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Eyes wide shut: persistent conflict and liberal peace building in Nepal and Sri Lanka

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The decisive, albeit different, endings of armed conflict in Sri Lanka and Nepal and subsequent post-war developments challenge key assumptions about conflict that have informed post-Cold War international efforts to produce peace in such conflict zones. International intervention – including in Sri Lanka and Nepal – characterises armed conflict as sustained by specific political economies that can only be stably resolved by establishing liberal democracy and market economics. This paper examines liberal peace engagement in Sri Lanka and Nepal to challenge a crucial assumption of the persistent conflict thesis, namely the separation between political contestation and armed conflict. It argues that the divergent post-conflict outcomes of continuing ethnic polarisation in Sri Lanka and constitutional reform in Nepal reveal strong continuities in the dynamics of pre-war, war and post-war politics. This continuity challenges the presumed separation of politics and violence that drove international engagement to produce liberal peace and suggests that such engagement, far from encouraging reform, may have (inadvertently) sustained conflict in both cases.

The decisive, albeit very different, endings of the Sri Lankan and Nepali armed conflicts and the subsequent, equally divergent, post conflict developments in the two states pose an important challenge to the understandings of conflict that have informed two decades of international efforts to produce sustainable peace in conflict zones across the world. Post-Cold War efforts to resolve intra-state conflicts have been driven by a specific characterisation of conflict dynamics. In the policy prescriptions and aid policies of a range of powerful states, multilateral and non-state actors, organised violence is understood to be sustained by its own political economy, whereby armed non-state actors in particular are held to have an interest in perpetuating conflict and thwarting the possibility of peace. According to this conceptualisation, while violent conflict is said to be driven by the possibility of predatory economic activity, its lasting resolution is held to require institutional strengthening

and restructuring to produce a state capable of effective (i.e. liberal, market and democratic) governance. Furthermore, there is also a clear policy consensus that in the absence of such reform, conflict will be persistent or recurrent. This framing of conflict, in which organised violence and political contestation are treated as inherently distinct, if intermittently linked, phenomenon, has informed post-Cold War peace building efforts across the world, including in Nepal and Sri Lanka.

The political dynamics of the Nepali and Sri Lankan armed conflicts and their clear linkages to pre-conflict and post-conflict dynamics pose important challenges to this understanding of violent conflict. This is not primarily, or even most importantly, because in both cases armed conflict appears, for the time being at least, to have ended. Instead, it is the pre-war and post-war dynamics of Sri Lanka and Nepal that pose a more important analytical challenge to the persistent conflict thesis. That is, while the conflicts ended very differently – in Sri Lanka through a decisive government military victory and in Nepal through a peace agreement followed by a constitutional process – both endings and subsequent events have strong continuities with *political* objectives sought by conflict protagonists before, during and after armed conflict. In this sense in Nepal and Sri Lanka conflict persists *after war's end*, not through violence alone, but through politics. That is, the many motivations, interests and specific political economies that were apparent in sustaining the Nepali and Sri Lankan civil wars did not exhaust the ontology of conflict *per se,* and the political objectives pursued through the war – as well as the pre-war and subsequently post-war periods – remain crucial.

In Sri Lanka the ending of the three decades old civil war (1983-2009) between government forces and the Liberation Tigers of Tamil Eelam (LTTE) has paved the way, despite international pressure, for an accelerated and illiberal project of state-led Sinhala Buddhist majoritarianism – and concomitant Tamil resistance framed in nationalist terms.[3] Crucially,

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these dynamics are not only wholly continuous with the island's post-independence, pre-war, history, but were also evident in the rhetoric and strategies of protagonists during the war itself. Similarly, in Nepal the outcomes of the ongoing post-war constitutional process ('the solution' in liberal peace terms) are directly linked not only to the political agenda the Nepali Maoists set out well before their armed insurgency began in 1996, but also the basis of rhetoric and strategies during the period of insurgency (1996-2006). This article argues that these starkly divergent outcomes to armed conflict were shaped in determinate, albeit unintentional ways, by international interventions that adopted a framing of the organised violence of the Sri Lankan and Nepali armed conflicts as quite apart from the dynamics of normal political contestation.

International engagement in the Nepali and Sri Lankan conflicts was part of the expanding pattern of international intervention in numerous conflict sites in the past two decades. The notion of internal conflict as persistent and recurrent has been linked to – the now taken for granted as inter-related – issues of security and development. Persistent conflict is, thus, seen to generate multiple threats – such as refugee flows, terrorism and arms proliferation – to local, regional and global security, whilst also hindering the development processes that alone could inoculate conflict ridden states against repeated bouts of violence, and thus ensure future stability and security. The protracted and multifaceted processes of international engagement in the Sri Lankan and Nepali conflicts were driven by this dominant post-Cold War consensus that intra-state conflict represented serious threats to international security and global order, as well as by the further conviction that liberal democracy and market economics provide the surest foundation for self-sustaining peace: a stable peace is necessarily a liberal peace. Consequently, a range of international actors and agencies, working through a variety of projects, processes and mechanisms, sought to establish stable,

inclusive and democratic institutions as well as market liberalisation in Sri Lanka and Nepal.[4] As in other conflict sites, international actors pursued liberal peace through a range of co-ordinated, albeit not centrally planned, activities undertaken by a range of state, multilateral and non state actors making up what have been labelled 'strategic complexes'.[5] The international community has variously sought, for example, to empower civil society actors to build peace at the grassroots, foster constitutional dialogue, support spaces for economic regeneration (including through development) and, importantly, strengthen state security forces to confront and contain its armed non-state challengers. Inevitably these activities have both reinforced and at times undermined each other and the results of liberal peace interventions have been mixed, by their own terms and ambitions.[6] Nevertheless, it is argued here that international interventions, conceived and executed through the liberal peace framing of conflict, were crucial in determining the starkly divergent outcomes for liberal peace in both Nepal (an as yet incomplete 'success') and Sri Lanka (a self-evident 'failure').

Liberal peace interventions were premised on the belief that armed conflict, driven by specific political economies, not only represents a threat to state integrity, and therefore global security, but can also only be ameliorated by a restoration of legitimate state authority. In research that quickly became hugely influential from the 1990's, Paul Collier and others argued that armed conflict was driven primarily by the feasibility or opportunity for loot, plunder and criminal forms of economic accumulation.[7] Furthermore, the ensuing illegal 'war economy' was then seen to provide the motivation and finance for the perpetuation of conflict. In other words, it is 'greed' or 'feasibility' and 'opportunity', not political 'grievance' that ultimately matters for conflict persistence.[8] Grievances may create the conditions for violence, but 'conflict entrepreneurs' could also engineer grievances to mobilise for war. Such neo-classical reading of intra-state conflict as the perverse outcome of

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more or less rational utility maximising informed another influential argument put forward by Mary Kaldor that intra-state wars in the post-Cold War era ('new' wars) are qualitatively distinct from the organised industrial warfare characteristic of the nation-state era ('old' wars).[9] Kaldor connects many of the characteristic features she identifies with new wars, particularly their links to predatory forms of economic accumulation, to the accelerating processes of globalisation that have served to erode the state's monopoly of legitimate violence. Crucially, such diagnosis of conflict through neo-classical/ rational choice approaches and the broader characterisation of 'new wars' prescribe strategies for liberal peace interventions that turn on marginalising conflict protagonists and their stated political objectives as either irrelevant or even harmful to the creation of self sustaining liberal peace. Armed conflict and its non state protagonists are to be treated, therefore, primarily as threats to the possibility of peace that must first be contained for peace to be made possible.

