

# ISA S Insights

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## **Win the War and Lose the Peace: Sri Lanka's 'War on Terror'**

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It looks like one of the more winnable conflicts in an age of the global 'war on terror'. The Sri Lankan government appears to be on the brink of announcing victory in its drawn-out battle against the Liberation Tigers of Tamil Eelam (LTTE). The armed separatist group, listed as one of the world's most dangerous terrorist groups, has fought successive Sri Lankan governments for over a quarter of a century in the guise of liberating the island's Tamil community from a state that has increasingly marginalised linguistic and religious minorities. However, the question remains as to whether the victory would be pyrrhic when finally manifest, consolidated on irreparable damage to the country's increasingly fragile democratic institutions and centuries-old multicultural, multi-religious and hybrid social fabric.

Several conflicts have been assimilated to the global 'war on terror' in the aftermath of 9/11 and the United States-led global 'war on terror' that casts a long shadow in South Asia. In 2006, the conflict in Sri Lanka was officially renamed a 'war on terror' after a highly internationalised Norwegian-brokered ceasefire agreement collapsed. Prior to that, the past quarter of a century of violence punctuated by three abortive peace processes, was known as an 'ethnic conflict' or a 'liberation struggle', depending on the perspective. The current government has worked hard to portray its battle against the LTTE, now in its final stages, as a 'war on terror'. This time the top priority is to recapture the island's northeastern territories controlled by the LTTE's quasi-state, and the LTTE leader, Velupillai Prabhakaran, who is also wanted by India for assassination of former Prime Minister Rajiv Gandhi.

One is familiar with the adage 'one man's terrorist is another's liberation fighter', a phrase that was common in many parts of Asia, Africa and Latin America during the era of post-colonial struggles for self-determination and independence from European empires. The Sri Lankan government also terms the current bid a 'humanitarian war' to liberate innocent Tamil civilians from the grip of an organisation that has held people as a buffer and human shield to deflect the onslaught of the military and air force. On the other hand, the LTTE claims that it is seeking to liberate Tamil-speaking people from the abuse and humiliation meted out by the post-colonial state dominated by the majority Sinhala community. There is good evidence to suggest that minority communities in Sri Lanka have had a raw deal in the

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form of discriminatory policies on language, education, land settlement and development. There have also been episodic riots and pogroms against minority Tamils and Muslims since independence in 1948.

Clearly the conflict in the island is complex and it is necessary to look beyond the blame game between the two principle protagonists and the gloss of the 'war on terror' to seek sustainable solutions. After all, sustainable peace would need to be based on an analysis and address of the root causes of conflict. In the case of ethno-nationalist guerrilla movements such as the LTTE, once a group loses territory, it may melt into the people and return years or decades later to fight, if the root causes of the conflict are not addressed. Several long-term, low-intensity conflicts that predate the global 'war on terror' in South Asia make this apparent.

### **Democracy as Collateral Damage**

At independence from Britain in 1948, the prognosis both for democratic governance and development in the island nation then called Ceylon was generally rated excellent. Sri Lanka was considered a 'model democracy' with an established record of peaceful co-existence between diverse ethnic and religious communities until the armed violence erupted in the early 1980s. Its social indicators (literacy, health and education), were the envy of much of the developing world in the decades of the 1960s and 1970s, and they remain the best in South Asia.

Nobel prize-winning economist Amartya Sen was fond of referring to Sri Lanka and its particular development model and trajectory as an 'outlier' because of high levels of social development despite relatively low per capita income. Later it was expected that the island, given its size and ethno-religious mix, would develop like Singapore rather than Malaysia which was seen to have an uneasy ethnic peace.<sup>1</sup> Lee Kuan Yew's Singapore was indeed the role model for the J. R Jayawardena regime in the late 1970s and 1980s. However, somewhere along the way, the country's politicians and policy-makers seemed to lose the plot and were subsequently ambushed by the LTTE, which in its early days was funded by India's intelligence agency, Research and Analysis Wing (RAW), during the period of proxy wars of the Cold War. Although the LTTE was started locally in the late 1970s to secure the rights of a minority marginalised by the state, it subsequently morphed into one of the world's most ruthless terrorist groups.

