & 27).

Locke's writings on the prerogative of the prince are central to understanding the liberal origins of martial law (Neocleous, 2008: 7-8 & 14-22; also see Rossiter, 1948: 13 & 138; Hussain, 2003: 16). Although when Locke (1980: 84) wrote *The Second Treatise of Government* martial law was losing its significance in England and legislations with similar powers were later enacted to deal with emergencies – for example, the *Riot Act* of 1714 (Rossiter, 1948: 137) – he nevertheless argued that in times of emergency, the government may act 'without the prescription of the law'. Locke (1980: 84) called this the *prerogative*, which Neocleous (2008: 8) identifies as the foundation of modern liberal emergency powers. Locke claimed that the government may exercise the prerogative when the legislature needs more time to enact a law to deal with the emergency, or when then law is 'silent' on dealing with the emergency: the prerogative is 'nothing but the people permitting their rulers to do several things, of their own free choice' (1980: 86). In Locke's view, the prerogative may be used even against existing law, provided that it is for the common good: 'for *prerogative is nothing but the power of doing public good without a rule*' (Ibid.: 86-87). In the interest of

‘public good and advantage’ the law should ‘give way to the executive power’ (Ibid.: 84); the executive (or the prince) may suspend ordinary laws in the interest of the public.

Locke also refused to treat the prerogative as existing outside the law. The prerogative was, according to Locke, the ‘fundamental law of nature and government’, and ‘the executor of law, having the power in his hands, has by the common law of nature a right to make use of it for the good of society’ (1980: 83-84). For Locke, since the prerogative is justifiable under the ‘common law of nature’, this provides its legal basis (Ibid.). Rousseau also argued that although law cannot always provide for all future events, as long as governmental action conforms to the spirit of the law, it would remain a good government: ‘the spirit of the law’ must ‘guide decisions in cases which it has been impossible to foresee’ (1999: 12-13).

### **Martial law in colonial Ceylon**

The first recorded occasion when martial law was proclaimed in Ceylon was in 1803 (Schrikker, 2007: 156). It was proclaimed in the coastal territories of the island as British troops moved simultaneously into the jungles of Vanni in the Tamil homeland to drive out the guerrilla army of the local Tamil prince, and into the Sinhala kingdom of Kandy to depose its Tamil ruler. On the one hand, the British military campaign in Vanni was intended to complete the expedition began by the Dutch in 1784 to conquer the region and increase agricultural revenues (Ibid.: 87). On the other hand, the assault on Kandy was intended to bring an end to the last resistance against British rule in the island. Although the British managed to defeat the Tamil prince of Vanni, it took them over twelve years to conquer Kandy. After a prolonged campaign, and with the help of the local Sinhala nobility, the British conquered Kandy in 1815 and deposed its Tamil ruler. Immediately after the conquest of the Kandyan kingdom, the British also signed a convention (the *Kandyan Convention* of 1815) with the Sinhala nobility. Under the authority of the convention, martial law was proclaimed in the kingdom. Article 3 of the Convention justified the proclamation as necessary to exclude relatives of the Tamil king from entering or remaining within the

borders of the kingdom (1821: 500). More importantly, the convention, guaranteed by the proclamation of martial law, signalled the opening of the entire island for British commerce:

His Excellency the Governor will adopt provisionally, and recommend to the confirmation of His Royal Highness The Prince Regent, in the name and on the behalf of His Majesty, such dispositions in favour of the trade of these Provinces, as may facilitate the export of their products, and improve the returns, whether in money, or in salt, clothes, or in other commodities useful and desirable to the Inhabitants of the Kandyan Country (1821: 502).

As these declarations in 1803 and 1815 demonstrate, as well as using martial law to establish their rule in Ceylon, the British also used it to secure their commercial interests in the island. Although martial law was also proclaimed from time to time in the other parts of the island to deal with various ‘minor emergencies’, it was used extensively at least during three more further recorded occasions (in 1818, 1848 and 1915) to crush rebellions and riots.

In 1818, many months after a Sinhala rebellion that began in Kandy the previous year, in which around 200 British soldiers were reportedly killed, martial law was proclaimed and remained in force for over a year. While British military officials complained at that time that martial law was not proclaimed ‘soon enough’ to crush the rebellion, senior colonial civilian officials commented that it was only after the proclamation of martial law that civil power was saved from the threat posed by the rebellion (Torrington, 1851: 10 & 14).

Thirty years later, in 1848, martial law was once again used extensively in colonial Ceylon, following another rebellion in Kandy. During this occasion, martial law was imposed for some weeks, during which twenty-two individuals were summarily executed, in some cases without any evidence of involvement in the rebellion (Finlason, 1872: 11).

Writing on the rebellion, some scholars have described it as a ‘mass resistance’ that reflected the sense of grievances that the Kandyan Sinhalese population had ‘nursed’ against ‘the British administration’ (see, for example Kostal, 2000: 3-4). However, during a debate in the House of Commons a year after the rebellion, Sir W. Molesworth claimed that what had

actually taken place in Kandy in 1848 was not a rebellion but a riot. Molesworth argued that martial law was proclaimed in Kandy when everything had almost come to an end:

A riotous rabble, acting without concert, entered two small towns, broke some doors and windows, and committed various acts of pillage. Two kings were proclaimed, both natives of the low country – an inferior class, whom the proud chiefs of the interior despise, their own kings being of pure Malabar descent. A few troops easily dispersed the mob, killing some scores and wounding some hundreds. The damage done to property was inconsiderable; the injury done to the persons of Europeans consisted in tying one agent to the railing of a verandah, and slightly wounding one soldier. All was nearly over before martial law could be proclaimed (HC Deb 20 February 1849).

On the other hand, according to Lord Torrington, the Governor of Ceylon at that time, the rebellion ‘was a most serious and most dangerous one’ which ‘would have spread ruin and calamity throughout the colony’ and would have been costly had it not been suppressed by enforcing martial law (1851: 8). While acknowledging the ‘severe and stringent’ characteristics of martial law, Torrington justified its use in Ceylon on the grounds of protecting good citizens who abided by the law from the threats posed by ‘dangerous’ ones who refused to submit to law: ‘I must say, that martial law, while it is no doubt, a punishment to offenders, is equally a protection to the innocent and the well-disposed’ (Ibid.: 12).

More importantly, Torrington argued that by enforcing martial law to crush the rebellion in Kandy, he had thwarted a serious threat to Britain’s commercial interests in the island:

I maintain, my Lords, that if I had taken any other steps, the country would have been disorganised; or, at any rate, that a feeling of insecurity would have been engendered, and the flow of British capital into the colony would have been checked. ...I think that this House and the public at large, the English merchant, and the English planter, would have said that I was most unfit for the office I held if I had not looked with care and caution to this great amount of property; and if,

with these facts before me, I had failed to take all due precautions for its protection (1851: 12).

Reinforcing Torrington's economic rationale for enforcing martial law in the island, soon after the rebellion was crushed, Ceylon's Chamber of Commerce commended his actions:

[T]o express to his Excellency the hearty concurrence of the Chamber in the prompt measures adopted by the Government to suppress insurrection, with the assurance of the willing and active co-operation of the members in case of need; and to pray that his Excellency may adopt measures as may be best calculated to avert the impending ruin which threatens the colony (1848, cited in Torrington, 1851: 13).

Given the fact that Torrington was criticised in the UK Parliament for using excessive force to suppress the rebellion of 1848, it may well be that Ceylon's Chamber of Commerce commended his actions upon his own request. However, the very fact that Torrington used the vocabulary of commerce to justify his actions and backed his arguments with a commendation letter from Ceylon's Chamber of Commerce show that the use of force to secure Britain's commercial interests in its colonies was understood to be acceptable by British politicians. In fact, despite the criticisms levelled against Torrington in the UK Parliament, the then British Prime Minister John Russell concluded that the former could not be censured for his actions (HC Deb 29 May 1851). Justifying this decision, Russell stated that 'whenever an insurrection springs up' in the colonies, it will always be 'a long and bloody contest' (Ibid.).

Martial law was once again used extensively in colonial Ceylon sixty-seven years later in 1915, following the outbreak of ethnic riots between the Sinhalese and Muslims in Kandy – which later spread to other parts of the island. Since the riots took place in the backdrop of the First World War and the resurgence of Sinhala-Buddhist nationalism, they were perceived as a threat to the liberal state-order that was being built in the island, and thus treated as a rebellion. More importantly, as during previous occasions, the riots were perceived as having serious economic implications for Britain's commercial interests within the island's borders.

Although the riots erupted as a result of a dispute between the Sinhalese and the Muslims on a Buddhist procession passing a mosque, they also had strong economic dimensions. This was due to the fact that the majority of the Tamil-speaking Muslims who dominated the island's export trade at that time were not permanently settled in the island but had South India as their permanent home (Ramanathan, 1916: 1-2). According to Edward W.Perera, a Sinhala counsel at that time, the 'monopoly enjoyed' by Muslims from South India in the island's economy was one of the two indirect causes of the riots (1915: 5).

As the riots spread to Colombo, the island's capital city, not only Muslims were attacked, but their properties were either looted or destroyed by Sinhalese mobs. Fearing for their lives, a large number of Muslim traders and Tamil workers of South Indian descent began to flee the island. Recalling the economic implications of the riots, Sir Ponnambalam Ramanathan, a Tamil member of Ceylon's Legislative Council at that time, noted:

I was informed that it was difficult to buy provisions, and, if things continued in the present state for two or three days, the people in the city would have little to eat... I had already heard that rickshaw coolies and drivers of carriage horses, who are mostly Tamils, had already fled to India without giving notice to their masters, and both European and Ceylonese gentry could not go about for want of rickshaw men and drivers of horses; and as for the Hambayas and other Indian Muhammadans [Muslims], they were leaving Ceylon as fast as possible both by rail and ship. My workmen said that the Tamil traders and their assistants and clerks were also preparing to go (1916: 38-39).

Subsequently, as the riots intensified, martial law was proclaimed in the western parts of the island and lasted nearly three months. According to the British Colonial Office, while the riots were racial in character, they were also due to 'commercial animosity' of the Sinhala-Buddhists towards the Muslims (1915, cited in Perera, 1915: 17). Thus, Sir Robert Chalmers, Ceylon's colonial governor at that time, noted that the proclamation of martial law was necessary to defend both 'life' and 'property' (1915, cited in Perera, 1915: 18).

The commercial rationale behind the use of martial law by British colonial rulers to crush the riots was further exemplified by the fact that many Sinhalese who lived in and around the affected areas – including those who did not take part in the riots – were compelled by military commissioners appointed by the colonial authorities, with the powers conferred to them under martial law, to pay damages to all affected Muslims. To guarantee the payment of damages to Muslims, Sinhalese community leaders were also coerced to sign debt-bonds. According to a notification issued by the Special Commissioner of the Southern Province: ‘All Sinhalese living within the division of Police Headmen’ must ‘answer for all damages and loss done to the property’ of ‘the Moormen<sup>58</sup> in the rioting’ (1915, cited in Perera, 1915: 27). Those debt-bonds were subsequently legalised in the form of an ordinance enacted by Ceylon’s Legislative Council, in order to by-pass the safeguards which the Sinhalese would have enjoyed under civil law after martial law ceased to be in force (Ramanathan, 1916: 89). Although these actions drew displeasure from the Sinhalese, the swift provision of compensation, by-passing ordinary law, facilitated the return and resettlement of Muslim traders and thereby assured the security of commerce within the borders of Ceylon.

The imposition of martial law in 1915 also saw a reign of terror. During the three months when martial law was in force, suspected rioters were summarily executed and civil liberties curtailed. Britain’s colonial governor at that time claimed that ‘it was necessary to display and to exert the force which was at Government’s command’ in order to prevent the island from sliding in to anarchy (Chalmers, 1915, cited in Ramanathan, 1916: 69). While the imposition of martial law ‘put to flight the rioters’ and ‘glorified the power of Government officials’, it also ‘terrorised both the wicked and the innocent’ (Ramanathan, 1916: 74).

However, this was not the only occasion when martial law was used to terrify the population. During the rebellion of 1848, a Buddhist monk – who was one of the leaders of the rebellion – was shot dead in his robes and his body hung on a tree for four days (Taylor, 2000: 165; also see HC Deb 20 February 1849). This was done in accordance with the sentence passed by the court-martial tribunal for the execution of the monk (Forbes, 1850: 21; also see HC Deb 20 February 1849). In *Discipline and Punish*, Foucault argues that

---

<sup>58</sup> The Muslims of Ceylon.

punishment is 'a political tactic' of government, and public execution should be understood as 'a political ritual' through 'which power is manifested' (1991: 23 & 47). Thus, the logic behind the execution of the Sinhala monk in 1848 and the displaying of his body in public for four days was to deter others from rebelling in the future against the liberal state-order that was being built by the British Empire in Ceylon. This reign of terror had already been tried successfully in Europe for centuries: 'sometimes the corpses of the executed persons were displayed for several days near the scenes of their crimes. Not only must people know, they must see with their own eyes. Because they must be made to be afraid' (Foucault, 1991: 58).

According to Jonathan Forbes, a British colonial military official, in order to crush the rebellion, the authorities had resorted to 'rule by terror' and 'the reign of terror' had produced a successful 'submission' from the Sinhalese people of Kandy (1850: 27 & 30). Justifying the reign of terror, Sir Alexander Cockburn, Britain's Attorney-General at that time argued that individuals are not punished under martial law 'simply for the offences they committed' but 'in order to deter others from following their example' (HC Deb 29 May 1851).

A similar argument was also advanced during an inquiry into the use of martial law in Jamaica in 1866, wherein it was claimed that martial law was necessary to 'strike terror into the disaffected population' and protect 'the white population' from the 'great danger of destruction' (Finlason, 1872: 17). Justifying the large scale killing of Jamaica's black population under the cover of martial law, Eyre, the British colonial governor claimed that when dealing with a rebellion guided by the 'evil passions of a race little removed in many respects from absolute savages', striking 'terror' was the only choice (1866, cited in Finlason 1868: xxvii). Thus, for Serjeant Spankie, the British Advocate-General of Bengal, the objective of martial law is 'self-preservation by terror' (cited in Finlason, 1872: 8).

Although sympathy among British politicians for the idea of reign of terror through martial law in the colonies began to wane in the twentieth century, and Winston Churchill, UK's then Secretary of State for War, openly condemned the Amritsar massacre of 1919 in British India's province of Punjab as a 'monstrous event' (HC Deb 08 July 1920), military officials, however, continued to have faith in martial law and the reign of terror it produced (Hussain, 2003: 100). Brigadier-General Dyer, who ordered the massacre using powers conferred by martial law, justified the killing of civilians to the Disorders Inquiry Committee



headed by Lord William Hunter in the following terms: ‘*It was no longer a question of merely dispersing the crowd; but one of producing a sufficient moral effect from a military point of view not only on those present, but more especially throughout Punjab*’ (Hunter, 1920: 188). When asked by the Committee whether in carrying out the massacre he actually intended to ‘strike terror’ in Punjab, Dyer responded: ‘Call it what you like. I was going to punish them. My idea from the military point of view was to make a wide impression. ...throughout the Punjab. I wanted to... reduce their *morale*; the *morale* of the rebels’ (Hunter, 1920: 189-190).

### **Continuity of martial law in contemporary Sri Lanka**

The use of martial law and the reign of terror it created during British colonial rule in Ceylon cannot simply be dismissed as some unfortunate events of the island’s colonial past. Martial law continues to haunt the island’s population in the form of modern emergency laws. If in the British Empire’s biopolitics of liberal state-building the Sinhalese who rebelled and rioted fell in the category of the ‘bad’ part of the human species, in Sri Lanka’s ethno-theocratic biopolitics, the Tamils, the LTTE, and the Marxist Sinhala youth fell into this category. In the biopolitics of liberal peace, because the LTTE and the Marxist Sinhala youth also belonged in this category the West refrained from censuring the Sri Lankan state, and thus tacitly allowed the state to use emergency laws against the Tamils and the Sinhala youth. On this basis, this inaction of the West can be characterised as one of collaboration with the Sri Lankan state.

A year before transforming Ceylon into an independent, unitary, ‘liberal democratic’ state, Britain gifted it with a codified version of its martial law – the *Public Security Ordinance* (PSO) No. 25 of 1947 – initially empowering its colonial governor, and, following independence, the island-state’s prime minister as well as the governor-general who represented the British monarch in the island, to declare state of emergency at times of crisis. The International Commission of Jurists (ICJ) claims that the PSO was ‘enacted as the final law of the colonial era in an attempt to suppress and control political dissent’ (2009: ii). However, tacit Western endorsement for Sri Lanka’s emergency regime during the armed conflict and the preamble of the PSO itself, which sets out one of its key objectives to be ‘the

maintenance of supplies and services essential to the life of the community’, indicates that it was enacted by Britain to ensure that the island-state’s future governments would be armed with legal provisions to encounter any threats to the security of commercial intercourse.

As its colonial masters had expected, for over two decades following independence Ceylon largely used the emergency regime gifted by the British Empire to deal with threats to its market economy from trade unions and Marxists (Coomaraswamy & Reyes, 2004: 274). However, with the failed Marxist uprising of the Sinhalese in 1971, led by Janatha Vimukti Peramuna (JVP), rule by emergency became permanent; as mentioned in the previous chapter, under the cover of emergency, the state’s armed forces and police massacred at least 10,000 Sinhala youths, and thousands more were held in detention without trial (Harris, 1990: 214; Tambiah, 1986: 14). Even though the Marxist insurrection was crushed within few months, with the emergence of the Tamil armed resistance movement in the following year, rule by emergency continued for six years until 1977, when the island-state’s new government reinstated liberal economic policies. In 1978, the PSO was embedded into Sri Lanka’s second republican constitution, allowing its presidents to ‘enact draconian emergency regulations’ (ICJ, 2009: ii). In 1979, as the armed conflict with the Tamil rebels escalated, the state brought back its emergency regime in the name of terrorism laws – the *Prevention of Terrorism (Temporary Provisions) Act (PTA) No. 48 of 1979*. Its use was said to be justified by the need to defend the island from a Tamil ‘Marxist terrorist’ threat (Jayewardene, 1985). Thus, a close examination of Sri Lanka’s emergency regime for the past forty years reveals that where the PSO stops, the PTA would take its place, and *vice versa*. It is therefore not an exaggeration to say that the ‘liberal democratic’ state of Sri Lanka has for the past forty-two years governed its population through a codified version of martial law.

During the past four decades, although Sri Lanka has had numerous emergency regulations in force, two of them – the *Emergency (Miscellaneous Provisions and Powers) Regulations (ER 2005) No. 1 of 2005*, and the *Emergency (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) Regulations (ER 2006) No. 7 of 2006* – had played a dominant role in the final years of the armed conflict in ensuring the victory of state’s armed forces over the Tamil national liberation movement by suppressing dissent.

Section 2 (1) of the PSO empowers the head of executive to enact emergency regulations or adopt measures ‘in the interests of public security and the preservation of public order or for the maintenance of supplies and services essential to the life of the community’. Adopting the same wordings, Section 2 (1) of the *Emergency Regulations 2005* defines essential services as ‘any service which is of public utility or essential for national security or preservation of public order or to the life of the community’. Similarly, the preamble to the *Emergency Regulations 2006* justifies its enactment as in the interest ‘of public security, public order, and the maintenance of supplies and services essential to the life of the community’. The wordings of the above laws in terms of maintaining essential supplies and services to the community are not unique to Sri Lanka’s case since they are also found in the *Emergency Powers Act 1920*, enacted to deal with emergency issues in the UK:

If at any time it appears to His Majesty that any action has been taken or is immediately threatened by any persons or body of persons of such a nature and on so extensive a scale as to be calculated, by interfering with the supply and distribution of food, water, fuel, or light, or with the means of locomotion, to deprive the community, or any substantial portion of the community, of the essentials of life, His Majesty may, by proclamation (hereinafter referred to as a proclamation of emergency), declare that a state of emergency exists. ...[I]t shall be lawful for his Majesty in Council, by order, to make regulations for securing the essentials of life to the community (10 & 11 Geo 5, c.55).

This reflects the reframing of the ‘political effectiveness of sovereignty’ in liberal states since the middle of the eighteenth century in terms of ‘an intensity of circulations: circulation of ideas, of wills, and of orders, and also commercial circulation’ (Foucault, 2007: 15). Thus, the emphasis on maintaining essential supplies and services found in Britain’s *Emergency Powers Act 1920* and Ceylon’s PSO should be understood in terms of commercial circulation.

The PTA justifies its enactment on the grounds that ‘other democratic countries have enacted special legislation to deal with acts of terrorism’. The Act itself empowers the Sri Lankan government, its armed forces and police with sweeping powers to arrest, detain and

punish suspects at will, including the use of torture to obtain confessions. It was inspired by the ‘apartheid South Africa and Britain’s counter-terrorism legislation of the same name’ (Welikala, 2008: 189). Outlining its draconian characteristics, Asanga Welikala notes:

It flies in the face of almost every human rights norm pertaining to the liberty of the person, including most prominently, detention without charge for extended periods of time at irregular places of detention, the broad denial of detainees’ rights, admissibility of confessions in judicial proceedings subject only to the most tenuous of safeguards, the shifting of the evidential burden of proof to the defendant, and disproportionate penalties. The unchecked detention powers, special trial procedures and absence of meaningful review in the PTA facilitate arbitrary and capricious official conduct, including torture (2008: 189-190).

For Welikala, ‘the PTA represents an aberration of the rule of law’ of the ‘liberal democratic’ state of Sri Lanka (2008: 190). Similar arguments of ‘illegality’ and ‘illiberality’ are also to be found in critiques of the post-9/11 counter-terrorism practices of Western states (see, for example Agamben, 2005: 1, 4 & 8; Neal, 2008: 64; 2010: 7). In ‘Goodbye War on Terror?’ Andrew W. Neal argues that the normalisation of exception in the West is based on the Schmittian reading that ‘exceptions *will arise* because of the structural limits of liberal democracy, and the structural limits of liberal democracy *will produce* exceptions and practices of exceptionalism’ (2008: 45-46). For Neal, by invoking exception, liberal states not only act ‘illiberally’ but also leave their ‘liberal legitimacy’ to be questioned (2008: 64).

Challenging these ‘illiberality’ critiques which situate emergency in ‘a space without law’, Neocleous argues that emergency does not exist outside the law of liberal states. Instead, ‘the legitimisation and constitutionalisation of emergency powers’ is ‘liberalism’s gift to the modern state’ (Neocleous, 2008: 41 & 58). The idea ‘that liberty and security are antonyms’ and the need to ‘find a balance “between” them’ is not only ‘desperately misplaced’, but the ‘the liberal project of “liberty” is in fact a project of security’ (Neocleous, 2008: 12 & 13). Excavating the hidden aspects in the works of liberal thinkers such as Locke, Montesquieu, Smith and Bentham, Neocleous points out that liberal thinkers have always

placed security before liberty (2008: 14 & 24-25). In Western liberal democracies, ‘violent actions’ of the state which manifest through emergency powers ‘have been legitimated through law on the grounds of necessity and in the name of security’: while the UK has legalised emergency, the US had been in a state of emergency during most years of the twentieth century and remains so in the twenty-first century (Neocleous, 2008: 61-62 & 71).

Similarly, Claudia Aradau argues that the so called post-9/11 exceptional practices of Western states are ‘not constitutive outside of law’ (2007: 491). Those practices not only signify the ongoing ‘transformation of the function of law’; they are also ‘governed through detailed rules and norms’ (Ibid.). Taking the case of Guantanamo, Aradau notes that law has not been suspended there, but rather its function have been changed (Ibid.). Before it became a facility for detaining ‘suspected terrorists’, Guantanamo functioned as camp for detaining Haitian refugees, many of whom were ‘held for up to three years in makeshift barbed wire camps, exposed to heat and rain in spaces infested with rats and scorpions, with inadequate water supplies and sanitary facilities’: from ‘asylum seekers to suspected terrorists we are in the continuity of the exceptional practices of modernity’ (Ibid.: 494).

Notwithstanding these, even Carl Schmitt, who claimed emergency to be ‘the actual mark of sovereignty’, argued that despite remaining above ordinary law, emergency is ‘accessible to jurisprudence’ since it remains ‘within the framework of the juristic’ (1988: 9 & 12-13). For Schmitt, even when emergency ‘defies’ ordinary law, it also ‘simultaneously reveals a specifically juristic element’ (Ibid.: 12); it does not exist in a lawless space.

Within this context, the argument of Welikala that the PTA contravenes the principles of the rule of law and liberal democratic values is a misplaced one since the legislation itself was enacted, as Welikala (2008: 189) acknowledges, by Sri Lanka’s democratically elected Parliament with ‘two-thirds majority’ and ‘in terms of Article 84’ of the state’s constitution, which is consistent with the whole history of liberalism. The draconian nature of the PTA should therefore be understood as reflecting the governmental practices of all liberal states when dealing with ‘emergencies’. As the post-9/11 practices of the US and other Western states demonstrate, Sri Lanka is not the only state that claims to be a liberal democracy while violating the rights of individuals. The opening of Guantanamo detention facility by the US, the practices of extraordinary rendition, torture of terror suspects in custody, and other human

rights abuses committed by Western forces in Afghanistan and Iraq clearly indicate that, under the guise of ‘emergency’, terror continues to remain a tactic of government in many liberal democracies. In this respect Sri Lanka is not an exception.

Although the title of the PTA states that it consists of ‘temporary provisions’, in practice it has remained in force over the past three decades without being repealed or suspended; in 1982, four years after it was enacted, it was amended to become a permanent measure, thereby becoming part of Sri Lanka’s ordinary laws. In the following year, while the PTA was in force, a number of emergency regulations were enacted under the PSO and lasted until the end of 2001, with the exception of their suspension for five months in 1989.

However, Sri Lanka is not the only ‘liberal democracy’ where emergency laws have become the norm. As pointed out by Neocleous (2008: 61-62), a similar trajectory could also be seen in the way that Britain’s *Special Powers Act 1922*, the *Northern Ireland (Emergency Provisions) Act 1973* and the *Prevention of Terrorism Act 1974* – all of which were initially classified as temporary measures – gradually became normalised as ordinary laws.

During the 1980s, in addition to deploying emergency laws against the Tamils, the Sri Lankan state also turned its full force on another Marxist insurgency of the Sinhala youth. In the three year period commencing 1987 to 1989, under the cover of emergency regulations and the PTA, the state’s armed forces and police massacred over 100,000 Sinhala youth. On 18 August 1989, justifying his government’s use of emergency laws, in a letter to the UN Secretary General Javier Perez de Cuellar, Sri Lanka’s envoy to the UN in New York argued that rule by emergency was necessary to defend the island’s economy because Marxist (Sinhala) insurgents were ‘making every effort to disrupt government activities and to damage the economy of the country’ (Permanent Mission of Sri Lanka to the UN, 1989).

In 2002, when the Norwegian-sponsored Ceasefire Agreement (CFA) was signed with the LTTE, the Sri Lankan government agreed under article 2.12 of the CFA not to conduct ‘search operations and arrests’ under the PTA (Balasingham, 2004: 496). Despite this undertaking, while the CFA was in force, in August 2005 the Sri Lankan state enacted *Emergency Regulations 2005* under the PSO – following the assassination of its foreign minister. In the following year, this was consolidated with *Emergency Regulations 2006* and a number of other emergency regulations. During both occasions, recourse to emergency laws

were justified primarily on the grounds of defending the island's economy – in defence of the 'life of community' (see *Emergency Regulations 2005*; *Emergency Regulations 2006*. With the abrogation of the CFA in January 2008, the Sri Lankan government was able to simultaneously enforce the PTA and emergency regulations and the PSO.

With the wide range of powers conferred by its legally sanctioned emergency regime, from January 2008 Sri Lanka accelerated its war against the Tamils and within a period of over a year emerged triumphant, restoring its writ over the entire island. This one year period saw large scale killings – both inside and outside the conflict zones – abductions, arrests, and mass detention of Tamil civilians and surrendered Tamil fighters. While the targeted killing of thousands of innocent Tamil civilians by the Sri Lankan armed forces took place in the conflict zones, outside them government forces were engaged – both through covert and overt means – in abductions and enforced disappearances of civilians (UN, 2011: ii).

A number of killings, abductions and enforced disappearance were also carried out by Tamil paramilitary groups allied to the government and the state's military intelligence units. According to a US embassy cable released by Wikileaks, a former US ambassador noted that the government found Tamil paramilitaries useful in its war against the Tamil rebels:

Paramilitary groups in the North and East help the GSL [Government of Sri Lanka] fight the LTTE... These groups also enhance security in Colombo by kidnapping and killing those suspected of working with the LTTE. Frequent abductions by paramilitaries keep critics of the GSL fearful and quiet. ...xxxxxxxxxxxx told us that some military commanders in Jaffna xxxxxxxxxxxx want to clamp down on paramilitaries but have orders from Defence Secretary Gotabaya Rajapaksa to not interfere with the paramilitaries on the grounds that they are doing "work" that the military cannot do because of international scrutiny (Blake, 2007).

Justifying the killings, abductions, and enforced disappearances of Tamil civilians and suspected LTTE cadres, Sri Lanka's Defence Secretary Gotabaya Rajapaksa argued that what his forces were doing were analogous to the covert counter-terrorist operations of the US:

All the militaries do covert operations. When the US does operations they say covert operations. When something is in Sri Lanka they call abductions. This is playing with the words. What I am saying is, if there is a terrorist group, why can't you do anything? It's not against a community... I'm talking about terrorists. Anything is fair (2007).

Tacitly endorsing Sri Lanka's brutal tactics during the final phase of the armed conflict, Robert O. Blake, the then US Ambassador to Sri Lanka and the current Assistant Secretary of State for South and Central Asia, noted that it was 'understandable' that the Sri Lankan government wanted 'to use every possible means in its war against LTTE terror' (2007).

With the conclusion of the armed conflict in May 2009, the Sri Lankan government detained approximately 290,000 Tamils, including 11,696 surrendered LTTE fighters (UN, 2011: 37-46). While the Sri Lankan government carried out its mass internment of Tamils under the PTA and PSO, the camps were funded by the UN and other Western states – in line with the pledges made during the final months of the armed conflict; before the conflict reached its catastrophic conclusion, Western states persistently demanded the Tamil rebels to let Tamil civilians to flee into those internment camps (see *Tamilnet*, 2009). In the subsequent months after the conclusion of the armed conflict, according to *The Times*, while about 1,400 Tamils died on a weekly basis in Sri Lanka's Western-funded internment camps (Blakely, 2009), *The Guardian* reported that a large number of Tamil women were sexually abused in the camps by the state's armed forces (Chamberlin, 2009).

The striking aspect of Sri Lanka's Western-funded internment camps was the so-called rehabilitation of surrendered Tamil combatants. As the ICJ has pointed out, the rehabilitation process under the emergency regime involved the 'deprivation of liberty of the 'rehabilee', the 'denial of the right to challenge the detention and rehabilitation', and 'detention without charge or trial' for two years (2010: 14). According to a former Tamil combatant who was released from custody, the rehabilitees were disciplined, on a daily basis, to give-up their quest for an independent Tamil state and display loyalty to the unitary Sri Lankan state:



A day in the camp starts by singing national anthem in Sinhalese – the language of Sinhala ethnic majority. There's a boy who had to kneel down under the scorching sun all day because he didn't sing it properly. There's another boy who got kicked because he coughed while the anthem played (Jeya, 2010, cited in Kyung, 2010).

This replicates, to a large extent, the practices of Western penal regimes in which prisoners were disciplined to become 'good' members of the society (Foucault, 1991: 6). Therefore, from a biopolitical perspective, Western funding for Sri Lanka's internment camps (both for Tamil civilians and the former Tamil Tiger combatants) can be summarised in the following terms: before Tamil civilians from the conflict zones could return to the Sri Lankan society, the state had to be allowed to weed-out the 'extremist' elements (the former combatants) within them; and before the 'extremists' can re-qualified as good members of Sri Lankan society, they need to be disciplined by the state to accept its sovereignty so that upon their release from the camps they do not re-group and launch another secessionist armed struggle that would pose a threat to the security of global commerce within the island's borders.

Four years after the end of the armed conflict, the 'liberal democratic' state of Sri Lanka continues to be governed by emergency laws. Tamils living in their homeland and other parts of the island are spied upon by the state's armed forces and police. For Sri Lanka's Defence Secretary Gotabaya Rajapaksa, this is nothing to be concerned about since it is a norm in many Western countries. In BBC's Hardtalk in 2010, commenting on the surveillance of Tamils, he questioned the presenter: 'Can you move from a hotel to hotel in London without [being] observed by your security people? We don't have that technical ability' (2010).