In short, while liberal peace conceptions draw a sharp distinction between the order of politics and the disorder of armed conflict, the Sri Lankan and Nepali case-studies reveal how political and armed conflict are intimately related.[10] Indeed, the close continuities between the pre-war, war and post-war eras in both countries, traced below, suggest that these armed conflicts were – in Clausewitzian terms – the continuation of politics by other means,[11] and the politics of the post-war period is, as Foucault has argued, the continuance of war by other means.[12]

Liberal peace, persistent conflict, armed non state actors and the war on terror

The understanding of conflict as an outcome of institutional weakness or illegitimacy coexisting with perverse economic dynamics has informed attempts to establish liberal peace

around the world. To this end liberal peacebuilding in conflict zones works to establish and secure liberal democratic market states capable of stably fostering development and thereby contributing to international security and global order. The ultimate focus of liberal peacebuilding might be global security, yet its key target remains the territorial state. As Oliver Richmond notes, 'the fundamental object of liberal peace-building is the creation of cosmopolitan states within an international order.'[13] It is in this way that internal conflict, and the associated risks of state failure or weakness, come to pose existential threats to global security; as Francis Fukuyama warns, 'weak and failing states have arguably become the single most important problem for international order.'[14] Like the democratic peace thesis, its international variant, the liberal peace consensus draws a clear link between global peace and domestic order. The production of global order requires the elimination of local disorder i.e. the liberal pacification of conflict. As Richmond puts it, the 'liberal peace discourse has effectively become a Leviathan which all must assume and accept as a counter to the Hobbesian state of nature.'[15] In other words, liberal peacebuilding regards armed conflict, not as the (violent) pursuit of competing political conceptions of the state, but primarily as a threat to the creation of a strong and legitimate state that alone makes 'normal' politics possible. Crucially, armed conflict is also the primary threat to the reconstitution of such a state – and thereby poses a threat to international order.

The liberal peace imperative to transform conflict zones into functioning liberal, market democracies is clearly linked to the understandings of conflict as driven by the violent pursuit of perverse economic incentives, associated with institutional weakness and leading to recurrent cycles of violence along with continued institutional failure. For example, Paul Collier and Anke Heoffler's neoclassical approach characterises armed non-state actors as 'violent quasi criminal organisations'[16] that will tend to emerge where the opportunity for

economic predation is available, primarily in areas of commodity production, with large numbers of under or unemployed young men and where the state is relatively weak. In a later development of this argument, they suggest that rebellion against the state should be thought of more in terms of feasibility than motivation: regardless of the motivations of the initial 'entrepreneurs', rebellions will happen where conditions are propitious.[17] This analysis of civil wars has been criticised in a number of ways: the understanding of individual rationality on which its based,[18] the validity of the empirical instruments used as 'proxies' to measure greed, grievance and feasibility, and the ability of this model to explain the 'essence of war as a distinct social activity' in which 'thousands of people become involved in highly trying and hazardous forms of collective action' and often without 'receiving economic selective incentives to do so'.[19] Despite these criticisms, this analysis has become commonsense. What is significant about this approach is that not only is armed violence categorically separated from *political intent*, but also the ultimate guarantee against armed violence is the re-establishment of a viable and (coercively) strong state capable of deterring future attempts at violent insurrection. As Collier et al put it:

'An implication of the feasibility hypothesis is that if the incidence of civil war is to be reduced, which seems appropriate given its appalling consequences, it will need to be more difficult. This is orthogonal to the rectification of justified grievances, the case for which is implied directly by the concept of 'justified grievances' without any need to invoke the perilous consequences of the failure to do so'.[20]

In a similar vein, Mary Kaldor's characterisation of post-cold war conflicts as 'new' wars, although not formally reliant on neo-classical economics, makes a comparable set of claims. She argues that such conflicts emerge as a consequence of the forces of globalisation that have weakened state authority and the state's monopoly of violence from both above and

below.[21] The 'new wars' that emerge in this context draw their funding from illegal economic activities and use 'backward looking' ethnic identity politics as a means of mobilising support from amongst a politically alienated and economically disadvantaged population.[22] She contrasts such 'new wars' with the 'old wars' of classical modernity that were organised hierarchically around the nation-state framework, financed through taxation and organised around forward looking political projects. While the empirical basis for a sharp distinction between new and old wars has been criticised,[23] what remains important is the separation between legitimate politics, on the one hand, and organised violence, on the other, along with the imperative to restore legitimate order. Armed conflict is seen primarily as associated with a breakdown of order, motivated by predation and mobilised on the basis of 'fragmentative, backward-looking and exclusive' identity politics.[24] The amelioration of armed conflicts cannot be on the basis of negotiations between warring parties[25] and their often particularistic agendas, but requires instead the mobilisation of a new form of cosmopolitan politics, based on cosmopolitan values.[26] This involves the reconstitution of organised violence by 'public authorities' including 'national' authorities, albeit within an overarching global framework of cosmopolitan governance.[27]

The analysis presented here shows that in attempting to radically transform sites of apparent persistent violence, as in Nepal and Sri Lanka, liberal peace actors also inevitably seek to shape the conflict itself, although the outcomes of this, as in Sri Lanka, are often perverse. Furthermore, these more or less intentional outcomes of liberal peace actors' interventions are based on (mis) characterisations of conflict protagonists' intentions and characteristics as either in keeping with, or, alternatively antithetical to the broad normative and institutional objectives of liberal peacebuilding. As Mark Duffield notes, liberal peace building 'is geared to a logic of exclusion and selective incorporation'[28] whereby those perceived as committed

to the liberal peace project are included and rewarded whilst those deemed inimical are excluded and subject to sanction.

'Degrees of agreement, or apparent agreement, within such normative frameworks establish lines of inclusion and exclusion. Liberal peace is a system of carrots and sticks where co-operation paves the way for development assistance and access to wider networks of global governance, while non-cooperation risks varying degrees of conditionality and isolation.'[29]

This analysis of conflict protagonists is exemplified in the World Bank's analyses of persistent conflict in the 'World Development Report 2011'.[30] In identifying ways of breaking persistent cycles of violence, the report calls for a strengthening of state defence and policing capacities in order to deter 'armed threats from rebel or criminal groups' and 'those contemplating political or criminal violence'.[31] At the same time, other local actors identified as 'national reformers'[32] and 'national leaders'[33] are charged to work alongside their 'international partners' in establishing 'legitimate institutions that can provide a sustained level of citizen security, justice and jobs'.[34] The persistent conflict framework, thus, sets out an imperative to produce strengthened liberal democratic states by working in conjunction with local protagonists – 'national reformers' – deemed capable and willing to engage in liberal peace building, whilst marginalising those whose interests and identities are deemed wedded to the reproduction of violence – these are to be contained, or 'overcome', with 'strong policing and military capacities.' As this article will show, it is precisely this framework that underpinned multifaceted international efforts to produce liberal peace in both Nepal and Sri Lanka. In both cases international actors initially backed state elites, seen as potential 'national reformers', against their respective armed non-state opponents. Sri Lankan and Nepali state elites, deemed both willing for and capable of liberal reform, were thus rewarded with aid and other forms of support. Meanwhile their respective opponents, the

LTTE and the Maoists, were characterised as 'specialists in violence' or 'spoilers' and excluded while being subject to various forms of sanction, such as proscription and internationally backed state violence. However, as the analysis of Sri Lanka and Nepal shows, this framing of conflict misunderstood the strong connections between deep –seated local politics and the organised violence of conflict and therefore, whilst failing to facilitate the very processes of inclusive reform international actors sought, fuelled war (albeit unintentionally) in Sri Lanka and Nepal.

Finally, a note on the links between liberal peace building, persistent conflict and the 'War on Terror' (WoT). Even before the terrorist attacks on the United States on 11 September 2001, the understanding of armed conflict inherent to the liberal peace framework had already led to a convergence, as identified by Mark Duffield[35] and many others, in international policy and praxis between the pursuit of 'security' and 'development' in the developing world. Whilst Al-Qaeda and its affiliates understandably became emblematic of the ensuing WoT, the notion of terrorism had already expanded in international policy to include almost all major armed non-state actors around the world – as exemplified by the list of armed organisations proscribed as terrorists by the US in 1997 and the UK in February 2001. However, the ambition to end terrorism and pursue liberal peace in disparate conflict countries through measures to produce both security and development was impelled by a new urgency after 9/11. With war-torn or otherwise 'fragile' or 'collapsing' states deemed potential incubators and havens for terrorism, ending armed conflict, producing security (i.e. ending and foreclosing violence) and ensuing development became a priority not only for stability in the South, but security at home in the West.[36] While the adoption of the liberal peace discourse in the expansion of the WoT to target Iraq and other claimed 'rogue' state sponsors of terrorism has caused some advocates of liberal peace to recoil, the foundational

assumptions of the WoT and persistent conflict thesis – and that such conflicts held the potential of state collapse and possibly conditions for (local and global) terrorism – have largely remained uncontested. Indeed, over a decade after the WoT began, the convergence of 'security' and 'development' has become highly institutionalised; the US military, for example, is now increasingly the lead actor directing America's humanitarian and development (anti-terrorism) efforts in Africa, while the European Union's new external affairs service is explicitly seeking to further integrate the bloc's massive aid program into its joint security and foreign policy strategies, in which a foremost concern is to confront 'all violence, all terror, and all fanaticism' and thereby 'change the course of world affairs'.[37] In short, after 9/11, international efforts to eradicate terrorism and those to expand liberal peace (i.e. liberal peacebuilding) became integral to each other.