After the ethnic riots of 1983 which may be better described as a pogrom, the LTTE grew exponentially. A quarter of a century of violence killed over 70,000 people, mainly in the north and east of the country, and displaced between 5-10 percent of the island's 20 million people. The LTTE forcibly evicted the Muslim minority population from the northern Jaffna Peninsular in 1990, claiming they were a security threat to the Tamil homeland. A significant number of Tamils displaced in the conflict between the Sri Lankan government and the LTTE have formed a powerful diaspora in North America, Europe, Australia and parts of South Asia and Southeast Asia, and from afar, they have contributed to sustain family members and communities as well as subsidise the conflict in their homeland. It was largely with the funds

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<sup>1</sup> Sri Lanka's success was often posited in comparison with Southeast Asia's emergent nations. Thus Donald Horowitz stated in a retrospective on Sri Lanka that "any knowledgeable observer would have predicted that Malaysia was in for serious, perhaps devastating, Malay-Chinese conflict, while Sri Lanka (then Ceylon) was likely to experience only mild difficulty between the Sinhalese and Tamils" (1993, 1).

generated from the diaspora that the LTTE was able to run a *de facto* state for almost a decade in the northern and eastern parts of the country. However, its territory has been slowly but surely retaken by the ongoing military offensive of the government to 'liberate' the Tamil people.

It was against this backdrop that the first week of 2009 saw the fall of the capital of the LTTE's *de facto* state in the north of the country. A few days later, troops gained control of the Elephant Pass base and the A-9, the main trunk road that links the southern capital, Colombo, to Jaffna, the cultural capital of Sri Lanka Tamils. Celebrations were held throughout the country while government institutions hoisted the national flag. The capture of the LTTE's capital was termed 'an incomparable victory' and the President used the rhetoric of the 'war on terror': "What our heroic troops have achieved is not only the capture of the great fortress of the LTTE, but a major victory in the world's battle against terrorism".

For 23 years, parts of the A-9 highway had been controlled and sealed off by the LTTE. The securing of the highway means that travel between Jaffna and Colombo would no longer need to be by sea or air and would bring down the cost of living in the Jaffna peninsular. The Sri Lankan government also plans to roll out reconstruction and development plans for Kilinochchi, now a ghost town vacated by civilians fleeing the military onslaught and air force bombing campaign to dislodge the LTTE from bunkers dug deep in the earth. Simultaneously, the first two weeks of 2009 saw a dramatic rise in refugees arriving in South India. According to the International Committee of the Red Cross, the only humanitarian organisation operational in the conflict areas, 200,000 people have been displaced.

It is axiomatic that, as externalised threats are perceived and nations go to war, civil liberties and rights in the domestic sphere are eroded. This phenomenon was observed by Max Weber, a founding father of the discipline of sociology. Within days of the celebrations following the capture of LTTE's *de facto* capital, one of the island's leading journalists, Lasantha Wickrematunge, Editor-in-Chief of the Sunday Leader newspaper, a liberal anti-establishment paper known for exposing corruption and nepotism in the state apparatus, was assassinated in broad daylight in Colombo. At his funeral, where thousands gathered, an effigy of the Sri Lanka's President, Mahinda Rajapaksa, was burnt. The slain journalist's funeral was attended by political leaders, media representatives, civil society organisations and senior foreign diplomats in Colombo. The slain journalist, who was also a lawyer, had penned his own obituary three days before his assassination: "And then they came for me", naming in all but words his killers. His final editorial published posthumously which has come to be known as the 'letter from the grave' constitutes a powerful indictment on the regime that would be hard to shake off in a country where astrology, the symbolic and uncanny, carries significant weight in politics. Minimally, the state is accused of promoting a 'culture of impunity' that has rendered Sri Lanka 'one of the world's most dangerous places for journalists' according to the organisation, 'Reporters without Borders'. In the past two years, at least eight journalists have been killed in the country, according to the Committee to Protect Journalists.

As the war (including an information war) has escalated, the phenomenon of extra-judicial killings has risen. Wickramatunge's assassination was in the wake of a series of killings and intimidation of journalists and lawyers, and attacks on independent media institutions in the south. A few weeks earlier, the largest independent television station in the capital, MTV, criticised by segments of the state of being unpatriotic, was attacked by a masked gunman in a city teaming with security forces. A few months earlier, the house of a leading lawyer and

head of Transparency International, Sri Lanka, who had appeared in several fundamental rights cases, was struck by grenades. In August 2008, Sri Lanka lost its seat in the United Nation's Human Rights Council and has since turned down several requests of the United Nations Human Rights Commission to set up an observer mission to monitor the situation in the country.