### **The commercial dynamics of Western endorsement**

Can we attribute Western endorsement of Sri Lanka's continued use of emergency laws during the armed conflict to their liberal origins? There can be no doubt, as the statements of Sri Lanka's Defence Secretary cited in the previous section exemplify, that the state

understood its recourse to emergency laws as in accordance with Western liberal democratic principles: it was not only using emergency laws gifted by Britain at the end of colonial rule, but following suit the actions of Western states. As pointed out in the opening paragraph of this chapter and the previous section, Western diplomats, in particular two former US ambassadors to Sri Lanka, have also noted Sri Lanka's methods of dealing with 'terrorism' as acceptable measures of a 'liberal democracy' (Blake, 2007; Lunstead, 2011: 71). Even Western human rights groups which frequently condemned Sri Lanka's brutal tactics recognised its 'right' to use emergency laws in its war against the Tamil armed resistance movement. In a report published two months before the end of the armed conflict, the ICJ noted that the Sri Lanka had not only the 'right and duty' to 'respond to security threats to the nation', but under the *International Covenant on Civil and Political Rights* the power 'in times of genuine emergency to limit or suspend certain rights' (2009: i).

Notwithstanding this, the key argument that the Sri Lankan state invoked to obtain the endorsement of Western liberal powers for its continued use of emergency laws was commercial circulation. As the preambles of the PSO, ER 2005 and ER 2006 cited in the previous section exemplify, Sri Lanka used the vocabulary of commerce to justify its emergency laws. These mirrored the economic justifications advanced by Britain's colonial governors in the island to proclaim martial law during the nineteenth and twentieth centuries.

Can we then say that in tacitly endorsing Sri Lanka's continued use of emergency laws since 1971, Western states turned a blind-eye to its brutal tactics, as they had done before the emergence of the Tamil armed resistance movement? Evidence suggests that the actions of Western states' in this regard were largely collaboratory in character.

In 1972, despite adopting a closed economic system, the then government of Sri Lanka remained hostile to Marxist ideas and communism in general. This was evident by the way the government directed its armed forces and the police to crush the Sinhala Marxist uprising of 1971 and hunted down suspected Marxist insurgents under the cover of its emergency laws. Thus, although Western powers were anxious about Sri Lanka's decision to adopt a closed economic system (Lunstead, 2007: 12), the fact that the state took the lead in crushing the Marxist insurgency would certainly have brought them relief and alleviated their fears of the island becoming a satellite state of the Soviet Union. Notwithstanding this, since the

state's electoral system continued to remain intact, Western states would have hoped that the Sri Lankan government's economic policies would be reversed in the next election.

As Western states had expected, a change in Sri Lanka's government took place in 1977, and the new pro-Western and pro-market government, led by J.R.Jayewardene, reinstated the free market economic system. These economic reforms were in line with the liberal principle of minimal governmental intervention in the functions of the market:

[W]ith the introduction of the open economic policy, most of the elements of the regulative mechanisms were dismantled. The system of quotas, permits, and licences was abolished. The import-export trade was liberalised. The public sector monopoly in the distribution of some commodities was abolished; some enterprises were denationalised, but more importantly, the management of some public sector enterprises were handed over to the private sector. Foreign private capital was allocated a major role in bringing about export-led growth. Banking in the private and foreign sectors was encouraged, and limits to their expansion were removed. A number of "sacred cows" in the meanwhile were slaughtered. The subsidised rice ration that the people had been used to since the days of the Second World War was discontinued; the free health scheme was subverted, with doctors in government hospitals being granted the right to engage in private sector. The free education scheme was affected by teachers in the government schools being permitted to give private tuition (Gunasinghe, 2004: 101).

As Gunasinghe notes, in reinstating the free market economic system, the objective 'was not merely to remove the bottlenecks of the state-regulated economy but to ensure the uncontrolled free-play of market forces in all areas' (2004: 101). Given the fact that these economic reforms were in line with the biopolitics of liberal peace, would Western states have had anything to loose from the new regime of President Jayewardene?

It was at this period of time that the armed conflict began to escalate and the state had more and more recourse to emergency laws in its fight against the Tamil armed resistance movement. At this moment of opportunity afforded by Sri Lanka's economic reforms,

Western states had no reason to endanger the security of commerce within the island's border by antagonising it for seeking recourse to emergency laws. As the former US Ambassador Jeffrey Lunstead (2007: 12) notes, America's involvement in Sri Lanka 'grew after the election of J.R.Jayewardene in 1977, as Jayewardene took a more free-market and pro-Western stance'. Close ties between Sri Lanka and the US were further strengthened when Jayewardene visited Washington in 1984 and met Ronald Reagan at the White House (Ibid.). As Sri Lanka's successive governments also followed these liberal economic policies, their relationship with America continued until the defeat of the Tamil Tigers.

Thus, while providing lukewarm criticisms of Sri Lanka's brutal tactics against the Tamils through its recourse to emergency laws, Western states continued to tacitly endorse and collaborate in its actions by providing diplomatic, military and financial support for the island-state in its four decades war against the Tamil armed resistance movement. Even at the peak of armed conflict, in the *2008 Human Rights Report*, published on 25 February, 2009, while noting the human rights abuses committed by the Sri Lankan state, the US Department of State endorsed it as 'a constitutional, multiparty republic' (2009).

This can be attributed to the perception among Western states that the Tamil armed resistance movement posed a threat to free trade in the island and South Asia. During the 1970s and 1980s, most Tamil militant organisations espoused Marxism, with the Tamil Tigers being no exception. While other militant organisations largely understood the armed struggle as part of the global revolution of the proletariat, the Tamil Tigers 'adopted categories and concepts of the Marxist/Leninist thought system to legitimise the armed struggle as a political struggle for self-determination' (Balasingham, 2001: 45). Therefore, during the Cold War it was seen to be in the interests of the West to support the pro-market government of Jayewardene than the Tamil armed resistance movement. Although 'with the collapse of the communist system' in 1989 the Tamil armed resistance movement 'abandoned Marxist thought and adopted social equalitarianism' as its ideology (Balasingham, 2001: 45), the West continued to harbour fears on its economic ideology. This was due to the LTTE's dependence on a system of high taxation in the territories it controlled and its monopoly in various areas of trade. Thus, even after engaging with the LTTE through Norwegian-

facilitated peace negotiations from 2001 onwards, the US government raised concerns during a number of occasions on their economic policies, as we will see in Chapters VII-VIII.

This was coupled with a number of high-profile attacks carried out by the Tamil Tigers on economic targets in the island. Although the Tamil rebels did not directly target Western commercial interests either within or outside the island, a number of attacks they carried out on Sri Lanka's economic targets nevertheless did have an impact on Western investors. One such incident was the attack in 1996 on the World Trade Centre in Colombo in which the office of an American company was damaged, along with the offices of over one hundred local banking and financial institutions, prompting US officials to convey their displeasure directly to the Tamil Tigers' leadership.<sup>59</sup> In 1997, the Tamil rebels also attacked a Chinese ship manned by the Sri Lankan navy carrying a consignment purchased by an American company, prompting a Western diplomat to comment to a Colombo weekly that 'joint retaliatory measures' would be considered if threats to their 'commercial interests persisted' (cited in Athas, 1997). Thus, as the former US Ambassador Lunstead notes, despite the LTTE not targeting 'US nationals or other US interests', America nevertheless considered the organisation to be a threat to 'peace and security in South Asia' (2007: 14-15; 2011: 62).

This is not to say that America or other Western countries have substantial commercial interests in Sri Lanka. As Lunstead notes, America has limited economic interests in the island: US trade with Sri Lanka is not only 'relatively insignificant' and that the island is 'not a major market for US goods', but direct investment by American companies in the island are 'also quite small' (2007: 11). This is also the case with UK. Even though the UK is, after India, Sri Lanka's second largest trading-partner, compared to other parts of the world there are only over one hundred British companies operating in the island (see Burt, 2013). Within this context, how is it justifiable to invoke commerce centred arguments to explain the dynamics of Western endorsement for Sri Lanka's continued recourse to emergency laws?

Firstly, neither America nor Britain intervened directly in Sri Lanka during the armed conflict precisely because their trade interests were insignificant compared to other parts of

---

<sup>59</sup> This was stated by the former political official of the LTTE exiled in Malaysia during an interview with me in 2010.

the world in which they had carried out direct military interventions. It was due to this reason that they, as well as their Western allies, gave Sri Lanka the free-hand to use emergency laws to crush the Tamils' armed struggle, subverting human rights and civil liberties.

Secondly, despite not having significant trade interests in the island during the armed conflict and after its conclusion, both America and Britain have continuously sought to increase investment opportunities in the island for their entrepreneurs. As Ashley Wills, another former US ambassador, noted, America remains 'South Asia's and Sri Lanka's biggest export market' and therefore would like to see an increase in investment opportunities in the island for its entrepreneurs (2001). The current US Assistant Secretary of State Robert O. Blake (who was formerly an ambassador to Sri Lanka) has also reiterated this (2011a). In this regard, the current British Foreign Office Minister Alistair Burt has also stated that Britain would like to see Sri Lanka becoming 'a more attractive market for investors' (2013).

Thirdly, given the island's key position in the sea-lanes and trade routes of South Asia, the West believes that Sri Lanka should remain free from manipulation by non-liberal forces and internal conflict. A report commissioned by the Committee on Foreign Relations of the United States Senate in December 2009, seven months after the conclusion of the armed conflict, has argued that given the island's location 'at the nexus of crucial maritime trading routes in the Indian Ocean' the 'United States cannot afford to "lose" Sri Lanka' (2009: 3). This was also reinforced by the US Assistant Secretary of State Blake who stated: 'Positioned directly on the shipping routes that carry petroleum products and other trade from the Gulf to East Asia, Sri Lanka remains of strategic interest to the U.S.' (2011). In this regard, during the armed conflict, Dominic Chilcott, the then British High Commissioner for Colombo, also made a similar statement, although he did not directly refer to the position of the island in the sea-lanes of the Indian Ocean. According to Chilcott: 'The conflict also directly affects British interests by complicating the patterns of trade and investment between our two countries and by the threat it poses to British travellers and residents in Sri Lanka' (2007).

What conclusions can we then draw from examining Sri Lanka's emergency laws and Western endorsement for their use for over forty-two years? Firstly, Sri Lanka's emergency laws have strong roots in liberal principles. Secondly, underpinned by concerns for the security of global commerce, Western states have collaborated with Sri Lanka's brutal tactics

by tacitly endorsing them, thereby allowing their ‘universal’ commitment for liberty, the rule of law, democracy, press freedom, and human rights to be subverted in the island.

The next chapter will develop this argument by examining the commercial dynamics of military and political support provided by Western states for Sri Lanka’s war against the Tamil armed resistance movement during the Cold War. It will examine how Western involvement sparked anger in New Delhi and drew India into the armed conflict, thereby turning the island into a battleground of a proxy war between the West and India.

## **Chapter VI**

### **Fighting the ‘Indira Doctrine’**

The closing years of the 1960s could be characterised as the period when free trade in India and Sri Lanka began to be gradually eclipsed by socialism. Although at independence India had adopted a mixed economic system and few years later Sri Lanka also began to flirt with statist economic policies, it was during the late 1960s that both states began to move in the direction of socialism. In 1972, the Sri Lankan government of Srimavo Bandaranaike adopted socialism, and thus threatened global commerce within the island’s borders. However, as pointed out in Chapters IV and V, in 1977 the new Sri Lankan government of President Jayewardene removed this threat within the island by reinstating liberal economic policies.

Thus, as the armed conflict escalated, in addition to endorsing the island-state’s recourse to emergency laws, Western states also began to provide military support to the Sri Lankan state in its war against the Tamil armed resistance movement. This irked India, which was already agitated with the decision of the US to provide its arch rival Pakistan, in the aftermath of the Soviet invasion of Afghanistan in 1979, with modern military equipment, especially F-16 fighter jets (Jayapalan, 2001: 360). This was also further exacerbated by Jayewardene’s frequent anti-Indian statements in international forums that while Sri Lanka and the West had mutual ‘financial and trade interests’, India had ‘no rights, or privileges’ to interfere in his country’s internal affairs (1974: 42 & 46).

Western military ties with Sri Lanka were certainly not new because, as pointed out in Chapter IV, for seven years after the island-state was created its army and navy were headed by British commanders. Most of the ships and patrol vessels of Ceylon’s Royal Navy were also provided by the British navy. In 1953, Ceylon’s Royal Navy participated in Queen Elizabeth II’s Fleet Review at Portsmouth using a ship lent by the British Royal Navy (see Sri Lanka Navy, 2013). Moreover, until 1956 the British Royal Air Force maintained its bases in Ceylon (Moorcraft, 2012: 61). During the Korean war and the conflicts in Vietnam, Ceylon also permitted ‘ships and aircrafts carrying troops of the Western powers to refuel’ at its ports ‘on their way to the battlefronts’ (Jayewardene, 1974: 41). This being the case, Western military support for Sri Lanka from 1977 onwards was, nevertheless considered by India to



be a threat to its 'national security' (Dixit, 1998). Firstly, from 1966 onwards, India defined its foreign policy within the framework of the 'Indira Doctrine' which was intolerant to outside influences in South Asia (see the Introduction). Secondly, already angered by US military support for Pakistan and its decision to establish 'a nuclear base on the island of Diego Garcia', India considered America's actions in Sri Lanka to be a threat to its 'national security' (Dixit, 1998: 58; Jayapalan, 2001: 360). Thirdly, America's allies at that time, especially Pakistan and Israel which remained hostile towards India, also began to provide direct military aid to Sri Lanka (Balasingham, 2004: 50; Dixit, 1998: 58; Rajapaksa, 2013a).

Even though India, given its size and population, had a much bigger market than Sri Lanka, why did the West, especially the US, decide to antagonise the South Asian power by enhancing close military ties with its neighbouring island-state? The first and the most obvious reason was that at the time the armed conflict began to escalate in Sri Lanka, the island-state had become a free market economy and took a pro-Western approach, while India tilted towards the Soviet Union and had largely adopted socialist economic policies. This was evident from the way that the US President Reagan addressed the Sri Lankan President Jayewardene when the latter visited the White House on 18 June 1984:

When your government was first elected in 1977, Mr. President, Americans were excited by your bold program for economic development. And you've led your country in a new direction, and by doing so, you've created new opportunities for your people and expanded the potential of every Sri Lankan. The accelerated Mahaveli River project is part of your effort, as is freeing the Sri Lankan economy from the controls and red tape that stifled progress and economic expansion. One innovation of particular interest to me, Mr. President, is the creation of a free trade zone. This practical approach to development with its open market is attracting investment and unleashing the energy of the private sector. And I hope those on Capitol Hill who claim enterprises won't work here in our country will take notice of the progress you've made (1984).

Secondly, Sri Lanka acted as the voice of the West in the Non-Aligned Movement, in which India was also a member but acted as the voice of the Soviet Union. Reagan appreciated this role of Sri Lanka during his meeting with Jayewardene: 'We respect genuine non-alignment. Your country consistently has been a forceful voice for reason and moderation in non-aligned councils' (1984). The third reason, which many scholars have overlooked, was that socialist ideas had eclipsed the Tamil armed resistance movement. This led to a perception in the West that the Tamils' armed struggle was intended to establish a Marxist state in the Tamil homeland and then extend it to the rest of the island and India (see Willis, 1987: 180). It was further exacerbated by the statements of Jayewardene, who claimed that his government was fighting to crush a Tamil Marxist insurgency in Sri Lanka and India (1985). During his meeting with Reagan at the White House, Jayewardene characterised the Tamil rebels as a 'small group' of 'terrorists' who 'seek by force, including murder, robberies, and other misdeeds, to support the cause of separation, including the creation of a Marxist state in the whole of Sri Lanka and in India, beginning with Tamil Nadu in the South' (1984). Was the West correct in its perception, and if so, was the Sri Lankan president telling the truth?

### **The ideological dynamics of Tamils' armed struggle**

Although historically both Marxism and socialism have had a wider appeal among the Sinhalese, they failed to have any serious influence within the Tamil community. As noted in Chapter IV, with the exception of the Indian Tamils, indigenous Tamils have largely benefited from the economic liberalisation undertaken by Britain during its colonial rule of the island. This being the case, Tamils became economically marginalised when Ceylon's successive governments from 1956 to 1972 incorporated semi-statist economic policies and from 1972 to 1977 adopted socialist economic policies (Gunasinghe, 2004: 101). In addition, it is also difficult to find a large working class within the Tamil community as a large number of them are either entrepreneurs or white collar elites, while the rest are peasants who also aspire to merge into the former two groups. Even though during the 1950s and 1960s Marxist Tamil political leaders took to the forefront in the fight against caste domination in their

community, Marxism failed to influence the Tamils in general. Some conservative Tamil nationalists even equated Marxism with ‘madness’.<sup>60</sup> Thus, the Tamil militancy that emerged during the early 1970s in response to state oppression was nationalist in character, but was hardly inscribed with Marxist ideologies.

Nevertheless, as secessionist ideas began to grip the Tamil population, both the Tamil rebels and politicians began to espouse socialism to be the economic model of the future state of Tamil Eelam that they would seek to establish. The very conservative Tamil nationalists who denounced Marxism as madness also adopted socialism in their election manifestos. In *The Vaddukoddai Resolution* of 1976 passed by conservative Tamil nationalists, which has since then been regarded by Tamil politicians and rebels as the manifesto for secession, the aim of the convention was proclaimed to be the ‘restoration and reconstitution of the Free, Sovereign, Secular, Socialist State of Tamil Eelam’ (TULF, 1976). In the resolution, it was even explicitly spelled out that the future state of Tamil Eelam would prohibit capitalist exploitation by placing a limit on the accumulation of wealth by individuals:

That Tamil Eelam shall be a Socialist State wherein the exploitation of man by man shall be forbidden, the dignity of labour shall be recognised, the means of production and distribution shall be subject to public ownership and control while permitting private enterprises in these branches within limit prescribed by law. Economic development shall be on the basis of socialist planning and there shall be ceiling on the total wealth that any individual of family may acquire (TULF, 1976).

Despite shunning Marxism, why did conservative Tamil nationalists espouse socialism as the viable economic model for the future state of Tamil Eelam? A comprehensive answer to this can be found by examining the economic policies of the Tamil armed resistance movement.

---

<sup>60</sup> According to a functionary of Ceylon’s communist party (Beijing faction) interviewed by me in 2010, S.Sivasithamparam, one of the senior leaders of the Tamil conservative nationalist party TULF (formerly the Federal Party), openly denounced Marxism as madness during a lecture at Ceylon’s Law College in 1972.

At the time the armed conflict came to its catastrophic conclusion in May 2009, the only organisation that represented the Tamil armed resistance movement was the LTTE. However, at its inception in the early 1970s, the Tamil armed resistance movement was made up of more than thirty militant organisations, of which the LTTE, TELO, EROS and EPRLF<sup>61</sup> remained the dominant ones. Of those four dominant militant organisations, the EROS and EPRLF were Marxist in character and espoused an island-wide revolution of the proletariat, which they claimed would be led by the Tamil ‘working class’. The LTTE and TELO, however, were not predisposed to such ideas but espoused secession as their key goal. Nevertheless, both organisations also incorporated socialism in their political manifestos. By 1990, after a series of confrontations with other militant groups, the LTTE emerged triumphant, becoming the sole Tamil militant organisation to espouse armed struggle to achieve political independence, while other militant groups either became paramilitaries of the Indian army, and later the Sri Lankan military, or renounced the armed struggle and entered democratic politics, with the exception of EROS which merged with the LTTE.

Despite advocating socialism, the LTTE made it clear that it could not be applied blindly within the Tamil society. During an interview in 1986 to the Indian daily *The Hindu*, Velupillai Pirapaharan, the leader of the LTTE claimed that the socialist society that his organisation was seeking to build would be ‘compatible with the Tamil culture and history’ and ‘represent the aspirations and welfare of the Tamil people’: the socialist society that the LTTE was seeking to build would ‘encourage the productive power of the masses’ (Pirapaharan, 1986: 1). Elaborating on this further, the LTTE’s official organ *Liberation Tigers* claimed that their socialism would be unique and would not export foreign models:

Our liberation organisation’s goal is to build a unique society that would respect equality and remain revolutionary. The socialist model that we seek to build would enhance the political, economic and cultural life of our people. It would

---

<sup>61</sup> The full names of three major Tamil militant organisations other than LTTE are: Tamil Eelam Liberation Organisation (TELO), Eelam Revolutionary Organisation of Students (EROS), and Eelam People’s Revolutionary Liberation Front (EPRLF). In addition to those four major militant organisations, in 1981 a splint group of the LTTE emerged under the name People’s Liberation Organisation of Tamil Eelam (PLOTE).

become a noble society that would respect democratic freedoms and social justice. After eliminating exploitative systems such as class and caste, and after annihilating social injustices such as the oppression of women, the socialist state of Tamil Eelam would become the paradise of the working masses. Our goal is to establish a people's government that would preserve the fundamental rights of our people and allow them to determine their political, social and economic destiny. The revolutionary socialist model that we aim to build would not be based on any foreign models, but will be unique in character and fulfil the aspirations of our people (1986: 2).

Even though the LTTE wanted to effect 'a fundamental transformation in the economic structure' of the Tamil society, it refused to adopt Soviet or Chinese socialist models. For the LTTE, the Tamil society was neither 'an advanced capitalist society' nor a 'pre-capitalist feudal formation' but made up of a 'unique socio-economic organisation structured by combined modes of production with capitalist and feudal elements interwoven with caste system' (LTTE, 1985: 11). Thus, during another interview to the American journal *News Week*, Pirapaharan (1986: 12) announced that his organisation's socialist model for the future state of Tamil Eelam would not represent Soviet or Chinese systems.

These statements of Pirapaharan were clear indications that despite advocating socialist ideas, the LTTE was not interested in enlisting the support of the Soviet Union. In a direct attack on communist states (including the Soviet Union), the LTTE's official organ even berated them for treating democratic freedoms as 'capitalist' ideologies (Liberation Tigers, 1986: 2). In its political manifesto, the LTTE even claimed that while the major means of production under its government would be commonly owned by the Tamil people, it 'will not adopt a rigid centralised planning but opt for liberalisation and democratisation in the framing and implementing of national economic programmes' (1985: 15). Therefore, despite the LTTE's commitment to socialism during the 1970s and 1980s, Marxists politicians (mainly Sinhalese) in Sri Lanka have consistently denounced it as a ploy. In this

regard, Karunaratne notes that the LTTE should be characterised as a bourgeoisie organisation, and not as a Marxist one that represented the the working class.<sup>62</sup>

These denouncements of the LTTE's socialism as a ploy could be attributed to its claim that the works of Marx did not provide the theoretical basis for understanding the socialist dynamics of the Tamil national liberation struggle. For the LTTE, the socialist dynamics of the Tamils' freedom struggle could be better understood by examining the works of Lenin on self-determination (Balasingham, 1983: 4). In a short essay written in 1915, entitled *Self-Determination of Nations*, Lenin argued that 'socialists cannot reach their great aim without fighting against every form of national oppression' and should therefore 'recognise and defend the rights of the oppressed nations to self-determination in the political sense of the word, i.e., the right to political separation' (2004: 65). Any socialist 'who does not defend this right is a chauvinist', Lenin claimed (Ibid.). For Lenin, defending the right to self-determination of small nations does not in any way 'encourage the formation of small states, but rather 'leads to a freer, more fearless and therefore wider and universal formation of larger states and unions of states' which would be 'more advantageous for the masses and more in accord with economic development' (Ibid.). In a document published three years prior to Pirapaharan's statements, Anton Balasingham, the LTTE's theoretician and chief negotiator referred to the works of Lenin in justifying the Tamils' freedom struggle:

Positing the problem within the theoretical discourse of Marxism, we hold that Lenin's theoretical elucidations and political strategies offer an adequate basis for a precise formulation of this question. ...Our reliance on Lenin's formulations is determined by the fact that neither Marx or Engels nor any other theoretician offers a systematic theory with a concrete political strategy for proletarian praxis in relation to the national question. ...Therefore, the political genius of Lenin situates this struggle of the oppressed nations within the realms of socialist democracy and proletariat revolution. It is precisely within these two spheres we wish to situate the Tamil national question to elucidate the progressive character

---

<sup>62</sup> Karunaratne made this statement to me during the interview on 17 April 2012.

of this independence struggle. ...This political objective of our movement is to advance the national struggle along with the class struggle, or rather, our fundamental objective is national emancipation and socialist transition of our social formation (1983: 3, 4 & 9).

In April 1984, during a meeting with M.G.Ramachandran, the chief minister of the South Indian state of Tamil Nadu, Balasingham (2003: 10-11) also pointed out that it was incorrect to characterise his organisation as a communist movement and it should be better understood as an organisation fighting to reform the existing social formation of the Tamils.

If the LTTE was not a communist organisation and was not interested gaining the support of the communist block led by the Soviet Union, what was its rationale behind advocating a socialist ideology that would both irk the West and provide justifications for Western states' military support to the Sri Lankan state's war against the Tamils?

Firstly, since the West had turned a blind-eye to Sri Lanka's ethno-theocratic war from the time the island-state gained independence, Tamil politicians and rebels during the 1970s came to the conclusion that they would not be able to enlist the support of the West in their struggle to establish a Tamil state. Secondly, with its defeat in the Vietnam war, and the unpopularity it gained in the third world by conducting both overt and covert military operations in democratically elected socialist states, the US had become a villain in the eyes of many Tamils.<sup>63</sup> Thirdly, the guerrilla mode of the armed struggle launched by a number of national liberation movements in Africa and Latin America – many of which espoused socialist ideas – became an inspiration for the Tamil armed resistance movement (Balasingham, 2004: 26). As Michael Howard notes, during the Cold War, national liberation movements in the third world 'defiantly took the leaders of the liberation movements – Castro, Che Guevara – as their heroes and saw in the 'freedom fighters' a life-style which they attempted to recreate at home' (2008: 114). Most importantly, however, the rationale behind the LTTE, other Tamil militant organisations and conservative Tamil national

---

<sup>63</sup> This was stated by the former political official of the LTTE exiled in Malaysia during an interview with me in 2010.

political elites' decision in the 1970s and the early 1980s to adapt socialism within the framework of the Tamil national liberation struggle was intended to gain the support of India.

Indira Gandhi, the prime minister of India from 1966-1977 and 1980-1984, whose support both the Tamil politicians and leaders of the armed resistant movement sought to establish a Tamil state in the island, was more of a socialist in her economic policies. However, despite her close relationship with Moscow, she was not predisposed to the idea of bringing communist rule in India or its neighbouring countries, and in demonstration of this policy, during the Sinhala Marxist uprising of 1971 she sent Indian troops to Sri Lanka's capital to fight the Marxist insurgents (Balasingham, 2004: 16).<sup>64</sup> Indira Gandhi spelled out her economic policy, in particular what she meant by socialism, during an interview in 1979:

The point is that we have gigantic problems of poverty. Now, how are these to be solved? We can't just leave them to market forces. We can't leave them to big businesses to do what they like. We do leave a great deal to them. But... unless the government steps in and helps these poor people... Now this is what people probably think in your country that we should leave it to private enterprise. And now if we left it we would never get rid of our poverty. So, what we are doing is... we are not following... we do call ourselves socialists... but it's not a socialism that is followed by say the communist countries or by Soviet Union... We are trying to find our own path, what suits the Indian genius, what's going to answer the questions asked by the Indian people, what's going to meet the demands of the Indian people (1979).

Both Tamil political elites and militants understood this, and in an attempt to rally the support of Indira Gandhi, they set out the political and economic ideology of the Tamil national liberation movement in accordance with her political and economic principles. Most of the

---

<sup>64</sup> At the time of the Sinhala Marxist insurgency in 1971, the Sri Lankan government of Prime Minister Srimavo Bandaranaike was closely aligned with India. In addition to India, Pakistan, Singapore, the United Kingdom, and even the Soviet Union despatched military assistance to Sri Lanka to crush the Marxist insurgency.



clauses in the *Vaddukoddai Resolution*, in particular those on the secularist and democratic nature of the future state of Tamil Eelam, replicated words in the Indian constitution.

In seeking the support of Indira Gandhi, the Tamil national liberation movement also sought to project itself as working in line with the 'Indira Doctrine'. The claim in the *Vaddukoddai Resolution* that the future state of Tamil Eelam would not allow for capitalist exploitation would seem to have been intended to assure the Indian prime minister that the Tamil national liberation struggle would not allow Western powers, whom India considered a threat to its national security, to operate in the soil of the Tamil homeland. In its first issue published in March 1984, berating the decision of the US to provide military assistance to Sri Lanka, the LTTE's official organ *Liberation Tigers* even warned American troops not entertain any idea of fighting alongside the Sri Lankan troops: 'We would like to point out the same warning given by El Salvador's leftist guerrillas that those American military advisors who have landed on their shores to give training to the state's armed forces would return to America in their coffins' (1984: 2). It was a tacit assurance made by the Tamil armed resistance movement to New Delhi that it would fight any anti-Indian foreign troops within the shores of the island. In the same month, in an interview to the Indian journal *Sunday Magazine*, Pirapaharan claimed that in the backdrop of US military assistance to Sri Lanka, Indian national security interests had converged with those of the Tamils:

Induction of US arms is not only a threat to the Tamil freedom movement but also to India's national security. America's objective, as you will certainly be aware, is not simply confined to helping the Sri Lankan army to crush the Tamil liberation struggle. Their ultimate aim is to secure a naval base at Trincomalee. Such a happening will convert the Indian Ocean into a war zone, and will increase the tension prevalent in the region (1984: 16).

Four years later, the LTTE claimed in an official publication that in waging the armed struggle, it functioned as an ally of India in the island and safeguarded the latter's interests:

The Israeli intelligence forces that infiltrated Sri Lanka, and the British, American and South African mercenary forces that assisted the Sri Lankan military posed a threat to India's national security... We would like to point out that it was our liberation organisation that shed blood in the struggle against Israeli intelligence forces and other foreign mercenary forces that set foot in Sri Lanka. Our organisation is not a force that remains inimical to Indian interests. Instead, we functioned as an ally of India (1988: 14, 15 & 16).

Moreover, the Tamil armed resistance movement also considered Indira Gandhi to be 'a great socialist' and an 'anti-imperialist'. In the aftermath of Indira Gandhi's assassination, in a message of condolence sent to her son Rajiv Gandhi, Pirapaharan noted thus:

Mrs Indira Gandhi was a fighter who fought tirelessly for world peace and human freedom. She was the voice of the oppressed poor masses. She worked with foresight and full commitment to develop India in the path of socialism. She whole-heartedly opposed imperialism and the formation of superpower traps in the Indian subcontinent. She was in the forefront of supporting national liberation struggles conducted globally (1984a: 2).

In its political manifesto, the LTTE even incorporated Indira Gandhi's foreign policy of non-alignment and supported her calls for declaring the Indian Ocean as a zone of peace: 'In international relations, the LTTE is committed to the policy of non-alignment. In so far as our regional political scene is concerned, the LTTE will support the policy of declaring the Indian Ocean as a zone of peace' (1985: 13). The LTTE elaborated on this further by claiming that it supported 'India's policy of declaring the Indian Ocean as a zone of peace' as it was 'a revolutionary movement opposed to imperialism' (1988: 15). The LTTE followed this policy of India despite the opposition of Western states. The latter claimed that this policy of India's was unworkable. In this regard, during a press conference in April 1985 after meeting the Sri Lankan President Jayewardene in Kandy, the then British Prime Minister Thatcher announced that her government would not support the creation of a 'zone of peace' in the

Indian Ocean: ‘I do not believe it is possible to have a zone of peace... The trouble with zones of peace is that they tend not to be honoured by potential aggressors’ (1985).

Given these policies of the LTTE, and taking its socialist ideas at face value, a number of Western journalists claimed that the Tamils’ armed struggle constituted a Marxist threat to the free world. Commenting on her perception of the Marxist dynamics of the Tamil national liberation struggle, Penelope Willis, a Western journalist who was kidnapped by a Tamil militant organisation in 1986 while touring the Tamil homeland and later released, noted:

[T]heir plan is now, and always has been, not the establishment of Tamil Eelam in the north and east, but the setting up of a Marxist revolutionary state in the entire Island, with its capital in Trincomalee. Their plan was to use nominal Tamil Eelam as the base from which they would launch the military operation necessary to seize the whole country. They would then declare their revolutionary one-party Marxist state – and use the Island as a safe base from which to re-export the revolution into Tamil Nadu (1987: 180).

Capitalising on the LTTE’s socialist ideologies, the Sri Lankan government also whipped up the idea of a Marxist threat to gain Western military assistance to defeat the Tamil national liberation struggle and endorsement for its ethno-theocratic war. During an interview to the BBC in 1985, responding to a question on the danger of alienating the Tamil public’s opinion by conducting an all-out war on the Tamil rebels, President Jayewardene claimed that he was not at all concerned about the opinion of the Tamils, but rather wanted the world to understand that he was waging a war to defeat a Marxist threat in the island:

I am not afraid of alienating Tamil opinion. I am afraid of alienating public opinion in the world. Your country and other countries including large sections in India have a wrong impression of what is happening there: they think it is an ethnic conflict. It’s not an ethnic conflict. It’s a conflict of some people who want to capture the whole of Sri Lanka. Not a portion... the whole of Sri Lanka and make it into a Marxist state (1985).

