



## **Sri Lanka: State Response to the Liberation Tigers of Tamil Eelam as an Illicit Power Structure**

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Until recently, Sri Lanka was the homeland of an illicit power structure unlike any other. The Liberation Tigers of Tamil Eelam (LTTE) was an insurgency that privileged terrorism as a method of action yet ultimately fielded land, air, and sea regular forces, rounded out by powerful special-operations and information capabilities. LTTE grew in capacity until it was capable of forcing the government to agree to a February 2002 cease-fire and the de facto existence of a Tamil state, or Tamil Eelam. But this victory of sorts produced a host of unforeseen consequences leading to the July 2006 resumption of hostilities. The result, in May 2009, was complete military defeat of the insurgency.

The Tamil Eelam case actually encompasses four distinct conflicts, generally referred to as Eelam I (1983-87), Eelam II (1990-95), Eelam III (1995-2002), and Eelam IV (2006-9). These dates are open to discussion given realities on the ground. The gap between Eelam I and II saw the interlude of the Indian Peace Keeping Force (IPKF), which clashed bitterly with LTTE. And the gap between Eelam III and IV saw the effective rule of the Tamil Eelam state in areas of the north and east. This was accompanied by an uneasy cease-fire. In fact, each of the Eelam conflicts involved periods of negotiation and cessation of hostilities, though all were problematic in implementation and intent (certainly on the part of LTTE). All involved foreign participation. Further complicating the picture, the IPKF years saw Sri Lanka fully committed to suppressing another insurgency on a wholly different front. This was JVP II, the second upsurge of the original Maoist Janatha Vimukthi Peramuna (JVP, or People's Liberation Front) uprising, which had erupted and was crushed in 1971 (JVP I). Total casualty figures for the Eelam insurgencies are subject to considerable disagreement but cannot be less than 120,000 dead.<sup>1</sup>

LTTE's end, when it came, was as spectacular as its three decades of existence. Having grown from a ragtag band of angry young men into an impressive guerrilla group, then to a full-fledged army, the self-proclaimed flag-bearer of Tamil nationalism found itself caught in the same position as the Confederacy in the 1861-65 American Civil War: outmobilized and outfought. Its sometime foreign supporters, notably its neighbor India, had deserted it, and even a pronounced global shift of attitudes on what was acceptable in warfighting could not turn outrage into tangible pressure on Colombo before the Tigers' end came. A force that at one point fielded as many as 35,000 combatants found its maneuvering space squeezed by the inexorable advance of government columns using punishing innovative tactics. A last stand on a narrow stretch of northeastern beach ended in annihilation, with considerable collateral casualties to civilians forced to accompany LTTE fighters as human shields.

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<sup>1</sup> This estimate, even if accurate for the Eelam conflict, is surely off the mark when the JVP insurgencies are included. One expert, in fact, has noted that various sources put the number killed in JVP II alone at between 20,000 and 60,000, with 40,000 the most commonly cited figure. See Tom H. J. Hill, "The Deception of Victory: The JVP in Sri Lanka and the Long-Term Dynamics of Rebel Reintegration," *International Peacekeeping* 20, no. 3 (June 2013): 357-74.

LTTE itself admitted defeat on May 17, 2009, after basically all its major figures were killed in action. These included the near-mythical leader, Velupillai Prabhakaran, who had emerged in the late 1970s as the group's head and ruthlessly hung on to the position throughout the conflict. Ironically, the struggle has not yet been closed, for a shift in the political winds caused many governments, led by European nations and the United States, to turn on their Sri Lankan former partner. They joined cause-oriented groups in seeking sanction through international humanitarian and human rights law for what they saw as callous (and illegal) indifference to civilian casualties in the final period of struggle.

An outraged Sri Lanka became estranged from those democratic nations that it had the most in common with. So it reoriented its foreign policy to new regional forces, notably China. Even the recent January 2015 upset win by an opposition coalition headed by a former ruling party intimate, Maithripala Sirisena, is unlikely to result in a shift fully in the direction desired by those who seek to mandate that war be something other than what it has always been: barbarous and cruel.

### **Response to a "Terrorist" Threat**

Sri Lanka's conflict did not end much differently from other historical instances of major combat. What sets it apart is the sheer savagery of the war that developed over three decades. Also significant was the complexity of the threat faced. Many governments labeled LTTE a terrorist organization. In fact, it was an insurgency in intent and methodology. It had, however, gone from using terrorism as a tool for mass mobilization to using it as the main element in its approach to achieving Tamil Eelam.

The problem for security forces everywhere is that early on, armed challenges to the government's writ appear much the same. A systemic response centered in use of force, to the near exclusion of other facets, may be inappropriate in counterterrorism, complicating the effort, but in counterinsurgency it can often be disastrous. Most commonly, abuse of the populace creates a new dynamic, which allows an operationally astute insurgent challenger of state power to mobilize additional support. This is precisely what occurred in Sri Lanka.

### ***An Unlikely Setting for War***

A less likely setting for conflict would be hard to imagine, for the West Virginia-size island was and still is a tropical paradise in its physical aspects. The human landscape, though, has been less Edenic. British colonialism (1815-1948) had left unresolved issues regarding the meaning of independence and societal composition.<sup>2</sup> The Buddhist, Sinhala-speaking majority – 10,979,561 of 14,846,750 according to the 1981 census, or 73.95 percent – dominated the British-inspired parliamentary democracy. And yet, the principal minority group, overwhelmingly Hindu (with Christian pockets) and Tamil-speaking (1,886,872 or 12.71 percent), had maneuvered within the British imperial struc-

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<sup>2</sup> See Harshan Kumarasingham, "The Jewel of the East Yet Has Its Flaws": The Deceptive Tranquility Surrounding Sri Lankan Independence," Heidelberg Papers in South Asian and Comparative Politics, Working Paper no. 72, June 2013, [http://archiv.ub.uni-heidelberg.de/volltextserver/151-48/1/Heidelberg%20Papers\\_72\\_Kumarasingham.pdf](http://archiv.ub.uni-heidelberg.de/volltextserver/151-48/1/Heidelberg%20Papers_72_Kumarasingham.pdf).

ture to achieve a position of relative advantage in commerce and the professions. This inspired much resentment among the majority, which increasingly resorted to inequitable measures to improve its standing—for instance, by making Sinhala the language of the civil service.<sup>3</sup>

Two other Tamil-speaking populations inhabited the island: the 1,046,926 Muslims, known as “Moors” (7.05 percent), and the 818,656 Indian Tamils (5.51 percent)—the latter the remainder of a larger migrant population recruited in Tamil Nadu, India, by the British to work on the coffee (and, later, tea and rubber) plantations.<sup>4</sup> In this discussion, we refer to Sri Lankan Tamils simply as “Tamils,” and those from India as “Indian Tamils” or “estate Tamils” (for they remain clustered on the plantations in the south). Moors are now generally called “Muslims.” These smaller groups had their own parochial issues and did not generally participate in the increasingly raw political battle between the Tamils and the Sinhalese majority. The Tamil protest movement began with a demand for justice but moved increasingly from street action to protoinsurgency.

In the decades after achieving independence from Great Britain in 1948, Sri Lanka was remarkably unprepared to deal even with overt protest action, much less subversion and its challenges, whether terrorism or guerrilla action. Following the country’s annexation by Great Britain in the three Kandyan Wars (1803–5, 1815, and 1817–18), its martial heritage had effectively ended.<sup>5</sup> In 1971, when JVP I occurred, the principal armed capacity of the state consisted of just 10,605 policemen, armed at best with the venerable .303 Lee Enfield rifle and scattered in small stations amid a population of 12.5 million.<sup>6</sup> The military was also small (the army numbered only 6,578 soldiers in five battalions) and indifferently equipped. These forces grew but little in the following decades, even as the population reached roughly 18 million.

Political efforts to improve the position of the Sinhala-speaking Buddhist majority increasingly clashed with the Tamil-minority efforts to retain theirs. Particularly resented by the Tamils were government efforts, carried out with international assistance, to open up unused lands in the north and east, through irrigation and resettlement, in areas traditionally regarded as Tamil homelands (although fully a third of all Tamils lived amid the majority).<sup>7</sup>

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<sup>3</sup> See Thomas A. Marks, *Maoist Insurgency Since Vietnam* (London: Frank Cass, 1996), 174–252; Tej Pratap Brar, “Sri Lanka’s Civil War” (paper presented at Radcliffe Institute for Advanced Study conference, “Postcolonial Wars: Current Perspectives on the Deferred Violence of Decolonialization,” Oct. 30–31, 2008, Harvard Univ.

<sup>4</sup> See John Richardson, *Paradise Poisoned: Learning about Conflict, Terrorism and Development from Sri Lanka’s Civil Wars* (Kandy, Sri Lanka: International Centre for Ethnic Studies, 2005), 441. On the communities mentioned, see Ilyas Ahmed H., “Estate Tamils of Sri Lanka: a Socio-Economic Review,” *International Journal of Sociology and Anthropology* 6, no. 6 (June 2014): 184–91; Valentine Daniel, *Charred Lullabies: Chapters in an Anthropology of Violence* (Princeton, NJ: Princeton Univ. Press, 1996); Amer Ali, “The Genesis of the Muslim Community in Ceylon (Sri Lanka): A Historical Summary,” *Asian Studies* 19 (Apr.–Dec. 1981), 65–82.

<sup>5</sup> See Geoffrey Powell, *The Kandyan Wars: The British Army in Ceylon 1803–18* (Barnsley, UK: Pen & Sword, 1973); Channa Wickremesekera, *Kandy at War: Indigenous Military Resistance to European Expansion in Sri Lanka 1594–1818* (New Delhi: Manohar, 2004).

<sup>6</sup> See A. C. Alles, *Insurgency 1971*, 3<sup>rd</sup> ed. (Colombo: Mervyn Mendis, 1976).

