

# After the Tigers: Moving Beyond the Legacy of Violence in Sri Lanka

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In 1976, the Liberation Tigers of Tamil Eelam (LTTE) began their ascent toward becoming the most powerful and influential Tamil separatist organization in Sri Lanka. The Tamil separatist movement aspired to achieve an independent state in northern Sri Lanka for ethnic Tamils, a minority on the island. Among their many grievances against the Sinhalese majority, Tamils separatists cited exclusory politics, repressive policies, and human rights violations. The LTTE, acting ostensibly on behalf on the larger Tamil community, engaged the Sri Lankan Army in civil war in 1983. However, after nearly 26 years of separatist struggle, the LTTE surrendered in 2009, ending the war. Tamil grievances remain, and thus far the Sri Lankan government has taken no action to encourage reconciliation. In the absence of internal Sri Lankan initiatives, the international community may have to increase its involvement. The most dangerous policy action the Sri Lankan government can now take is no action at all, which would effectively indicate a return to the pre-war status quo. Conversely, if the government effectively addresses the core issues of social and economic injustice, Tamil communities will be less likely to return to violent separatism, and more likely to reengage in a nonviolent political discourse that will lead to a greater degree of prosperity for all Sri Lankans. The United States can help produce this outcome by implementing a series of subtle, incentive-based policies that help create the necessary political space for successful reconciliation.

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## **Introduction**

Internal conflict has consumed the Sri Lankan political landscape for much of the past 40 years. Ethnic divisions, exacerbated by nearly 150 years of British colonization, created an environment of pervasive distrust and discriminatory politics. Such conditions fomented resentment and anger between the Sinhalese majority and Tamil minority communities. Though the major ethnic political organizations remained civil for the first few decades following Sri Lankan independence in 1948, policies by the Sinhalese controlled government had adverse effects on Tamil communities in the North (Bose, 2004). Bubbling resentment ultimately exploded into political violence in the mid-1970s with the founding of the Liberation Tigers of Tamil Eelam (LTTE), whose mission was to defend Tamil rights and fight for an autonomous state in the northern region of Sri Lanka.

The LTTE, whose violent activities put them on the front lines of the conflict, succeeded in developing a sophisticated propaganda machine to arouse sympathy from supporters around the globe. They established regional offices in many western countries, though as of the late 1990s some of their offices were shut down after the US and European countries deemed the Tigers a terrorist organization. Yet despite drawing the ire of global players – particularly after September 11, 2001 – the LTTE did not extend its violence beyond the immediate Tamil political actors involved: the Indian government, the Sri Lankan government, and the Sri Lankan Army. Thus the insurrection was never sufficiently global to elicit a coordinated international response. Instead, on separate occasions, India and Norway attempted to facilitate peace agreements between the LTTE and the Sri Lankan government, with limited success. In the spring of 2009, the Sri Lankan army surged into Tamil-held territory, surrounded the remnant LTTE forces, and compelled them to surrender under the threat of annihilation. However, the fall

of the LTTE does not signal an end to the ethnic strife that has existed since Sri Lanka's independence. The mutual antipathy between Tamils and Sinhalese remains acute, and it is entirely possible that what was a hot war for 26 years will morph into an underground subversive movement led by new generations of Tamil separatists. It is vital to avert any such scenario, and policy-makers must be cognizant of the historical dynamics of the conflict to formulate plausible solutions.

### **Consequences of Colonialism**

The Sri Lankan Tamil ethnic minority comprises anywhere between 13 and 17 percent of the national population, with communities in northern Sri Lanka reaching almost 80 percent (Mason, 2003). Tamils originally came to the island, then known as Ceylon, from India around 500 B.C. and preserved their native dialects within Tamil communities. There is also a significant population of recently transplanted Indian Tamils on the island – descendants of Tamils from South India brought over by the British – who show a great deal of ethnic solidarity with their native Tamil compatriots (Oberst, 1988). Ethnic Sinhalese islanders, whose ancestors also migrated to Sri Lanka more than 2000 years ago, have roots in Northern India and speak an Indo-Aryan language known as Sinhala (Oberst, 1988).

While the Tamils and Sinhalese coexisted relatively peacefully in pre-colonial Sri Lanka, British involvement catalyzed the emergence of ethnic tensions. Britain procured Sri Lanka from the Dutch in 1801 and immediately instituted their common “divide and rule” policy – a strategy the British employed to break up large groups of native peoples in order to diminish their social and institutional power – with severe consequences (“History of Sri Lanka”). British colonial rule bestowed economic advantages according to ethnicity. Tamils, who were often exposed to

the English language by Christian missionaries, were more attractive candidates for higher level administrative work. The British also hired a significant number of Tamils from India to serve in other various capacities, which angered the Sinhalese who increasingly felt marginalized. The Sinhalese majority lacked many of the economic opportunities afforded to Tamils and subsequently began to resent the Tamils as undeserving beneficiaries of colonial policy (Mason, 2003).

However, unlike neighboring India, the Sri Lanka independence movement was not accompanied by massive uprisings to protest British rule; the transfer of power from the British to the Sri Lankans in 1948 was peaceful. But despite ceding their authority, the British left an indelible mark on the island's political structure. Sri Lanka's first constitution, which lasted from 1947 until 1972, was constructed with British supervision and included British frameworks, such as a majoritarian political structure, which limited safeguards for minority rights (Shastri, 1990). These constitutional provisions would ultimately have serious consequences. Tamil representatives in parliament persistently challenged constitutional restrictions of minority opinion, initiating policy battles that would ultimately precipitate ethnic violence (Bose, 2004).

