Abstract

Despite the growing literature on the causes of intrastate conflict, little attention has been paid to the identity of rebel groups. Where rebel groups are introduced, they are represented as rational entities with static interests. Moreover, civil war is represented as a domestic microcosm of neorealist anarchy. This thesis questions the completeness of such explanations and argues that a constructivist analysis of the normative foundations of the international system can provide vital reasons for the longevity of civil conflict. A critical constructivist understanding explains the international system as a communally-maintained normative culture. Ideas form the guiding 'logic of appropriateness' and therefore constitute the identities of the actors in the system. For rebel groups, the logic of appropriateness is actually an 'illogic' as the prescriptions of the dominant norms of normative sovereignty carry inherent contradictions as to what it means to be a legitimate actor. The case studies of the Sudan People's Liberation Movement/Army (SPLM/A) in southern Sudan and the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka demonstrate the effects of the contradictory normative dissonance on rebel group identity and question the likelihood of a successful peace in either country while the dissonance prevails.
# Table of Contents

**ABSTRACT** ........................................................................................................................................... II

**TABLE OF CONTENTS** .............................................................................................................................. III

**LIST OF TABLES** ....................................................................................................................................... V

**LIST OF ABBREVIATIONS** ....................................................................................................................... VI

**PREFACE AND ACKNOWLEDGEMENTS** .................................................................................................... VII

**INTRODUCTION** ......................................................................................................................................... 1

  - Complementary Competing Theories of Civil Conflict ............................................................................. 2
  - Rebel Groups in International Relations .................................................................................................... 3
  - Structure of the Thesis ............................................................................................................................... 5
  - Case Studies ............................................................................................................................................ 6
  - Methodological Issues ............................................................................................................................... 6

**CHAPTER 1: REBEL GROUPS AND INTERNATIONAL RELATIONS** ......................................................... 8

  - **DOMESTIC EXPLANATIONS FOR CIVIL WAR** .................................................................................. 9
    - The Symbolic Politics of Ethnic War ....................................................................................................... 9
    - The Political Economy of Civil Conflict ............................................................................................... 10
  - **REBEL GROUPS AND INTERNATIONAL RELATIONS** ..................................................................... 11
  - **THE ILOGIC OF APPROPRIATENESS** ............................................................................................... 18
    - Normative Sovereignty and the Arbitrariness of Independence ......................................................... 20
    - The Contradictions of Human Rights .................................................................................................... 24
  - **PROLONGING CIVIL CONFLICT: REBEL GROUPS IN SUDAN AND SRI LANKA** ......................... 29

**CHAPTER 2: THE SPLM/A IN SUDAN** ...................................................................................................... 31

  - **A SHORT HISTORY OF SUDAN** .......................................................................................................... 31
  - **SUDAN’S ELUSIVE PEACE: COMPETING EXPLANATIONS** ............................................................... 37
  - **EXPLAINING THE LONGEVITY OF THE SUDANESE CIVIL WAR** .................................................. 40
    - Independence and the First Civil War: Constitutive Factors of Future Rebellion .............................. 40
    - Twenty Years of War .......................................................................................................................... 42
    - The End of the Cold War and the Reconstitution of Rebel Identity .................................................... 43
    - Administration, Human Rights and the War on Terror ........................................................................ 45
  - **THE FUTURE IN SUDAN** .................................................................................................................... 49

**CHAPTER 3: THE LTTE IN SRI LANKA** .................................................................................................... 51

  - **A HISTORY OF TAMIL IDENTITY AND THE LTTE** ......................................................................... 51
  - **ETHNIC AND ECONOMIC EXPLANATIONS OF SRI LANKA’S CIVIL WAR** ............................... 59
  - **THE INTERNATIONAL LOGIC OF THE SRI LANKAN CIVIL CONFLICT** ........................................ 61
    - Pre-Independence, Early Cold War ....................................................................................................... 62
    - Changing Identities: Non-violent to Violent Opposition ...................................................................... 63
    - 1980s: Discourses of Self-Determination ............................................................................................ 65
    - The LTTE’s Administrative Capacity .................................................................................................... 68
    - Terrorism and Human Rights ............................................................................................................. 70
  - **PROSPECTS FOR PEACE IN SRI LANKA** .......................................................................................... 73
CHAPTER 4: CONCLUSION

Similarities between the Conflicts ................................................................. 74
Differences between the Conflicts ................................................................. 76
Practical and Theoretical Implications: the Prospects for Future Peace .... 78

WORKS CITED ................................................................................................. 80
List of Tables

1.1: Outline of Key Arguments
3.1: Ethnic Composition of Sri Lankan Civil Service
## List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>APM</td>
<td>Anti-Personnel Mine</td>
</tr>
<tr>
<td>FP</td>
<td>Federal Party</td>
</tr>
<tr>
<td>ICBL</td>
<td>International Campaign to Ban Landmines</td>
</tr>
<tr>
<td>ICC</td>
<td>International Criminal Court</td>
</tr>
<tr>
<td>ICRC</td>
<td>International Committee of the Red Cross</td>
</tr>
<tr>
<td>IGAD</td>
<td>Intergovernmental Authority on Development</td>
</tr>
<tr>
<td>IGO</td>
<td>International Governmental Organisation</td>
</tr>
<tr>
<td>IPKF</td>
<td>Indian Peacekeeping Force</td>
</tr>
<tr>
<td>IRA</td>
<td>Irish Republican Army</td>
</tr>
<tr>
<td>LTTE</td>
<td>Liberation Tigers of Tamil Eelam</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
</tr>
<tr>
<td>NIF</td>
<td>National Islamic Front</td>
</tr>
<tr>
<td>OAU</td>
<td>Organisation of African Unity</td>
</tr>
<tr>
<td>OLS</td>
<td>Operation Lifeline Sudan</td>
</tr>
<tr>
<td>PDF</td>
<td>Popular Defence Forces</td>
</tr>
<tr>
<td>PLO</td>
<td>Palestinian Liberation Organisation</td>
</tr>
<tr>
<td>R2P</td>
<td><em>Responsibility to Protect</em></td>
</tr>
<tr>
<td>RUF</td>
<td>Revolutionary United Front</td>
</tr>
<tr>
<td>SLFP</td>
<td>Sri Lanka Freedom Party</td>
</tr>
<tr>
<td>SPLM/A</td>
<td>Sudan People’s Liberation Movement / Army</td>
</tr>
<tr>
<td>TUF</td>
<td>Tamil United Front</td>
</tr>
<tr>
<td>TULF</td>
<td>Tamil United Liberation Front</td>
</tr>
<tr>
<td>UF</td>
<td>United Front</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations International Children's Emergency Fund</td>
</tr>
<tr>
<td>UNITA</td>
<td>União Nacional para a Independência Total de Angola (National Union for Total Independence of Angola)</td>
</tr>
<tr>
<td>UNP</td>
<td>United National Party</td>
</tr>
</tbody>
</table>
Preface and Acknowledgements

This work is a final version of a thesis submitted on 26 August 2005 to the University of British Columbia (UBC) in Vancouver, B.C., Canada, in partial fulfillment of the requirements for the degree of Master of Arts in Political Science. I would like to acknowledge and thank Dr. Brian Job, Professor in the Department of Political Science and Director of the Centre of International Relations at UBC for his assistance and support, especially over the past eight months.
Introduction

As a favoured introductory sentence in many scholarly articles on recent civil conflict will tell the reader, the prevalence of intrastate conflict increased rapidly in the 1990s.¹ Academic experts gave many reasons to explain this explosion: from the end of cold-war proxy sponsorship to the awakening of dormant ethnic identities, long suppressed by the communist bloc. Yet these were not the same wars of postcolonial liberation, or revolutionary emancipation that occurred during or prior to the Cold War; these were the "new" wars of the 1990s.² Brutal violence, most often directed against civilians, characterised the new wars. As a result, academic and policy research began to focus on the specific issues in the new wars and on the root causes of these conflicts. Specific issues were those such as landmine use, child soldiers, refugee crises and small arms. Each case spawned an international campaign as transnational civil society pressurised states and intergovernmental organisations for targeted responses. Academic theories proliferated as to the root causes of the conflicts: ancient ethnic hatreds, manipulative leaders and economic incentives to name three.

Conflicts in countries such as Sierra Leone, Angola, Sudan, Sri Lanka, Indonesia and the Philippines became the focus of much of the work on “new” intrastate conflict.³ And in studies on each conflict, one central feature was prominently highlighted, yet remained insufficiently explained: the role of rebel groups. I will use the term rebel group to mean “an armed movement not under state control, with a declared political goal, and a willingness to use force to redress a real or perceived political grievance against the holders of the state power and provider of security to civilians within a country.” This is a more detailed definition than is commonly given when referring to rebel groups. For example, the

---


³ In many cases, such as in Sri Lanka, Sudan and the Philippines, the civil conflicts were not, in fact, new. Rather, the increase in academic and policy studies on the causes of civil conflict inspired by the rise in such conflicts also used “older” wars as case studies. For an interesting discussion on the distinction between “old” and “new” civil wars, see Stathis Kalyvas, "New" and "Old" Civil Wars: A Valid Distinction?,” *World Politics* 54, no. 1 (2001).
International Council on Human Rights Policy’s *Ends and means: human rights approaches to armed groups* defines rebel groups as “groups that are armed and use force to achieve their objectives and are not under state control.”¹ I believe my definition helps separate organised rebel groups from brigands or predatory gangs, who may lack the political motivations for their actions.⁵

Rebel groups are not a phenomenon new to the late 20th century. Indeed, their existence has been a feature - sometimes important, peripheral at other times - throughout the history of warfare.⁶ However, international exposure of the role of rebel groups in civil conflict has increased due to the issues and root causes of conflict explained above. In most cases, rebel groups are strategically disadvantaged compared to the superior manpower and capabilities of national militaries. As a result, rebel groups adopt irregular or guerrilla tactics such as ambushes and hit and run attacks.⁷ This asymmetry in material power is used to explain rebel group use of anti-personnel mines (APMs) or forced recruitment of children for military purposes to somewhat even the battlefield.⁸ Yet analysis of rebel group actions, whether in academic works or policy papers, remains focussed on the interests of rebel groups in terms of material or ideological incentives, not the identity of rebel groups.

**Complementary Competing Theories of Civil Conflict**

Such incentives are summarised in James D. Fearon’s article “Why Do Some Civil Wars Last So Much Longer Than Others?” in which Fearon seeks to establish the crucial factors to explain the longevity of some conflicts compared with the relative brevity of

---

² For a discussion of the definitional issues of rebel groups, see Pablo Policzer, "Neither Terrorists nor Freedom Fighters" (paper presented at the International Studies Association Conference, Honolulu, Hawaii, 3-5 March 2005).
⁴ For a typology of violence in conventional and irregular warfare, see Kalyvas, ""New" and "Old" Civil Wars: A Valid Distinction?." ⁵ It is important to remember that national militaries have been accused of similar practices. Governments have also been accused of using child soldiers in paramilitary forces. The former chief of the Sierra Leone Civil Defence Forces, Hinga Norman (who is currently the national minister for defence), is on trial for offences that include the use of child soldiers.
others. Fearon's conclusions are relatively typical of the plethora of work on civil conflict that has appeared since the end of the Cold War. For example, he concludes that the marginalisation of geographically peripheral minority ethnic groups within a state by the outward migration of a dominant group to the periphery may result in the minority group fighting for land of 'their people.' Or that the opportunity for one or both sides to trade in valuable contraband (be it drugs or natural resources) may result in longer civil wars. Such assertions are empirically supported by a large number of studies that take a rationalist stance in explaining the motivations and actions of rebel groups. The predominant features of such explanations are:

- Civil war is a Hobbesian anarchic situation – the domestic equivalent of the neorealist anarchic structure of international relations.
- Rebel groups are rational actors.
- Rebel group interests are relatively static and are informed by domestic considerations.
- Domestic issues are of central importance, not the international situation.
- A central focus on the economic/material incentives for war/peace. Although the international economic dimensions of civil war are explained, such dimensions only serve to facilitate domestic interests.

While providing valuable insight into intrastate conflict and the motivations of rebel group, Fearon and others share the same fundamental flaw – their analysis primarily focuses on the domestic motivations for, and consequences of, rebel groups in civil conflict. What is crucially missing is a study of the place of rebel groups in international relations (IR).

Rebel Groups in International Relations

This study will attempt to answer two questions. First, how does the structure of the international system affect the identity of rebel groups? Second, what specifically about the

---

structure of the international system facilitates the longevity of civil conflict because of the effects on rebel group identity? In order to answer such questions, this study will attempt to give rebel groups a place in international relations. In essence, rebel groups have no place in IR. This is a surprising situation given that the actions of rebel groups have helped shape IR discourse and have also found themselves affected by the policy results of that discourse.

My argument focuses on the contradictory nature of two of the most important normatively constructed issues in IR: sovereignty and human rights. For the purposes of this thesis, I have chosen to focus on secessionist rebel groups; but the implications of the study are applicable to other civil conflicts. Rebel groups exist in a normative political space whereby legitimate international political actors require normative sovereignty – the mutually accepted principle by other normatively sovereign entities in the international system that you are, indeed, part of this exclusive club. Also required to join this exclusive club is the acceptance of, and adherence, to human rights norms such as non-use of child soldiers and landmines (although current members are not under such obligations). Yet, even if rebel groups agree to follow human rights norms, which may result in a decrease of their military effectiveness, the international community of normatively sovereign states almost always deny rebel groups the right to independence – even if their cause is internationally recognised as just.\textsuperscript{11} Provincial autonomy, or even unitary power-sharing, is currently the internationally-recommended norm for conflict resolution.

As a result, the identity of many rebel groups is in flux because of the normative dissonance between the two competing sets of international norms that act upon their political space. This is why I believe some civil wars last longer than others: the competing sets of norms do not facilitate a discourse of conflict resolution and therefore some civil wars are prolonged indefinitely. Situations of “no war, no peace” between a national government and rebel group are constructed by the regulative nature of the international system. By focussing on rebel groups, I hope to highlight some of the deficiencies in explanations of the longevity of civil conflict as listed above. This analysis has both theoretical and practical

\textsuperscript{11} There a small number of exceptions to this rule, for example East Timor gained independence in 2002. The Indonesian government agreed such a situation, as did the Ethiopian government to Eritrean independence in 1993. However, the case studies in this thesis focus on rebel groups attempting to secede from a host country unwilling to facilitate such an option.
implications for the civil war literature. I also believe that by focussing on the identity and behaviour of rebel groups, I can place the role of rebel groups in IR theory whilst also highlighting some of the limitations of current IR works. In particular I will emphasise the rigidity of some international norms and explain how even so-called “positive” norms can have a “negative” effect on behaviour in IR.

Structure of the Thesis

In Chapter One, I outline my theoretical argument in greater detail. First, I briefly explain two popular methods of explaining the longevity of civil conflict, as highlighted by Fearon’s article: economic opportunity and ethnic marginalisation. I also outline the limitations of such studies in explaining the changing identities of rebel groups. I also allude to the limitations of the main IR theories in explaining the political space of rebel groups in the international system. Second, I outline the current development of constructivist research in IR. Traditional IR theories hold no place for rebel groups, even though neoliberalism accords a place for non-state actors in explanations of the international system. However, the expansion of constructivist works in the past decade has facilitated a greater explanation of the importance of nonstate actors in international politics. These works have shown the importance of studying aspects other than material power as an explanation for international action. Constructivist analyses have highlighted the importance of norms in guiding or forcing international decision-making. They have also shown that the structure of international relations – as a socially constructed phenomenon – can change actors’ identities, which in turn can affect actors’ interests and preferences, which are informed by identity.

Third, I outline the popular historical and theoretical explanations of the notion of “sovereignty” and “human rights” from a constructivist perspective. Both notions are constructed sets of norms and both contain inherent contradictions for rebel groups in comparison to the implications for states. I introduce the notion of normative sovereignty as an explanation of membership in the international system in contrast to the traditional views of Westphalian sovereignty, and elaborate on the current trend in intrastate conflict management for an emphasis on partial autonomy or power-sharing as a solution to conflict.
Fourth, I outline the particular effects the contradictions of the international system have on rebel group identity and activity.

Case Studies

Chapters Two and Three present case studies of two rebel groups: the Sudan People’s Liberation Movement/Army (SPLM/A) in Sudan and the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka. These two country studies provide interesting and contrasting examples of the issues above. While on different continents, the course of the civil war in each country is similar. Even though a recent peace agreement has ended the civil war in Sudan, while the war in Sri Lanka continues, peace in Sudan is a tenuous prospect. Both wars began over twenty years ago and both feature a dominant rebel group led by a dominant leader. In Sudan and Sri Lanka, the civil conflicts began for similar reasons: the economic, cultural and developmental marginalisation of one section of society. However, the construction of rebel identity occurred in different ways. In Sri Lanka, rebellion was a slow process as Tamil political groups initially attempted to find political solutions to Tamil marginalisation in Sri Lanka. It took a generation of Sinhalese discrimination towards Tamils to create a militant youth capable of forming a rebel group such as the LTTE. The SPLM/A in Sudan were formed in direct consequence of the outcome of the first civil war in Sudan. For leader John Garang, armed rebellion was the only remaining option for the south. The case study chapters will examine in greater detail how the formation of rebellion and rebel identity was significantly different in each country, yet the outcome quite similar.

Methodological Issues

The main issue when studying rebel groups is the lack of primary source material. Whilst each group provides information through their websites, the circumstances of the civil conflict mainly preclude first-hand, primary accounts. The SPLM/A and the LTTE both have websites that present their point of view, but it is difficult to corroborate the views
Similarly, historical analyses of each conflict also tend to overrepresent the views of one of the sides in each conflict. Therefore, I have attempted to present a balanced account in each case. However, although a focus on rebel group identity inherently involves some sympathies, writing such an analysis can provide an impression of support for all rebel group actions. Therefore, it is important to note that while the LTTE and SPLM/A can point to the legitimate grievances of their respective populations, there can be no denial of the atrocities committed by both groups. Both groups have repeatedly been cited for human rights violations. The LTTE, in particular, have been responsible for bombings that have killed a number of innocent civilians and political assassinations. The SPLM/A have been responsible for aggravating grievances in the south of Sudan though acts such as the manipulation of international aid for military purposes. However, as this study will show, even acts of human rights abuses happen in an international normative context. Therefore this thesis will help to highlight both the theoretical and practical problems of current literature on rebellion.