<sup>7</sup> See Chelvadurai Manogaran, *Ethnic Conflict and Reconciliation in Sri Lanka* (Honolulu: Univ. of Hawaii Press, 1987), 78–114; Sumantra Bose, *Contested Lands: Israel-Palestine, Kashmir, Bosnia, Cyprus, and Sri Lanka* (Cambridge, MA: Harvard Univ. Press, 2007), 6–54.

Small groups of radical Tamil youth, influenced by Marxism, formed both at home and abroad. Their solution to their “oppression” was to call for “liberation,” that is, the formation of a separate socialist or Marxist Tamil state, or *Tamil Eelam*. These radical youth numbered perhaps 200. Later, leaders sought to indoctrinate youth. This proved problematic because both socioeconomic-political grievances and the desire for revenge (in response to instances of state violence) lent themselves more readily to an embrace of communalism than to confusing Marxist-Leninist ideology.

It is noteworthy that Marxist-Leninist doctrine, as the prism through which the Eelam leadership interpreted societal realities (especially state violence), is simply absent from all major treatments of the conflict. This is curious given the extent to which the various groups, including LTTE, in their formative years embraced Marxism-Leninism for both vocabulary and analytical constructs.<sup>8</sup> Just where the tension between ideologically driven leadership and grievance-produced manpower would have led for the *Eelam* movement as a whole was never put to the test, since LTTE, even as it established its dominance, increasingly embraced communalism.

At this point, however, the Tamil people, whatever their plight, were not much interested in giving their support to aspiring revolutionaries. Whatever its flaws, Sri Lanka remained a functioning democracy. And without a mass base, the insurgents could do little more than plan future terrorist actions. Police and intelligence documents speak of small, isolated groups of a half-dozen or so would-be liberationists meeting in forest gatherings to plot their moves. The bombings and small-scale attacks they made on government supporters and police positions were irritating (though sometimes horrific) but dismissed as the logical consequence of radicalism.

There was a method to the upstart schemes, however. By 1975, contacts had been made with the Palestine Liberation Organization through its representatives in London. Shortly thereafter, Tamils began to train in the Middle East. At home, LTTE initiated its armed struggle with an April 7, 1978, ambush in which four members of a police party were killed and their weapons captured. This was followed by hit-and-run attacks that led Parliament to ban the “Liberation Tigers” on May 19, 1978.

Though the police bore the brunt of LTTE activities, the army was also committed early on. This was carried out through the normal procedures of parliament’s voting to activate emergency law. The burden for implementation of precise dictates and prohibitions, modeled after those of the former British colonial power, fell to a postcolonial security apparatus inadequate to the task. By July 11, 1979, the government claimed that LTTE had killed 14 policemen. On that date, a state of emergency was declared in Jaffna and at the two airports in the Colombo vicinity. It was soon extended to the entire country and remained in force for 28 years (renewed at monthly intervals).<sup>9</sup>

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<sup>8</sup> See, for example, the mimeographed publication by LTTE’s eventual number two, Anton S. Balasingham, *On the Tamil National Question* (London: Polytechnic of the South Bank, 1978). On mobilization, see Bryan Pfaffenberger, “Ethnic Conflict and Youth Insurgency in Sri Lanka: The Social Origins of Tamil Separatism,” in *Conflict and Peacemaking in Multiethnic Societies*, ed. Joseph V. Montville (New York: Lexington, 1991), 241-57; Siri T. Hettige, “Economic Policy, Changing Opportunities for Youth, and the Ethnic Conflict in Sri Lanka,” in *Economy, Culture, and Civil War in Sri Lanka*, ed. Deborah Winslow and Michael D. Woost (Bloomington: Indiana Univ. Press, 2004), 115-30.

<sup>9</sup> The emergency was formally lifted on August 25, 2011. See Stephanie Nolen, “Sri Lanka Announces End of 28-Year State of Emergency,” *Globe and Mail*, Aug. 25, 2011, [www.theglobeandmail.com/news/world/sri-lanka-announces-end-of-28-year-state-of-emergency/article595949/](http://www.theglobeandmail.com/news/world/sri-lanka-announces-end-of-28-year-state-of-emergency/article595949/).

A week later, Parliament passed the Prevention of Terrorism Act, which, though modeled after British legislation, contained a number of controversial provisions, such as the authority to detain for 18 months (in six renewable three-month increments), without trial, anyone suspected of activities connected with “terrorism.” In the context of terrorism, murder and kidnapping were made punishable by life imprisonment. Members of the security forces acting within the scope of the Act were granted blanket immunity.<sup>10</sup>

Nevertheless, the situation continued to deteriorate. In Jaffna, Charles Anton, LTTE “military wing” commander, was killed in a firefight with Sri Lankan military on July 15, 1983. In retaliation, on July 23, an LTTE ambush left 13 soldiers dead. Their funeral in Colombo ignited widespread rioting and looting directed against Tamils. Elements of the political establishment had a hand in planning and leading the violence. At least 400 people were killed and 100,000 left homeless; another 200,000 to 250,000 fled to India. Police stood by, and in many cases, members of the armed forces participated in the violence.

### *Communalism Leads to Armed Reaction*

This spasm of communal violence proved to be a critical turning point in the conflict, both traumatizing the Tamil community and providing LTTE with an influx of new manpower.<sup>11</sup> Thus, the ascendancy of radical leadership in the struggle for Tamil Eelam was complete.<sup>12</sup> Although more than three dozen different groups may have been active at one point, they were dominated by just five: Liberation Tigers of Tamil Eelam (LTTE); People’s Liberation Organisation of Tamil Eelam; Tamil Eelam Liberation Organisation; Eelam People’s Revolutionary Liberation Front; and Eelam Revolutionary Organisation. By ruthless application of terror against its rivals, LTTE emerged as the dominant force.<sup>13</sup> For funding, criminality (including apparent involvement in the drug trade) was quickly surpassed by donations (both actual and coerced), increasingly from Tamil Nadu (both private and public sources) but mainly from the Tamil diaspora.<sup>14</sup> For arms and equipment, groups also looked to India.

The groups existed within the larger strategic realities of the Cold War. Since 1977, Sri Lanka, under the United National Party (UNP) administration, was a Western-oriented democracy with a market economy. In contrast, neighboring India, closely linked to the Soviet Union, was a democracy with a socialist economic approach and a geostra-

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<sup>10</sup> Government of Sri Lanka, “Prevention of Terrorism Act,” July 20, 1979, [www.sangam.org/FACT-BOOK/PTA1979.htm](http://www.sangam.org/FACT-BOOK/PTA1979.htm); N. Manoharan, *Counterterrorism Legislation in Sri Lanka: Evaluating Efficacy* (Washington, DC: East-West Center, 2006).

<sup>11</sup> See Stanley J. Tambiah, *Leveling Crowds: Ethnonationalist Conflicts and Collective Violence in South Asia* (Berkeley: Univ. of California Press, 1996), 82-100.

<sup>12</sup> See Sixta Rinehart, *Volatile Social Movements and the Origins of Terrorism: The Radicalization of Change* (Boulder, CO: Lexington Books, 2013), 109-37.

<sup>13</sup> The single best treatment of LTTE is M. R. Narayan Swamy, *Tigers of Lanka: From Boys to Guerrillas* (Delhi: Konark, 1994). See also M. R. Narayan Swamy, *Inside an Elusive Mind: Prabhakaran – the First Profile of the World’s Most Ruthless Guerrilla Leader* (Colombo: Vijitha Yapa, 2003).

<sup>14</sup> No single work serves as an authoritative source on funding of the Eelam groups (later LTTE alone). Although written well after the events discussed here, a useful reference is Anthony Davis, “Tamil Tiger International,” *Jane’s Intelligence Review* (Oct. 1996): 469-73. On support provided by Tamils in Canada, see Paul Kaihla, “Banker, Tiger, Soldier, Spy,” *Maclean’s*, Aug. 5, 1996, 28-32.

tegic view that called for thoroughgoing domination of its smaller South Asian neighbors. Apparently to gain information on developments concerning the Sri Lankan port of Trincomalee, which New Delhi feared that the West coveted as a base, Indian Prime Minister Indira Gandhi agreed in 1982 to a plan by the Research and Analysis Wing (RAW – India’s equivalent of the CIA) to establish links with a number of Tamil terrorist organizations. India was not especially interested in the ideology of those who received its training. It sought to safeguard its regional position while calming aroused pro-Tamil communal passions within its own borders.<sup>15</sup>

Consequently, in Tamil Nadu, the Tamil-majority Indian state of 55 million directly across the narrow Palk Strait from Sri Lanka, an extensive network of bases was allowed to support the clandestine counterstate formed within Sri Lanka.<sup>16</sup> This enabled dramatic expansion of insurgent actions, and by the end of 1984, insurgent activity had grown to the point that it threatened government control of Tamil-majority areas in northern Sri Lanka. The security forces had increased in size and quality of weaponry, but a national concept of operations was lacking. The result was a steadily deteriorating situation and hundreds of dead, most of them civilians killed in terrorist acts.

The extent to which insurgent capabilities had developed was amply demonstrated in a well-coordinated attack on November 20, 1984, when a Tamil force of company size used overwhelming firepower and explosives to demolish the Chavakachcheri police station on the Jaffna peninsula (east of Jaffna City) and kill at least 27 policemen defending it. Ambushes on security forces continued, along with several large massacres of Sinhalese civilians living in areas deemed “traditional Tamil homelands” by the insurgents. Use of automatic weapons, mortars, and rocket-propelled grenades was reported.