This was coupled with Sri Lanka's claims that it was a vibrant liberal democracy that upheld liberal democratic values. During his meeting with Reagan in June 1984, Jayewardene claimed that his country had been 'for 53 years a practicing democracy, where the freedom of speech and writing, of electing governments by universal franchise at regular intervals, and the independence of the judiciary and of the opposition' were 'safeguarded' (1984).

In response, Reagan openly came out against the Tamils' armed struggle, denouncing it as 'terrorism' and a 'cowardly form of barbarism' (1984a). Reagan claimed that given the island-state's 'strong democratic tradition and peaceful means to resolve conflict', there was 'no legitimate excuse for any political group to resort to violence in Sri Lanka' (Ibid.). Invoking civilisational arguments, Reagan argued that dividing Sri Lanka into 'separate nations' was 'not the solution' to the 'communal strife' in the island and 'human liberty will prevail and civilization will triumph' in Sri Lanka's fight against 'terrorism' (Ibid.). Thatcher also argued that given the fact that Sri Lanka is a democracy, 'terrorism must never be seen to win': 'There is a democracy in Sri Lanka and I believe that, as in Britain, the problems must be solved through democracy – at any rate by all who believe in democracy' (1984).

Recent evidence shows that Western states – in particular the US government – were very much aware by the late 1980s that Sri Lanka was not facing a Marxist threat from the Tamil armed resistance movement: even the LTTE's commitment to socialism was understood to be 'rhetorical'. In a cable addressed to the US State Department dated 12 February 1987 (released by Wikileaks), the then US ambassador to Colombo noted thus:

If the current politico-military 'management style' of the LTTE command structure is any indication (and we believe it is), then in the unlikely event of the establishment of an LTTE-controlled Tamil Eelam we would most likely see an authoritarian, heavily centralised administration. The regime is apt to be a military dictatorship in the guise of a (rhetorically) socialist one-party system, being neither particularly benevolent nor ideological (Spain, 1987).

If Western liberal powers understood the LTTE's commitment to socialism to be rhetorical, why did they continue their military assistance to the Sri Lankan state and antagonise India? The perception that the LTTE was an 'authoritarian' movement that would become a 'military dictatorship' in the future state of Tamil Eelam with a 'heavily centralised administration' was the key reason behind the continued Western support for the Sri Lankan state during the 1980s. As pointed out in Chapters I to III, in Western liberal political thought and practice, the security of commerce is understood to be linked to political freedom: political and economic liberalisation are understood to be inextricably linked. Perceived as an authoritarian movement, the LTTE was therefore considered by the West to be a continuing threat to unhindered global commerce within the borders of Sri Lanka. It was thus understood to be a 'prudent' decision on the part of the West to continue military assistance to Sri Lanka.

### **Western military assistance and the Indian response**

Western military assistance to Sri Lanka's war manifested in two forms: direct and indirect. At the direct level, the US set-up 'electronic intelligence facilities' in the north of Sri Lanka's capital city Colombo (Balasingham, 2004: 49). The US also supplied the island-state's navy with warships and trained their personnel. This was in addition to financial aid provided by America and other Western states to Sri Lanka during the war (Liberation Tigers, 1984: 1-2).

At the indirect level, the US opened an 'Israeli "Interest Section"' at its embassy in Colombo and 'channelled' through it 'military and technical assistance to Sri Lanka' (Balasingham, 2004: 49). This indirect military assistance took the form of building up the 'naval capacity' of Sri Lanka and training its armed forces, in particular the state's elite police commandos in 'counter-insurgency warfare' (Ibid.). Through the Israeli interest section at the US embassy in Colombo, Sri Lanka was also able to acquire weaponry from South Africa. Military instructors of Israel also conducted a training programme known as Fighting in Built-Up Areas (FIBUA) for the Sri Lankan troops, including live firing exercises. Pakistani military instructors were also involved in similar training programmes. According to Sri Lanka's current Defence Secretary Gotabaya Rajapaksa, who was an officer

in the island-state's military during the 1980s, the training programmes provided by Israel and Pakistan boosted the morale of troops: 'Ongoing projects at Saliyapura and Maduru Oya<sup>65</sup> gave us confidence. We felt terrorism could be tackled by military means' (2013a).

For its part, Britain also provided indirect military assistance to Sri Lanka through its UK-based arms suppliers and the Channel Islands-based Keeny Meeny Services (KMS) Ltd (Balasingham, 2004: 50; Liberation Tigers, 1984: 1-2; Moorcraft, 2012: 73; Rajapaksa, 2013a). Around 100 ex-British Special Air Service (SAS) personnel were involved in these military assistance programmes (Moorcraft, 2012: 73). According to Paul Moorcraft, a former senior instructor at the Royal Military Academy in Sandhurst and the UK Joint Services Command and Staff College, Britain used the KMS in Sri Lanka as well as in Afghanistan, Iran and Nicaragua in the 1980s to 'pursue useful – but deniable – covert policies' (Ibid.: 73). The military assistance programme of the KMS was not confined to training Sri Lankan troops. According to Gotabaya Rajapaksa, KMS personnel, especially former RAF pilots, were stationed close to the war zone and acted as pilots for the Sri Lankan airforce in military operations (2013a). Although 'the KMS operation was low key', it 'was of pivotal importance' for Sri Lanka in its counter-insurgency efforts (Ibid.).

The consequences of such direct and indirect military assistance rendered by the West were varied. With the development of its naval capacity, the Sri Lankan navy was able to launch attacks on rebels boats and interdict their arms and other logistical supplies from the Southern coast of India. Imposing an outright fishing ban on the northern seas, the Sri Lankan navy also attacked the boats of Tamil fishermen and fleeing refugees, and often carried out incursions into the Indian waters attacking the fishing vessels of Indian Tamil fishermen. In response, and to protect its own Tamil fishermen, the Indian navy increased its presence in the Palk Strait. The Indian naval patrols were aggressive that there were often stand-offs between the Indian and Sri Lankan navies. In January 1985, the Indian navy seized a Sri Lankan naval patrol vessel for 'firing on Indian fishing vessels' (Goldrick, 1997: 181-182).

At home, with the counter-insurgency training provided by Israeli, Pakistani and the British KMS personnel, the Sri Lankan armed forces and the state's police commando units

---

<sup>65</sup> While Pakistani officials trained Sri Lankan troops at Saliyapura, Israeli officials trained them at Maduru Oya.

carried out reprisal attacks on Tamil civilians – in response to hit-and-run attacks of the Tamil guerrillas on the state’s military and economic targets. The state’s armed forces also conducted large scale arrests, killings and enforced disappearance of Tamil civilians suspected of aiding and abetting the Tamil guerrillas. Large tracts of lands in traditional Tamil villages and towns were also appropriated by the state’s armed forces and turned into military cantonments. In the territories controlled by the Tamil rebels, state’s armed forces, deploying modern military equipment, frequently launched aerial and artillery attacks on densely populated Tamil villages and towns. As a consequence, while hundreds of thousands of Tamils became refugees in their own homeland, tens of thousands of them fled to neighbouring India (Bloom, 2003: 65; Balasingham, 2004: 50-51). Since many of the counter-insurgency techniques used by Sri Lankan troops to terrorise the Tamil population resembled those used by American troops during the Vietnam war and Israeli forces in Palestine, and given the fact that the military personnel of America and its allies trained Sri Lankan troops, the Tamil rebels accused America and Israel to be the masterminds of Sri Lanka’s terror tactics. Articles on the LTTE’s official organ appeared with the titles ‘*The Eagle Has Landed*’ and ‘*Mossad in Tamil Eelam*’ (Liberation Tigers, 1984a: 6-7; 1984b: 8).

As the armed conflict escalated and casualties among the Tamil civilian population mounted, and with the growing presence of American, Israeli, Pakistani and British military personnel in the island, in July 1983 India intervened in the conflict. In this regard, J.N.Dixit, a former Indian high commissioner to Colombo and later its national security advisor, noted:

India’s involvement in Sri Lanka in my assessment, was unavoidable not only due to the ramification of Colombo’s oppressive and discriminatory policies against Tamil citizens, but also in terms of India’s national security concerns due to Sri Lankan government’s security connections with the US, Pakistan and Israel (1998: 58).

The Indian intervention in the Eelam War took two forms: on the one hand, using its mission in Colombo and its New Delhi-based diplomats, India intensified political and diplomatic pressure on the Sri Lankan government to end hostilities and seek a negotiated political

solution with the Tamils; on the other hand, India also conducted a 'clandestine military exercise to build-up and strengthen the Tamil armed resistance movement' (Balasingham, 2004: 52). Tamil rebels were taken to Indian military bases and provided with military training on 'all aspects of modern warfare', which included 'map reading, mine laying and the use of explosives and anti-tank and anti-aircraft systems' (Balasingham, 2004: 58-59). Although the 'quantity of arms' that India supplied to the Tamil rebels was both 'small' and 'antiquated', thus remained 'unusable', New Delhi nevertheless tacitly allowed them to bring in large quantities of arms from outside the Indian subcontinent and store them in their training bases in South India. In addition, the Tamil rebels also received direct financial assistance from the chief minister of the South India state of Tamil Nadu, and later directly from New Delhi itself (Balasingham, 2003: 14, 21-22, 25 & 41 & 60; 2004:61).

In effect, Sri Lanka became the hotspot in the struggle between the West and India for domination of the island. While the West stood by the pro-liberal and pro-Western Sri Lankan government underpinned by its Cold War policy of containment and development, India, underpinned by the 'Indira Doctrine' of Prime Minister Indira Gandhi, trained, armed and financed the Tamil armed resistance movement on the grounds of its national security.

As Balasingham put it, India's support for the Tamil armed resistance was certainly 'a moral, altruistic urgency and geo-strategic necessity' to 'contain a ruthless racist state bent on genocidal destruction of a minority Tamil nation in collusion with international forces with subversive intentions' (2004: 59). However, in turning the Tamil armed resistance movement into 'a player' in its 'covert game' against the West, New Delhi did not have any intentions to help establish a Tamil state in the island, even though some politicians in South India and the Tamil homeland entertained such hopes at that time (Ibid.: 59-60).

Unlike the formation of Bangladesh, India never considered that the establishment of a Tamil state in Sri Lanka would be in its favour. Before the emergence of the Tamil secessionist movement in Sri Lanka, India faced similar demands from its Southern state of Tamil Nadu, although, as we saw in the Introduction, it was not centred on carving-out a Tamil state from India. India managed to contain them by devolving substantial powers to the state government (Krishna, 2000: 64). Thus, as Dixit put it in 1990, the formation of a Tamil



state in Sri Lanka was considered in New Delhi to have the potential to threaten India's own territorial integrity by reinvigorating demands for secession in Tamil Nadu and other states:

[The] first voice of secessionism in the Indian Republic was raised in Tamil Nadu in the mid-sixties.<sup>66</sup> This was exactly the same principle of Tamil ethnicity, Tamil language. So, in a manner, our interest in the Tamil issue in Sri Lanka, Tamil aspirations in Sri Lanka, was based on maintaining our own unity, our own integrity, our own identity, in the manner in which we have been trying to build our society (cited in Krishna, 2000: 61)

This policy of the Indian government was also officially conveyed to the LTTE's leadership in March 1985 by Girish Chandra Saxena, the head of India's external intelligence agency – the Research and Analysis Wing (RAW) – during a meeting with Pirapaharan and Balasingham, wherein he stated that 'India could not support the Tamil aspiration for a separate state since it would have far reaching implications' within its own borders as it already had 'to deal with several secessionist movements' (Balasingham, 2004: 67-68).

Instead, India believed that the ethnic conflict could be resolved and Tamils' secessionist demands contained by forcing the island-state to accept a 'political settlement within a united Sri Lanka' which would ensure that its 'sovereignty and territorial integrity' was not violated. Thus, in terms of meeting the secessionist demands of the Tamils, both the West and India held similar views: neither were in favour of the formation of a separate Tamil state, although for different reasons. According to Balasingham, in providing military assistance to the Tamil armed resistance movement, India expected the Tamil guerrillas to 'destabilise Jayewardene's regime and frustrate his militaristic approach' (2004: 60).

Nevertheless, Indian military assistance also had favourable consequences for the Tamils' armed struggle. On the one hand, it provided 'a morale boost for the Tamil struggle' (Balasingham, 2004: 60). On the other hand, it also stalled Sri Lanka's military offensives

---

<sup>66</sup> Dixit incorrectly refers to the 1960s as the period when secessionist demands emerged in Tamil Nadu. As we saw in the Introduction, the Dravidian secessionist movement rose in the 1930s and died down in the 1960s.

against the Tamils and effectively put a check on direct Western military intervention in the island. The effects of Indian military assistance for the Tamils' armed struggle was so extensive that in his condolence message sent for the demise of Indira Gandhi, Pirapaharan even referred to her as 'the great guardian of Tamils': 'If not for the personal concerns shown by Mother Indira, who was the great guardian of Tamils, our nation would have been annihilated. She remained the tower of Tamil liberation movement's moral strength' (1984a).

However, after the demise of Indira Gandhi, the power struggle between the West and India for domination of the island gradually eased and Indian support for the Tamils began to wane. Despite continuing much of his mother's statist economic policies, Rajiv Gandhi, the new Indian prime minister, nevertheless avoided taking a confrontationist approach with the West. In addition, he partially eased governmental control of the Indian economy by encouraging the private sector and turned to Western technological innovations to develop his country's industries. This prompted the *Wall Street Journal* to call upon the US President Reagan's administration to cultivate on Rajiv Gandhi's Western leanings:

Mr. Gandhi represents a new generation in India, the one less burdened by the old anti-colonialist and anti-Western bugaboos. He needs the ideas and technology of the free world to help him do that. The free world should listen closely to his request... [T]he US could help Mr. Gandhi by making its own weapons available to India (cited in Jayapalan, 2001: 366-367).

With the easing of the power struggle between India and the West, Sri Lanka also realised that it would be futile to continue playing the socialist-capitalist rivalry card. Instead, it realised that the Tamils' armed struggle could be contained by appeasing both India and the West. Thus, from 1985 onwards, the Sri Lankan government of Jayewardene took the approach of accommodating Indian interests in the island while also continuing its pro-market and pro-Western approach. This new approach of the Sri Lankan government culminated into an accord in July 1987 (*Indo-Sri Lankan Accord*), which guaranteed India the predominant role in dealing with the island state's security (Balasingham, 2004: 467-473).

This is not to say that India's hostility to Sri Lanka's close relationship with America and other Western states ended after Rajiv Gandhi assumed the office of the Prime Minister nor after the signing of the *Indo-Sri Lanka Accord*. On the same day the accord was signed (29 July, 1987), a letter from Rajiv Gandhi addressed to Jayewardene stressed that Sri Lanka must take action to ensure that external military forces did not have presence in the island:

1. Conscious of the friendship between our two countries stretching over two millennia and more, and recognising the importance of nurturing this traditional friendship, it is imperative that both Sri Lanka and India reaffirm the decision not to allow our respective territories to be used for activities prejudicial to each other's unity, territorial integrity and security.
2. In this spirit, you had, in the course of our discussions agreed to meet some of India's concerns as follows:
  - i. Your Excellency and myself will reach an early understanding about the relevance and employment of foreign military and intelligence personnel with a view to ensuring that such presences will not prejudice Indo-Sri Lankan relations.
  - ii. Trincomalee or any other ports in Sri Lanka will not be made available for military use by any country in a manner prejudicial to India's interests.
  - iii. The work of restoring and operating the Trincomalee Oil Tank Farm will be undertaken as a joint venture between India and Sri Lanka.
  - iv. Sri Lanka's agreements with foreign broadcasting organizations will be reviewed to ensure that any facilities set up by them in Sri Lanka are used solely as public broadcasting facilities and not for any military or intelligence purposes (cited in Ghosh, 1999: 180-181; also see Lunstead, 2007: 24).

The signing of the *Indo-Sri Lanka Accord* also did not signal the end of Eelam War.

With India taking the responsibility to deal with the Sri Lanka's security, in October 1987, an all-out war broke-out between the Tamil Tigers and the Indian troops, who landed in the island to enforce the accord. The Indian intervention also sparked the second Sinhala

Marxist insurgency, explained in Chapters IV and V. In December 1988, as the war between the Indian troops and the LTTE continued, Ranasinghe Premadasa succeeded Jayewardene as Sri Lanka's president. While continuing his predecessor's pro-liberal and pro-market economic policies, Premadasa took a distinctively anti-Indian approach. Fearing that 'Indian troops might stay on Sri Lankan soil indefinitely', he formed an alliance with the LTTE, this time providing the latter with military assistance to expel the Indian troops (Balasingham, 2004: 143 & 176). After months of heavy fighting, and with a regime change in New Delhi in December 1989, Indian troops withdrew from the island in late March 1990. However, in June 1990 hostilities resumed between the Tamil Tigers and the Sri Lankan government.

These rapid occurrence of events took place in the backdrop of Cold War moving towards its conclusion. In May 1991, Rajiv Gandhi was killed by a suicidal attacker and the new government that came to power in New Delhi liberalised the Indian economy, while also taking a strong anti-LTTE stance. A few months before this, both India and Sri Lanka allowed their soils, Mumbai and Colombo respectively, to be used as re-fuelling bases for the US troops in the First Gulf War. Thus, the final years of the Cold War signalled the end of the power struggle between the West and India in the South Asian region. With the end of the Cold War, the LTTE also stopped talking about socialism and adopted a pro-Western approach, establishing its international secretariat in London and its branch-offices in other Western capitals. Thus, Francis Fukuyama's claim that economic and political liberalism had 'conquered rival ideologies' (1992: xi) was certainly true in the case of India and Sri Lanka.

However, the end of Cold War did not signal the end of West's collaboration in Sri Lanka's war. The next two chapters will examine Western collaboration with Sri Lanka from the beginning of the 1990s, which from October 1997 was upgraded into a parallel war in which the power relations of law, finance, politics, diplomacy as well as military might were used to neutralise the Tamils' armed struggle. It will be established empirically that concerns for the security of global commerce was central to this parallel war waged by the West.

## **Chapter VII**

### **The build-up to the West's war on the LTTE**

Although the GWoT officially began following the terrorist attacks of 9/11, the West commenced its war against the LTTE as far back as in October 1997 (Nadarajah, 2011). It was a war that was conducted on five different fronts: military, legal, financial, diplomatic, and political. Initially, the intention was to discipline the LTTE to voluntarily give-up its secessionist armed struggle and accept a political solution within a united Sri Lanka. It was a continuation of the disciplinary efforts undertaken from the closing months of 1990. From a biopolitical perspective, this disciplinary objective could be understood to have been intended to facilitate the transformation of the LTTE from a group that belonged to the 'bad' part of the human species to a 'good' member of the 'liberal democratic' state of Sri Lanka. However, in mid-2006, when the West came to the conclusion that this disciplinary objective could not be realised, the war was upgraded for the LTTE's defeat which actually resulted in its annihilation. The build-up to this war, however, can be traced to the end of the Cold War. In this chapter, I examine the build-up to the West's war on the LTTE during the 1990s.

#### **Enticing towards negotiations**

As explained in the previous chapter, during the Cold War, largely driven by the power struggle with India to dominate Sri Lanka, the West provided military support to the island-state. However, with the end of the Cold War and the having re-established friendly ties with India, Western states began to express an interest in bringing about a political settlement to the ethnic conflict in the island through negotiations. While continuing to provide Sri Lanka with political, military, and financial support, the West also established contacts with the Tamil Tigers, both through official and unofficial channels. Commenting on Western mediatory efforts of the 1990s, Anton Balasingham noted its commercial dynamics:

Substantial amount of money is being wasted in this war in which the Tigers cannot be defeated. War continues as an endless drama. This in turn threatens Sri Lanka's security. This prolonged war also continues to be a threat to large scale investment efforts in Sri Lanka and an obstacle to transforming the island into a trade zone of global capitalism. It is for this reason that the West is expecting Sri Lanka to seek a peaceful resolution to the conflict (1994: 7).

Despite these reservations, given the fact that it no longer had the support of India, and with no other global power to turn to, the LTTE had no choice but to accept Western mediation.

The first official contact that the West established with the LTTE to mediate a political settlement to the conflict was at the end of 1990. Although in *Pawns of Peace*, the report commissioned by the Norad in 2011 (see the Introduction), it was claimed that the first time Norway offered its services for peace mediation to be in January 1991 (Sorbo et al., 2011: 29), according to an article published in 1994 by Balasingham, who represented the LTTE during those talks, the first official contact between Norway and his organisation was in the closing months of 1990. Balasingham notes that in the closing months of 1990 (date not specified), a senior official from Norway's foreign ministry travelled to Jaffna, the then administrative capital of the de-facto state of Tamil Eelam the LTTE had established, and held talks with his organisation's peace delegation (1994: 3). This notwithstanding, the Norad's report notes that as the negotiations between the Sri Lankan government and the LTTE began to 'founder in June 1990', the island-state's foreign minister approached Arne Fjortoft, a retired Norwegian politician and the secretary general of a Western NGO, to 'establish a back-channel' with the rebels. When Fjortoft conveyed this to the Norwegian Foreign Minister Kjell Magne Bondevik, an informal and secret channel was established between the LTTE and Norway (Sorbo et al., 2011: 29). As Balasingham notes, the talks in the closing months of 1990 with the senior Norwegian official was in essence centred on a permanent ceasefire, Western mediation, and political negotiations in a Western capital:

The Norwegian government was the first to step through the Tigers' doors of peace. In the closing months of 1990, a senior official from Norway's Foreign

Ministry visited Jaffna: he held talks with us; he informed us that the international community wanted peace talks to resume; Norway was willing to mediate; the talks could be held in the Norwegian capital Oslo; before talks resume, both parties should agree for a ceasefire, he stressed. We agreed to the proposal. He further told us: 'If you wish to demonstrate to the world that you are sincerely committed to peace, you must first declare a ceasefire; it should be a unilateral ceasefire. Then we can pressurise the Sri Lankan government to agree for a ceasefire.' We agreed to this proposal as well (1994: 3).

At the same time that Norway made its offer directly to the LTTE, Australian, British, Canadian and Swedish officials in Colombo also made public statements expressing their desire to mediate (Liberation Tigers, 1991; Sorbo et al., 2011: 29). Following these offers, officials from Quakers peace group also visited Jaffna several times and held talks with the LTTE's political leaders to organise Western mediation. They also held talks in London with the LTTE's then international head, Sathasivam Kittu, and prepared a peace plan. Part of the peace plan was to arrange political negotiations between the Sri Lankan government and the LTTE in London, with the facilitation of the British government (Balasingham, 1994: 3).

These offers were clearly intended to entice the LTTE to move in the path of negotiations by creating the impression that opting for a peaceful political settlement would mean international recognition for the movement. It was also intended to persuade the LTTE to give-up its secessionist demands and the armed struggle. As a political official of the organisation put it, the LTTE's leadership was very much aware that it was not possible to discuss secessionist demands at the negotiating table and the only viable settlement that could be brought about through negotiations was a political solution based on regional autonomy for the Tamils.<sup>67</sup> These mediatory offers could therefore be construed as Western efforts to entice the LTTE to give-up its secessionist armed struggle and become a political party.

---

<sup>67</sup> This was stated by the former political official of the LTTE exiled in Malaysia during an interview with me in 2010.

However, these mediatory efforts did not take off the ground as the Sri Lankan government continued to demand the disarming of the LTTE as the pre-condition for talks, which the organisation rejected outright (Liberation Tigers, 1992: 1). Arguably these demands also seemed to have had the tacit endorsement of the West, which continued its military and financial assistance to the Sri Lankan state's war effort (Balasingham, 1994: 3). This was evident from some of the actions taken by the West in the backdrop of the failure of its mediatory efforts. One of such actions was Britain's decision at the end of 1991 to expel the LTTE's international head from the UK. Having officially allowed Kittu to visit the UK for medical treatment in 1989, with his presence bearing no fruit in terms of bringing a peaceful political settlement to the conflict in Sri Lanka, two years later Britain decided to expel him. Subsequently, on his sea-voyage to Jaffna, Kittu died at mid-sea during a confrontation with the Indian navy. The decision of Britain to expel the LTTE's international head can therefore be construed as an early sign of how Western action against the LTTE was to manifest if the organisation continued to pursue its armed struggle for secession.

In these efforts of the West to discipline and transform the LTTE, India, having embraced economic liberalisation, also played its part. With the pro-market and pro-Western approach of New Delhi, the US and other Western liberal powers revised their anti-Indian approach in the Eelam War and were careful in ensuring that their peace mediatory efforts did not antagonise India. As the former Norwegian minister Solheim noted, throughout its engagement with both the LTTE and the Sri Lankan state, Norway kept India informed of its peace mediatory efforts (2011). In the 1990s, unlike during the Cold War, America was also cautious that its actions did not irritate India (Lunstead, 2007: 11). However, in 1991 India became more of an unofficial partner in the West's build-up to its war on the LTTE when it proscribed the movement as a terrorist organisation, in the wake of Rajiv Gandhi's assassination, effectively forcing the organisation to go underground in India. At the same time, New Delhi's proscription also compelled the LTTE to accommodate Western demands for finding a political a solution to the conflict, since at that time the organisation had its international offices in Western capitals and was conducting its political campaigns and fundraising activities among the Tamil Diaspora: the LTTE could not simply also risk going underground in the West by opposing Western mediation. Thus, despite continuing its



secessionist armed struggle, the LTTE leader Pirapaharan also made official announcements that his organisation was ‘keeping the doors for peace open’ (2009: 10 & 23).

### **Sri Lanka’s ‘war for peace’**

However, the West’s build-up to the war on the LTTE could arguably be said to have gathered momentum from November 1994 when Chandrika Kumaratunga became the island-state’s president. Compared to her predecessors, she took a more pro-market and pro-Western approach. Having ascended to power with the promise to ‘work for economic “globalisation with a human face” and to negotiate peace’ with the LTTE, she downsized ‘the economic role of government’ and ‘propelled the economy towards greater global interdependence and growth’ (Shastri, 2004: 73-76). Although Kumaratunga’s coalition also included a number of leftist parties, she made public pronouncements that her government would not ‘nationalise or expropriate private property’ and ‘would honour all bilateral investment protection agreements and relevant international treaties, and that there would be no restrictions placed on repatriation of dividends and capital’ (Ibid.). Kumaratunga also followed ‘the advice of the IMF and allied international actors more closely’ in her economic policies (Ibid.).

Coupled with her pro-market approach, Kumaratunga also made numerous public pronouncements, both during the elections and after ascending to power, that her government was interested in bringing a peaceful political solution to the ethnic conflict and would ‘promote a package of constitutional reforms that would treat members of all communities in a fair manner’, prompting commentators to claim that her government was adhering ‘more closely to democratic norms and did not engage in belligerent rhetoric’ towards other ethnic communities in the island (Shastri, 2004: 88). As a consequence, Kumaratunga’s ‘regime was generally perceived as one with a better record of governance’ than its predecessors (Ibid.).

More importantly, Kumaratunga’s approach to resolve the ethnic conflict through economic and political reforms resembled in many ways the post-Cold War liberal ‘peacebuilding’ strategy outlined in *An Agenda for Peace* of the then UN Secretary General Boutros-Ghali (1992). Boutros-Ghali argued that ‘poverty, disease, famine, oppression and

despair abound' were 'both sources and consequences of conflict that require the ceaseless attention and the highest priority' (1992). In her speech to the United Nations' World Summit for Social Development in Copenhagen, four months after ascending to power, Kumaratunga also claimed that 'poverty and unemployment' were some of 'the underlying causes of social conflict and violence' (1995). Proclaiming that her government would give 'the highest priority to free market policies' and calling for end to 'protective barriers on free trade' across the globe, Kumaratunga argued that an increase in 'trade and capital flows', in addition to 'development and transfer of technology, labour migration and foreign direct investment' would help to overcome economic problems (Ibid.). In the same way that Boutros-Ghali (1992) claimed that 'commitment to human rights with a special sensitivity to those of minorities' would help to resolve ethnic conflicts and bring 'stability' to states, Kumaratunga (1995a) also maintained that the ethnic conflict in Sri Lanka could be resolved by building a national identity within which the 'Sinhala-Buddhists' and other 'minority communities and religions' could 'live together as one people bound by a sense of brotherhood' with 'equal rights'. Kumaratunga was also quick to point out the economic potential of the island in terms of global commerce: given the island's strategic location at the foot of the Indian sub-continent, she argued that Sri Lanka 'attracts trade-driven flows of foreign investment' and 'with the acceleration of the economic reform process in the sub-continent, especially in India, this market would continue to expand rapidly' (1996).

The 'good government' impression that Kumaratunga's pro-market arguments created in the West was so extensive that the LTTE had no choice but to negotiate with her, in order to demonstrate to Western states that it was committed to peace. Despite long being aware of her treatment of the 'Tamil problem' as 'a minority issue' and her belief that the ethnic conflict was 'not a nationality question and that the Tamils were not entitled to the right to self-determination and statehood', the LTTE agreed to talk with Kumaratunga (Balasingham, 2004: 201 & 204). According to Balasingham, even though Pirapaharan was not convinced of the possibility of reaching a negotiated political settlement with Kumaratunga, he nevertheless agreed that it would be 'politically prudent' to initiate dialogue with her:

From the outset, Mr Pirapaharan, the leader of the LTTE, was sceptical of Chandrika's gesture. He felt it was a political gimmick to win the support of the Tamils and Sinhalese for the forth-coming presidential elections. I advised him to respond to her positively. 'She is a new leader emerging on the Sri Lankan political horizon articulating progressive politics. It would be politically prudent on our part to initiate a dialogue with her government to find out whether or not she is genuine in resolving the problems of the Tamils,' I told Mr Pirapaharan. He agreed (Balasingham, 2004: 204).

In a further attempt to gain the support of the West, a few weeks after Kumaratunga's rise to power, the LTTE leader even made an official public statement that his organisation was 'willing to consider a political solution based on regional autonomy' (Pirapaharan, 2009: 29).

Despite these gestures towards the West, when peace talks broke down and hostilities resumed in April 1995, it was the LTTE that took the blame. One of the reasons for this was that it was the LTTE which first walked away from the negotiating table, claiming that Kumaratunga's government, instead of dealing with the 'urgent existential problems' of the Tamil people, was preoccupied with developing the 'Sri Lankan military machine as a formidable force' by purchasing modern weapons, conducting large-scale recruitment and training programmes and expanding its navy and air force (Balasingham, 2004: 199 & 329). This was further compounded by the fact that Western media remained 'inaccessible' to the LTTE and was at that time 'detached and uninvolved' with the Eelam War (Balasingham, 2004: 332-333). However, three further reasons could be given for the one-sided approach taken by the West in the Eelam War following the break-down of peace talks in 1995.

Firstly, as a former US ambassador to Sri Lanka has admitted, one of the key reasons for the American government's support for Kumaratunga's regime was her 'market-driven' economic policies (Lunstead, 2007: 14). This was coupled with the fact that despite the resumption of hostilities, Kumaratunga continued to reiterate at international forums her government's commitment to liberal democratic principles and resolving the conflict by devolving power to the Tamils. In her keynote address at a business forum in Seoul,

Kumaratunga hinted there to be a link between the success of her market-driven economic reforms and her commitment to liberal democracy and devolving power to the Tamils:

I now propose to present you important elements of our new policy framework and our future socio-economic perspectives, which I consider will be useful to investors among you who may decide to chose Sri Lanka as the base, targeting the rest of the world and particularly the emerging Asian Markets.

My Government is committed to a truly operative democracy, in which the rule of law is firmly entrenched. We have implemented important steps to restore democracy... The Government is fully committed to restore democracy and peace in the North and East. Our policy on the ethnic question and the war in the North-East has been enunciated clearly and courageously, from the outset. We have a vision of Sri Lanka where all communities can live in safety and security, where human dignity is valued, and equality of treatment is the accepted norm of public life. We believe that all communities must be given the opportunity to express their identity and to participate fully in the life of the nation, at the national, provincial or local level...

The theme of the proposals is the devolution of power to Regions while safeguarding the unity, territorial integrity and sovereignty of the nation. We feel that the ideal of democracy is better served, by the sharing of power with local representative units which will enable persons to determine their own destiny (1996).

Although Kumaratunga (2001) did not claim that the LTTE was a Marxist movement (as Jayewardene had claimed), she nevertheless argued that the armed struggle it waged constituted a serious threat to the island's 'economy' and thus 'the forward march of the Sri Lankan Nation' as a whole. These arguments of Kumaratunga were in turn endorsed by Western states, in particular the US. According to the former US Ambassador Jeffrey Lunstead, while successive Sri Lankan governments worked towards building 'a more

market-driven economy’, the presence of the armed conflict continually hampered their ability to achieve the island’s ‘economic and commercial potential’ (2007: 11 & 14).