Chapter 1: Rebel Groups and International Relations

In December 2004, *BBC News Online* reported on the Sri Lankan peace process in a piece titled “Sri Lanka: No peace, No war.”¹ The report explained that since a ceasefire agreed in 2002, some relative normality has returned to conflict areas. As a result, “both the government and Tamil Tigers are becoming comfortable with the present situation where there is no war, but no peace either.”² This is a situation that has repeated itself throughout the twenty years of Sri Lanka’s conflict, as well as other civil conflicts in the world. The status-quo becomes an acceptable alternative to peace and the conflict continues indefinitely, with intensity rising and falling depending on the willingness of participants to partake in peace processes. Therefore, the question that needs to be answered is that from James D. Fearon’s article, “Why Do Some Civil Wars Last So Much Longer Than Others?”³ Fearon highlights two important issues that have provided the bulk of explanation for the civil wars of the 1990s: ethnic group marginalisation and the economics of illicit goods during wartime. However, I believe such explanations remain too domestic in their outlook and miss the bigger picture. To answer Fearon’s question, an additional question must first be answered: what about the structure of international politics facilitates civil conflict? Ethnic and economic explanations are by no means incorrect, but they miss the fact that rebel group motivations and identities do not exist in a domestic vacuum. By focussing on the identities and actions of rebel groups, who remain undertheorised in IR, and the mutually constitutive structure of international politics, I will show how normative dissonance within the socially-constructed concepts of sovereignty and human rights can preclude a peaceful settlement in a civil conflict because of their effects on rebel group identity.

This is not a simple cause-and-effect argument and as such necessitates an intricate explanation. First, I will online the domestic-oriented arguments of ethnic conflict and economics of conflict. These provide useful starting points for my argument, as they attempt to explain the domestic motivations for group mobilisation and the continuance of war.

² Ibid.
³ Fearon, "Why Do Some Civil Wars Last So Much Longer Than Others?"
Second, I will outline the place currently held by rebel groups in IR theory before explaining constructivist methods of analysing their place in the international system. Third, I will outline the structural reasons for the longevity of the civil wars examined in this thesis: the inherent contradictions of “sovereignty” and “human rights” as sets of socially constructed norms.

**Domestic Explanations for Civil War**

*The Symbolic Politics of Ethnic War*

As both case studies in this thesis have, at some point, been labelled “ethnic” or “religious” wars, I will briefly outline currently prominent theories of civil conflict. Without such an understanding of the domestic origins of these conflicts, an attempt at a broader, systemic explanation for their longevity cannot be established. For this synthesis, I rely on Stuart J. Kaufman’s award-winning book, *Modern Hatreds: The Symbolic Politics of Ethnic War* because of his succinct analysis of the origins of ethnic conflict.4 Beginning with the basics, Kaufman identifies five traits possessed by ethnic groups: a group name, believed common descent, common historical memories, elements of a shared culture (for example, religion or language), and a sentimental or historical attachment to a particular territory.5 An ethnic group only becomes a nation when socially mobilised and seeking self-determination. When ethnic groups mobilise and seek self-determination, war is a possibility if three elements are present: nationalism – a belief that the group should be politically autonomous; chauvinism – one group’s belief of self-superiority compared to other groups; and hostility – viewing other ethnic and religious groups as rivals, or the enemy.6 Whether these preconditions arise is dependent on the core of Kaufman’s argument, that politicians or other group leaders manipulate deeply-rooted historic myths and symbols to create a desire of ingroup solidarity and defence of group interests.

Such emotional-psychological manipulation creates the three conditions Kaufman believes are necessary for war and violence: myths justifying ethnic hostility, ethnic fears for

5 Ibid., 16.
6 Although importantly, Kaufman acknowledges that war is not a definite outcome if all three preconditions are present.
group existence, and the opportunity to mobilise and fight. For Kaufman, an ethnic security dilemma occurs where all sides are openly hostile and willing to fight. Two scenarios can lead to the ethnic security dilemma. First, mass-led violence can occur when myths, fears and hostility are already strong and a new opportunity or galvanising event allows a powerful mass-led ethnic movement to emerge. Such a situation encourages politician to seek support by making “chauvinistic symbolic appeals,” which in turn spur mobilisation. Second, elite-led scenarios can occur when powerful elites; such as government officials, harness ethnic myths and symbols, provoking public fear and hostility, and ultimately group mobilisation and the security dilemma. As Kaufman states, “war results from a vicious feedback loop in which hostility, extremist symbolic appeals and a security dilemma reinforce each other.”

If all three preconditions are present, a spiral of insecurity occurs and once violence begins, which only serves further popularise chauvinist political programs. Such a positive-feedback loop further entrenches ethnic identities and makes a peace settlement very difficult to achieve; peace would effectively require a reversal of the spiral of insecurity.

The Political Economy of Civil Conflict

Fearon’s assertion that illegal contraband may sustain civil conflict, as they allow rebel groups to finance their activities, has received much focus since the late 1990s. For researchers such as the Paul Collier at the World Bank, rebellion and civil war are motivated by the opportunity to benefit from economic activities that are impossible in peacetime. Civil war, and even state breakdown, brings with it an alternative system of profit and power. Such economic opportunity can arise from diverse activities such as looting, drug networks, or even diaspora support. Rebellions can be further fuelled by the presence of natural resources. Collier et al. also explain in Breaking the Conflict Trap that there is a strong correlation between the incidence of civil conflict and a country’s dependence on

---

7 Kaufman, Modern Hatreds: The Symbolic Politics of Ethnic War, 34.
8 First, due to the breakdown of state order, the life of the average citizen is less certain and predictable. Second, the market becomes disrupted and regularised competition breaks down; therefore, there is greater incentive for the state and rebel groups to control primary commodity extraction. Third, civil war increases the scope for rent-seeking activities; this may be from resource control, extortion, protection rackets or looting. Moreover, these rent seeking activities are not limited to non-state actors.
primary commodity exports. Indeed, the international market facilitates the economic interests of the actors involved. Also, rebel groups use violence to enforce specific and alternative local economic agendas in which revenge, vandalism and even atrocities (which serve no traditional military purpose) are used to enforce localised political and economic order through fear. No longer are there institutional restrictions on economic activity as corruption and patronage networks reduce the capacities of the police and possibly the military. Therefore, for all sides involved, Collier notes that "if some people do well out of civil war, they may not be particularly concerned to restore peace.”

Rebel Groups and International Relations

The longevity of civil conflict cannot be explained solely by the rationalist ethnic and economic explanations above. For Kaufman, Collier and others, interests are exogenously given: protection of group identity and economic gain. This is true of much of the civil war literature of recent years, from authors such as Barry Posen, Will Reno, Barbara F. Walter and James Fearon. Much of this work has resulted from attempts to apply the positivist-

9 Collier et al., *Breaking the Conflict Trap: Civil War and Development Policy*. In a previous study, Collier and Hoeffler conclude that the correlation between primary commodity dependence and the potential outbreak of civil war peaks when such exports are around 32 percent of GDP. When primary commodity exports are this high, there is a 33 percent risk of conflict; when primary commodity exports are only 10 percent of GDP, the risk falls to 11 percent. See Collier, "Doing Well out of War," 8. For an examination of the direct consequences of primary commodity exports and civil conflict, see Philippe Le Billon, "The Political Ecology of War: Natural Resources and Armed Conflicts," *Political Geography* 20, no. 5 (2001); Michael Ross, "Oil, Drugs, and Diamonds: The Varying Roles of Natural Resources in Civil Wars," in *The Political Economy of Armed Conflict: Beyond Greed Vs. Grievance*, ed. Karen Ballentine and Jake Sherman (Boulder & London: Lynne Rienner, 2003); Jonathan Winer, Trifin J. Roule, and The World Bank. "The Finance of Illicit Resource Extraction." (2003)


11 In most instances in the "new wars", national police and military forces are almost certainly involved in the same activities as rebel groups. For example, in Sierra Leone, sections of the Sierra Leone military were known as Sobels (from SOLDier reBELS) because during the day they fought the Revolutionary United Front (RUF) insurgency, but during the night they partook in similar activities as the RUF: looting and pillaging of civilians. See John L. Hirsch, *Sierra Leone: Diamonds and the Struggle for Democracy*, International Peace Academy Occasional Paper Series (Boulder & London: Lynne Rienner, 2001), 32.

12 Collier, "Doing Well out of War," 104.

rationalist stance of neorealism to intrastate conflict. For example, Barbara F. Walter argues that "the same anarchic conditions exist during times of civil war as those that exist permanently in the international system." For Walter, peaceful settlement to civil wars is only possible with outside security guarantees; simply put, a well-equipped peacekeeping force with a robust enforcement mandate. Such an explanation assumes exogenous interests, for in neorealist theory a security dilemma occurs because of the anarchic structure and 'self-help' nature of the international system.

There are theoretical and practical difficulties in applying concepts from a structural theory of the international system to those of intrastate relations. In traditional neorealist approaches, rebel groups, as non-state actors, are largely discounted as international actors given their typical disadvantage in material power vis-à-vis state actors in the international system. Therefore, research into the 'ethnic security dilemma' tends to focus solely on the country in question as a microcosm of the international system. Ethnic conflict thus results from rebel group and government distrust of each others' motives - the lack of information or uncertainty problem. Each group has an inherent interest in self-preservation and views the actions of the other as threatening group survival. Once war has begun, the requirement of group survival creates the need to acquire an economic network to facilitate the war effort. Once such an economic network has been established, the economic incentives for continuing the war may outweigh the need to negotiate peace.

Critical Barrier to Civil War Settlement," International Organization 51, no. 3 (1997); Fearon, "Why Do Some Civil Wars Last So Much Longer Than Others?"


See especially, Posen, "The Security Dilemma and Ethnic Conflict."
Table 1.1: Outline of Key Arguments

Theoretically, the rationalist accounts of civil conflict ignore the larger normative context in which civil conflict takes places. The domestic focus of such works tends to isolate the civil war from the larger international environment. Authors such as Collier and Reno factor the international economic links that facilitate, for example, contraband sales. Yet, the international dimensions of these studies are only included as extensions of the interests of the rebel group or the state. No attention is paid to the constitution of the identity of the group and therefore, the normative basis of their interests. Identity is static and interests unchanging. Scholars such as Kaufman have attempted to elaborate on the construction of ethnic identity but again this takes a domestic-only approach. In practical terms, such assumptions can lead to misleading implications for attempts at ending civil
conflict. For example, the implication of the work on the economic dimensions of civil conflict is that targeting the economic supply chains of rebellion can halt the conflict. While this method may affect a rebel group's ability to fight, as was the case in Angola and the targeted sanctions against UNITA,\(^{18}\) it does not provide a solution to the conflict. A second implication is that ethnic identities need to be deconstructed so that warring factions can live side-by-side under a new identity.

However, civil conflict and rebel group activities do not occur in splendid isolation. Rebel group identity is constituted by both domestic events and, importantly, international events (see Table 2.1). While rationalist explanations may support material-incentive peace negotiations, I believe that such peace attempts may founder while the international normative influences on rebel group identity remain unresolved. Peace may prove elusive if negotiated solely on domestic considerations. Therefore, only an account that bridges the domestic-international divide can explain civil war longevity. Neorealist and neoliberal accounts cannot provide such an explanation. However, I believe a constructivist explanation can explain the longevity of civil conflict as resulting from a series of mutually-constitutive responses between rebel groups and the structure of the international system. Therefore, I will utilise a constructivist understanding of the international system to show how the micro- and macro-levels of the international system are co-dependent, non-permanent, and founded on ideas – not material power. Only such an understanding will allow a greater explanation of the agency of rebel groups in the international system. Before turning to my explanation, however, I will outline the key tenets of constructivist analysis.

*Identities, Agents & Norms: the Social Construction of the International System*

Three foundational elements form the core of constructivist thought: that human interaction is primarily shaped by ideational, not material, factors; that the most important ideational factors are widely shared or “intersubjective” beliefs or culture, which are not reducible to individuals; and that these shared beliefs construct the interests and identities of

\(^{18}\) União Nacional para a Independência Total de Angola (National Union for Total Independence of Angola)
purposive actors. Moreover, agents in the international system and the structure of the international system are mutually-constitutive. As explained by Alexander Wendt, "structure exists, has effects, and evolves only because of agents and their practices." From this perspective, the structure of the international system is social, not material, and represents the "distribution of knowledge" of the constitutive parts. How such a structure appears depends on the perspective of the observer, as "objective" facts are primarily contingent on socially constructed beliefs and interests. This is not to say that there are no material realities in the world; the world is not "ideas all the way down." Geography, natural resources and technology represent a selection of material constraints that can influence agents' interests and beliefs. However, there must be a culture that constitutes value in such material realities for them to influence the international system. Therefore, for theorists such as Wendt, there is no objective anarchy in the international system: "the effects of anarchy are entirely dependent on the desires and beliefs states have and the policies they pursue. There is simply no 'logic of anarchy'."

For constructivists, interaction produces culture, which in turn influences beliefs and ideas, which in turn constitute identities and therefore interests. The construction of the international system is a process as agents and structure continually interact to produce the culture, or multiple cultures, of the system. However, such an explanation does not provide an adequate explanation of how commonalities arise, or how the international system can appear to some to have a static structure. The answer lies in the cyclical process of socialisation of actors and the subsequent reconstitution of the international system. As Wendt states, "culture is more than a summation of the shared ideas individuals have in their heads, but a 'communally sustained' and thus inherently public phenomena." In today's international system, the dominant actors - states, governments, multinational corporations, and international organisations - communally maintain the state system as an ideational

20 Alexander Wendt, Social Theory of International Politics (New York: Cambridge University Press, 1999), 185.
21 Ibid., 146. This was formulated from Wendt's original argument that anarchy was 'what states make of it.' Alexander Wendt, "Anarchy Is What States Make of It: The Social Construction of Power Politics," International Organisation 46, no. 2 (1992).
22 Wendt, Social Theory of International Politics, 164.
construct. The state system is composed of shared intersubjective beliefs, or ‘common knowledge;’ for example: the rules of international diplomacy, what constitutes ‘war’, and importantly for this thesis, the concepts of sovereignty and human rights. This does not mean each actor holds identical conceptions of each belief, but their ideas are similar enough that they recognise other actors with similar beliefs. The communally shared culture also creates boundaries of what is acceptable and what is not; or, in other words, what is ‘good’ or ‘bad’. Such boundaries comprise the ‘logic of appropriateness’ – the current normative ‘acceptable rules of behaviour’ in the international system from which actor legitimacy is derived. Because of the mutual recognition of common knowledge, the system can achieve some solidity in practice.

The intersubjective ideas and beliefs that constitute common knowledge in the international system are known as norms, generally accepted as “collective expectations for a given identity.” Research into norms has formed the bulk of constructivist work. The authors of *The Culture of National Security* summed up the constructivist challenge to mainstream IR theories: “[t]he issue...is whether the manifold uses and forms of power can be explained by material factors alone, or whether cultural and ideational factors are necessary to account for them.” In essence, the task was to discover whether ‘norms matter.’ Building on earlier works on epistemic communities and global prohibition regimes, these and other authors showed that the cultural environment, created by mutually-constitutive beliefs, ideas and norms, helped regulate (proscribe) and constitute (define) actors identities in ways that were not easily explainable by simple material power arguments. Various studies discovered that explanations of material power were not

enough to account for certain state actions such as the non-use of chemical weapons, the end of apartheid in South Africa, and the end to slavery and high-seas piracy.26

The second wave of constructivist norms research delved deeper into the agent-structure relationship. Rather than solely explaining that norms matter, the goal was to provide a more detailed explanation: where do norms come from, how do they come to prominence, and how do they directly influence agent behaviour? Finnemore and Sikkink propose that norms go through a norm 'life cycle,' although such a progression is not guaranteed.27 During the lifecycle, new norms contest older, more established norms, the validity of which rest on the current logic of appropriateness.28 Therefore, the success of norm promotion may depend on a campaign whose position, in concordance with the beliefs and norms of the current political culture, is difficult to argue with.29 To achieve this end, success may depend on how norm entrepreneurs graft the issue to already widely accepted norms. As Richard Price states, “numerous scholars have noted that an important factor in norm development is how well the norm resonates with already established norms.”30 As well as grafting an issue, norm entrepreneurs can frame their cause to enhance popular appeal and to contest current normative beliefs.31 In order to promote their cause, norm

27 Finnemore and Sikkink posited that first, norm entrepreneurs call attention to specific issues that they feel need addressing. If norm entrepreneurs are successful in gaining support for their cause, their position may be difficult to argue with. Second, there follows a norm cascade, whereby support for the norm is highlighted by a high level of institutionalisation in international organisations or international law. Third, internalisation occurs, whereby the norm becomes part of the accepted mutually-constituted international culture and achieves ‘taken for granted’ status. For a detailed explanation of the norm life cycle see Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organisation* 52, no. 4 (1998).
29 Amitav Acharya has also noted that norm ‘recipients’ may not accept the norm as-is and that a process of localisation may take place whereby the norm is accepted insofar as it fits with local beliefs and practices. Amitav Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organisation* 58, no. 2 (2004).
31 Richard Price notes that the International Campaign to Ban Landmines framed their cause as a humanitarian issue rather than a disarmament issue, thereby creating a simple cause-and-effect argument to ban the use of anti-personnel mines. See Ibid.
entrepreneurs may build international coalitions, linking domestic and international actors to create sustained pressure for change. Moreover, Martha Finnemore has shown that actors can also learn behaviour from the international system. And while constructivists accept that actors may adopt new norms for purely instrumental reasons in such situations, many scholars agree that the socialisation process means that for dissident actors: “the more they accept the validity of norms and the more they engage in a dialogue about norm implementation, the more they are likely to institutionalise [the norm].”