Politics and conflict in Sri Lanka and Nepal

International liberal peace building engagement was evident in Sri Lanka from the early post-Cold War period, and in Nepal from 2001. While this initially meant that international actors by and large backed the Nepali and Sri Lankan states against their respective non-state armed opponents, this cannot be interpreted in realist terms as activity aimed simply at securing the state. Instead, international actors simultaneously sought the transformation of the state into a liberal democratic, market state. In other words, state elites and actors received international backing only in so far as they were perceived to be committed to the broader objectives of liberal transformation; when these perceptions changed, international actors withdrew their support and were willing to work through alternative means to secure the liberal peace.[38] This is exemplified in Nepal at the twilight of the conflict in 2005, when international community ceased supporting the monarchy's counter-insurgency campaign and, instead, backed a peace process with a new alliance between the hitherto opposed Maoist insurgents and mainstream

parliamentary parties. Similarly in Sri Lanka, the international community has at different times turned to different state elites to deliver the liberal peace, supporting each in its efforts to confront the LTTE. Despite staunchly backing the present Sri Lankan regime until it vanquished the LTTE, since the war's end in 2009 liberal states have become more hostile, as the government spurns their demands for liberal reform.[39]

International engagement in both the Sri Lankan and Nepali conflicts is thus best understood as an effort to produce liberal peace in which conflict protagonists' 'agreement or, apparent agreement' subjects them to logics of 'exclusion and selective incorporation'.[40] This framework inevitably separates political contestation from the dynamics of armed conflict. However, as the discussion below shows, the divergent outcomes underway in post-war Nepal and Sri Lanka can only be understood in terms of the deep links between competing political projects and the use of force in their pursuit i.e. armed conflict. The divergent outcomes of conflict in the two states were finally determined not by conflicting actors' cosmopolitan or exclusivist values, or indeed their linkages to various types of economic activity. Instead, the ongoing dynamics of constitution-making in Nepal and intensifying Sinhala majoritarianism (and Tamil resistance) in Sri Lanka are continuations of political projects that have been pursued over many decades by both violent and non violent means.

In pointing to these continuities, we are not suggesting that all acts of violence were purely motivated and controlled by political ideology. Long-run conflicts invariably bring together actors with a diversity of motivations and there are often important disjunctions between local and elite-level drivers of violence.[41] However, the argument here shows that the organised violence of the Sri Lankan and Nepali armed conflicts was clearly linked to competing, long-standing, political projects and the outcomes cannot be explained except

through these linkages – which may indeed have been mediated at the micro level through complex and fluctuating motivations, interests and political economies.

There are of course significant differences between the two cases. In Nepal, the protagonists broadly shared a national framework, whereas Sri Lanka's ethnic conflict has been driven by two divergent framings of national identity; one of Sinhala Buddhist dominance and the other of Tamils and Sinhalese as politically equal collectives. However, this does not suggest a simple opposition between left/right ideological conflict in Nepal and 'ethnic' conflict in Sri Lanka. Indeed, Stathis Kalyvas has challenged the often made distinction between ethnic and ideological conflicts by a comparison of the conflicts in Vietnam and Iraq.[42] A similar comparison of the Sri Lankan and Nepali civil wars is beyond the scope of this paper – but it is important to note that while the Nepali conflict included ethnic elements, Sri Lanka's ethnic conflict is not a simple opposition of self and other. Instead, Tamil and Sinhala Buddhist nationalisms must be viewed as historically evolved and deep seated political projects that required amongst other things the political accommodation of intra-Sinhala and intra-Tamil ethnic differences.[43] Notwithstanding the apparent greater importance of ethnicity in Sri Lanka's conflict, it is these linkages between politics and violence demonstrated in the political continuities of the pre-war, war and post-war eras that make these apparently dissimilar cases comparable sites of international liberal peace intervention. The following sections will therefore discuss in turn the dynamics of conflict and international engagement in Sri Lanka and Nepal before the paper comes to a conclusion that briefly discusses the implications of the arguments presented here for ongoing international efforts to produce liberal peace in sites of conflict.

Sri Lanka:

International support for the Sri Lankan state as an agent willing and capable of liberal reform and the consequent effort to contain and marginalise the LTTE as the sole obstacle to the production of liberal order was apparent from the mid-1990s and continued until just before the end of the war (the reasons for the change are discussed below). This pattern of international engagement included the period of the Norwegian mediated peace process (2001-2006) and remained consistent through successive changes of Sri Lankan leadership. However, this is not simply a matter of supporting the state against armed threats. As discussed below, the international community's tactical shifts in supporting competing Sinhala state elites at different times, as well the present growing and evident tensions between the Colombo government and its former international backers can only be understood in terms of the former's commitment to the latter's liberal peace project.

International interventions for liberal peace began in 1994 with overt and enthusiast support for newly elected President Chandrika Kumaratunga's strategy of a 'war for peace.' Along with a massive military offensive against LTTE held areas, Kumaratunga unveiled a constitutional reform 'package' that promised limited decentralisation of Sri Lanka's unitary and inherently Sinhala-Buddhist state and also pursued a program of economic liberalisation established by her predecessors. In this strategy, the LTTE was conceptualised as an intractable obstacle to (liberal) peace, distinct from the Tamil population and their grievances, and in fact the driver of the conflict itself. The defeat of the LTTE was thereby deemed necessary for the very possibility of inclusive peacebuilding. This approach to ending Sri Lanka's conflict was supported by a 'strategic complex' including states (principally the US, UK, other EU states, Japan and others, as well as India), the World Bank and other donors, UN agencies, and an 'epistemic community' that generated the requisite 'knowledge' about the conflict, the LTTE, the island's ethnic relations and so on – findings since severely

challenged by Sri Lanka's post-war dynamics. This analysis also deeply informed the Norwegian-led international peace intervention from 2001.[44] An exemplary statement of this view was made by the US Under-Secretary for Asia Nicholas Burns in 2006:

"We have faith in the government and faith in the President of Sri Lanka. They do want to make peace. We also believe that the LTTE is a terrorist group responsible for massive bloodshed in the country and we hold the Tamil Tigers responsible for much of what has gone wrong in the country. We are not neutral in this respect. We support the government."[45]

International backing for Kumaratunga, whilst initially enthusiastic, was not, however, unconditional. By late 1999 as the military balance began to shift decisively towards the LTTE and she appeared unable or unwilling to push through liberalising constitutional reforms, the international community began actively exploring an alternative: namely negotiations between the LTTE and the main opposition United National Party (UNP). Norwegian diplomats began quietly facilitating talks between the LTTE and the UNP after 2000, as donors, separately, began withdrawing support from the Kumaratunga-led government. The UNP and LTTE reached agreement on a Norwegian mediated peace process, and following the narrow defeat of Kumaratunga's Sri Lanka Freedom Party (SLFP)-led government by a UNP led coalition in the December 2001 general elections, the LTTE and new government signed a formal truce in February 2002 underwritten by international monitors. The Ceasefire Agreement (CFA) included clauses on the 'normalisation' of conditions in Tamil areas, the resettlement of the 800,000 displaced Tamils, the dismantling of 'high security zones' and disarming of government-backed paramilitaries. Although these key provisions remained substantively unimplemented by the government, international support was unwavering, and even though direct talks were short-lived, in the first three years of the ceasefire, international donors rushed to provide billions

of dollars to the government to revive and rapidly liberalise the economy that was by 2001 in recession. (It is worth noting that three years after the end of the war in 2009 amongst key international demands being resisted by the Sri Lankan state are resettlement of displaced Tamils, de-militarization of the North-east and the disarming of government backed paramilitaries.) Donors also underwrote substantive efforts through international NGOs such as the Berghof Foundation, for grass roots 'peacebuilding', reconciliation and inter-ethnic 'dialogue'.