It became clear to the authorities that security force capabilities needed a drastic upgrading – a task accomplished in remarkably short order. Oxford-educated Lalith Athulathmudalai, a possible successor to President Junius R. Jayewardene, was named head of a newly created (March 1984) Ministry of National Security, as well as deputy defense minister. (Jayewardene himself was defense minister.) This effectively placed control of the armed services and counterinsurgency operations under one man. Interservice coordination improved under a Joint Operations Center (JOC), formed February 11, 1985. Its commander, Cyril Ranatunga, a recalled veteran of the 1971 JVP I conflict and a former commander in Jaffna, was promoted from brigadier to lieutenant general.<sup>17</sup> New manpower, formations, and equipment resulted in better discipline and force disposition. To relieve pressure on the military, a new police field unit, Special Task Force (STF), was

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<sup>15</sup> See Tom Marks, “India Is the Key to Peace in Sri Lanka,” *Asian Wall Street Journal*, Sept. 1920, 1986, 8. This work involved access to numerous prisoners and captured documentation, supplemented by fieldwork in Tamil Nadu, where members of all groups were quite forthcoming concerning assistance they received from New Delhi and Tamil Nadu State (which was running its own foreign policy of sorts). It was rumored (but known only later) that RAW’s station chief in Madras, K. V. Unnikrishnan, had been compromised by the CIA. For two years until his arrest, he reported on Indian support to LTTE. See Sandeep Unnithan, “Madras Café Brings Back Uncomfortable Memories of the CIA’s Honey Trap,” *India Today*, Aug. 29, 2013, <http://indiatoday.intoday.in/story/madras-cafe-madras-honey-trap-john-abraham-cia-ltte-raw/1/304302.html>.

<sup>16</sup> See G. Palanithurai and K. Mohanasundaram, *Dynamics of Tamil Nadu Politics in Sri Lankan Ethnicity* (New Delhi: Northern Book Centre, 1993).

<sup>17</sup> See Cyril Ranatunga, *Adventurous Journey: From Peace to War, Insurgency to Terrorism* (Colombo: Vijitha Yapa, 2009).

raised under the tutelage of former Special Air Services personnel, employed by KMS Ltd. STF took over primary responsibility for security in the Eastern Province in late 1984, freeing the army to concentrate on areas of the Northern Province (which included Jaffna).<sup>18</sup> The army fielded new special forces and commando units.

Nevertheless, the situation continued to worsen. Terrorism not only was destructive in its own terms but also incited further communal strife. Attacks on Muslims in April 1985, for example, sparked Muslim-Tamil riots and significant population displacement. Bombs were discovered in the capital even as attacks hit trains, buses, and other modes of transportation. On April 29, a parcel bomb damaged several buildings in the army headquarters complex in Colombo.

Then, on May 14, an outrage occurred beside which others paled. LTTE combatants disguised as security force personnel used a bus to enter one of Sri Lanka's most sacred shrines, the Sri Maha Bodhi, a bo (pipal) tree said to be the southern branch from the tree under which the Buddha attained enlightenment. Indiscriminately attacking worshippers, LTTE murdered some 180 pilgrims. All too predictably, communal riots followed. In the field, a quickening tempo of guerrilla attacks displayed rapidly growing insurgent numbers and capabilities.

India's covert role has already been discussed. In July-August 1985, it endeavored to be more constructive by hosting peace talks between all major Eelam groups, including the noninsurgent Tamil United Liberation Front and representatives of the Sri Lanka state, in Thimpu, the capital of Bhutan. At this point, it was already clear that LTTE was the most intransigent of the groups, and eventually its leadership had to be coerced by New Delhi to continue the discussions.

Although various principles were agreed on, LTTE's real intent was to escape the constraints being placed on it in Thimpu and return to its chosen course of action: armed struggle. And this it did.<sup>19</sup> Nineteen eighty-six began with attacks, massacres, and bombings in seemingly endless succession. On May 3, 1986, an Air Lanka flight from London to Colombo, continuing to the Maldives, was delayed in Colombo long enough that a bomb intended to explode in midflight detonated while the plane was still on the ground, killing 21 passengers and injuring 41.

### *Seeking a Way Forward*

At this point, despite the substantial steps that had been taken toward peaceful resolution of the conflict, the situation was clearly out of control. The tactical changes in security had been reasonably effective, but the government response was hobbled by the state's inability to set forth a viable political solution within which stability operations could proceed. Focusing on "terrorism" rather than on an insurgency that used terrorism as but one of its weapons, Colombo ordered its military leaders to go after the militants and

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<sup>18</sup> See Tom Marks, "Sri Lanka's Special Force: Professionalism in a Dirty War," *Soldier of Fortune* 13, no. 7 (July 1988): 32-39. For a negative assessment of the KMS role (and the UK's as well), see the highly skewed (but useful, in parts) Phil Miller, "Britain's Dirty War against the Tamil People - 1979-2009," International Human Rights Association, June 2014, [www.tamilnet.com/img/publish/2014/07/britains\\_dirty\\_war.pdf](http://www.tamilnet.com/img/publish/2014/07/britains_dirty_war.pdf).

<sup>19</sup> See Tamil Nation, "Conflict Resolution: Tamil Eelam Sri Lanka," 1998, <http://tamilnation.co/conflict-resolution/tamileelam/85thimpu/thimpu00.htm>; P. Venkateshwar Rao, "Ethnic Conflict in Sri Lanka," *Asian Survey* 28, no. 4 (Apr. 1988): 419-36.



stamp out the violence. There was little movement toward political accommodation that would have isolated the insurgent hard core from the bulk of the movement.

At heart, the impasse stemmed from an unresolved debate on just what independent Sri Lanka was: a multiethnic nation-state or the last bastion of a religion that, at one point, had dominated much of South Asia: Buddhism. Tamils and other Sri Lankan minorities could participate as equals only in the former – a diverse, multifaith society. The latter concept of Sri Lankan society, though by no means the dominant choice among the socioeconomic-political elites – many of whom were trilingual and had schooled together in elite institutions (with English the lingua franca throughout the island) – gained greater currency as the Tamil response to state violence took on many of the chauvinistic aspects it purported to be struggling against. This was particularly the case with LTTE, which, even during its flirtation with Marxist-Leninism, was dominated by the chauvinism, if not outright racism, of Prabhakaran.

The result was that the struggle, which the government framed in the language of counterinsurgency and counterterrorism, was more accurately a clash of contending nationalisms, with an increasingly beleaguered element of the national elite seeking to champion the fluid boundaries that saw communities mix and intermarry.<sup>20</sup> To further complicate the situation, while language and community were at the core of each national conception, the Sinhalese essence was defined by a Buddhism that was also central to the resistance against colonialism. In contrast, Tamils had not only generally embraced the opportunities afforded by colonialism but were divided into the two communities discussed earlier: the indigenous Sri Lanka Tamils (further differentiated by region) and the Indian Tamils. Ideologically, whereas the Sinhalese increasingly used political Buddhism as a tool for mobilization, the Eelam movement was informed by either the secular ideology of Marxism or the raw emotions of communalism.<sup>21</sup> Both threads rejected Tamil society's traditional structures pertaining to caste and gender.<sup>22</sup>

President Jayewardene, an experienced politician, led the country from 1977 to 1989. Born in 1906, he was, in a sense, a representative from an earlier era. Seeking a way forward, he increasingly used his immediate family and a small circle of trusted associates to determine how best to proceed, and to assess who within the military leadership could best deal with the fluid situation. A strategic plan that Jayewardene opportunistically requested in mid-1986 from a visiting security consultant emphasized that military action must serve to implement a political solution through redress of grievances, area domination, increased international support, and astute diplomacy with India, as opposed to the defensive posture that dominated relations with New Delhi. The actual mechanics of implementation – particularly the tangible steps necessary to restore governmental

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<sup>20</sup> For the Tamil dimension, see A. Jeyaratnam Wilson, *Sri Lankan Tamil Nationalism: Its Origins and Development in the 19th and 20th Centuries* (London: Hurst, 2000); Chelvadurai Manogaran and Bryan Pfaffenberger, eds., *The Sri Lankan Tamils: Ethnicity and Identity* (Boulder, CO: Westview, 1994). For the Sinhalese dimension, see Tessa Bartholomeusz, "First Among Equals: Buddhism and the Sri Lankan State," in *Buddhism and Politics in Twentieth-Century Asia*, ed. Ian Harris (New York: Continuum, 1999), 173-93.

<sup>21</sup> See Patrick Grant, *Buddhism and Ethnic Conflict in Sri Lanka* (Albany: State Univ. of New York Press, 2009); Tessa J. Bartholomeusz, *In Defense of Dharma: Just-War Ideology in Buddhist Sri Lanka* (New York: Routledge/Curzon, 2002). On the Marxist ideology, see Satchi Ponnambalam, *Sri Lanka: The National Question and the Tamil Liberation Struggle* (London: Zed Books, 1983).

<sup>22</sup> On Tamil communalism, see Thomas Marks, "People's War in Sri Lanka: Insurgency and Counterinsurgency," *Issues & Studies* 22, no. 8 (Aug. 1986): 63-100.

authority to all areas of the country – were quite straightforward and adhered closely to what was finally done successfully in 2006-9: successive domination of areas, population and resource control, and mobilization of those Tamils who were opposed to the Eelam group. In the end, political realities dictated that the military facets of response continue to dominate, whereas the politically necessary steps were not taken.<sup>23</sup>

## Transformation of Threat

Although Colombo did not put together the necessary *national* campaign plan, it did come up with an approach for the military domination of insurgent-affected areas. By early 1987, pacification in the east and near north left only Jaffna as an insurgent stronghold. As the Tigers' position in the Jaffna peninsula collapsed, they became more fanatical. They adopted the suicide tactics normally associated with violent radical Islamist movements. Individual combatants were issued cyanide capsules so they could avoid capture. A "Black Tigers" commando was formed to carry out suicide attacks using individuals or vehicles. Debate continues over the precise inspiration for this shift, but the result was never in dispute: LTTE's violence became much more lethal.<sup>24</sup> Surprisingly, though, it was not these tactics, but India, that rescued LTTE.

