



## **The Logic of the 'Fight and Talk Cycle' in Sri Lanka and the Final Defeat of the LTTE**

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### Abstract

This article explores the conclusion of the ethnic conflict in Sri Lanka, arguing that the ineptitude and counterintuitive tendencies of the Liberation Tigers of Tamil Eelam (LTTE) leadership led to an inability to convert gained advantages on the battlefield into potential advantages during peace negotiations with the Sri Lankan State between 2001 and 2006. At the same time, the transformation of LTTE-controlled areas into a quasi-autocratic state, with the absence of any political vision for sustainable peace, subjected the leadership to a loss of legitimacy both internationally and locally. This political juncture produced new opportunities for the Sinhala State to break the usual 'fight and talk cycle' of the conflict and defeat the LTTE by applying ruthless military tactics.

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## 1. Introduction

In May 2014, the Vice Chancellor of the Jaffna University in Northern Sri Lanka asked students and scholars for their restraint (Tamil Guardian, 2014) concerning protest against the fifth anniversary of the official Sri Lankan victory day on 18 May. Six years ago, the long-lasting struggle between the Sri Lankan state and Liberation Tigers of Tamil Eelam (LTTE) came to a brutal conclusion when numerous LTTE soldiers, the entire leadership, and thousands of Tamil civilians lost their lives.

The entire duration of the LTTE conflict between 1983 and 2009 was comprised of different periods of volatility coupled with drastic violence and more continuous, less-violent confrontations, such as when the Sri Lankan state engaged in negotiations with the LTTE in the 1994-1995 Kumaratunga-LTTE talks and the 2001-2006 peace negotiations. This occurred because the conflict had reached a devastating stalemate, with the result that the Sri Lankan state decided that a military solution was impossible. The Sri Lankan case is a useful example for exploring the interconnected aspects of escalation and de-escalation mechanisms in violent conflict. Exploring these mechanisms is useful to generate new theoretical perspectives for the further development of conflict management and mediation strategies.

Drawing on expert interviews conducted in Germany, France, Norway, and Sri Lanka between May 2013 and June 2014, this study examines the following questions: 'Why was the usual cycle of fight and talk broken in 2009?', and 'What was different in 2009, whereby the military actions of the Sri Lankan army were successful and did not lead to another stalemate?' Almost all the expert interviews confirm that the total defeat of the LTTE was an unexpected outcome. Most of the experts emphasize that no-one—including former President Mahinda Rajapaksa—truly expected that the LTTE could be completely annihilated. A former Sri Lankan Ambassador shares his observation from that time: 'Information I gathered from very intelligent officers in the army was that it would be possible to defeat them temporarily, but impossible to hold territory in Jaffna indefinitely, unless there was a political solution.' (Interview 20 May 2014)

In order to answer the main question of this study, I explore the two 'talk' (1994-1995, 2001-2006) and 'fight' (1995-2001, 2007-2009) periods that occurred between the Sri Lankan state and the LTTE, addressing the pattern of the usual cycle of the Sri Lankan civil war. This approach is helpful in shedding light on the relationships between global and regional factors, which influenced the decision-making processes of the conflict actors. It also addresses the local issues (Katznelson, 2003: 271), such as policy reforms, social and structural developments, and their effect on peace talks.

The main argument put forward is that the ineptitude of the LTTE leadership led to an inability to convert gained advantages on the battlefield into advantages during the negotiation process. Unlike the situation in 1993-1994, by the 2001-2006 peace process the LTTE had converted its controlled areas into a quasi-autocratic state. The absence of

any political vision for sustainable peace under its rule subjected the LTTE to a loss of legitimacy on both the international and local levels. As a result, this political juncture produced new opportunities for the Sri Lankan state to defeat the entire LTTE leadership by applying ruthless military tactics.

In the following section, the article briefly explains the nature of the violent conflict between the Sri Lankan state and the LTTE. This is followed by a section on contributing aspects to the final defeat of the LTTE, that emerged during the field research. In the final section, I conduct an in-depth case analysis, comparatively examining the characteristics of the two peace attempts and escalation periods. I shed critical light on expert perspectives and examine the plausibility of a new explanation within this study.

## **2. The Background and Nature of Violent Action-Reaction**

Sri Lanka lies in the southernmost part of the South Asia. The population of the island is shaped by the two major ethnic groups: Sinhalese (74.9 %) and Tamils (11.2 %). In addition to these, the island includes Muslims (9.2 %) and Indian Tamils (4.2 %), who were brought to the island in 19th century, by British Colonial Rule, as manpower for the tea plantations.

Despite ongoing disputes between Sinhalese and Tamil political parties since the declaration of independence in 1948, it would be misleading to argue that strong Tamil identity, unity, and the emergence of Tamil separatism had been an ongoing issue even before Sri Lanka became a republic in 1972. Indeed, the new constitution formed a centrally constructed political entity dominated by Buddhist religion and culture (Kreuzer and Weiberg, 2007: 106–107; Sabaratnam, 2001: 198–199) coupled with the introduction of unilateral policies favouring the admission of young Sinhalese to universities and the public sector (Bastian, 1985). During this period, the populist argument of the Sinhalese Buddhist mainstream was that they were the only indigenous people in Sri Lanka because the Tamils, Muslims, and Christians all have cultural origins beyond the shores of the island (DeSilva, 2005: 361–362). Moving forward from this assumption, the Sri Lankan state has a duty to protect both the Sinhala language and religion. Moreover, a deep sense of relative deprivation within the Sinhala population at the loss of their strong position—which the Tamil minority had enjoyed under British colonial rule—likewise became a central instrument of the ruling coalition of the Sri Lanka Freedom Party in the south. This was the obvious reason why Sinhala political elites sought to reduce the Tamil-speaking representation in parliament, and turned Sri Lankan democracy into a zero-sum game.