The formal negotiation process was thus not envisaged by the international community as primarily about resolving an underlying conflict, even though Norwegian facilitators pushed for discussions on federalism. Instead, the peace process advanced liberal peace by precluding (the LTTE's return to) war long enough at least to reconstitute the state's military capacity and long enough to entrench economic liberalisation and undertake conflict-ameliorating development and grass roots peacebuilding between ethnic communities. To this end the international community supported the rapid rearming and reconstitution of the exhausted Sri Lankan military,[46] while aid flows to the state accelerated from 2002.

The peace process eventual demise was associated with a number of factors. Firstly the LTTE withdrew from formal negotiations in mid-2003, citing Tamil frustration with the continuing humanitarian crisis – but retained its commitment to the ceasefire agreement and successively proposed two administrative mechanisms to address urgent humanitarian issues[47] – both rejected by the Sri Lankan government. By early 2006, the UNP had lost successive elections that saw the triumph of a hardline Sinhala nationalist SLFP-led coalition that also brought to the Presidency Mahinda Rajapakse, the avowed Sinhala nationalist.[48] Although the international community backed the UNP in its failed electoral campaigns, and unanimously expressed outrage over an LTTE-enforced boycott in Tamil areas that reportedly allowed

Rajapakse to triumph, international actors nevertheless swung decisively behind the new President's proposed strategy of an aggressive military campaign against the LTTE coupled with an 'All Party Representative Conference' to formulate a political solution. The international 'green light'[49] – as it was termed – for a renewed military offensive against the LTTE came in early 2006, when Canada and the European Union proscribed the LTTE.

The international community's decisions during this period was thus premised on the belief that successive Sri Lankan governments, including Rajapakse's, were willing and capable of engaging in liberal reform, whilst the LTTE remained the sole obstacle to the stable and peaceful resolution of armed conflict. This analysis ignored the long process of Sinhala Buddhist state formation – termed the 're-conquest of the majority'[50] – that was evident as early as 1931, when Sri Lanka (then called Ceylon and a British colony) was granted substantial self-government with universal franchise. Indeed, by the 1970's, long before the onset of conflict, Sri Lanka had 'regressed to an illiberal, ethnocentric regime bent on Sinhala super-ordination and Tamil subjugation'.[51] This was manifest in policies that successively excluded Tamils from the public sector employment, from the military and police, from higher education from and private sector activity alongside continuous state sponsored Sinhala colonisation of the Tamil speaking areas.[52]

Whilst the state led project of establishing Sinhala Buddhist political, economic and cultural dominance preceded the war and continues after it has ended, the demand for Tamil political independence likewise preceded the LTTE and has continued since its military demise. The insistence on Tamil – Sinhala (collective) political equality was central to Tamil politics from the early twentieth century and the demand for territorial autonomy was fitfully made from the early 1920s.[53] From 1956, amidst an escalation of the Sinhala Buddhist state-building project, Tamil Politics was dominated by the Federal Party which demanded territorial

autonomy in the Tamil speaking areas and insisted on Tamil – Sinhala political equality.[54] The escalation from territorial or federal autonomy to outright political independence came in 1977 with the massive electoral victory of a coalition of Tamil parties on the platform of the famous 1976 Vaddukoddai Resolution that detailing a history of marginalisation, called for an independent Tamil state – over six years before the civil war actually began in 1983.[55]

In other words, Sri Lanka's civil war had long political antecedents. The LTTE emerged in the late 1970s to launch an armed struggle for independence, explicitly citing the historical impossibility of negotiating an outcome, and all out civil war erupted in the wake of the anti-Tamil pogrom of July 1983.[56] The LTTE pursued from the outset a military strategy to establish the territorial and institutional bases for independence against an overwhelmingly Sinhala military.[57] From fifty cadres in 1983, in 2006 the LTTE fielded a conventional army of an estimated 20,000 troops, a powerful naval arm and a rudimentary air force. It had also established *de facto* modes of governance in the extensive areas it controlled.[58] In short, by the turn of this century, the LTTE had emerged as the leading Tamil political actor, a point underscored by the Tamil National Alliance (TNA), a coalition of political parties, which came together in 2001 explicitly on a manifesto demanding the government negotiate a political solution with the LTTE.[59] Furthermore, following the LTTE's military demise, Tamil politics is visibly coalescing around the around the demand for territorial political autonomy – exemplified by the recent electoral successes of the TNA and the recent broad based coalition of civil society groups explicitly endorsing the principle of Tamil nationhood.[60] This is moreover amidst episodic confrontations between a resentful Tamil population and the Sinhala military.[61]

The international community's consistent support for the Sri Lanka's military efforts against the LTTE – although based on the specific understanding of conflict discussed here – was

nevertheless conditional on the relevant government's willingness to engage in liberal reform. As a consequence having given the Rajapakse led government the 'green light' for war in 2006, international disquiet over the military strategy grew, becoming open from late 2008. Far from ushering in a process of renewed liberal reform, the onset of conflict in 2006 led to three years of high-intensity and, even by Sri Lanka's standards, exceptionally bloody fighting along with enormous humanitarian suffering and heavy civilian casualties. The 'All Party Representatives Conference' had gone nowhere and was revealing itself to be a sham. Moreover, having weakened the LTTE by 2008, the government, rather than pushing for negotiations and a political solution, was escalating and widening the military onslaught triggering further new waves of displacement amid heavy casualties, and ignoring calls by the West and India for a political solution. Matters came to a head in the final months of the conflict in early 2009. The government explicitly and vehemently rejected calls by leading western states – including an explicit demand by President Barack Obama[62] – for Sri Lanka to refrain from shelling hospitals and civilian locations, and allow international access to supply aid and evacuate civilians. Instead Sri Lanka further tightened humanitarian access and escalated its bombardments. The war finally ended in May 2009 with the defeat of the LTTE and the mass killings of 40,000 Tamil civilians.[63]

The military destruction of the LTTE has not lead to liberal peace, but the opposite: an acceleration and intensification of state led process to entrench Sinhala Buddhist military, economic and political dominance. Sri Lanka's military budget has grown repeatedly (even by 2006, its army was twice the size of Britain's) and the military now dominates social, economic and political life in the Tamil speaking areas, that is in turn provoking growing and palpable Tamil resentment.[64] As a consequence there has also been growing tensions between Sri Lanka and its former backers in the war against the LTTE. By 2011, the dominant theme

of liberal peace engagement with Sri Lanka was turning on accountability for war crimes and crimes against humanity committed during the final stages of the war, with the explicit reference to command responsibility at the top of the government, as well as pressuring the state over long running issues of massive Tamil displacement, disarming of army-backed paramilitaries and negotiating a political solution, now with the TNA. [65] In early 2012 the UN Human Rights Council adopted a US sponsored resolution calling on Sri Lanka to take concrete steps towards reconciliation and accountability. The resolution, vehemently resisted by the Sri Lankan delegation, was backed by EU countries, the UK and India.[66] At the time of writing, amidst increasingly vocal international insistence, the government is defiantly refusing to accede any of these demands.[67]

Nepal:

The nature of international interventions in Nepal's Maoist insurgency (1996-2006) and of international peacebuilding in the country, manifestly framed in liberal peace terms since 2001, illustrate both the continuities in terms of political objectives sought by the conflict protagonists before, during and after the conflict, and the impact of international action on the conflict's decisive end and outcomes. Significantly, international actors started paying attention and playing an active role in Nepal's internal armed conflict only after 2001, five years after the launching of the People's War against Kathmandu's Government. At its outset, the Maoist uprising was dismissed out of hand as a fairly irrelevant 'slow burning insurgency' at the periphery of Nepal's territory by both the Nepali government and international actors. Governmental response was limited to police action in this period, but confrontation with security forces increased and casualties mounted steadily as Maoist territorial control expanded until reaching by 2001 approximately half of Nepal's territory. The Maoist organisation also grew rapidly as they instituted *de facto* forms of 'local

government' in the captured areas, in line with their political agenda; these areas effectively featured a 'parallel state structure'.[68]