When Sri Lankan forces launched Operation Liberation in May 1987 and appeared on the verge of delivering a knockout blow,<sup>25</sup> New Delhi, responding to domestic pressure, entered the conflict directly with the Indian Peace Keeping Force (IPKF), thus bringing to a conclusion the phase known as Eelam I. Sri Lankan forces returned to barracks, and India assumed responsibility for overseeing implementation of a yet-to-be-agreed-upon cessation of hostilities. After an initial honeymoon period, during which all Eelam groups but LTTE chose to align themselves with Indian expectations, hostilities began between IPKF and LTTE.<sup>26</sup>

Although the Indian presence was useful in a tactical sense – New Delhi was now bearing the burden and the casualties of fighting LTTE – it was strategically disastrous. It not only reinforced the nationalist aspects of the Eelam appeal among the Tamil base but also provoked a Sinhalese nationalist reaction in the south, which absorbed virtually all the attention of Sri Lankan security forces.<sup>27</sup>

As the Indians tried to deal with the Tamil insurgents, Sri Lanka was forced to move

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23 See Thomas Marks, "Counterinsurgency and Operational Art," *Low Intensity Conflict & Law Enforcement* 13, no. 3 (Winter 2005): 168-211.

24 See R. Ramasubramanian, *Suicide Terrorism in Sri Lanka* (New Delhi: Institute of Peace and Conflict Studies, 2004); Mia Bloom, *Dying to Kill: The Allure of Suicide Terror* (New York: Columbia Univ. Press, 2005), 45-75.

25 See Channa Wickremesekara, "Operation Liberation: 25 Years On," *Groundviews*, May 28, 2012, <http://groundviews.org/2012/05/28/operation-liberation-25-years-on/>.

26 It is worth noting that this chapter's authors met as a consequence of the IPKF deployment, when both were billeted in Jaffna Fort: Brar as commanding officer of the IPKF battalion headquartered there, and Marks as a journalist embedded with the Sri Lankan partner battalion in the same location. Brar became a key interface with LTTE command personalities – a relationship that continued until the outbreak of hostilities. See Thomas Marks, "Sri Lankan Minefield: Gandhi's Troops Fail to Keep the Peace," *Soldier of Fortune* 13, no. 3 (March 1988): 36-45, 74-75; Thomas Marks, "Handling Snakes and Unfriendly Troops in Sri Lanka," *Honolulu Star-Bulletin*, Sept. 22, 1987, A-17.

27 See Rajan Hoole, Daya Somasundaram, K. Sritharan, and Rajani Thiranagama, *The Broken Palmyra: The Tamil Crisis in Sri Lanka – An Insider Account* (Claremont, CA: Sri Lanka Studies Institute, 1990).

troops south to deal with Sinhalese Maoists of the JVP. The group's 1971 insurgency had been crushed at a cost of some thousands dead and at least 16,500 youth detained. In this second effort to seize state power, the JVP gained influence far beyond its numbers by exploiting nationalist passions and using terrorism to murder those who did not comply with its demands. The industrial sector, thoroughly cowed by a spate of carefully selected assassinations, was functioning at a mere 20 percent capacity. Such economic paralysis, in turn, fed the JVP cause. Sri Lanka was staggering.

### *Reorganization of State Response*

A change in leadership in Colombo, with Ranasinghe Premadasa replacing the retiring President Jayewardene, brought a government approach that turned the tide against the JVP. Crucial to this effort in the Sinhalese-speaking south was the employment of the area-domination techniques that had gradually become standard in dealing with the Tamil insurgency in the north. Particularly salient was the command-and-control structure that had evolved. This was implemented by an army that had become a more effective, powerful organization. Its 76 battalions were now deployed to areas where, among other things, they spoke the language of the inhabitants and had an excellent intelligence apparatus. It was these battalions that implemented the counterinsurgency effort. Administratively, Sri Lanka's nine provinces were already divided into 22 districts, each headed by a government agent (GA), who saw to it that services and programs were carried out. To deal with the insurgency, these GAs were paired with military coordinating officers (COs), responsible for the security effort in the district. Often, to simplify the chain of command, the CO would be the commander of a battalion assigned permanently to the district.

Only as the conflict progressed did the army place its battalions under numbered brigades – although these remained continually changing in composition – and its brigades under divisions. In theory, there was a brigade for each of Sri Lanka's nine provinces. These were grouped under three divisional headquarters, only two of which were operational at the time of the JVP insurgency, because the third was designated to cover the LTTE insurgent areas in the north. With IPK active there, the division was not active. Each brigade commander acted as chief CO for the province and reported to his area commander (who also commanded the division to which the brigade was assigned). Areas 1 and 2 divided the Sinhalese heartland into southern and northern sectors, respectively; Area 3 was the Tamil-populated zone under IPKF control and, thus, inactive.

This system of creating a grid using the administrative boundaries, implemented historically to good effect by many security forces (particularly the British), had the advantage of setting in place permanently assigned security personnel who could become thoroughly familiar with their areas. The COs and their local security forces could be assigned further assets, both military and civilian, as circumstances dictated. The COs controlled all security forces deployed in their districts. They were to work closely with the GAs to develop plans for the protection of normal civilian administrative and area development functions. For this work, they were aided by a permanent staff whose job was to know the area intimately. Intelligence assets remained assigned to the CO headquarters and guided the employment of operational personnel. They did not constantly rotate as combat units came and went.

At the head of the framework was the Joint Operations Center. But the JOC never really hit its stride as a coordinating body. Instead, it usurped actual command functions to such an extent that it *became* the military. The security service headquarters, especially the army's, were reduced to little more than administrative centers.

Although often lacking precise guidance from above, local military authorities nonetheless fashioned increasingly effective responses to the JVP insurgency. This was possible because the COs and operational commanders – older and wiser after their tours in the Tamil areas – proved quite capable of planning their own local campaigns. Decentralization, in a state lacking communications and oversight capabilities, led some individuals and units to dispense with the tedious business of legal process. Those suspected of subversion too often were simply imprisoned or killed. Under the combined authorized and unauthorized onslaught, the JVP collapsed.<sup>28</sup>

After ending this second Sinhalese Maoist insurgency, the security forces could return their attention to the Tamil campaign when India withdrew in January-March 1990 (after almost three years and casualties of 1,155 IPKF dead and 2,984 wounded). New Delhi's involvement remains highly controversial to date, with considerable disagreement concerning the achievements of its counterinsurgency effort.<sup>29</sup> Ultimately, relations between India and Sri Lanka were so strained that Sri Lanka appeared to be actually *assisting* the various Tamil insurgent groups in their resistance. At this point, the Indians knew it was time to leave. Ominously, it was a greatly strengthened LTTE that awaited Colombo in Eelam II.

### *Growth of LTTE Power*

LTTE power grew during a round of post-IPKF negotiations, which the Tigers used to eliminate their Tamil insurgent rivals. The talks collapsed when LTTE demanded that police stations in Eastern Province be vacated, then massacred more than 300 policemen who had been ordered by their superiors to accept what turned out to be false LTTE guarantees of safety.<sup>30</sup> Widespread terrorism followed, and a leap from guerrilla to mobile warfare. The insurgents attacked in massed units, often of multiple battalion strength, supported by a variety of heavy weapons. Deaths numbered in the thousands, reaching a peak in July-August 1991 in a series of set-piece battles around Jaffna. The 25 days of fighting at Elephant Pass, the land bridge connecting the Jaffna peninsula with the rest of Sri Lanka, saw the first insurgent use of improvised armor (using bulldozer chassis and power train), supported by artillery and extensive concrete-reinforced siegeworks protected by thick concentrations of anti-aircraft weapons. The battalion was in danger of being overrun when one of the LTTE armored bulldozers, followed by infantry, breached the perimeter, but the assault was turned back in fierce

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<sup>28</sup> See Rohan Gunaratna, *Sri Lanka: A Lost Revolution? The Inside Story of the JVP* (Kandy, Sri Lanka: Institute of Fundamental Studies, 1990); C. A. Chandraprema, *Sri Lanka: The Years of Terror – The JVP Insurrection 1987-1989* (Colombo: Lake House Bookshop, 1991).

<sup>29</sup> See Rohan Gunaratna, *Indian Intervention in Sri Lanka: The Role of India's Intelligence Agencies* (Colombo: South Asian Network on Conflict Research, 1993). For the Indian perspective, see Shankar Bhaduri and Afsir Karim, *The Sri Lankan Crisis* (New Delhi: Lancer International, 1990).

<sup>30</sup> Some sources put the number of police murdered as high as 600.

hand-to-hand fighting. Relief came overland, through difficult terrain after landing on the eastern coast, but not before casualties on both sides totaled several thousand.<sup>31</sup>

Elsewhere, terrorist bombings and assassinations became routine. Even national leaders such as Rajiv Gandhi of India and Sri Lanka's President Premadasa fell to LTTE bomb attacks (on May 21, 1991, and May 1, 1993, respectively), along with numerous other important figures, such as Lalith Athulathmudali (April 1993) and members of the JOC upper echelons.<sup>32</sup> Heavy fighting in Jaffna in early 1994, as the security forces attempted to tighten their grip around Jaffna City, resulted in government casualties approaching those suffered by LTTE in the Elephant Pass action. The conflict had devolved into a tropical replay of World War I trench warfare.