The Illogic of Appropriateness

Such a structural analysis of the international system provides a method of analysis that can provide a much deeper examination into the longevity of civil conflict and the motivations of rebel groups. Importantly, the current structure of the international system is comprised of two important normative elements that are seen as ‘good’ from the perspective of most scholars: state sovereignty and human rights. Importantly, one recurring criticism of constructivist research has been the focus on ‘good’ international norms. However, as noted by Finnemore and Sikkink, “by definition there are no bad norms from the vantage point of those who promote the norm.” Therefore, a communally-maintained system can create amongst the actors a self-interest in the iteration and replication of ‘good’ communally-held normative beliefs. As Wendt states: “social systems can get ‘locked-in’ to certain patterns of the logic of shared knowledge adding a source of social inertia or glue that would not exist without culture.” This is not exogenously-given neorealist self-interested egoism; constructivist self-interest is an endogenously constructed belief, mutually-constituted by the actors in the system. Such a cultural system creates normative criteria of

---

37 Wendt, *Social Theory of International Politics*, 188.
what is ‘legitimate’ and ‘good’ from the perspective of the actors involved. For example, the dominant legitimate actors in the current international system are sovereign states, as defined by the logic of appropriateness. A self-interest in maintaining the state-system is therefore constituted in state identity; state sovereignty is a communally-accepted ‘good’. Therefore, what happens if two or more of the ‘good’ norms of the logic of appropriateness are inherently contradictory? What if the logic of appropriateness is actually an ‘illogic of appropriateness’ that produces undesired or ‘bad’ results in the international system?

State sovereignty and human rights are two sets of normative beliefs that have helped constitute the identities of rebel groups and also constrained their actions. Thus, an account of the place rebel groups have in this contradictory structure of the international system can provide the important international cultural background to the domestic theories of Kaufman, Collier and others. In short, the identities of the rebel groups studied in this thesis are in flux as they seek the legitimacy that mutual recognition, according to normative criteria, confers upon actors in the international system. Yet they are denied such legitimacy by the dominant actors in the international system (states) because they threaten the foundational normative elements of the current logic of appropriateness. On one hand, to be a legitimate actor is a duality: a sovereign state that follows widely institutionalised human rights practices. Other actors exist and can affect the international system – NGOs, MNCs, and IOs – but all reify the state system in their practices, essentially being ‘creations’ of the state. On the other hand, the secessionist rebel groups in this thesis have been denied outright statehood, yet are encouraged to follow human rights practices. However, even recognised states do not all follow human rights practices. As the case study chapters will show, such normative dissonance can constitute multiple identities for rebel groups: representatives of a marginalised section of society, representatives of a ‘nation’, illegitimate human rights abusers, liberation movement, secondary partner in peace negotiations, equal partner in peace negotiations, or they may possess no official identity if unrecognised by the dominant actors in the international system. To understand why, I will now turn to an explanation of the normative foundations of the current logic of appropriateness.
Normative Sovereignty and the Arbitrariness of Independence

Sovereignty is usually regarded as the defining institution of modern politics. An organising principle based on territorial political independence, sovereignty lies at the heart of the modern state system. The basic assumption is that of political independence, that "there is a final and absolute political authority in the political community ... and no final and absolute authority exists anywhere." Sovereignty is nearly always viewed from an absolute perspective: that it is a static, singular concept that is now being challenged by the economic, political and technological forces of globalisation. In one of the more recent works on sovereignty, Stephen Krasner attempts to show that sovereignty can be viewed from four static perspectives. Assuming that all state leaders "across time and space" want to stay in power and promote the "security, prosperity, and values of their constituents," Krasner believes state leaders only follow the 'norms' of one of these forms of sovereignty if such a course of action will maximise benefits. Therefore, for Krasner, sovereignty is no more than "organised hypocrisy" as leaders choose whether or not to follow the rules of sovereignty depending on the benefit they gain from doing so. Krasner dismisses the normative elements of sovereignty, arguing that the logic of appropriateness has no bearing on state leader's decisions.

However, Krasner denies the logic of appropriateness, yet also argues that sovereignty "involves a mutually recognised right for an actor to engage in specific kinds of activity." This appears to undermine his argument because for there to be mutual recognition, there must also be a culture; and for there to be a culture, there must be a guiding logic of appropriateness superseding individual rational calculations. Like Krasner, many

---

41 Ibid., 7.
42 Ibid., 10.
studies neglect to incorporate this normative nature of ‘sovereignty.’ Sovereignty is not a singular concept, but a collection of normative elements that can be contested and change. Essentially, there exists normative sovereignty – the meaning of which can change depending on the current logic of appropriateness. Normative sovereignty carries prescriptive elements of what it means to be a legitimate actor – in the current logic of appropriateness, a sovereign state with control over political independence and territorial integrity. As Chris Brown states: “it is not simply the fact of autonomy which makes a difference; the claim to autonomy symbolised by the term ‘sovereign’ and ‘sovereignty’ is itself important... [i]n the former case, autonomy is contingent, in the latter it is built into the rules of the game, it is a constitutive rule which defines the nature of the relationship.” And because the nature of the relationship can change over time, because norm contestation can occur over many years of a norm lifecycle, there will never be an absolute definition of sovereignty. However, because culture is slow to change, several scholars have established the importance of certain norms at different times. Such studies can enable an examination of the effects of such norms on rebel groups, which are denied normative sovereignty despite acting in accordance with many of the norms of the current logic of appropriateness. For the purposes of this thesis, the most important of these are norms of territorial integrity and political independence, self-determination and decolonisation.

Mark Zacher notes that the late twentieth century has seen a “growing respect for the proscription that force should not be used to alter interstate boundaries.” The ‘territorial integrity norm’ proscribes the use of force in changing state boundaries. Zacher presents several reasons for the robustness of the norm in the post-war period, both ideational and instrumental. However, the effects have been quite pronounced: in the post-war period, where UN membership has increased from 50 to 192, there have been very few cases of coercive boundary changes. Since 1976, there have been no successful cases of territorial

---

45 First, the perceived relationship between territorial aggrandisement and major international wars. Second, power relations between possible territorial aggressors and the major powers supporting the norm (such as the international response to Iraq’s invasion of Kuwait in 1990). Third, the costs of territorial aggrandisement compared to the benefits in today’s world. Fourth, moral predispositions concerning territorial aggression.
aggrandizement. Importantly, for the case studies in this thesis, Zacher also notes that the successor states to the USSR and Yugoslavia all retained their former administrative boundaries as their new international borders. Such examples provide evidence of the contradictory nature of the current logic of appropriateness. For rebel groups such as those in Sudan and Sri Lanka, independence utilising existing sub-boundaries of administration is not an acceptable option for the international community, even though their ‘host’ countries originated in such a way. Yet, secessionist rebel groups have been socialised by a post-war international system that has provided many examples of successful armed independence movements; in particular, the decolonisation movements of the immediate post-war decades.

The end of the First World War saw Woodrow Wilson’s ‘Fourteen Points’ call for self-determination of peoples under foreign rule. Although never intended for anyone other than those nations previously under control of the Hapsburgs and Ottomans in Europe, Wilson succeeded as a norm entrepreneur. Wilson’s ideals generated reactions in the international system that remain in effect today, as the ideals of self-determination still contest the more dominant norms of sovereignty. Decolonisation movements based on such ideals gathered impetus prior to the Second World War; although for the case studies in this thesis, the post-war decolonisation movements provide much of the incentives for the secessionist groups discussed. Moreover, while various studies have postulated that decolonisation occurred for both moral and instrumental reasons, for the purposes of this thesis an examination of the reasons for decolonisation is less important than the implications of the decolonisation movement.

Decolonisation helped both constitute and regulate the post-war international system. For rebel groups, decolonisation provided evidence that self-determination was applicable to

---

46 As he arrived in Paris, Wilson remarked to his propaganda chief, “I am wondering...whether you have not unconsciously spun a net for me from which there is no escape.” He recognised that self-determination for all groups was, perhaps, an impossible promise. See Margaret Macmillan, Paris 1919: Six Months That Changed the World, 1st U.S. ed. (New York: Random House, 2002), 15.

'nations' under foreign control. Article 1 of the Charter of the United Nations explicitly states that the purposes of the UN, after international peace and security is to: "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace." Wars of decolonisation were fought over such issues and helped foster the ideas that sub-regional groups could also achieve independence. However, Article 2 of the UN Charter states: "The Organization is based on the principle of the sovereign equality of all its Members." A direct result of this was the process of decolonisation followed previously existing colonial administrative boundaries, rather than linguistic, ethnic, or cultural lines. Therefore, two central foundations of the post-war logic of appropriateness reflected a cultural paradox that persists to this day. Decolonisation to the extent of previously-existing colonial administrative boundaries was as far as a norm of self-determination would develop, as the norm of territorial integrity remained superior to a norm allowing sub-colony secession. The result is that partial autonomy or power-sharing remains the current solution to civil conflict. The dominant beliefs of normative sovereignty, political independence and territorial integrity, meant keeping the status-quo, even if control of those territories shifted from colonial powers to independent states. Yet, by allowing decolonisation as a communal 'good,' the constitutive actors of the international system helped to define self-determination as an acceptable path for colonised groups to follow. This meant that secessionist movements outside of the colonial context, who sought to invoke the rhetoric of self-determination, inevitably came up against central governments, which could rely on the

49 Ibid.
normative foundations of the logic of appropriateness, of territorial integrity and political independence, to preserve the borders of the states they represented.

As the case studies in this thesis show, governments have willingly utilised the norms of territorial integrity and political independence to win international support for their fight against insurgent rebel groups. The logic of the international system placed superior value in these norms for different reasons at different times. During the Cold War, strong states were necessary as buffers against the USSR or the West. Immediately after the Cold War, international attention remained focussed on the government of a state as the legitimate actor in the international system because, as explained above, normative change is a slow process. Greater attention was paid to the reasons for state failure and some legitimacy was given to rebel groups with legitimate grievances, primarily on the grounds of human rights abuses, as will be discussed below. However, in comparison to rebel groups, because of the dominant norms of the international system, governments still possessed greater legitimacy as actors. The War on Terror has only served to reinforce the importance of state-strength, as failed states may facilitate terrorist activities by non-state actors because they lack governmental control over all areas. Therefore, normative sovereignty still carries the prescription that sovereign states are the legitimate actors in the international system. And the concept contains a paradox, or normative dissonance, that essentially precludes statehood for secessionist groups.

The Contradictions of Human Rights

The changing human rights regime also carries a similar conundrum that relates to state sovereignty. In essence, rebel groups are encouraged to follow human rights laws and norms; the prescription being that this is what legitimate actors in the international system do. Yet, as explained above, normative sovereignty still contains norms that preclude full legitimization of rebel groups, preventing independence and statehood. Moreover, not all legitimate actors in the international system follow human rights norms, preferring to emphasise the political independence norm of normative sovereignty. Indeed, the governments of the countries in the case studies have been accused of human rights abuses, primarily for their response to rebel group activities. As Richard Falk argues, "such
oppression seems legally correct according to stricter international law accounts of the doctrine of self-determination as limited to repudiation of alien rule only at the level of the state." Indeed, international censure by the UN or other states of human rights abuses is primarily reserved for the rebel group activities. As explained earlier, culture is a communally sustained phenomena and is therefore difficult or slow to change. The beliefs of normative sovereignty do not currently include a definitive protection of human rights. At the beginning of the 21st century, there is a contestation between older norms of sovereignty and that of emergent human rights beliefs. Even though some human rights beliefs have been enshrined in international law and international covenants, there is still a pre-eminence of older norms of sovereignty such as territorial integrity, political non-interference, and limitations to self-determination and independence. There appears to be a slow progression towards parity between rights as a state and the rights of human beings, but the current logic of appropriateness has fostered intrastate conflict and helps to prevent peaceful cessation of such conflicts.

The dissonance between the competing beliefs of normative sovereignty was relatively absent during decolonisation. Chris Reus-Smit provides a convincing argument that "the right to self-determination only triumphed because it was skilfully grafted in to pre-existing human rights norms." For Reus-Smit, linking human rights and self-determination, especially to prior norms against slavery, was required to overcome the paternalistic arguments of the colonial empires. Only independence could adequately administer full

---


53 Here I am referring to the International Commission on Intervention and State Sovereignty (ICISS) report, The Responsibility to Protect (R2P). The debate over contingent sovereignty – that sovereignty is dependent upon the protection of the human rights of a state's own citizens – is fiercely contested by states whose governments still adhere to the norm of political independence. A change to the current logic of appropriateness that places the tenets of R2P above those of political independence will only occur if the common knowledge culture of self-interest shifts to accept them. For more information on R2P, see International Commission on Intervention and State Sovereignty, The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty (Ottawa: International Development Research Centre, 2001). Also see the Commission's website at http://www.iciss.ca/. For a theoretical overview of the emergence of norms of individual rights within a state, see, Matthew Morgan, "The Devolution of Political Being: From State Sovereignty to Individual Beings," The Review of International Affairs 3, no. 1 (2003).

human rights to citizens. Therefore, human rights and independence became closely linked in the normative discourse, as "juridical sovereignty became the right of all colonies, producing and protecting an array of empirically weak states, but this right was granted on the ground that it was a necessary precondition for the satisfaction of basic human rights."\(^{55}\) The focus was on individual rather than collective rights, as a result of the delegitimisation of nationalism following the Second World War. As J. Samuel Barkin and Bruce Cronin state, self-determination was limited to decolonisation in that the logic of appropriateness dictated that: "as long as all of the people within boundaries have equal access to government and the government does not try to control any people outside of those boundaries, the requirements of self-determination have been filled."\(^{56}\) The newly created post-colonial states of Africa and Asia met these requirements according to the dominant mutually constituted beliefs of the international system. Further disintegration of the state system was not acceptable. Minority rights did not supersede state rights.

Norm entrepreneurs have promoted the issue of minority rights since the end of the Cold War. However, apart from the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, success has been limited.\(^{57}\) Even the Declaration declares the superiority of the dominant norms of normative sovereignty in Article 8: "Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States."\(^{58}\) Indeed, minority rights legislation has largely been confined to the European Union and universality appears a distant prospect.\(^{59}\) For rebel groups, the lack of international minority rights norms provides more evidence that independence is the only path to follow. Furthermore, the

\(^{55}\) Ibid.: 536.
\(^{56}\) Barkin and Cronin, "The State and the Nation: Changing Norms and the Rules of Sovereignty in International Relations," 123.
\(^{58}\) Ibid.
growing pressure on rebel groups to follow individual human rights norms, whilst simultaneously being denied collective rights, can further entrench civil conflict.

It is partly the actions of rebel groups, especially since the end of the Cold War, which has encouraged the upsurge in human rights awareness. The increase in human rights NGOs and the increase in academic research into civil conflict has precipitated a more robust prescription in the logic of appropriateness that rebel groups will not be perceived as legitimate – or even recognised – unless they follow human rights practices. The cause of the rebel group may be recognised as legitimate, such as in Northern Ireland and Palestine, but to achieve recognition in their role as representatives of a cause, they are required to follow the norms of the logic of appropriateness. However, by following human rights practices, rebel groups can put themselves at an even greater material disadvantage since following such practices invariably restricts their methods and means of warfare. And there is no guarantee that the state will also follow such restrictions. This is especially true of two state-based campaigns: the International Campaign to Ban Landmines (ICBL) and the Coalition to Stop the Use of Child Soldiers. Rebel group responses to these campaigns are examined in the case studies.

The evidence shows that rebel groups attempt to follow such campaigns – whether for instrumental or moral reasons – because the logic of appropriateness prescribes that to follow such actions will increase their legitimacy. The denial of such legitimacy only creates further opportunities for ethnic entrepreneurs to manipulate identities with a grievance.

---


62 Due to the difficulty in obtaining primary source material from the rebel groups in the case studies, it is difficult to ascertain the reasoning behind adhering to such norms. However, while rebel group motivations may be entirely instrumental, this action stems from an identity that has been constituted by the logic of appropriateness. According to the human rights norms of the current logic of appropriateness, to follow such norms is 'right,' although the dominant norms of normative sovereignty currently supersede human rights norms. Importantly, as constructivist scholars have argued, even minimal instrumental adherence to norms makes it difficult to reverse such adherence.
discourse. However, the corresponding lack of support for their cause vis-à-vis the automatic support given to the host government, despite the rebel group following such humanitarian norms, sometimes results in only weak adherence to the norms. Periods of 'no war, no peace' occur when rebel groups attempt to follow human rights norms in instances of peace negotiations, as increased legitimacy, from recognition by the international community, is of utmost importance during peace negotiations. However, if rebel grievances and demands are not addressed, war may return quickly, with a corresponding worsening of the human rights situation. Indeed, rebel groups may graft their cause to human rights issues, or frame their cause in human rights language in a similar way to the decolonisation movements identified by Reus-Smit. As the case studies will show, there are sometimes instances of human rights one-upmanship between a rebel group and their 'host' state government. Both the rebel group and the government attempt to convince the international community of the moral superiority of their cause by pointing to the others' human rights abuses; yet by default the government receives almost automatic support.

Legally, rebel groups are bound to the international human rights conventions and laws that their 'host' state has signed and ratified. Because of the dominant norms of the logic of appropriateness, this adds further legality to government responses to rebel group activities, even if they result in human rights abuses. Therefore, even in international law rebel groups occupy an ambiguous legal position. The more dominant norms of normative sovereignty prevent independence and therefore international accountability; yet the normative prescription of human rights norms demands accountability for actions. There is a debate in international relations that the more traditional norms of normative sovereignty are slowly losing a battle of contestation with norms of contingent sovereignty, such as the Responsibility to Protect, and the challenge to political independence represented by the International Criminal Court (ICC). Such a change may happen, although as Alexander Wendt states: "there is no historical necessity, no guarantee, that the incentives for progressive change will overcome human weaknesses and the countervailing incentives to

---


64 Although it must be noted that the ICC is for individuals who violate human rights norms and conventions and whose state is unwilling to prosecute domestically.
overcome the status-quo: the passage of time may simply deepen bad norms, not create good ones.”

