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"Never Again": The Case Study of Sri Lanka and the Collective Action Theory of Genocide

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“Never Again”: The Case Study of Sri Lanka and the Collective Action Theory of Genocide

by
Maiuran Satgunarajah

A Thesis
Submitted to the Faculty of Graduate Studies
through the Department of Sociology, Anthropology, and Criminology
in Partial Fulfillment of the Requirements
for the Degree of Master of Arts at the
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ABSTRACT

This thesis examines Sri Lanka's ethnic conflict and civil war within its post-independence period in order to determine if the atrocities committed against the Tamil minorities amounted to genocide. The research employed Hagan and Rymond-Richmond's (2009) collective action theory of genocide. An integral part of this theoretical framework is state-led racial ideologies which this paper explored utilizing the methodology of Critical Discourse Analysis (CDA). Specifically, using CDA this paper analyzed speeches articulated by Sri Lankan political elites who were complicit in the atrocities and responsible for inciting the violence against the Tamil minorities. The results from this research strongly suggests that Hagan and Rymond-Richmond's theoretical model of genocide supports the case study of Sri Lanka.

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CHAPTER 1: Introduction

1.1 Study Overview

“Never again”, a phrase that continues to be reiterated throughout history by the United Nations when addressing large-scale atrocities, mass killings and genocides. This is indicative of the shortcomings of the United Nations when attempting to safeguard civilians within countries experiencing extreme hostilities. On September 2, 2016, the U.N. Secretary-General Ban Ki-moon delivered a speech in Colombo, Sri Lanka on Sustainable Development to Civil Society. He stated:

"It happened just one year after in Srebrenica, again many people were massacred when they were not fully protected by U.N peacekeeping operations. We repeated again, never again; how many times we should repeat never, never again. We did it again in Sri Lanka" (Francis, 2016).

Sri Lanka has been widely perceived as a serene and untroubled island by many outsiders. These ostensible beliefs were broken in 2009 when Sri Lanka unveiled its true nature and exposed its wounds to the rest of the world. The war-struck island had terminated its 26-year-long civil war in 2009 when the Sri Lankan government had defeated the Liberation Tigers of Tamil Eelam (LTTE). Sri Lanka consists of many different ethnic populations; the Tamils constitute the second major component of the population at 18%. Whereas the Sinhalese are the majority who make up 74% of the entire population (UN-Secretary General, 2011).

Stemming from ethnic and political tension, the Sinhalese-dominated state declared war against the Tamil insurgents in July 1983. The rebels were adamant on establishing a separate state known as ‘Eelam’ for the Tamil minorities. July 1983 also known as ‘Black July’ was a tragic month in Tamil history, both the state and Sinhalese goon squads killed thousands of Tamils due to communal disharmony (UN-Secretary General, 2011). In the post-war era, both

the LTTE and the Sri Lankan government are being deeply scrutinized for the countless human rights violations and potential war crimes that they had committed. United Nations' report reveals that up to 70,000 Tamil civilians had lost their lives in the last phase of the war due to the government's indiscriminate shelling and attacks (UN-Secretary General, 2012). Shockingly, these killings were deliberate since the government had shelled their own proclaimed 'no-fire zones' and hospitals (UNROW, 2014). In addition, the government systematically underestimated the number of civilians in the no-fire zones, subsequently, denying those who were trapped in the no-fire zones of adequate food and medicine. Given the track record of successive Sri Lankan governments and its mistreatment towards the minority population through discriminatory policies, demographic alterations, draconian laws, food and medicine embargoes, systematic denial of livelihood and inciting riots and forced disappearances (UNROW, 2014). This paper will argue that successive Sri Lankan governments had committed genocide against the Tamils.

Theoretically, this paper adopts Hagan and Raymond-Richmond's (2009) collective action theory of genocide. Their theory supported the case study of Darfur and demonstrated that genocide was committed against the Fur, Masalit, and Zaghawa civilian population. Due to their theory being recently developed, it has not been extensively tested in criminology. Moreover, this paper will employ Critical Discourse Analysis (CDA), this particular methodology will offer insight into various Sinhala politicians' and Sinhala elite leaders' racist views on the minority population. With thorough analysis, CDA can reveal genocidal intent and this will enable us to determine whether the Tamils were deliberately targeted due to their racial and ethnic identity. In addition, this paper aims to offer a comprehensive account of the atrocities that transpired in Sri Lanka's post-independence history in order to study the motives behind these acts.