In addition to advancing market-oriented arguments to gain the support of the West, Kumaratunga also unveiled her devolution proposal around the same time that Tony Blair’s government decided to devolve power to Scotland in 1997. Her proposals also came out around the time when there was a perception in the Western academia that the ethnic conflict could be resolved if the Tamils accept their status as a minority (see Hannum, 1996: 306). Thus, ‘impressed’ by Kumaratunga’s proposals on ‘substantial devolution in relation to finance, law and order, land, education’ and the ‘division of power on the basis of regional and central government lists’, the West gave her its blessings (Balasingham, 2004: 337).

Secondly, the economic policy of the LTTE at that time, in contrast to Kumaratunga’s purely market-driven approach, was *laissez faire* in principle but largely autarkic in practice. While no longer advocating socialist economic policies of the 1970s and 1980s, in response to the severe economic embargo imposed by the Sri Lankan state since the resumption of hostilities in June 1990, the LTTE advocated self-sufficiency as the means for the survival of the Tamil nation. In addition to encouraging local production and the opening of its own bank for the de-facto state of Tamil Eelam to control the local finance, the LTTE’s police also took punitive action against traders who hoarded goods to increase their profits, effectively bringing down the price of essential goods sold in its territories (Liberation Tigers, 1992a: 12; 1994: 2). In effect, in contrast to *laissez faire* liberalism, the LTTE carried out intervention in the market mechanism. Stressing the need for self-sufficiency, Pirapaharan noted:

The establishment of the separate state of Tamil Eelam is the goal of our struggle for self-determination. A self-sufficient economic system is the prerequisite for establishing this separate state. Therefore, our objective of attaining political independence is intertwined with economic independence. The state that we intend to establish should not be interdependent but be able to stand on its own feet. We must build the foundation for this from now (1994: 9).

According to a former head of the LTTE's economic development arm,<sup>68</sup> his organisation adopted autarkic economic policies during the early 1990s in response to the Sri Lankan state's economic embargo and not due to any ideological opposition to free trade. Had they been given the chance, the Tamil Tigers would have turned to free trade, he claimed:

The Sri Lankan government strangled our economy by imposing an economic embargo. Targeting harvests, the government deliberately launched offensives on our agricultural lands. The economic embargo also prevented us from transporting surplus produce. We therefore turned towards self-sufficiency.

Nevertheless, we did not devise a centralised economic system in the Marxist sense. It was never modelled on Soviet Union's centralised planning system. It was more of a people's economy than a centralised economy that we devised. It was not centralised. Necessity forced us to seek self-sufficiency. We wanted equitable development.

If there was no economic strangulation, we would have opted for open market economic policies. Why should we not have done so? Except for Cuba, every country in the world follows open market economic policies.

A pronouncement to this effect was also made in March 1995 by Balasingham when he was visited by group of Western diplomats. According to a US embassy cable released by Wikileaks, Balasingham 'portrayed free trade (unencumbered by the presence of security forces) and the achievement of peace as essential for the successful fulfilment of a rehabilitation and reconstruction program' (Schaffer, 1995). Seven years later, during a press conference in April 2002, chaired by Balasingham, Pirapaharan also reiterated the LTTE's post-Cold War commitment to adopting free market economic policies (*Tamilnet*, 2002).

However, the LTTE's commitment to free trade in principle failed to convince the West both during the 1990s and in the millennium since the organisation continued in practice to

---

<sup>68</sup> I interviewed this former official of the LTTE, currently exiled in London, in May 2012. He was also a member of the LTTE's peace delegation in the negotiations with Kumaratunga's government.

implement autarkical welfare and development measures in the territories it controlled. As Kristian Stokke has noted, 'rooted in and committed to the rights, welfare and development of the Tamil community', the LTTE's 'state institutions' had 'authoritarian and technocratic tendencies' that provided 'a certain administrative efficiency' but prevented 'democratic accountability' (2006: 1024). As a consequence, some Sri Lankan academics had even opined that since the LTTE was a 'statist' organisation, it 'would not opt for an economic policy based on free markets and privatisation' (Shanmugaratnam and Stokke, 2004: 10). The fact that the West continually harboured strong doubts on the LTTE's economic policies throughout the armed conflict was evident by the series of hard-hitting questions posed in 2003 by Ashley Wills, the former US ambassador to Colombo, a year after the public statement made by Pirapaharan on the LTTE's commitment to free market economic policies:

And in today's world, my government believes that the right policies are those that favour the private sector and individual initiative. On this important point, it would be a good thing for the LTTE to declare its intentions. The Sri Lankan Government must do a much better job of delivering services and assistance. It's way too slow and bureaucratic. We are not blind to the faults of the Colombo Government. But what is the LTTE's economic ideology? Is it going to try to control everything? Is it hoping to pursue autarkic policies that isolate the north and east from the rest of Sri Lanka? I'm confident the donors will not agree with that (Wills, 2003: 3).

Balasingham once again responded to those questions by reiterating the LTTE's post-Cold War economic policy: 'I can only say that we are in favour of an open market economy based on liberal democratic values' (2003a: 3). It was a clear indication of the understanding on the part of the LTTE's leadership that if it was to gain political recognition from Western states, it had to adhere to the principles of liberal peace, which included accepting an economic system based on free trade. Nevertheless, given the consistent pro-market and pro-Western approach of successive Sri Lankan governments since 1977, Western states continued to act favourably towards the island-state rather than towards the LTTE.

Thus, following the breakdown of talks in 1995, unlike Kumaratunga's government which was able to demonstrate both in word and deed its commitment to market-driven economic policies, the LTTE was not successful in persuading the West that the Tamil state it intended to establish through armed struggle would uphold free trade and private enterprise.

Thirdly, Western antagonism towards the LTTE seemed to have had exacerbated following the breakdown of talks as the West was convinced that the organisation had used peace talks as an opportunity to rearm and regroup. Despite Pirapaharan's announcement in November 1994 that his organisation would consider a political solution based on regional autonomy, and the statement by Balasingham in March 1995 to Western diplomats that his organisation would consider a federal solution modelled on the American or Australian systems, the West remained sceptical about the LTTE's commitment in this regard. This was evident from a US embassy cable released by Wikileaks, wherein Teresita Schaffer, the then American ambassador to Colombo, not only expressed her doubts on the genuinity of the LTTE's readiness to abandon its secessionist goals and opt for a federal solution, but also pointed out that 'the true extent of the shift' from a separate state to a federal state was 'unlikely to be apparent unless and until serious political negotiations begin' (1995).

Thus, during a public speech delivered in July 1995 in Colombo, three months after the resumption of the hostilities, Kumaratunga boasted her government's victory in turning Western opinion against the LTTE. Claiming that her government was very well aware from the outset that the LTTE would never accept a peaceful political settlement to the conflict, she nevertheless opted to talk with them in order to demonstrate to the international community that the organisation cannot be persuaded to abandon its violent course:

As we have been very honest in seeking peace; as we as a government went to the maximum limit possible to realize peace, the whole world has come to the conclusion that it is the LTTE that is at fault. It was at a time when all aid-giving countries and organizations, including the World Bank had refused to give even a red cent in way of aid since the two previous years to the then existing UNP government, that our government came into power. ... But now, these countries are eagerly offering generous aid to us. At the Paris conference of the aid-giving



countries, just 10 days after the LTTE resumed its war, breaking the cessation of hostilities agreement, we were able to secure more aid than the UNP government was able to secure in respect of one whole year. In fact, the negotiations for obtaining aid was in progress when the LTTE re-started the war. We were still in Paris happily reflecting on our success at our aid negotiations and hardly 12 hours had elapsed since that event when we heard that two of our aircraft had been shot down at the Palaly airport. We continue to receive the agreed aid for development (Kumaratunga, 1995a).

Having turned Western opinion against the LTTE, the Sri Lankan state aggressively pursued its ethno-theocratic war against the Tamils, claiming it to be a 'war for peace' (1995).

While the full force of the state's military might was unleashed on the Tamil homeland, under the cover of emergency laws, Kumaratunga's armed forces conducted mass scale arrests, killings, and enforced disappearance of Tamil civilians. In 1995, as the government forces invaded Jaffna, half a million Tamils were uprooted from their homes. The LTTE called it 'a huge exodus reminiscent of biblical times' (Balasingham, 2004: 338). Within two years following the invasion of Jaffna, at least 350 Tamils became victims of killings and enforced disappearances by the Sri Lankan army. Three years later in 1998, a Sri Lankan soldier convicted of raping a Tamil school girl 'claimed that he had knowledge of mass graves at Chemmani in Jaffna where the bodies of up to 400 persons killed by security forces in 1996 had been buried' (US Department of State, 1999). While Kumaratunga (1995a) claimed to the outside world that her government's war was not directed at the Tamils, her armed forces constantly carried out aerial and artillery attacks on Tamil civilians settlements, resulting in high casualties among the Tamil civilian population (Balasingham, 2004: 311).

Despite being aware of Sri Lanka's annihilatory tactics against the Tamil population, the West continued to demand that the LTTE return to peace talks, while continuing to provide military and financial assistance to the state's war efforts. Once again, history repeated itself in Sri Lanka. In a fashion reminiscent of the covert and overt military training programmes of the 1980s, the US armed forces began training Kumaratunga's military in counter-insurgency operations. In March 1996, four months after the invasion of

Jaffna, the Pentagon launched a military programme codenamed *Operation Balanced Style* to train Sri Lankan troops to fight the LTTE. In 1996, while the US land forces trained the Sri Lankan military in jungle warfare, US navy seals conducted ‘a joint exercise off the high seas’ (Jansz, 1997). In 1997 this was increased to seven training programmes involving the US Green Berets and Navy Seals (Ibid.). The objective was twofold: to drive the LTTE out of its final stronghold Vanni,<sup>69</sup> and to interdict its international arms shipments at mid-sea.

As the war intensified, the LTTE also carried out a series of attacks intended to destabilise Sri Lanka’s economy. A suicidal truck-bomb attack carried out by the LTTE in January 1996 on Colombo’s World Trade Centre saw over one hundred local banking and financial institutions sustaining damages. Another attack by the LTTE in the following month in Colombo brought destruction to Sri Lanka’s oil reserves. In April the same year, the LTTE also attacked Colombo harbour with the objective of reducing the state’s shipping revenue (Varatharajan, 1996: 3; Liberation Tigers, 1996: 1). These attacks on Sri Lanka’s economic targets posed a serious threat to the flow of foreign capital into the island. In response, the US government contacted the LTTE’s leadership in Vanni through unofficial channels and conveyed their displeasure. One of the warning issued during such unofficial meetings was that if the LTTE did not give up its armed struggle for secession and accept Kumaratunga’s devolution proposals, America would move to proscribe it as a terrorist organisation.<sup>70</sup>

This warning of America was a clear indication, after the expulsion of the LTTE’s international head from the UK in 1991, that the West’s war on the movement was about to begin and would converge with Kumaratunga’s ‘war for peace’. The next chapter will examine the manifestations of the West’s war on the LTTE from October 1997 to May 2009.

---

<sup>69</sup> After the occupation of Jaffna in 1995 by the Sri Lankan army, the Vanni region became the last stronghold of the LTTE.

<sup>70</sup> This was stated by the former political official of the LTTE exiled in Malaysia during an interview with me in 2010.

## Chapter VIII

### The West's war on the LTTE

There were indications in 1995, after peace talks between Kumaratunga's government and the LTTE broke down, that the West's war against the LTTE would initially manifest on the legal front. In October 1995, Manickavasagam Suresh, the LTTE's chief representative in Canada, was arrested on the allegations of being associated with a terrorist organisation. Six months later, in April 1996, Nadarajah Muraleetharan, the LTTE's chief representative in Switzerland was also arrested with fourteen other activists on the allegations of raising funds for a terrorist organisation. However, as the LTTE was not proscribed as a terrorist organisation in both countries, criminal charges could not be brought by the authorities against the arrested individuals and all of them were eventually released without any charges.<sup>71</sup>

Although these arrests were of political significance to the Sri Lankan government, in that they took place in two Western countries with large Tamil populations that provided the LTTE with funds to continue its armed struggle, they nevertheless cannot be construed as wars against the movement. Firstly, the arrests and detention of LTTE officials in Canada and Switzerland did not have any effect on the organisation's ability to continue the armed struggle in Sri Lanka. This was because Canadian and Swiss authorities did not take further punitive action against the LTTE on their soil, thus allowing the organisation to continue its fundraising and political activities unabated in both countries.<sup>72</sup> Secondly, there was a lack of consensus among Western states on taking concerted action against the LTTE. Although America had threatened to ban the LTTE in 1996, neither Britain nor other Western countries were in favour of proscribing it. During a press conference in August 1996 in Colombo, Malcolm Rifkind, the then British foreign secretary, stated that UK was in not favour of proscribing the LTTE because there was no evidence that the funds it was raising in Britain were being used for terrorist purposes (cited in Ismeth, 1996). Rifkind even went to the extent of claiming that not all the activities of the LTTE can be construed as terrorism:

---

<sup>71</sup> In Canada, Suresh was released without charges after being detained for two years and five months. In Switzerland, while Muraleetharan's associates were released immediately, he was detained for eight months.

<sup>72</sup> This was stated by a Switzerland-based former LTTE official during an interview with me in 2009.

Clearly they have indulged in terrorist acts and we unreservedly condemn terrorist acts that have been carried out by that organisation, just as we would condemn terrorist acts committed by any organisation. They may have other activities as well, they may have political activities, that one has to be aware of (1996, cited in Ismeth, 1996).

Given these factors, the brief legal actions taken by Canadian and Swiss authorities in 1995 and 1996 against the LTTE can be better conceptualised as war exercises. They were war exercises in the sense that they provided Western states with a valuable lesson that if they were to wage war on the legal front against a foreign armed resistant movement, they had to first enact terrorism laws that would broadly define all armed struggles as terrorism.

### **Converging with Sri Lanka's 'war for peace'**

Although by 1997 the LTTE's attacks on Sri Lanka's economic infrastructures declined, on the military front it continued to flex its muscles, engaging in conventional warfare with the Sri Lankan armed forces. This was the consequence of shipments of conventional weaponry that it managed to import using funds raised from the Tamil Diaspora in the West. In contrast, despite obtaining new military technology and upgraded counter-insurgency training from the US, Sri Lankan troops continued to suffer heavy human casualties in the battlefield.

During the 1970s and 1980s, the LTTE was largely a guerrilla outfit and its military offensives were hit-and-run in nature. This continued to be the case up until 1997, although some of the military offensives launched by the LTTE were also semi-conventional in character. However, in May 1997, when the Sri Lankan military launched a major offensive code-named *Operation Victory Assured*, which was portrayed as the final offensive to crush the Tamils' armed struggle, the LTTE revealed its ability to engage in conventional warfare.

It was against this backdrop that the West's war on the LTTE began in October 1997. In addition to continuing its collaboration in Sri Lanka's war on the military and financial

fronts, the West also waged its own war against the LTTE on the legal, financial and diplomatic fronts. There was an unofficial division of roles among Western states in the initial stages of this war. The former US Ambassador Lunstead claims that this unofficial division of roles developed from the end of 2001 when Norway undertook efforts to sponsor a ceasefire between the LTTE and the Sri Lankan government: while the US took a harder line towards the LTTE, other Western states, IGOs and IFIs took a softer role (2007: 5-6 & 35). However, a closer examination of the roles played by America, Britain, and other Western states (joined by IGOs and IFIs) in the Eelam War in the post-Cold War period indicates that this division of roles had a genealogy going as far back as to October 1997.

America took the lead in this war against the LTTE by becoming the first Western country to proscribe the latter as a foreign terrorist organisation on 10 October 1997. Commenting on the proscription of the LTTE, Lunstead notes that although the majority of foreign insurgent organisations proscribed by America in 1997 'were Islamic/Middle Eastern groups which could clearly be seen as threatening the security of U.S. nationals, or the national security of the U.S.', this was not the case in relation to the LTTE, since it 'had never targeted U.S. nationals' (2007: 15). The American government's decision to proscribe the LTTE, Lunstead notes, was instead 'based on a determination that peace and security in South Asia were important to U.S. national security, and that they were threatened by the LTTE' (Ibid.: 15). What were these national security interests of the US in Sri Lanka?

Unlike during the Cold War, in the 1990s the US did not have any military interests in the island. Both officially and unofficially, the US was not at war with any state in the South Asian region. As Lunstead notes, in contrast to 'the musings of various South Asian theorists', the US did not have any interests in the use of Sri Lanka, in particular 'the harbour at Trincomalee for military purposes' (2007: 11). Having also developed a 'strategic relationship with India' there was 'little reason for the U.S. to irritate India by setting up a base in one of its neighbour countries' (Ibid.). Therefore, America's proscription of the LTTE cannot be attributed to any military interests the former had in the island of Sri Lanka or the South Asian region in general, even though it took place against the backdrop of the LTTE's emergence as a national liberation movement capable of engaging in conventional warfare.

Instead, America's proscription was centred on the perceived threat posed by the LTTE's armed struggle to global commerce in Sri Lanka. This was evident from the wording of the American statute that proscribed the LTTE as a terrorist organisation. Section 301 (a) 1 of America's *Anti-terrorism and Effective Death Penalty Act* of 1996 claimed that 'international terrorism' was a threat to America's global commercial interests: 'international terrorism affects the interstate and foreign commerce of United States by harming international trade and market stability, and limiting international travel by the United States' citizens as well as foreign visitors to the United States'. As far as America was concerned, the armed struggle that the LTTE waged constituted a threat to global commerce in Sri Lanka.

The commercial dynamics of America's decision were also evident from some of the actions taken by Washington in the run-up to the proscription of the LTTE. A month before proscribing the LTTE, America appointed Shaun E. Donnelly, an economist and a former businessman as its ambassador to Sri Lanka. A week before the LTTE was proscribed, the US Secretary of State Madeleine Albright even announced, after meeting her Sri Lankan counterpart Lakshman Kadirgamar, that her government's 'appointment of a businessman as the new ambassador to Sri Lanka could be taken as a signal for increased commercial co-operation between the two countries' (1997, cited in *The Sunday Times*, 1997).

Despite being the first Western country to proscribe the LTTE as a terrorist organisation, in the initial years America remained reluctant to expend substantial resources at the global level against the organisation. This was evident from some of the public statements made by Kadirgamar in the wake of the US ban, who claimed that while 'other states will be requested by the government of United States to give due heed' to the proscription of the LTTE and 'to take supportive measures in their own countries', it would not launch 'a global crusade': 'I don't think the United States is going to deploy teams all over the world to look into LTTE activities. They will primarily be concerned, I think, with LTTE activities in the United States' (1997 cited in, Vittachi 1997). The proscription, Kadirgamar noted, would however have 'an enormous psychological impact' on the LTTE as it was made by the US, the 'sole superpower' of the post-Cold War period (Ibid.).

Moreover, in spite of the ban, the US also continued to communicate with the LTTE through backdoor channels. US intelligence agents affiliated with Western NGOs often

conveyed the American government's messages directly to the LTTE in Vanni. The US State Department also continued its dialogue with the US-based LTTE supporters, often conveying to them messages intended to reach the LTTE in Vanni. Two notable supporters of the LTTE whom the US used as its backdoor channels in America were Visvanathan Rudrakumaran, a US-based Tamil attorney for the LTTE, and Nagalingam Ethirveerasingham, a US-based eminent Tamil athlete.<sup>73</sup> In this regard, the former US Ambassador Lunstead notes:

While the U.S. maintained this hard line, it tried to communicate, at several levels and both publicly and privately, that a change in LTTE behaviour could lead to a change in the U.S. approach. This message was sent through the Norwegians in their facilitator role. It was also made repeatedly to various contacts who could pass it on to the LTTE. These contacts took place both in Sri Lanka, through prominent Tamil politicians; and in the U.S., through Tamil expatriates who were known to have close connections to the LTTE (2007: 16).

However, in line with the promises made to the Sri Lankan government, the US stepped-up its surveillance of the activities of the LTTE in America, thereby constraining the latter's ability to raise funds in the US. As Lunstead notes, 'the legal restriction were clear' that America 'had to block LTTE funds' (2007: 15). Thus, with the proscription of the LTTE, the US government was officially at war with the organisation on the legal and financial fronts.

Despite the US ban on the LTTE, the Sri Lankan government did not immediately follow suit, even though it continued to refer to the movement as a 'terrorist' organisation.<sup>74</sup> Kadirgamar claimed that a domestic ban would only keep the LTTE away from negotiations:

One has to weigh up the advantages and the disadvantages. There could be an argument that if you ban the LTTE, you are sending a signal at this moment that

---

<sup>73</sup> These were revealed to me by the former political official of the LTTE exiled in Malaysia during the interview in 2010.

<sup>74</sup> Four months after the US ban, in February 1998, following a suicidal attack by the LTTE in Kandy, the Sri Lankan government proscribed it as a terrorist organisation, closing the doors for political negotiations.

you are shutting the door to the possibility of any kind of negotiations. We have made it clear over and over again that the question of talking to the LTTE really depends, in a sentence, on the LTTE providing us, discretely or otherwise, with credible evidence that it is willing to adopt the path of peace, rather than war (1997 cited in, Vittachi, 1997).

In essence, the Sri Lankan government believed that the US ban would compel the LTTE to give up its secessionist armed struggle and turn towards negotiations. It was therefore seen to be imprudent for the Sri Lankan government to take measures that would jeopardise this.

Almost nine years later in 2006, during his farewell press conference in Colombo, the US Ambassador Lunstead acknowledged that America proscribed the LTTE as a terrorist organisation in order to compel the latter to give-up its secessionist armed struggle:

The goal is not to ban or not ban the LTTE. The goal is not to get or not get money to the LTTE. The goal is for the LTTE to enter the political process, to negotiate with the government. And the result, if that happens, if they give up violence and do that, will be a different kind of relationship with outside actors. Organizations that are banned can be un-banned. The United States has removed organizations from the Foreign Terrorist List. In fact, that's what our goal is – our goal is to get the LTTE off the list, not to put them on the list. Because if they came off the list it would mean that things were going well (2006).

In making this statement, Lunstead implied that America was using law to achieve the objective of disarming the LTTE, which the Sri Lanka state could not do using its military might. In other words, the US mobilised law against the LTTE to produce an effect of battle.

While the US waged war against the LTTE on the legal and financial fronts, for over three years until February 2001 Britain took a softer approach towards the movement. In following this policy, Britain allowed the LTTE to use its soil to protest against the US ban as well as mount a legal challenge. While the LTTE's leadership in Vanni came out against the US proscription by issuing a statement through its international secretariat in London,



instructions for its US-based lawyers to mount a legal challenge were issued by its Paris-based international representative, Velumyylum Manoharan, also using the organisation's London address. Unlike in the 1980s when the LTTE denounced America as an imperial power, in its public statement in response to the US ban, the organisation only characterised the proscription as a 'regrettable' decision (*Tamilnet*, 1997). Thus, in allowing the LTTE to use its soil to protest and mount a legal challenge against the US ban, Britain created conditions for the movement to adopt liberal democratic forms of dissent. In continuing to allow the LTTE to function in the UK, Britain also kept its doors open for directly engaging with the organisation, thereby signalling its willingness to mediate in the Eelam War.

Britain's softer approach in the West's war became more apparent when it began interacting directly with the LTTE's chief negotiator Anton Balasingham<sup>75</sup> on the feasibility of resuming peace talks, upon the latter's return to London in May 1999 for medical treatment. Following Balasingham's arrival in London Norway also re-entered the scene, also following a softer policy towards the LTTE. Norway not only arranged a kidney transplant operation for Balasingham in Oslo, but also, with Britain playing a complimentary role, began mediating between the LTTE and the Sri Lankan government.

The key objective of Britain and Norway following this policy was spelled-out in a speech given in Colombo at that time by the then British Foreign Office Minister Peter Hain:

I am convinced that both the Government's insistence upon the territorial sovereignty of the whole island, and the LTTE's objective of autonomy, can be secured. But for that to happen the shooting must stop and the talking must start.

This is a war neither side can win militarily. It is a conflict that cannot be resolved without elected leaders being prepared to sit down with people who may well be responsible for barbarous assassinations, but who do have a legitimate political programme which needs to be engaged, not shunned. It took far too long

---

<sup>75</sup> Balasingham was the LTTE's theoretician, political advisor, and chief negotiator from 1979 to his death in 2006. He was also a British citizen.

for us to learn that lesson in Britain and far too many lives were lost as a consequence.

Equally, the LTTE, like the IRA, need to acknowledge that, whilst a Tamil Kingdom constitutionally split from the rest of the island will not receive recognition by Europe, the USA or indeed India, the principle of self-determination and control over most if not all the key policies affecting daily life would be supported by the international community (2000).

Through this speech, Hain spelled-out clearly to the LTTE that neither the West nor other members of the international community would support its secessionist goal. However, if it desired the support of the West, it had to opt for a political settlement under the principles of the right to internal self-determination of nations through peace negotiations.

As Norwegian and British mediatory efforts continued, from November 1999 onwards, in a sudden turn of events, the LTTE launched a wave of military offensives recapturing vast swaths of territories that it had lost in the previous years to the Sri Lankan armed forces. For over six months the military balance turned in the LTTE's favour. However, from June 2000 onwards, the ground situation reached an impasse, and the LTTE's military offensive to recapture its former administrative capital Jaffna was stalled in its tracks. Pirapaharan attributed this to the 'unilateral intervention by international states who injected massive military assistance to the Sri Lankan military forces at a crucial time in the battle of Jaffna' (2009: 77). When Kumaratunga's government called for external assistance to prevent Jaffna from falling in the hands of the LTTE, while Russia, Ukraine, China, India, Pakistan, and Israel despatched military assistance, the US sent a warship which remained in international waters off Sri Lanka while the battle for Jaffna continued (*The Sunday Times*, 2001). Western states also stepped-up their collaboration in Sri Lanka's war by continuing their financial assistance to the state, prompting the LTTE to point out that the 'reins' for directing Sri Lanka 'towards the path of peace' was 'in the hands' of 'international states' which 'feed the economic needs of the country' (Pirapaharan, 2009: 86)

In October 2000, Norway initiated a direct dialogue with the LTTE's leadership in Vanni, and submitted a month later a proposal for Memorandum of Understanding (MoU) to

be adopted by the belligerents. While the proposal stipulated that the Sri Lankan government should lift its economic embargo on the flow of non-military items to the LTTE held territories, in return the latter had to refrain from carrying out ‘assassinations, bomb explosions, sabotage’ and ‘violent intimidation of political groups or individuals’ (Balasingham, 2004: 341). Although the MoU was beneficial to the LTTE in that it proposed to make living conditions for the Tamil civilian population in its territories better by removing Sri Lanka’s economic embargo, it also sought to achieve what Sri Lanka had failed to do through military action: had the proposal been implemented, the military threat that the LTTE posed to Sri Lanka’s economy and its political leadership would have been removed. In other words, the Norwegians tried to use diplomacy to produce an effect of battle.

However, Norway’s proposals did not take off the ground because Sri Lanka refused to accept them. Meanwhile, as the impasse on the battlefield continued, Britain began relaying messages to the LTTE that it was contemplating a ban on the organisation.<sup>76</sup> In light of this warning of Britain, and in an attempt to capitalise on Sri Lanka’s refusal to accept Norway’s proposal, the LTTE announced a month-long unilateral ceasefire commencing from the Christmas Eve of 2000 to pave the way for the MoU to be implemented (Balasingham, 2004: 343-344). Although the LTTE extended its unilateral ceasefire for another three months, it only remained in force in theory as the Sri Lankan government refused to reciprocate it and continued its military offensives. It was in the middle of this unilateral ceasefire that Britain gave-up its softer approach and took a harder line towards the LTTE.

On 28 February 2001, Britain proscribed the LTTE as a terrorist organisation under the *Terrorism Act 2000*, extending the West’s war on the legal and financial fronts to the British soil. Section 1 of the Act defined terrorism to be ‘the use or threat’ of ‘action’ that is ‘designed to influence’ the ‘government of the United Kingdom, of a Part of the United Kingdom or of a country other than the United Kingdom’ (*Terrorism Act 2000*). By broadly defining all forms of violence against states as terrorism and placing the Tamils’ armed struggle within this category, Britain sent two messages to the LTTE: on the one hand, the LTTE had to abandon its secessionist armed struggle and opt for a political settlement

---

<sup>76</sup> This was stated by the former political official of the LTTE exiled in Malaysia during the interview in 2010.

through negotiations if it was to be decriminalised in the international arena; on the other hand, like America, Britain would also seek to curb the LTTE's fundraising activities in the UK in order to place constraints on the movement's ability to engage in conventional warfare.

The LTTE seemed to have understood this. Thus, despite noting that the British ban would 'impose severe restraints' on Norway's peace efforts by encouraging 'the repressive Sri Lankan regime to be more uncompromising, intransigent and to adopt a military path of State violence, terrorism and war', Balasingham declared on behalf of the LTTE that 'irrespective of the British ban, the Tamil Tigers would continue with the peace process and co-operate with the Norwegian facilitatory efforts' (2001, cited in *Tamilnet*, 2001).

Britain's desire to push the LTTE towards the negotiating table by clamping down the ban became apparent in some of the lenient measures it adopted towards the organisation. When the ban came into force, Balasingham cautioned that the 'peace initiative' depended 'precariously on the leniency or the harshness' in which the proscription would be 'implemented by the law enforcing agencies in Britain' (2001, cited in *Tamilnet*, 2001). In response, the British government tacitly approved the LTTE to use the British soil to move towards the negotiating table by allowing Balasingham to interact with the LTTE leader in Vanni and meet Norwegian and other Western officials involved in peace facilitatory efforts in London. Despite the ban and being very well aware that Balasingham was a leading member of the LTTE, officials from the British Foreign Office, Special Branch officers, cabinet ministers in Tony Blair's government such as the Clare Short, and a number of junior ministers were in regular contact with him. As Short herself later acknowledged, the UK government allowed Balasingham to use the British soil to take forward the peace process and interacted with him to 'achieve a peaceful outcome' to the conflict, having 'realised that Balasingham was the most likely person' who was capable of persuading Pirapaharan 'to reduce his demands for a completely independent state' (cited in Saunders, 2009: 12-13).

The leniency of the British authorities in allowing the LTTE to use their soil to move towards negotiations was not extended to other activities of the organisation. As a result of the British ban, the LTTE had to shift its international secretariat from London to Vanni. Its UK branch also had to cease its official functions. Consequently, the LTTE's fundraising capacity in the UK dropped drastically. According to a former Europe-based LTTE official

from its international secretariat, the year before the ban came into force, the organisation's UK branch raised more funds than its other overseas branches. However, after the ban came into force in 2001, the LTTE's UK-based funding dropped drastically.<sup>77</sup> In addition, British Special Branch officers also advised the LTTE's UK representatives to refrain from conducting pro-LTTE cultural and memorial events, and not to use the symbols adopted by the LTTE, such as the Tamil Eelam national flag, in rallies and demonstrations.<sup>78</sup> This advice seemed to have had the intention of preventing the Tamil Diaspora from adhering to a national identity based on the LTTE's secessionist ideology. Until the British ban came into force, Tamils in the UK used the Tiger flag as their national flag in public rallies and events. However, following the ban, and until the conclusion of the armed conflict, British police officers threatened legal action against Tamil protesters who carried the Tiger flag.<sup>79</sup> The British police also took covert actions against suspected front organisations of the LTTE by 'privately encouraging, even pressurising, the owners of halls, sports fields and other venues to refuse to hire their sites to pro-independence Tamil organisations' (Nadarajah, 2009: 121).

However, these financial and political constraints caused by the West's war did not affect the LTTE's ability to engage in conventional defensive operations and conduct commando-raids against the Sri Lankan military and the state's economic infrastructures.

On 28 April 2001, the LTTE thwarted a major offensive launched by Sri Lankan troops, code-named *Operation Rod Fire*, in the southern Jaffna peninsula, effectively crippling the ability of the state's armed forces to launch further military offensives. Despite spending millions of dollars to re-arm by purchasing battle-tanks, multiple rocket-launchers and other military equipment, Sri Lankan troops could not take on the LTTE (Athas, 2001). The decisive nature of the LTTE's counter attack became evident when a week later Colombo-based Sinhala newspapers claimed that the battle had brought about a 'battlefield truce' (Athas, 2001a), and Colin Powell, the then US secretary of state urged the Sri Lankan government, during a meeting with Kadirgamar in Washington, to 'cease hostilities and start

---

<sup>77</sup> This was stated to me by a former official of the LTTE in Switzerland during an interview with me in 2009.

<sup>78</sup> These were stated by UK-based Tamil Diaspora activists to me during discussions.

<sup>79</sup> Witnessed by me during a number of rallies and events conducted by the Tamil Diaspora in the UK.

peace talks as soon as possible' (2001, cited in *The Sunday Times*, 2001a). While reaffirming America's commitment for a negotiated political settlement 'within the framework of the unity and the territorial integrity of Sri Lanka', Powell was not hesitant to point out that the 'conflict cannot be settled with military means' (2001, cited in *The Sunday Times*, 2001a). During the unilateral ceasefire observed by the LTTE from 24 December 2000 to 24 April 2001, the US made no such demands to Kumaratunga's regime. Therefore, Powell's calls can be construed as recognition on the part of Washington that Kumaratunga's regime was not militarily capable of maintaining order within Sri Lanka; the US reached the conclusion that Sri Lanka had to abandon its 'war for peace' and instead negotiate with the LTTE.