Nepali Maoists demanded a radical process of state-restructuring through constitutional reform by an elected Constituent Assembly – a promise made by King Tribhuvan already in 1951 but never fulfilled. The Maoists sought the removal of the Hindu monarchy through the declaration of a secular republic, the inclusion of the country's historically marginalised socio-cultural groups and the tackling of socio-economic inequalities – long-standing issues they deemed Nepal's 1990 re-democratisation had left unresolved.[69] In 1990 a pro-democracy People's Movement brought to an end three decades of monarchical autocracy (1960-1990). However, radical communist parties – which included future Maoist leaders Dr. Baburam Bhattarai and Pushpa Kamal Dahal (a.k.a. 'Prachanda'), many ethno-linguistic minorities and lower caste groups regarded the 1990 Westminster-style institutional settlement of constitutional monarchy and parliamentary democracy as insufficient to deliver the changes sought by different political actors since Nepal's first democratisation in 1950-1 to transform the country into a truly democratic, equitable and inclusive polity.

The Maoist transition from parliamentary process to armed struggle, and back again, was framed by clear organisational and political objectives. The Bhattarai-led faction of the United People's Front Nepal (UPFN) engaged in parliamentary politics up until 1994 when it failed to get recognised by the Electoral Commission to contest the 1994 mid-term elections[70] and then further radicalised. On 4 February 1996 the UPFN submitted to the Government a list of forty demands threatening an armed uprising had those requests remained unfulfilled. Soon after, coordinated attacks were launched on government posts marking the beginning of the People's War. Dr. Bhattarai – currently Nepal's Prime Minister and a key leader during the insurgency – draws an explicit connection between his group's parliamentary

participation in the early 1990s and later Maoist military activities: 'We participated in order to utilise the election as a forum for promoting revolutionary politics by demanding basic rights for oppressed people. […] Our activities in parliament were one forum of our preparations for the People's War'.[71]

In fact, the Maoists withdrew from the first round of peace-talks and resumed the hostilities in November 2001, officially due to the Government's refusal to entertain their demand for a Constituent Assembly. At this point the Government and international actors chose to no longer ignore the Maoist insurgency. Nepal's Government responded to the broken ceasefire by declaring a state of emergency, deploying the Royal Nepal Army for the first time alongside police on the battlefield, and declaring the Maoists a 'terrorist group', increasingly pressurised by the post-9/11 global discourse of the WoT.[72] In fact, King Birendra (reigned 1975-2001) had refused to deploy the Royal Nepal Army against the growing Maoist guerrilla campaign. However, despite the suspicious circumstances of the 'royal massacre' in June 2001 his interventionist brother, King Gyanendra (reigned 2001-2008), ascended to the throne.[73]

The international community – with India, the US and EU countries at the forefront – started to strongly support the state in the conflict – *in primis* the Monarchy – in order to end the insurgency by military defeat of the Maoists regarding them as antithetical to the normative and institutional objectives of liberal peacebuilding.[74] In fact, already during the peacetalks, the Indian and US Governments used anti-terrorism legislation to proscribe the Maoists, while India moved troops to the Nepal border.[75] This had immediate effects on the negotiations: as Maoist leader Ananta describes – 'Before 9/11, the government showed flexibility. But after that [...] the US-backed Deuba government began to behave towards us in such a way as to tell us: 'You have to surrender or go back to war'.[76] However, as in Sri

Lanka, this pattern of support cannot simply be understood through the catch-all lens of the 'WoT' or indeed realist attempts to maintain stability by shoring up the state. Instead, as illustrated by Duffield, selective support for the counterinsurgency campaign was conditional on perceptions of the Monarchy's capacity and willingness to eventually engage in liberal reform.[77] As a result the Maoist opening to the possibility of multiparty democracy as early as 2003 went largely ignored.[78]

International support for the Monarchy as the agent of liberal order between 2001 and 2005 was clear and unequivocal, despite King Gyanendra's first bout of autocratic rule in 2002-3 and growing evidence of human rights abuses committed by security forces.[79] As Whitfield explains, 'the international response hit a *nadir* in October 2002 as diplomats offered tacit support to King Gyanendra's abrupt dismissal of the government. Its overall impact had been to strengthen the state rather than to reform it'.[80] While the King oscillated between sidelining and including the parliamentary parties into the political process, the international community singled out the Monarchy as its preferred interlocutor to propel liberal peace goals. In April 2003 the Nepal and US Governments signed a Memorandum formalising their participation in the Antiterrorism Assistance Program; five days later US State Department slotted the Maoists in the second-tier "Other Terrorist Groups" list amidst the 2003 talks.[81] Unsurprisingly, Nepal became a member of the World Trade Organisation in April 2004.

A radical shift in the international community's attitudes towards the conflict protagonists in Nepal took place in 2005 when King Gyanendra resumed absolute powers and declared a second state of emergency in February. The heavy crackdown on the media, the intensification of conflict and growing human rights violations shook the basis for international support to the Monarchy as the preferred agent of liberal ordering as the 'royal coup' was deemed to 'heighten the prospect of outright state failure'.[82] Progressively,

international actors took notice of the growing discontent towards the regime and capitalised on it by reversing their choice of selective inclusion of conflict protagonists to propel liberal peace goals. India and the European Union, while withdrawing military aid to the King, began supporting negotiations between the Maoists and the parliamentary parties in view of finding a negotiated settlement to the conflict and a more direct path to secure stable liberal democracy and market economy in Nepal.

In the meantime, the US continued to urge the King to reach out to the political parties, while counselling the parties against collaborating with the Maoists.[83] As late as 2005, US officials characterised the Maoist agenda in unequivocal terms as that of a 'one party totalitarian state'.[84] Significantly, US-led efforts to marginalise the Maoists were undermined by Gyanendra's own unwillingness to compromise with the parties. While some international actors were more willing to make this tactical change than others, the strategic objective was shared by the international community and there was a clear directionality to the movement. As a result, the US got on board of the new international approach to Nepal's conflict.

A cable of the US Embassy in Kathmandu released by WikiLeaks illustrates the difficulties posed by the many 'regressive steps taken by the King'.[85] A Danish diplomat declared that Nepal was heading towards a republic, since neither the King nor the Crown Prince commanded the trust of the people, thus suggesting international support for a new constitutional process inclusive of the Maoists.[86] In fact, as the emergency was lifted on 30 April 2005, there followed a series of negotiations between the Maoists and the political parties. The process resulted in the November 2005 anti-monarchical agreement sealed in Delhi – signalling India's explicit approval to the alliance. The parties conceded the long-term Maoist demands for the election of a Constituent Assembly and implementation of

'absolute democracy' through a 'forward-looking restructuring of the state' to include groups excluded on the basis of gender, class, caste, language, region, ethnicity, and region.[87]

Coordinated antimonarchical agitations organised by the Maoists and parliamentary parties in April 2006 succeeded in ending King Gyanendra's internationally isolated autocracy and restoring democracy. Following intense negotiations, on 21 November 2006 the Government and the Maoists signed the Comprehensive Peace Agreement, which paved the way for a process of institutional reform to 'build a new Nepal' and manage arms through UN assistance.[88] Demands for an immediate and unconditional surrender of Maoist weapons, together with demobilisation of combatants, continued. The Maoists refused. Compromise was eventually reached to restrict both the PLA and the Army to their respective barracks; however, the Maoists kept control over their weapons, while agreeing to make them available for UN inspection. Despite their ongoing potential for violence, the Maoists were inducted into the process of Nepal's liberal ordering.[89] New bouts of violence erupted since the end of the People's War – notably the Madhesi Andolan in early 2007 in the Terai. However, we maintain that Nepal's Maoist insurgency came to a decisive end in 2006 and that the kind of violence which emerged in the wake of the Peace Agreement was qualitatively different. Recent violence voices demands for group-based inclusion into the emerging new state structures, it does not challenge the *raison d'être* of the Nepali state as the People's War did.