1.2 Defining Genocide

Raphael Lemkin, a notable Polish-Jewish scholar and lawyer, coined the term ‘genocide’ in 1944, drawing from the Greek term *genos* which translates to ‘race’ and the Latin suffix *cide* which means killing. His intention to create the concept of genocide was to safeguard groups within a nation and also to gain support from the international community to protect vulnerable groups. His rationale for considering genocide within the purview of the United Nations and not treat it as a national crime is that the sovereign states who allegedly commit or conspire in genocide would not prosecute itself or the groups that it had supported. Thus, given the nature of the crime, the United Nations and other sovereign states are involved when prosecuting the crime of genocide. Lemkin expands on the concept of genocide within his text, *Axis Rule in Occupied Europe*, he outline that genocide does not technically have to mean the immediate eradication of a nation, unless it is executed by mass killings (Stanton, 2002). Genocide is rather a systematic plan of various actions which intends to destroy the essential foundations of the life of national groups and simultaneously physically eliminating the group itself. Included in these actions is:

“disintegration of the political and social institutions, of culture, language, national feelings, religion and the economic existence of national groups, and the destruction of personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups”(Stanton, 2002).

According to Lemkin, there are two phases which constitutes genocide, one being the eradication of the national pattern of the oppressed group and second is imposing the national pattern of the oppressor. Following this imposition is the removal of the population from their traditional territories and the oppressor colonizing these regions (Stanton, 2002).

The initial development of the concept of genocide was argued to be more inclusive and expansive until it was adopted later by the United Nations in the Convention on the Prevention and Punishment of the Crime of Genocide. A key difference between the initial definition of

genocide and the existing international definition is that Lemkin emphasized that eradicating a culture (ethnocide) is an imperative component of genocide, whereas the current definition omits such a view. Recognizing it as an international crime in 1948, the United Nations defined Genocide as:

Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

1.3 Significance of Research

This research is unprecedented for two salient reasons; one being that the collective action theory of genocide posited by Hagan and Rymond-Richmond has not been tested on the case study of Sri Lanka. Pruitt (2014) in his recent work has argued that the collective action theory of genocide should be applied to other instances of genocide. The author also suggests that the theory should be modified to be more inclusive and test whether it could support genocide based not only on race but also on nationality, ethnicity and religion. Sri Lanka's ethnic conflict was rooted in both ethnic and religious intolerance, the Sinhalese-dominated state implemented contentious policies which discriminated the Tamil's ethnic identity. Therefore, this case study would be appropriate to ascertain whether their theory could uphold other instances of genocide and if it is able to take into account the nuances of other cases. Secondly, in the post-war era, Sri Lanka continues to be under scrutiny for the alleged crimes it had committed against its own people, yet there has not been any study related to this issue in criminological literature pertaining to state crimes. In addition, scholars who seek to explore the

crime are fixed on studying the crime as an isolated event; however, this research deviates from the conventional way and attempts to examine it as a process. Specifically, it will study genocide as a crime that occurs at different periods in history.

1.4 Historical Context of Sri Lanka

Sri Lanka encompasses a rich diversity of peoples and cultures, the country contains two major ethno-linguistic cultures, Sinhalese and Tamil, and is home to the Indian Tamils, Burghers, Malays and the Moor community. History informs us that the two major ethnic and indigenous groups, Sinhalese and Tamils, have inhabited and shared the land since 2nd century BC and were autonomously ruling their respective regions until European colonialists invaded the country (Chattopadhyaya, 1994). Until the advent of colonialism in Sri Lanka, the Sinhalese were occupying the west, south and centre of the country whereas the indigenous Tamils were settled in the north and east. In 1505, the Portuguese became the first Europeans to colonize Sri Lanka and conquered the low-country Sinhalese areas. A century later they were able to conquer and seize the Tamil Jaffna Kingdom in the Northern region. The second European colonizer were the Dutch, they had occupied low-country Sinhalese and the Tamil regions from 1656 and held their position until 1796, when the British had entered Sri Lanka. Each respective region was controlled and administered separately before the British established the Government of Ceylon. Ceylon was the name given to Sri Lanka before it gained independence from the British Crown (Chattopadhyaya, 1994). It should be noted that prior to the British colony introducing the idea of a unitary state and yoking the two communities together, the Sinhalese and Tamils were living exclusively within their traditional homelands. Both ethnic groups closely identified with their traditional homelands as their distinct nation and had different national consciousness.