On 24 July 2001, the LTTE dealt another devastating blow to the Sri Lankan state's war effort by carrying out a major suicidal commando raid on the island-state's main airforce base and the adjoining international airport in close proximity to the capital city of Colombo, destroying a total of eleven military and commercial aircraft estimated to be worth five hundred million dollars (Balasingham, 2004: 351). This commando raid of the LTTE also 'had a crippling effect on the Sri Lankan economy' (Winslow & Woost, 2004: 1; also see Balasingham, 2004: 352). Subsequently, the *Annual Report* published by Sri Lanka's Central Bank noted that the country's economy could no longer bear the burden of war (2001).

As a result of these military victories, the LTTE achieved strategic parity with the Sri Lankan armed forces (Solheim, 2011). However, the continuation of the West's war on the legal and financial fronts also meant that the LTTE could no longer engage in conventional offensive operations against the Sri Lankan armed forces.<sup>80</sup> With the onset of the GWoT, Canada and Australia joined forces with America and Britain in the war on the LTTE. Although both Canada and Australia did not proscribe the LTTE as a terrorist organisation, they placed curbs on its ability to raise funds within their borders. The onset of the GWoT also placed constraints on the ability of the LTTE to procure conventional weapons. According to Selvarajah Pathmanathan, the LTTE's former head of overseas arms procurement and shipping network, 9/11 had a negative effect on the overseas operational

---

<sup>80</sup> The last major conventional offensive operation that the LTTE launched against the Sri Lankan armed forces was on 26 September 2000, which was code-named *Operation Unceasing Waves IV*. After this, the LTTE never launched any major conventional offensive operations against the Sri Lankan armed forces.

capacity of the LTTE: 'Within 24 hours, the international community led by Western powers moved against all armed groups causing immense damage to our operations' (2010).

The LTTE only avoided the heat of the West's military might in the GVoT by distancing itself from al-Qaeda and other Islamist terrorist groups. In London, Balasingham condemned the al-Qaeda's terrorist attacks of 9/11 as 'a colossal human tragedy' and a 'brutal crime' (2001, cited in *Tamilnet*, 2001a). Even though Sri Lanka tried to capitalise on 9/11 and there was speculation in Colombo that the GVoT would also be extended to the LTTE (Kleinfeld, 2004: 121), the US responded by reiterating Powell's call in May 2001 for peace talks. In this regard the US embassy in Colombo noted: 'There is a distinction between the LTTE and the terrorist in the Middle East. So the US has not changed its stand in calling on the Sri Lankan Government to go for peace talks' (2001, cited in de Silva, 2001).

It was against this backdrop that in December 2001 the pro-Western and pro-market party of Ranil Wickremasinghe came to power in Colombo. The LTTE welcomed the new regime by announcing a month-long unilateral ceasefire, which Wickramasinghe's regime reciprocated. Two months later in February 2002, with the facilitation of Norway, a ceasefire agreement was signed between Pirapaharan and Wickremasinghe (Balasingham, 2004: 355-358). Wickremasinghe clearly understood that if his government was to rebuild the country's devastated economy, he had no choice but negotiate unconditionally with the LTTE. In his first address to the Sri Lankan Parliament after assuming office, Wickremasinghe claimed that since the 'objective of the LTTE' to set up 'a separate state in the North East by chasing away the Security Forces' and the state's goal of 'eliminating the LTTE through a military solution' had failed, it was prudent for both parties to turn to negotiations (2002).

Although Kumaratunga's 'war for peace' that began in April 1995 failed to achieve its objective, the West's war on the LTTE partially achieved its goal of bringing the organisation back to the negotiating table. With the coming into force of the Norwegian-sponsored ceasefire, there was a perception among Colombo-based Western diplomats that their actions on the LTTE on the legal, financial and diplomatic fronts had bore fruit. Four months after the ceasefire agreement came into force, Wills, the US ambassador to Colombo, noted thus:

One of the new factors in the equation here in Sri Lanka is that the Tigers seem to have reached the conclusion that they will do a better job of representing the interests of Tamil people by pursuing a peaceful solution rather than by continuing the so-called armed struggle. ...There is an opportunity for negotiations that will give them a respected, secure place in a united Sri Lanka. We hope that the Tigers recognise this and will use this opportunity of negotiations to push for such an outcome. ...One of the problems with the Tigers is that they have in the past taken advantage of legitimate Tamil grievances to pursue an extreme, separatist agenda, using violent means. This has brought international condemnation to them, the Tigers, and discredited the Tamil cause, which otherwise has merit. Now, we are convinced that the Tamils can have protection and find respect in a united Sri Lanka, and it is our fervent hope that the Tigers realise this too (2002).

The next step that was left for the West was therefore to push the LTTE to accept a political settlement as the alternative to secession. To achieve this, however, the West sought to continue its war on the LTTE, this time using peace negotiations as a form of coded war. Thus, the Norwegian facilitated peace negotiations in Sri Lanka became war by other means.

### **War through 'peace'**

Having brought the LTTE to the negotiating table, why did the West decide to continue its war on the LTTE? A clear answer to this was provided by the former US Ambassador Lunstead. The key reason he attributes to the US support for the Sri Lankan state was the economic policies of the government of Wickremasinghe: 'In addition to its willingness to engage in a risky peace process, that government was generally friendly to the U.S., in favour of market-oriented economic reform, and pro-free trade and globalization' (Lunstead, 2007: 5). Wickremasinghe not only 'came to power with a clear economic reform program, based on free market principles', but his 'approach was largely in line with U.S. government



thinking on economic and international development' (Ibid.: 14). During his discussions with Western officials, Wickremasinghe, while showing an interest in the peace process, also 'became really enthused when he talked about free trade' (Ibid.: 27).

The West's decision to continue its war on the LTTE was therefore clearly guided by continuing concerns for the security of global commerce in the island. In the same way that the West turned a blind-eye to Sri Lanka's ethno-theocratic war during the late 1940s, 1950s, and 1960s, and then provided military assistance to crush the Tamil armed struggle during the 1970s, 1980s and the first half of the 1990s, so it continued its war on the LTTE in the millennium. Thus, while Wickramasinghe's government was officially at peace with the LTTE, a number of leading Western states were unofficially at war with the movement in order to secure the free trade order that was being reinstated in the island.

In an attempt to 'deter the LTTE from returning to war' and to 'ensure that the Sri Lankan military would be more capable if the LTTE did resume hostilities', the US government enhanced its military relationship with the Sri Lankan government. Before Wickramasinghe's government came to power, only low-level military officials of the US visited the island – with the exception of the US Defence Secretary Caspar Weinberger's visit to Sri Lanka in 1983 during Jayewardene's government – and these visits were once a year. However, after Wickramasinghe's government came to power, high-level US military visits to the island took place, often every month. These visits were not confined to the island's capital but also to the frontlines where the LTTE's fighting formations and the Sri Lankan troops held their lines while the uneasy ceasefire continued. US naval ships also frequently visited the island, bringing small American military units to conduct joint exercises with the Sri Lankan navy and train its personnel. In addition, Sri Lankan military personnel were taken to US military schools and trained there. In September 2002, at the same time that formal peace negotiations between the LTTE and Wickramasinghe's government began in Thailand, a military team from the U.S. Pacific Command visited Sri Lanka and spent several weeks examining Sri Lanka's entire military apparatus, providing advice on their weaknesses and ways to address them better (Lunstead, 2007: 13, 17, 18). The key advice provided by this team to the Sri Lanka military was to enhance the latter's deep-sea fighting capabilities to interdict the LTTE's arm shipments (Moorcraft, 2012: 110). According to Paul Moorcraft, Sri

Lanka's military victories against the LTTE in the following years depended on implementing this advice: 'The Americans had correctly identified the supply of arms by sea as the LTTE's centre of gravity (although traditional COIN theory usually would select the population, the sea in which the fish swim)' (2012: 110). The Americans also recommended that the Sri Lankan airforce should enhance its night-fighting capabilities by upgrading with avionics and guided weapons, and purchase more fighter jets from its ally Israel rather than from Russia. The Americans also suggested the use of cluster bombs (Moorcraft, 2012: 110). US military assistance to Sri Lanka did not stop with this. Two years later, in June 2004, the US donated a large warship to Colombo, boosting the Sri Lankan navy's deep-sea fighting capabilities against the Sea Tigers, the LTTE's naval wing (Lunstead, 2007: 17).

Following the advice of the US military, the Sri Lankan navy increased its patrols to prevent international arms shipments reaching the LTTE. In addition to conducting the deep-sea operations outside the island's territorial waters, the Sri Lankan navy also carried out incursions into the shallow waters close to LTTE territories. In 2003, while the ceasefire was on and negotiations continued, the Sri Lankan navy destroyed two of LTTE ships in international waters. In addition, there were also a number of confrontations at mid-sea between the Sri Lankan navy and the Sea Tigers (Balasingham, 2004: 419 & 423).

Before the ceasefire came into force, Wickremasinghe wrote to Pirapaharan claiming that the peace process could be strengthened if both parties 'freeze the ground situation' (Balasingham, 2004: 358). However, with the continuation of the West's war on the LTTE, the military balance began to tilt in favour of the Sri Lankan state. Sensing this, Pirapaharan lodged a strong protest with the head of European ceasefire monitors in Vanni:

The ceasefire agreement had severely restrained the freedom of mobility of the LTTE's naval unit, Pirapaharan said. Furthermore, while the Sri Lankan government continued to spend millions of dollars to modernise its armed forces and weapons systems, the LTTE was not allowed to strengthen its military structure, he said. Pointing out General Furuho's theory of 'balance of forces' as a cardinal factor for the maintenance of ceasefire, the LTTE leader argued that Sri Lanka's build up of military assets, while suffocating the LTTE's naval force,

would shift the balance of forces in Sri Lanka's favour, and the ceasefire agreement would be undermined as a consequence (Balasingham, 2004: 420-421).

The military dimensions of the West's war against the LTTE also became apparent when Western states refrained from prevailing on the Sri Lankan government to implement key clauses of the Ceasefire Agreement (CFA) intended to de-escalate the conflict.

While Article 1.8 of the CFA stipulated the disarming of Tamil paramilitaries allied to the Sri Lankan government forces, Articles 2.2 to 2.4 required the Sri Lankan armed forces to withdraw from places of worship, school buildings and private properties and return them to their respective owners (Balasingham, 2004: 493-495). However, while Tamil paramilitaries continued their covert operations for the Sri Lankan state, government troops also refused to abide by Articles 2.2 to 2.4 of the CFA by continuing to occupy privately owned Tamil lands. Withdrawing troops from occupied private lands, the Sri Lankan military feared, would provide uneven advantage to the LTTE militarily. Thus, Lt.General Sarath Fonseka, the then commander of the Sri Lankan army refused to implement the clauses claiming that his troops would only consider returning occupied private Tamil lands once the LTTE agreed to 'disarm its cadres and decommission of its long range weapons' (2003, cited in Balasingham, 2004: 409). Justifying this tough stand, during a conversation with the US Deputy Secretary of State Richard Armitage during his tour of the frontline in Jaffna, Fonseka pointed out that the LTTE had to be defeated militarily in order for a political settlement to be reached:

General Fonseka had taken me to the front. He told that all the way up on the helicopter, all the way as we toured the frontline: 'No military solution, you know. That's right, there is no military solution to a political problem. But there is a military solution to a military problem' (Armitage, 2011).

Although the US and other Western countries made it clear long before the signing of the CFA that the ethnic conflict could not be resolved through military means and the US deputy secretary of state even reiterated this point directly to Fonseka (see Armitage 2011), there was nevertheless an understanding among Western officials that for this to happen the

military balance had to be tilted in the Sri Lankan state's favour. The decision of the US to enhance the fighting capabilities of the Sri Lankan military and the reluctance of Western states to prevail upon the Sri Lankan state to withdraw its troops from private Tamil lands were clear indications of this. Assuring foreign investors, the then US Ambassador Lunstead made this a point in 2006 at the American Chamber of Commerce in Colombo:

Through our military training and assistance programs, including efforts to help with counter-terrorism initiatives and block illegal financial transactions, we are helping to shape the ability of the Sri Lankan government to protect its people and defend its interests. Let me be clear, our military assistance is not given because we anticipate or hope for a return to hostilities. We want peace. We support peace. And we will stand with the people of Sri Lanka who desire peace. If the LTTE chooses to abandon peace, however, we want it to be clear, they will face a stronger, more capable and more determined Sri Lankan military. We want the cost of a return to war to be high (2006, cited in Lunstead, 2007: 37).

Western efforts to tilt the military balance in Sri Lanka's favour did not end with these.

Norway and other European countries, in particular Denmark, Finland, Iceland, and Sweden, also took direct efforts to place constraints on the ability of the LTTE to develop its military capabilities. These efforts were undertaken through former military officials of those European countries who acted as ceasefire monitors. Although the CFA did not stipulate that the LTTE should not import arm shipments or conduct recruitment drives for its military forces, European ceasefire monitors repeatedly argued that if the organisation sought to develop its fighting capabilities during the ceasefire, it would contravene the spirit of the ceasefire and thus violate the CFA.<sup>81</sup> In 2005, Hårup Haukland, the then head of European ceasefire monitors, even argued that while the Sri Lankan government was justified in developing its armed forces during the ceasefire as it 'had the legitimate responsibility for the defence of Sri Lanka and all of Sri Lanka, its land, sea and air', the LTTE could not follow

---

<sup>81</sup> The former political official of the LTTE exiled in Malaysia told me this during the interview in 2010.

suit as it was ‘recognised only in so far as the ethnic conflict and the peace process’ (cited in *Tamilnet*, 2005). Thus, while the US sought to tilt the military balance in Sri Lanka’s favour by developing the latter’s military capabilities, in the name of enforcing the ceasefire Norway and other European countries also played their part by placing constraints on the LTTE’s ability to develop its military forces in par with the Sri Lankan state’s armed forces.

Norway’s facilitatory efforts in the conflict were also not conducted in isolation. Every time Norwegian officials visited Colombo and Killinochi,<sup>82</sup> they also travelled to New Delhi, and thereafter to Washington before returning to Oslo. According to Suthaharan Nadarajah, in making such trips around the world every time they visited Sri Lanka, the Norwegians demonstrated to the belligerents that their role in the conflict had the backing of the world’s superpower and they were keeping India informed of their moves.<sup>83</sup> The US was also careful in ensuring that it kept Norway and other Western countries informed of its actions towards the LTTE. As Lunstead put it, the US not only maintained ‘a close working relationship’ with Norway and other Western countries, ‘there was a conscious effort by the U.S. to maintain close consultations with Norway to avoid surprise actions or statements’ (Lunstead, 2007: 23). Commenting on Norway’s close co-ordination with the US, Pirapaharan reportedly told his cadres that while during the Cold War America showed its ‘violent’ face through Israel, in the post-Cold War period it revealed its ‘charming’ face through Norway.<sup>84</sup>

As before the ceasefire, the West’s war on the LTTE also continued on the legal front. One of the key demands of the LTTE to participate in peace negotiations was that the Sri Lankan government must lift the ban on the organisation. Thus, the first round of negotiations between both parties commenced in September 2002 only after Wickramasinghe’s government delisted the LTTE. However, despite Sri Lanka’s delisting, the US and UK governments did not lift their bans on the LTTE. This was also the case with enforcement actions taken by Canada and Australia on the LTTE since 9/11. In the UK, in which Balasingham continued to reside and from where he led the organisation’s peace activities, a

---

<sup>82</sup> The administrative capital of the LTTE during the ceasefire.

<sup>83</sup> This was stated by Nadarajah, during an interview with me in September 2011.

<sup>84</sup> This was also stated by the former political official of the LTTE exiled in Malaysia in 2010.

representative of the LTTE who sent non-military equipments to Vanni in 2004 was explicitly warned by the British Special Branch officers not to do so (Saunders, 2009: 8). Making an official announcement on his government's decision to continue the ban on the LTTE despite Wickramasinghe's decision to delist it domestically, the then US Ambassador Wills noted that Sri Lanka's action would not have any influence on America's proscription:

[W]e will make our own decision about taking the LTTE off our list of so-called foreign terrorist organisations (FTO). So a decision by Sri Lanka to de-ban the LTTE will be noted by our government, but it will have nothing to do with our own sovereign decisions. We have been pretty open about what it would take from the Tigers to qualify for being de-listed by the United States. Renouncing terrorism, renouncing the use of violence. These would be statements by the Tigers that would be favourably noted by our government. But then, this would have to be followed up by a period when we would match the LTTE's deeds with its words (2002).

In continuing their bans on the LTTE, Western states made it clear that regardless of the former's engagements with the Sri Lankan government for a political settlement through negotiations, their war would continue until the desired outcome (the LTTE giving-up its secessionist armed struggle and demonstrating this in both word and deed) is achieved.

The West's war on the LTTE on the financial front was also extended in the form of development aid. Despite recognising that the LTTE controlled 80% of the Tamil homeland and was operating a de-facto state at that time, Western states refused to channel development funds either directly to it or through joint mechanisms established by Wickramasinghe's government and the organisation. Most of Western funding to the LTTE controlled territories were channelled through the Sri Lankan government's civil service. The only direct international funding that the LTTE received from the West was Norway's financial assistance for the organisation's peace secretariat and funds from the UNICEF for the demobilisation and integration of child soldiers in the LTTE's ranks. Although the Tamil Rehabilitation Organisation (TRO), the LTTE's rehabilitation arm, did receive some direct

funding from Western states and INGOs for demining and reconstruction activities, strong conditions were attached to such aid (Saunders, 2009: 10-12). One of such conditions was that TRO must purchase its goods from Sinhala traders and employ Sinhala workers in reconstruction work. Another condition that was imposed on LTTE affiliated NGOs for receiving foreign aid was their radical transformation in accordance with Western liberal principles (Walton, 2008: 153). There were also attempts by Western officials to entice the LTTE to set up a free trade zone in Vanni in return for developing its territories.<sup>85</sup>

In essence, the West's war on the LTTE during the ceasefire was intended to achieve two effects: on the one hand, the LTTE had to be prevented from taking advantage of the ceasefire and peace negotiations to develop its financial and thus military capabilities (Lunstead 2007:15-17); on the other hand, the limited financial support rendered to the LTTE, both directly and through its affiliated NGOs, was intended to enhance free trade within the island as well as to compel the organisation to adhere to liberal principles.

The West's objective in continuing its war on the LTTE became apparent during a mini-donor conference in Oslo in November 2002. At the conference, the then US Deputy Secretary of State Armitage demanded the LTTE to renounce its secessionist armed struggle:

We urge the LTTE to go one step further and add to this commitment a public renunciation of terrorism and of violence – to make it clear to the people of Sri Lanka and indeed to the international community – that the LTTE has abandoned its armed struggle for a separate state; and instead accepts the sovereignty of a Sri Lankan government that respects and protects the rights of all its people (2002).

Although a few days after the mini-donor conference in Oslo the LTTE agreed to explore a federal political solution to the conflict, the continuation of the West's war exacerbated the situation by creating suspicions within the organisation about the motives of the West in engaging with it. In this regard, the LTTE's chief negotiator Balasingham noted:

---

<sup>85</sup> This was stated by the former political official of the LTTE exiled in Malaysia in 2010.

The Oslo Donor Conference signalled a significant turning point in the Sri Lankan peace process. It created a space and an opportunity for powerful international states to become more involved in the peace process with divergent economic and geo-political interests. ...Following the Oslo Donor Conference with America, the European Union and Japan playing dominant roles, the development aid was tied to the progress of the talks; the peace dividend was pledged as reward for the renunciation of armed struggle and quest for secession (2004: 400).

As the ceasefire and peace negotiations also failed to deliver tangible results to the Tamils, some hawkish elements within the Tamil community began to accuse the LTTE of betraying the Tamil cause by opting to explore a federal solution. Dharmaratnam Sivaram, a Tamil military analyst claimed that 'India and the US-UK-Japan Bloc' were trying to influence and manage Sri Lanka's peace process to promote and consolidate their respective strategic and economic interests', and if the LTTE continued to remain in 'semi-statehood', that would become 'an entrapment' for the organisation (2003; 2003a). The actions of the West thus weakened the case of peace 'doves' within the LTTE and the Tamil community and 'reinforced the hawks' arguments of a 'peace trap' (Nadarajah & Vimalarajah, 2008: 45).

This had far reaching consequences in terms of bringing peace to the island and realising the political aspirations of the Tamils. In April 2003, in retaliation for America's refusal to grant visa for its delegation to attend a donor conference in Washington, the LTTE withdrew from peace negotiations and demanded Wickramasinghe's government to fulfil its election promise of setting up an interim administration for the Tamil homeland. The crisis was further exacerbated in June 2003 when Western states set up an informal mechanism, known as the Tokyo Co-Chairs, during an international donor conference in Tokyo to manage peace negotiations and the disbursement of international aid in Sri Lanka. The Tokyo Co-Chairs also outlined a 'road-map' for future negotiations. The LTTE not only boycotted the donor conference but also rejected the road-map (Balasingham, 2004: 460).

A notable aspect of the Tokyo donor conference was the upgrade in the role of Western states in the Eelam War. Norway first entered the conflict as the facilitator of a ceasefire and



peace negotiations. After the signing of the CFA in 2002, Norway and its European partners assumed the role of ceasefire enforcers. A year later in 2003, in forming the Tokyo Co-Chairs, Norway, America, the EU and Japan assumed the role of arbitrators.

Among other things, the Tokyo road-map had two key milestones that angered the LTTE: one of the milestones was that the LTTE had to renounce its secessionist goal and accept a federal political solution; the other milestone that drew fire from the LTTE was demilitarisation of the organisation (see Ministry of Foreign Affairs of Japan, 2003).

However, the Tokyo road map also had strong commercial dynamics. It not only endorsed Wickramasinghe's pro-market economic reform programme entitled *Regaining Sri Lanka* as a 'sound macro-economic policy', but also claimed that the island's economic growth can be ensured if this programme was implemented (Ministry of Foreign Affairs of Japan, 2003). In the Preface to *Regaining Sri Lanka*, Wickremasinghe claimed that the island's 'economic performance' could have improved decades ago had the 'process of liberalisation and reform' brought in by Jayewardene in 1977 not 'lost its momentum' (Government of Sri Lanka, 2002: iii). Therefore, the key to regaining control of Sri Lanka's 'economic future', the document noted, was the acceleration of 'the process of privatisation of commercial activities', the introduction of 'new legislation in many key economic areas', and reducing 'trade and regulatory barriers' (Ibid.: 2). When Wickramasinghe first published his economic reform plan, the US, other Western states and IFIs showed their enthusiasm in seeing its implementation (Lunstead, 2007: 27). The Tokyo road-map, however, went a step further by endorsing it as a sound economic policy, revealing the commercial dynamics of the West's war on the LTTE and the Norwegian-led Western intervention in general.

When the Tokyo road-map was published in 2003, Western donors had come to the conclusion, based on Wickramasinghe's 'pro-peace, pro-reform, and pro-Western' program, that Sri Lanka would become a 'potential liberal peacebuilding success story' (Sorbo et al., 2011: 44). This was evident from the Tokyo road-map itself. While upholding Wickramasinghe's economic liberalisation programme, the road-map also demanded that the federal political settlement to the conflict 'should be based upon respect for human rights, democracy and the rule of law' (Ministry of Foreign Affairs of Japan, 2003). Had the LTTE accepted the Tokyo road-map, it would have effectively abandoned its secessionist armed

struggle and accepted a federal political solution adhering to the key tenets of liberal peace: human rights, liberty, democracy, the rule of law, and a globalised free market economy.

However, given the West's decision to continue its war against the LTTE by tilting the military balance in the Sri Lankan armed forces favour, and with no tangible result being achieved through negotiations for the Tamils, the organisation took a hardline. This was further compounded by Wickramasinghe's claims that he had set up an 'international safety net' to prevent the LTTE from returning to war if peace talks failed (2003, cited in Balasingham, 2004: 450). Thus, in its response to the Tokyo road-map, the LTTE lambasted Wickramasinghe's government 'for complicating the peace process by allowing undue and unwarranted interference by extra territorial forces in the ethnic conflict' (Balasingham, 2004: 460). The LTTE further claimed that by seeking refuge in the 'international safety net' Wickramasinghe's 'regime had shifted the peace process from third party facilitation to the realm of international arbitration by formidable external forces' that would in the future have 'far-reaching consequences to the political and economic destiny of the island' (Ibid.).

Nevertheless, the war of words that ensued between Wickramasinghe's government and the LTTE did not immediately turn-out to be an all-out confrontation, and the ceasefire continued to hold its ground. A few months later, the LTTE's eastern commander Vinayagamoorthy Muraleetharan, who also represented it in peace talks, defected to the government's side with his loyalists. One and a half years later, Naveen Dissanayake, an aide to Wickremasinghe, claimed that it was their government that engineered the split within the LTTE, and as a consequence of the international safety net they created 'American and Indian forces will fight the LTTE if Liberation Tigers' leader Pirapaharan opts to wage a war' (2005, cited in Uthayan, 2005: 1 & 16). Muraleetharan's defection to the government side took place at the same time that Kumaratunga, in her capacity as the island-state's president, dissolved the parliament and held new elections. Wickremasinghe lost the election and Kumaratunga's party returned to power. Immediately after coming to power, while the ceasefire continued, Kumaratunga's government capitalised on Muraleetharan's defection and turned his men into a paramilitary unit to launch a proxy war against the LTTE.

The proxy war was both violent and bloody. While Sri Lanka's new paramilitary group conducted targeted assassination of Tamil journalists, academics and moderate politicians

allied to the LTTE and the organisation's political and military leaders, the Tamil Tigers also responded by directly targeting the government's paramilitary and intelligence personnel and launching guerrilla attacks on the armed forces using their civilian militia. The only event that temporarily halted the proxy war from becoming an all-out war was the Boxing Day tsunami of 2004. The tsunami destroyed the coastal bases and assets of both the LTTE's naval wing and the Sri Lankan navy. Fearing that taking advantage of the tsunami the LTTE may launch an offensive to capture government held territories, under the cover of tsunami rescue operations, American naval ships swiftly moved near Sri Lanka's coastal territories.<sup>86</sup> Although no such offensives of the LTTE took place, within weeks the proxy war escalated. The most high-ranking casualty of the proxy war was Sri Lanka's Foreign Minister Kadirgamar. Even though the LTTE denied involvement in his killing, it was with Kadirgamar's assassination that the West endorsed Sri Lanka's return to emergency laws.

With Kadirgamar's assassination, the West also seemed to have come to the conclusion that if the LTTE did not opt to voluntarily give-up its secessionist armed struggle, concerted international action had to be taken to defeat it both politically and militarily. This was evident from a tough-worded letter sent to Pirapaharan by the then Norwegian Foreign Minister Jan Peterson in the wake of Kadirgamar's assassination in August 2005:

The killings and counter-killings over the last few months have been watched with mounting concern by Norway and the international community. Along with the continued recruitment of children to the LTTE, this has created distrust about the LTTE's intentions as regards the peace process.

The assassination of Foreign Minister Kadirgamar has exacerbated the situation. It is not up to Norway to draw conclusions about the criminal investigations now under way in Colombo, or on any other judicial matter in relation with the killings. However, public perception both in Sri Lanka and internationally is that the LTTE is responsible. This public perception is a political reality.

---

<sup>86</sup> This was stated by the former political official of the LTTE exiled in Malaysia in 2010.

The LTTE needs to respond to this situation in a way that demonstrates continued commitment to the peace process. I see it as my obligation to make clear to you the political choice now facing the LTTE. If the LTTE does not take a positive step forward at this critical juncture, the international reaction could be severe (2005).

In issuing this warning, Peterson delivered two important messages to the LTTE: firstly, if the organisation continued engage in actions intended to tilt the military balance in its favour, Norway and its other Western partners, like America, Britain, Canada and Australia, would take a harder line towards it; secondly, the West was losing its patience in expecting the movement to give-up its secessionist armed struggle through peace negotiations.

However, as there was only a few months left for the island-state's presidential elections to take place, Western states held back from taking concerted action against the LTTE. With Kumaratunga retiring from office,<sup>87</sup> Western states expected Wickremasinghe to return to power at the presidential election. For this to happen, though, Wickremasinghe needed the support of the LTTE, which held both political and military monopoly over the votes of the island's Tamil population. Therefore, Western states limited their retaliation for Kadirgamar's assassination to imposing an EU-wide travel ban on the LTTE's peace delegation, while also warning at the same that the EU was 'actively considering the formal listing of the LTTE as a terrorist organisation' (European Union-UN, 2005).

Contrary to the expectations of the West, Wickremasinghe lost the presidential election in November 2005, and Kumaratunga was succeed by Mahinda Rajapaksa who advocated statist economic policies. In his election manifesto *Mahinda Chintana*, Rajapaksa promised to overturn a number of key free market policies that his predecessors, commencing with Jayewardene, brought into force in the island. Claiming that the 'the short-sighted policies' of his predecessors contributed to the ethnic conflict, with 'foreign countries unnecessarily intervening' in Sri Lanka's internal affairs, Rajapaksa announced that upon coming to power

---

<sup>87</sup> Under Sri Lanka's constitution in force at that time, an individual was only allowed hold the office of the president for two terms. However, this was amended in 2010 by the Sri Lankan Parliament.

he would ‘arrive at an agreement in relation to regional security and peace’ with India and ‘obtain an Asian cooperation with China, Russia and Pakistan’ (2005: 34). Although Rajapaksa promised to ‘hold open and frank discussions’ with the US, EU, Japan and Norway, he refrained from suggesting the possibility of forging an alliance with them (Ibid.: 39). In terms of the island’s economy, Rajapaksa promised to formulate a ‘national economic policy’ by ‘integrating the positive attributes of free market with domestic aspirations in order to ensure a modern and balanced approach where domestic enterprises can be supported while encouraging foreign investments’ (Ibid.). These announcements were a marked shift from his predecessor Kumaratunga and rival Wickramasinghe’s free market economic policies. The *Mahinda Chintana* without doubt set out Rajapaksa’s intention to interfere in the market mechanism. Making further announcements on his intention to extend his interference into the global markets, Rajapaksa promised to launch a programme ‘to provide capital, technology, and knowledge required by the local entrepreneurs to penetrate into international markets’, and take measures ‘to supply goods to consumers’ in the island ‘at reasonable prices’ (Ibid.: 40). Rajapaksa also ruled out the privatisation of the ‘enterprises of banking, power and energy and transport and ports as well as national assets’ (Ibid.).

Although Rajapaksa came to power through Sri Lanka’s democratic electoral process, his victory became possible only after the LTTE decided to boycott the election, effectively directing 2.5 million northeastern Tamils to refrain from casting their votes. Given Rajapaksa’s hardline attitude towards the Tamil national question, had the Tamils voted in the election, there was no doubt that Wickremasinghe would have won with a landslide victory. The narrow margin of 180,786 votes that Rajapaksa gained over his rival was a clear evidence for this (*Tamilnet*, 2005a). The LTTE boycotted Sri Lanka’s presidential election for two reasons: firstly, it did not want Wickremasinghe to win the elections as it was angered by the announcement of his aide that it was his government that engineered the split within the organisation, and that American and Indian troops would fight the LTTE on behalf of Sri Lanka (Uthayan, 2005: 1 & 16); secondly, given Rajapaksa’s anti-Western stance, the LTTE also expected Sri Lanka to lose Western support once he assumed office.<sup>88</sup>

---

<sup>88</sup> This was the belief of the LTTE’s leadership, according to the former political official of the LTTE exiled in Malaysia, who stated this to me in 2010.

This decision of the LTTE to tacitly bring Rajapaksa to power and defeat the pro-market and pro-Western Wickremasinghe, however, caused anger in the West. Condemning the LTTE for engineering the defeat of Wickremasinghe, the US noted thus:

The United States regrets that Tamil voters in the northern and eastern parts of the island did not vote in significant numbers due to a clear campaign by the LTTE. As a result, a significant portion of Sri Lanka's people were deprived of the opportunity to make their views known. The United States condemns this LTTE interference in the democratic process (2005, cited in *The Sunday Times*, 2005a).

From the inception of the Tamil armed national liberation struggle, the West considered the LTTE to be threat to global commerce in Sri Lanka. However, the LTTE's decision in 2005 to tacitly bring Rajapaksa to power was seen by the West, as the wordings of the US statement indicate, to have had the motive of interfering in the democratic process and bring a statist government that would pose an additional threat to global commerce within the island.

On the other hand, in order to avoid being isolated by the West, until the conclusion of the armed conflict Rajapaksa was careful in ensuring that he did not reverse much of his predecessors' free market economic policies. As a consequence, when Norwegian-facilitated talks between the LTTE and the Sri Lankan government in Geneva in February 2006 failed to move beyond the first round, while tacitly giving Rajapaksa the green light to launch an all-out war on the rebels, the West's war on the LTTE was also accelerated and extended to all domains of power. It was a war of concerted Western action on all fronts to defeat the LTTE.