Importantly, from 2006 the Maoists worked to (re) convert their former military structure into a political organisation.[90] In January 2007, immediately after the new Interim Constitution was promulgated, Maoist delegates joined the Interim Legislature and the Cabinet, resuming parliamentary politics. At the same time, the UN Security Council created the UN Mission in Nepal (UNMIN) to support the peace process.[91] On 10 April 2008, the Interim Government succeeded in holding peaceful elections, which resulted in the Maoist party gaining a relative

majority in the Constituent Assembly.[92] The Maoists then moved to consolidate a framework for political change that excluded the King; notably the first meeting of the elected Constituent Assembly abolished the monarchy. While negotiations continue on the precise shape of Nepal's new constitutional framework whose extended deadline is now set for May 2012, significant steps have already been taken to integrate former Maoist combatants into the Nepal Army. Having carved out the institutional space to reform the Nepali state in line with their agenda, the Maoists have laid down their arms and resumed parliamentary politics.

Conclusions

This paper has examined international liberal peacebuilding efforts in the Nepali and Sri Lankan conflicts. International actors framed these conflicts as outcomes of weak or illegitimate (illiberal)[93] governance compounded by perverse political economies, rather than the organised and violent contestation of competing political projects. In an effort to create/strengthen liberal democratic institutions along with a market economy – as the only means of ensuring a self-sustaining peace – international actors operated according a logic of 'exclusion and selective incorporation'[94] where by those local actors perceived as committed liberal 'national' reformers were included and rewarded and those deemed inimical to the liberal project were excluded and subject to sanction. The analysis indicates that these efforts failed to produce inclusive process of liberal reform – and in Sri Lanka exacerbated the underlying ethnic polarisation. These starkly divergent – and sometimes perverse – outcomes of liberal peacebuilding in Nepal and Sri Lanka can be explained in terms of a blindness to the deep linkages between clashing political projects on the one hand and armed conflict as organised violence on the other as evident in the continuities between the pre-war, war and post-war political dynamics of both countries.

What would this reading of the deep continuities between politics and violence in Nepal and Sri Lanka have entailed for international activity? In concrete terms, this would have had specific implications for the Norwegian led peace process in Sri Lanka. Importantly during the peace process and in the 2006-8 period of war international actors simply accepted that Sri Lankan state actors were committed to liberal reform even though there was no historical evidence to support this view and the politics of popular mobilisation by all major Sinhala parties suggested otherwise.[95] If international actors had recognised the Sri Lankan state – not as a potential agent of reform – but a historically constituted political actor committed to an ethno-centric ideal, the opportunity of the peace process could have been used to insist more forcefully on substantive state reform alongside the massive focus on the containment and transformation of the LTTE[96] (understood as the sole obstacle to peace). In other words, the use of 'conditionalities' and 'sanctions' could have been geared more evenly towards both goals.[97] In Nepal likewise, support for the state and military could have been more conditional to their respect for democratic practice and human rights.

The analysis of Nepal and Sri Lanka suggests that in the absence of full and substantive institutional restructuring, antagonist conflict – including ongoing political and economic marginalisation – will persist. We would agree with the persistent conflict principle that inclusive, accountable and resilient institutions can accommodate and facilitate agonistic conflict that is in turn productive of cross-cutting allegiances and positive sum economic and social outcomes. However, our analysis of Nepal and Sri Lanka suggests that institutional restructuring (for liberal peace) is never just the product of a process of inevitable reform (consequent to the absence of war), but rather a function of decisive political shifts. In Nepal, this possibility was opened up by the creation of a Constituent Assembly deputed to create more inclusive state structures. In Sri Lanka, institutional reform cannot occur despite the

defeat of the LTTE because of the entrenched and politically robust Sinhala Buddhist character of the state.

Endnotes

[1] Madurika Rasaratnam is completing her PhD at the Government Department, LSE. Her doctoral dissertation uses the south Indian and Sri Lankan Tamils as case studies to comparatively examine the processes after independence that led to relatively stable ethnic accommodation in India and escalating ethnic conflict in Sri Lanka.

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[2] Dr Mara Malagodi obtained her PhD from SOAS – where she now teaches – with the thesis *Constitutional Nationalism and Legal Exclusion in Nepal (1990-2007)* due to appear in the OUP India Law Series. Mara is the Treasurer of the *Britain-Nepal Academic Council*; her work features in *Studies in Ethnicity and Nationalism*, *EBHR* and edited collections by Hart and OUP.

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[3] See below for a discussion of post-war dynamics in Sri Lanka

[4] We characterise international engagement in Sri Lanka and Nepal through the 'liberal peace' framework. In doing so, we draw on an extensive literature that understands, and informs, international intervention in southern conflict zones. For a discussion of the liberal peace framework and its evolution in the post Cold War period see: Duffield *Global Governance,* Dillon & Reed *Global Governance,* Cooper *On the crisis of the liberal peace,* Richmond *The transformation of peace,* Richmond & Franks *Liberal Peace Transitions* and Paris *At War's End.*

[5] Duffield, *Global Governance, 12*.

[6] For a discussion of the problems and tensions within and between the various strategic complexes of the liberal peace building project see Newman et al *Liberal Peacebuilding.*

[7] The scholarly literature on the causes of armed conflict is of course much broader than the characterisation that we present here. See for example work by Cramer, Kalyvas and also Keen cited in the bibliography. However, our focus is on the characterisation of armed conflict within liberal peace policy and practice and we would argue that liberal peace frameworks continue to treat the drivers of conflict in primarily terms of rational choice and or economic self interest. See for example our discussion of the World Development Report, 2011 below and also a critique of the same by Jones & Rogers *The World Bank's World Development Report.* We note that Collier et all have switched from the earlier 'greed vs grievance' to 'feasibility'. However, as our discussion shows, the notion that armed conflict will occur where it is 'feasible' does not fundamentally alter the economist framing of conflict dynamics, particularly the understanding of armed non-state actors, or indeed the injunction to secure and strengthen the state.

[8] See for further discussion Collier and Hoeffler, 'On the economic causes of civil war'; Collier and Hoeffler, 'Greed and Grievance in Civil wars' and Collier et al, 'Beyond and grievance: feasibility and civil war'.

[9] Kaldor *New and old wars*.

[10] Arguably these armed conflicts could end decisively precisely because the respective protagonists in Nepal and Sri Lanka sought concrete political objectives through organised violence. In Nepal the Maoists could abandon the armed struggle because the constitutional path to state restructuring became – and continues to be - plausible whilst the Sri Lankan military relentlessly pursued the military destruction of the LTTE and a final end to armed conflict because it ultimately sought – and is pursuing –militarised Sinhala dominance in the Tamil speaking areas, formerly under LTTE control.

[11] See for discussion Gutierrez Sanin 'Clausewitz vindicated? Economics and politics in the Colombian war'

[12] Foucault, *Society Must Be Defended*', 15

[13] Richmond *The Transformation of Peace*, 106; Newman et al 'Introduction', 10; Newman '"Liberal" peacebuilding debates', 29 and Richmond & Franks Liberal Peace Transitions

[14] Quoted in Newman et al 'Introduction', 10

[15] Richmond *The Transformation of Peace*, 70

[16] Collier and Hoeffler 'Greed and Grievance', 7

[17] Collier et al 'Beyond greed and grievance'

[18] Cramer 'Home Economicus Goes to War', also see Kalyvas 'Promises and pitfalls'

[19] Gutierrez Sanin 'Clausewitz vindicated?', 221

[20] Collier et al 'Beyond Greed and Grievance', 24

[21] Kaldor, *New and old wars, 5*

[22] Ibid, 7

[23] Kalyvas, 'New and old wars: a valid distinction?'

[24] Kaldor, *New and old wars, 81*

[25] The warring parties are moreover a motley array of 'paramilitary groups, local warlords, criminal gangs, police forces, mercenary groups and also regular armies' Ibid, 9

[26] Ibid, 126

[27] Ibid, 188

[28] Duffield *Global governance, 34*

[29] Ibid.