1.5 Institutional Racism and Anti-Tamil Pogroms

Two years before Sri Lanka's independence in 1948, the Sinhalese and Tamil political elites came to a unanimous agreement on a constitutional settlement for independence; both parties mutually shared the view that the government should equally represent both of the ethnic groups. However, the constitution bestowed by the British was contentious since it failed to include any laws pertaining to voting rights, citizenship and communal rights in a multi-national state (Chattopadhyaya, 1994). Inevitably the innate flaws within the constitution enabled the Sinhalese political elites to gerrymander and maintain the political power amongst them; the community that was immensely affected by the constitution were the Indian Tamils. The Indian Tamils were brought by the British in the 19th and 20th century as plantation workers in order to work on the coffee, rubber and tea plants. They were essential to the establishment of the plantation economy in Sri Lanka. In 1948, the Sinhalese-dominated party, United National Party, disenfranchised half of the Tamil population by denying citizenship to the Indian Tamils. Implementing the Ceylon Citizenship Act was a strategic move executed by the Sinhalese political elites to weaken the leftist and Marxist parties (Chattopadhyaya, 1994). These leftist parties were gaining popularity due to their strong electoral support from the Indian Tamil plantation workers.

The second major instance of the Sinhalese political leadership attempting to consolidate their power is when they passed the Sinhala Only Act in 1956, making Sinhalese the official language of Sri Lanka. This bill was contrary to the agreement that the two ethnic groups had prior to independence when they mutually agreed to make both Tamil and Sinhalese the official language. A salient reason why this act was implemented is because the government of S.W.R.D. Bandarniake (1956-1959) would gain an immense amount of support from the Sinhalese-

Buddhist nationalist constituency (Chattopadhyaya, 1994). These Sinhalese nationalists desired to preserve their ethnic and linguistic identity and lobbied to pass this exclusionary and discriminatory bill. Tamils faced the repercussions of this act in employment, specifically those who held public servant, security service, public corporate and other government related positions; it required Tamils to be proficient in Sinhala or else face dismissal. Understanding that this act threatened the national-ethnic identity of the Tamils, many were against the idea of having their children learn the Sinhala language. Immediately, Tamils were displaying patriotism towards their traditional homelands as a way to reject assimilation and discrimination; solidarity grew amongst the Tamils for a separate state. In addition, Tamils were frustrated due to the government's policy of Sinhalese colonization and resettlement schemes within the traditional Tamil homelands, rendering the demography in the regions to be substantially altered (Chattopadhyaya, 1994).

Employment was not the only area in which Tamils were disadvantaged; education also became an area where they were actively discriminated against in. It should be noted that the Tamils were benefiting from holding government positions during the British colonial era. An immense amount of Tamils were proficient in English and this could be attributed to the various mission schools within the Tamil regions. Being proficient in English allowed one to advance economically and it was a means for social mobility during the colonial period. However, in the post-independence period, education became a realm that the government favored the Sinhalese in and it was evident in 1971 when the government implemented a policy of standardization. The law aimed to assist geographically disadvantaged students in accessing postsecondary education; this law enabled Sinhalese students to enter university with lower qualifying marks. Due to the district quotas, the Tamil students who had qualifying marks were not guaranteed a seat in

university and this resulted in a significant decrease in the number of Tamil students entering university. Frustrated at the Sinhalese government, many Tamils protested against the blatant discrimination and were in turn silenced by the state apparatuses. Moreover, implementing these laws were part of the larger scheme of attempting to make the Sri Lankan nation a Sinhala one. In 1978, a new constitution was adopted which accorded Buddhism the foremost place among the other religions in the nation and stated that the state should protect and foster Buddhism (Chattopadhyaya, 1994). In result, the Tamils felt betrayed and marginalized due to the government's active role in fostering Sri Lanka as a Sinhala-Buddhist state in the post-independence era.

Before discussing the demand for secession by the Tamils, one must consider the various events which had unfolded in Sri Lanka when Tamils sought for resolutions. Peaceful dialogues and non-violent agitations were employed by the Tamils and it resulted in gruesome and barbaric attacks from both the government and the Sinhalese community. There were five major anti-Tamil pogroms that transpired in Sri Lanka, the last pogrom was known as Black July of 1983, this was also when the war between the Tamil separatists and the government commenced. Pogroms are organized massacres of a specific ethnic group; the pogroms within Sri Lanka were considered by scholars at the time as the earliest episodes of genocide (Ponnambalam, 1983; Manor, 1984; Chattopadhyaya, 1994). A couple of years after independence, in 1956, the first major 'race' riot or pogrom targeting Tamils occurred in Gal Oya; Gal Oya is located in the traditional Tamil homeland. It was also the location that the government chose to operate their settlement scheme and relocated a significant number of Sinhalese people into the area. Furthermore, 5 June 1956 marked the day the 'Sinhala Only' bill was implemented by the Bandarnaike government. The Federal Party, a political party which represented the Tamils, held

a non-violent demonstration to protest against this bill. The peaceful protest was met by a Sinhalese Buddhist party, Eksath Bhikkhu Peramuna, who contested against the 'reasonable use of Tamil' clause in the bill and demanded for it to be entirely removed. Though it is customary for the law enforcement officers to provide protection, the officers were idle and allowed the monks to attack the Tamil parliamentarians who were protesting. Initially, the attacks were limited to the protestors, however, the situation escalated and later carried out in the streets of Colombo, the commercial capital, where Tamil civilians were being violently attacked by Sinhalese hooligans. These delinquents exacerbated the conflict by burning and looting the Tamil shops and homes. Strong evidence and testimonies suggests that the rioting and violence was incited by the Bhikkus and the Sinhalese government to force the Tamils to accept the newly introduced law. Like wildfire, the riots spread to other areas, specifically Gal Oya, where Tamil women and children were killed. Approximately 150 Tamil civilians were killed by Sinhalese mobs (Chattopadhyaya, 1994).