Prolonging Civil Conflict: Rebel Groups in Sudan and Sri Lanka

As stated earlier, the normative dissonance in the logic of appropriateness helps constitute multiple identities of rebel groups. The cases of the SPLM/A in Sudan and LTTE in Sri Lanka exemplify the effects of these contradictions, as the case studies will show. The case studies highlight many differences in the domestic causes of the conflict. However, the international normative dissonance described above has created the same outcome in each country: a civil war that has lasted over 20 years.66 The conflicts also exhibit the same entrenchment of ethnic identities as the perpetual denial of rebel group grievances, by governments upholding the norms of political independence and territorial integrity further reinforced a dichotomous divide between host state government and the populace represented by the rebel group. Therefore, the Sudan and Sri Lankan case studies show that while a spiral of insecurity occurred in each country, it is the contradictory nature of the normative international culture that propelled each country to civil war. The dominant norms of normative sovereignty have allowed host governments to receive international support by default, even as the logic of the international system changed from the cold war, to the post-cold war, to the war on terror. Moreover, support for state actions has continued despite the appalling human rights records of successive governments in both countries. This does not exonerate the SPLM/A and LTTE for equally appalling human rights records. However, as explained earlier, rebellion and its accompanying horrors was an option legitimised by the culture of the international system with the delegitimisation of colonialism and the acceptance of partial self-determination. As the case studies will show, rebellion was not an option acceptable to the majority of states of the international system. Moreover, due to the endurance of the conflict, both groups established economic infrastructures to finance their war effort. Therefore, since the beginning of each civil war, the conflict has been prolonged

65 Wendt, Social Theory of International Politics, 311.
66 At the time of writing, Sudan is in the formative period of a new constitution following a new peace agreement signed in December 2004. However, the recent death of SPLM/A leader, John Garang, may affect the success of the peace agreement, as may the promised referendum on southern independence proposed for 2011.
by the normative dissonance in the international system. Peace proves elusive because this dissonance is not factored into peace negotiations.
Chapter 2: The SPLM/A in Sudan

On 10 July 2005, after a 21 year civil war in which over one and a half million people died, the leaders of the Government of Sudan and the rebel Sudan People's Liberation Movement/Army (SPLM/A) signed a new power-sharing constitution in Khartoum.\(^1\) The constitution, which conferred the vice-presidency on SPLM/A leader John Garang, will allow a referendum on southern independence in six years. Only twenty days later, Garang was killed in a helicopter crash while flying back from Uganda.\(^2\) Before Garang's death, even the most positive proponent of the peace agreement felt slightly sceptical as to the outcome of Sudan’s new peace. The death of Garang has placed the prospect of a definitive end of civil conflict in jeopardy. Sudan has witnessed many negotiations between the government and the SPLM/A. Temporary ceasefires have held for short periods, yet a sustained peace has remained elusive.

To provide an international analysis, I will first outline a very brief history of Sudan to contextualise the civil conflict. The conflict is too large and complex to discuss in detail, but I will outline the main points of contention. Second, I will provide a short overview of ethnic and economic explanations of the conflict. Third, I will explain how the changing conceptions of normative sovereignty in the international system have influenced the identities and interests of the rebellion from independence to the present. Fourth, I will examine the contradictions of the human rights demands and implicit proscriptions placed on the SPLM/A.

A Short History of Sudan

Originally invaded by Egypt in 1821, Sudan essentially came under British control with the Anglo-Egyptian Condominium of 1898. Egyptian control had helped develop the economy of the predominantly Arab Muslim north whilst ignoring the south, over which it had little control outside of garrison towns. British control again focussed economic

---

development on the north, with an African ‘southern policy’ that ensured the south was insulated from the north and “virtually ignored economically, politically and socially.” The British had intended that the future of southern Sudan would be with the countries of British East Africa, but Egyptian designs on the north forced a re-evaluation of such a policy. After the Second World War, Egypt presented a strong case in international law for imperial sovereignty over Sudan. The British responded by invoking the principle of self-determination as favoured by the United Nations. The Juba Conference in 1947 was formed to pave the way for a national parliament and the eventual independence of a united Sudan. A legislative assembly was subsequently formed and the government was ‘Sudanised’ by replacing the British administration with a Sudanese civil service. However, southerners were almost completely absent in either civil service administrative positions, or in the legislative assembly.

In 1955, southern soldiers whose British commanding officers had been replaced by northern officers, mutinied after receiving encouragement from Egypt. The mutiny hastened Sudanese independence as the British sought to retreat: “the final paradox of Sudanese independence was that it was thrust upon the Sudan by a colonial power eager to extricate itself from its residual responsibilities. It was not achieved by a national consensus expressed through constitutional means.” Indeed, the ruling classes of the Arab north did not have time to prepare a constitution as independence became reality on 1 January 1956. Sudan became a sovereign nation with a temporary constitution designed by Justice Stanley Baker, which was meant as a temporary means to govern during the transition period.

After independence, politics remained dominated by the Arab north. The two main political parties of the time were affiliated with the two main Islamic sects in northern Sudan. As there was only a small Muslim population in the south, most in the region felt excluded from ‘national’ politics. Attempts by southerners to achieve greater participation in national

---

5 Ibid., 29.
politics by promoting a federal constitution resulted in a military take-over of civilian
government in 1958 and the "implementation of an Arabisation policy in the south (and
elsewhere)." In response to these policies, in 1964 groups of southerners took up arms
against the northern-dominated national government. Demanding independence for southern
Sudan, the "Anyanya" guerrillas were disparate groups of "old mutineers from pre-
independence disturbances, and new politically conscious Southern Sudanese administrators
and students who had been adversely affected by [government programmes]."

The Addis Ababa peace agreement ended the civil war in 1972, following yet another
militarily imposed change of government in Sudan. New President Nimeiri negotiated with
the largest of the Anyanya groups, the Southern Sudan Liberation Movement (SSLM),
agreeing to regional autonomy in the south within a democratic parliamentary system. However, as Nelson Kasfir noted in 1977, there were as many problems created by the
agreement as were solved. In 1980, Nemeira rescinded regional autonomy – a move that
provoked the formation of new rebel groups in the south from both old Anyanya groups and
new members. After southern Sudanese Army battalions had mutinied to join the rebellion,
former Sudanese army colonel Dr. John Garang formed the Sudanese People's Liberation
Movement and Army (SPLM/A), which subsumed many of the disparate groups under a
single banner. Garang’s stated goal was not southern secession, but a secular, unified,
federal Sudan; tribalism and racial distinctions were rejected. However, Garang also
reserved the right of the south to self-determination in the event of intractable differences
between north and south.

---

8 Ibid.
9 Francis M. Deng, "Self-Determination and National Identity Crisis: The Case of Sudan," in The Self-
Determination of Peoples: Community, Nation, and State in an Interdependent World, ed. Wolfgang F.
10 Kasfir noted that northern opponents to Nemeiri's deal were merely waiting for the agreement to fail before
taking charge. It appears they were right: the provisions of the agreement were essentially neglected.
Moreover, the southern parties to the agreement did not reflect an adequate sample of the southern population
and by 1977 southern opposition was growing to the broken promises of Addis Ababa. See Nelson Kasfir,
"Southern Sudanese Politics since the Addis Ababa Agreement," Journal of International Affairs 76, no. 303
11 Ann Mosely Lesch, The Sudan: Contested National Identities, Indiana Series in Middle East Studies
The SPLM/A's support increased in 1983 when Némeiri's September Laws instituted Sharia law for the whole of Sudan. Southern support for the SPLM/A was tenuous at this time, as it was initially a predominantly Dinka (Garang's tribal affiliation) organisation. However, two factors helped to change this situation. First, in 1986 Sadiq al-Mahdi was elected Prime Minister after Nemeira was removed from office by the military. Al-Mahdi and Garang met to discuss the stance of the SPLM/A, but negotiations foundered as al-Mahdi refused to repeal the September Laws. Second, in 1987 the SPLM/A changed tactics, which contributed to its growing support throughout the south. Instead of attacking civilian populations to prevent the formation of rival militias, the SPLM/A became more mobile, staying in one place long enough to keep the Sudanese military out, but not long enough to interfere with the local population. Due to the tactical change, between 1987 and 1988 the SPLM/A received more recruits from the south from all tribal affiliations, which helped diminish its image as a Dinka army.\(^\text{12}\)

The increase in recruits facilitated a string of military successes and in early 1989 the Sudanese military demanded al-Mahdi negotiate peace with the SPLM/A. However, the negotiations were brought to a halt when the fundamentalist National Islamic Front (NIF) overthrew the al-Mahdi government, bringing current president Omar al-Bashir to power. To ensure his hold on power, al-Bashir “suspended the constitution, dissolved parliament, banned political parties, forbade civilian associate without government permission, shut down the free press, declared a nationwide state of emergency and set a curfew.”\(^\text{13}\) Al-Bashir declared the civil war a *jihad* and endorsed harsh policies towards the south, such as razing villages, which only furthered SPLM/A support.\(^\text{14}\) The government supported militia groups of nomadic Arabic cattle herders, known as the *murahaleen*, to carry out their policies.

Garang's policy of a united Sudan, in spite of al-Bashir's policies, created opposition within the movement. In 1991, three commanders, Riek Machar, Lam Akol and Gordon Kong split to form the SPLA-United faction. The commanders reasoned that the SPLM/A should negotiate independence for the southern region due to the insurmountable differences

\(^\text{12}\) Johnson, *The Root Causes of Sudan's Civil Wars*, 83.

\(^\text{13}\) Mayotte, "Civil War in Sudan: The Paradox of Human Rights and National Sovereignty." 506.

between the north and south. However, the split was as much due to with internal power struggles within the SPLM/A and the mutual dislike and distrust between Garang and Riek as with ideological differences.\footnote{Donald Petterson, \textit{Inside Sudan: Political Islam, Conflict, and Catastrophe} (Boulder, CO: Westview Press, 1999), 53. Also see, Jok Madut Jok and Sharon Elaine Hutchinson, "Sudan's Prolonged Second Civil War and the Militarisation of Nuer and Dinka Ethnic Identities," \textit{African Studies Review} 42, no. 2 (1999).} The al-Bashir government took advantage of the situation and provided military assistance to the SPLA-United faction. A favoured method of warfare between the factions and the government was the manipulation of food aid from operations such as UNICEF's Operation Lifeline Sudan (OLS). As a result, southern civilians suffered, as the SPLM/A factions fought each other: "the SPLM/A, instead of being a genuine national liberation movement, degenerated into an agent of plunder, pillage, and destructive conquest."\footnote{Peter Adwok Nyaba, \textit{The Politics of Liberation in South Sudan: An Insider's View} (Kampala, Uganda: Fountain Publications, 1997), 52.}

The SPLM/A and the al-Bashir government attempted peace negotiations in 1992 in Abuja, Nigeria. The first round of negotiations failed and a second round, a year later, also produced few results. The government was not willing to relinquish \textit{sharia} law, and the SPLM/A maintained the option of self-determination as a necessary condition for peace.\footnote{Steven Wondu and Ann Mosely Lesch, \textit{Battle for Peace in Sudan: An Analysis of the Abuja Conferences, 1992-1993} (Lanham, Md.: University Press of America, 1999), 85.} Subsequent years saw the resumption of conflict and renewed efforts by the government to remove southerner civilians from oil production areas by consolidating \textit{murahaleen} militias into larger paramilitary Popular Defence Forces (PDF).\footnote{International Crisis Group, \textit{God, Oil and Country: Changing the Logic of War in Sudan}, 25.} Oil revenues were required to pay the $1 million a day war debt, giving the government the financial upper hand in regards to financing the war effort.\footnote{Mayotte, "Civil War in Sudan: The Paradox of Human Rights and National Sovereignty," 507.} So essential were oil revenues to the government war effort that in 2001 the government did not have enough money to pay all of its government employees or pensions; they could, however, still afford to purchase weapons.\footnote{International Crisis Group, \textit{God, Oil and Country: Changing the Logic of War in Sudan}, 26.}

Since 1992, several attempts have been made at peace negotiations between the warring parties. Prior to the current peace agreement, the most successful was the IGAD
process. Beginning in 1993, the IGAD governments under the chairmanship of Daniel arap Moi, president of Kenya (1978-2002), sought to establish a basic Declaration of Principles upon which both sides of the conflict could agree. Several attempts over five years finally produced a draft Declaration of Principles (DOP) that included the right to self-determination for the south. Finally, in 1997, with the government accepted the DOP as “one of many bases on which negotiations could take place.” However, a lasting peace was not negotiated and the people of southern Sudan suffered because of the failure of the peace processes. The result of the combination of the policies of both the government and the SPLM/A and its splinter factions has been decades of war, malnourishment, impoverishment, drought, disease and famine. The war continued in spite of attempts at reconciliation, but neither side gained a significant advantage over the other. By the late 1990s a situation of ‘no war, no peace’ was very apparent.

It was not until July 2002 that the government and SPLM/A were able to come to agreement that could seriously end the civil war. Prior to the agreement, in 2001, Riek Machar and Garang ended their feud, thus reuniting the splinter factions and the SPLM/A. During the same time period, the al-Bashir government began to align itself with the policies of the more moderate Islamic parties in the north. The result of the negotiations was the 2002 Machakos Protocol which granted self-determination for the south after a six year period, and the right to maintain sharia law in the north. The Protocol was followed by the security arrangements of the July 2003 Naivasha Agreement, and then the final peace agreement on 31 December 2004. Six months later John Garang arrived in Khartoum to take his place as vice-president of Sudan as al-Bashir signed the new Sudanese constitution into effect; three weeks’ after this momentous occasion, he died.

---

21 The Intergovernmental Authority on Development (prior to 1997, the Intergovernmental Authority on Drought and Desertification).
22 Johnson, The Root Causes of Sudan's Civil Wars, 175.
Sudan’s Elusive Peace: Competing Explanations

Such a complex civil war is not solely reducible to ethnic or economic theories of civil conflict. However, economic and ethnic explanations have provided valuable insights into the conflict. Ethnic identity theories such as those espoused by Kaufman provide an insight into the construction of the north-south dichotomy in Sudan by rival elites in each jurisdiction. Indeed, Kaufman believes the southern Sudan case to be a perfect example of a loose coalition of rebel groups creating the opportunity to mobilise and fight, rather than attempting to take over local government. For Garang and his fellow southern rebels, there was no shortage of available myths to justify ethnic hostility towards the north. Garang promoted the myth that he “defends” the south from the rapacious government mujahadeen.” Decades of broken promises and reneged agreements from both the British and national governments helped constitute the identities of those in the south as separate from a north wanting to ‘Arabise’ Sudan. Some researchers have pointed to the ‘militarisation’ of southern identities because of the length of civil conflict. Importantly, the legacy of the first civil war and the failure of the Addis Ababa peace agreement helped consolidate the north-south dichotomy. Political, economic and social underdevelopment in the south coupled with successive military governments initiating nationwide sharia law only exacerbated the perception of a threat to the south. Therefore, the three preconditions that Kaufman identifies as necessary for ethnic conflict were present from an early point: myths justifying ethnic hostility, ethnic fears for group existence, and the opportunity to mobilise and fight. However, the spiral of insecurity began twenty years ago. Kaufman’s theory cannot explain the patterns of war, peace negotiations, and further war, or periods of ‘no war, no peace,’ evident in the recent history of Sudan. Therefore, ethnic explanations help to explain the outbreak of the war, but not its longevity or why a peace agreement was reached six months ago.

26 Jok and Hutchinson, “Sudan’s Prolonged Second Civil War and the Militarisation of Nuer and Dinka Ethnic Identities.”
Economic explanations have also falter as an overall explanation of the longevity of the conflict in Sudan. Such explanations have tended to focus on three areas: the general underdevelopment of the south, manipulation of aid from international aid efforts, and the presence of oil in southern Sudan. The underdevelopment of the south compared to the relative prosperity of the north was a particular source of grievances and motivation for southern rebellion. The British continued the Egyptian neglect of the south and attempted to seal off the south from northern influence. As a result, “private economic investment and production were discouraged...there were no organised markets for handling cattle and animal products, and fishermen lacked transportation, storage and credit facilities...the government refused to allow projects to grow tobacco and coffee in the south.” Moreover, there were no government secondary schools in the south until after the Second World War. By the time of independence in 1956, per capita GDP was 119 Sudanese Pounds (SL) in Khartoum, SL71 in the north, SL27-28 in the central parts of the country, and SL12 in the southern provinces. After the Addis Ababa agreement in 1972, $225 million was allocated for southern development in a six year plan. By 1982, only $45 million had been spent on dubious development projects. Government expenditure in the south also became more dependent on external aid, as government revenues were allocated to northern development.

The discovery of oil in Sudan also resulted in further economic marginalisation of the south. Oil exploration began during the 1950s, but it was not until 1980 that Chevron discovered significant oil reserves in the south. Upon the discovery, Nemeiri re-drew the border between north and south, breaking the Addis Ababa agreement and creating a new province called Unity State. This action effectively “brought oil-producing areas under central government jurisdiction.” The subsequent governments of al-Mahdi and al-Bashir have financed their war effort with oil revenues. Attempts at peace negotiations have often foundered on the inability of the SPLM/A and the government to finalise an equitable solution for sharing oil revenues. As a result, the SPLM/A and their various splinter groups

27 Lesch, The Sudan: Contested National Identities, 32.
28 Ibid., 33.
30 Ibid.
have attacked oil production sites and oil pipelines, attempting to disrupt oil supplies and therefore government war funding. In contrast, the SLPM/A utilised international relief efforts to supply their war effort. Despite signing an agreement on Ground Rules for Operation Lifeline Sudan, the SPLM/A manipulated the relief effort, forcing towns or garrisons into starvation whilst simultaneously using redirected aid to manipulate southern support for the war effort.\textsuperscript{31} The alternative system of profit during the civil allowed such manipulation to finance armaments and consolidate support. The international aid effort also aided the government: by relying on international aid to feed the south, the government was able to export sorghum, produced in the north, for “precious foreign exchange, which [enabled] the government to shop in the international weapons bazaar and thus wage its civil war.”\textsuperscript{32}

However, as with perennial underdevelopment, neither the presence of oil nor the manipulation of aid provides a compelling case as the reason for the longevity of the conflict. Neither does an ethnic explanation that ignores how the north-south dichotomy was created and how the dominant norms of the international system created a situation whereby the SPLM/A came to be the representatives of the South. The continuing dominance of the norms of territorial integrity and political independence meant that even after receiving criticism for human rights abuses and being labelled as a state sponsor of terrorist activities, the international community still regarded al-Bashir and his government as superior negotiation partners to the SPLM/A. Thus, Garang and the SPLM/A were regarded as representatives of the south and, as such, were included in a peace negotiations that would incorporate them into the government. Therefore, the same norms helped constitute the identities and therefore the interests of rebellion in Sudan and only by an analysis of this process can the longevity of the conflict be explained.