[30] The report analyses the phenomenon of persistent conflict under the subtitle of 'Conflict, Security and Development' the same three concepts that Duffield identities in *Global Governance* as key to the 'strategic complexes of the liberal peace. It is also worth noting that this journal, bearing the same title, was launched at the turn of the century.

[31] World Bank *World Development Report 2011, 88.*

[32] Ibid, 8

[33] Ibid, 20

[34] Ibid, 8

[35] See in particular Duffield, *Global Governance*

[36] See discussions in World Bank *World Development Report 2011,* specifically, 55, 65, 74

[37] European Union *Laeken Declaration.*

[38] Drawing on the liberal peace literature (see note 7 above) we argue that the liberal peace framework cannot be understood as in any way epiphenomenal to other and more 'realist' conceptions of security and geo-political interest. We adopt the view that conceptions of security and geo-political interest are rarely objectively present, but must instead by discursively constructed; see for example Campbell *Writing Security* and Laffey & Weldes eds *Cultures of Insecurity*. Our argument is that in Sri Lanka and Nepal, as in numerous other conflict zones, security and geo-political interest were framed in liberal peace terms. International actors supported Sri Lankan and Nepali state elites in so far as these elites were thought to be capable and / or willing to engage in liberal reform, and thereby partners in the pursuit of (liberal peace) security. When these perceptions changed, they opposed their previous allies as obstacles to the pursuit of the same objectives of stability and security, framed in liberal peace terms.

[39] The 'strategic complexes' of liberal peace engagement in both Sri Lanka and Nepal consist of a wide array of actors who were rarely in perfect alignment. There were often tactical differences between them (see for example note 47) below. At the same time there was also a high degree of co-ordination between key actors. For example US, EU, Japan and Norway were jointly the four 'co-chairs' of the Norwegian mediated peace process in Sri Lanka (2001-6). Similarly in Nepal, in 2001 the Monarchy received military support from India and the US. Subsequently all major actors supported the constitutional reform process that excluded the Monarchy but included the Maoists. However, as we note later on p24 there were differences between the actors and some were more willing to make this switch than others.

[40] Duffield, *Global Governance, 34*

[41] Kalyvas 'The ontology of political violence'

[42] Kalyvas 'Ethnic cleavages and irregular war'

[43] Sri Lanka's ethnic conflict is a matter of political process rather than ethnic demography. In the colonial period for example there was an absence of Tamil Sinhala conflict, although there was ethnic conflict along the Sinhala Muslim axis as well as intra – Sinhala and intra – Tamil caste and religious conflict. For a discussion see Tambiah *Buddhism Betrayed,* Tambiah *Levelling Crowds,* Wicramasinghe *Ethnic Politics*.

The importance of political process in consolidating Sri Lanka's conflict is further underlined in comparison with neighbouring India. Although Sinhala Buddhist and Tamil nationalism are crucial to conflict dynamics in Sri Lanka, neither of these nationalisms is exceptional. Sinhala Buddhist nationalism is symmetrical in ideology to Hindu nationalism in India, whilst Sri Lankan Tamil nationalism is closely linked – and neither more nor less extreme – than south Indian Tamil nationalism. For a discussion of the similarities of Sinhala Buddhist nationalism and Hindu nationalism in India see Seneviratne *The Work of Kings,* see also discussions of Hindu nationalism in Van der Veer 'Hindus a superior race' and Sinhala Buddhism in Little *The invention of enmity*. For a discussion of the similarities and differences in south Indian and Sri Lankan Tamil nationalism see Krishna *Post colonial insecurities.*

In India however, Hindu nationalist conceptions of India have always competed with the Congress conception of the Indian nation as a politically and historically unified but ethnically plural entity. It is this conception of the Indian nation that is enshrined in the constitution and south Indian Tamil nationalism has been amply accommodated within this framework. See for example Stepan, Linz and Yadav *Crafting State – Nations.* Conflict in Sri Lanka therefore is not about the presence of Sinhala Buddhist and Tamil nationalisms but about the – historically and politically contingent - absence of another overarching, politically and institutionally entrenched conception of national identity and national interest.

[44] Nadarajah *Clash of Governmentalities*

[45] Quoted in Tamil Net 'Sri Lanka Assured'.

[46] Within a year, the navy and air force doubled in size and were reequipped with more powerful weaponry. The army reorganised and expanded, doubling its complement of artillery and tanks. As US Ambassador Jeffrey Lunstead, put it, 'as part of its strategy of promoting the peace process, the US began to strengthen its military relationship with the government.' From Lunstead, *The United States' Role,* 17.

[47] See reports in Tamil Net 'GOSL – LTTE sign PTOMS' and 'Tigers release proposal for Interim Self Governing Authority'

[48] Rajapakse often presents himself as the true heir of the '1956 Revolution' – a reference to the elections that brought the first explicitly Sinhala Buddhist SLFP led government to power. See Gunasekara 'The Rajapakse Presidency'.

[49] It is important to note that a number of EU states were at first reluctant to proscribe the LTTE, on the basis that it would undermine the peace-process. However, they were subsequently persuaded by the UK and US. For Tamil nationalist analysis of international actions in 2006 and the use of the term 'green light' see Tamil Guardian 'International Mandate'.

[50] Smith 'Religion, politics and the myth of re-conquest'.

[51] De Votta *Blowback, 6.*

[52] For the drastic reduction of Tamils representation in the public sector, including the military and police see Manogaran *Ethnic Conflict,* 129. For the policies that restricted Tamils' access and thereby representation in higher education, particularly the highly sought after medical and engineering faculties, see *Ibid,* 125. For the impact of state sponsored colonisation schemes on the ethnic demography of the Tamil speaking areas see *Ibid,* 78-114. For the exclusion of Tamils from the private sector see Gunasinghe 'The Open Economy and its impact'

[53] See Wilson *Sri Lankan Tamil Nationalism* and with the same title Gunasingham *Sri Lankan Tamil Nationalism.*

[54] See Jupp *Sri Lanka, 136-146* and Wilson *SJV Chelvanayagam*

[55] See Bose *States, Nations, Sovereignty,* Wilson *SJV Chelvanayagam*

[56] See O'Duffy *LTTE*

[57] This is not to say that Tamil politics consolidated behind the LTTE in a stable or monolithic way. In the early 1980's the LTTE was one of many armed groups and only established its dominance through a series of bitter and violent internecine struggles that only finally ended in the late 1980's. Tamil political parties, including the remnants of the TULF coalition, have also shifted from positions of opposition to the LTTE in the early 1990's to one of support by 2001 (see below). The LTTE's base amongst the Tamil population was built through a mixture of violence and soft power and its support was never exhaustive or stable. Nevertheless what is important for the purposes of this paper is the fact that the LTTE's demand for territorial autonomy had deep continuities in the pre-LTTE and subsequently post-LTTE eras of Tamil politics. In the present post-LTTE politics, the protagonists for leadership both on the island and in the significant west-based Diaspora are nevertheless agreed on the principle of securing Tamil political autonomy from the Sinhala Buddhist state. In this sense the demand for autonomy is the 'banal' background of all political contestation in the Tamil space. For a discussion of nationalism as the necessary but 'banal' background of all political contestation see Billig *Banal Nationalism.*

[58] Stokke 'The Tamil Eelam State' and Mampilly *Rebel Rulers*

[59] Tamil National Alliance, *Our Election Manifesto*

[60] See for example Tamil Guardian, *On the TNA's electoral victory* and Tamil Net *TNA leadership faces admonition.*

[61] Examples include the 2011 confrontations and protests between civilians and the military in 2011 over the grease devils phenomenon. For an analysis of the 'grease devils' phenomenon from a Tamil nationalist perspective see Tamil Guardian 'Terror on Cue' and for details of protests and confrontations between the military and Tamil civilians see Tamil Net 'Jaffna University Students Protest' and Tamil Net 'Grease devil episode develops into standoff'. On growing Tamil resentment see also International Crisis Group, *Sri Lanka's North I & II.*

[62] For full text of statement see Tamil Net 'Obama Whitehouse'

[63] UN Nations *Report of the Secretary General's Panel of Experts*

[64] International Crisis Group *Sri Lanka's North II,* International Crisis Group, *Reconciliation in Sri Lanka,* and also Sumanthiran, 'Situation in North-Eastern Sri Lanka', especially section 2.