The use of unauthorized letters on a license plate was an offense in Sri Lanka and the FP (Federal Party) in 1958 pleaded to the government to permit the use of Tamil letters in the Tamil regions instead of the Sinhalese letters. A group of Bhikkus organized a protest and demanded the Prime Minister to reject the Tamil party's proposition of replacing the Sinhalese letters. Due to the overwhelming support that the Bhikkus gave the government, Prime Minister Bandarnaike conceded to their demands and denied the use of Tamil on motorized vehicle plates. Outraged by this decision, the Tamils breached the law and replaced the letters for 'SRI' on their motorized vehicles in Tamil. News arrived to the Sinhalese monks that the Tamils were defying the law and the Bhikkus immediately responded by initiating a campaign of defacing Tamil writings on all signs and boards within government buildings in Colombo and other predominately Sinhalese

areas (Chattopadhyaya, 1994). As tension grew, the Bhikkus capitalized on the atmosphere and incited the Sinhalese citizens against the Tamils; violence spread throughout the country, specifically in Colombo and other suburban areas. 25 May 1958, a train that was heading to Jaffna from Colombo was derailed and Tamil passengers were beaten by Sinhalese mobs. Atrocities and rioting continued, Sinhalese mobs stopped trains and buses which held Tamils and slaughtered them, they burnt down Tamil businesses and homes, attacked a Hindu priest and burnt him alive while he was conducting an auspicious ritual. By 27 May 1958, a state of emergency was still not declared, violence escalated and similar to the 1956 riots, the police were idle and could not tame the Sinhalese mobs. Four days later, after hundreds of Tamils were killed, with reluctance the government declared a state of emergency; approximately 10,000 Tamils claimed refugee status and displaced in refugee camps in Colombo (Chattopadhyaya, 1994).

Another major outbreak of violence erupted in 1977, the national elections were taking place during this year and it was another opportunity for Sinhalese politicians to capitalize on the public's mood. Political corruption and public distrust of the government was at its peak in Sri Lanka during this time and J.R Jayewardene (Prime Minister of Sri Lanka from 1977-1978) attempted to sway the public by proclaiming that he is committed to *dharmista*, translated as just and righteous in the Buddhist doctrine. 1977 elections became significant because the Tamils' demand for secession was a topic of discussion during the elections and many Sinhalese politicians were attempting to address their grievances. By now, the Tamils' grievances were as follows: disadvantaged in the field of education, Sinhalese colonization, the use of the Tamil language and employment opportunities within the public sector. Moreover, while Sinhalese political elites attempted to silence the Tamils on the national question and making claims for

resolving the issues at hand, Tamils were very supportive of the separatist party Tamil United Liberation Front (TULF). TULF held the stance that separatism was the only solution for the Tamil people and their main objective was to establish an independent sovereign state known as 'Tamil Eelam'(Chattopadhyaya, 1994). However, TULF had lost to its opposition United National Party (UNP) in the election and J.R Jayewardene became the prime minister; Tamils' grievances continued to be unresolved.

History repeated itself on August of 1977, the third major anti-Tamil riot, Sinhalese thugs incited by the Sinhalese chauvinists slaughtered hundreds of Tamils, including children and women. They burnt and looted Tamil businesses and homes as well. Scholars who had written on these events, such as Fr Tissa Balasuriya, describe these attacks to be unequivocally racially motivated (Chattopadhyaya, 1994). Similar to the 1956 riots, the Indian Tamil plantation workers were drastically affected, however, in this particular anti-Tamil riot they were attacked and driven out of their residing areas and forced to flee to the north. Discontent with their situation, majority of the Indian Tamil plantation workers became ardent followers of the liberation movement and desired to secure a separate state for the future generations. Due to the actions of the Sinhalese chauvinists, they were deeply convinced that their community would not be safe in the areas in which Sinhalese inhabited.