### **Towards the annihilation of the LTTE**

Canada was the first Western government to accelerate the West's war on the LTTE on the legal and financial fronts. In April 2006, the Canadian government proscribed the LTTE, claiming that its action had been 'long overdue' (cited in *Tamil Week*, 2006). A month later, the EU followed suit, imposing a ban on the LTTE's fundraising and political activities in its

member states. The EU ban came into force a few weeks after the LTTE's assassination attempt on Sri Lanka's army commander Fonseka. According to a US embassy cable released by Wikileaks, few days before the EU ban came into force, Amandeep Singh Gill, the Indian first secretary in Colombo, had agreed with his American counterpart that if the LTTE was to be forced to abandon its armed struggle, 'greater international cooperation on interdicting the Tiger fundraising and weapons procurement' should be initiated: the LTTE had to be made to understand that the the international community would not 'fire paper missiles' and therefore it was necessary to take action beyond mere proscriptions (Lunstead, 2006a).

Two more US embassy cables by released Wikileaks have brought to light that from 2006 onwards, India and a number of South East Asian countries actively participated in the West's war on the LTTE. According to the first cable, in May 2006, at the same time the EU ban on the LTTE came into force, America and India formed 'parallel demarches' to deal with the Eelam War (Mulford, 2006). According to the second cable of the US embassy, the US Department of State took the initiative to curb 'the LTTE's activities of illegal fundraising and illicit arms procurement' by establishing an international Contact Group made up of sixteen countries,<sup>89</sup> ten of which were from the West (Pyatt, 2006).

Thus, in August 2006, as the LTTE launched offensive operations against the Sri Lankan troops in Trincomalee and Jaffna, a series of raids and sting operations were conducted by the FBI in collaboration with the Canadian authorities, which resulted in the arrest of a number LTTE activists, both in America and Canada. Further arrests were also made in the following month in Singapore on the information provided by American law enforcement authorities. The majority of the individuals arrested during these operations were accused of attempting to procure anti-aircraft missiles for the LTTE to cripple the Sri Lankan airforce. The Sri Lankan airforce commander Air Chief Marshal Roshan Goonetilleke appreciated this action of the US to prevent the LTTE from acquiring anti-aircraft missiles:

---

<sup>89</sup> According to the US embassy's cable, the International Contact Group to counter the LTTE was made up of representatives from Australia, Belgium, Canada, France, Germany, India, Indonesia, Italy, Japan, Malaysia, Philippines, Singapore, Switzerland, Thailand, the United Kingdom and United States (Pyatt, 2006).

They [the LTTE] had Stingers and SAM-7 *Strelas*. They also had SAM-14s and 16s and were trying to get the SAM-18s. A low-flying helicopter would have found it difficult to survive an 18. We are grateful to the US for stopping that procurement of SAM-18s (2012, cited in Moorcraft, 2012: 70).

In 2007, when the LTTE launched airstrikes using light aircrafts converted into bombers in Colombo, additional arrests were made in France, Australia and the UK. In June 2008, as the armed conflict intensified, further large scale arrest of LTTE activists also took place in Italy.

The West's war on the LTTE was also extended to the military domain in the form of providing intelligence and technical equipment to the Sri Lankan navy to interdict the organisation's arms ships (Rajapaksa 2013b; Moorcraft, 2012: 59). Between 2006 to 2007, with the help of Indian and US intelligence, and using deep-sea vessels donated by India and America, the Sri Lankan navy attacked and sunk eleven arm ships of the LTTE (Moorcraft, 2012: 59). Of these, four of them were sunk 1,620 nautical miles southeast of Sri Lanka, off the coast of Indonesia and close to Australia's Cocos Islands (Ibid.: 60). In this regard, the Sri Lankan Secretary of Defence Gotabaya Rajapaksa stated: 'The Americans were very, very helpful. Most of the locations of these ships were given to us by the Americans' (2013b).

According to a cable released by Wikileaks, in December 2006, the American Ambassador Robert O. Blake (2006) conveyed to his Indian counterpart in Colombo his government's intention to 'help Sri Lanka interdict LTTE arms shipments'. Blake also briefed his Indian counterpart the American government's intention to 'install by mid-2007 land-based radars in Trincomalee, Point Pedro (in Jaffna), and Mannar to improve Sri Lanka's capability to detect and track sea-based weapons and other smuggling by the LTTE' (Ibid.). Eleven months later, in November 2007, the US government donated to the Sri Lankan navy 'a radar-based maritime surveillance system and several Rigid Hull Inflatable boats (RHIBs)' to 'help the Sri Lankan navy to interdict arms shipments to the LTTE' (*Tamilnet*, 2007). In the previous month, when one of LTTE's suicidal commando raids destroyed seventy percent of Sri Lankan air force's 'airborne surveillance capacity', US defence contractors, with the blessings of the American embassy in Colombo, moved to replace them within a month (see Blake, 2007a). In January 2008, Canada also sold a high-frequency surface wave radar to the



Sri Lankan navy to enhance its surveillance capacities against the LTTE (*Tamilnet*, 2008). The UK also played its role in this war by licensing arms exports to Sri Lanka. According to Joan Ruddock, a Labour MP, in the year 2007 alone seven million pounds worth of 'arms were licensed for delivery to Sri Lanka' (cited in *Tamil Guardian*, 2007). In August 2009, four months after the conclusion of the armed conflict, four House of Commons committees even expressed concerns that British weapons may have been used by the Sri Lankan government forces against Tamil civilians (Prince, 2009). Thus, unlike when the West's war on the LTTE began in October 1997, wherein the objective was to compel the LTTE to voluntarily give-up its secessionist armed struggle and accept a political solution, from 2006 onwards the objective of this war became the organisation's military defeat.

This was also evident from the way that Rajapaksa's government accelerated its war from September 2006 onwards. Reports in the Sinhala media have even claimed that Rajapaksa intensified his war against the LTTE after the US President George Bush told him at a private meeting in New York in September 2006 to 'finish off' the LTTE (Fernando, 2011). Although these reports have not been officially confirmed either by Washington or Colombo, there are credible indications that such a statement may have been made personally by Bush himself. According to the LTTE's official organ Liberation Tigers, during the second round of peace talks held in Geneva in October 2006, when its peace delegation refused to set a date for the third round of negotiations, the then Norwegian minister Erik Solheim told the rebels' delegation that 'American President George Bush would not consider it to be a wise decision for the LTTE to avoid determining the date for the next round of talks' (Kaviyalagan, 2007: 7). This was a clear indication that if the LTTE did not remain in the path of peace and voluntarily give-up its secessionist armed struggle, the West would seek to defeat it.

Two years after the armed conflict reached its conclusion, the US Assistant Secretary of State Blake officially acknowledged that his government 'wanted to see the defeat' of the LTTE (US State Department, 2011). A similar admission was also made by Alistair Burt, UK's Foreign and Commonwealth Office minister for South Asia in the same year: 'Let there be no doubt that for the UK the end of the military conflict, and the removal of terrorism as a daily threat to the lives of the Sri Lankan people is without question a good thing' (2011). According to a US embassy cable released by Wikileaks, a day before Sri Lanka announced

its victory over the LTTE, America's mission in Colombo sent a draft statement to be published upon the official announcement on the end of armed conflict by the US Department of State in Washington. The draft noted: 'The United States welcomes the fact that the Liberation Tigers of Tamil Eelam (LTTE) an organization that has terrorized the people of Sri Lanka for decades, no longer control any territory within Sri Lanka' (Blake, 2009).

The West's desire to see the defeat of the LTTE became more apparent in the final months of the armed conflict. In the closing months of 2008, when the LTTE requested the Norwegian minister Solheim to visit their territory to discuss the possibility of bringing about a ceasefire and prevent a major catastrophe in the Vanni region, he responded by stipulating the organisation to agree for disarmament and demobilisation (2011). Similarly, in January 2009, when the LTTE's political head Balasingham Nadesan directly contacted the American Deputy Assistant Defence Secretary James Clad to help arrange a ceasefire, he responded by making the same demands and warned that if the rebels failed to heed to his call, they would meet their 'cul-de-sac'.<sup>90</sup> The following month, when the LTTE's delegation met Tore Hattrem, the Norwegian ambassador to Colombo, in Malaysia, they were told that unless the 'LTTE agreed to lay down arms' and 'surrender' there would be no ceasefire (Pathmanathan, 2012). Later, during a media interview, Solheim (2012) claimed that had the LTTE agreed to lay down its arms and surrender, America and India would have 'forced' the Sri Lankan government of Rajapaksa to stop the war and Tamil civilian lives would have been saved.

As the armed conflict reached its catastrophic stage, Tamil Diaspora lobby groups repeatedly requested Western states to invoke R2P (Responsibility to Protect) and save Tamil civilians. Commenting on the reluctance of the West to carry out a Kosovo-style military intervention in Sri Lanka to save Tamil civilians, Simon Hughes, the deputy leader of Liberal Democrats argued that no one in the West contemplated such a move as 'Sri Lanka was half-way across the world'.<sup>91</sup> However, V.Ravi Kumar, the Secretary General of British Tamils Forum (BTF), a UK based Tamil lobby group, claimed that he was able to infer from his

---

<sup>90</sup> Direct e-mail exchanges between the LTTE and the American government obtained from the archives of Paris-based Tamil weekly, Eelamurasu, in 2011.

<sup>91</sup> Hughes stated this to me during the interview on 28 September 2010.

organisation's discussions with Western diplomats that the West had given the green light for Rajapaksa's regime to defeat the LTTE long before it realised that the conflict would reach its catastrophic proportions. Thus, when the armed conflict reached its catastrophic stage, it was too late for the West to reverse its earlier decision.<sup>92</sup> However, according to a senior official of a UK-based human rights group, Western states did not heed to the Tamil call for an intervention to save civilian lives in the last phase of the armed conflict because the Tamil Diaspora took a pro-LTTE approach: instead of condemning the LTTE and the Sri Lankan government in equal terms, the Tamil Diaspora only condemned Rajapaksa's regime while not raising a word against the LTTE. Had the Tamil Diaspora shunned the LTTE, the West would have certainly intervened and saved the Tamil civilians, he claimed.<sup>93</sup>

These are clear indications that despite having the leverage to stop Sri Lanka's war and bring a ceasefire, the West did not do so in order to ensure the defeat of the LTTE, allowing in the process mass-scale civilian deaths. As the statement of Solheim exemplifies, as far as the West was concerned, the LTTE had two choices: either it had to agree for its defeat by opting to abandon its secessionist armed struggle and agree for surrender, or face annihilation from the Sri Lankan military. Thus, as the UN's Humanitarian Co-ordinator Sir John Holmes noted three years after the end of the armed conflict, although Western states did not want to see huge casualties on the part of the Tamil civilian population, they were not prepared to intervene and save them because they wanted to see the LTTE's defeat:

There was a bit of a diplomatic dance around all this, with everybody knowing that the end of this was going to be an inevitable military victory for the government and the inevitable defeat of the LTTE, and it was a question of waiting for that to happen, hoping it happened as quickly as possible and that it happened with as few civilian casualties as possible (2012).

---

<sup>92</sup> Kumar made this statement to me during an interview on 26 April 2012.

<sup>93</sup> This was stated to me in May 2010 by a senior official of a leading UK-based human rights organisation who wished to remain anonymous.

The final moment for realising the West's desire to see the defeat of the LTTE came on 18 May 2009. Both Sri Lanka's war to eliminate the armed threat to its ethno-theocratic ambitions and the West's war to defeat the LTTE reached their conclusion on that day. The organisation was defeated on the battlefield. But it was also politically annihilated. In these wars, 146,679 Tamils also became unaccounted, either dead or missing (UN, 2012). This was in addition to around 100,00 Tamils who were killed in the six decades ethnic conflict.

In the aftermath of the invasion of Iraq, the US Defence Secretary Donald Rumsfeld justified some of the crimes committed by US troops in the country in the following terms:

'Stuff happens! ...And it's untidy and freedom's untidy, and free people are free to make mistakes and commit crimes and do bad things. They're also free to live their lives and do wonderful things, and that's what's going to happen here' (Rumsfeld, 2003).

Coming close to this statement of Rumsfeld (2003), in a recent report co-authored with Richard Williamson, the former US Secretary of State Albright portrays the inaction of Western states to save Tamil civilian lives in the following terms: 'The case of Sri Lanka exemplifies a challenge for implementing R2P when sovereign states confront an internal threat from a group that is designated as a terrorist organization' (Albright & Williamson, 2013: 21). In making this statement, Albright implies that when Western states join forces with their Southern counterparts to eliminate non-liberal actors, it is difficult for them to undertake interventions to save civilians and thus civilian deaths become inevitable.

## Conclusion

This thesis has sought to develop a biopolitical perspective on the opposition of Western states to the formation of the state of Tamil Eelam in the island of Sri Lanka, and the collaboration of those same states with the Sri Lankan state's efforts to transform the island into an ethno-theocracy. Given the fact that since the end of the Second World War Western states have in other parts of the world promoted under the banner of liberal peace civil liberties, human rights, and other democratic freedoms, including the right to self-determination of nations, the central question of this thesis was whether Western opposition to the formation of the state of Tamil Eelam and their collaboration with the Sri Lankan state was a consequence of liberal peace metamorphosing into the power calculations of political realism, or whether there is a *deeper contradiction within the concept itself*.

As we saw in the Introduction, given the fact that there is no convergence of Sri Lanka's national interests with those of Western states, realist theories based on the conventional wisdom of national interest failed to explain Western policy in the Eelam War. This was also the case with liberal theories of international relations in that while rationalising the manifestations of the concept of liberal peace in terms of promoting liberal values and establishing global peace, they could not explain the rationale behind the West's collaboration with Sri Lanka, which had liberal democratic institutions but used them to further Sinhala-Buddhist ethno-theocratic ambitions, subverting in the course civil liberties, human rights, and other democratic freedoms of the island's Tamil population. In this respect, the same can be said of existing Foucauldian critiques. Even though existing Foucauldian critiques have explained the manifestations of the concept of liberal peace using biopolitical perspectives, their reluctance to recognise the central role that commerce plays in international relations has rendered them unable to explain Western policy in the Eelam War. In particular, despite rationalising wars undertaken by Western liberal democracies as intended to make life live and liberalise global populations, these critiques could not explain why those wars often result in the elimination of liberalised populations, as in the case of the Tamils. Western policy in the Eelam War also exposed the limitations of the arguments advanced in these critiques that Western interventions are partly underpinned by moral

impulses and a commitment on the part of the West to bring peace and prosperity to the humankind. Another weakness in these critiques is their failure to comprehend war beyond military action, partly attributable to their tendency to ignore the manifestations of law in power relations. In this regard, although Marxist critiques came close to explaining Western policy in the Eelam War in that they recognised the commercial dynamics of the concept of liberal peace, their key weakness was, as we saw in the Introduction as well as in Chapter II, their heavy reliance on theories of imperialism to explain the concept and Western interventions underpinned by it as imperial endeavours of the capitalist West to exploit the South. As the history of the concept of liberal peace since the end of the Second World War has demonstrated, it is not only opposed to imperialism but also cannot co-exist with it. Moreover, as Sri Lanka's post-colonial history shows, since decolonisation no Western state has shown any interest or made any effort to have direct or indirect imperial control over the island for capitalist exploitation. In fact, from 1956 to 1972 when Ceylon adopted semi-statist economic policies and from 1972 to 1977 when it adopted socialist economic policies, in turning a blind-eye to the island-state's ethno-theocratic war against the pro-capitalist and liberalised Tamils, the West actually worked to the detriment of capitalism.

In contrast, using Foucault's account of the concept of liberal peace, his concept of biopolitics, and his expositions on war to develop a biopolitical perspective on Western policy in the Eelam War, this thesis has been able to establish both theoretically and empirically that it was as practitioners of the biopolitics of liberal peace centred on the security of global commerce that Western states opposed the formation of the state of Tamil Eelam and collaborated with the Sri Lankan state's efforts to transform the island into an ethno-theocracy. In developing this biopolitical perspective, this thesis has addressed some of the deficiencies in existing theories and critiques of the concept of liberal peace in the discipline of International Relations. Moreover, it has also turned the Foucauldian focus to an area thus far unexplored by scholars who have sought to engage with Foucault's work.

As we saw in Chapters I and II, liberal peace first emerged in the eighteenth century as a concept for ending military confrontations between European powers through commercial globalisation (Foucault, 2008: 54-58). It was understood that 'the opening up of a world market allows one to continue the economic game and consequently to avoid the conflicts

which derive from the finite market' (Ibid.: 55). As we further saw in Chapter III, in the post-Second World War period, realising that their individual monopolistic economic policies contributed to war, Western states came together to establish a global economic order centred on unhindered commerce. With this, the concept of liberal peace became embedded in the foreign policies and practices of Western states. Commercial globalisation was understood to be the key to ending military confrontation between states. In order to sustain this state of affairs between them, and possibly extend this in their relationship with their Southern counterparts, Western states sought to create conditions for unhindered commerce by promoting, undertaking, and consolidating political and economic liberalisation in the states of the global South. From the inception, the manifestations of the concept of liberal peace has been biopolitical in that it has been centred on the assumption that commercial globalisation is the key to making life live. In the biopolitics of liberal peace, military confrontations between states are understood to constitute a major threat to the existence of the humankind. In contrast, commercial globalisation is understood to be the key to removing this threat and thus capable of making the humankind live. It is in this biopolitical endeavour of making life live through commercial globalisation that since the end of the Second World War Western states have promoted, undertaken, and consolidated liberalisation in the states of the South. It is also as the practitioners of this biopolitics that Western states have waged wars as well as collaborated in the wars of their Southern counterparts to eliminate all forms of threats, i.e., non-liberal forces and ideologies, to the security of global commerce, allowing the subversion of civil liberties, human rights, and democratic freedom that they have simultaneously been promoting, often collaborating with non-liberal forces and ideologies that they have also been seeking to eliminate, and in some cases condoning the killing of already liberalised populations. In this biopolitics of liberal peace, as in all forms of biopolitics today, wars are not only waged through military might but also through the power relations of law, finance, politics, and diplomacy (as well as all other power relations that produce the effects of battle). On this basis, it is no exaggeration to say that even though bringing an end to military confrontations between states remains a key objective of liberal peace, this may not mean the eradication of war. Liberalisation may eventually lead to the expansion of the current Western liberal zone of 'peace' into a global liberal zone of 'peace' (in the sense that in this global

liberal zone of 'peace' there will be an absence of military confrontation between states). However, as the history of the manifestations of the concept of liberal peace and the way that wars are increasingly being waged through means other than military might show, creating this global liberal zone of 'peace' may not mean the eradication of war.

Using this biopolitical framework, Western policy in the Eelam War can be summarised in the following terms. Given the fact that the Tamils and the Sinhalese have for a long time competed for control of the entire island, the West is opposed to the formation of two states in that it fears that such a state of affairs will only fuel ancient ethnic and religious rivalries and thus lead to economic monopolies, which would in turn endanger global commerce within the island. As we saw in Chapter IV, it is on this basis that during colonial rule the British Empire sought to forge a common Ceylonese identity for the island's populations and at decolonisation created the 'liberal democratic' state of Ceylon. During the Cold War, given the fact that the state of Ceylon stood shoulder-to-shoulder with the West in its fight against communism, despite adopting between 1956 to 1972 semi-statist economic policies and from 1972 to 1977 socialist economic policies, the West considered it to be prudent to turn a blind-eye to the former's ethno-theocratic war against the liberalised Tamils. With Sri Lanka reinstating liberal economic policies in 1977 and the Tamil armed resistance movement incorporating socialist policies at around the same period, the West saw it fit to render assistance to the Sri Lankan state in its fight to eliminate the Tamil 'Marxist' threat in the island. Although during the post-Cold War period the Tamil armed resistance movement was no longer understood to be a Marxist threat, given the fact that it posed an armed threat to the 'liberal democratic' state of Sri Lanka it was considered to be a continuing threat to global commerce within the island's borders. It was on this basis that the West continued its assistance to Sri Lanka's counter-insurgency efforts in the post-Cold War period and from October 1997 launched a parallel war to neutralise the Tamils' armed struggle. In order to see the military defeat of the Tamil Tigers, the West allowed tens of thousands of Tamil civilians to become unaccounted (either dead or missing). Understood from a biopolitical perspective, Western collaboration with Sri Lanka's efforts to transform the island into an ethno-theocracy and allow Tamil civilians to be killed is neither a contradiction inherent to the concept of liberal peace nor a demonstration that the concept metamorphoses in practice into the power



calculations of political realism. Instead, it is a state of affairs that is consistent with the history of the manifestations of the concept of liberal peace in biopolitical mode.

In building on from Foucault's expositions on war and conceptualising law to be a way of waging war, Chapter I demonstrated that it is possible to undertake a study on the manifestations of law using Foucault's methods, without going against his suggestion that we must conduct a study of power beyond law (1998: 90). As well as developing a theory of the biopolitics of liberal peace, the chapter also established that this biopolitics has continuity with the British Empire's biopolitics of liberal state-building in its Eastern colonies. Moreover, by situating Sri Lanka's ethno-theocratic ambitions within Foucault's concept of biopolitics, the chapter has also been able to theoreticise it as another form of biopolitics. Though the biopolitical perspective developed in this thesis is centred on Western policy in the Eelam War, and not the Sri Lankan state's policies towards the Tamils, it had to examine the latter's dynamics in order to reveal the extent of the former's collaboration with it.

Examining the normative and institutional operations of the concept of liberal peace, Chapter II demonstrated that commercial globalisation remains central to the concept today as it was in the eighteenth century. Challenging existing liberal, Marxist and Foucauldian conceptualisations of the concept of liberal peace as imperialism, the chapter also established that even though the concept has a genealogy in the thoughts of liberal thinkers who supported imperialism, this does not constitute a sufficient ground to theoreticise it as such.

In examining the manifestations of the concept of liberal peace since the end of the Second World War, Chapter III established that during the Cold War it was embedded in the West's policy of containment and development. The chapter also established that in the post-Cold War period it was embedded in most of the Western-led humanitarian interventions, 'peacebuilding' missions, conflict resolution efforts, aid programmes, and the GWoT.

Applying the theoretical arguments developed in Chapters I and II, Chapter IV established empirically the continuity of the biopolitics of liberal peace with the British Empire's biopolitics of liberal state-building. The chapter also established empirically the biopolitics of the Sri Lankan state and demonstrated how before the emergence of the armed conflict law became a way of waging war to further its ethno-theocratic ambitions. Moreover, the chapter also demonstrated that it was as practitioners of the biopolitics of liberal peace

that Western states turned a blind-eye to Sri Lanka's ethno-theocratic biopolitics. For the Sri Lankan state, the Tamils and the communists constituted a threat to its ethno-theocratic ambitions. Although in the biopolitics of liberal peace the liberalised Tamils did not constitute a threat, given Sri Lanka's collaboration in the West's war to eliminate the communists, turning a blind-eye to the plight of the Tamils was considered prudent.

Tracing Sri Lanka's emergency laws to martial law used by the British Empire as part of its biopolitics of liberal state-building in colonial Ceylon, Chapter V established the liberal origins of the island-state's emergency regime and provided further empirical insights on how law has remained a way of waging war for the past two hundred and ten years in the island. The chapter also established that in the same way that martial law was used by the British Empire against the Sinhalese who rebelled and rioted during liberal state-building, the Sri Lankan state used liberal emergency laws against the Sinhala Marxist youth, the LTTE, and the Tamils who challenged its ethno-theocratic biopolitics. On the basis of the West's opposition to the Tamils' armed struggle and the endorsement that it accorded to Sri Lanka during the armed conflict to have continued recourse to emergency laws to defeat the LTTE, the chapter revealed that Western actions in this regard were not merely those of turning a blind-eye to Sri Lanka's war, but that of collaborating with its ethno-theocratic biopolitics.

Chapter VI demonstrated that it was as practitioners of the biopolitics of liberal peace that from 1977 to the end of the Cold War that Western states collaborated with Sri Lanka's ethno-theocratic war by providing the latter with counter-insurgency support to defeat the so-called Marxist threat posed by the Tamil armed resistance movement, thereby turning the island into a hotspot of the power struggle with India. Examining the West's continuing collaboration with Sri Lanka's ethno-theocratic war in the post-Cold War period, Chapters VII and VIII established that, as in the Cold War period, the biopolitics of liberal peace was central to this collaboration. Conceptualising the actions taken by Western states from October 1997 against the LTTE as a parallel war waged by the West, those two chapters also established empirically that as well as law and military might, the power relations of politics, diplomacy, and finance are also ways of waging war in that they produced the effects of battle in the Eelam War. In particular, Chapter VIII demonstrated how peace negotiations can become war by other means – a coded war. It was this parallel war waged by the West using

the power relations of law, finance, politics, and diplomacy that helped Sri Lanka defeat the LTTE on the battlefield and thus bring about its political death. Western states have never remained shy in admitting that their actions contributed to the eventual destruction of the Tamils' armed struggle. According to Michele J. Sison (2013), the current US ambassador to Sri Lanka, it was the decision of the American government to designate the Tamil Tigers as a terrorist organisation in October 1997 that 'played a key role in helping to dry up the LTTE's overseas support networks', and thus contributed to the organisation's 'ultimate demise'.

A distinction must be drawn between Sri Lanka's ethno-theocratic war and the West's parallel war as well as its collaboration with the island-state. While Sri Lanka considered the Tamils, the communists and the LTTE to be threats to its ethno-theocratic ambitions, the West considered only the communists, the Sinhala Marxist youth, and the LTTE to be threats, and not the Tamils. Nevertheless, in turning a blind-eye to the plight of the Tamils before the emergence of the Tamil armed resistance movement, in collaborating from 1977 with Sri Lanka's counter-insurgency efforts to neutralise the Tamils' armed struggle, and waging a parallel war from 1997 for the same purpose, the West allowed tens of thousands of Tamil civilians to be killed. In the biopolitics of liberal peace, it is acceptable not only to kill life to make life live but also to allow liberalised life to be killed so that life can live.

## References:

- Agamben, Giorgio (1998) *Homo Sacer: Sovereign Power and Bare Life*. Stanford: Stanford University Press.
- Agamben, Giorgio (2005) *State of Exception*. Chicago & London: The University of Chicago Press.
- Agathangelou, Anna M. (2010) 'Bodies of Desire, Terror and the War in Eurasia: Impolite Disruptions of (Neo) Liberal Internationalism, Neoconservatism and the "New" Imperium'. *Millennium - Journal of International Studies*, 38 (3), pp.693-722.
- Albright, Madeleine K. & Williamson, Richard S. (2013) *The United States and R2P, From Words to Action*. Washington: United States Institute of Peace.
- Anti-terrorism and Effective Death Penalty Act 1996* (Public Law 104-132, 110 Stat. 1214). Darby: Diane Publishing Company.
- Aradau, Claudia (2007) 'Law Transformed: Guantanamo and the "Other" Exception'. *Third World Quarterly*, 28 (3), pp.489-501.
- Aradau, Claudia (2008) 'Forget Equality? Security and Liberty in the "War on Terror"'. *Alternatives: Global, Local, Political*, 33 (3), pp.293-314.
- Aradau, Claudia & Blanke, Tobias (2010) 'Governing Circulation: A Critique of the Biopolitics of Security', in de Larrinaga, Miguel and Doucet, Marc G. (eds.) *Security and Global Governmentality: Globalisation, Power and the State*. Basingstoke: Palgrave.
- Arblaster, Anthony (1987) *The Rise and Decline of Western Liberalism*. Oxford: Blackwell.
- Armitage, Richard (2002) 'Remarks at Sri Lanka Donor Conference'. *Sri Lanka Peace Process Support Meeting*, Oslo. 25 November. Available at: <http://2001-2009.state.gov/s/d/former/armitage/remarks/2002/15483.htm> (Accessed: 10 September 2012).
- Armitage, Richard (2011) 'Remarks', *Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997-2009*, Oslo. 11 November. Available at: [http://www.regjeringen.no/nb/dep/ud/lyd\\_bilde/nett-tv-2/fred\\_srilanka.html?id=662709](http://www.regjeringen.no/nb/dep/ud/lyd_bilde/nett-tv-2/fred_srilanka.html?id=662709) (Accessed: 15 December 2011).
- Athas, Iqbal (1997) 'LTTE Claims Ilmenite as Eelam Property', *The Sunday Times*, 14 September [Online]. Available at: <http://sundaytimes.lk/970914/sitrep.html> (Accessed: 18 September 2009).
- Athas, Iqbal (2001) 'How "Operation Rod Fire" Misfired', *The Sunday Times*, 29 April [Online]. Available at: <http://www.sundaytimes.lk/010429/sitrep.html> (Accessed: 20 October 2009).
- Athas, Iqbal (2001a) 'A Battlefield Truce After War Games and "Op Agni Khiela"', *The Sunday Times*, 6 May [Online]. Available at: <http://www.sundaytimes.lk/010506/sitrep.html> (Accessed: 20 October 2009).
- Babst, Dean V. (1964) 'Elective States - A Force for Peace'. *The Wisconsin Sociologist*, 3 (1), pp.9-14.
- Balasingham, Adele (1993) *Women Fighters of Liberation Tigers*. Jaffna: LTTE.

- Balasingham, Adele (2001) *The Will to Freedom, An Inside View of Tamil Resistance*. London: Fairmax Publishing.
- Balasingham, Anton (1983) *Liberation Tigers and the Tamil Eelam Freedom Struggle*. Madras: LTTE.
- Balasingham, Anton (1994) 'War and Peace'. *Liberation Tigers, March*, pp.3 & 7.
- Balasingham, Anton (2003) *Liberation*. London: Fairmax Publications.
- Balasingham, Anton (2003a) 'We Are Representing the Interests of Our People', *Tamil Guardian*, 30 April, p3.
- Balasingham, Anton (2004) *War and Peace, Armed Struggle and Peace Efforts of Liberation Tigers*. London: Fairmax Publishing.
- Barkawi, Tarak & Laffey, Mark (1999) 'The Imperial Peace: Democracy, Force and Globalisation'. *European Journal of International Relations*, 5 (4), pp.403-434.
- Barkawi, Tarak & Laffey, Mark (2001) 'Introduction: The International Relations of Democracy, Liberalism, and War', in Barkawi, Tarak and Laffey, Mark (eds.) *Democracy, Liberalism, and War, Rethinking the Democratic Peace Debate*. London: Lynne Rienner Publishers.
- Barkawi, Tarak & Laffey, Mark (2002) 'Retrieving the Imperial: Empire and International Relations'. *Millenium: Journal of International Studies*, 31 (1), pp.109-127.
- Bastian, Sunil (2004) 'Human Rights and Human Security: An Emancipatory Political Project'. *Conflict, Security & Development*, 4 (3), pp.411-418.
- Bastian, Sunil (2008) 'Negotiations in a Globalised World'. *Accord*, 19, pp.83-85.
- Baum, Tomas (2008) 'A Quest for Inspiration in the Liberal Peace Paradigm: Back to Bentham?'. *European Journal of International Relations*, 14 (3), pp.431-453.
- Bentham, Jeremy (1839) *The Works of Jeremy Bentham, Part VIII*. Edinburgh: John Bowring.
- Bentham, Jeremy (1914) *Theory of Legislation*. London: Oxford University Press.
- Blackstone, William (1893) *Commentaries on the Laws of England, Vol. I – Books I & II*. Philadelphia: J.B.Lippincott Company. (Original work published 1765).
- Blair, Tony (1999) 'Doctrine of the International Community'. *The Economic Club of Chicago*, Chicago. 22 April. Available at: [http://www.pbs.org/newshour/bb/international/jan-june99/blair\\_doctrine4-23.html](http://www.pbs.org/newshour/bb/international/jan-june99/blair_doctrine4-23.html) (Accessed: 8 January 2013).
- Blair, Tony (2002) 'Full Text of Tony Blair's Speech in Texas'. *The Guardian*, 8 April. Available at: <http://www.guardian.co.uk/politics/2002/apr/08/foreignpolicy.iraq> (Accessed: 6 May 2010).
- Blair, Tony (2002a) 'The Power of World Community', in Leonard, Mark (eds.) *Re-ordering the World*. London: The Foreign Policy Centre.