[65] As an example of this see Blake, Transpcript of Press Conference

[66] Sunday Times *After Geneva*

[67] It has been argued that the government's unequivocal rejection of liberal peace demands and the increasing tension between Colombo and its former allies (western states and India) reflects the growing role of China on the island. There are a number of problems with this argument. China's interests on the island (as elsewhere) appear to be primarily commercial and whilst these are not in alignment with the liberal peace agenda, neither are they opposed. Notably during the conflict both the LTTE and the Sri Lankan military used Chinese

manufactured weapons, the Chinese ambassador was also one of the first to formally visit the LTTE held areas after the February 2002 ceasefire. Furthermore recent Chinese funded infrastructure projects in the southern parts of the island, particularly the Hambantota harbour, cannot be considered a vehicle for creating strategic alliances that could be used to 'balance' opposing powers, as in the Cold War. To begin with these projects are funded by Chinese bank loans, agreed at near commercial rates, that the Sri Lankan government has to repay. Having obtained a Chinese built harbour in Hambantota, the Sri Lankan government is now struggling to make the port commercially viable. To this end it has recently issued new regulations forcing vehicle importers to move their business from Colombo to Hambantota. (See Lanka Business Online 'Diversion').

Finally it should be noted that there are also similar Chinese funded projects in Nepal, and yet these have not substantially altered the very different outcome of liberal peace building there. More importantly we would suggest that the focus on China ignores the long antecedents of the Sinhala Buddhist framework that preceded by several decades President Rajapakse's presidency and indeed China's recent and accelerated economic growth.

[68] International Crisis Group 2007. *Nepal's Maoists: Purists or Pragmatists?*

[69] The list included demands for renegotiating a number of agreements with India, for ending Nepal's 'feudal' monarchical political system and economic arrangements, for declaring Nepal a secular state, for granting equal rights to women, ethno-linguistic minorities and dalits, and, significantly, for the drafting of a new Constitution by the people's elected representatives. See: Hutt, *Himalayan People's War*, 285-287.

[70] Thapa, *A Kingdom Under Siege*, 43-45.

[71] Ogura, *Seeking State Power*, 22.

[72] In January 2002 the US Secretary of State Colin Powell to Nepal visited Nepal to offer US support to the Nepalese Government against the Maoist insurgency. A June 2002 Press Release issued by Amnesty International reports that the USA government had approved a 20 million dollar package of military aid.

[73] On 1 June 2001 King Birendra, Queen Aiswarya and seven other members of the Royal Family were shot dead inside Kathmandu's Royal Palace of Narayanhiti allegedly by Crown Prince Dipendra, who then attempted to commit suicide and died two days later. The country was ridden by shock, uncertainty and fear as the vast majority of Nepal's population did not accept the official explanation for the killings (See: Thapa, *Forget Kathmandu*, 7-47). Moreover, the succession to the throne of Gyanendra, late Birendra's second brother, was looked at with suspicion. Rumours spread about the involvement in the royal massacre of the new King and his son Paras. The accusation was made explicit by the Maoist ideologue Baburam Bhattarai's letter published on 6 June 2001 in the daily *Kantipur*. Gyanendra was accused of being India's pawn, while late Birendra was described as a 'patriotic King'.

[74] The February 2003 Report on *The US National Strategy for Combating Terrorism* clearly labelled the Maoists as a threat not just to Nepal, but to international order more widely: 'The destruction of the Marxist-Leninist-Maoist form of terrorism that now plagues the people of Nepal would certainly make the people of the United States – and central Asia – more secure and more free'. See: US State Department 2002. *Report: Patterns of Global Terrorism.*

[75] Ogura, *Seeking State Power*, 22.

[76] Ibid, 23.

[77] Duffield *Global governance*, 34

[78] In a letter to ICG dated 26 September 2003, Baburam Bhattarai expressed a Maoist commitment to multiparty democracy, conditional to the development of the negotiations with the Government. See: Hacchethu, 'Maoist insurgency in Nepal',14.

[79] Statistics collected by the Informal Sector Service Centre (INSEC), a well-respected but Communist Party of Nepal (Unified Marxist-Leninist, UML)-linked organisation, show that 13,347 people were killed in the conflict through the end of 2006 with 37 percent of those deaths attributed to the Maoists and 63 percent to state security forces. "No. of Victims Killed by State and Maoist in Connection with the 'People's War' (13 Feb 1996 – 31

Dec 2006)", INSEC, at www.insec.org.np/pics/1247467500.pdf. These numbers and proportions are generally accepted as accurate, although the allocation of responsibility in certain cases is disputed. Data released by a task force of the ministry of peace and reconstruction in September 2009 places the number of deaths significantly higher, at 16,274. The secretary of the task force explained that the toll had increased "because more people in the villages lodged complaints about losing relatives during the conflict". See: International Crisis Group, *Nepal: Peace and Justice?* 1.

[80] Whitfield, 9.

[81] The February 2003 US National Strategy for Combating Terrorism Report illustrates the rationale of the American stance in Nepal's conflict: 'The destruction of the Marxist-Leninist-Maoist form of terrorism that now plagues the people of Nepal would certainly make the people of the United States – and central Asia – more secure and more free'.

[82] Martin, *Nepal's Peace Process and the United Nations*, 4.

[83] See: http://wikileaks.org/cable/2005/11/05KATHMANDU2452.html [Accessed 30/10/2011].

[84] See: http://wikileaks.org/cable/2005/09/05KATHMANDU2146.html [Accessed 30/10/2011].

[85] See: http://wikileaks.org/cable/2005/11/05KATHMANDU2452.html [Accessed 30/10/2011].

[86] See: http://www.ekantipur.com/the-kathmandu-post/2011/04/30/top-story/the-wikileaks-2005-india-eu-were-at-one-on-nepals-ca/221175.html [Accessed 30/10/2011].

[87] See: http://www.sambidhan.org/peace%20agreement_en/12%20point%20peace%20agreement.pdf [Accessed 03/01/2012].

[88] See: http://www.unmin.org.np/downloads/keydocs/2006-11-29-peace_accord-MOFA.pdf [Retrieved 01/12/2010].

[89] Internal Maoist politics present important complexities: the mainstreaming of the political agenda on the part of the Bhattarai and Dahal-led factions has been perceived by the hardliners led by Baidya as having compromised on more radical goals of the party. Nevertheless, the party remains united and retains its youth-wing, The Young Communist League (YCL), in all effects a powerful parallel structure.

[90] Ogura, 41-2.

[91] UN Security Council, Resolution 1740 (2007).

[92] For the Constituent Assembly's electoral system and the electoral results see: http://www.election.gov.np/reports/CAResults/reportBody.php [Retrieved 01/12/2010].

[93] The consensus amongst liberal peace actors was that Sri Lanka was not a weak or fragile state but an imperfect and potentially 'reformable' liberal democracy. One of the major donor funded studies produced during the Norwegian peace process described Sri Lanka's conflict as arising from a 'failure of the state' - see Goodhand et al Aid, Conflict and Peacebuilding in Sri Lanka. However, as argued here Sri Lanka's ethnic conflict is better understood as a success of Sinhala Buddhist state building, rather than a failed, but potentially redeemable, attempt to establish liberal, market democracy.

[94] Duffield *Global Governance,* 34

[95] Indeed – Milinda Marogoda and G. L Pieris - two of the key government representatives in talks between the UNP and the LTTE, whose liberal credentials were explicitly celebrated by members of the international community, have now switched sides and are ministers in Rajapakse's Sinhala nationalist government. They have become enthusiastic apologists in international for for the President's illiberal policies of state-led Sinhala majoritarianism.

[96] For a critical view of the liberal peace insistence on LTTE 'transformation' see Nadarajah & Vimalrajah *The Politics of Transformation*

[97] For a discussion of the use of conditionalities see Frerks & Klem *Conditioning Peace*