By 1981, anti-Tamil riots became accepted as a norm and it was clear that influential persons from the Sinhalese ruling political party were orchestrating these campaigns of violence. The 1981 pogrom claimed Tamil lives within the eastern and southern province, many of the houses burnt down were executed by Sinhalese security forces. Moreover, a salient event unfolded in 1981 which immensely impacted the Tamil peoples' cultural heritage. On June 1st, 1981, the Jaffna public library, one of the largest libraries in Asia at the time, was burnt down by

Sinhalese mobs and police. The Jaffna public library held over 97,000 volumes of books and irreplaceable manuscripts that were sacred to the Tamil culture. This episode was regarded as a violent example of ethnic biblioclasm, the mass destruction of books, and an attempt to erase the Tamil cultural identity. Brian Eads, a British journalist, indicates that the riots were organized by political leaders in the UNP government and expresses that the violence was incited to serve two main purposes. First, it was an act to repress and silence the Tamils from separating Sri Lanka and establishing 'Eelam'; second, in order to distract the Sinhalese people of the economic crisis, the Tamils were being utilized as scapegoats (Chattopadhyaya, 1994). Furthermore, President Jayewardene condemned his own party, UNP, for the events that transpired but did not take any punitive measures. Members of the UNP party including Cyril Mathew, who held the position of Minister of Industries, continued to serve in office even though he was complicit in the events. Cyril Mathew was regarded as an anti-Tamil chauvinist and it was evident simply from examining his publications. He had published a book in 1981 entitled *Sinhala People – Awake, Arise and Safeguard Buddhism*, the book encompassed various anti-Tamil speeches by President Jayewardene and also argued for a *jihad* in the cause of Buddhism (Chattopadhyaya, 1994).

1981 was a significant and turning-point year for the Tamils since the 'Liberation Tigers' gained momentum and attempted to advance an armed resistance movement. It should be noted that the individuals who comprised the Liberation Tigers were predominately students who were denied of education from universities due to the discriminatory anti-Tamil quotas. Many of these members were unjustly detained and tortured because of the draconian law that was implemented in 1978. The Prevention of Terrorism Act of 1978 enabled police to arrest, detain and search individuals, who were deemed as suspects, for an indefinite period of time. Moreover, with no significant change to their conditions, the majority of the Tamils were convinced that the only

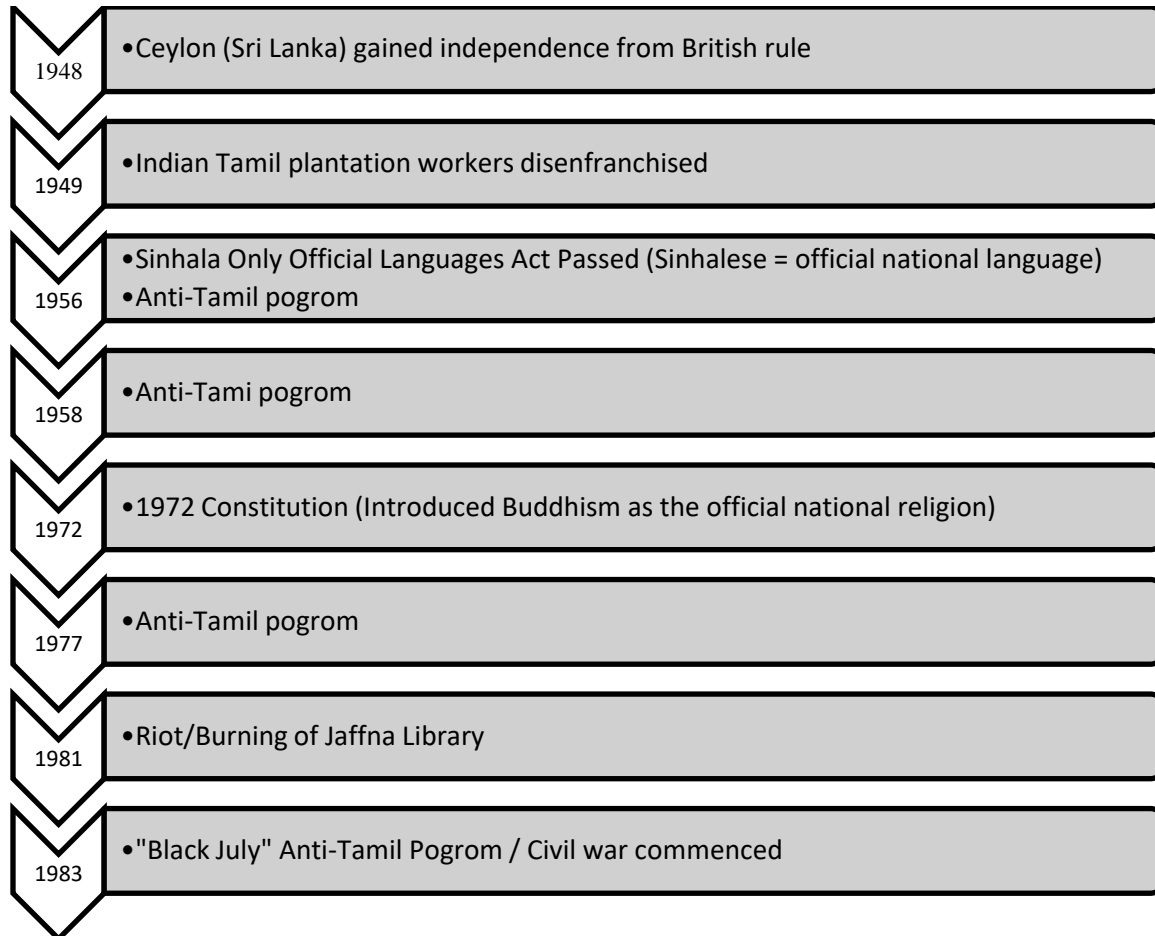
solution is an armed resistance against the government and this was deeply ingrained within their political consciousness.