### **The Rise of the LTTE**

Inter-ethnic relations continued to deteriorate in the absence of political reconciliation. As retribution for years of subservience under the British, the Sinhalese majority used their political power to strip a small portion of the Tamil community of their rights to citizenship and franchise (Mason, 2003). They contended that this specific group of Tamils, who were brought in from India by the British to work as plantation farmers, did not belong in Sri Lanka. This was one of the first signs of an emerging nationalistic movement designed to renew Sinhalese supremacy.

The major parties were polarized along ethnic lines and political debates were consistently framed to emphasize ethnicity. Sinhalese-controlled legislatures used their power to launch a “Sinhalese Only” movement, which consisted of discriminatory policies designed to diminish the educational and economic advantage held by the Tamils. Perhaps the most divisive of these policies was the marginalization of the Tamil language in favor of a national Sinhala language. Mandating an official language, particularly one which many Tamils did not use, limited economic opportunities for Tamil communities and threatened their cultural heritage. These campaigns only heightened tensions and created an atmosphere conducive to the creation of Tamil separatist movements (Mason, 2003).

Despite these conditions, the Tamil community generally used non-violent means of political opposition during the first few decades of independence. Early groups such as the Tamil United Liberation Front worked to improve inter-ethnic cooperation and accumulate political capital for the Tamil minority (Shastri, 1990). However, certain factions, disillusioned with what they perceived as the failure of mainstream political activism, started to become more militant in the late 1960s and early 1970s. Students were often most severely affected by this political marginalization. Economic opportunities were hard to come by for these young Tamils, many of whom were raised in the unstable and discriminatory post-independence environment. Such conditions produced a new, generational schism as Tamil youth began organizing themselves in radical groups like the Tamil Students Movement. Even though many of the older, more established organizations remained committed to the parliamentary path, militant groups were quietly gaining strength and consolidating support.

The separatists' first act of political violence precipitated their rise into mainstream Tamil politics (Hoole, 2002). They sought retaliation for the death of nine Tamils at a 1974 conference

known as the Research Forum Series in the northern city of Jaffna. Held during a period of ethnic restlessness, the outdoor political conference attracted tens of thousands of Tamils which prompted the government to order city police to perform crowd control. Nine Tamils were killed when an unstable power-line came crashing down as a result of protestor-police altercations. The Mayor of Jaffna, himself a Tamil, became the target of massive public outcry and many were convinced that he was colluding with the national government to suppress dissent (Hoole, 2002). In July 1975, an emerging Tamil extremist named Velupillai Pirabhakaran and a group of fellow Tamil dissidents capitalized on this swell of public anger and assassinated the Mayor of Jaffna as he was arriving at a Hindu Temple on a Friday evening (Hoole, 2002). Pirabhakaran was credited with the success of the assassination, which brought him fame and prestige throughout the greater Tamil community. He subsequently founded the LTTE in 1976 and became both their military leader and de facto spiritual guide. His power was so absolute that LTTE operatives pledged allegiance to Pirabhakaran the man, rather than the organization or the Tamil movement as a whole (Hoffman and McCormick, 2004).

The inception of the LTTE coincided with the rise of other separatist organizations as well, including the Eelam People's Revolutionary Liberation Front and the People's Liberation Organization for Tamil Eelam. Both groups received military training from Palestinian separatist movements such as the Palestinian Liberation Organization (Mumtaz, 2004). However, unlike the LTTE, these groups failed to adequately address the multilayered political and economic problems in the eyes of the Tamil community.

Derived from the Tamil Student Movement, the LTTE ultimately monopolized control over the separatists for several reasons (Joshi, 1996). First, other militant groups often focused on the primacy of Marxist-Leninism to achieve Tamil autonomy. For them, the road to

independence went through social and economic revolution. The Tigers, on the other hand, refused to conflate the two principles. While many within LTTE advocated strongly for communist ideals – Pirabhakaran himself stated in an interview with *The Week Magazine* that “revolutionary socialism” was his political philosophy – they realized fighting simultaneous battles on two ideological fronts was not wise, nor sustainable. Isolating the nationalist platform would appeal to more of the Tamil community and limit the possibility of international condemnation for communist activities (Gunaratna, 1998). Second, the LTTE was the only separatist group to refuse entry into the political mainstream following Indian intervention in 1987. Many in the Tamil Diaspora saw this act of defiance as a sign of strength, and they supported the LTTE in their continued efforts to fight both militarily and politically. The Tigers capitalized on this and were the only group to consistently acknowledge the diaspora’s role in sustaining the separatist movement. Third, younger Tamils were more attracted to the LTTE’s *raison d’etre* giving the LTTE a large and energetic base. Over time, other Tamil separatist groups became either marginalized or fully subsumed by the Tigers (Gunaratna, 1998).

As the political discourse in Colombo became increasingly divisive, the Sri Lankan government responded to the rise of violent Tamil separatism, particularly the LTTE’s popularity, with passage of the Prevention of Terrorism Act in 1979. This legislation formalized the definition of terrorism and directly tied it to both the Tamil political and separatist movements (Nadarajah and Sriskandarajah, 2005). Under the new codified language, the government labeled the LTTE a terrorist organization and in doing so criminalized all of its activities (Nadarajah and Sriskandarajah, 2005). This measure further radicalized many within the Tamil community, who once again felt excluded from mainstream political processes. Despite attempts by nonviolent political groups to continue a civil discourse, the most powerful

Tamil political leaders had altered their philosophy and relocated their headquarters to the Jaffna Peninsula in the extreme north of Sri Lanka, away from the capital Colombo and its politicized environment. Though every Tamil movement shared the goal of an autonomous “Eelam” state, this shift widened the chasm between the militant movements like the LTTE and the more moderate Tamil organizations who sought progress through political reconciliation (Roberts, 2005).