In this political setting, Tamil people in the north began cooperating with each other. A new political party, the Tamil United Liberation Front was formed, which introduced the idea of self-determination to the broader Tamil agenda in 1976 (Tamil United Liberation Front, 1976). Dewasiri underlines the state of affairs at the time as follows: ‘By the Sinhalasation of the state, the Tamil elite lost their former position in the society. They were disillusioned

and unhappy about the situation. They could easily mobilize the masses. They could convert the elite political demand into mass political demand because of the common external enemy, Sinhala political power in the South.' (Interview 08 May 2014). This development opened up a socio-political Pandora's box, confirming Tamil fears of being reduced to a subordinate status (Pfaffenberger, 1991: 243–244), while generating a broad perception within Sinhala community that Tamils threatened the concept of a unified Sinhala-Buddhist-dominated state (Richardson, 2005: 478).

Richardson explains that by the end of the 1970s, there were three different political visions within the Tamil community. Although they now utilized the rhetoric of a separate Tamil Eelam state, the leaders of the Tamil United Liberation Front represented the old order, with its caste distinctions. In practice, they favoured a place within the Sri Lankan state, though with more political autonomy. The second vision was the sceptical Tamil opinion regarding the Sinhala opposition party—the United National Party—which believed that non-violent methods such as protesting and demonstrating could affect change. The third vision belonged to young men who were sympathizers and members of various militant groups, who believed that political violence was the only instrument through which they could attain their goals (see also Hoole and Thirananagama, 1992: 479). The separatist cause was also inspired by regional events, such as the new secessionist state of Bangladesh in 1971, which strengthened the resolve of Tamil nationalists to fight for a Tamil state on the island.

Belonging to the third vision of this political environment, Velupillai Prabhakaran founded the Tamil New Tigers (the predecessor to the LTTE) as the military wing of the Tamil Youth League. This had a socialist agenda and not only struggled against the Sri Lankan state, but also the rigid caste system and the domination of the Vellala (an elite caste of Tamil agricultural landlords) within the Tamil community.

At the beginning of the 1980s, there were various militant youth organisations in the north that were devotees of a separate Tamil State. These groups were involved in assassinations, criminal activities, and sporadic violence, whereby the LTTE emerged as the leader among these groups (Balasingham, 2000: 61–62).

Until 1983, aside from their grievances against Sri Lankan state, northern and eastern Tamil communities had no real mutual understanding regarding their political future, and did not substantially cooperate with each other (Hellmann-Rajanayagam, 2007: 495). Tamil popular support for the LTTE and collective action can be interpreted as a product of the violent interaction with the Sri Lankan state and the brutal conflict management strategy of the Sri Lankan Army (Wickremasuriya, 2003: 218), especially by the anti-Tamil pogroms in the Colombo area in July 1983, and was indirectly precipitated by the government turning a blind eye to the escalating mob violence against ordinary Tamil citizens.

The July 1983 incident caused immediate mass Tamil migration from south to north, as well as out of the country. This event subsequently gave the LTTE the opportunity to utilize the Tamil community's outrage, spurring them to take collective, violent action. Furthermore, it was able to convince the international community of its sincere support for the Tamil cause. This was the political environment in 1983, in which the LTTE escalated the ongoing domestic conflict into a civil war.

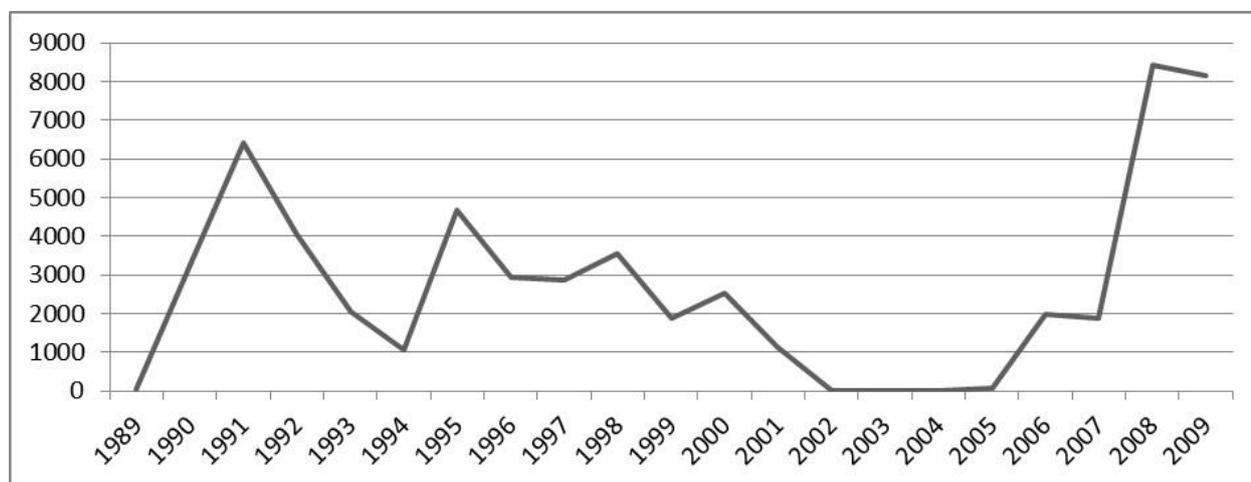
By this turn, as Paikiasothy Saravanamuttu mentions, the LTTE 'hijacked Tamil nationalism, getting the support of highly educated civil engineers, doctors, lawyers [of the Tamil community]. Hijacking Tamil nationalism, they attracted the support of the Tamils all over the world to build a nationalist project.' (Interview 03 May 2014) The framework of the LTTE's nationalist project was described clearly in 2002 by Prabhakaran himself during a press conference: 'Even though we were fighting armed struggle, our objective is political: Political emancipation of our people. We have a political structure. Our organisation is combining politics and military together to form a national movement. It is a politico-military organisation.' (Prabhakaran, 2002)

From the outbreak of the civil war in 1983 onwards, the discourse of the conflicting parties remained constant and unwavering, thus legitimizing their use of violence. The LTTE rejected the assertion that the conflict was merely a minority problem for the Sinhalese government —along with the implication that this problem could be resolved by restoring full civil and political rights to minority communities (O'Duffy, 2007: 268). The LTTE's main claim throughout the entire conflict was based upon power-sharing issues revolving around self-determination. In light of this, the LTTE, at least from its own perspective, was employing a progressive type of violence, best conceptualized by Fanon (2004), to end the domination of the Sri Lankan state over the Tamil Homeland in north and east Sri Lanka.