Explaining the Longevity of the Sudanese Civil War

Independence and the First Civil War: Constitutive Factors of Future Rebellion

Although many of the new states created during the end of the European colonial period inherited the boundaries of the previous colonial jurisdiction, Sudan was created even more arbitrarily than others. Great Britain purposively kept the south “protected” from northern influence, as the British had planned to unite southern Sudan with other colonies in British East Africa. However, a process was underway in the international system that dismissed colonialism as the proper action for a legitimate state. Therefore, the British, wary of Egypt’s designs on Sudan, strategically utilised the self-determination-as-decolonisation discourse to extricate themselves from responsibilities to their colony. Internationally, decolonisation was justified on human rights grounds; British explanations for Sudanese independence were no different. Independence for Sudan was to protect its people from Egyptian colonisation. Moreover, only a united independent Sudan could be assured of survival. The British had initially sought to establish constitutional guarantees for the south, yet expediency meant southern protections were ignored as the British pushed for independence whilst tackling mutinous soldiers in the south. The logic of appropriateness in the international system proscribed colonialism, but did not prescribe any actions, such as constitutional minority protections, other than decolonisation.

As Mansour Khalid explains: “it is ironical...that the very colonial administrators who laboured hard in the 1930s to create cleavages among sects and tribes in Northern Sudan, ended in the 1950s sponsoring Sudanism; al Sudan lil Sudanieen (Sudan for the Sudanese).”

Therefore, the sovereign state of Sudan was created through a discourse of decolonisation. This process was legitimised in the international system through the use of individual human rights arguments. When southerners saw that their human rights were not protected by the newly-formed state, some took up arms against the national government. The Anyanya of the first civil war were the first group to demand secession for southern

---

33 In particular see Johnson, The Root Causes of Sudan's Civil Wars, 24.
34 Khalid, War and Peace in Sudan: A Tale of Two Countries, 59.
Sudan.\textsuperscript{35} It would be difficult to imagine that the Anyanya were not influenced by the self-determination and decolonisation arguments used to grant Sudan and other states independence. Indeed, some of the Anyanya were members of the army battalions who revolted against the British imposition of northern commanding officers.\textsuperscript{36} However, the Anyanya received no international support for their claim to independence, despite their claims to self-determination. Political independence and territorial integrity remained the dominant norms of normative sovereignty. The international system had legitimised self-determination-as-decolonisation, yet the norm had not successfully contested the dominant norms of normative sovereignty any further.

The Cold War only served to reinforce this traditional view of sovereignty. In 1967, Sudan broke diplomatic relations with the US after American support of Israel in the Arab-Israeli. However, there was no rebuke of the Sudanese government southern policies. Moreover, in the face of Soviet expansionism in the Horn of Africa in the 1970s, US relations with the Numeiri regime began to improve. Sudan became an important counterweight to Soviet-backed Ethiopia. Such support allowed the Khartoum government to operate with impunity towards southern rebels, and later to repudiate the Addis Ababa agreement. Most neighbouring nations also refused support for the secessionist movement, as they were also fighting their own secessionist rebels. US support of the government even extended to USAID financing the building of new schools in the south, which the government used for Arabisation and Islamisation of the south through education.\textsuperscript{37} The US also provided military equipment to Numeiri: “by 1983, he [Numeiri] was convinced that he had sufficient hardware from the US to deal with any potential revolts.”\textsuperscript{38} The dominant norms of normative sovereignty meant he would use such means to defeat rebellion without incurring international censure. Such contradictions in the international system allowed Numeiri to renege on the Addis Ababa agreement, which merely added to already powerful myths of southern neglect; myths that the SPLM/A would successfully utilise to mobilise support. British colonial policy and, subsequently, the international support for the

\begin{thebibliography}{99}
\item Lesch, \textit{The Sudan: Contested National Identities}, 215.
\item Johnson, \textit{The Root Causes of Sudan's Civil Wars}, 31.
\item Ibid., 30.
\item Ibid., 58.
\end{thebibliography}
successive Sudanese governments also helped to further entrench ethnic identities and create an artificial dichotomous division of ‘north’ and ‘south’ in Sudan.

**Twenty Years of War**

The support of the US and neighbouring nations for Sudanese political independence highlighted the contradictions of self-determination in the international system. Such a lack of support for the southern movements meant that Garang and the SPLM/A attempted a different method to gain self-determination for the south. The logic of appropriateness of the international system helped to constitute the identity of Garang and the SPLM/A and therefore affected their interests. Instead of demanding southern independence, Garang sought to establish the SPLM/A as a movement for a united, secular, democratic Sudan. Seeking to manipulate grievances primarily in the south, but also from marginalised or disaffected groups in the north, Garang claimed to stand for a united Sudan. Garang learned from the first civil war that the international community would not support a secessionist rebel group in Sudan. Moreover, the socialisation processes of the international system helped constitute the identity of the SPLM/A in such a way that Garang sought to gain international support for his movement using the terms of, in particular, the West: democracy, secularism and territorial integrity. As Garang explained at the Brookings Institution in 1989: “The first fight for a united Sudan was not between the SPLM and the Sudanese army, it was within the SPLM itself because there were people who argued that we should fight for a separate Southern Sudan. Our group said no to that, because it was untenable; untenable in principle, untenable in strategy, and untenable given any other consideration.”

However, the constraints of the Cold War also resulted in Garang combining Western and socialist rhetoric: “the moral decay and all the ills that I have enumerated can only be solved within the context of a united Sudan under a socialist system that affords democratic and human rights to all nationalities and guarantees freedom to all religions, beliefs and outlooks.” Such rhetoric, based on moral arguments that correlated

---


with widespread international norms, sought to gain support by shaming the world into supporting such a cause.

However, in response to the rise of the SPLM/A, Nemeiri sought to utilise the same logic of discourse to appeal to the Arab world and the West for support. To the West, Nemeiri called Garang a puppet of Mengistu with a goal of imposing a Marxist regime in Sudan. To the Arab world, the government appealed for support on the grounds that “Garang would impose an African identity on the Muslim Arab majority in Sudan.” The international community responded these calls for assistance, as the government received military aid from the US and Iran, signed a defence pact with Egypt and signed a military protocol with Libya. Thus, the culture of the international system helped constitute a fluctuating identity for the SPLM/A. The goals of the SPLM/A coincided with the rhetoric of the western world, but recognition for the movement was not forthcoming. The international community saw the government of Sudan in multiple ways: from a strong buffer against communism, to a protector of Arabic identity. But the outcome remained the same – the norms of territorial integrity and political independence overcame any of the grievances of the south in Sudan. Moreover, the SPLM/A retained independence as an option of last resort: “Vernacular broadcasts by Radio SPLA tended to dwell more on grievances against the Arabs (jallaba) than on visions of a united ‘New Sudan.’ There were many in the movement who saw the talk of unity as merely a tactic and separation as the desired goal.” This meant that the international community could justify their support for the government of Sudan, because such a stance was consistent with the dominant norms of the mutually-constituted international system.

The End of the Cold War and the Reconstitution of Rebel Identity

While the norms of territorial integrity and political independence remained dominant, the end of the Cold War brought about an increased level of interaction between the SPLM/A and the international community. This was partly due to the end of east-west

---

41 Lesch, The Sudan: Contested National Identities, 93.
42 Ibid., 97.
tensions, thereby allowing a greater focus on other international issues, and partly due to the increased international awareness of intrastate conflict because of IGO and NGO reporting. Because of this interaction, throughout the 1990s the SPLM/A received some rhetorical support from neighbouring countries and the US. This internationalisation of the SPLM/A helped further the dichotomous north-south identity divide in Sudan. By recognising the SPLM/A and the legitimacy of its cause, the US and other nations made the SPLM/A the sole representatives of all of southern Sudan. And because the SPLM/A were recognised as the representatives of the south, the peace processes undertaken were designed to find a solution that involved bringing the SPLM/A into government; the dominant norms of state sanctity precluded secession. As Garang stated whilst on a tour of the US in 1989, "we are in an international arena where interaction among nations, among liberation movements, among states is increasing... Interaction among peoples is increasing. We have come to the United States as a delegation to put forward our point of view. We requested to come. We have the right to request to go wherever we choose." In addition to presenting the SPLM/A's policies on a united Sudan, on the same trip Garang attempted to persuade his audience of the moral worth of his cause: "The United States has given lots of military assistance, lots of financial assistance, and other material assistance to the government in Khartoum all along. This assistance... translates into moral assistance, and makes the other side intransigent, because Khartoum prides itself in having the support of the Arab world, and having the support of the Eastern World." The US had remained committed to assisting Khartoum even after al-Bashir's military take-over of government. As a result, Garang called on the US to utilise its alliance with Khartoum to pressurise the Sudanese government to come to terms with the SPLM/A. Former US President Carter also recommended a similar stance for the US. Therefore, when President al-Bashir requested that the US act as mediator in the civil war, Washington responded favourably. However, al-Bashir rejected the SPLM/A and US recommendation that international observers be present for new elections.

---

45 Ibid., 223.
The Gulf War prevented concentrated US involvement after this point and Khartoum's peace negotiator declared the government would “impose peace by force.” The abysmal failure of negotiations and the international community’s apparent willingness to support Khartoum, despite criticisms of Khartoum’s policies, triggered the splintering of the SPLM/A. Riek and the SPLA-United defectors, frustrated by Garang’s insistence on a unity policy, demanded southern independence from Sudan. In response, and to hold onto his base of support in the south, Garang was forced to publicly declare self-determination as a legitimate option for the south during a meeting with the SPLA-United in Washington, attaching the issue to those of human rights and democracy. Such a stance was not acceptable to Nigeria and other members of the OAU during the Abuja conferences and was rejected by the al-Bashir government. Many OAU states were fighting their own secessionist insurgencies and did not want to set precedent during the conferences. Therefore, while the SPLM/A was deemed legitimate enough to negotiate a resolution to the conflict, and legitimate enough to represent their views in Washington, and regarded as the representatives of the southern cause, the international culture of normative sovereignty allowed the Khartoum government to dismiss southern claims to self-determination without censure. Therefore, the interests of the SPLM/A fluctuated as the contradictions between the normative prescriptions and constraints of the international system helped re-constitute their identity as time progressed, further entrenching the north-south divide in Sudan, and prolonging the war.

Administration, Human Rights and the War on Terror

As the war progressed because of the normative dissonance in the international system, the SPLM/A established a moderately sophisticated civil/military administrative structure in the areas under their control. Under the SPLM/A, territory was divided into zones under zonal commanders, who were responsible for duties from the collection of taxes to the organisation of the court system. The SPLM/A also incorporated tribal chiefs into

46 Lesch, The Sudan: Contested National Identities, 171.
their administrative structure in much the same way as the British had one hundred years earlier. The economic dimensions of the conflict arise from the establishment of such an administrative structure. The zonal structure facilitated the manipulation of aid to starve or provide for specific towns and garrisons, and to organise attacks on oil pipelines. Moreover, during the recent peace process, much of the disagreements arose from SPLM/A insistence on utilising its administrative structure in the south as part of the new unity government. Such use would entail the distribution of oil revenues and other funding through SPLM/A-controlled channels.

The administrative structure of the SPLM/A also helped Garang attempt to enforce human rights norms in the SPLM/A. The logic of the international system slowly shifted during the course of the 1990s, one of the main reasons being the exponential increase in exposure of human rights abuses by rebel groups and governments alike. The normative prescription of the human rights movement was that legitimate actors in the international system follow human rights practices. The EU and US both censured the al-Bashir government in the 1990s for human rights abuses, predominantly as a result of extensive NGO coverage of atrocities and abuse by the government and military in Sudan. Various reports pointed to the actions of the murahaleen and PDF, as well as military techniques such as the bombing of civilians in southern Sudan. The EU also suspended development aid to the government. However, the EU did not place restrictions on its members investments in the Sudan oil industry. The US State Department criticised the al-Bashir regime, with one official describing it in November 1990 as the "Khmer Rouge' of Africa." However, this did not result in further international support for the SPLM/A.

Garang sought to establish the SPLM/A's adherence to human rights as part of his attempt to gain legitimacy with the West. In a statement issued in 1989, he argued that, "the

---

c
issue of respect for human rights and human dignity cannot be taken lightly, it is part of the situation that led to the war, and [al-Bashir] cannot possibly expect to reach a peace settlement with the SPLM/A when he has so much tarnished his human rights record in only 40 days.” Such a statement cleverly grafted human rights arguments to the SPLM/A’s cause, implicitly stating that the SPLM/A were morally superior to the al-Bashir government. As explained earlier, the SPLM/A became more popular in the south in the late 1980s after the implementation of policies to not harass or threaten southern civilians. It seems that eventually, Garang practiced what he preached. The SPLM/A utilised existing tribal administrative structures in the south, as well as creating a new military administrative structure. This organisational structure included an internal judicial system and a code of conduct for SPLM/A soldiers. Although, as the fighting between the SPLM/A and the SPLA-United factions and the manipulation of aid from Operation Lifeline Sudan shows, in the early 1990s, human rights were not a major factor in Garang’s planning. UNICEF even regarded the SPLM/A as a legitimate partner for which to negotiate ground rules for the delivery of aid through Operation Lifeline Sudan. This was the first time a rebel group had received recognition from a UN agency. However, any legitimacy gained from the humanitarian nature agreement was negated by the international community’s adherence to norms of political independence and territorial integrity.

However, Garang recognised the international impact that following human rights norms would have for his movement. He attempted to gain some international recognition though signing the anti-personnel landmine agreement for rebel groups through Geneva Call, an NGO in Switzerland. The 1997 Ottawa Treaty resulting from the International Campaign to Ban Landmines (ICBL) was a state-only humanitarian treaty. The government of Sudan signed the treaty on 4th December 1997 and ratified on 13th October 2003. The normative

prescription in the international system was that legitimate actors adhere to such initiatives, even though not all states signed up to the treaty. Garang and the SPLM/A therefore signed onto the Geneva Call initiative, an equivalent to the state-based treaty for rebel groups, as an attempt to gain moral equivalency with the government. Yet despite reports of widespread adherence to the ban and the organisation of an international workshop for mine ban awareness in SPLM/A territories, such humanitarian initiatives did not result in greater support for the grievances of southern Sudan.\textsuperscript{56} The EU and other members of the UN Human Rights Commission had refrained from directly criticising the Sudanese government for human rights abuses in a number of proposed resolutions until 2001, but they always directly criticised the SPLM/A. Moreover, in 2001 the African Union (AU) elected al-Bashir’s Sudanese government as a member of the UN Human Rights Commission, a position it also held from 1993-1995.\textsuperscript{57} In such a position, it was able to gather African support to defeat a EU-sponsored motion to extend the UN special rapporteur’s mandate in Sudan. As a Human Rights Watch report noted, “the mandate of the special rapporteur, which had lasted ten years, was defeated by two votes – and the war was not over, nor had human rights conditions improved.”\textsuperscript{58} Therefore, the contradictory logic of the international system, of the prescriptive nature of human rights norms and the dominant norms of normative sovereignty, has regulated SPLM/A adherence to human rights norms. Indeed, while the SPLM/A attempted to gain the normative or moral upper hand by following human rights norms, the continued support for the government of Sudan only increased the normative dissonance in the international system.

Even the mid-1990s US declaration of Sudan as a sponsor of terrorism, coupled with US congressional support from the Sudan caucus, did not immediately help to change the course of the conflict.\textsuperscript{59} The norms of territorial integrity and political independence held


relatively strong, apart from the US missile attack on a warehouse in Khartoum in 1998. Indeed, the US position was to financially support the IGAD process and attempt to pressurise the Khartoum government into peacefully settling the civil conflict with the SPLM/A. However, such pressure did not correspond with greater recognition of the Garang and the SPLM/A. In January 2000, "the United States announced its decision not to provide food aid to the southern Sudanese opposition." The US was more concerned with the implications of a failed Sudan as a home for al-Qaeda than the southern grievances. This required a strong central government of a strong, single country. Therefore, norms of territorial integrity and political independence formed the background for the current US-influenced peace agreement. For the SPLM/A, the peace agreement is a representation of the fluctuating identity of the rebel group, as constituted by the contradictory logic of the international system. The SPLM/A were equal negotiating partners in the peace process, yet did not receive the legitimation that was automatically given to al-Bashir and the Sudanese government because of the current logic of the international system.

The Future in Sudan

While the right to self-determination for the south after a six year interim period was part of the recent peace agreement, the lack of specificity in the clause means that the procedures will be established at a later date. It remains to be seen what will happen in Sudan. Already there is suggestion that the al-Bashir government only signed the agreement in order to deflect attention from events in Darfur. This constitutes yet another identity on the SPLM/A: that of a legal member of the national government of Sudan. Yet the fluctuating identity of the SPLM/A because of the logic of the international system may yet affect the current peace. A lack of development in the south may once again splinter the group, leaving the SPLM/A part of the very government he fought for so many years. Moreover, Garang’s death may facilitate the break-up of the SPLM/A into rival militias once again. However, if the international system is moving towards greater accountability for governments, as well as

60 Ronen, "Sudan and the United States: Is a Decade of Tension Winding Down?,” 104.
rebel groups, al-Bashir and the government of Sudan may have no option but to adhere to the emerging norms of the international system, those of minority rights protection, internal self-determination and human rights protections. But if the current dominant norms of normative sovereignty, political independence and territorial integrity, remain dominant, the government may yet be able to renege on the agreement. An international concern with terrorism may not condemn such a stance as long as terrorists are not allowed to train and plan in Sudan.
Chapter 3: The LTTE in Sri Lanka

On 17 July 2005 the Liberation Tigers of Tamil Eelam (LTTE) warned of an imminent return to civil war in Sri Lanka\(^1\) after a ceasefire dating back to 2002.\(^2\) This is the latest in a long line of failed peace process attempts to end over twenty years of civil war. The civil war began between 1976 and 1977 as the LTTE was formed to forcibly represent the minority Tamils in response to decades of marginalisation by the Sinhalese political elite. Tired of the attempts of Tamil political parties to ensure representation of Tamil views through peaceful parliamentary means, young Tamils such as LTTE leader Velupillai Prabhakaran believed an independent Tamil homeland (*Tamil Eelam*) was the only solution to Sinhalese political dominance. The LTTE ruthlessly established dominance as the representatives of the Tamil people and gained worldwide notoriety for violent acts such as the assassination of the Sri Lankan president in 1992 and the bombing of the Sri Lankan World Trade Centre in 1997.