Black July was the bloodiest riot that triggered the civil war in 1983. The term 'black' is used to refer to the dark moment in Tamil history but it also works as an imagery of the reality; houses, shops and temples around the nation were burnt down and black smoke covered the skies. The onset of the anti-Tamil riots and attacks began on July 24, 1983 and it lasted until July 30, 1983. The gruesome massacres began after the LTTE (Liberation Tigers of Tamil Eelam) ambushed a military patrol in northern Sri Lanka on July 23, near Jaffna, killing 15 soldiers and officers. On the following day, upon hearing the news, a large group of belligerent Sinhalese people began to burn and loot properties that were owned by Tamils in various regions. On day three, July 25, the riots began to spread like wildfire across the nation; the day before it was initiated in Borella but in the morning it had spread to Colombo. In response to the enraged Sinhalese people, President Jayewardene implemented a curfew in the city of Colombo but police officers could not tame the hostile groups involved and subsequently unable to successfully enforce the curfew. The riots were now widespread and had spread to various cities such as Galle, Kegalle, Trincomalee and Vavuniya. Since the police failed to control the rioters, the army was mobilized and attempted to subdue the crowd, however, many eyewitnesses and victims claim that the soldiers were supporting and inciting the violence further. It was evident that the mobs were supported by government officials since the leaders of the rioters possessed voter registration lists in order to identify the Tamil residents. Riots were not occurring solely in cities, they were also unfolding in prisons and on July 25th at the Welikanda Prison 37 Tamil prisoners were murdered by inmates (Chattopadhyaya, 1994). On July 26th, day four, the President implemented a nationwide curfew since there were more episodes of violent attacks

against Tamils occurring in regions where both Sinhalese and Tamils resided. The situation continued to remain the same and on July 27th at the Fort Railway Station, Sinhalese passengers were violently attacking Tamil passengers which led to the demise of 12 Tamil individuals. In addition, 15 Tamil prisoners were killed at the Welikanda prison and 2 Tamil prisoners were killed in another prison riot at the Jaffna prison. President Jayewardene on the following day addressed the violence on national television, without condemning the aggressors, he blamed the current situation on those who were seeking for an independent Tamil state. On the last day of the riot, July 30th, violent incidents continued to transpire but the people were slowly being placated and it is claimed that as a scapegoat the government placed a ban on three left-wing political parties.

A full-fledged war commenced in 1983 in the aftermath of Black July against the LTTE and the Sri Lankan government, the separatists were determined on establishing a separate state in the historical/traditional lands of the Tamil people, specifically, in the North and Eastern province. Successive governments all held the position that they would not agree to the division of the country and did not seek for resolutions to the ethnic conflict. Furthermore, the LTTE became the epitome of Tamil nationalism, majority of the Tamils supported the LTTE's ideology of self-determination and separatism. After years of non-violent, democratic, and political efforts, the Tamil minorities accepted that an armed struggle was necessary to safeguard the Tamil people from tyranny and the belligerent nationalists within Sri Lankan civil society.