Dingiri Banda Wijetunga, who had been prime minister since March 3, 1989, took over Premadasa's position as president on May 7, 1993. He would lead the country until November 12, 1994. Ironically, in Sri Lanka's mixed system, wherein the president dominates and, if his party controls Parliament, all but names the prime minister, Wijetunga had been selected for his "old school" grace and lack of further political ambitions. But he was experienced and well versed in the security situation. His preparation had included in-depth discussions, in mid-August 1991, with security experts who emphasized the imperative that armed action serve to facilitate a political program that addressed Tamil grievances and marginalization. Thus, he moved beyond mere return to the prewar status quo. Nevertheless, he could not reorient the counterinsurgency approach in his brief time in office.<sup>33</sup>

Only with the election of a coalition headed by the Sri Lanka Freedom Party (SLFP) in August 1994, followed by the November presidential victory of SLFP leader Chandrika Bandaranaike Kumaratunga, was politics again introduced into the debate on state response to the insurgent challenge. The SLFP sweep ended 17 years of UNP rule and led to a three-month cease-fire, during which Colombo sought to frame a solution acceptable to the warring sides. The effort came to an abrupt halt when LTTE again – as it had done in every previous instance – unilaterally ended the talks by a surprise attack on government forces. Eelam III had begun.

Significantly, the wave of assaults highlighted the degree to which LTTE had become a potent military threat. Its techniques included the use of underwater assets to destroy navy ships, as well as the introduction, somewhat later (April 1995), of surface-to-air missiles, which were eventually used to destroy five aircraft.<sup>34</sup> In the field, LTTE guerrilla

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<sup>31</sup> For battlefield photos, see Thomas Marks, "Sri Lanka: Reform, Revolution or Ruin?" *Soldier of Fortune* 21, no. 6 (June 1996), 35-39. Forces in the camp numbered about 600, and attackers numbered in the thousands (a figure of 5,000 is often used). Lance Corporal Gamini Kularatne posthumously became the first recipient of Sri Lanka's highest award for gallantry, the Parama Weera Vibhushanaya, for his actions in assaulting the armored bulldozer that had broken through the defenses on July 14, 1991.

<sup>32</sup> Predictably, it is the Rajiv assassination that has exercised international attention. He was, after all, apparently on the verge of again becoming prime minister in the Indian election campaign, which created the opportunity for his targeting. See Rajeev Sharma, *Beyond the Tigers: Tracking Rajiv Gandhi's Assassination* (New Delhi: Kaveri Books, 2013). See also the fictional film *The Terrorist*, directed by Santosh Sivan (1994). The assassination (and a cameo for the Premadasa killing) serves as the backdrop for the film *Madras Cafe*, directed by Shoojit Sircar (2013), which, though widely acclaimed, was banned in Tamil Nadu for (ironically) its accurate portrayal of the Madras-supported LTTE.

<sup>33</sup> Author (Marks) interview with Dingiri Banda Wijetunga, Aug. 15, 1991, Colombo. Wijetunga was from the Kandy area, the heartland of Sinhalese nationalism.

<sup>34</sup> See Sri Lanka Ministry of Defence, *Humanitarian Operation Factual Analysis July 2006-May 2009* (Colombo: 2011), 21, [www.defence.lk/news/20110801\\_Conf.pdf](http://www.defence.lk/news/20110801_Conf.pdf). The two aircraft lost on April 28 and 29, 1995,

formations fighting as light infantry regular military units proved capable of engaging with government forces on more or less even terms. What had begun as a campaign by terrorists had grown to main-force warfare (also termed mobile or maneuver warfare) augmented by terrorist and guerrilla action.

### *The State Tries Further Adaptation*

These new circumstances demanded a review of the government's approach to the conflict. In mid-1995, therefore, a series of meetings was held to settle on a revised national strategy for ending the conflict. On the political side, as directed by President Kumaratunga, a plan was articulated that came close, in all but name, to abandoning the unitary state in favor of a federal system. Devolution of power to the provinces, several of which would likely be dominated by Tamil voters, would effectively allow the establishment of ethnolinguistic states, as in India's federal system. On the military side, as had President Jayewardene had done, President Kumaratunga kept the defense portfolio for herself. Meanwhile, she selected a trusted associate (reportedly her uncle), parliamentarian Anuruddha Ratwatte, as deputy minister and, hence, effectively minister. He had reached the rank of lieutenant colonel while a mobilized reservist and had military experience, but none at higher levels of command. This was to prove a key factor because the strategic review quickly became a fierce battle of opposing positions.

All participants in the debate basically agreed that for a political solution to be implemented, LTTE must be dealt with militarily. But there was considerable disagreement on the plan of operations. On one side were those who favored a *military-dominated* response—essentially a conventional assault on LTTE. Opposed were those who favored a *counterinsurgency* effort of systematically dominating areas, using force as the shield behind which restoration of government writ would occur. The first called for strike operations, the second for the classic “oil spot” approach—the systematic domination of areas, which were then linked in a steadily expanding flow. Essentially, it was this latter approach that had emerged during the Wijetunga presidency as the security forces' default position. It was not favored by Ratwatte, though, who sought something more decisive, in particular the liberation of Jaffna peninsula, which LTTE had held for a decade.<sup>35</sup>

Contextually, there were grounds for favoring such a direct approach. With the end of the Cold War, LTTE had quietly dropped all talk of Marxism, though it continued to portray itself as socialist. Its links with the Tamil diaspora had matured, but its rupture with New Delhi was complete. For its part, India, though still closely linked to Russia, had seen its Soviet patron collapse and cautiously reached out to establish more normal relations with the United States and other supporters of Colombo. No objections arose

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in the vicinity of Palali Air Base in Jaffna, were Avro transports carrying soldiers on leave; ninety-seven died. In July 1995, an FMA IA 58 Pucará providing close air support was also shot down, its pilot lost. Several years later, on September 29, 1998, Lionair Flight 602, using an Antonov An-24RV, was downed, apparently by an LTTE surface-to-air missile, killing all fifty-five people aboard. Though the missile type has not been stipulated, as early as mid-1987, author Marks examined an SA-7 shoulder-fired missile manual (translated into Tamil) in an LTTE safe house in Jaffna.

<sup>35</sup> Author (Marks) interviews, including a July 1995 series of meetings with Anuruddha Ratwatte, Colombo.

when the United States agreed, in mid-1994, to begin a series of direct training missions conducted by special-operations elements.<sup>36</sup> (Washington would designate LTTE as a Foreign Terrorist Organization [FTO] on October 8, 1997.)<sup>37</sup> These training missions enhanced the already mature relations that Colombo enjoyed with the UK and India. Further military ties and assistance were developed with Pakistan and China, to a lesser extent with Israel (always a controversial proposition in Sri Lankan politics because of the views of the Sri Lankan Muslim population and because of the large number of expatriate workers employed in the Middle East). The upshot was that the military seemed in relatively good shape internally, with strong external linkages to provide a steady stream of assistance and material support.

Operation Riviresa (more clumsily in English, “Rays of Sunlight”) was launched in October 1995 to retake Jaffna – a goal accomplished by December 2. Strong leadership overcame an array of personnel and operational difficulties, but the victory left the occupying forces in a perilous position, cut off by the extensive territory to the south and east that remained in LTTE hands. It had been a conventional response to an unconventional problem, executed successfully but “a bridge too far,” leaving multiple brigades stranded in Jaffna, where they could be supplied only by sea or air. LTTE adroitly used a combination of main force and guerrilla units, together with special operations, to isolate exposed government units and then overrun them. These included headquarters elements, with even brigade and division headquarters being battered. In the rear area, LTTE detonated a suicide truck bomb in the financial heart of Colombo in February 1996, killing at least 75 and wounding more than 1,500.

A pressing need for further force development led Colombo to approach the U.S. firm Military Professional Resources Inc. (MPRI), which had impressed the Sri Lankan military with its apparent success in overseeing the modernization and training of the Croats for the successful Croatian summer 1995 offensive (Operation Storm) against Serb-supported forces.<sup>38</sup> An assistance plan was developed with U.S. acquiescence, but this went no further than the proposal stage, when many in the Sri Lankan military higher command objected.

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<sup>36</sup> Author (Marks) interviews with the assessment authors before their deployment, July 1994, Honolulu. As reflected in the Sri Lankan copy of the Special Operations Command Pacific assessment, dated July 20, 1994, U.S. involvement was focused on training and support functions.

<sup>37</sup> After moving quickly to designate LTTE as an FTO, Washington was much slower to ban its various fundraising fronts, such as the Tamil Rehabilitation Organization, named a specially designated global terrorist entity under Executive Order 13224 on November 15, 2007. The Maryland-based Tamil Foundation was not banned (under the same authority) until February 11, 2009.

<sup>38</sup> Author (Marks) interview with MPRI personnel, Apr. 12, 1996, Alexandria, VA.

## *Colombo Down for the Count*

Much worse was to come when overextension of forces, and an inability to handle the complexities of main-force conventional operations, left the Sri Lankan military badly deployed. Disaster was not long in coming. On July 17, 1996, an estimated 3,000 to 4,000 LTTE combatants isolated and then overwhelmed an understrength brigade camp at Mullaitivu in the northeast, killing at least 1,520 members of the security forces. This exceeded the 1,454 total death toll for 1994 and shattered army morale. Desertion, already a problem, rapidly escalated even as the isolation of Jaffna tightened. The linkup effort, Operation Jayasikurui (Certain Victory), kicked off in May 1997 but quickly slowed to a crawl as LTTE repeatedly demonstrated the ability to use combinations of regular and irregular action to inflict crippling casualties on poorly deployed, numerically superior government forces. Stalemate followed.

LTTE, needing only to exist as a rump counterstate that mobilized its young for combat, had demonstrated the ability to construct mechanisms for human and fiscal resource generation that defied the coercive capacity of the state. Linkages extended abroad, from where virtually all funding came (US\$20-30 million per year); and diasporic commercial activities enabled procurement of necessary weapons, ammunition, and supplies. Though the security forces could hold key positions and even dominate much of the east, they simply could not advance on the well-prepared, fortified LTTE positions in the north and northeast, which, in any case, were guarded by a veritable carpet of land mines.