As with Sudan, ethnic-religious and economic explanations provide insights into the longevity of the conflict in Sri Lanka. By focussing on Sinhalese-Buddhist political dominance and the LTTE’s international diaspora funding networks respectively, such explanations have helped to uncover the truths and myths of ethnic marginalisation and organisational funding. However, only by looking at the constitutive effects of the contradictory logic of the international system on separatist identity can a full understanding of the Sri Lankan conflict be understood.

A History of Tamil Identity and the LTTE

The civil war has prevented recent census statistics on the ethnographic composition of Sri Lanka.\(^3\) The last accurate census, from 1981, recorded the Sri Lankan population at

---

\(^1\) In this chapter I refer to “Sri Lanka” in most instances, except during the British Colonial period when I refer to “Ceylon.” Officially, Ceylon became Sri Lanka in 1972.


approximately 15 million, of which 74 percent were Sinhalese, 13 percent were Sri Lankan Tamils, 6 percent Indian Tamils, and 7 percent others (predominantly Muslim Indians and Sri Lankans). Of the Sinhalese, 92 percent were Buddhist, and 90 percent of the Tamils were Hindu. It is suggested that such percentages would also hold true today. Both the Tamils and Sinhalese predominantly speak their own languages: Tamil and Sinhala. However, despite these differences: "the outstanding fact of Sri Lanka's nationality is that, from ancient times and continuously over the last two millennia, two major ethnic people...have lived in and shared the country as co-settlers." This situation changed with colonisation by the Dutch, Portuguese, and then British. The British practised their traditional "divide and rule" technique for subduing colonies and gave Tamils greater access to English education and, because of this, gave Tamils a disproportionate number of jobs in the civil service. In the British colonial Legislative Council, Tamil and Sinhalese members "developed a sense of national awareness, the consciousness of being Sinhalese or Tamil, given weight by the perception that each of them were the island's 'founding races'." This latent ethnic nationalism was further fostered by a Buddhist revival in the Sinhalese and Hindu revival in the Tamils as a result of Christian missionary proselytising. Up until the constitutional reforms of the 1930s, the Tamils did not perceive themselves as a minority but "as one of the two majority groups on the Island."

In the 1920s, the Tamils found their interests represented by the British. Therefore, when the British implemented the Donoughmore Reforms in 1931, which instituted territorially-elected representative government, the Tamils found their faith in Great Britain was misplaced. The subsequent Soulbury Commission Constitution was designed in 1947 as

---

4 Sri Lankan Tamils were the original Tamil inhabitants of the island. Indian Tamils were brought from Tamil Nadu state in India by the British to work on Ceylon tea plantations.
6 Subhash Chandra Nayak, Ethnicity and Nation-Building in Sri Lanka (Delhi: Kalinga Publications, 2001), 47.
8 Nayak, Ethnicity and Nation-Building in Sri Lanka, 47.
10 Nayak, Ethnicity and Nation-Building in Sri Lanka, 70.
an interim passage to independence for Ceylon, which eventually occurred in 1948. Designed along the Westminster model with Sri Lanka as a unitary state, it contained neither a bill of rights nor preamble. Tamil national consciousness grew in the wake of the Commission as Great Britain declared in the run up to the 1947 election that Ceylon would be granted full independence. Therefore, “Sri Lanka’s independence, thus granted from above, was being regarded as much less satisfying to the spirit of nationalism than if won after prolonged strife and enormous sacrifice as in many other colonial countries.”

The Tamils had no clear path following independence as the Sinhalese-dominated national parties, the United National Party (UNP) and Sri Lanka Freedom Party (SLFP) emerged as the two major parties, alternating in power. With either of these parties in power and the other as the official opposition, Tamil concerns were dismissed as Sinhalese nationalism was vociferously expressed. Moreover, the Tamil Federal Party (FP), established in 1949, received little support in the 1952 election, “because the majority of Tamils at the time believed their future to lie in a unitary state.” However, the ‘Sinhala-Only’ movement of the two main political parties began to help foster a sense of Tamil unity in the face of Sinhala dominance.

The 1948 Ceylon Citizenship Act denied Indian Tamils any rights to obtain citizenship. It was feared that the “Sinhalese would be ‘swamped’ by the Indians if they obtained citizenship and the right to vote.” In 1956, the parliament passed the Sinhala Only Act, which made Sinhala the official language of Sri Lanka. The government also sponsored Sinhalese migration to primarily Tamil areas. In response, the FP demanded federal autonomy, parity of status for Sinhala and Tamil as national languages, re-enfranchisement of the Indian Tamil plantation workers, and an end to state-aided colonisation. To promote their interests, the FP began a series of peaceful civil disobedience campaigns. This

11 Ibid., 88.
12 Wilson, Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries, 83.
13 It was not until 1984 that citizenship was awarded to all Indian Tamils. See Nayak, Ethnicity and Nation-Building in Sri Lanka, 91.
14 It must be noted that Bandaranaike attempted to compromise with the FP and other Tamil representatives, but the legislation went ahead because of the militant advocacy he had helped stimulate within his party with Sinhala-Only promises.
15 Wilson, Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries, 85.
provoked militant Sinhalese responses in the 1958 riots, in which hundreds of Tamils died, over 12,000 were made homeless, and thousands were evacuated to the Tamil north. This was the first of four notorious anti-Tamil riots in Sri Lanka’s short history.

The denial of Tamil rights continued unabated throughout the 1950s and 1960s. However, it was not until the 1972 Republican Constitution, initiated by the United Front (UF) coalition government of the SLFP and Marxist parties, that Tamil advocacy took a more stringent response to the suppression of rights. The 1972 Constitution vested supreme state power in the cabinet, which in effect meant the prime minister. The constitution stated that Sri Lanka was a unitary state; that it shall be the duty of the state to protect and foster Buddhism (thereby making Buddhism the state religion); that individual fundamental rights could be severely restricted by law in the interests of peace and security; and, importantly, that the National Assembly was not allowed to devolve power to other legislative jurisdictions. The constitution also reaffirmed that the official language of Sri Lanka was to be Sinhala.

<table>
<thead>
<tr>
<th></th>
<th>Sinhalese</th>
<th>Tamil</th>
<th></th>
<th>Sinhalese</th>
<th>Tamil</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1948</td>
<td>1980</td>
<td>Change</td>
<td>1948</td>
<td>1980</td>
<td>Change</td>
</tr>
<tr>
<td>High Ranking Officials</td>
<td>54</td>
<td>85</td>
<td>+31</td>
<td>25</td>
<td>13</td>
<td>-12</td>
</tr>
<tr>
<td>General Clerical Service</td>
<td>54</td>
<td>94</td>
<td>+40</td>
<td>41</td>
<td>5</td>
<td>-36</td>
</tr>
</tbody>
</table>

Table 3.1: Ethnic Composition of Sri Lankan Civil Service

Using the powers of the constitution and their parliamentary majority, the UF introduced systems of standardisation of marks for university admission that discriminated against Tamil candidates. Similar policies were also enacted for employment in the public sector and appeared to be a reaction to British favouritism as explained above (see Table

---

17 Ibid., 100.
3.1). Such actions helped radicalise Tamil youth, especially as many youth groups were attached to political parties, such as the Tamil United Front (TUF), which was created during the 1972 All Ceylon Tamil Congress. The TUF became the Tamil United Liberation Front (TULF) in 1976 when the First National Convention of the TULF adopted the Vaddukoddai Resolution, calling for a sacred fight for a sovereign Tamil Eelam. The TULF did away with attempts to create a federal Sri Lanka and called on “the Tamil Nations in general and the Tamil Youth in particular to come forward to throw themselves fully in the sacred fight for freedom and to flinch not till the goal of a sovereign socialist state of Tamil Eelam is reached.” Tamil youth groups took up the cause and were responsible for small acts of violence in Tamil areas. Indeed, in 1976, Velupillai Prabhakaran formed the Liberation Tigers of Tamil Eelam – one of many youth groups that violently took up the secessionist cause.

During the following five years, Prabhakaran would consolidate support for the LTTE through peaceful and violent means. However, it was the events of 1977 and 1978 that gradually gave the LTTE the legitimacy within the Tamil communities to eventually wage a civil war. The TULF entered the 1977 general election calling for a mandate from the Tamils to establish an independent Tamil nation. In the election, the UNP won a spectacular victory, leaving the SLFP with just eight seats. The TULF captured all the seats in Tamil areas, as well as four from multi-racial area, and became the official opposition – even with a secessionist mandate. The elections results provoked further anti-Tamil riots and this time the riots prompted serious reprisals against Sinhalese in Tamil areas. The new government under Prime Minister Jayewardene was not, however, deterred. With an unprecedented majority in parliament, the government could unilaterally change the constitution. Subsequently, the 1978 Constitution created an Executive Presidency along Gaullist lines, who became Head of State, Head of the Executive and the Government and Commander-in-Chief of the Armed Forces. The constitution also reiterated Sri Lanka’s unitary status,

---

reiterated Sinhala’s place as the official language of Sri Lanka, and gave the Sri Lanka state the responsibility to protect and foster the Buddha Sasana.\textsuperscript{21}

Such ignorance of Tamil views led to a consolidation of violence in Tamil areas between the military and militant youth groups. Prabhakaran and the LTTE were the most daring of the groups and after a successful LTTE bank raid in 1979, the government introduced the Prevention of Terrorism Act. By declaring the LTTE and other militant groups terrorist, the act allowed the government to send the military in to quash any insurgency in Tamil areas.\textsuperscript{22} However, the government’s military response was far heavier than the violence that had provoked it.\textsuperscript{23} The violence on both sides escalated and when the LTTE killed 13 soldiers in an ambush, further anti-Tamil riots broke out. This time, over 300,000 Tamils were made homeless, and 90 percent of Tamil business holdings outside of the Tamil northeast were damaged.\textsuperscript{24} Many thousands of Tamils fled overseas, primarily to India, but also to North America and Western Europe.

In the background, Prabhakaran and the LTTE had consolidated their position as the most accomplished and daring militant group. In was with this background that they responded, along with other militant groups, to government actions in the First Eelam War (1983-1987). Talks between the government and the TULF, LTTE and other militant groups at Thimpu broke down over Tamil demands.\textsuperscript{25} The Sri Lankan government rejected Tamil proposals and the war continued. An Indian peace initiative in 1987 brought about a temporary peace with the Indo-Sri Lanka Accord that introduced the Indian Peacekeeping Force (IPKF) in Tamil areas. However, while the TULF and other Tamil parties agreed to support the accord under Indian pressure, the LTTE broke away and began fighting the IPKF soldiers. For the LTTE, the Indians were just another colonial force in the Tamil homeland.

\begin{flushright}
\textsuperscript{21} Nayak, \textit{Ethnicity and Nation-Building in Sri Lanka}, 108.
\textsuperscript{22} Suthanharan Nadarajah and Dhananjayan Sriskandarajah, "Liberation Struggle or Terrorism? The Politics of Naming the L.T.T.E.," \textit{Third World Quarterly} 26, no. 1 (2005): 91.
\textsuperscript{23} Ibid.
\textsuperscript{25} The Tamil groups demanded: the recognition of the Tamil people was a distinct nationality; a guarantee of the territorial integrity of an independent Tamil homeland; a recognition of the inalienable right of the Tamil nation to self-determination; and the safeguarding of the fundamental rights of Tamils living outside of the Tamil homeland.
\end{flushright}
Having retained their legitimacy in Tamil areas by ignoring the Accord, “from this point on the LTTE were the sole Tamil party fighting the government.”

Indian troops left in 1991 after pressure from the Sri Lankan government and in the face of armed opposition from the LTTE. This left a power vacuum in the northeast Tamil areas of the country, which the LTTE moved in to take over. Indeed, since 1991 the LTTE has operated a de facto administration in LTTE-held areas. Another attempt at peace negotiations foundered and the Second Eelam War (1991-1994) began, during which the LTTE assassinated the Sri Lankan president Premadasa. President Kumaratunga came to power in the 1994 elections with a pledge to end the war, a pledge that received much Tamil support. Yet again, significant peace talks took place, this time with the International Committee of the Red Cross (ICRC) acting as intermediary. Kumaratunga and Prabhakaran signed a formal ceasefire in 1995, but the LTTE quickly broke the ceasefire and began a large-scale bombing campaign. Prabhakaran accused the government of not fulfilling promises regarding confidence-building measures such as lifting embargoes or restoring electricity to the Tamil northeast. The government accused the LTTE of unwilling to consider political solutions to the conflict first. The LTTE responded with a bombing campaign; the government with a full-scale military assault that forced the LTTE from Jaffna. During this, the Third Eelam War (1995-2001), the LTTE initiated their most vicious assaults on the Sri Lankan state, including bombing the World Trade Centre in Colombo (which caused over 90 deaths) and the Temple of the Tooth in Kandy, two assassination attempts on President Kumaratunga, and a suicide bomb attack at Colombo international airport. Such actions earned the LTTE an international terrorist tag from countries such as the US and UK.

---

27 The LTTE were also implicated in the assassination of Indian Prime Minister Rajiv Ghandi.
During the Third Eelam War, the Kumaratunga government also pursued constitutional change. But while some of the constitutional recommendations allowed for some regional autonomy, the proposed changes also included regressive steps. For example, the draft constitution included a provision for the establishment of a Buddhist Supreme Council, "which would represent the interests of the Buddhist clergy at the highest level and could not be abolished without a two-thirds parliamentary majority and public referendum." The constitutional amendments stalled due to the machinations of parliamentary politics and the government gradually lost most of the Tamil support it had gained in the 1994 elections. Parliamentary politics, especially the confrontations between President and Prime Minister have also affected the recent peace process, which began in 2002. Norway has acted as an intermediary since 2000 and sponsored recent the peace initiative. The Sri Lankan government refused official third-party mediation. In contrast, the LTTE demand third party mediation as a precondition of peace.

However, it appears the talks have reached an impasse. In 2002, "LTTE representatives accused the Sri Lankan government of moving too slowly and of not clearly defining the powers and composition of a political authority for the northeast region." Parliamentary debate has hampered the peace process as the President and Prime Minister have clashed over the peace process. A large part of the disagreement is over the extent to which the Tamil areas should be given self-rule. While the LTTE has agreed to internal self-determination, many in the government fear that autonomous self-rule will eventually lead to demands for independence. Parliamentary debate has also resulted in such peace-breakers as the ban on the release of international aid for Tsunami-affected Tamil areas in early 2005. As the Asia Times reported in March 2005, "three years later, there is no peace, not war, and no talks. The only reality is the ceasefire agreement, which the parties continue to adhere to

---

30 Edrisinha, "Trying Times: Constitutional Attempts to Resolve Armed Conflict in Sri Lanka."
33 Ibid.
for strategic reasons, despite ceasefire violations by both sides.\textsuperscript{34} Even the period of ‘no war, no peace’ may be near an end, as Sri Lankan foreign minister Lakshman Kadirgamar was assassinated on August 13th.\textsuperscript{35} Although not yet proven, the LTTE are suspected of carrying out the attack and there is genuine fear that a Fourth Eelam War may begin.

**Ethnic and Economic Explanations of Sri Lanka’s Civil War**

As with Sudan, ethnic explanations for Sri Lanka’s civil war have provided insights into how the gradual construction of a Sinhalese-Tamil divide eventually led to the discriminated group fighting for survival. Ethnic explanations follow the lines of argument laid out in the history above. As explained, Buddhist and Hindu revivals initiated in reaction to Christian missionary proselytising first helped stir national consciousness among the Sinhalese and Tamil populations. British political manipulations kept equality between the two “founding nations” of Sri Lanka and therefore nationalistic elements remained subdued. However, the transfer from communal to territorial voting combined with the unitary system of government at independence allowed the Sinhalese majority to control policy. The resulting marginalisation of the Tamil populations helped foster myths justifying the “nationalisation” of the Tamil people in reaction to Sinhalese-only policies. The major riots by state authorities and Sinhalese mobs, as well as the migration of Sinhalese to the Tamil north and east, created a fear for group existence among the Tamil population. Prior to the founding of the militant youth groups, the only aspect of Kaufman’s ethnic security dilemma that was missing was the opportunity to mobilise and fight. Once the militant youth groups rejected the pacifist leanings of the Tamil political parties, violence became an acceptable option for disaffected Tamils. Therefore, Kaufman’s theory can explain the spiral of insecurity as resulting from a long process of marginalisation, only to finally turn to violence after all other options were exhausted for the Tamils. However, once again, such an explanation cannot explain why the spiral of insecurity occurred over such a long period of time; Tamil politicians pursued peaceful means to achieve their objectives for almost thirty

\textsuperscript{34} Ameen Izzadeen, "In Sri Lanka, No War, No Peace," *Asia Times Online* 2005. Available from http://www.atimes.com/atimes/South_Asia/GC03Df03.html

years. Nor can such a view explain the entrenchment of oppositional Tamil and Sinhalese identities for a further twenty years.