### **Early Civil War and the Failed Indo-Sri Lankan Peace Accord**

After the escalation of sectarian violence in 1983, the LTTE rapidly expanded their organization to meet the demands of the incensed Tamil community. The Tigers' leaders also made strategic changes to challenge the Sri Lankan army and police force. In order to maintain an effective struggle against a numerically superior and well-financed opponent, the LTTE had to make difficult choices. To maximize their per-unit effectiveness, the Tigers started performing suicide bombings. This new tactic was met with massive outrage and received condemnation from the international community. Suicide bombing would become a trademark attack of the LTTE Black Tiger Regiment, which is renowned for being both deadly and effective. The first of these attacks occurred in May of 1987 when an LTTE member detonated a small bomb, killing himself and 75 others.

What began as a war of small skirmishes soon became a campaign of large-scale battles. The Sri Lankan government underestimated the LTTE's capacity and level of support within their home communities, which led to an ill-conceived military strategy that was not designed for a protracted conflict. The early phase of the war was particularly destructive and lasted until July 1987 when India, concerned that the influx of Sri Lankan refugees would radicalize its own

domestic Tamil populations, intervened with an army unit called the Indian Peace-Keeping Force (IPKF). This force supplemented Indian diplomats who met with Sinhalese and moderate Tamil political leaders to forge an agreement to end the hostilities. The LTTE and other violent separatists were excluded from the peace talks in an effort to de-legitimize their use of violence and terrorism, though many of their demands were discussed at length by the participating parties (Hellman-Rajanayagam, 1988-1989).

The proposed Indo-Sri Lankan Accord met many of the LTTE's demands, including higher levels of autonomy and official language recognition. Among its provisions, the accord would have allowed for the conditional merger of the northern and eastern provinces, subject to a public referendum. If approved, this would help the LTTE and other Tamil leaders consolidate a much greater base of political power (Hellman-Rajanayagam, 1988-1989). Merging these provinces would also be a significant, albeit incremental, victory for the LTTE and would show Tamil communities that with more support and resources, even greater success could be possible. However, LTTE leaders did not approve of the candidates for Chief Administrative Officer of the proposed merged provinces. Furthermore, the accord would have granted India a considerable role in shaping Sri Lanka's foreign policy – a concession that many within the Tamil separatist movement were unwilling to accept (Hellman-Rajanayagam, 1988-1989). As political negotiations over the proposed merged provinces continued to unravel, the LTTE began targeting Indian soldiers in retaliation for what they saw as a flawed and counterproductive intervention. The IPKF failed to halt the hostilities and were ultimately forced into a more aggressive role, leading to the collapse of the entire accord and the resumption of full-scale violence. They engaged the LTTE in multiple battles, leading to thousands of Tamil civilian casualties. While many Sri Lankans initially saw Indian intervention as a positive step toward

peace, as the fighting raged on the peace-keepers became increasingly unpopular. Faced with mounting military casualties and rising discontent among the Indian public, Indian leaders decided to withdraw their forces (Mason, 2003). This three-year period between 1987 and 1989 proved to be very tumultuous for the LTTE. Though neither India nor Sri Lanka realized it at the time, the Indian Peace-Keeping Force had some success in weakening the separatist group. However, India's withdrawal allowed the LTTE to develop a new regional strategy.

Following India's pullout from Sri Lanka in 1990, the Tigers immediately began to diversify their operations. For the first time, members were sent en masse into India to extend the LTTE's influence within Tamil Nadu State in the south. They used this region as a logistical base for operations to increase LTTE support among Indian Tamils. The strategic goal was to use their growing societal support and operational strength as leverage against the Indian government, hoping to convince Indian officials to reconsider their position toward Sri Lanka and Tamil autonomy. This would prove to be an unrealistic goal. India's main concern was ensuring tranquility among its own population and any ethnic disturbance would likely be regarded as a threat to India's social fabric, justifying a forceful response.

In 1991, the LTTE once again demonstrated the lethal tactic of suicide bombings when one of their cadre assassinated former Indian Prime Minister Rajiv Gandhi. Although this act did little to shift the balance of power in India and Sri Lanka, it emboldened the Tigers to increase their operations. They added new capacity to their organization, including an aquatics division called the Sea Tigers which used a combination of small boats and divers to conduct attacks and provide operational support (Athas, 2006). In addition to attacking civilian populations, the LTTE targeted Sri Lankan military officers and political officials. No one was out of their reach. In 1993, the Tigers succeeded in killing the Sri Lankan president, Ranasinghe Premadasa. These

two presidential assassinations demonstrated the increased power and organizational coordination of the LTTE following the IPKF's withdrawal.

Consequently, negotiating a peace treaty became a top priority for the new president - Chandrika Bandaranaike-Kumaratunga. His government even offered to amend the constitution to provide a greater degree of autonomy to predominantly Tamil areas (Mumtaz, 2004). Once again, however, the LTTE leadership doubted the sincerity of the government's offer and the peace talks crumbled by April 1995, ushering in a new wave of violence. For the first time, the LTTE engaged in prolonged bombings of Sri Lanka's political epicenter Colombo, a campaign that led President Kumaratunga to declare a nationwide state of emergency. Kumaratunga was re-elected the same year and, after surviving a bomb attack, immediately attempted to revive peace talks between both parties. This surge in violence would last until the Norwegian government intervened in 1999.

### **Norwegian Peace Talks**

The Norwegian government became the first Western nation to intervene in the conflict by serving as an intermediary for the 1999 peace talks. LTTE officials were offered a "devolution package" similar to previous proposals in 1987 and 1995, with one exception: LTTE officials would be accepted as de facto rulers of the Northeastern province and would gradually acquire more political control over their own communities (Ganguly, 2004). Devolution indicated a decentralization of power away from Colombo and into the local Tamil communities. However, this relative autonomy also had one significant condition – Tamil regions would remain under the umbrella of the greater Sri Lankan government. Tiger leaders, for the first time, softened their demands and indicated that such an offer, if legitimate, might be acceptable.