Political disillusionment again followed and increased as LTTE continued to pull off spectacular actions: In 1998, a suicide bomber attacked the most sacred Buddhist shrine in the country, the Temple of the Tooth, in Kandy; Kumaratunga herself narrowly missed following Premadasa as a presidential assassination victim, surviving a 1999 LTTE bomb attack but losing an eye; the Elephant Pass camp, which had previously held out against superior numbers, fell in 2000; and in July 2001, a sapper attack on the international airport in Colombo destroyed 11 aircraft. Ratwatte, who, in the flush of victory after the recapture of Jaffna, had been made a full general by President Kumaratunga, was no longer in his position, having been replaced in 1999.<sup>39</sup>

It was not altogether surprising that in the December 2001 parliamentary elections, the UNP, led by Ranil Wickremasinghe, was returned to power by a shaken electorate. This left the political landscape badly fractured between the majority UNP and its leader, the prime minister, and the SLFP's Kumaratunga, still the powerful president in Sri Lanka's hybrid political system, which is similar to France's. That the two figures were longtime rivals with considerable personal animosity did not ease the situation.

Again, as at the end of the Cold War, changes in the international arena dealt a wild

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<sup>39</sup> Precise reasons for Ratwatte's removal were unstated. Besides the operational disaster, he was implicated in a series of corruption scandals (still under investigation at the time of his death) and accused of death squad involvement (of which he was acquitted in January 2006). On the corruption charges, see Frederica Jansz, "The Crooked General," *Sunday Leader*, Sept. 1, 2002, [www.thesundayleader.lk/archive/20020901/spotlight.htm](http://www.thesundayleader.lk/archive/20020901/spotlight.htm); Frederica Jansz, "Anuruddha Ratwatte Corruption Case Re-Opened," *Sunday Leader*, July 18, 2010, [www.thesundayleader.lk/2010/07/18/anuruddha-ratwatte-corruption-case-re-opened/](http://www.thesundayleader.lk/2010/07/18/anuruddha-ratwatte-corruption-case-re-opened/). On the murder charges, see *BBC Sinhala*, "Ratwatte Acquitted on Murder Case," Jan. 20, 2006, [www.bbc.com/sinhala/news/story/2006/01/060120\\_ratwatte.shtml](http://www.bbc.com/sinhala/news/story/2006/01/060120_ratwatte.shtml).



card. The increased worldwide concern with terrorism, already a factor in the new millennium but becoming central after the 9/11 terrorist attacks in the United States, caused additional Western countries to proscribe LTTE and move against its fundraising activities on their soil. LTTE was already banned in the United States and India (it had been proscribed by New Delhi in 1992) when the UK announced its listing as a terrorist organization on February 28, 2001. This was an important step since the Tamil diaspora in the UK was larger than anywhere else except Malaysia.<sup>40</sup> Canada finally proscribed LTTE on April 14, 2006, and the next month, the entire European Union followed.<sup>41</sup>

When considering the role of the Tamil diaspora on the conflict, a distinction must be made between imperial legacy communities, such as the Tamils of Malaysia, who migrated there or were recruited in the service of the British empire, and more recent migrants produced, at least in part, by the war in Sri Lanka. It appears that no studies disaggregate these categories, but the available literature makes clear that large, active support communities for LTTE existed in the UK, the United States, South Africa, and Canada, with that of Canada being perhaps the leading source of funding.

Amid this growing shift of international sentiments, shortly after 9/11, in February 2002, for reasons that remain unclear, LTTE suddenly offered to negotiate with the new UNP government. The government accepted the offer, and an uneasy truce commenced. The cessation of hostilities was a mixed bag in that it exacerbated intra-Sinhalese community tensions while also failing to bring “peace.”<sup>42</sup> LTTE used the restrictions on Sri Lankan security forces to move aggressively into Tamil areas where it had been excluded and to eliminate rival Tamil politicians. Throughout Tamil-populated areas, Tamil-language psychological operations continued to denounce the state. In October 2003, LTTE proposed an Interim Self-Governing Authority (ISGA), which would have pushed beyond de facto realities to make LTTE the legitimate power in the Northern and Eastern Provinces. This prompted a strong reaction in the increasingly restive Sinhalese-majority heartland in the south.<sup>43</sup>

Chandrika Kumaratunga watched uneasily and then, in early November 2003, asserted her power while Wickremasinghe was in Washington, meeting with U.S. President George W. Bush. Claiming that the UNP approach was threatening “the sovereignty of the state of Sri Lanka, its territorial integrity, and the security of the nation,” she ousted the three UNP cabinet ministers most closely associated with the talks, dismissed Parliament, and ordered the army into Colombo’s streets.

LTTE waited, but in the April 2004 parliamentary elections that resulted from talks

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<sup>40</sup> See Kaihla, “Banker, Tiger, Soldier, Spy”; Nomi Morris, “The Canadian Connection: Sri Lanka Moves to Crush Tamil Rebels at Home and Abroad,” *Maclean’s*, Nov. 27, 1995, 28-29.

<sup>41</sup> Like the United States, after proscribing LTTE, Canada was slower to move against its front organizations. The important fundraising group World Tamil Movement, for example, was not banned until June 2008. In all cases, LTTE supporters vehemently opposed such proscription. On the worldview of diaspora members who championed LTTE as the authentic representative of the Tamil people, see Øivind Fuglerud, *Life on the Outside: The Tamil Diaspora and Long-Distance Nationalism* (London: Pluto Press, 1999).

<sup>42</sup> See G. H. Peiris, *Twilight of the Tigers: Peace Efforts and Power Struggles in Sri Lanka* (New Delhi: Oxford Univ. Press, 2009).

<sup>43</sup> See *BBC News*, “Full Text: Tamil Tiger Proposals,” Nov. 1, 2003, [http://news.bbc.co.uk/2/hi/south\\_asia/3232913.stm](http://news.bbc.co.uk/2/hi/south_asia/3232913.stm); Muttukrishna Sarvananthan, “Sri Lanka Interim Self-Governing Authority: A Critical Assessment,” *Economic and Political Weekly* 38, no. 48 (Nov.29-Dec. 5, 2003): 5038-40, [www.jstor.org/stable/4414338?seq=1#page\\_scan\\_tab\\_contents](http://www.jstor.org/stable/4414338?seq=1#page_scan_tab_contents).

between the dueling Sinhalese parties, SLFP unexpectedly swept back into power at the head of a United People's Freedom Alliance. The Tigers withdrew from negotiations but did not renew active hostilities, for they were preoccupied with what had once seemed unthinkable: a split within the movement. After long chafing under LTTE's domination by northern Tamils, the eastern cadre, under the leadership of longtime LTTE stalwart Vinayagamorthy Muralitharan (more commonly known as Colonel Karuna Amman), had finally revolted in March. Though they were crushed in intense fighting followed by a wholesale vetting and purge of eastern cadre and combatants, the fracture remained permanent.<sup>44</sup> The alienated eastern Tamils, represented by Karuna's Tamil Makkal Viduthalai Pulikal (TMVP, or Tamil People's Liberation Tigers), increasingly made common cause with the government. This would prove to be a key development.

As events on the ground strained the cease-fire, the devastating December 26, 2004, Indian Ocean tsunami left more than 35,000 dead in Sri Lanka. Tamil areas were hit particularly hard. International aid poured in, but the issue of how it should be distributed stripped the last fig leaf from the unspoken agreements that had given LTTE its Eelam. When LTTE demanded that aid be channeled through its own counterstate bureaucracy, with the original ISGA proposal taking on all the trappings of statehood, the strained cease-fire collapsed.<sup>45</sup>

The situation continued to deteriorate, although LTTE was careful not to move too aggressively. The "cease-fire" served as the ideal cover for eliminating anyone the group saw as standing in its way. This included even the Sri Lankan foreign minister, Lakshman Kadirgamar, an ethnic Tamil, assassinated in August 2005. Also murdered was Sarath Ambepitiya, the judge who had sentenced Prabhakaran in absentia to 200 years in jail for the 1996 bombing of Colombo, and literally hundreds of Tamil politicians and activists opposed to LTTE (as well as many who were simply misidentified). For whatever the rhetoric connected with the peace process, LTTE remained committed to Eelam. In his annual November 27 speech, delivered on LTTE Heroes Day, Prabhakaran, the "president and prime minister of Eelam" (as the Tamil media billed him), warned that LTTE intended to renew hostilities if the government made no tangible moves toward "peace."<sup>46</sup>

In what was seen at the time as merely a tactical error (though it ultimately proved fatal), LTTE ordered a boycott of a presidential election hastily held in November 2005 after a Supreme Court decision ruled that Chandrika Kumaratunga's presidential term had run its course. Hard-line Prime Minister Mahinda Rajapaksa eked out a narrow victory against Ranil Wickremasinghe on a 73 percent turnout.

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<sup>44</sup> See D. B. S. Jeyaraj, "Tiger vs. Tiger: Tenth Anniversary of Revolt Led by Eastern LTTE Leader 'Col' Karuna," *Daily Mirror*, Apr. 12, 2014, [www.dailymirror.lk/45822/tiger-vs-tiger-tenth-anniversary-of-revolt-led-by-eastern-ltte-leader-col-karuna](http://www.dailymirror.lk/45822/tiger-vs-tiger-tenth-anniversary-of-revolt-led-by-eastern-ltte-leader-col-karuna); Ajit Kumar Singh, "Endgame in Sri Lanka," *Faultlines* 20 (2011): 131-70.

<sup>45</sup> See Zachariah Mampilly, "A Marriage of Inconvenience: Tsunami Aid and the Unraveling of the LTTE and the GoSL's Complex Dependency," *Civil Wars* 11, no. 3 (Sept. 2009): 302-20; Alan Keenan, "Building the Conflict Back Better: The Politics of Tsunami Relief and Reconstruction in Sri Lanka," in *Tsunami Recovery in Sri Lanka: Ethnic and Regional Dimensions*, ed. Dennis B. McGilvray and Michele R. Gamburd, (New York: Routledge, 2010), 17-39.