On the other hand, the Sri Lankan state's use of violence took a dualistic form, consisting of using violence as an ordinary exercise of state power (*Gewalt als Machtaktion*) (Popitz, 2009: 48) to promote security and stability in order to defend the existing political system, based upon the concept of anti-terrorism. Violence was also justified as a populist medium to establish a spiritual cosmic Buddhist order on the island (*Gewalt als Gottesdienst*) (Kippenberg, 2008: 23–24), which appeared as a legitimizing concept for the broad use of state force in this context.

Taking the conflicting parties' constant motives into consideration, Figure 1 demonstrates that after the outbreak of the civil war, the dyadic numbers of battle-related deaths feature multiple waves of escalation and de-escalation up until the end of the civil war in 2009.

Figure 1: Dyadic Battle Related Deaths in the Sri Lankan Civil War between 1989 and 2009.



Source: Author's own compilation based on the UCDP Battle-Related Deaths Dataset v.5-2013.

The figure clearly shows the aforementioned 'fight and talk cycle,' whereby the periods of de-escalation and low-level violence match the periods of peace negotiations, namely the 1994-1995 Kumaratunga-LTTE Talks and the 2001-2006 peace process. Moreover, periods of escalation in 1995 and 2006-2009 highlight the failure of the ongoing peace talks, whereby the conflicting parties were reduced to fighting once again. In light of this figure, the question remains: What was the distinction in 2009, during which time the military action of the Sri Lankan state was successful and did not lead to another stalemate?

In order to address this open question, I offer an analysis of the two aforementioned periods of negotiation and escalation between the Sri Lankan state and the LTTE, where the conflicting parties experienced very low levels of violence before beginning to fight intensively again. In the following section, I demonstrate the various expert perspectives regarding the question posed in this study, which were collected during field research. These perspectives briefly summarize the characteristics of local and global aspects relating to the conflict, as well as their effects on the two peace processes and escalation periods in question.

### 3. Contributing Aspects to the Outbreak of the 'Fight and Talk Cycle'

A series of expert interviews and archival research I conducted demonstrate that the existing expert perspectives to the main question—"What was the difference in 2009 whereby the military action of the Sri Lankan state was successful and did not lead to

another stalemate?’—can be addressed using six different aspects, which I categorize as two interconnected clusters (see Table 1). The first cluster, ‘global and regional aspects’, includes the global trends, the regional political context, and the geographical specifics of the conflict. The second cluster, ‘local aspects’, is related to the structure and decision-making processes of the given actors during the conflict.

Table 1: Contributing Aspects to the Outbreak of the ‘Fight and Talk’ Cycle.

### **Global and Regional Aspects**

#### **A<sub>1</sub>: September 11 and the “War on Terror” Trend in Global Politics**

- A<sub>1</sub> (a): International ban of the LTTE as a terrorist group
- A<sub>1</sub> (b): No Tamil-LTTE representation in international organizations
- A<sub>1</sub> (c): Increasing control over LTTE-related funds in western countries
- A<sub>1</sub> (d): Limited contribution of the diaspora to peace negotiations
- A<sub>1</sub> (e): Western military and intelligent support to the SL S

#### **A<sub>2</sub>: Tamil Nadu Factor**

- A<sub>2</sub> (a): Transnational kin-group cooperation
- A<sub>2</sub> (b): Domestic political calculations of India

#### **A<sub>3</sub>: Indian Power Politics and Security Interests**

- A<sub>3</sub> (a): Ongoing hatred due to the IPKF and the assassination of R. Gandhi
  - A<sub>3</sub> (b): LTTE’s Sea Tigers as a security problem for the Indian Ocean
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### **Local Aspects**

#### **A<sub>4</sub>: Leadership**

- A<sub>4</sub> (a): Changing character of the nationalist Buddhist South
- A<sub>4</sub> (b): Constant and uncooperative nature of the LTTE leadership
- A<sub>4</sub> (c): The Karuna Splitter movement in the LTTE

#### **A<sub>5</sub>: Quasi-Statehood of the LTTE**

- A<sub>5</sub> (a): Transformation into a conventional establishment
- A<sub>5</sub> (b): Low capacity to run a state structure

#### **A<sub>6</sub>: Character of use of violence on both sides**

Source: Author’s own compilation.

### **Global and Regional Aspects**

#### **A<sub>1</sub>: September 11 and the ‘War on Terror’ Trend in Global Politics:**

Almost all experts indicate that the LTTE could not have anticipated the impact of the 9/11 attacks and their subsequent effects on global politics at the time. There is a common perception that the LTTE leadership did not expect that the ongoing ‘war on terror’ debate would be applied to them. Various experts assert that the LTTE’s ban within the international arena as a terror organisation (involving financial and political restrictions),

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the lack of Tamil representation in international organisations, the lack of contribution of the Tamil diaspora to peace negotiations, as well as the international military and intelligence support to the Sri Lankan government were all results of the growing trends precipitated by 9/11 in global politics.

**A2: Tamil Nadu Factor:**

Transnational ethnic kin-group cooperation between the LTTE and the Tamil minority in South India was a known factor in the conflict. From 1983 onwards, the LTTE's main external refuge and support base came from the Indian state of Tamil Nadu, just 30-50 kilometres from the northern tip of the Jaffna Peninsula. Its population of 60 million was naturally concerned, and cooperated with co-ethnics across the Palk Strait. Various experts assert that open Tamil Nadu support to the Sri Lankan Tamil minority declined after the assassination of Rajiv Gandhi in 1991, although strong sympathy and political support for the Tamil cause remained until the end of the conflict. Furthermore, many interviews demonstrate that India's political calculations appear to be a crucial factor in the Tamil Nadu political process.

**A3: Indian Power Politics and Security Interests:**

Almost all the interviewees indicated that India's regional power politics were among the most defining factor contributing to the disintegration of the LTTE. The interviews emphasize India's historical hatred toward the LTTE—based upon the defeat of the Indian Peace Keeping Force in 1987 and the assassination of the Rajiv Gandhi—inhibiting its participation in peace negotiations between 2001 and 2006. Various sources confirm that India broke away from its observer role after 2006 and thereafter began to openly give navy and intelligence support to the Sri Lankan state, deriving primarily from security concerns over the LTTE's Sea Tiger, which operated in the Indian Ocean quite efficaciously.