Although there was concern by the Sri Lankans that this position was nothing more than posturing, the peace talks produced an official cease-fire agreement in March 2002 and Pirabhakaran came out of hiding the following month to hold his first press conference in over a decade (Ganguly, 2004). However, the Sri Lankan government remained divided over concessions. Cabinet officials began to make public statements reaffirming their commitment to a unified Sri Lanka and dismissing notions of repealing the 1979 Prevention of Terrorism Act. Since its inception, this act had provided Sri Lankan officials with sweeping authority to arrest and detain large numbers of Tamils (Ganguly, 2004). It also produced widespread contention among the Tamil community, who were angered that many governmental officials refused to even consider its repeal. Despite this setback, the two sides negotiated a preliminary agreement in Oslo in December 2002. It provided for a federal system to give Tamils self-determination within their northern regions (Ganguly, 2004). Yet little action was taken to implement the agreement and the peace process once again began to unravel amidst the contradictory messages from both sides. Ultimately, the LTTE withdrew in April 2003 over concerns that the deal was increasingly watered down and no longer contained sincere provisions for Tamil autonomy.

### **A Hope for Cooperation, and the Final Campaign**

The need for a coordinated response following a massive natural disaster in late 2004 briefly renewed hopes of reconciliation. On December 26, an earthquake in the Indian Ocean created a series of Tsunami waves which ravaged the coastal areas of many South Asian countries, including Sri Lanka. The Sri Lankan government and the LTTE cooperated with the reconstruction effort after the catastrophe (McGregor, 2006). However, these cordial relations were short-lived. Unbeknownst to the government and international observers at the time, the

LTTE had used the 2002 ceasefire to rebuild their military strength which once again threatened to destabilize the country. Over the next few years, Tiger operatives quietly boasted that their personnel numbers had doubled or even tripled from their pre-ceasefire baseline of 6,000, though most independent analysts estimated their numbers to be slightly lower than 10,000 (Ganguly, 2004). Decades of organizational development abroad and outreach to Tamil expatriates had produced a steady flow of capital to enable this growth. The LTTE often provided young Tamils in northern Sri Lanka with better opportunities than those in their home communities, and many youth chose LTTE membership.

Beginning in 2004, reports surfaced of growing disunity within the LTTE ranks, and a split between the main organization in the north under Pirabhakaran and a division in the east under Vinayamoorthy Muralitharan, commonly known as Colonel Karuna, appeared likely. Although the reasons for this divide are not conclusively known, experts speculate that there were disagreements over tactical issues as well as power struggles within the leadership (Gopalakrishnan, 2004). This internal strife came at a very inopportune time, as the reports of such disunity greatly hurt the Tiger's negotiating position in their sporadic dialogue with the Sri Lankan government. Colonel Karuna later indicated that demands for a completely autonomous Tamil Eelam were not necessary and may even be an impediment toward resolving the violent conflict, a stance which further alienated him from Pirabhakaran (Buerk, 2007). The government interpreted these internal divisions as sign that the LTTE influence was weakening within the Tamil community, meaning that two outcomes were probable: the Tigers would lose operational capacity, but before this happened, they would likely lash out in a new violent campaign designed to convince the government that it was still a major player in the Tamil debate.

A few countries and international mediators interpreted this internal discord as a weakening of the LTTE's hardline position and an opportunity for peace talks. However, the efforts by outside actors had proven unsuccessful. After Norway mediated the 2002 ceasefire agreement but was unable to keep both parties at the table, the European Union (EU) labeled the LTTE as a terrorist group in June 2006, which prompted the Tigers to demand that all EU monitors leave the country. This upset both the European countries as well as the Sri Lankan government. They each decried the lack of consultation before being forced by the LTTE to withdraw the monitors.

While the 2002 ceasefire agreement included numerous minor violations and brief skirmishes there was relative peace until 2006. That all changed in April 2006, when a dispute over water rights in East Trincomalee led to what the local press referred to as the “Eelam War IV.” On July 20, 2006 the LTTE closed a dam which deprived thousands of ethnic Sinhalese of irrigation and drinking water (“Beyond Euphemism; Sri Lanka at War,” 2006). The government responded with military operations to recapture the dam. Faced with these new assaults, the LTTE launched campaigns designed to bolster their control over the eastern regions of the island. The fighting killed approximately 1,000 soldiers and civilians and displaced another 135,000 (“Beyond Euphemism; Sri Lanka at War,” 2006). Notable incidents during this period include a suicide attack in June that killed an army general, the shooting death of 17 French charity workers in August, and an attack on a Sri Lankan navy convoy that killed over 100 soldiers. These violent episodes provoked an immediate response from the Sri Lankan air force against LTTE positions in the northern region of the country (Krishan, 2006).

As the fighting intensified, the United States released a statement on October 17, 2006 affirming support for peace efforts. The statement also showed support for the Sri Lankan

government's efforts to resume official negotiations with the LTTE. The government and the LTTE agreed to a Geneva summit on October 28, 2006 for a new round of talks intended to reaffirm the terms of the 2002 ceasefire. However, both sides entered the summit discouraged by the recent episodes of violence, and the mediating Norwegian diplomats publicly stated that expectations were low for the two-day conference. Unsurprisingly, the negotiations ended without any progress.