1.6 Timeline of Significant Events (Prior to the Civil War)



CHAPTER 2: Literature Review

2.1 Research on Sri Lanka's Ethnic Conflict

Meyer (1985) provides an account of the anti-Tamil pogrom which occurred in 1983 also referred to as 'Black July' by the Tamils. Meyer's descriptive records of the events are imperative in understanding the communal and state relations between the Tamil minorities before the civil war commenced. Meyer explains how there are two incidents which should be alluded to, first being the deliberate attacks on Tamil shops in the town of Trinicomalee, which were carried out by groups of Sinhalese. Within these attacks, Meyer had come into contact with witnesses who claim that the Sri Lankan armed forces were amongst the perpetrators. Second,

the burning of the train station near Jaffna, this attack was orchestrated by the Tamil Tigers. On the night of July 23, 1983, the Tamil insurgents attacked and killed 13 Sinhala soldiers. Upon hearing this, many Sinhalese were compelled to attack Tamil shops and people, despite the magnitude of the violence, the government had not implemented a curfew. Looting and burning continued the next morning and it spread to the capital city of Colombo as well as other provincial towns where prominent Tamil businessmen lived. Meyer (1985) emphasizes the ineffectiveness of the Sri Lankan army in preventing the atrocities, they were both idle and complicit during Black July, enabling the Sinhalese population to kill their counterparts. A salient point from Meyer's article is that the operations he had witnessed were all methodically organized. These well organized attacks were usually led by one main leader who is usually dressed in European clothes and had written instructions and various places to target. Following the first three days of mass murder, Meyer describes the President's role in exacerbating the situation. President JR Jayewardene publically announced on television that he will not give in and make no concessions to the separatists (Tamil Tigers), this did not calm the Sinhalese population. Though many Tamils were victimized, many of them which had no ties with the separatists, the President failed to address the victims and the tragedy that struck the Tamil community. On July 29th, a false rumour was disseminated across the country that Tamil separatists were planning to attack again, this had reached the capital and groups of rioters attacked and killed hundreds of innocent people. There has been speculation that the rumours and the xenophobic campaign were produced by Sinhala elites to eliminate the pro-separatists. In July 1983, as a result of a fear-mongering campaign, hundreds of Tamils were either killed or forced to leave the country.

Elizabeth Nissan has done extensive research in Sri Lanka on the ethnic conflict, her article provides both elite and local Sinhalese accounts of the gruesome episodes during Black July. After implementing a curfew, many Sinhalese locals were frustrated that they could not continue to work. Nissan (1985) suggests that many locals were blaming the Tamils as a whole, not solely the separatists. Though many Sinhalese offered sympathy and support to the Tamils, a common theme that the author had observed amongst the Sinhalese is that they saw the riots as a reasonable and even necessary consequence. For the majority of the Sinhalese, they shared the view that separatism was not merely an attack on the state but to all Sinhalese people in the country. Many of the statements that she collected from the locals express the fundamental view that Sri Lanka is inherently and rightfully a Sinhalese state and it is not something that can be debated or refuted. Thus, Nissan (1985) contends that the Sinhalese justification for anti-Tamil violence is premised on the argument that the Sinhalese have inherent natural rights to political ascendancy. The author highlights some of the speeches articulated by higher officials and Sinhala political elites in the aftermath of the mass murder. A common theme that can be readily identified in the speeches given by the ministers is that they firstly address the Sinhalese population and omit the suffering that the Tamils had undergone. Firstly, President J.R Jayewardene did not condemn the violence against the Tamils in his speech, he rather implied that the Sinhalese people themselves 'reacted'. Nissan (1985) argues that the president implicitly states the riots are an understandable consequence. He concludes his speech by stating that the Sinhalese will never agree to the division of a country, this is premised on the belief that the Sinhalese are the rightful owners of the country.

Prime Minister R. Premadasa was the second minister that Nissan (1985) had studied, his speech was very specific and tailored to the Sinhala community. He defends the Sinhalese people

by stating, “we see that our people who have been misled by such rumours are enraged and frightened. As a result they have been led to violence acts”(Nissan, 1985:182). Similar to the President’s speech, he does not address the Tamil victims nor does he condemn the acts carried out by the Sinhalese mobs, he rather provides a justification for the attacks. Again, through the use of the language he used in the speech, it demonstrates that he too believes Sri Lanka is a Sinhala-dominated country, this is exemplified when he states “our people”, referring to the Sinhalese people. Later in the speech he reassured to the Sinhalese people that the country will not be divided. Anandatissa de Alwis, Minister of State, also offers sympathy to the Sinhalese citizens and explains how the Sinhalese were adversely affected by the violence. “Some of the factories that have been burned down employed thousands of people. Ninety percent of the employees in all these establishments were Sinhalese” (Nissan, 1985: 182). Some of the parallels that Nissan (1985) identifies in his speech is that he disregards the Tamils’ grievances and identifies the Sri Lankan state with the Sinhalese people and with Buddhism. Overall, the main ideological theme that is captured in the speeches articulated by the ministers is that any form of separatism is a direct threat or attack against the Sinhalese race, and those who support separatism are deemed as terrorists or anti-Sinhalese.