***Local Aspects***

**A4: Leadership:**

Interviewees indicated that unification of the Sinhala Buddhist political groups of the south brought unusual political leadership to the Sri Lankan state by the 2005 elections. These new hardliner political figures and ideologies were more committed to a military solution than in the past. In addition to this development, the constant uncooperative nature of the LTTE leadership during the peace negotiations between 2001 and 2006 further justified ending the conflict through military means.

Another aspect observed is how defections from the LTTE Leadership—such as the Karuna Split in 2004—resulted in the loss of a great deal of manpower, which compelled the LTTE to collect child soldiers by force to compensate for this deficiency. Throughout

these defections in the leadership, the LTTE began to lose its credibility as the sole representative of the Sri Lankan Tamils in and out of Sri Lanka.

#### A5: Quasi-Statehood of the LTTE:

Many interviewees indicated that the LTTE became a quasi-state, especially during the 2001-2006 peace negotiations, with its public administration offices, conventional army, official law, police and health provisions. This new, bulky establishment changed the entire picture of the guerrilla movement, increasing its expenses and public obligations. As a result of this development, the LTTE leadership was confronted with the dilemma of arguing for their own free state, yet not having sufficient capacity to run a fully functioning state structure—which requires more than military discipline and ideological commitment.

#### A6: Changing Character of the Use of Violence in Both Sides:

Interview results and existing literature indicate that there was a broad change in the use of violence between the two escalation periods in question. Until the escalation in 2006-2007, the Sri Lankan state had used selective violence to hit LTTE targets and tried to defend its territories from the LTTE attacks, while the LTTE used indiscriminate violence, including large numbers of suicide bombers and guerrilla tactics. By 2007, as a result of its new conventional quasi-state establishment, the LTTE began to defend certain territories in the north and east against the government, which was applying ruthless counterinsurgency methods, including indiscriminate, violent attacks on civilian targets and properties under LTTE control.

In keeping with all these aspects, in the following section I offer an in-depth case analysis exploring the specifics of the aforementioned talk and fight phases. Furthermore, I arrange the collected expert perspectives in chronological order.

### ***The Logic of the Sri Lankan 'Fight and Talk' Cycle***

During one of his few interviews, the LTTE leader Prabhakaran indicated in 1991 that the LTTE has 'always been prepared for peaceful negotiations, but [it] has always insisted, and continues to insist, that there should be talks without conditions'; and '(...) As far as we are concerned, the Sinhalese people should first of all recognize the very basis of the Tamil national question.' (Morris, 1991) Controversially, President Rajapaksa underlined in 2008 that 'when they are weak, they call on the international community to arrange a ceasefire. During this period they train and rearm, and then fight back. This time if they want to talk, they should disarm first.' (Reddy, 2008) These two contradictory perspectives historically point out the most crucial element of the aforementioned 'fight and talk cycle,' consisting namely of the security dilemma and mistrust that gradually influenced the functionality of the two peace attempts between 1994-1995 and 2001-2006. In order to more effectively illuminate this cycle, I analyse these two peace processes and the following escalation periods in the section to come.

### ***Love letters to Prabhakaran: Kumaratunga-LTTE talks (1994-1995)***

Chandrika Kumaratunga Bandaranaike came into power as the fifth prime minister of Sri Lanka in 1994. At that time, the intensity of the LTTE violence had already reached a painful stalemate, which even resulted in the assassination of Indian Prime Minister Gandhi in 1991 (Taraki, 1991) and Sinhalese Prime Minister Premadasa in 1993 (DeSilva, 2005: 704), which made the Sri Lankan state consider a military solution impossible to achieve.

Kumaratunga and her coalition government, the People's Alliance, were committed to engaging politically with the LTTE using a pluralistic approach and offering a mutually beneficial settlement, where the 'peace was presented as an end-state scenario.' (Jayasundara-Smiths, 2013; see also Samarasinghe, 1994). Presenting peace as an immediate, favourable end that ensured social and economic development, Kumaratunga was able to gain votes in the communities that had suffered from the ongoing violent confrontations. Harshana Rambukwella described Kumaratunga's political approach as follows: 'In this period, the political leadership was unwilling to push the military offensive to a complete conclusion. Partly due to the fact that the ruling elite was in some ways more open to a peacefully negotiated settlement, and it was also very practical power politics. You needed the support of minority political parties in order to stay in power.' (Interview 27 April 2014)

In addition to the inner political environment of Sri Lanka, there were also some external factors at play. Weliamuna asserted that 'This government was extremely close to the Indian Congress. They would have had certain discussions during that time. And also most of the minority parties [in India] were with the [new Indian] government.' (Interview 22 May 2014) Jayatilaka brings this external dimension one step further, stating that after the assassination of Rajiv Gandhi in 1991, the LTTE 'lost a part of their support, but not all of it. 'You must make a distinction between the government in Delhi and in Tamil Nadu. Although the government of India might have not given direct support to the LTTE, there were elements in the southern part of India continuing to have certain links with the LTTE. Even after the [assassination], there were still arms transfers through the Indian Ocean to Jaffna. If the Indian navy wanted to block this, they could have blocked it.' (Interview 30 April 2014)

The Kumaratunga government declared a cessation of hostilities in 1994 attached to a ceasefire, also initiating talks with the LTTE. Godage remembered this period as follows: 'Chandrika thought [that] she could reach out to [the LTTE]. She wrote 47 letters. We call them the "love letters to Prabhakaran." They also tried to kill her, but she luckily escaped. They were only interested in a separate state.' (Interview 01 May 2014). One other former Sri Lankan diplomat indicated that 'Chandrika was very amateurish in her approach at that time. They were sending senior bureaucrats who were not trained in peace negotiations.' (Interview 20 May 2014)