The two parties made little progress over the next two years, and in 2008 the government officially withdrew from the original 2002 ceasefire agreement, signaling its intent to unleash the military to extirpate once and for all the LTTE and their strongholds. Sri Lankan officials were convinced that constructive negotiations were impossible and believed the 2002 ceasefire agreement constrained their ability to militarily engage the LTTE in order to force concessions.. During the following year, however, military actions commenced. On January 2, 2009, government troops captured the Tiger-controlled town Kilinochchi, a major site of LTTE headquarters (Mahendra, 2009). Seen as a serious blow to the LTTE's long-term prospects, the Tigers were forced to address a drastically shrinking territory from which to organize, train, and launch attacks. The government succeeded in reclaiming several of the northern regions of the country and many LTTE operatives were forced into exile in the jungle. However, the group was far from subdued. On February 21, 2009, LTTE militants flew two of their planes toward the capital, Colombo, and attacked the city. The attack killed two people and injured nearly 50 (*BBC News*, 2009). Yet these violent attacks became less frequent and less effective. On April 5, 2009, the Sri Lankan army released a statement claiming that it had captured all LTTE-held territory in the northeast (Ethirajan, 2009).

In late April and early May of 2009, Sri Lankan forces continued their surge into previously held LTTE territory, forcing the remnant Tiger operatives into a zone of only a few square kilometers. Unfortunately, well over 100,000 civilians were also caught between the advancing Sri Lankan Army and the Tiger militants. Many civilians were held there against their will as human shields by the LTTE. More than 7,000 civilians were killed by the cross-fire between the warring groups, eliciting strong condemnations of both sides by UN Secretary-General Ban Ki-moon and U.S. Secretary of State Hilary Clinton. Other world leaders joined in and called for an immediate cease-fire to spare civilian bloodshed and allow them to exit the war-zone. The Tigers weakly called for a cease-fire amidst a Sri Lankan barrage, which was immediately dismissed by Sri Lankan officials who demanded nothing short of a full surrender (Fuller, 2009).

Three weeks later, at a cost of hundreds of additional civilians lives, the LTTE finally laid down their arms (Nessman and Mallwarachi, 2009). In perhaps the most powerful announcement of the entire civil war, Sri Lankan military officials promptly declared the death of LTTE leader Velupillai Pirabhakaran on May 19, a claim initially denied but later corroborated by lower level Tiger officials as well as other Tamil organizations (*BBC News*, 2009). Sri Lanka's President Mahinda Rajapaksa gave an address to the Parliament on the same day proclaiming victory in the quarter-century old civil war (Wax, 2009).

## **U.S. Policy & the LTTE**

The Sri Lankan civil war started making international headlines toward the end of President Ronald Reagan's first term. Like other post-WWII presidents, Reagan largely shaped his foreign policy approach around Cold War considerations. Aside from the theoretical aspects of the Cold War environment, Reagan had to deal with several dramatic events during the early 1980s, including the Soviet invasion of Afghanistan and the Iran-Iraq War. Even though the Reagan administration did not directly address Sri Lanka, U.S. activity in South Asia was not entirely without consequence for the Sri Lankan civil war. In an effort to undermine the Soviet's ongoing occupation of Afghanistan, the United States became actively involved with Pakistan, which served as a broker between the United States and the Mujahedeen fighting the Soviets in Afghanistan. This relationship had indirect implications for the LTTE and the Sri Lankan Army, as surplus arms from the U.S. aid program frequently moved from Pakistan to Sri Lanka through illegal arms trading and backchannels (Mumtaz, 2004).

Reagan's presidential successor, George H.W. Bush, expended little diplomatic effort on the Sri Lankan conflict as well, choosing instead to deal with the collapse of the Soviet Union and the presumed "New World Order" that would accompany the end of the Cold War (Bose and Perotti, 2002). It was not until President Bill Clinton's administration that the United States officially dealt with the LTTE, recognizing them as a Foreign Terrorist Organization (FTO) under provisions of the Anti-Terrorism and Effective Death Penalty Act of 1996. Secretary of State Madeline Albright created an official State Department list of FTOs in 1997, and the LTTE was among the thirty organizations listed. Subsequent LTTE lobbying campaigns to be removed from this list in the United States were unsuccessful. The State Department has continued to re-certify the group as a FTO, most recently in 2008. More than simply a cosmetic measure, the inclusion of a group on the terrorist list carries several substantive consequences. These include:

(1) all U.S. citizens are forbidden from providing material support or resources to an FTO, (2) members of an FTO are banned from entering the United States and may be forcibly removed, and (3) any U.S. financial institution with access to FTO funds must retain control over the funds and report it to the U.S. government. These provisions significantly limited the LTTE's capacity to draw upon its considerable international support amongst Tamil ex-patriots, which it had previously relied upon for both financial support and a superficial degree of legitimacy.

President George W. Bush announced that, like his predecessor, he would continue to list the LTTE as a terrorist group until they renounced political violence. However, even after 9/11 and the initiation of the "War on Terror," the Sri Lankan conflict was never a major point of interest in President Bush's foreign policy strategy, which generally focused upon addressing the escalating trend of religious extremism. Thirty of the forty-four organizations currently on the FTO list subscribe to various forms of Islamic extremism (U.S. State Department, 2008). Among the other fourteen are notorious groups like the Irish Republican Army, the Revolutionary Armed Forces of Colombia (FARC), and the group formerly known as the Kurdistan Workers' Party (PKK). With the exception of FARC, which is a major actor in the ongoing drug struggles in Colombia, none of the non-Islamic FTO's *raison d'être* directly affects the United States.

Though it did not engage in significant Track One diplomacy with respect to the conflict – meaning direct negotiations between relevant decision-makers – the Bush Administration did become more involved in recent years through the U.S. Agency for International Development (USAID) and the Tokyo Conference, consisting of the European Union, Japan, and Norway (Mumtaz, 2004). In 2003, USAID provided Sri Lanka with \$40.4 million in support for post-war reconstruction efforts. However, this aid was channeled through the Sri Lankan government, which was primarily comprised of Sinhalese officials. Therefore, little of the money filtered

down to Tamils in the north, who are the most adversely affected communities. While Sinhalese communities hurt by LTTE terrorism certainly needed this aid, it did little to help quell the ongoing ethnic strife. As of 2004, future U.S. aid was made contingent on the progress of the Norwegian negotiated peace process, which was suspended in April 2003.