- Blake, Robert O. (2006) 'Ambassador Briefs Indian High Commissioner on US-Sri Lanka Military Discussions', 22 December. *Wikileaks*. Available at: <http://wikileaks.org/cable/2006/12/06COLOMBO123.html> (Accessed: 7 March 2012).
- Blake, Robert O. (2007) 'US Embassy Cables: Sri Lankan Government Accused of Complicity in Human Rights Abuses'. 18 May. *The Guardian*. Available at: <http://www.guardian.co.uk/world/us-embassy-cables-documents/108763> (Accessed: 7 March 2012).
- Blake, Robert O. (2007a) 'Sri Lanka: Airbase Attack Results in Heavy Damage, New Security Procedure', 30 October. *Wikileaks*. Available at: <http://cables.mrkva.eu/cable.php?id=127767> (Accessed: 7 March 2012).
- Blake, Robert O. (2009) 'Northern Sri Lanka Sit Rep 74', 17 May. *Wikileaks*. Available at: <http://cables.mrkva.eu/cable.php?id=207374> (Accessed: 07 March 2012).
- Blake, Robert O. (2011) 'Testimony of Robert O. Blake'. *The House Foreign Affairs Committee, Subcommittee on the Middle East and South Asia*, Washington. 5 April. Available at: <http://m.state.gov/md160020.htm> (Accessed: 10 April 2011).
- Blake, Robert O. (2011a) 'Remarks'. *Press Conference at the American Centre, Colombo*. 14 September. Available at: <http://www.state.gov/p/sca/rls/rmks/2011/172423.htm> (Accessed: 20 September 2011).
- Blakely, Rhys (2009) 'Tamil Death Toll "is 1,400 a Week" at Manik Farm Camp in Sri Lanka'. *The Times*, 10 July [Online]. Available at: <http://www.timesonline.co.uk/tol/news/world/asia/article6676792.ece> (Accessed: 20 September 2009).
- Bloom, Mia M. (2003) 'Ethnic Conflict, State Terror and Suicide Bombing in Sri Lanka'. *Civil Wars*, 6 (1), pp.54-84.
- Boutros-Ghali, Boutros (1992) *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peace-keeping* [Online]. Available at: [http://www.unrol.org/files/A\\_47\\_277.pdf](http://www.unrol.org/files/A_47_277.pdf) (24 August 2013).
- Burges, R.G. (1982) *Field Research: A Sourcebook and Field Manual*. London: Unwin Hyman.
- Burnham, P., Gilland, K., Grant, W., & Layton-Henry, Z. (2004) *Research Methods in Politics*. Hampshire: Palgrave MacMillan.
- Burt, Alistair (2011) 'Honest Friends', 28 June. *Foreign and Commonwealth Office*. Available at: <http://ukinsrilanka.fco.gov.uk/en/news/?view=PressR&id=622454582> (Accessed: 29 June 2011).
- Burt, Alistair (2013) 'UK to Support Proposed Resolution', *Daily Mirror*, 2 February [Online]. Available at: <http://www.dailymirror.lk/news/25455-uk-to-support-proposed-resoluti> (Accessed 5 February 2013).
- Bush, George W. (2002) *The National Security Strategy of the United States of America*. Washington: White House.

Bush, George W. (2003) 'Commencement Address at the University of South Carolina in Columbia, South Carolina'. 9 May. *The American Presidency Project*. Available at: <http://www.presidency.ucsb.edu/ws/?pid=407> (Accessed: 10 September 2012).

Bush, George W. (2004) *Administration of George W. Bush*. Washington: Office of the Federal Register U.S.

Bush, George W. (2005) 'President Bush Says Sri Lanka Having Experienced Terrorism and Preserved, Understands the Threat that Terrorism Poses to Democracy and the World'. *Letter of Credence Ceremony*. Washington, 26 May. Available at: [http://slembassyusa.org/embassy\\_press\\_releases/president-bush-says-sri-lanka-having-experienced-terrorism-and-persevered-understands-the-threat-that-terrorism-poses-to-democracy-and-the-world/](http://slembassyusa.org/embassy_press_releases/president-bush-says-sri-lanka-having-experienced-terrorism-and-persevered-understands-the-threat-that-terrorism-poses-to-democracy-and-the-world/) (Accessed: 8 January 2011).

Bush, George W. (2008) *Selected Speeches of President George W. Bush, 2001 – 2008*. Washington: White House.

Bush, George W. (2008a) 'I Freed Millions from Barbarism, Says President With No Regrets'. Interviewed by Ned Temko for *Observer*, 13 June [Online]. Available at: <http://georgewbush-whitehouse.archives.gov/news/releases/2008/06/20080613-2.html> (Accessed: 2 April 2012).

Central Bank of Sri Lanka (2001) *Annual Report*. Colombo: Central Bank of Sri Lanka.

*Ceylon (Constitution) Order in Council* 1946. Colombo: Government of Sri Lanka. Available at: <http://www.lawnet.lk/process.php?st=1956Y11V379C&hword=%27%27&path=3> (Accessed: 10 November 2012).

*Ceylon Independence Act 1947* (11 Geo. 6, c. 7). London: HMSO. Available at: [http://www.legislation.gov.uk/ukpga/1947/7/pdfs/ukpga\\_19470007\\_en.pdf](http://www.legislation.gov.uk/ukpga/1947/7/pdfs/ukpga_19470007_en.pdf) (Accessed: 10 March 2013).

Chacko, Priya (2012) *Indian Foreign Policy, The Politics of Postcolonial Identity From 1947 to 2004*. Oxon: Routledge.

Chamberlin, Gethin (2009) 'Sri Lankans Divided by War: Tamils Trapped in Internment Camps Tell of Desperate Hunt for Loved Ones'. *The Guardian*, 26 May [Online]. Available at: <http://www.guardian.co.uk/world/2009/may/26/sri-lanka-tamil-tigers-camps> (Accessed: 30 September 2009).

Chandler, David (2003) 'The Dynamics of Empire: The Needs for a New Analysis of Imperialism'. *Global Dialogue*, 5 (1-2) [Online]. Available at: <http://www.worlddialogue.org/content.php?id=221> (Accessed: 10 June 2012).

Chandler, David (2010) 'The Uncritical Critique of 'Liberal Peace''. *Review of International Studies*, pp.1-19.

Chandler, David (2010a) 'Globalising Foucault: Turning Critique Into Apologia - A Response to Kiersey and Rosenow'. *Global Society*, 24 (2), pp.135-142.

- Chilcott, Dominic John (2006) 'Constitutional Safeguards Proved Inadequate – High Commissioner'. Interview with the *Sunday Virakesari*. Reproduced by *Tamilnet*, 21 July [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=18870> (Accessed: 4 March 2011).
- Chilcott, Dominic John (2007) 'Needed: New Peace Strategy for Sri Lanka', *The Island*, 19 June [Online]. Available at: <http://www.island.lk/2007/06/19/features1.html> (Accessed: 18 July 2011).
- Chimni, B.S. (2004) 'International Institutions Today: An Imperial Global State in the Making'. *EJIL*, 15 (1), pp.1-37.
- Chomsky, Noam (1999) *The New Military Humanism: Lessons from Kosovo*. London: Pluto Press.
- Clarence, L.B. (1899) 'Ceylon', in Shoewring, W.M. (eds.) *The British Empire Series, Vol I*. London: South Place Institute.
- Clarke, Alfred (1910) *Ceylon*. London: Adam and Charles Black.
- Clausewitz, Carl von (1997) *On War*. Hertfordshire: Wordsworth Editions. (Original work published 1832).
- Clinton, William J. (1993) 'Remarks to the 48th Session of the United Nations General Assembly in New York City', 27 September. *The American Presidency Project*. Available at: <http://www.presidency.ucsb.edu/ws/?pid=47119> (Accessed: 27 July 2012).
- Clinton, William J. (1994) 'Address Before a Joint Session of the Congress on the State of the Union'. 25 January. *The American Presidency Project*. Available at: <http://www.presidency.ucsb.edu/ws/?pid=50409> (Accessed: 27 July 2012).
- Coke, Edward (2003) *The Selected Writings and Speeches of Sir Edward Coke, Volume II*. Indiana: Liberty Fund.
- Commonwealth, The (1949) 'The London Declaration'. *CHOGM*, London. 26 April. Available at: <http://www.thecommonwealth.org/document/181889/34293/35468/214257/londondeclaration.htm> (Accessed: 20 October 2012).
- Coomaraswamy, Radhika & de los Reyes, Charmaine (2004) 'Rule by Emergency: Sri Lanka's Postcolonial Constitutional Experience'. *Oxford University Press and New York University School of Law I.CON.*, 2 (2), pp. 272-295.
- Cooper, Robert (2002) 'The Postmodern State', in Leonard, Mark (eds.) *Re-ordering the World*. London: The Foreign Policy Centre.
- Cooper, N., Turner, M., & Pugh, M. (2011) 'The End of History and the Last Liberal Peace Builder: A Reply to Roland Paris'. *Review of International Studies*. pp.1-13.
- Dean, Mitchell (2010) *Governmentality: Power and Rule in Modern Society*. London & California: Sage Publications.
- de Silva, Colvin R. (1953) *Ceylon Under the British Occupation 1795-1833, Vol 1*. Colombo: The Apothecaries Co.



de Silva, K.M. & Wriggins, Howard (1988) *J.R.Jayewardene of Sri Lanka: A Political Biography, Volume 1*. London: Anthony Blond.

de Silva, Shelani (2001) 'US Excludes LTTE From Global War', *The Sunday Times*, 23 September [Online]. Available at: <http://www.sundaytimes.lk/010923/frontm.html#fLABEL1> (Accessed: 10 November 2009).

DeVotta, Neil (1998) 'Sri Lanka's Structural Adjustment Program and its Impact on Indo-Lanka Relations'. *Asian Survey*, 38 (5), pp.457-473.

DeVotta, Neil (2002) 'South Asia Faces the Future, Illiberalism and Ethnic Conflict in Sri Lanka'. *Journal of Democracy*, 13 (1), pp.84-98.

DeVotta, Neil (2004) *Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka*. Stanford: Stanford University Press.

DeVotta, Neil (2007) *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*. Washington: East West Center.

Dharmapala, Anagarika (1965) 'History of an Ancient Civilisation', in Guruge, Ananda (eds.) *Return to Righteousness: A Collection of Speeches, Essays, and Letters of Anagarika Dharmapala*. Colombo: Ceylon Government Press. (Original work published 1902).

Dharmapala, Anagarika (1989) *The Arya Dharma of Sakya Muni, Gautama Buddha Or The Ethics of Self Discipline*. Calcutta: Maha Bodhi Book Agency.

Dicey, Albert Venn (1982) *Introduction to the Study of the Law of the Constitution*. Indianapolis: Liberty Classics.

Dillon, Michael & Reid, Julian (2009) *The Liberal Way of War, Killing to Make Life Live*. Oxon: Routledge.

Dixit, J.N. (1998) *Assignment Colombo*. New Delhi: Konark Publishers.

Doyle, Michael W. (1983) 'Kant, Liberal Legacies, and Foreign Affairs'. *Philosophy and Public Affairs*, 12 (3), pp.205-235.

Doyle, Michael W. (1986) 'Liberalism and World Politics'. *The American Political Science Review*, 80 (4), pp.1151-1169.

Doyle, Michael W. (2005) 'Three Pillars of the Liberal Peace'. *The American Political Science Review*, 99 (3), pp.463-466.

Duffield, Mark (2002) *Global Governance and the New Wars, The Merging of Development and Security*. London: Zed Books.

Duffield, Mark (2007) *Development, Security and Unending War, Governing the World of Peoples*. Cambridge: Polity Press.

Dulles, Allen W. (2006) *The Craft of Intelligence*. Guilford: The Lyons Press.

Dulles, John Foster (1987) 'Telegram from the Secretary of State to the Department of State', in US Department of State (eds.) *Foreign Relations of the United States 1955-1957, Volume VIII, South Asia*. Washington: United States Government Printing Office.

Dunlap, Charles J. (2001) 'Law and Military Interventions: Preserving Humanitarian Values in 21<sup>st</sup> Century Conflicts'. *Humanitarian Challenges in Military Intervention*, Washington. 29 November. Available at: <http://people.duke.edu/~pfeaver/dunlap.pdf> (Accessed: 20 January 2013).

Dunlap, Charles J. (2010) 'Does Lawfare Need an Apologia?' *Journal of International Law*, 43 (1/2), pp.121-143.

Dunne, Tim (2005) 'Liberalism', in Baylis, John and Smith, Steve (eds.) *The Globalisation of World Politics: An Introduction to International Relations*. Oxford: Oxford University Press.

Elden, Stuart (2009) *Terror and Territory*. Minneapolis: University of Minnesota Press.

*Emergency Powers Act 1920* (10 & 11 Geo 5, c. 55). London: HMSO.

*Emergency Regulations No. 01 of 2005* (No. 1405/14). Colombo: Government of Sri Lanka. Available at: <http://documents.gov.lk/Extgzt/2005/pdf/Aug/1405-14/1405-14e/e1.pdf> (Accessed: 8 June 2011).

*Emergency Regulations No. 07 of 2006* (No.1474/5). Colombo: Government of Sri Lanka. Available at: <http://documents.gov.lk/Extgzt/2006/Pdf/Dec/1474-5/1474-5e.pdf> (Accessed: 8 June 2011).

Escobar, Arturo (1995) *Encountering Development, The Making and the Unmaking of the Third World*. New Jersey: Princeton University Press.

European Union-UN (2005) *EU Presidency Declaration Condemning Actions of Tamil Tigers*. Available at: [http://www.europa-eu-un.org/articles/en/article\\_5060\\_en.htm](http://www.europa-eu-un.org/articles/en/article_5060_en.htm) (Accessed: 27 August 2010).

Fanon, Frantz (1963) *The Wretched of the Earth*. New York: Grove Press.

FBI (2008) *Taming the Tamil Tigers from Here in the U.S.* Available at: [http://www.fbi.gov/news/stories/2008/january/tamil\\_tigers011008](http://www.fbi.gov/news/stories/2008/january/tamil_tigers011008) (Accessed: 20 August 2010).

Ferguson, Adam (1782) *An Essay on the History of Civil Society*. London: T.Cadell.

Ferguson, Donald (1998) *The Earliest Dutch Visits to Ceylon*. Colombo: R.A.S (Ceylon) Journal.

Ferguson, John (1903) *Ceylon in 1903*. Colombo: Ceylon Observer Printing Press.

Fernando, Upul Joseph (2011) 'George Bush told Mahinda Rajapaksa to "Finish Off" the Tamil Tigers', *Tamil Week*, 21 March [Online]. Available at: [http://transcurrents.com/tc/2011/03/george\\_bush\\_told\\_mahinda\\_rajap.html](http://transcurrents.com/tc/2011/03/george_bush_told_mahinda_rajap.html) (Accessed: 30 August 2011).

Finlason, W.F. (1868) *Justice to a Colonial Governor, Or Some Considerations on the Case of Mr.Eyre*. London: Finlason.

Finlason, W.F. (1872) *Martial Law*. London: Finlason.

- Forbes, Jonathan (1850) *Recent Disturbances and Military Executions in Ceylon*. Edinburgh and London: William Blackwood and Sons.
- Foucault, Michel (1980) *Power/Knowledge*. Translated by Colin Gordon, Leo Marshall, John Mepham, and Kate Soper. Harlow: Pearson Education.
- Foucault, Michel (1991) *Discipline and Punish, The Birth of the Prison*. Translated by Alan Sheridan. London: Penguin Books. (Original work published 1975).
- Foucault, Michel (1998) *The History of Sexuality: Volume 1, The Will to Knowledge*. Translated by Robert Hurley. London: Penguin Books. (Original work published 1976).
- Foucault, Michel (2004) *"Society Must Be Defended", Lectures at the College de France, 1975-76*. Translated by David Macey. London: Penguin Books.
- Foucault, Michel (2007) *Security, Territory, Population, Lectures at the College de France, 1977-1978*. Translated by Graham Burchell. Hampshire: Palgrave MacMillan.
- Foucault, Michel (2008) *The Birth of Biopolitics, Lectures at the College de France 1978-1979*. Translated by Graham Burchell. Hampshire: Palgrave MacMillan.
- Franks, Jason & Richmond, Oliver P. (2008) 'Coopting Liberal Peace-building: Untying the Gordian Knot in Kosovo'. *Cooperation and Conflict*, 43 (March), pp.81-103.
- Fukuyama, Francis (1992) *The End of History and the Last Man*. New York: The Free Press.
- Furedi, Frank (1994) *The New Ideology of Imperialism*. London: Junius Publications.
- Gandhi, Indira (1979) Interviewed by Chris Panos for *Chris Panos Show*, Release the World for Christ. Available at: <http://www.youtube.com/watch?v=F3RLKYXQ39M> (Accessed: 10 August 2012).
- Gandhi, Indira (1986) *Selected Speeches and Writings 1982-84*. New Delhi: Government of India.
- Ghosh, P.A. (1999) *Ethnic Conflict in Sri Lanka and Role of Indian Peace Keeping Force (IPKF)*. New Delhi: S.P. Nangia, A.P.H. Publishing Corporation.
- Goldgeier, James M., and McFaul, Michael (2001) 'The Liberal Core and the Realist Periphery in Europe'. *Perspectives on European Politics and Society*, 2 (1), pp.1-26.
- Goldrick, James (1997) *No Easy Answers*. New Delhi: Lancer Publishers and Distributors.
- Goodhand, Jonathan & Walton, Oliver (2009) 'The Limits of Liberal Peacebuilding? International Engagement in the Sri Lankan Peace Process'. *Journal of Intervention and Statebuilding*, 3 (3), pp.303-323.
- Goodhand, Jonathan and Korf, Benedikt (2011) 'Caught in a Peace Trap?', in Goodhand, J., Spencer, J., & Korf, B. (eds.) *Conflict and Peacebuilding in Sri Lanka: Caught in a Peace Trap?* Oxon: Routledge.
- Goodrick-Clarke, Nicholas (1998) *Hitler's Priestess: Savitri Devi, the Hindu-Aryan Myth, and Neo-Nazism*. London: New York University Press.

- Government of Sri Lanka (2002) *Regaining Sri Lanka: Vision and Strategy for Accelerated Development*. Colombo: Government of Sri Lanka.
- Guibernau, Montserrat (1999) *Nations Without States. Political Communities in a Global Age*. Cambridge: Polity Press.
- Gunasinghe, Newton (2004) 'The Open Economy and its Impact on Ethnic Relations in Sri Lanka', in Winslow, D. & Woost M. D. (eds.) *Economy, Culture, and Civil War in Sri Lanka*. Bloomington: Indiana University Press.
- Hain, Peter (2000) 'Britain Ready to Help SL in Any Possible Way – Peter Hain', *The Island*, 24 November [Online]. Available at: <http://www.island.lk/2000/11/24/news06.html> (Accessed: 15 August 2010).
- Hannum, Hurst (1996) *Autonomy, Sovereignty and Self-Determination: The Accommodation of Conflicting Rights*. Pennsylvania: University of Pennsylvania Press.
- Hardt, Michael and Negri, Antonio (2001) *Empire*. Massachusetts: Harvard University Press.
- Harris, Nigel (1990) *National Liberation*. London: I.B.Tauris.
- Harvey, David (2005) *The New Imperialism*. Oxford: Oxford University Press.
- Hobbes, Thomas (1949) *De Cive or The Citizen*. New York: Appleton Century Crofts.
- Hobden, Stephen & Jones, Richard Wyn (2005) 'Marxist Theories of International Relations', in Baylis, John. and Smith, Steve (eds.) *The Globalisation of World Politics: An Introduction to International Relations*. Oxford: Oxford University Press.
- Hobson, John .A . (1902) *Imperialism: A Study*. New York: James Pott & Company
- Holmes, John (2012) Interviewed by Callum Macrae for *Sri Lanka's Killing Fields: War Crimes Unpunished*, Channel 4, 14 March.
- Howard, Michael (2008) *War and the Liberal Conscience*. London: Hurst Publishers.
- HC Deb 14 March 1804, vol 1, col 859. Available at: <http://hansard.millbanksystems.com/commons/1804/mar/14/war-in-ceylon> (Accessed: 20 July 2013).
- HC Deb 27 May 1830, vol 24, col 1155-1165. Available at: [http://hansard.millbanksystems.com/commons/1830/may/27/island-of-ceylon#S2V0024P0\\_18300527\\_HOC\\_53](http://hansard.millbanksystems.com/commons/1830/may/27/island-of-ceylon#S2V0024P0_18300527_HOC_53) (Accessed: 20 July 2013).
- HC Deb 20 February 1849, vol 102, col 1002-1003. Available at: [http://hansard.millbanksystems.com/commons/1849/feb/20/colonial-system-ceylon-and-british-guiana#S3V0102P0\\_18490220\\_HOC\\_10](http://hansard.millbanksystems.com/commons/1849/feb/20/colonial-system-ceylon-and-british-guiana#S3V0102P0_18490220_HOC_10) (Accessed: 20 July 2013).

HC Deb 29 May 1851, vol 117, col 220-243. Available at:  
<http://hansard.millbanksystems.com/commons/1851/may/29/ceylon-adjourned-debate-second-night> (Accessed: 20 July 2013).

HC Deb 08 July 1920, vol 131, col 1725. Available at:  
[http://hansard.millbanksystems.com/commons/1920/jul/08/army-council-and-general-dyer#S5CV0131P0\\_19200708\\_HOC\\_435](http://hansard.millbanksystems.com/commons/1920/jul/08/army-council-and-general-dyer#S5CV0131P0_19200708_HOC_435) (Accessed: 20 July 2013).

HC Deb 21 February 1934, vol 286, col 360. Available at:  
[http://hansard.millbanksystems.com/commons/1934/feb/21/government-of-ceylon#S5CV0286P0\\_19340221\\_HOC\\_228](http://hansard.millbanksystems.com/commons/1934/feb/21/government-of-ceylon#S5CV0286P0_19340221_HOC_228) (Accessed: 20 July 2013).

HC Deb 21 November 1947, vol 444, col 1478-1495. Available at:  
[http://hansard.millbanksystems.com/commons/1947/nov/21/ceylon-independence-bill#S5CV0444P0\\_19471121\\_HOC\\_94](http://hansard.millbanksystems.com/commons/1947/nov/21/ceylon-independence-bill#S5CV0444P0_19471121_HOC_94) (Accessed: 20 July 2013).

HC Deb 20 June 2000, vol 352, col 138. Available at:  
[http://www.publications.parliament.uk/pa/cm199900/cmhansrd/vo000620/debtext/00620-01.htm#00620-01\\_spm1](http://www.publications.parliament.uk/pa/cm199900/cmhansrd/vo000620/debtext/00620-01.htm#00620-01_spm1) (Accessed 10 January 2012).

Hunt, Alan & Wickham, Gary (1994) *Foucault and Law, Towards a Sociology of Law as Governance*. London: Pluto Press.

Hunter, William (1920) *Disorders Inquiry Committee 1919-1920, Report*. Calcutta: Superintendent Government Printing, India.

Huntington, Samuel P. (1991) *The Third Wave: Democratization in the Late Twentieth Century*. University of Oklahoma Press: Norman.

Huntington, Samuel P. (1996) *The Clash of Civilizations and the Remaking of World Order*. London: Simon and Schuster UK.

Hussain, Nasser (2003) *The Jurisprudence of Emergency, Colonialism and the Rule of Law*. Michigan: The University of Michigan Press.

Hyam, Ronald (1990) *Empire and Sexuality: The British Experience*. Manchester: Manchester University Press.

*Ibralebbe v. R.* [1964] A.C. 900.

International Commission of Jurists (2009) *Briefing Paper: Sri Lanka's Emergency Laws*. Geneva: International Commission of Jurists.

International Commission of Jurists (2010) *Beyond Lawful Constraints: Sri Lanka's Mass Detention of LTTE Suspects*. Geneva: International Commission of Jurists.

Ignatieff, Michael (2003) *Empire Lite, Nation-building in Bosnia, Kosovo and Afghanistan*. London: Vintage.

- Ikenberry, John G. (2008). 'Introduction', in Ikenberry, John G. (eds.) *The Future of Liberal Internationalism*. Princeton: Princeton University Press.
- Ismeth, M. (1996) 'No Moves to Ban LTTE in London – Rifkind', *The Sunday Times*, 1 September [Online]. Available at: <http://www.sundaytimes.lk/960901/frontm.html> (Accessed: 6 December 2009).
- Ivie, Robert. L. (2005) *Democracy and America's War on Terror*. Alabama: The University of Alabama Press.
- Jahn, Beate (2005) 'Barbarian Thoughts: Imperialism in the Philosophy of John Stuart Mill'. *Review of International Studies*, 31, pp.599-618.
- Jansz, Frederica (1997) 'US Troops to Help Counter LTTE', *The Sunday Times*, 12 October [Online]. Available at: <http://www.sundaytimes.lk/971012/frontm.html#LABEL1> (Accessed: 10 August 2010).
- Jayapalan, N. (2001) *History of India, From National Movement to Present Day – Volume IV*. New Delhi: Atlantic Publishers and Distributors.
- Jayewardene, J.R. (1974) *Selected Speeches*. Colombo: H.W.Cave & Company.
- Jayewardene, J.R. (1984) 'Remarks at the Welcoming Ceremony for President J.R. Jayewardene of Sri Lanka', 18 June. *The American Presidency Project*. Available at: <http://www.presidency.ucsb.edu/ws/?pid=40055> (Accessed: 10 November 2012).
- Jayewardene, J.R. (1985) Interviewed by BBC. Available at: <https://www.youtube.com/watch?v=ZncOQftVcU> (Accessed: 2 April 2012).
- Jennings, W. Ivor (1949) 'The Dominion of Ceylon'. *Pacific Affairs*, 22 (1), pp.21-33.
- Kandyan Convention (1821) 'Official Declaration of the Settlement of the Kandyan Provinces', in Davy, John (eds.) *An Account of the Interior of Ceylon and its Inhabitants*. London: Longman, Hurst, Rees, Orme, and Brown.
- Kapferer, Bruce (1988) *Legends of People Myths of State, Violence, Intolerance, and Political Culture in Sri Lanka and Australia*. Washington: Smithsonian Institution Press.
- Kaplan, Lawrence F. (2003) 'Regime Change'. *New Republic*, 228 (8), pp.21-23.
- Kant, Immanuel (1887) *The Philosophy of Law, An Exposition of the Fundamental Principles of Jurisprudence as The Science of Right*. Edinburgh: T & T Clark. (Original work published 1796).
- Kant, Immanuel (1917) *Perpetual Peace*. London: George Allen & Unwin. (Original work published 1795).
- Kaviyalagan, K. (2007), 'An Obituary for Brigadier S.P.Thamilchelvan', *Liberation Tigers*, October/November, pp.6-7.
- Kemper, Steven (1991) *The Presence of the Past, Chronicles, Politics, and Culture in Sinhala Life*. London: Cornell University Press.

- Kennan, George F. (1987) 'The Sources of Soviet Conduct'. *Foreign Affairs*, 65 (4), pp.852-868.
- Kennedy, David (2005) 'What "W" owes to "WW"'. *Atlantic Monthly*, 295 (2), pp.36-40.
- Kennedy, D. (2006) *Of War and Law*. Princeton: Princeton University Press.
- Kiersey, Nicholas J. (2009) 'Scale, Security, and Political Economy: Debating the Biopolitics of the Global War on Terror'. *New Political Science*, 31 (1), pp.27-47.
- Kleinfeld Margo (2004) 'Strategic Troping in Sri Lanka: September Eleventh and the Consolidation of Political Position', in Brun, D. (eds.) *11 September and its Aftermath: The Geopolitics of Terror*. London: Frank Cass Publishers.
- Kodeeswaran v. Attorney General* [1969] Available at:  
[http://www.lawnet.lk/docs/case\\_law/nlr/common/html/NLR72V337.htm](http://www.lawnet.lk/docs/case_law/nlr/common/html/NLR72V337.htm) (Accessed: 5 December 2012).
- Kostal, R.W.(2000) 'A Jurisprudence of Power: Martial Law and the Ceylon Controversy of 1848-51'. *The Journal of Imperial and Commonwealth History*, 28 (1), pp.1-34.
- Kotelawala, John (2005) 'Prime Minister Sir John Kotelawala on "What Can We Do to Check Communism in Asia?" (From his Address to the National Press Club, Washington)', in Jayawardane, Amal (eds.) *Documents on Sri Lanka's Foreign Policy 1947-1965*. Colombo: Regional Centre for Strategic Studies.
- Krishna, Sankaran (2000) *Postcolonial Insecurities, India, Sri Lanka and the Question of Nationhood*. New Delhi: Oxford University Press.
- Kubik, Timothy R.W. (2001) 'Military Professionalism and the Democratic Peace: How German Is It?', in Barkawi, Tarak & Laffey, Mark (eds.) *Democracy, Liberalism, and War, Rethinking the Democratic Peace Debate*. London: Lynne Rienner Publishers.
- Kumaratunga, Chandrika Bandaranaike (1995) 'Speech'. *United Nations World Summit for Social Development*, Copenhagen. 12 March. Available at:  
[http://www.priu.gov.lk/execpres/speeches/1995/19950312UN\\_world\\_summit.html](http://www.priu.gov.lk/execpres/speeches/1995/19950312UN_world_summit.html) (Accessed: 10 October 2012).
- Kumaratunga, Chandrika Bandaranaike (1995a) 'Speech'. *The inaugural meeting of the "Sudu Nelum" Colombo*, Colombo. 8 July. Available at:  
<http://www.priu.gov.lk/execpres/speeches/1995/19950708SuduNelum.html> (Accessed: 10 October 2012).
- Kumaratunga, Chandrika Bandaranaike (1996) 'Keynote address'. *Sri Lanka Economic Co-operation Committee*, Seoul. 13 August. Available at:  
[http://www.priu.gov.lk/execpres/speeches/1996/199608Economic\\_co-operation\\_committee.html](http://www.priu.gov.lk/execpres/speeches/1996/199608Economic_co-operation_committee.html) (Accessed: 10 October 2012).
- Kumaratunga, Chandrika Bandaranaike (2001) 'The President's Address to the Nation Following the LTTE Attack on the International Airport and Air Force Base at Katunayake'. *President's Address to*

*the Nation*, Colombo. 25 July. Available at:

[http://www.priu.gov.lk/execpres/speeches/2001/20010730LTTE\\_attack\\_on\\_the\\_Katunayake.html](http://www.priu.gov.lk/execpres/speeches/2001/20010730LTTE_attack_on_the_Katunayake.html)  
(Accessed: 10 October 2012).

Laffey, Mark & Nadarajah, Suthaharan (2012) 'The Hybridity of Liberal Peace: States, Diasporas and Insecurity'. *Security Dialogue*, 43 (5), pp.403-420.

Lenin, Vladimir I. (1974) *V.I.Lenin, Collected Works, Volume 21 August 1914 – December 1915*. Moscow: Progress Publishers. (Original work published 1915).

Lenin, Vladimir I. (1999) *Imperialism, The Highest Stage of Capitalism*. Sydney: Resistance Books. (Original work published 1917).

Lenin, Vladimir I. (2004) 'Self-Determination of Nations', in Lenin, Vladimir I. (eds.) *The Right of Nations to Self-determination*. Honolulu: University Press of the Pacific. (Original work published 1915).

Lewis, John Penry (1895) *Manual of the Vanni Districts (Vavuniya and Mullaitivu) of the Northern Province, Ceylon*. Colombo: Government Printing Press.

Liberation Tigers (1984) 'Revolutionary People's Army Emerges Under the Leadership of the Tigers', *Liberation Tigers*, 15 March, pp.1-2.

Liberation Tigers (1984a) 'The Eelam Tamil Question Becomes an International Issue', *Liberation Tigers*, July, pp.6-7.

Liberation Tigers (1984b) 'Mossad Cannibalism', *Liberation Tigers*, July, p.8.

Liberation Tigers (1986) 'Democracy and Socialism', *Liberation Tigers*, November, p.2.

Liberation Tigers (1991) 'Will India's New Intervention Affect the Tamils?' *Liberation Tigers*, January, p.1.

Liberation Tigers (1992) 'Sri Lanka Closes the Door for Peace Efforts', *Liberation Tigers*, March/ April, pp.1-2.

Liberation Tigers (1992a) 'Hording – An Anti-social Act'. *Liberation Tigers*, July/ August, p.12.

Liberation Tigers (1994) 'Bank of Tamil Eelam: A Step Towards Statehood', *Liberation Tigers*, May, p.2.

Liberation Tigers (1996) 'Black Tigers Conduct Daring Raids on Colombo Harbour, Continuing Assaults on Sri Lanka's Strategic Economic Centres', *Liberation Tigers*, April, p.1.

Lichtman, Allan & French, Valerie. (1978) *Historians and the Living Past*. Wheeling: Illinois.

Locke, John (1980) *Second Treatise of Government*. Indiana: Hacket Publishing Company.

LTTE (1985) *Socialist Tamil Eelam*. Madras: LTTE.

LTTE (1988) *Indo-Lanka Accord, The Policy of the Liberation Tigers*. Madras: LTTE.