After the talks began, the LTTE set out four prerequisites for further talks with certain deadlines: eliminating the economic embargo on the LTTE-controlled areas; disassembling the army base in Pooneryn; lifting the ban on sea fishing; and guaranteeing the right of free movement of the LTTE cadres in eastern Sri Lanka. (Loganathan, 2008) However, this was only followed by relaxation of the economic embargo—which was appreciated even by Prabhakaran (Balasingham, 2000)—while the Kumaratunga government ignored the other prerequisites, questioning, ‘how could a government dismantle a symbol of its sovereign control over its territory?’ (Hashim, 2013: 102)

Briefly during the 1994-1995 peace talks, while the Kumaratunga government was expecting the LTTE to keep talking and to remain satisfied with the top-down plan of the Sri Lankan state, the LTTE was in the meantime developing its capacity, while also adding new prerequisites and demanding guarantees for further steps (Balasingham, 2004: 210–211). As a result of the discussions on power-sharing and due to the deep mistrust between the conflict parties, violent confrontations broke out one year later in 1995 when the LTTE attacked a naval base in eastern Sri Lanka.

In response to the LTTE violence, the government implemented an aggressive military offensive, which resulted in a relative military victory by breaking the lines and occupying some LTTE-controlled areas in the Jaffna Peninsula and Mullaitivu by October 1995. However, as de Silva underlines, this military success was relative, because driving the LTTE out of these areas consisted of a ‘geo-strategic blunder which the LTTE exploited to its advantage in a long-drawn-out campaign of resistance.’ (2005: 706). As Figure 1 shows, this violence persisted until 2001. Between 1996 and 1997, the LTTE recovered and regained most of the territories it had lost in 1995. (DeSilva, 2012: 158). In relation to the massive increase in military expenditure made by the Sri Lankan state, the government unsurprisingly launched a major military offensive, Operation Jayasikuru (Victory Assured) in 1997, aimed at opening a supply route to the Jaffna Peninsula through LTTE-controlled territory in Wannai. This mission was eventually cancelled after 18 months of heavy fighting, due primarily to heavy losses in the Sinhala army. Former Sri Lankan soldier M.N. clarified that in this period, the ‘army pays the best you could get [for someone] coming from a small village like me. I was paid 30,000 Rupees as soldier. Now, I am paid 25,000 Rupees as a worker. As I was [a] soldier, in Jaffna, every day, we were scared that our army bus would explode.’ (Interview 17 April 2014). M.N. also remembered that how most of the soldiers close to the LTTE areas sought out excuses to be sent elsewhere.

A conflicting picture was given by a journalist, K. Sites, after having interviewed ordinary Tiger soldiers in their territories. Sites asked the question of whether it is true that the Tigers carried a cyanide capsule during any battle to avoid being caught alive. A young Tiger soldier answered: ‘That’s what it’s for. Not to be captured alive is a tradition in our movement. (...) Everything we do is dedicated to the nation.’ (see also Schalk, 2007; Sites, 2006)

The motivations and the expectations of the conflicting parties were completely different on both the local and regional levels during the 1990s, which also reflects an improbability of the government forces attaining complete victory on the battlefield. The painful stalemate of violent action-reaction between the conflicting parties ended with the peace process in 2001, with Norway and many other Western countries now supporting a non-violent solution between the LTTE and the Sri Lankan state.

### ***Unilateral games: 2001-2006 peace negotiations***

The involvement of Norway into the Sri Lankan peace process was an 'involvement by invitation.' End of the 1990s, both the Sri Lankan President Kumaratunga and the LTTE's political advisor Anton Balasingham confidentially pointed out Norway as facilitator to the negotiations between conflict parties (Balasingham, 2004; Sørbo et al., 2011). Norwegian efforts to establish peace in Israel-Palestine conflict during the 1990s was obviously the most crucial reason for this request (see Schmutzler, 2009).

The peace process between 2001 and 2005 in Sri Lanka was marked by sharp variations in policy reforms, and acute, rapid changes in the political environment. These changes began in December 2001, as the United National Front—comprising the United National Party, Ceylon Workers' Congress, Sri Lanka Muslim Congress, and the Western People's Front—achieved a victory in the parliamentary elections. The new Prime Minister Ranil Wickremesinghe had achieved translation of the Norwegian peace proposal between the Sri Lankan state and the LTTE into policy.

Gunasekera describes the political environment at the time, explaining how 'the LTTE had very sophisticated intelligence and they knew the capacity of the Sri Lankan state. The government had a lot of disorganisation in terms of where the war was going. The government didn't [believe that the LTTE] actually had the capacity to take over the entire country. Also, I think another reason to have the peace process was that the government was out of cash; their own capacity was just so low.' (Interview 05 May 2014)

Owing to the efforts of the United National Front and Norway, a memorandum of understanding was signed by both parties involved in the conflict, paving the way for official talks. The peace process was composed of two stages: the prioritisation of the provision of humanitarian and reconstruction assistance to the Tamil-inhabited regions of northern and eastern Sri Lanka, followed by consideration of a sustainable solution to the conflict through organisation of a federal system (Schmutzler, 2009: 151).

Signed on 22 February 2002, the Norwegian-led ceasefire agreement froze the longstanding military-territorial balance of power between the conflicting parties and segmented a de facto dual-state structure (Stokke, 2009: 935). This new balance in Sri Lanka brought the government and the LTTE into negotiation, and kept them from re-engaging in war until 2007. As the negotiations began, the LTTE was internationally banned as a terrorist organisation. However, although the 9/11 attacks could have been understood as an opportunity for the Sri Lankan government to rally international support

to destroy the LTTE through military means, another attempt at a political solution was made instead.

In 2002, Prabhakaran openly stated in a press conference that the LTTE was sincerely and seriously committed to peace (Prabhakaran, 2002). Various external factors such as the influence of the Norwegian-led peace lobby culminated in a peace initiative rather than an intensified 'war on terror.' Furthermore, during these developments, the LTTE launched an international campaign to repair its image in order to gain some legitimacy in the eyes of foreign governments (the US, Japan, etc.), which played an important role in the ongoing negotiations (Venugopal, 2009: 207).