The Obama administration has yet to comment publicly about a comprehensive policy toward South Asia, but there has been a greater degree of activity in the administration in response to the humanitarian crisis caused by the war. After an April 22 UN Security Council meeting, U.S. Ambassador to the UN Susan Rice declared that the United States was “appalled” at the Sri Lankan government’s treatment of civilians (Goldberg, 2009). One week later, U.S. officials announced that they were seeking to delay an International Monetary Fund (IMF) loan to Sri Lanka in an attempt to dissuade the government from continuing its scorched-earth campaign that endangered the lives of thousands of civilians (Goldberg, 2009). Utilizing international financial institutions to leverage alternative policies from governments can be effective for protracted conflicts, but the timing of this U.S. strategy was problematic. The Sri Lankan Army was capturing Tamil strongholds with such speed that withholding IMF funding was unlikely to moderate the government's position (Linden, 2009). In the end, the Sri Lankan government simply ignored the threat in favor of an aggressive push to expeditiously end the 26-year-old conflict.

The United States’ relationship with India has also factored heavily into policy decisions in the region. U.S. policy-makers have an interest in preserving a cordial relationship with India for many reasons. Economically, 15 percent of all Indian exports go to the United States, providing tremendous resources for American companies (CIA World Factbook). India's labor market has become invaluable to the American economy. It was also one of the few stable

democracies in a region that was quickly devolving into religious and political extremism during the latter parts of the Cold War. U.S. decision-makers were cognizant of any South Asian policy that may have adversely affected this important relationship, and were therefore hesitant to wade too deeply into the Sri Lankan conflict. This was more of a concern throughout the 1980s when the Tamil separatist movement was popular in Tamil Nadu.

Ultimately, the United States must balance its strategic relationships with India and Pakistan while addressing human rights abuses by the Sri Lankan government against Tamil civilians as well as terrorist actions against the Sinhalese (Mumtaz, 2004). Amnesty International and Human Rights Watch have in the past found fault with both the Sri Lankan government and LTTE members, many of whom may choose to continue working for Tamil empowerment. Sri Lankan operatives have been cited for politically motivated kidnapping and torture, although other violations have been alleged, like assassinations and disproportionate military responses on civilian populations (Mumtaz, 2004). On the other side, the LTTE is not only blamed for terrorist activities against Sinhalese and Indians, but also for violence against members of more moderate Tamil political groups, as well as Muslim citizens in the northeastern region (Mumtaz, 2004). Because of these accusations, it is difficult for either side in this crisis to claim a moral high ground and many U.S. policymakers have previously used this as a rationale for avoiding involvement. Furthermore, in the absence of international outcry or consistent international news coverage, there is little pressure to intervene on a larger scale.

## **A New Policy for Sri Lanka**

Recently, Assistant Secretary of State Robert Blake addressed the on-going ethnic tension in Sri Lanka, expressing his dismay at the Sri Lankan government's failure to make any progress in the area of reconciliation or power-sharing with Tamil leaders (Ethirajan, 2009). His remarks came after Sri Lankan President Rajapaksa publicly stated that a political solution would only come after his re-election, which would be next year at the earliest (Ethirajan, 2009). The government is most likely stalling for time in order to avoid making the difficult, but necessary, concessions to avoid further violence. Rajapaksa's re-election depends entirely upon the Sinhalese demographic and he may feel that any attempt toward reconciliation in the current political climate will be extremely unpopular within Sinhalese communities.

However, there are some encouraging signs that the United States might increase its involvement. President Obama's budget priorities, yet to be approved by Congress, show a dramatic rise in State Department funding, perhaps indicating his administration's preference for stronger diplomatic engagement to deal with international crises. It is entirely possible that President Obama and Secretary of State Hillary Clinton will reprioritize the government's use of foreign policy tools away from the direct application of military force and toward a multi-track approach that employs a variety of official and unofficial actors to deal with the more subtle and intricate features of conflict. Assistant Secretary of State Blake's comments are the first step under this sort of reconfiguration. Blake also made it clear that any future U.S. aid for reconstruction would be conditioned upon the progress of reconciliation, as well as the swift resettlement of the 300,000 displaced Tamils currently confined to government-run camps (Ethirajan, 2009).

The goal for most outside actors, including the UN, U.S. policy-makers and human rights NGOs, is to create an open and fair society that affords equal economic and political opportunities to all regardless of ethnicity. Such an environment will eliminate the conditions which for decades compelled thousands to resort to violence in order to redress their grievances. Political reconciliation amongst the current Tamil and Sinhalese leadership is a key element of this goal, and although the Sri Lankan president has urged unity in the aftermath of the LTTE's dissolution, the government must prove its commitment to a sustained peace through a restructuring of economic and social policies that for years divided the two ethnicities.

The next step is imagining how this goal, as articulated above, would manifest in the current political environment. The extreme positions on each side – full autonomy for the Tamil separatists and extreme security measures and Tamil marginalization for the Sinhalese government – are no longer acceptable nor viable. Although they might be able to satisfy the respective goals of each community, they would come at an unacceptable cost. A more moderate position of Tamil autonomy would still be fiercely resisted by the Sri Lankan government, as officials have previously indicated that they believe incremental autonomy will eventually lead to a renewed Tamil push for full independence. The status quo environment of exclusory politics and economic discrimination is also unacceptable, as it will only foment anger among younger Tamil generations and could lead to another LTTE-type insurgency.