- Lugard, Frederick (1922) *The Dual Mandate in British Tropical Africa*. Edinburgh and London: William Blackwood and Sons.
- Lunstead, Jeffrey (2006) 'US Ambassador Lunstead's Farewell Press Conference', 12 July. *Tamil Week* [Online]. Available at: <http://tamilweek.com/news-features/archives/458> (Accessed 8 March 2013).
- Lunstead, Jeffrey (2006a) 'Indians Still Hoping Geneva Talks Can Resume Under "Broader Agenda"', 3 March. *The Hindu*. Available at: <http://www.thehindu.com/news/the-india-cables/the-cables/article1588862.ece> (Accessed: 10 January 2012).
- Lunstead, Jeffrey (2007) *The United States' Role in Sri Lanka's Peace Process*. Colombo: The Asia Foundation.
- Lunstead, Jeffrey (2011) 'Superpowers and small conflicts', in Goodhand, J., Spencer, J., & Korf, B. (eds.) *Conflict and Peacebuilding in Sri Lanka: Caught in a Peace Trap?* Oxon: Routledge.
- MacGinty, Roger (2008) 'Indigenous Peace-Making Versus the Liberal Peace'. *Cooperation and Conflict*. 43 (June), pp.139-164.
- Machiavelli, Niccolo (1972) *The Prince, Selections from The Discourses and Other Writings*. London: Wm. Collins Sons & Co.
- MacMillan, John (1998) *On Liberal Peace, Democracy, War and the International Order*. London: I.B.Tauris & Co.
- MacMillan, John (2012) "'Hollow Promises?" Critical Materialism and the Contradictions of the Democratic Peace'. *International Theory*, 4 (3), pp.331-366.
- Mahavamsa (1912) *Mahavamsa, Or the Great Chronicle of Ceylon*. Translated by Wilhelm Geiger. London: Oxford University Press. (Original work published in the sixth century C.E.).
- Mandelbaum, Michael (2002) *The Ideas that Conquered the World: Peace, Democracy, and Free Markets in the Twenty-first Century*. New York: Public Affairs.
- Mandelbaum, Michael (2005) *The Case for Goliath, How America Acts as the World's Government in the 21<sup>st</sup> Century*. New York: Public Affairs.
- Mann, Michael (2001) 'Democracy and Ethnic War', in Barkawi, Tarak & Laffey, Mark (eds.) *Democracy, Liberalism, and War, Rethinking the Democratic Peace Debate*. London: Lynne Rienner Publishers.
- Marshall, H.H. (1973) 'Ceylon and the Judicial Committee of the Privy Council'. *The International and Comparative Law Quarterly*, 22 (1), pp.155-157.
- McGowan, William (1992) *Only Man is Vile, The Tragedy of Sri Lanka*. London: Pan Books.
- Mendis, G.C. (1946) *Ceylon Under the British*. Colombo: The Colombo Apothecaries' Co.
- Mill, John Stuart (1965) *Principles of Political Economy with Some of their Applications to Social Philosophy*. Toronto: University of Toronto Press.

- Mill, John Stuart (1977) *Essays on Politics and Society*. Toronto: University of Toronto Press.
- Mill, John Stuart (1984) *Essays on Equality, Law, and Education*. Toronto: University of Toronto Press.
- Mill, John Stuart (1985) *On Liberty*. London: Penguin Books.
- Mills, Lennox A. (1933) *Ceylon Under British Rule, 1795-1932*. London: Oxford University Press.
- Ministry of Foreign Affairs of Japan (2003) *Tokyo Declaration on Reconstruction and Development of Sri Lanka*. Available at: <http://www.mofa.go.jp/region/asia-paci/srilanka/conf0306/declaration.html> (Accessed: 7 October 2012).
- Moorcraft, Paul (2012) *Total Destruction of the Tamil Tigers, The Rare Victory of Sri Lanka's Long War*. South Yorkshire: Pen and Sword Books.
- Morgenthau, Hans J. (1966) *Politics Among Nations*. New York: Knopf.
- Mulford (2006) 'India Favours Parallel Demarche to Sri Lanka', 22 June. *The Hindu*. Available at: <http://www.thehindu.com/news/the-india-cables/the-cables/article1588883.ece> (Accessed: 10 January 2012).
- Muppidi, Himadeep (2001) 'State Identity and Interstate Practices: The Limits to Democratic Peace in South Asia', in Barkawi, Tarak & Laffey, Mark (eds.) *Democracy, Liberalism, and War, Rethinking the Democratic Peace Debate*. London: Lynne Rienner Publishers.
- Murray, Stuart J. (2006) 'Thanatopolitics: On the Use of Death for Mobilizing Political Life'. *Polygraph*, 18, pp.191-215.
- Nadarajah, Suthaharan (2008) 'Prejudice, Assymetry and Insecurity'. *Accord*, 19, pp.88-89.
- Nadarajah, Suthaharan (2009) 'Disciplining the Diaspora: Tamil Self-determination and the Politics of Proscription', in Ingram, Alan & Klaus, Dodds (eds.) *Spaces of Security and Insecurity, Geographies of the War on Terror*. Farnham: Ashgate Publishing.
- Nadarajah, Suthaharan (2010) *Clash of Governmentalities: Liberal Peace, Tamil Freedom and the 2001-2006 Peace Process in Sri Lanka*. Unpublished PhD thesis. London: School of Oriental and African Studies, University of London.
- Nadarajah, Suthaharan (2011) 'Remarks', *Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997-2009*, Oslo. 11 November. Available at: [http://www.regjeringen.no/nb/dep/ud/lyd\\_bilde/nett-tv-2/fred\\_srilanka.html?id=662709](http://www.regjeringen.no/nb/dep/ud/lyd_bilde/nett-tv-2/fred_srilanka.html?id=662709) (Accessed: 15 December 2011).
- Nadarajah, Suthaharan & Vimalarajah, Luxshi (2008) *The Politics of Transformation. The LTTE and the 2002-2006 Peace Process in Sri Lanka*. Berlin: Berghof Research Centre for Constructive Conflict Management.
- National Security Council (1952) *Foreign Relations of the United States, 1952-1954 Volume XII, Part 1, East Asia and the Pacific (in two parts), Document 36*. Washington: Department of State.

- Neal, Andrew W. (2008) 'Goodbye War on Terror?' Foucault and Butler on Discourse of Law, War and Exceptionalism', in Dillon, Michael & Neal, Andrew W. (eds.), *Foucault on Politics, Security and War*. Hampshire: Palgrave MacMillan.
- Neal, Andrew W. (2010) *Exceptionalism and the Politics of Counter-Terrorism, Liberty, Security and the War on Terror*. Oxon: Routledge.
- Nehru, Jawaharlal (1994) *The Discovery of India*. Oxford: Oxford University Press.
- Neocleous, Mark (1996) *Administering Civil Society, Towards a Theory of State Power*. Hampshire and London: MacMillan Press.
- Neocleous, Mark (2006) 'The Problem With Normality: Taking Exception to "Permanent Emergency"', *Alternative: Global, Local, Political*, 31 (April), pp.191-213.
- Neocleous, Mark (2008) *Critique of Security*. Edinburgh: Edinburgh University Press.
- Obama, Barack (2010) *National Security Strategy*. Washington: White House.
- Obeyasekere, Gananath (1984) 'The Origins and Institutionalisation of Political Violence', in Manor, James (eds.) *Sri Lanka: In Change and Crisis*. London: St.Martin's.
- Owen, John M. (1994) 'How Liberalism Produces Democratic Peace'. *International Security*, 19 (2), pp.87-125.
- Paris, Roland (2009) *At War's End, Building Peace After Civil Conflict*. New York: Cambridge University Press.
- Paris, Roland (2010) 'Saving Liberal Peace'. *Review of International Studies*, 36, pp.337-365.
- Pathmanathan, Selvarajah (2010) 'KP Speaks Out'. Interviewed by Shamindra Ferdinando for *The Island*, 29 July [Online]. Available at: [http://www.island.lk/index.php?page\\_cat=article-details&page=article-details&code\\_title=3160](http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=3160) (Accessed: 2 August 2010).
- Pathmanathan, Selvarajah (2012) 'Prabhakaran Thwarted Oslo's Moves for a Ceasefire in 2009 – Ex-LTTE chief 'KP''. Interviewed by D.B.S.Jeyaraj for *Tamil Week*, 24 November [Online]. Available at: <http://dbsjeyaraj.com/dbsj/archives/12656> (Accessed: 27 November 2012).
- Percival, Robert (1803) *An Account of the Island of Ceylon*. London: C & R. Baldwin.
- Perera, Edward W. (1915) *Memorandum Upon Recent Disturbances in Ceylon*. London: Edward Hughes & Co.
- Perera, Horace L.H. (1954) *Ceylon Under Western Rule*. Colombo: MacMillan & Co.
- Permanent Mission of Sri Lanka to the UN (1989) 'Derogation Notices'. *Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the UN*. 13 January. Available at: <http://qub.ac.uk/schools/SchoolofLaw/Research/HumanRightsCentre/Resources/html/Filetoupload,53206,en.htm> (Accessed: 14 June 2011).

Peterson, Jan (2005) 'Sri Lanka: Norwegian Facilitators Send Letter to LTTE Leader Prabhakaran via London, GSL Asks EU to List LTTE as Terrorist Organization', 18 August, *Wikileaks*. Available at: <http://cables.mrkva.eu/cable.php?id=38758> (Accessed: 12 January 2012).

*The Petition of Right 1627* (3 Cha. 1, c. 1). London: HMSO. Available at: <http://www.legislation.gov.uk/all?title=the%20petition%20of%20rights%201627> (Accessed: 10 June 2013).

Pierce, Roger (2008) *Research Methods in Politics, A Practical Guide*. London: SAGE Publications.

Pieris, P.E. (1920) *Ceylon and the Portuguese: 1505 – 1658*. Jaffna: American Ceylon Mission Press.

Pirapaharan, Velupillai (1984) *I Yearn for Tamil Eelam*. Madras: LTTE.

Pirapaharan, Velupillai (1984a) 'Tigers' Condolence Message on the Demise of Indira'. *Liberation Tigers*, December, pp.2.

Pirapaharan, Velupillai (1986) 'Our Socialist Path'. *Liberation Tigers*, November, pp.1-2.

Pirapaharan, Velupillai (1994) 'We Should Depend on Our Land's Resources', *Liberation Tigers*, May, p.9.

Pirapaharan, Velupillai (2009) *Great Heroes' Day Speeches of Tamil Eelam National Leader, 1989-2008*. Chennai: Kathirmathi Publications.

Prakash, Gyan (2000) 'Body Politic in Colonial India', in Mitchell, Timothy (eds.) *Questions of Modernity*. Minneapolis: University of Minnesota Press.

*Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979*. Colombo: Government of Sri Lanka. Available at: <http://www.lawnet.lk/process.php?st=1979Y0V0C48A&hword=%27%27&path=2> (Accessed: 10 October 2012).

Prince, Rosa (2009) 'UK Arms Used Against Civilians in Sri Lanka and Gaza', *The Telegraph*, 19 August [Online]. Available at: <http://www.telegraph.co.uk/news/politics/6049670/UK-arms-used-against-civilians-in-Sri-Lanka-and-Gaza.html> (Accessed: 10 September 2009).

*Public Security Ordinance: Ordinance No. 25 of 1947*. Colombo: Government of Ceylon.

Pugh, Michael (2005) 'The Political Economy of Peacebuilding: A Critical Theory Perspective'. *International Journal of Peace Studies*, 10 (2), pp.23-42.

Pujavaliya (1926) *Pujavaliya*. Colombo: Jinalankara Press. (Original work published in the thirteenth century C.E.).

Pyatt (2006) 'Sri Lankans Seek More Indian Involvement', 21 August. *The Hindu*. Available at: <http://www.thehindu.com/news/the-india-cables/the-cables/article1588881.ece> (Accessed: 10 March 2012).

Quinn, Adam & Cox, Michael (2007) 'For Better, for Worse: How America's Foreign Policy Became Wedded to Liberal Universalism'. *Global Society*, 21 (4), pp.499-519.

- R v. Hemapala* [1963]. Available at:  
[http://www.lawnet.lk/docs/case\\_law/nlr/common/html/NLR65V313.htm](http://www.lawnet.lk/docs/case_law/nlr/common/html/NLR65V313.htm) (Accessed: 10 March 2013).
- Rabinow, Paul & Rose, Nikolas (2006) 'Biopower Today'. *BioSocieties*, 1, pp.195-217.
- Rajapaksa, Gotabaya (2007) 'Sri Lanka Accuses "Bullying" West'. Interviewed by Roland Buerk for *BBC News Channel*, 12 June [Online]. Available at:  
[http://news.bbc.co.uk/1/hi/world/south\\_asia/6745553.stm](http://news.bbc.co.uk/1/hi/world/south_asia/6745553.stm) (Accessed: 10 July 2011).
- Rajapaksa, Gotabaya (2010) Interviewed by Stephen Sackur for *Hardtalk*, BBC News Channel, 07 June.
- Rajapaksa, Gotabaya (2013) 'I Deplore Any Form of Extremism: Gota'. Interviewed by Hafeel Farisz for *Daily Mirror*, 4 July [Online]. Available at: <http://www.dailymirror.lk/news/31862-i-deplore-any-form-of-extremis> (Accessed: 04 July 2013).
- Rajapaksa, Gotabaya (2013a) 'Israelis Conduct Live Firing Exercises Ahead of Operation Liberation, War on Terror Revisited'. Interviewed by Shamindra Ferdinando for *The Island*, 20 June [Online]. Available at: [http://www.island.lk/index.php?page\\_cat=article-details&page=article-details&code\\_title=81746](http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=81746) (Accessed: 20 June 2013).
- Rajapaksa, Gotabaya (2013b) 'Sri Lanka's Path to Peace'. Interviewed by Greg Sheridan for *The Australian*, 13 September [Online]. Available at:  
<http://www.theaustralian.com.au/news/features/sri-lankas-path-to-peace/story-e6frg6z6-1226718017231> (Accessed: 13 September 2013).
- Rajapaksa, Mahinda (2005) *Mahinda Chintana, Towards a New Sri Lanka*. Colombo: SLFP.
- Rajapaksa, Mahinda (2011) 'Sri Lanka Awaits You – President Tells CHOGM Leaders'. *CHOGM 2011*, Perth. 31 October [Online]. Available at: <http://news.lk/news/sri-lanka/638-sri-lanka-awaits-to-welcome-you-president-tells-chogm-leaders> (Accessed: 10 May 2012).
- Ramanathan, Ponnambalam (1916) *Riots and Martial Law in Ceylon, 1915*. London: St.Martin's Press.
- Rampton, David, & Nadarajah, Suthaharan (2012) 'Liberal Peace and the Biopolitical War in Sri Lanka'. *SOAS Politics and International Studies Departmental Seminars*. London. 14 March.
- Rao, Venkateshwar P. (1988) 'Ethnic Conflict In Sri Lanka, India's Role and Perception'. *Asian Survey*. Vol. XXVIII, 4 (April), pp.419-436.
- Reagan, Ronald (1984) 'Toasts of President Reagan and President J.R. Jayewardene of Sri Lanka at the State Dinner'. 18 June. *The American Presidency Project*. Available at:  
<http://www.presidency.ucsb.edu/ws/?pid=40062> (Accessed: 10 November 2012).
- Reagan, Ronald (1984a) 'Remarks at the Welcoming Ceremony for President J.R. Jayewardene of Sri Lanka'. 18 June. *The American Presidency Project*. Available at:  
<http://www.presidency.ucsb.edu/ws/?pid=40055> (Accessed: 10 November 2012).
- Ribeiro, Joao (1909) *History of Ceilao*. Colombo: The Colombo Apothecaries Co.

- Richmond, Oliver P. (2006) 'The Problem of Peace: Understanding the "Liberal Peace"'. *Conflict, Security & Development*, 6 (3), pp.291-314.
- Richmond, Oliver P. & Audra, Mitchell (2011) 'Peacebuilding and Critical Forms of Agency: From Resistance to Subsistence'. *Alternatives: Global, Local, Political*, 36 (4), pp.326-344.
- Rose, Gillian (1984) *Dialectic of Nihilism, Post-Structuralism and Law*. Oxford: Basil Blackwell Publisher.
- Rose, Nikolas (2007) *The Politics of Life Itself, Biomedicine, Power, and Subjectivity in the Twenty-First Century*. Princeton: Princeton University Press.
- Rossiter, Clinton L. (1948) *Constitutional Dictatorship, Crisis Government in Modern Democracies*. Princeton: Princeton University Press.
- Rostow, W.W. (1991) *The Stages of Economic Growth, A Non-Communist Manifesto*. Cambridge: Cambridge University Press.
- Rousseau, Jean-Jacques (1999) *The Social Contract*. Oxford: Oxford University Press.
- Rumsfeld, Donald (2003) 'DoD News Briefing – Secretary Rumsfeld and Gen. Myers', 11 April. *US Department of Defense*. Available at: <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=2367> (Accessed: 10 January 2013).
- Russett, Bruce (1993) *Grasping the Democratic Peace, Principles for a Post-Cold War World*. Chichester: Princeton University Press.
- Said, Edward (1977) *Orientalism*. London: Penguin.
- Saunders (2009) *Sentencing Remarks, Regina v Arunachalam Chrishanthakumar*. London: Merrill Legal Solutions.
- Schaffer, Teresita Currie (1995) 'Journey to Jaffna: The LTTE View of the Peace Process; A First Hand Look'. 15 March. *Wikileaks*. Available at: <http://cables.mrkva.eu/cable.php?id=718> (Accessed: 12 March 2012).
- Schmitt, Carl (1988) *Political Theology*. Cambridge: The MIT Press.
- Schrikker, Alicia (2007) *Dutch and British Colonial Intervention in Sri Lanka, 1780-1815: Expansion and Reform*. Leiden & Boston: Brill.
- Schumpeter, Joseph (1991) *The Economics and Sociology of Capitalism*. Oxford: Princeton University Press.
- Selby, Jan (2007) 'Engaging Foucault: Discourse, Liberal Governance and the Limits of Foucauldian IR'. *International Relations*, 21 (3), pp.324–345.
- Shanmugaratnam, N. & Stokke, K. (2004) *Development as a Precursor to Conflict Resolution: A Critical Review of the Fifth Peace Process in Sri Lanka*. Aas: Norwegian University of Life Sciences.

- Shastri, Amita (2004) 'An Open Economy in a Time of Intense Civil War: Sri Lanka, 1994-2000', in Winslow, Deborah and Woost, Michael D. (eds.) *Economy, Culture, and Civil War in Sri Lanka*. Bloomington: Indiana University Press.
- Sison, Michele J (2013) 'Remarks', *US Policy Towards and Continuing Engagement with Sri Lanka*, Colombo. 8 April. Available at: <http://srilanka.usembassy.gov/ambsp-8april2013.html> (Accessed: 10 April 2013).
- Sivaram, Dharmaratnam (2003) 'Can the LTTE Unlock Itself from 'Limbo Statehood?', *Northeastern Herald*, 7-13 March [Online]. Available at: <http://www.tamilcanadian.com/page.php?id=1664> (Accessed: 9 July 2010).
- Sivaram, Dharmaratnam (2003a) 'The Folly of Eelam Punditry', *Northeastern Herald*, 2-8 May [Online]. Available at: <http://www.tamilcanadian.com/page.php?id=1777> (Accessed: 9 July 2010).
- Smith, Adam (1954) *The Wealth of Nations: Volume Two*. New York: E.P.Dutton & Co Inc.
- Smith, Adam (1957) *The Wealth of Nations: Volume One*. New York: E.P.Dutton & Co Inc.
- Snyder, Jack (2000) *From Voting to Violence: Democratization and Nationalist Conflict*. London: W.W.Norton & Company.
- Solheim, Erik (2009) Interviewed by Stephen Sackur for *Hardtalk*, BBC News Channel, 15 June.
- Solheim, Erik (2011) 'Remarks', *Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997-2009*, Oslo. 11 November. Available at: [http://www.regjeringen.no/nb/dep/ud/lyd\\_bilde/nett-tv-2/fred\\_srilanka.html?id=662709](http://www.regjeringen.no/nb/dep/ud/lyd_bilde/nett-tv-2/fred_srilanka.html?id=662709) (Accessed: 15 December 2011).
- Solheim, Erik (2012) 'Erik Solheim Reveals How LTTE Leadership Rejected Plan to Save Lives of Cadres and Civilians in Final Phase of War', *Tamil Week*, 14 October [Online]. <http://dbsjeyaraj.com/dbsj/archives/11643> (Accessed: 20 October 2012).
- Sorbo, G., Goodhand, J., Klem, B., Nissen, A.E., Selbervik, H. (2011) *Pawns of Peace, Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997-2009*. Oslo: Norwegian Agency for Development Cooperation.
- Sorensen, George (2006) 'Liberalism of Restraint and Liberalism of Imposition: Liberal Values and World Order in the New Millennium'. *International Relations*, 20 (3), pp.251-272.
- Spain, James W. (1987) 'Inside the LTTE: A Look at the Tigers' Command Structure and Regional Leaders'. 12 February. *Wikileaks*. Available at: <http://cables.mrkva.eu/cable.php?id=151> (Accessed: 15 March 2012).
- Spieker, Jorg W.H. (2011) *Liberalism, Life and War, A Reflection on the Genealogy of Political Philosophy*. Unpublished PhD thesis. London: King's College.
- Spencer, Jonathan (1990) *Sri Lanka: History and the Roots of Conflict*. London: Routledge.
- Sri Lanka Navy (2013) *The Formative Years*. Available at: <http://www.navy.lk/index.php?id=515> (Accessed: 20 March 2013).

Stokke, Kristian & Rynthveit, Anne Kirsti (2000) 'The Struggle for Tamil Eelam in Sri Lanka'. *Growth and Change*, 31, pp.285-304.

Stokke, Kristian (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.

Stoler, Ann Laura (1995) *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things*. Durham: Duke University Press.

Subramaniam, T.S. (1998) 'Unravelling the Plot', *Frontline*, February 7-20 [Online]. Available at: <http://www.flonnet.com/fl1503/15030170.htm> (Accessed: 20 November 2012).

Sunday Times, The (1997) 'US to Ban LTTE Soon?', *The Sunday Times*, 5 October [Online]. Available at: <http://www.sundaytimes.lk/971005/newsm.html#2LABEL1> (Accessed: 7 August 2010).

Sunday Times, The (2001) 'How Jaffna Was Saved, The Battle of Jaffna – Final Part', *The Sunday Times*, 29 April [Online]. Available at: [www.sundaytimes.lk/010429/spec.html](http://www.sundaytimes.lk/010429/spec.html) (Accessed: 7 August 2010).

Sunday Times, The (2001a) 'US Calls for Ceasefire and Talks', *The Sunday Times*, 6 May [Online]. Available at: <http://www.sundaytimes.lk/010506/news2.html#2LABEL4> (Accessed: 7 August 2010).

Sunday Times, The (2005) 'An Evolving Army and its Role Through Time', *The Sunday Times*, 5 October [Online]. Available at: <http://www.sundaytimes.lk/051016/plus/4.html> (Accessed: 7 August 2010).

Sunday Times, The (2005a) 'Voter Intimidation, But No Repoll for NE', *The Sunday Times*, 27 November [Online]. Available at: <http://sundaytimes.lk/051127/news/10.html> (Accessed: 7 August 2010).

Tambiah, S.J. (1986) *Sri Lanka, Ethnic Fratricide and the Dismantling of Democracy*. London: I.B.Tauris & Co.

Tambiah, S.J. (1992) *Buddhism Betrayed? Religion, Politics, and Violence in Sri Lanka*. Chicago: University of Chicago Press.

Tamil Guardian (2007) 'UK Arms Sales to Sri Lanka Match Tsunami Aid', *Tamil Guardian*, 9 May [Online]. Available at: <http://www.tamilguardian.com/article.asp?articleid=1217> (Accessed: 10 October 2012).

Tamil Nadu Legislative Assembly (2013) *Publication of the Proceedings of the Tamil Nadu Legislative Assembly*. Available at: <http://www.assembly.tn.gov.in/archive/14thassembly/brief/2013/budget/2013-03-27.pdf> (Accessed: 30 March 2013).

Tamilnet (1997) 'LTTE Responds to US Terror Listing', *Tamilnet*, 11 October [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=104> (Accessed: 7 August 2010).



Tamilnet (2001) 'UK Ban Imposes Restraints on Peace Process – LTTE', *Tamilnet*, 28 February [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=5821> (Accessed: 7 August 2010).

Tamilnet (2001a) 'LTTE Condemns Attack on US', *Tamilnet*, 15 September [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=6318> (Accessed: 7 August 2010).

Tamilnet (2002) 'Pirapaharan Commits to Peace, Self Determination', *Tamilnet*, 11 April [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13 &artid=6838> (Accessed: 7 August 2010).

Tamilnet (2005) 'Sri Lanka Can Arm But LTTE Cannot – SLMM Chief', *Tamilnet*, 27 May [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13 &artid=15003> (Accessed: 7 August 2010).

Tamilnet (2005a) 'Rajapakse Wins Sri Lankan Presidency', *Tamilnet*, 18 November [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=16364> (Accessed: 7 August 2010).

Tamilnet (2007) 'U.S. Radars and Dinghies to Fight LTTE', *Tamilnet*, 8 November [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=23727> (Accessed: 7 August 2010).

Tamilnet (2008) 'High-tech Canadian Radar Sold to Sri Lanka', *Tamilnet*, 28 January [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=24450> (Accessed: 7 August 2010).

Tamilnet (2009) 'Co-Chairs: LTTE Surrender Will Save Vanni Civilians', *Tamilnet*, 3 February [Online]. Available at: <http://www.tamilnet.com/art.html?catid=13&artid=28279> (Accessed: 7 August 2010).

Tamil Week (2006) 'Canada's New Government Lists the LTTE as a Terrorist Organization', *Tamil Week*, 10 April [Online]. <http://tamilweek.com/news-features/archives/271> (Accessed: 20 August 2010).

Taylor, Miles (2000) 'The 1848 Revolution and the British Empire'. *Past & Present*, 166 (February), pp.146-180.

*Terrorism Act* 2000 (48 Elizabeth 2, C. 11). London: HMSO. Available at: [http://www.legislation.gov.uk/ukpga/2000/11/pdfs/ukpga\\_20000011\\_en.pdf](http://www.legislation.gov.uk/ukpga/2000/11/pdfs/ukpga_20000011_en.pdf) (Accessed 6 March 2013).

Thatcher, Margaret (1985) 'Press Conference in Sri Lanka', 12 April. *Margaret Thatcher Foundation*. Available at: <http://www.margaretthatcher.org/document/106022> (Accessed: 13 September 2012).

Thatcher, Margaret (1985a) 'Speech Inaugurating Victoria Dam', 12 April. *Margaret Thatcher Foundation*. Available at: <http://www.margaretthatcher.org/document/106021> (Accessed: 13 September 2012).

Thomas, Caroline (2005) 'Poverty, Development, and Hunger', in Baylis, John and Smith, Steve (eds.) *The Globalisation of World Politics: An Introduction to International Relations*. Oxford: Oxford University Press.

Torrington (1851) *Speech of the Right Honourable Viscount Torrington on the Affairs of Ceylon*. London: George Woodfall and Son.

Trawick, Margaret (2007) *Enemy Lines, Warfare, Childhood, and Play in Batticaloa*. Los Angeles: University of California Press.

Truman, Harry S. (1947) 'Special Message to the Congress on the Marshall Plan'. 19 December. *American Presidency Project*. Available at: <http://www.presidency.ucsb.edu/ws/?pid=12805> (Accessed: 8 November 2012).

TULF (1976) 'Vaddukodai Resolution'. *The Resolution Unanimously Adopted at the First National Convention of the Tamil United Liberation Front*, Vaddukodai, Jaffna. 14 May. Available at: [http://www.sangam.org/FB\\_HIST\\_DOCS/vaddukod.htm](http://www.sangam.org/FB_HIST_DOCS/vaddukod.htm) (Accessed: 6 December 2012).

UN (2011) *Report of the Secretary General's Panel of Experts on Accountability in Sri Lanka*. New York: UN.

UN (2012) *Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka*. New York: UN.

United States Senate, (2009) *Sri Lanka: Recharging U.S. Strategy After the War*. Washington: US Government Printing Office.

US Department of State (1977) *Foreign Relations of the United States 1951, Volume VI, Asia and the Pacific, Part 2*. Washington: US Government Printing Office.

US Department of State (1992) *Foreign Relations of the United States 1958-1960, Volume XV, South and Southeast Asia*. Washington: US Government Printing Office.

US Department of State (1999) *Sri Lanka Country Report on Human Rights Practices for 1998*. Available at: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/srilanka.html](http://www.state.gov/www/global/human_rights/1998_hrp_report/srilanka.html) (Accessed: 20 July 2010).

US Department of State (2009) *2008 Human Rights Report: Sri Lanka*. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119140.htm> (Accessed: 10 January 2011).

Uthayan (2005) 'Karuna Group was Formed by Ranil – Boasts UNP MP Naveen, If Pirapa Prepares for War American and Indian Troops will Fight Him', *Uthayan*, 7 November, p.1 & 16.

Uyangoda, Jayadeva (2011) 'Government-LTTE Peace Negotiations in 2002-2005 and the Clash of State Formation Projects', in Goodhand, J., Spencer, J., & Korf, B. (eds.) *Conflict and Peacebuilding in Sri Lanka: Caught in a Peace Trap?* Oxon: Routledge.

Varatharajan, S. (1996) 'Attacks on the Financial City: The Crumbling Economy', *Liberation Tigers*, March, p.3 & 6.

Vittachi, Imran (1997) 'LTTE Already Outlawed Here, Says FM', *The Sunday Times*, 12 October [Online]. Available at: <http://www.sundaytimes.lk/971012/news2.html#5LABEL1> (Accessed: 10 July 2010).

Walton, Oliver (2008) 'Conflict, Peacebuilding and NGO Legitimacy: National NGOs in Sri Lanka'. *Conflict, Security and Development*, 8 (1), pp.133-167.

- Weiss, Gordon (2011) *The Cage, The Fight for Sri Lanka and the Last Days of the Tamil Tigers*. London: The Bodley Head.
- Weizman, Eyal (2010) 'Legislative Attack'. *Theory, Culture & Society*, 27 (6), pp.11-32.
- Welikala, Asanga (2008) *A State of Permanent Crisis, Constitutional Government, Fundamental Rights and States of Emergency in Sri Lanka*. Colombo: Centre for Policy Alternatives.
- Wickramasinghe, Nira (2006) *Sri Lanka in the Modern Age, A History of Contested Identities*. London: Hurst and Company.
- Wickremasinghe, Ranil (2002) 'Honesty is Only Guarantee for Peace: Ranil', *The Sunday Times*, 27 January [Online]. Available at: <http://www.sundaytimes.lk/020127/news6.html#6LABEL2> (Accessed: 10 August 2010).
- Wijedasa, Namini (2008) Interviewed by Robin White for *Tales from Commonwealth*, BBC World Service, 12 September.
- Willis, Penelope (1987) 'The Tamils: Recent Events in Sri Lanka'. *Asian Affairs*. 18(2) pp.176-180.
- Wills, Ashley (2001) 'Diverse People Can Come Together, Build One Nation - US Ambassador Wills', *The Island*, 9 March [Online]. Available at: <http://www.island.lk/2001/03/09/news13.html> (Accessed: 10 October 2011).
- Wills, Ashley (2002) 'Federalism Recommended – US Envoy'. Interviewed by Lasantha Wickremetunge for *The Sunday Leader*, 23 June [Online]. Available at: <http://www.thesundayleader.lk/archive/20020623/interviews.htm> (Accessed: 10 July 2010).
- Wills, Ashley (2003) 'Wills: 'We Think That Expectations in Sri Lanka are Way Too High'', *Tamil Guardian*, 30 April, p.3.
- Wilson, Woodrow (1916) *The New Freedom*. London, Paris & Toronto: J.M.Dent & Sons.
- Wilson, Woodrow (1918) 'Address to a Joint Session of Congress on the Conditions of Peace', 8 January. *The American Presidency Project*. Available at: <http://www.presidency.ucsb.edu/ws/?pid=65405> (Accessed: 2 March 2013).
- Wilson, Jeyaratnam A. (1974) *Politics in Sri Lanka, 1947-1973*. London: The Macmillan Press.
- Wilson, Jeyaratnam A. (1988) *The Break-up of Sri Lanka, The Sinhalese-Tamil conflict*. London: C.Hurst & Co.
- Wilson, Jeyaratnam A. (2000) *Sri Lankan Tamil Nationalism, Its Origins and Development in the 19<sup>th</sup> and 20<sup>th</sup> Centuries*. London: Hurst Publishers.
- Winslow, D. and Woost, M.D. (2004) 'Articulations of Economy and Ethnic Conflict in Sri Lanka', in Winslow, Deborah. and Woost, Michael D. (eds.) *Economy, Culture, and Civil War in Sri Lanka*. Bloomington: Indiana University Press.

Wolfensberger, Don (2004) 'Congress and Woodrow Wilson's Military Forays into Mexico, An Introductory Essay'. *Congress Project Seminar On Congress and U.S. Military Interventions Abroad*, Washington. 17 May. Available at: <http://www.wilsoncenter.org/sites/default/files/ACF18F1.pdf> (Accessed: 10 April 2013).

Zwaardecroon, Hendrick (1911) *Memoir of Hendrick Zwaardecroon, Commander of Jaffnapatam*. Colombo: Government Printer, Ceylon.