Norwegian conflict resolution promoted a symmetrical approach between the conflicting parties, regardless of their status as legitimate governments or separatist organisations. Through its dualistic character, the main objective of the agreement was to reach a negotiated solution that recognized the LTTE as the sole representative of the Tamil people in Sri Lanka. Perera described his first impression of the peace talks: 'I attended to the first [round of the] peace talks as a journalist. It surprised me very much, when at the introductory meeting, the head of the LTTE team was introduced by the Norwegian facilitator as 'his excellency.' (Interview 06 May 2014)

Throughout 2002 and 2004, the Sri Lankan state and the LTTE held five highly publicized rounds of talks in Thailand, Norway, Germany, and Japan, all moderated by Norway. Gomez asserted that despite the positive political atmosphere, critics pointed to problems regarding the structure of the negotiations (Interview 28 April 2014). The Norwegian model was criticized in Colombo for giving broad control to the international NGO sector over Sri Lankan politics. Scholars argued that Norwegian-funded NGOs created 'a new form of NGO colonialism via a new dependent class in Sri Lanka.' (Bandarage, 2009: 180). Harshana Rambukwella described the results of these criticisms more closely in stating that 'the intellectuals were very easily delegitimized as sort of foreign NGO-funded people, who had no life in this country, etc. Part of the problem comes from the fact that they operated almost exclusively in English. There were efforts toward working in the vernacular, but that was limited. I would say that there was a vacuum, which was easily filled by the majoritarian nationalists.' (Interview 27 April 2014)

Another criticism of the ceasefire agreement was that the agreement itself was structured with equality in mind, thus indirectly defining the LTTE-controlled areas and the government controlled areas (Jenne, 2003; see Mampilly, 2011). Tamil economist N.M. indicated that 'during peacetime, it was agreed that the LTTE would come close to land area. That was some kind of agreement between two conflict parties and the LTTE will be allowed to hold a particular [expanse of] land.' (Interview 27 May 2014). Consequently, the government encountered heavy criticism from its opponents for having conceded far too much in the ceasefire. Godage asserted that: 'The LTTE was very happy. They could go around the world, diaspora money was coming in. They were heading the goal of a separate state. Norwegians turned a blind eye to what the LTTE did. There were 276

violations by the LTTE of the peace agreement; the monitoring mission had never spoken about that.' (Interview 01 May 2014)

Although most of the criticism came from the Sinhala side, the peace process broke down unilaterally on 21 April 2003, with the LTTE blaming the government for slowing down the process and neglecting the needs of the people in Tamil-inhabited regions. Various interviews attribute the withdrawal to the fact that the LTTE was not invited to a preparatory aid seminar on Sri Lanka held in Washington, DC, on 14 April 2004.

Many anonymous interview partners who were living in LTTE-controlled areas indicated that the aid seminar has been an excuse for the LTTE to end the talks, because the LTTE did not want the Sinhala-dominated state to have any say whatsoever regarding the areas it considered to belong to it. At the beginning of the peace process, it thought that it had achieved its goals through negotiation. However, after the negotiations began, it recognized that this was not possible, and that the Sri Lankan state would never give part of its territory away. Jehan Perera explained one incident as follows: 'I have been once to an international organisation, and the head of it [accompanied] the LTTE top leadership to Switzerland during the 2002 ceasefire period. He said that the LTTE was disappointed. They were quite shocked and confused to find out how much power the Swiss central government enjoyed. They saw that the Swiss [central state] had [much more] power than they imagined.' (Interview 06 May 2014)

Despite the aforementioned challenges, Norway continued to facilitate communications between both sides, while Japan began to play a new facilitator role in the aftermath. At a major aid conference held in Tokyo in June 2003, attended by 51 countries and 22 international organisations, the international community pledged \$4.5 billion for reconstruction and rehabilitation in Sri Lanka. The Tokyo declaration placed strict conditions on disbursement of the funds, calling for protection of human rights, termination of the use of child soldiers, Muslim participation in the peace process, and demilitarisation (De Mel, 2010: 153–156). Related to this development, the government proposed district councils for both the north and the east, with the objective of strengthening the economy, infrastructure, and essential services. However, the LTTE rejected the government's proposals, and in November 2003 put forward its own proposal for an interim self-governing authority (ISGA) as a prerequisite for re-entering talks.

In the proposed form, the ISGA built the LTTE's legal case for self-rule and autonomy for the eastern and northern provinces. This administration provided an authority—including the Sri Lankan state and representatives of the Muslim community, albeit with an LTTE majority—to control administrative and financial functions including taxation, powers to borrow internally and externally, to receive aid directly, and to engage in trade both within and outside of the country (LTTE, 2003).

This proposal for interim LTTE authority sparked a new political struggle in Colombo. Before the proposal could be negotiated, however, a political crisis in Colombo led to

dissolution of the government. President Kumaratunga intervened on the grounds that the LTTE military build-up during the peace process presented a serious threat to national security. While Prime Minister Wickramasinghe was on a visit to Washington, DC, Kumaratunga took over the key ministries of defence, interior, and information, exercising the presidential prerogative to suspend the parliament. This constitutional coup in February 2004, as well as the announcement of new elections for April 2004, fundamentally destabilized the ongoing ceasefire (Bandarage, 2009: 194–195).

Uyangoda briefly painted a bigger picture of the peace process between 2001 and 2004 as follows: ‘Both sides wanted [something] other than the peace effort to use the negotiations for unilateral games. The LTTE would have agreed to a peace settlement, rather giving a unilateral advantage to the government. The government would have agreed to a peace settlement if it gives unilateral advantage to the Sri Lankan state, in the sense of being able to define the terms of the settlement, as well as to be able to [influence] their consequences.’ (Interview 23 May 2014)

### ***April 2004 elections and the peace process***

In April 2004, the Sinhalese nationalist coalition—the United People’s Freedom Alliance (UPFA)—won the elections after a patriotic campaign that portrayed the ceasefire agreement as having endangered national security and sovereignty. As the new government came to power, it promised to make the peace process more transparent, as well as reviewing the role of Norway as a peace facilitator. Moreover, the coalition openly rejected the role of the LTTE as the sole representative of Tamils, and its interim authority proposal.