Therefore, the most desirable outcome, which is determined by the ratio of addressing the concerns of each side to the potential costs (alienated communities, renewed violence, human suffering, amongst others) may be a simple normalization of Tamil-Sinhalese relations. This does not include an independent state for Tamil, but instead incorporates Tamil communities into the national political arena, provides for the protection of minority rights, and decentralizes the

government to the extent that local communities will enjoy a degree of power-sharing, similar to the federal system in the United States. These conditions will hopefully assuage Sinhalese fears that Tamil empowerment will come at the expense of their own communities, while also meeting their desire to maintain a unified Sri Lankan state. For Tamils, a power-sharing arrangement will meet most, if not all, of their needs. Though their stated goal was ostensibly to create an independent state, most Tamils simply supported such a measure because they believed it would provide them with opportunities not available under Sinhalese rule. If there is political and economic normalization in coordination with a power-sharing arrangement, Tamils should be able to empower themselves without full autonomy.

### **Milestones for U.S. Policy**

With a defined goal in place, the next challenge is to construct operational objectives for U.S. policy-makers. These must fulfill two core requirements. First, they must have the potential to produce the outcome described above. Second, they must be plausible, in the sense that the United States would choose to devote resources to implement the policy. Robert Blake, speaking on behalf of the State Department, has already indicated that the United States is in favor of a power-sharing agreement between the Sinhalese and Tamil political bodies, which means that the United States is already on board with the most desired outcome. Generating this goal will depend upon the United States' ability and willingness to use a variety of different tools.

The first tool must be an acute recognition of the difference between public and private diplomacy. Dr. Peter Pham, a professor, government consultant, and expert on terrorism with a wealth of experience in third world politics, believes that the key to successful reconciliation is the creation of “political space” – an environment free from the distractions, highly charged rhetoric, and uninvited outside actors that so are so often features of prolonged conflicts. This

means that the ability of the United States to produce change in Sri Lanka may depend upon its recognition that an overly crowded political arena, with significant amounts of external noise, is not conducive to constructive reconciliation. International intervention, whether it comes in the form of public condemnations, sanctions, or special envoys, may only lead to stubborn resistance by Sri Lankan officials. The only previous actor to have a degree of success in peace negotiations was Norway, which entered the process without fanfare or accusations. The Sri Lankan government must feel as though they are in control of their own policies, not that said policies are coerced by a foreign power.

This does not mean that the United States cannot apply pressure. The public application of diplomatic intervention is what some experts feel may be counterproductive. However, the private use of pressure, through diplomatic backchannels, is effective on two levels. It allows the Sri Lankans to save face should they choose to follow the advice of the United States or other third parties, a prudent concern for the purpose of domestic politics. But more importantly, private diplomatic dialogues let Sri Lanka know that the United States is genuinely interested in solving the problem. This sort of diplomatic posturing is necessary in order to portray the United States as an honest and neutral broker.

The second tool available to U.S. policy-makers is a graduated approach of incentive-based milestones. Assistant Secretary of State Blake briefly alluded to this option when he said that future U.S. aid was contingent upon progress in a number of areas. This must be further expounded and enlarged to have a significant impact, although the milestones and subsequent rewards should remain undisclosed, as per the concerns outlined above. The incentives can come in the form of non-military aid, trade negotiations, and the normalization of relations with various regional actors, which would benefit Sri Lanka in the form of foreign direct investment.

In recent months, the United States threatened to withhold a \$1.9 billion IMF loan in the hopes of dissuading the Sri Lankan government from continuing its highly destructive military campaign (Goldberg, 2009). Although unsuccessful in that specific situation, leveraging IMF or World Bank loans as an incentive can be useful, particularly in the current economic climate where small, developing countries are increasingly in danger of economic collapse.

Any proposed milestone must first address the 300,000 displaced Tamils still living in government camps. After careful and diligent resettlement, under the supervision of UN monitors and with particular attention to providing humanitarian necessities, the United States will grant a predetermined amount of aid specifically for the reconstruction of war-affected areas. The next set of milestones will pertain to the political inclusion of Tamil leaders and the extent to which the Sinhalese majority reforms governmental policies to protect minority rights. Upon completion of these conditions, subsequent rewards will come once the Sri Lankan government develops a power-sharing agreement to grant local communities greater control over issues that most directly affect their social and economic prospects – most notably education and labor laws. The particulars will be up to the government and Tamil political leaders, but any arrangement must have the strength to produce the desired goal of reducing Tamil anger and resentment through the availability of economic and community empowerment. The incentives for accomplishing these steps will increase as each milestone is reached.

Finally, the third tool is the strategic use of various levels of U.S. officials. Prestige, legitimacy, and ego all come into play in international politics. Knowing how to effectively manipulate these elements can help advance a stalemated diplomatic negotiation. Sinhalese government officials understand the consequences of Sri Lanka's poor image throughout much of the world, and they would likely latch onto specific opportunities to change

these perceptions. To that end, Sri Lanka will be very much inclined to meet certain requirements with the promise of a public appearance or meeting with internationally recognizable U.S. officials, whether it is UN Ambassador Susan Rice, Secretary of State Clinton, or another well-respected statesman. Of course, the process leading up to this high-level access is the most important component of the strategy, and lower diplomatic officials must be strong enough in their negotiations to lay the groundwork for these prestigious and well-publicized meetings. If done competently, U.S. officials should be able to induce substantive behavioral changes on the part of Sinhalese officials in return for a minimal commitment of resources. It is equally important for those laying the groundwork to emphasize the benefit of such higher-level meetings to Sri Lanka and its level of legitimacy. Photos and joint-press conferences with U.S. principals will send a strong message to countries in the region and foreign investors that Sri Lanka is on its way toward a stable and productive state.