Economic insights also fail to provide an adequate explanation of the longevity of the conflict in Sri Lanka. Economic marginalisation of Tamil areas, as explained above, helped Tamil militants to graft myths of Sinhalese dominance of the traditional Tamil homeland to modern occurrences. Some argue that the policies of donor nations, which favour the Sri Lankan government and provide funds solely to them, only further entrench Tamil identity vis-à-vis the Sinhalese majority. However, much of the focus of economic explanations of the Sri Lankan conflict focus on the sustenance of the conflict through LTTE funding from internal taxation and diaspora contributions. The lack of governmental financing for Tamil areas forced the LTTE to look for alternative methods of funding. Initially, the LTTE adopted a system of taxation of Sri Lankan Tamils gauged according to income levels. In addition, "the LTTE also requested every family in 'Tamil Eelam' to donate a flat fee of 10,000 rupees (about US$200...) or two sovereigns of gold toward the LTTE's national security fund." The LTTE also collect taxes on goods sold by merchants, goods passing through LTTE territories, tax farmed on their produce, and operate extortion and protection rackets for businesses. However, internal funding only provides approximately 20 percent of LTTE funds. Internationally, the LTTE also use 'community organisations' in other countries to collect support payments from Tamil diaspora. The LTTE diaspora-support mechanisms are very sophisticated. International Tamil media outlets promote the Tamil cause and call for support. Local Tamil organisations collect 'payments' (sometimes through coercive means) from Tamils living abroad. Then pro-Tamil humanitarian agencies are utilised to transfer funds back to Sri Lanka. The LTTE also operate a large number of legal and illegal enterprises to fund their efforts, from shops and restaurants in diaspora.

38 For instance, the LTTE collect taxes on goods passing through major highways: a colour television carries a set tax of 25 percent. However, some 'essential' items are exempt from tax. For more detailed information, see N Manoharan, "Financial Fodder - Internal Sources of L.T.T.E. Funds," Institute of Peace and Conflict Studies (New Delhi), 16 October 2004. Available from http://www.ipcs.org/ipcs/kashmirLevel2.jsp?action=showView&kValue=1539&subCatID=1018&mod=c
39 Ibid.
neighbourhoods, to arms- and drug-running.\textsuperscript{40} Such financial operations have allowed the LTTE to acquire both naval and sea power.\textsuperscript{41}

The International Logic of the Sri Lankan Civil Conflict

Such an economic infrastructure, argue researchers such as Paul Collier, undermine peace efforts as the opportunities for profit during war create an interest in sustaining the conflict. Such an explanation assumes profit as the sole, endogenous motivating factor for the actors involved. However, this ignores the normative cultural context in which such an infrastructure evolves. In Sri Lanka, the inherent contradictions of the international system allowed Sinhalese governments to ignore Tamil grievances, thus entrenching a constructed divide between the two original peoples of Sri Lanka. Even as the logic of the international system changed from the cold war, to the post-cold war, to the war on terror, the continuing normative preoccupation with state sanctity not only entrenched the dichotomous identities within Sri Lanka, but also constituted the identities of Prabhakaran and the LTTE. The LTTE assumed state attributes such as a sophisticated internal administration as well as administrative internationalisation; the economic aspects of the LTTE arose from this situation. Therefore, while the LTTE may have an interest in the economic aspects of the war, this interest is part of the LTTE identity that has been constituted by interaction with the international system. Moreover, the international community’s response to the conflict – to bring the LTTE into negotiations as a legitimate partner – also contain an inherent contradiction. Such an action recognises the legitimacy of the LTTE’s cause, yet the


insistence on a united Sri Lanka as the only solution, and the designation of the LTTE as a terrorist organisation, automatically places the LTTE as an illegitimate player in the peace process. Yet, in the view of the Norwegian facilitators, they remain an essential partner. Moreover, the attempt to retain territorial integrity has also created a situation whereby the LTTE are recognised as the sole representatives of Tamil interests, despite their terrorist tag.

*Pre-Independence, Early Cold War*

Post-independence Tamil political groups attempted to resolve Tamil marginalisation through political means. As stated earlier, most Tamils believed in the unitary nature of government after independence because the British had protected Tamil interests during the British period. Unlike India, Ceylon did not go through a period of militant advocacy for decolonisation and a discourse of decolonisation was not part of independence. Indeed, the British gave Sri Lanka independence mainly because it had already granted independence to India and Pakistan. Norms of decolonisation meant that “Britain had no justifiable reason for delaying the process in Ceylon.” However, with no militant action against British rule in Sri Lanka prior to decolonisation, there were no local precedents of militant action against imposed rule. Therefore, the Tamils, considering themselves to be one of the two equal founding nations of the newly independent country, attempted to affect government policy through political means. There was no definite concept of the Tamils as a single “nation” immediately after independence.

However, Sri Lanka’s Westminster-style of government, without minority protections, allowed the Sinhalese majority to promote majority interests in government policy. The logic of appropriateness in the international system allowed such actions. Norms of decolonisation only progressed as far as prior colonial boundaries; norms of political independence and territorial integrity precluded international condemnation of domestic actions, especially non-violent systematic discrimination. Moreover, as a member of the Non-Aligned Movement, the Sri Lankan government received monetary support from both the West and the USSR during the Cold War. Such support was tantamount to moral

---

42 Wilson, *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, 78.
support of government policies. Moreover, foreign development funds were solely directed at Sinhalese areas. Funding from the UK, the USA, Canada, various other western governments, and the USSR went to Sinhalese areas. Only India monitored the marginalisation of the Tamil population due to pressure from the Tamils in the Indian state of Tamil Nadu. However, India operated within the same normative culture of the international system and would not openly support the Tamils in Sri Lanka for fear of provoking its own population to revolt against Indian rule. As Indian Prime Minister Jawaharal Nehru explained when visiting Sri Lanka in 1957, conscious not to meddle in the affairs of another country: "it was absolutely improper to get in touch with the leaders of opposition parties and agitational parties in other countries." Therefore, both nations had a constituted self-interest in maintaining the territorial integrity of Sri Lanka. While the Sri Lankan Tamils did not push for independence, India did not propose such a cause.

*Changing Identities: Non-violent to Violent Opposition*

Even after the Bandaranaike government implemented the Sinhala-only legislation of 1956, Tamil national identity was not yet strong enough to foster a demand for independence. However, the major Tamil political parties showed the constitutive and regulative effects of international norms with Ghandian non-violent protests, including a *pada yatra* (march on foot) to highlight the Tamil cause. In effect, peaceful protest was a legitimate response to government discrimination; violent protest was not yet, however, an acceptable option to the Tamils. Such methods had been used successfully by Ghandi in the fight for Indian independence. However, the use of similar tactics by the Tamil political parties, in particular the FP, did not receive international attention. The lack of international attention on the attacks on the peaceful protestors by Sinhalese mobs, because of the norms of normative sovereignty, helped to push the Tamil movement closer to achieving a group consciousness because of the injustices of the Sinhalese majority governments. Thus, the initial entrenchment of ethnic identities identified by Kaufman as precursors to ethnic conflict were constituted by the normative predispositions of the international system.

44 Quoted in Ibid., 237.
As Tamil national identity grew in strength in opposition to their marginalisation in Sri Lankan politics, the demands of the FP shifted away from just constitutional accommodation. The party moved away from a goal of a settlement for the Tamils within the unitary system of government and called for federal autonomy. The FP also called for the re-enfranchisement of Indian Tamil workers, who had lost their electoral status, thus establishing themselves as potential representatives of all Tamils in Sri Lanka. However, despite the calls for a federal solution to Tamil grievances, the Sri Lankan government was able to act with relative impunity. Because of this, in the 1960s, the FP still sought a political solution for the Tamils, in spite of the 1958 anti-Tamil riots and further marginalisation through government education and development policy.

The continued marginalisation finally found a more extreme outlet. Marginalised youth such as Prabhakaran, frustrated at the successive failures of Tamil politicians to reverse the policies of the UNP and SLFP parties sought to express their anger in more persuasive ways. Tamil national consciousness was consolidated by their actions in response to government indifference. As a 'nation', the normative context of the international system offered an alternative to political accommodation. Self-determination meant that the Tamils, as a 'nation' could decide their fate and if necessary declare independence. The international system was full of examples of independence movements that sought to justify their actions by grafting their claim to the arguments against decolonisation. The example of Bangladeshi independence in 1971 and the apparent success of groups such as the PLO and IRA in gaining international recognition of their causes helped constitute the identity of Prabhakaran and those who would follow a similar path.

Prabhakaran’s heroes were those who fought for their beliefs such as Chandra Bose, who broke ranks with Ghandi to militarily challenge British domination of India. Prabhakaran believed such a method was necessary to address Tamil grievances in Sri Lanka: “there would be no stopping him if he began a monologue on Indian independence and Tamil history.” He also read books on “Napoleon, Nelson Mandela, Mao and Ho Chi

---

46 Narayan Swamy, *Tigers of Lanka, from Boys to Guerrillas*, 56.
THE LTTE IN SRI LANKA

Minn," thereby further influencing his belief in more violent methods of protest. The effect of the militancy of Tamil youth in response to the 1972 Constitution resulted in the TULF’s Vaddukoddai Resolution. However, such pronouncements appeared inadequate when the government still went ahead with the 1978 constitutional changes, despite the TULF presence as the official opposition. With the founding of the LTTE, the conflict in Sri Lanka began as a dichotomous struggle between the Tamil minority and Sinhalese majority. Notably, the LTTE was a liberation movement, thereby utilising the discourse of wars of decolonisation and even that of the allies in the Second World War. The normative constraints of the international system had entrenched an artificially created ethnic divide between the two sides. To the LTTE, the Tamils were colonised by the Sinhalese; therefore, a decolonisation liberation struggle was justified to achieve human rights for the Tamil people.

1980s: Discourses of Self-Determination

Despite the announcement of a liberation movement, international support was still not forthcoming. The interests of the LTTE and other militant groups in the late 1970s had been constituted by the failure of peaceful political means to redress grievances and the success of rebel groups such as the IRA and PLO in legitimating their grievances. By grafting the Tamil grievances to that of a liberation struggle, Prabhakaran and others were attempting to position their movement within the normative framework of the international system; the discourse of human rights and self-determination as inextricably linked. However, the Sri Lankan government response to LTTE actions quickly demonstrated the international community’s adherence to the dominant components of normative sovereignty. The 1979 Prevention of Terrorism Act allowed the authorisation of an excessive military force to hunt out the ‘terrorists’ in Tamil areas. However, despite substantial evidence of human rights abuses by government soldiers, “there was a certain amount of rallying around the state by international actors...the regime continued to garner critical external support in

47 Narayan Swamy, Inside an Elusive Mind, Prabhakaran: The First Profile of the World’s Most Ruthless Guerrilla Leader, 205.
the aggregate. Such actions helped the LTTE and other militant activists appeal to a generation of youth who had grown up under Sinhalese neglect. The government response to Tamil demands only furthered the LTTE’s cause in Tamil communities by providing first-hand support of the historical facts and myths of Sinhalese domination over the Tamils in Sri Lanka.

Cold War support from both the West and the USSR also affected the nascent conflict. Ostensibly a democracy, Sri Lanka moved closer to the Western sphere of influence, although rhetorically it remained a non-aligned state. Successive governments embarked on liberalisation drives, which helped support the military solution to the Tamil issues because of donor countries’ preoccupation with the state as the sole unit of analysis. This resulted in subdued Western criticism of human rights abuses by the military and of the systematic marginalisation of minority communities in Sri Lanka by successive government legislation. The LTTE found support from the PLO in Lebanon, where it sent a number of cadres for training in explosives manufacturing. Support also came surreptitiously from India, especially from sympathetic politicians and military personnel in Tamil Nadu. The Indian government ignored the LTTE training camps in Tamil Nadu, or the deliveries of weapons to Tamil areas in Sri Lanka by Indian military and air force planes. However, this created a contradiction between Indian rhetoric and action. Such actions effectively supported the LTTE’s cause of Tamil liberation and sovereignty, yet while India supported Tamil grievances, the dominant norms of the culture of the international system precluded support for an independent Tamil Eelam.

Further entrenching the LTTE position, in the early 1980s the Sri Lankan government sought international support for their fight against terrorism. In 1984, Jayewardene visited China, West Germany, the UK and the USA to secure military and political support. His brother visited Hong Kong, Indonesia, South Korea and Japan. These missions were framed

---

49 It has been argued that the war has actually helped Sri Lanka’s economic liberalisation as the frequent use of emergency powers by successive governments has enabled liberalisation legislation and World Bank structural reforms to be passed without civil unrest. See Tharuka Dissanaike, "In War and Peace, Reforms Transform Sri Lanka's Economy," Global Policy Forum, Aug 21 2003. Available from http://www.globalpolicy.org/socoecon/develop/devthry/well-being/2003/0821srilanka.htm
50 Narayan Swamy, Tigers of Lanka, from Boys to Guerrillas, 60.
51 Ibid., 111.
according to the dominant norms of the international system and "emphasised the threat to Sri Lankan unity and integrity posed by Tamil terrorism." The missions proved a success as the government received the assistance of Mossad and Shinbet to strengthen its intelligence operations. Ex-SAS Commandos were recruited to provide military training. The US supported Israeli and South African arms shipments to Sri Lanka and also allowed Israel to establish a special interests section in the US embassy in Colombo. Pakistan contributed 10 million rupees of military equipment in 1983 and also provided military training assistance to the Sri Lankan army. Even China provided supplied cheap military equipment, and later even Malaysia, Britain and the US directly supplied the government through private arms dealers. In response to Sri Lanka's internationalisation of the conflict, the LTTE also sought to do the same. The international secretariat in London facilitated contact with other revolutionary and insurgency groups. Beginning with a meeting of revolutionary leaders in Cuba in 1977, the LTTE's support base grew to include insurgent groups in the Middle East, Nigeria, Yemen and Zambia. International support mostly arose from within countries with Tamil diaspora such as Libya, Iraq, Iran, Lebanon, Syria, Morocco, Turkey, Cyprus and Greece. Such international contacts allowed the transfers of ideas and technology.

However, because of the normative constraints of the international system, underwritten by the logic of the Cold War, no country recognised the LTTE claim to Tamil self-determination. This logic also formed the background to the first serious attempt at a peace agreement between the Tamil insurgents and the government. The 1987 Indo-Sri Lanka Accord was a state-only brokered agreement to which Tamil groups were not signatories. The Indian government exhorted the Tamil political parties and militant groups to support the Accord – the first official international recognition of Tamil grievances. However, such a secondary status did not fit with the LTTE's position that they were the

---

54 Interestingly, the LTTE has evolved into net exporters of technological innovation within the worldwide associations of insurgency groups. Western intelligence agencies believe that LTTE suicide-bomb technology will eventually appear in Middle Eastern conflict. See Gunaratna, "International and Regional Implications of the Sri Lankan Tamil Insurgency," 13, 21.
representatives of the Tamil nation and therefore possessed status equal to the Sri Lankan government. During the period when the Indian peacekeepers were deployed in Tamil areas, LTTE propaganda further grafted their cause to the norms of self-determination and liberation. For example, one leaflet announced: "We have been the slaves of the Portuguese, the Dutch, the English, and the Sinhalese. Now India calls us her slaves." However, international support remained with the Sri Lankan government as both the USA and USSR had authorised India's intervention in Sri Lanka.

The LTTE's Administrative Capacity

The international shock at the end of the Cold War allowed the LTTE to move into the physical and political space created when the IPKF left Sri Lanka. Suddenly, strong states were not a necessity for the West, which focused its attentions on the rapid democratisation and liberalisation of the former Eastern bloc. Human rights issues were vocally raised by NGOs; however, while occasional rebukes of Sri Lankan government human rights abuses were issued by other states, criticism was still heavily biased against the LTTE. In response, utilising the vacuum left by the IPKF, the LTTE gradually began establishing a de facto state apparatus in the northeast of Sri Lanka. Prabhakaran recognised states are the dominant actors in the international system, even if substate groups had legitimate grievances. Therefore, the LTTE appears to have followed norms of state administrative construction to such a degree that, the LTTE administrative capacity now exceeds that of many developing nations. It is under this normative context that the economic elements of the Sri Lanka civil war, as explained above, have evolved. A state-like administrative structure was required to manage the war effort.

The administrative development of LTTE areas included civilian as well as military administrative expansion; "The Tigers have set up a parallel administration, one replete with

56 Ibid., 191.
courts, civil secretariat, officialdom, police, immigration, even prisons." During the LTTE’s control of Jaffna from 1990 to 1995, “the LTTE had virtually taken over the administration... down to petty justice and traffic regulations.” However, it is important to note that such administrative development is primarily used for the war effort and control of the Tamil population. To this end, the LTTE has checkpoints to prevent unauthorised Tamils from leaving LTTE-controlled areas as well as a deeply integrated intelligence network. Such capacities allowed the LTTE to deal relatively effectively with the effects of the Asian Tsunami in December 2004. Despite receiving little funding for relief efforts, a reporter described in January 2005, “much debris has been cleared away along the beaches and, unlike in the South, there are no bodies still lying beneath the rubble, no torn clothing left hanging from the trees... The Tamil Tigers ‘had control of everything, from the beginning’.” The international side of the LTTE administration coordinates diaspora payments and international propaganda efforts. The efficiency of the administration is such that, “within days of a major military operation, its videos get distributed in world capitals, from Kuala Lumpur to London.” Such administrative capacities has led ICRC and Norwegian negotiation facilitators to regard the LTTE as an equal partner in the peace process. In doing so, the LTTE has been recognised in the international system as the representatives of the Tamil population in Sri Lanka. Such recognition is partly because the LTTE claim to support internal self-determination (at least rhetorically) for the Tamil population, rather than independence, which complies more readily with the dominant norms of the international system. However, as noted above, the Sri Lankan government are not prepared to accept that Prabhakaran and the LTTE have modified their aims. Indeed, such an acceptance may be an instrumental tactic to gain greater international exposure to the Tamil cause. And it may be to counter the impact of two issues have hampered peace negotiations:

the normative prescriptions of human rights, and the designation of the LTTE as a terror organisation.