<sup>46</sup> See Kasun Ubayasiri, "An Illusive Leader's Annual Speech," *Tamil Nation*, 2006, <http://tamilnation.co/lte/vp/mahaveerar/06ubayasri.htm>.

By all historical accounts, Wickremasinghe would have been the better option for LTTE's plans. But the Tigers' continued cease-fire violations, which dwarfed the government's in both number and scale, steeled the new Rajapaksa administration for what was to come. A string of prominent LTTE suicide attacks, including an attempt to kill the army head, Lieutenant General Sarath Fonseka, and a successful assassination of the army's number three, pushed the situation beyond redemption.

Last-gasp efforts by Norway, the lead facilitator of the attempted settlement, came to naught. Norway's role in the peace process became increasingly controversial as LTTE continued to escalate its provocations. Whatever may be said about Colombo's conduct, it did not begin to approach the wholesale brutality of the Tigers, whose actions were dominated by assassinations. That Norway and other international actors could not bring themselves to vigorously counter LTTE atrocities led in the end to the mediators' loss of legitimacy.<sup>47</sup>

As fighting became more general, suicide attacks hit targets even in the deep south, such as Galle. By August 2006, Sri Lanka was again at war, in Eelam IV.

### Transformation of Response

What followed was unlike what had gone before. The crushing of LTTE, often touted as a victory for counterinsurgency, was, in reality, the end of a civil war between a state and a rival counterstate. What ended LTTE's three decades of struggle was an operational clash of arms akin to the American Civil War in its ferocity, albeit distinct in tactics and societal features. What occurred was a signal illustration of military adaptation executed in concert with national mobilization, on the government's part, while LTTE proved unable to do the same. Examined more strategically and theoretically, the vanquishing of LTTE as an illicit power structure, and the postwar conflict it unleashed, serve to illustrate the profound changes that globalization has brought about in everything from the way that insurgency is waged to what is permissible in response.

Precisely what occurred operationally is easier to describe than to explain. For even after five years, considerable disagreement continues regarding just who initiated key aspects of the military's strategic adaptation to the operational situation, and just who was responsible for a series of astute tactical decisions in the field. The basis for renewed combat obviously lay in national mobilization. This was brought about, first, by the powerful *sangha's* (Buddhist clergy's) appeals to what effectively was holy war, and, second, by the government, with Mahinda Rajapaksa as president and his army veteran brother, Gotabhaya, as defense secretary, marshaling the financial support and determination necessary to rearm and reequip an expanded military.<sup>48</sup>

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<sup>47</sup> See Gunnar Søbø, Jonathan Goodhand, Bart Klem, Ada Elisabeth Nissen, and Hilde Selbervik, *Pawns of Peace: Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997-2009* (Oslo: Norad, 2011), [www.oecd.org/countries/srilanka/49035074.pdf](http://www.oecd.org/countries/srilanka/49035074.pdf); Kristine Höglund and Isak Svensson, "Mediating between Tigers and Lions: Norwegian Peace Diplomacy in Sri Lanka's Civil War," in *War and Peace in Transition: Changing Roles of External Actors*, ed. Karin Aggestam and Annika Björkdahl (Lund, Sweden: Nordic Academic Press, 2009), 147-69; Maria Groeneveld-Savisaar and Siniša Vuković, "Terror, Muscle, and Negotiation: Failure of Multiparty Mediation in Sri Lanka," in *Engaging Extremists: Trade-Offs, Timing, and Diplomacy*, ed. I. William Zartman and Guy Olivier Faure (Washington, DC: USIP Press, 2011), 105-35.

<sup>48</sup> See C. A. Chandraprema, *Gōta's War: The Crushing of Tamil Tiger Terrorism in Sri Lanka* (self-published, 2012 [available at Amazon.com]). For a discussion of mobilization of manpower (Sri Lanka never had to

In the field, General (following promotion) Fonseka insisted on a free hand that allowed him to field the best overall combat leadership yet. Innovative deployment of entire battalions as squad-size units or smaller, schooled in light infantry (i.e., commando) tactics and able to call in supporting fire, dramatically multiplied the defensive demands for an LTTE now struggling to defend its pseudo nation-state. Its governance, though innovative in some respects, had remained grounded in coercion, which dampened the enthusiasm of a populace being asked to mobilize in defense of Eelam. Indeed, one of the most contradictory aspects of the entire conflict was that throughout, a substantial proportion of Tamils, as well as nearly the entire Indian Tamil and Tamil-speaking Muslim populations, remained within government-controlled areas.<sup>49</sup>

First steps to seal off the battlespace and strangle LTTE's supply lines came with a successful high-seas campaign that hunted down and destroyed LTTE's oceangoing merchant navy. Simultaneously, development of high-speed coastal craft and tactics succeeded in neutralizing LTTE's hitherto formidable swarm of maritime suicide craft. The air force, though faced (even in the final phase of the struggle) with LTTE suicide efforts to attack Colombo, used overhead imagery and ground patrol coordination of targeting to eliminate the insurgent air arm.

On the ground, the actual conduct of reducing LTTE's counterstate followed the geographic plan that had been laid out originally in the 1985 planning documents. Seizure of the Eastern Province by July 2007, with help of the defecting eastern Tamil elements of the TMVP (perhaps a majority of its most effective combatants), allowed converging columns to draw an ever tighter noose around LTTE forces trapped in the northeast coastal area. This happened even as the first provincial elections were held to foster legitimacy for political reincorporation of previously LTTE-held areas.<sup>50</sup> TMVP, registered as a political party affiliated with the ruling coalition, emerged dominant in the March 2008 elections for local councils, and in the provincial elections in May. A split between Karuna and his deputy, Sivanesathurai Chandrakanthan, resulted in the latter's becoming the first elected chief minister of Eastern Province. Karuna later became a deputy minister in the government, and vice president of the ruling SLFP.

In the west, Mannar District fell by August 2008, and government forces were then able to move east to link up with military and TMVP elements in Eastern Province. Other forces cleared Jaffna peninsula and pushed south. The LTTE administrative center of Kilinochchi was abandoned and fell to the government in early January 2009. By early 2009, the remaining LTTE combatants, with perhaps 30,000 civilian hostages being used

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resort to a draft), see Michele Ruth Gamburd, "The Economics of Enlisting: A Village View of Armed Service," in Winslow and Woost, *Economy, Culture, and Civil War in Sri Lanka*, 151-67.

<sup>49</sup> Author's (Marks) road counts of vehicles and individuals, and examination of the relevant logs kept at major government checkpoints ringing LTTE-held areas, consistently revealed flight away from Tamil Eelam and toward government-held areas—thus, toward relative safety. Efforts to conduct longitudinal studies on such internally-displaced-persons populations achieved mixed success. See H. L. Seneviratne and Maria Stavropoulou, "Sri Lanka's Vicious Circle of Displacement," in *The Forsaken People: Case Studies of the Internally Displaced*, ed. Roberta Cohen and Francis M. Deng (Washington, DC: Brookings Institution Press, 1998), 359-98.

<sup>50</sup> See Cathrine Brun and Nicholas Van Hear, "Shifting between the Local and Transnational: Space, Power and Politics in War-torn Sri Lanka," in *Trusts with Democracy: Political Practice in South Asia*, ed. Stig Madsen, Kenneth Bo Nielsen, and Uwe Skoda (London: Anthem Press, 2011), 239-60.

as human shields, were trapped in the coastal area of the Nanthi Kadal Lagoon, north of Mullaitivu. There, five divisions – a force normally described as fielding some 50,000 combatants – crushed them by mid-May 2009. In all aspects except the innovative tactics used by the Sri Lankan infantry, the 2006-9 endgame of the conflict had been major combat as might be seen on any conventional battlefield, featuring everything from heavy artillery to rocket launchers, extensive minefields, and suicide attacks.<sup>51</sup>

This last point highlights that the final years, coming as they did at the end of three decades of ever more vicious conflict that progressively brutalized all facets of Sri Lankan life, most resembled the island battles of the Second World War's Pacific Theater, especially the battle for Okinawa, which, like Sri Lanka, was heavily populated.<sup>52</sup> It was this reality that increasingly galvanized human rights advocacy groups, whose voices grew shriller as the end became ever more "like Berlin." When Colombo refused to heed calls from advocacy groups and certain Western governments, among them the United States and the UK, to allow some form of humanitarian intervention, advocacy gave way to outright opposition and siding with the defeated insurgents. This posture continues today.

In this respect – an external network of interested parties endeavoring to exert pressure directly on strategic choice – the Sri Lankan case transcends the mere "facts on the ground." The tangible conflict, horrific though it was, nevertheless was fought by a democracy that adhered throughout to the rule of law (albeit with very sharp elbows). That major combat places the rule of law under severe strain is a reality that Americans should readily recognize, particularly given the trajectory of American warfighting since Sherman's March to the Sea during the Civil War. There appear to be no credible sources claiming that Sherman gratuitously inflicted harm on the innocent, but few sources dispute his intense determination to embrace the very horror of war for the purpose of bringing it to a conclusion – a stance that delivered victory, however flawed it might be. This was the position that Sri Lanka found itself in. The war simply had to end if the country was to survive.

## Lessons in an Era of Illicit Power Structures

It is challenging, after the short breathing space of five years, to draw lessons from this most vexing case of an illicit power structure challenging a licit power structure that erred.

LTTE was an insurgency that struggled to transcend its origins as a traditional rebellion in order to leverage the new possibilities in a post-Cold War world. This it did, both physically and virtually, integrally linking its struggle to regional and global Tamil

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<sup>51</sup> See Ivan Welch, "Infantry Innovations in Insurgencies: Sri Lanka's Experience," *Infantry* (May/June 2013): 28-31; *Daily FT*, "General Sarath Fonseka Reveals Untold Story of Eelam War IV," Mar. 10, 2015, [www.ft.lk/2015/03/10/general-sarath-fonseka-reveals-untold-story-of-eelam-war-iv/](http://www.ft.lk/2015/03/10/general-sarath-fonseka-reveals-untold-story-of-eelam-war-iv/); K. M. de Silva, *Sri Lanka and the Defeat of the LTTE* (New Delhi: Penguin Books India, 2012); Ahmed S. Hashim, *When Counterinsurgency Wins: Sri Lanka's Defeat of the Tamil Tigers* (Philadelphia: Univ. of Pennsylvania Press, 2013).