However, complications could arise when implementing these policies. Tamil separatists still committed to violent insurgency may use this *détente* as an opportunity to rebuild their military capacity. This happened after the 2002 ceasefire when the LTTE used the peacetime to aggressively recruit and rebuild, and there's no reason to think it would not happen again. Second, there will be considerable negative publicity if the United States facilitates a round of negotiations that includes major human rights abusers within the Tamil community. Of course, it is crucial that these individuals are brought to the table. Violent separatists have dominated Tamil politics for nearly 40 years, making it difficult to simply marginalize their influence. Their grievances must be heard and addressed, yet it is politically difficult for all parties to sit down with these separatists at the risk of being called appeasers. Various countries and NGOs will

likely speak out against the proceedings and either refuse to join the reconciliation process, or obstruct its potential progress (Mumtaz, 2004).

### **A Three-Tiered Resolution**

In order to help move the Sri Lankan conflict toward an equitable resolution, a three-tiered approach is recommended for U.S. policy-makers, consisting of **political space**, **incentive-based milestones**, and the strategic use of **prestige**. Political space can be created by limiting the excess external noise that often obstructs reconciliation. Prioritizing private backchannels over public displays of diplomacy can help in this process, while also limiting the political cost for government officials who fear a domestic Sinhalese backlash against power-sharing negotiations. Avoiding such politicization is particularly important in light of the upcoming Sri Lankan elections next year. In order to achieve maximum effectiveness, the United States must coordinate with other relevant actors – India, Norway, the UN, and the EU – to avoid costly mixed-messages that could inadvertently derail the process. As part of these negotiations, a graduated set of incentive-based milestones should be implemented to address specific economic and humanitarian needs.

Many developing countries are increasingly vulnerable during the current global economic downturn, and the prospect of aid or new trade negotiations will be attractive for Sri Lankan leaders. The twenty-five year civil war has also led to a dearth of foreign direct investment. The Sri Lanka government must be made aware of the potential for FDI if it is proactive in creating a stable business environment – which in this context means initiating policies that will reduce the chance of future violence. In order to help encourage these changes, U.S. policy-makers must utilize the prestige of current and former U.S. statesmen. Leaders of

countries with long-standing violence, poor international relationships, or acute ethnic discrimination often look for every opportunity to promote their legitimacy. This is often done by manipulating elections, but meetings or photos with prestigious high-level officials from well-respected countries can also effect this perception. U.S. policy-makers must use this principle to their advantage and elicit positive policy reforms from Sri Lankan officials in return for one of three things: a photo-op, meeting, or official visit with a major U.S. foreign diplomat.

The policies implemented by U.S. officials must create the political space and opportunity for all parties within the political framework to reconcile their differences peacefully and without duress. The most significant danger in the current context is the continued disaffection of Tamil youth. Younger generations grow up believing that their poverty is caused by government policies, which makes them vulnerable targets for those who still wish to push a violent agenda. If Tamil populations are empowered to choose alternate leaders who peacefully promote Tamil causes, the violent separatists may finally be relegated to the fringes of the political debate. Although the elimination of the LTTE was significant in ending the civil war, it has little bearing on future political reconciliation, as the underlying grievances have never been sufficiently addressed. In fact, the current situation may be the most tenuous of the entire conflict. There is a power vacuum which may be seized by opportunistic and frustrated Tamils on the island. While the hot war may have ended, whoever emerges from the power struggle within the Tamil community may begin to engage in an underground, subversive campaign designed to continue the destabilization of Sri Lanka.

History has shown that nationalist and ethnic struggles are very difficult to contain by use of force alone and although it is not always prudent to negotiate with terrorist organizations, the Sri Lankan case is exceptional. Neither side can claim an absolute moral advantage and both

have legitimate grievances. Acute social and economic injustice are two of the most significant roots of the conflict, and no sustainable resolution will emerge without addressing these concerns. Tamils often have a lower standard of living and a lower level of upward economic mobility. And as a permanent minority population, they lack the political influence to enact necessary changes. The policy options outlined above are designed to create conditions necessary to allow for an organic settlement of the crisis, founded upon minority rights, political inclusion, and public safety.

Outside military intervention can never alleviate the discriminatory conditions that have existed for decades. Similarly, the violent separatists will never achieve their stated goals through violent insurgency. There must be a new approach that isolates and then addresses the underlying problems. If the Tamil community in northern Sri Lanka gains access to quality educational and economic opportunities, they will be more likely to reject the radical tactics of violent separatists. Unlike other terrorist groups that subscribe to particular ideologies which call for the defeat of an enemy – religious, ethnic, or otherwise – LTTE goals of autonomy and economic empowerment are not dependant upon the downfall of the Sinhalese. Tamils and Sinhalese became enemies due to British involvement and socioeconomic manipulation; the conflict arose from externalities rather than inherent qualms. Once Tamil communities become more economically stable, joining terrorist operations will be a less appealing option.

The lifeblood of the any Tamil group are Tamil communities in Sri Lanka and abroad. They provide both internal political power and human resources. Leveraging these lifelines through economic empowerment will not only marginalize the violent separatists, but encourage nonviolent Tamil organizations to emerge as legitimate alternatives. At that point, the pressure for results will shift onto the Sri Lankan government, as they will no longer be able to justify

discriminatory policies with the common anti-terrorism refrain. Tamils have been looking for a method through which to attract international support – a return to nonviolence will provide them with all the leverage they need, particularly if the Sri Lankan government rejects the incentive-based milestone approach and maintains its aggressive police and military actions that result in significant human suffering. Ideally, the policies described above will address many of these concerns and they are designed to coordinate an external push for progress with an internal program for Tamil empowerment, ensuring an opportunity for a peaceful and prosperous future for all Sri Lankans.

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