However, recent political developments on the other side of the island due to the ongoing peace process with the LTTE had a reactive side-effect resulting in the unification of the different streams of the Sinhala Buddhist political south. Under the influence of this new wave of nationalism, the ruling political elite now became more nationalist and more hard-line. It also gained more ground to push a military option, which had not been present during the 1994-1995 peace talks. Fringe groups like Jathika Chinthaya, which was founded in the 1980s, provided the intellectual framework for this growing new Sinhala nationalism. Extremist political figures, such as C. Ranawaka — founder of Jathika Hela Urumaya, the ultra-nationalist Sinhala majoritarian party — had begun to play a crucial role in bringing the UPFA into power. Accordingly, its political thinking now had a tremendous influence on the policies (Rajapaksa, 2005) of the new prime minister, Mahinda Rajapaksa.

### ***Debates on power-sharing: the tsunami and the P-TOMS***

In December 2004, Sri Lanka experienced a destructive tsunami that took about 36,000 lives and displaced over a million people (Alwis and Hedman, 2009: 9). Moreover, it also caused a substantial diversion and alteration of macroeconomic management and development policy. In the aftermath, massive amounts of international aid reached Sri

Lanka for the rehabilitation and reconstruction of the six coastal districts of the northern and the eastern parts of the island that had been most effected by the tsunami (and were controlled by the LTTE). The United Nations also contributed, sending workers to the area to help with humanitarian aid efforts. The EU and the US, among other countries, dispensed millions of US Dollars in aid for humanitarian assistance and rescue missions (Bastian, 2007). This external relief, however, did not allow the LTTE to look after the Tamil population's needs autonomously, and forced the conflicting parties to coordinate their relief efforts with Colombo's special task force.

This external pressure helped to consolidate dialogue between the two conflicting parties. De Alwis remembered this period, in which she had actively participated: 'At the first level it brought people together. There were a lot of stories of how people just rushed to the regions, the navy was rescuing lots of people in areas they may have arrested in another context. But then it shifted, because it was the ceasefire time and the LTTE tends toward very much sort of a federal state. It was the possibility the LTTE also getting funds directly. The issues of sovereignty became very much a problem.' (Interview 28 May 2014)

In this political juncture, under pressure from international donors, the government entered into an agreement to establish the Post Tsunami Operational Structure (P-TOMS), which gave broader control to the LTTE over a regional committee constituted on an ethnic basis (Final Draft MOU, 2002).

The distribution of aid provided Colombo and the LTTE with a new point of contention (Huxley, 2005: 128). Although the LTTE was in control of less than 15 percent of the tsunami-affected coastal belt at the time, P-TOMS would give the Tigers a foothold on the entire coastal belt, giving rise to numerous security concerns. With this in mind, Janatha Vimukthi Peramuna, the government's coalition partner, took the matter to the Supreme Court and stopped the implementation of the internationally supported P-TOMS. An anonymous lawyer explained this in stating that 'the nationalist forces in the south stopped the P-TOMS. And of course, the judiciary played a major role. They were disastrous and they had no clue of reconciliation. The chief justice was very close to the [Janatha Vimukthi Peramuna]. He is very nationalist and doesn't believe the rule of law. I know that he is a political appointment.' (Interview 22 May 2014)

This picture demonstrates one contributing factor as to why the peace process, and thus the transition to peaceful coexistence, failed. After the April 2004 elections, the Sinhalese political establishment, representing the Sri Lankan State, had initially committed to conserving and maintaining the unitary and centralist state (Wickramasinghe, 2014: 355), in the context of which the LTTE's power-sharing demands were seen as unreasonable.

On 17 November 2005, Prime Minister Rajapakse won the election by a narrow majority, opposing Wickremasinghe, the architect of the peace process. There had been a largely effective boycott of the polls in Tamil areas in the northeast, particularly in Jaffna. Various witnesses confirm that Wickremesinghe could have been elected at that time, had the

LTTE not prevented the Tamils from voting. The assumption of the LTTE was that Wickremasinghe had the support of Western governments, and the initiative of 'bringing peace' would be a trap for the LTTE. An anonymous interviewee from Jaffna asserted that 'The people were very confused. They didn't understand why the LTTE did not support Wickremasinghe in the elections. The leadership was nervous about the ongoing socialisation. The cadres were engaging in social activities. They felt that certain values in their military would disappear. They started their own campaign. They had loudspeakers everywhere announcing "the war is going to break out and the last battle is coming up. Wickremasinghe is a fox, you can't vote for him." Eventually, we were prevented from voting.' (Interview 23 May 2014)

Another reason for this new LTTE behaviour was the departure in March 2004 of Colonel Karuna, who had previously proven himself as a capable LTTE commander on the battlefield, as well an important figure in peace negotiations. S.M., a former Tamil child soldier, describes the role of Karuna as follows: 'Karuna was a good fighter, good mobilizer. He had great influence on the Tamil youth. As war began, the wealthy Tamils in the North were immigrating to various Western countries. Eastern Tamils were neither rich nor educated. Karuna was mobilizing these people as soldiers and sympathizers. Karuna had personal problems with the LTTE hierarchy.' (Interview 24 May 2013). In addition, Post notes that by the Karuna split, 'of the 15,000 LTTE fighters, 6,000 joined Karuna's cause.' (2007: 95) As a result, north and east wings of the LTTE began to clash, which was the major blow to the LTTE's claims as sole representative of the Sri Lankan Tamils (DeVotta, 2009: 1036–1037).

As many dynamics in Sri Lankan central politics were changing, the peace process seemed frozen without any new developments in 2005. During this period, the LTTE was using selective violence, focusing on very specific targets. In August 2005, the foreign minister of Sri Lanka—Lakshman Kadirgamar, a Christian Tamil—was assassinated. Six months after this incident, the last round of the peace process took place in Geneva in February 2006. When the LTTE delegation refused to enter the conference room, this marked the end of the talking stage of the usual 'talk and fight cycle.' Jayawardene mentions that 'the LTTE gave an opportunity to Rajapaksa to say "you see! They are not coming for peace. I can't cheat on my people, and I am pursuing a military option."' (Interview 13 May 2014).