### **Needed: An Exit from Violence**

Implicit in renaming the conflict in Sri Lanka a 'war on terror' is the suggestion that the current war is a 'just war', which has elicited considerable support from members of the international community engaged in the global war on terror. The challenge of war, be it a 'just war', 'humanitarian war', a 'war on terror' or even an oxymoronic 'war for peace' is to avoid destruction of the lives, institutions, values and ideals sought to be liberated or protected. The LTTE, which began as a movement for the rights of a minority community against state discrimination, over time morphed into a self-sustaining war machine that has sapped the strength of the very community it sought to protect. During the decades of conflict, there have been several rounds of negotiation with the assistance of the international community. However, the LTTE has failed to grasp the opportunity to negotiate peace for the war weary and depleted population that it seeks to 'liberate'.

The armed group has been, for some time now, fighting a war of diminishing returns. The globally networked organisation, which draws support from a significant diaspora in North America, Europe and Asia, has been banned in many countries. Likewise, successive regimes in Sri Lanka have periodically used an emergent 'war economy' to benefit from violence, while extended periods of Emergency Rule has seen the attenuation of the rule of law, while a growing culture of impunity has stymied investigation of grave human rights violations, corruption, and rent-seeking behaviour by state actors, non-state actors and paramilitaries. Hence the conflict has been also referred to as a 'dirty war'. Over the two and a half decades of conflict, a variety of politicians, members of the defence industry and paramilitary groups had acquired illegal personal profit and political power as the economy periodically morphed into a 'war economy'. Sri Lanka seems to be in the midst of one such cycle. At the same time, the regime may be increasingly dependent on the use of majoritarian nationalism and the militarisation for survival, given the soaring cost of living with one of the highest inflation rates in South Asia. Sri Lanka has the largest defence budget in South Asia in percentage terms. At the November 2008 budget, President Rajapaksa, who is also the Minister of Finance and whose brother is the Minister of Defence, promised to raise defence spending by seven percent to a record US\$1.6 billion in 2009, according to figures presented to the Parliament.

In his inauguration speech, Franklin D. Roosevelt remarked, "the only thing we have to fear is fear itself – nameless, unreasoning, unjustified terror which paralyses needed efforts to convert retreat into advance". Naming a complex conflict such as Sri Lanka's 'war on terror' may be counterproductive. Indeed as John Sidel, a specialist on Indonesia noted in his book, "Riots, Pogroms, Jihad", that since 9/11 an industry of terrorism experts has reframed diverse types and forms of complex political conflict in South Asia and Southeast Asia. To call Sri Lanka's complex conflict simply a 'terrorist war' or an 'ethnic conflict' is to get history and indeed geography wrong. For it is necessary to talk of state terrorism in the same breath, as the LTTE is no doubt vicious terrorism which has included violence against the very

community it seeks to liberate, including the assassination of those who do not agree with it, recruitment of women and child soldiers, and perfecting the suicide bomb.

There is little doubt that the LTTE engages in terrorist acts and combating it requires special measures. However, renaming Sri Lanka's complex conflict a 'war on terror' may leave little space for the reasoned analysis required to understand and address the root causes of the conflict so as to ensure a lasting political solution that would underwrite sustainable peace. The quarter of a century-long conflict in the country cannot be solved by military means alone. It would require a political solution that ensures power-sharing with the minorities in the north and east. Otherwise the LTTE would very likely regroup and return to fight another day, as has occurred in the past. However, because the current regime in Colombo has key nationalist parties as its allies, it seems unlikely that it would be able to deliver a genuine power sharing package at this point in time. The All Party Representatives Committee, convened almost three years ago to formulate a political solution, has yet to deliver a solution acceptable to all Sri Lankans, particularly the island's minority communities.

## **Epilogue**

Arguably, it was in recognition of the collateral damage that the global 'war on terror' inflicted on democratic rights, values and the rule of law that United States President Barack Obama, in his inauguration speech, signalled a change in strategy and method to deal with threats to peace, "As for our common defense, *we reject as false the choice between our safety and our ideals*. Our founding fathers faced with perils we can scarcely imagine, drafted a charter to assure the rule of law and the rights of man, a charter expanded by the blood of generations. Those ideals still light the world and we will not give them up for expedience's sake". The global 'war on terror' may no longer be expedient for states that are required to address complex domestic identity conflicts through genuine power sharing agreements.

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