<sup>52</sup> See S. E. Selvadurai and M. L. R. Smith, "Black Tigers, Bronze Lotus: The Evolution and Dynamics of Sri Lanka's Strategies of Dirty War," *Studies in Conflict & Terrorism* 36, no. 7 (2013): 547-72; M. L. R. Smith and Sophie Roberts, "War in the Gray: Exploring the Concept of Dirty War," *Studies in Conflict & Terrorism* 31, no. 5 (2008): 377-98.

communities—the Tamils of southern India and the Sri Lankan Tamil global diaspora, respectively—in such a way that it could retain the strategic advantage long enough to achieve its goal of Eelam. In the process, it became almost legendary for its melding of commitment to destruction with its imagery of a new world emerging. With its suicide bombers and the cyanide capsules worn by its combatants—many of both being women—it set the Sri Lankan state back on its heels time after time.<sup>53</sup> Meanwhile, the dictatorial Eelam world it created was hailed for giving a people dignity and freedom, not only driving off the communal Sinhalese oppressors but also, in the process, shattering Tamil bonds of caste and gender inequity.<sup>54</sup>

The conflict waged by the state, which began as ineffective counterinsurgency and gradually grew to equally ineffective civil warfighting, illustrated another set of lessons. At each stage in the conflict, Sri Lanka struggled to comprehend just what it was involved in—and came up short. Initially, it treated protoinsurgency as emerging terrorism, thus emphasizing kinetic response when it should have been addressing the roots of conflict. Later, having mastered counterinsurgency's martial facets, it neglected the necessity of a *holistic* response, resulting in India's intervention. In the post-Indian context, the emergence of hybrid war—the blending of irregular and regular warfare with criminality and even (in its attempts to use chlorine gas in shells at one point) “WMD (weapons of mass destruction) warfare”—was mistaken for conventional conflict, resulting in devastating government defeats and LTTE's temporary victory. Finally, in the renewed 2006-9 fighting, a new civil-military team engaged in the functional equivalent of national mobilization and delivered a virtuoso display of integrating strategic, operational, and tactical levels of combat to deliver a knockout punch.

LTTE's end, when it came, had all the characteristics of the Second World War's denouement in Berlin or the ashes of Japan's incinerated cities. Colombo, ecstatic over its triumph, simply could not comprehend that it had again missed the bigger picture: the fundamental shift to an age of “new war” (more recently termed “hybrid warfare” by the world's militaries), in which powerful advocacy groups sought to make impossible, both practically and conceptually, the “total war” of past eras. It was just such a total war that Sri Lanka had fought. Its warfighting adaptation had been almost completely in the application of kinetic power, without the reforms in human rights and legal components necessary to engage in combat within what has become a global fishbowl. Colombo's strategists were quite ignorant of (and certainly unprepared for) the corresponding growth of new global norms, notably “R2P” (the responsibility to protect) and the right to intervene, together with the accompanying demands of what has been termed “the liberal peace.” Indeed, it would be difficult to understate the mounting intensity with which both state and nonstate actors sought to slow, even end, Colombo's final push toward LTTE's annihilation, or the resulting sense of betrayal that Colombo ultimately felt toward the international community.<sup>55</sup>

In the events outlined above, a pathway led from the world of traditional war to what

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<sup>53</sup> See Tamara Herath, *Women in Terrorism: Case of the LTTE* (New Delhi: Sage, 2012).

<sup>54</sup> See N. Malathy, *A Fleeting Moment in my Country: The Last Years of the LTTE De-Facto State* (Atlanta: Clear Day Books, 2012).

<sup>55</sup> See Damien Kingsbury, *Sri Lanka and the Responsibility to Protect: Politics, Ethnicity and Genocide* (New York: Routledge, 2012); David Lewis, “The Failure of a Liberal Peace: Sri Lanka's Counter-insurgency in Global Perspective,” *Conflict, Security & Development* 10, no. 5 (Nov. 2010): 647-71.

has been called “new war,” “postmodern war,” “postheroic war,” or even (though from a different theoretical angle) “fourth-generation warfare.”<sup>56</sup> Regardless of terminology, the heart of the strategic matter was that in the post-Cold War global arena, use of force was to be legitimate, discriminating, and secondary to more compelling concerns (e.g., human security). It could be argued that this describes the strategic (and even tactical) requirements of counterinsurgency.

But counterinsurgency balances its kinetic and nonkinetic facets as required for successful mobilization to the extent necessary for victory, whereas advocates of the new approach to warfare see the use of kinetics as itself a symptom of a larger failure.<sup>57</sup> To use force to resolve the issue at hand—in this case, a drive for separatism—was to forfeit legitimacy. To add to this the bloodshed and destruction inherent in total war was to cross into criminality, which is precisely what very vocal and active voices asserted in demanding legal actions against the victors following the May 2009 obliteration of Eelam.<sup>58</sup>

Indeed, if any one characteristic may be seen as central to postmodern war, it is the supremacy of framing and narrative over the tangible imperatives of war. And it was in this area that Sri Lanka found itself thoroughly on the defensive. Colombo’s frame of “victory” was all but overwhelmed by a shrill countering frame of “repression,” and Colombo’s narrative trumpeting a triumph over terrorism was all but swamped by a rival narrative of communal repression and barbarism. Warfare, as traditionally waged, found itself struggling to deal with *lawfare*: attempts to use new international norms and the law to force cessation of hostilities, intervention by external actors (state and nonstate), and prosecution of key government figures.<sup>59</sup> Matters were not eased by what can only be described as the shrill moralizing of both state (particularly the United States and the UK) and nonstate (particularly international human rights groups) critics.

And yet, given the astonishing level of brutality and suffering that Sri Lanka had endured for three decades, its wounded attitude was quite comprehensible, as were the realities that emerged from the major combat that ended only with LTTE’s surrender.

A globalized world has so empowered *netwar* at the geostrategic-legal level of international relations that it all but compels the waging of conflict in the intangible rather than tangible dimension.<sup>60</sup> *Facts on the ground* count for far less than *facts in the mind*,

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<sup>56</sup> See Mats Berdal, “The ‘New Wars’ Thesis Revisited,” in *The Changing Character of War*, ed. Hew Strachan and Sibylle Scheipers (New York: Oxford Univ. Press, 2011), 109-33; Paul Richards, “New War: An Ethnographic Approach,” in *No Peace No War: An Anthropology of Contemporary Armed Conflicts*, ed. Paul Richards (Athens, OH: Ohio Univ. Press, 2005), 1-21.

<sup>57</sup> See M. L. R. Smith and David Martin Jones, *The Political Impossibility of Modern Counterinsurgency* (New York: Columbia Univ. Press, 2015).

<sup>58</sup> See, for example, International Crisis Group (ICG), “War Crimes in Sri Lanka,” ICG Asia Report no. 191, May 17, 2010; Frances Harrison, *Still Counting the Dead: Survivors of Sri Lanka’s Hidden War* (London: Portobello Books, 2012).

<sup>59</sup> “Lawfare” is most often applied to the efforts of substate actors, both legal and illegal, to use the law as a weapon to impose their will on others; hence the play on “warfare.” A growing body of discussion and scholarship is available on the topic, including a blog (jointly sponsored by the Lawfare Institute and Brookings) that adopts the more expansive definition: the use of law as a weapon of war (irrespective of user). See Lawfare Institute and Brookings, “Hard National Security Choices,” 2015, [www.lawfareblog.com/](http://www.lawfareblog.com/); Tom Marks, “Lawfare’s Role in Irregular Conflict,” *inFocus* 4, no. 2 (Summer 2010): 12-14.

<sup>60</sup> See John Arquilla and David Ronfeldt, *The Advent of Netwar* (Santa Monica, CA: RAND, 1996); David Ronfeldt, John Arquilla, Graham E. Fuller, and Melissa Fuller, *The Zapatista Social Netwar in Chiapas* (Santa Monica, CA: RAND, 1998).

never mind whether those “facts” are true or later prove false. Seeing is no longer believing. Indeed, believing has become seeing, with disabling pressure from a networked world directed against the party judged to be “in the wrong,” that is, the party judged to have forfeited legitimacy.

If we imagine the Chiapas conflict, which inspired the emergence of the *netwar* concept, ending not in retreat by the Mexican state but in elimination of the Zapatista challenge, Mexico would be in a position not so different from that occupied now by Sri Lanka. It has secured its desired end state of an indivisible Lanka, the land of the Buddha, through achieving the objective of LTTE’s destruction. But its ways (which included not only material but also psychological national mobilization) have been found wanting. Communal chauvinism, goes the critique, provided the fuel that allowed an overhauled war machine to “win,” and democracy itself was collateral damage, along with justice.<sup>61</sup> In such an assessment, the reality of an illicit power structure that had done as much as any in the post-World War II era to earn the label “evil” becomes irrelevant.

This, too, may be seen as emblematic of the new age of war. Ultimately, the conflict morphed into one of dueling narratives on the fundamental merits or demerits of Sri Lanka’s democratic, market polity. In such a battle, the increasingly problematic and despicable nature of LTTE’s decision making and actions was irrelevant, as if the very intensity of Colombo’s transgression in “winning ugly” revealed much about Colombo’s structural and moral inadequacy, and rather less concerning LTTE’s evil agency. It is in examining this process that we can draw lessons.

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<sup>61</sup> See Gordon Weiss, *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers* (London: Bodley Head, 2011).