### ***Fonny is worse than Johnny: The final escalation***

As a result of the failed peace process, by 2006 and 2007, the conflicting parties re-engaged in warfare with one another, which resulted in a drastic escalation of violence (De Mel, 2010). Both parties separated their lines and closed the main roads, which had been open during the peace negotiations. This last round of fighting during the conflict depicts the changing attitudes and motivations of the conflicting parties.

The government began to launch a comprehensive military campaign on LTTE-controlled areas from October 2006 onward, using indiscriminate violence and causing huge civilian casualties. Almost all the interviewees indicate that the army commander, Sarath Fonseka, was very tough and applied ruthless military tactics without concern for human lives. Williams described this picture as follows: ‘There was a saying at that time: “behind you is Fonny [Fonseka], in front of you is Johnny [small landmines used by the LTTE], but you have to go forward because Fonny is worse than Johnny.”’ (Interview 20 April 2014). J.K., a retired Sinhala journalist, asserts that the changing attitude of the Sinhala Army also caused a significant number of soldier casualties: ‘The most important defence system of the LTTE was minefields. Even if the army removed the mines, they were able to re-mine. [It] was a matter of time. At the end, the chief of the army decided to sacrifice his own soldiers in order to realize a fast attack. The army was using its own soldiers as instrument of mine-clearing.’ (Interview 21 April 2014)

Various experts confirm that the LTTE was simultaneously taking four to five positions and trying to defend them, as well as capturing territory and using civilians as human shields in the hope that there would be such a huge civilian massacre that the international community would intervene on humanitarian grounds and opt instead for a political resolution. The initial reason for these new LTTE tactics could relate to its transformation into a conventional establishment, whereby the leadership gained a defence-oriented perspective in order to retain the borders of their quasi-state that had been built up during the peace negotiations. Moreover, an anonymous interview partner from an LTTE-controlled area explained the shifting behaviour of the Tamil community as follows: ‘The LTTE had a fighter attitude from the beginning on. They also imposed this attitude during the war. As peace talks began in 2002, Eric Solheim, a Norwegian facilitator, brought another kind of attitude. He was extremely optimistic. The Tamil Newspapers, such as *Virakesari*, *Uthayan*, *Thinamurasu*, began to undertake his discourse. The people lost their enthusiasm to fight.’ (Interview 4 March 2014)

Field research results indicate that increasing Tamil public support on the ground during the peace negotiations suddenly declined as the LTTE leadership showed ineptitude in terms of transforming their military success into a peacefully negotiated solution. Additionally, from 2007 onwards, increasing pressure (especially the forced tax and recruitment policies) caused disobedience and discipline problems within the Tamil community (Various expert interviews between March and May 2014). Many Tamil interviewees indicated that they saw the LTTE as their bodyguard, as a ‘necessary evil to deal with the greater evil’ during the conflict; although no one expected an army to rule the people in this quasi-autocratic state.

By 2007, the loss of legitimacy on the LTTE side had created new opportunities for the Sri Lankan state to conduct a purge, using military strategies without any concern for collateral and civilian damage. The military campaign of the Sri Lankan state progressed in different steps and in intensity until May 2009, when the entire high command—including

Prabhakaran and his family—were trapped and killed in Nandikadal (Wickramasinghe, 2014: 363).

Unlike the escalation period between 1994 and 1995, 2007 and 2009 proved to be completely different scenarios, whereby the LTTE-leadership lost both the support of local Tamil population and accordingly external parties (Western states, India, etc.), which were actually not supporting the LTTE, but rather the Tamil cause. Many expert interviews confirm that as a result of these developments, between 2007 and 2009, the Sri Lankan State step by step realised that a military solution is possible.

#### **4. Conclusion**

In this study, I have explored the defeat of the LTTE in 2009, and the break in the usual ‘fight and talk cycle’ of the Sri Lankan civil war. Intensive expert interviews, literature, and archival research demonstrate that the defeat of the LTTE was more related to the ongoing, pervasive power-sharing debates and mistrust. On the one hand, deep hatred and ineptitude within the LTTE-leadership resulted in the inability to convert gained advantages on the battlefield into advantages during the negotiation process. On the other hand, the increasing presence and autonomy of the LTTE through the peace processes contributed to the unification of the radical nationalist Sinhala political south.

Unlike the picture in 1993-1994, by the 2001-2006 peace process, the LTTE had converted its controlled areas into a quasi-autocratic state. The absence of any political vision for sustainable peace, development, and freedom of choice under its rule subjected the LTTE to a loss of legitimacy on the local level. Moreover, by breaking off negotiations and continuing with violent tactics, the profound strategic miscalculations of the LTTE leadership altered the balance between the conflicting parties by swaying opinions among international actors in favour of the Sri Lankan state (Stokke, 2009: 935). As a result, this political juncture produced new opportunities for the government, with the support of regional and international actors—such as India and the US, respectively—to apply ruthless military options under the motto of the ‘war on terror.’

Despite these developments, almost all the interview partners confirm that the international community was not under the impression that the military offensive of the Sri Lankan army would result in vast numbers of human casualties and the total annihilation of the LTTE. Up until the final stage of the war, the Western objective was still to try and keep the government from implementing a ruthless solution. To this end, British Foreign Minister David Miliband and French Foreign Minister Bernard Kouchner tried to negotiate with President Rajapakse.

This case analysis demonstrates how the logic of the ‘fight and talk cycle’ in Sri Lanka refers to the component parts and combinations of various causal streams that link the intensity of ongoing violence to changes in legitimacy and opportunity structures. Interconnected aspects of these causal links in the Sri Lankan conflict were addressed in this study, including underlining the global and local processes within the conflict.

The Sri Lankan case demonstrates that in comparison to the contributing global and regional aspects and trends, the local aspects to the conflict issue, such as leadership, way of regional governance, played a more crucial role for the conflict duration. Exploring these mechanisms is useful to generate new theoretical perspectives for the further development of conflict management and mediation strategies. The holistic analysis of these relations also awaits further methodological development, which would prove useful to generate new research puzzles and questions in order to illuminate the dynamics of various intractable violent conflicts.

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