Terrorism and Human Rights

Since the 1990s, the LTTE has been consistently criticised by governments and NGOs for specific human rights abuses. Such criticism originates from the newer norms of normative sovereignty: that legitimate international actors (states) protect the human rights of their citizens. However, when this is contextualised against a history during which the LTTE and other Tamil groups have attempted to claim self-determination on the basis of human rights — a claim that has traditionally been rejected because of the dominant norms of international culture — an inherent contradiction is apparent. The normative prescription is clear: the LTTE must adhere to human rights norms in order to be valued as a negotiating partner in peace negotiations. However, the international community does not hold the Sri Lankan government to the same standards. The 2001 US State Department annual human rights report notes that “Sri Lanka is a democratic republic with an active multiparty system.”

While deeply critical of LTTE actions, US criticism of government is limited to issues such as impunity, which “remains a problem....In the vast majority of cases where military personnel may have committed human rights violations, the Government has not identified those responsible and brought them to justice.” In terms of specific human rights abuses, NGO and UNICEF reports contain “persistent accusations about LTTE’s recruitment of underage children... whereas the adverse impact on Tamil children of actions taken by the government in the name of security (such as depriving Tamil fishermen of their livelihood, which contributes to the starvation of Tamil children) is not bought up in international discussions.”

The plight of child soldiers is one human rights campaign that NGOs have consistently focussed on the LTTE. Despite widespread denials by the LTTE, there is a large

---

63 Ibid.
body of evidence to support NGO claims that the LTTE still recruits child soldiers. In April 2003, a UNICEF-sponsored Action Plan sought to address the recruitment of child soldiers in LTTE areas and the UN Secretary-General sent a special envoy to observe the implementation. However, under the current ceasefire, reports suggest that recruitment has continued despite some demobilisation of recruits. Holding a rebel group accountable to such an issue presents another contradiction in the normative culture of the international system. Not only are the LTTE criticised while the government of Sri Lanka is quietly rebuked, but an attempt is made to hold non-state actors accountable to state-signed mechanisms. The UN Security Council was aware of this recently when the members agreed not to sanction rebel group leaders for continuing to use child soldiers. Such a resolution would have automatically placed rebel groups, such as the LTTE, on an equal footing with states in regards to this issue. Sanctions would require interaction between the UN and the rebel group, therefore awarding recognition to the rebel group.

However, pseudo-recognition is given to rebel groups when criticisms are levelled using state-based criteria of human rights norms. For example, “there is no provision in the Optional Protocol [to the Convention on the Rights of the Child] for a national liberation movement and/or a de facto government like the LTTE....However, there is criticism that the LTTE is violating the Optional Protocol provisions that is not a party to, has never signed and this is not legally bound.” Moreover, the Sri Lankan government has little incentive to follow such norms in regards to the LTTE. On June 2nd 2005, Human Rights Watch reported that the Sri Lankan Supreme Court acquitted all the defendants accused of a mob killing of 27 Tamil detainees at the Bindunuwewa detention facility in October 2000. Therefore, for the LTTE, the paradox in being held to human rights norms whilst simultaneously denied the rights associated with the legitimacy that follows from following such norms can help

---

68 Rudrakumaran, "Asymmetries in the Peace Process: The Liberation Tigers of Tamil Eelam."
entrench the periods of ‘no war, no peace’ and thus prolong a solution to civil conflict. The LTTE at least rhetorically support the norms, yet because the corresponding legitimacy and status does not follow, there is no incentive to end the war because their position has not changed.

The application of a terrorist designation to the LTTE by many Western governments has also affected their identity in a similar fashion. The Sri Lankan government successfully grafted their denouncement of LTTE terrorism with that of the slowly evolving awareness of the dangers of extremist terrorism of the late 1990s. After suggestions from the Sri Lankan government, the US designated the LTTE as a terrorist organisation in 1997, even though the LTTE did not threaten US national security interests. Other Western countries followed soon after with similar decrees. Such a move displayed support for the still-dominant norms of normative sovereignty: political independence and territorial integrity. Terrorism is synonymous with human rights abuses. However, the Sri Lankan government lifted a ban on the LTTE in September 2002 that had been in place since the 1979 Prevention of Terrorism Act. Therefore, the contradiction between the LTTE as a lawful negotiation partner in the peace process while simultaneously labelled a terrorist organisation is another reason for the multiple identities of the LTTE and, subsequently, the recent prolonged period of ‘no war, no peace.’

The terrorist attribute now assigned internationally to the LTTE also threatens the Tamil cause. The LTTE are viewed as the legitimate representatives of the Tamil cause. However, the terrorist designation delegitimises the LTTE and therefore, by association, the Tamil population in Sri Lanka. In effect, such a contradiction makes all Tamils terrorists. US policy especially does not promote a peace that addresses Tamil grievances. Indeed, the US has provided military and financial aid to the Sri Lankan government, even while the government denies the LTTE donor funds meant for Tamil areas affected by the Tsunami.

---


71 The notable exceptions are Canada and the countries of Scandinavia. However, governments have taken measures against LTTE sources of funding in each of these countries.

72 Agence France Presse, Tigers Seek Direct Foreign Aid after Sri Lanka Court Blocks Air Deal (2005). Available at http://news.yahoo.com/s/afp/20050718/wl_sthasia_afp/srilankatamiltigers.htm For information
The LTTE’s response to such a designation has been to call for an equal condemnation of the terrorism of the Sinhalese-dominated government in Tamil areas. US officials, such as former Ambassador to Sri Lanka, Teresita C. Shaffer argues that this “overlooks that fact that governments and armies, including Sri Lanka’s, are scrutinised in the annual human rights reports issued by the US government.” Yet the dominant norms of normative sovereignty, while being slowly contested by newer human rights norms, still remain strong enough to preclude stronger criticism of government action.

Prospects for Peace in Sri Lanka

The normative dissonance in the logic of appropriateness has left an ambiguity as to the identity of the LTTE. What is the LTTE: a rebel group; the legitimate representatives of a minority; the legitimate representatives of a nation; a terrorist group; or a de facto state? During the course of the history of the Sri Lankan civil war, they have been all of these. Such identities are contradictory of each other, yet these contradictions remain. The prospects for peace appear distant at the current time. The recent assassination of the Foreign Minister, although not yet proven to be the work of the LTTE, may mark the beginning of yet another Eelam War. It is uncertain whether Prabhakaran has embraced the idea of internal self-determination as a solution to the conflict. Indeed, it is difficult to believe that while Sinhalese dominance of political institutions continues that the LTTE will accept partial autonomy. Moreover, it is equally difficult to ascertain whether the government of Sri Lanka believe partial autonomy is a viable solution for Tamil areas. The normative dissonance in the international system has helped prolong the war for over twenty years. Peace may depend on the equal application of human rights norms to both the government and the LTTE, something offered by the contingent sovereignty mechanisms of the Responsibility to Protect.

Chapter 4: Conclusion

The cases of the SPLM/A in Sudan and the LTTE in Sri Lanka provide compelling evidence that the contradictions inherent in the normative logic of the international system affect rebel group identity and therefore the longevity of civil conflict. Both countries have experienced civil wars of over twenty years in length. And while Sudan may be entering a period of peace, such a peace is tenuous while the contradictions in the international system remain. The key issues raised in the previous chapters have both theoretical and practical implications. Therefore, the purpose of this short final chapter is twofold: first, to highlight four key similarities and differences between the two case studies; and second, to reflect on the larger implications of the thesis for intrastate conflict resolution in general.

Similarities between the Conflicts

The first of the key similarities concerns the entrenchment of ethnic identities in both countries. Kaufman’s domestic theory of ethnic conflict provides valuable insight into the construction of ethnic identities in reaction to a real or perceived threat to an ‘ethnic group.’ However, as intimated in Chapter 1, such a theory is limited in that it misses the international constraints that facilitate, or even enforce, a long spiral of insecurity towards civil war. The international theory of intrastate conflict developed in this thesis provides a more complex background to the conflicts in the case studies. To a certain extent in Sudan, and to a large extent in Sri Lanka, the international adherence to norms of political independence and territorial integrity eventually forced the hand of the rebel group and war began. Indeed, in Sri Lanka, over thirty years passed as Tamil political groups sought political solutions to their grievances. Moreover, when war became a final option for the rebel groups, the wars were fought in the language of self-determination and human rights – both legitimate norms of the logic of appropriateness. Both the SPLM/A and LTTE classed themselves as liberation movements, again appropriating accepted western norms. By framing their cause in such a way, international recognition of the legitimacy of their cause, but not support for their movement, was forthcoming.
This connects to the second similarity between the two case studies: the impact of international recognition for their respective causes. Both the southern Sudanese and the Tamils in Sri Lanka have received international recognition of their grievances because of the actions of the SPLM/A and LTTE in highlighting their plight. However, this has not resulted in state support for the SPLM/A or the LTTE. Indeed, the LTTE have been labelled an international terrorist organisation by states in the international system. The SPLM/A remained chastised for its human rights abuses by western states and NGOs alike. However, the contradictory norms of the logic of appropriateness have allowed each group to become the sole representatives of their people in the international community. The constructed self-interest of the community of states in maintaining their status as the dominant actors in the international system has led to peace processes that attempt to incorporate the rebel group into national governments.\(^1\) Such attempts have created the ‘monolithic blocks’ of Tamils and southern Sudanese who must depend on the LTTE and SPLM/A to redress their grievances. The failures of successive peace process only serve to further entrench the constructed ethnic divide between the two sides.

The third similarity, the importance of human rights issues, also reinforces the position of the rebel group vis-à-vis their people. The current logic of appropriateness dictates that rebel groups must follow human rights norms to gain international legitimacy, even though such prescription does not necessarily apply to their host states. To promote human rights issues, rebel groups must be engaged by NGOs or IGOs. However, engagement also creates legitimacy. This is evident in the humanitarian agreements signed by both rebel groups. The SPLM/A agreed to a set of ground rules with UNICEF for the deployment of Operation Lifeline Sudan and agreed to stop using antipersonnel mines in an agreement with the NGO Geneva Call. The LTTE signed an agreement with UNICEF for the reintegration of child soldiers into regular society. Such agreements increased the

---

\(^1\) While outside of the scope of this thesis, Chris Reus-Smit provides an interesting insight into this phenomenon, describing the ‘individualist socialist ontology’ of the state system as creating a self-interest in maintaining the state as the core institution in international politics. Because of this, peace negotiations will inherently attempt to bring rebel groups into a previously-existing national government, rather than allowing secession. See Chris Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations*, Princeton Studies in International History and Politics. (Princeton, N.J.: Princeton University Press, 1999), 127-31.
international exposure of the rebel groups and therefore further enhanced their status as the sole representatives of 'their' people. Moreover, much of the human rights initiatives undertaken by the SPLM/A and rebel groups appear to have been attempts to gain international moral superiority over their host government. But despite attempts to follow human rights norms, and despite evidence of government atrocities, the host government always receives much less criticism of their actions. However, it must also be noted that a further human rights similarity between the two groups was their willingness to break human rights norms with alarming regularity.

The final similarity between the two conflicts was the importance of a single leader to both the SPLM/A and LTTE. Garang and Prabhakaran became internationally synonymous with the causes they represented – evidence of their success as political entrepreneurs. Both carefully oversaw the development of their movements and viciously quashed internal opposition, thereby making their movement the sole representatives of their 'people'. The recent death of the Garang could have serious implications for the peace process in Sudan as he had recently come to terms with the SPLA splinter groups in the run up to the December 2004 peace agreements. There is a possibility that his death could trigger the break-up of the SPLM/A and a new period of civil conflict in Sudan. Similarly, the importance of the almost mythic Prabhakaran to the LTTE cannot be understated.

Differences between the Conflicts

The first difference in the conflicts is also between the two leaders, Garang and Prabhakaran. While both rebel groups came to be represented by one leader, each has pursued their goals through different means. As stated above, Prabhakaran remains a reclusive, mythic character. Much of the LTTE’s international diplomacy is carried out through the international secretariat in London. In contrast, Garang travelled widely to promote his cause and was successful in achieving recognition for the plight of the southern Sudanese, even if the dominant norms of the international system precluded support for southern secession.

Garang’s travels provide the basis for the second difference between the two groups: the process by which each group changed their demand for independence to one of
autonomy. From his international experience and from the experiences of the Anyanya in the first Sudanese civil war, Garang sought to frame the goals of the SPLM/A in terms acceptable to the international community. Therefore, the SPLM/A's stated goal was an equitable united Sudan, even though a referendum on southern independence always claimed as an inherent right and was part of the current peace agreement. In contrast, the LTTE demand of independence was a result of the long period of discrimination by the Sinhalese majority and the exhaustion of all political alternatives. Only recently did they change their demands from independence to the possibility of self-rule. However, the Sri Lankan government remains sceptical as to Prabhakaran's commitment to this change of goals.

The third difference between the conflicts is how the international system helped create different financial networks for the SPLM/A and LTTE to finance their war efforts. Each group's administrative structure arose to facilitate the financial aspects of the war. As explained in Chapter 3, the LTTE receive most of their income from diaspora remittances and international business operations (both legal and illegal). This is a direct result of the pattern of the conflict in Sri Lanka and the exodus of Tamils to Western Europe and North America in the late 1970s and early 1980s. Sinhalese discrimination occurred for many years because of the dominance of the norms of political independence and territorial integrity. Such a situation created a large diaspora population around the world willing to support a Tamil independence that would redress their grievances against the Sri Lankan state. In contrast, the southern Sudan experienced no such exodus of population and therefore the financial success of the SPLM/A depended on sympathetic local foreign governments and the manipulation of international aid. Eventually, the administrative structures developed far beyond mere financial management of the war effort. To some extent with the SPLM/A, and to a large extent with the LTTE, the areas under rebel group control resemble a de facto state. Such a situation can lend support to the views of Sudanese and Sri Lankan politicians who considered the ultimate goal of each rebel group to be eventual secession.

The final difference between the conflicts is perhaps the most important: the impact of the international preoccupation with terrorism. In Sudan, the government was accused of

---

2 Rohan Gunaratna provides a detailed explanation of the different 'waves' of Tamils moving overseas and their impact on the war in Sri Lanka. See Gunaratna, "Sri Lanka: Feeding the Tamil Tigers."
harbouring suspected al-Qaeda suspects and labelled a state sponsor of terrorism by the US. In contrast, the LTTE were labelled terrorists not only by the Sri Lankan government, but also by countries such as the US and UK. However, a brief comparison of the effects of such declarations leaves no doubt as to the self-interest inherent in maintaining the state system. The al-Bashir government in Sudan was able to regain US support by acting against terrorist organisations in Sudan. This enabled the government to once again negotiate the recent peace agreement in a dominant position because the dominant norms of the international system facilitated an agreement that brought Garang and the SPLM/A into a ‘unity’ government. In comparison, the LTTE has been outlawed in many western countries because of its terrorist activities — even though it does not threaten the security interests of any of these countries. However, despite the terrorist label, the LTTE is a required negotiating partner in any peace process because the normative self-interest in the international system requires their presence in a devolved Sri Lankan state. Such normative dissonance can affect multiple identities for the rebel group and therefore prolong civil conflict.

**Practical and Theoretical Implications: the Prospects for Future Peace**

Therefore, the effect of the normative dissonance in the ‘illogic’ of appropriateness in the international system on rebel group identity can affect prospects for peace. The major practical implication of such a study is the hope for greater acceptance of norms of contingent sovereignty such as the concepts embodied in the Responsibility to Protect. Such an acceptance would negate many of the negative impacts of the contradictions of normative sovereignty, as state governments would no longer receive international support by default when dealing with a rebel group. If the group represents legitimate grievances, support for either side may depend on the moral superiority of their argument. Indeed, this thesis contributes to the more recent critical constructivist works on ethics, morality and argument as the normative basis of the international system.³

An interesting extension of this thesis would be a more detailed examination of the attempts by rebel groups and national governments to argue the moral superiority of their position. However, as explained in introduction, because of the logistical difficulties in obtaining primary research material on rebel groups, such a study maybe prohibitive.4

Another implication would be why independence is not an acceptable option for the international community? Or why decolonisation was the limit for self-determination? One dilemma is that even if independence is granted to secessionist groups, there will always be more minorities. Such is the case for Muslims in Tamil areas in Sri Lanka, or even native groups in Quebec. A second dilemma is how the international community can grant independence for an area under a rebel group that has repeatedly been criticised for human rights abuses? Indeed, Prabhakaran makes no excuses in arguing that an independent Tamil Eelam would in effect be a one-party socialist state, although minorities would be granted special protections. Therefore, it appears at the current time, no option will satisfy all parties in the conflict, especially as the normative dissonance in the logic of appropriateness carries contradictory prescriptions. A possible solution might entail a European-style supranational authority where minorities are given legal protections above the level of national governments.5 Such a situation thereby enforces a responsibility to protect-style situation upon national governments within the supranational authority. However, while the current normative dissonance continues, rebel groups will continue to fight governments who receive automatic support because of the dominant norms of normative sovereignty.

---

4 Indeed, a major reason for the difficulty in obtaining first-hand evidence is that host governments, supported by the norms of political independence and territorial integrity, deny entry to rebel group areas. For example, the NGO Geneva Call were denied entry to Moro Islamic Liberation Front (MILF) areas in Mindanao by the Philippines government during a verification mission. See Geneva Call, Seeking Rebel Accountability: Report of the Geneva Call Mission to the M.I.L.F. In the Philippines (Geneva: Geneva Call, 2002).

5 See Preece, "National Minority Rights Vs. State Sovereignty in Europe: Changing Norms in International Relations?"
Works Cited


BBC News Online. Sudan V.P. Garang Killed in Crash, 1 August, 2005. Available at http://news.bbc.co.uk/1/hi/world/africa/4733571.stm


Carnegie Project on Complex Power-Sharing and Self-Determination. Available at http://www.ecmi.de/cps/index.html


Coalition to Stop the Use of Child Soldiers. Available at www.child-soldiers.org


—. Tigers of Lanka, from Boys to Guerrillas. 3rd with new epilogue. ed. Delhi: Konark Publishers, 2002


———. *Social Theory of International Politics*. New York: Cambridge University Press, 1999


esourceExtraction/$FILE/WinerRoule.pdf