Little’s (1993) work is pertinent to the discussion of race in Sri Lanka, the author elaborates on the origins of racial theories in the country and the relevancy of race in Sinhalese-Buddhist nationalism. Within the context of Sri Lanka, the author explains that beliefs on racial superiority became noticeable in the late 19th century and early 20th century. These beliefs were the dominant discourse and the underlying attitude of colonial governments and missionaries. In the 19th century, the “Aryan race” became a prominent theory which reinforced and perpetuated a hierarchy amongst the races in Sri Lanka. According to this theory, Aryans were a non-Semitic

Caucasian people with a common language who spread throughout Asia and Europe. Based on this theory, many proponents argued that the Sinhalese people and North Indians are considered Aryans due to the structural affinities between the languages. It was then asserted that the Sinhalese were related to their colonial masters, the British, thus, they too had the right to rule over others due to their racial superiority. However, this notion of being related to their masters did not hold for long since the British treated them as inferior subjects and did not accept them to be equals. This compelled the Sinhalese to reconstruct their identity in the 19th and early 20th century since they felt their identity was heavily influenced by both the missionaries and colonial rulers. Thus, they attempted to revitalize the Sinhala-Buddhist identity. Little (1993) explains that religion provided the framework for the Sinhalese people to contest the ideological dominance of colonialism. Furthermore, a notable individual that Little (1993) alludes to in his work on Sinhala-Buddhist revivalism and Sinhala nationalism is Anagarika Dharmapala. Dharmapala laid the foundations of Sinhalese nationalism, which ultimately transformed into Sinhala chauvinism. His discourses are premised on the notion that the Sinhala people are a chosen people, ancient, historic, and refined unlike the colonial rulers. He goes on to convey that the Sinhalese are capable of administering the country without the British, who he refers to them as ‘meat-eating, low-caste Christians’. In regards to his view on Tamils, one is able to discern that he does not observe Tamils as equals to the Sinhalese, since he refers to Tamils as ‘filthy’ and ‘pagans’. Little (1993) contends that Dharmapala’s rhetoric on Tamils and the Sinhalese as a ‘unique’ race became the foundation for the crusades against the Tamil minorities. During the 1950s, Sinhalese chauvinists and other Sinhala revivalists adopted his viewpoints on Sinhala racial purity and superiority. For obvious political reasons, many Sinhala politicians accepted

and shared his opinion on the Sinhalese having the incontestable historic right to rule and control the non-Sinhala minorities.

Sri Lanka's politics in the late 1960s was heavily influenced by Sinhala nationalism but not all Sinhala political figures in Sri Lanka advocated for a Sinhala hegemony. In contrast, a Sinhalese-led political movement known as Janatha Vimukthi Peramuna (JVP) promoted a socialist agenda, many of whom were university students, and revolted against the Sinhala-state in 1971. The President at the time, Mrs. Bandarnaike, licensed the police and army to halt the insurrection with arbitrary arrest and lethal force. Little (1993) explains that it was solely a license to make the rebels disappear. Almost 15,000 insurgents died in the conflict and it was reported that the army used excessive force. Moreover, Tamil nationalism and separatism was emerging during this period as well, the Tamils gained confidence that insurrection is a viable option in combating the oppressive state. Whether it was through a peaceful demonstration or a violent revolt, any party or individual who went against the government were observed as anti-state. Subsequently, they were labelled as a threat to the Sinhalese race, this includes other Sinhalese who did not support the government's policies.

Chattopadhyaya (1994) has written work on the ethnic relations in Sri Lanka, specifically, he delineates the Tamil grievances and the race riots that ensued. He depicts the race riot that occurred in 1956 following the implementation of the 'Official Language Bill of 1956'; this law made Sinhalese the sole official language in Sri Lanka. The law was the epitome of distrust and betrayal as the Tamils saw it, the ethnic Tamils believed they were marked as second-class citizens. Communal conflicts re-emerged in 1958 when the Tamil Federal Party set a campaign in the Northern and Eastern Provinces against the use of 'SRI' in Sinhalese script. Throughout the Tamil-majority regions, they used tar and brush to conceal the Sinhalese text

‘SRI’ on license plates, it was a direct message to the government that the Tamils were tired of conforming to the Sinhala way. Outraged by this response, many Sinhalese counterattacked this campaign by killing Tamils across the country, approximately 100 Tamils were killed by Sinhalese mobs. It was only after two days that the government declared a state of emergency. Fast forwarding to 1972, the Sinhalese-Buddhist nationalists had their interests fulfilled through the Republican Constitution, this constitution made Buddhism the state religion and Sinhalese the sole official language.

In 1977, communal violence erupted again and according to Chattopadhyaya (1994) this riot was one of the worst since 1958. The riot was precipitated by an altercation between the police and a Tamil crowd at a school carnival in Jaffna; reports show that the policemen were intoxicated and abusive towards the Tamils. The altercation worsened leaving four Tamils dead and one police officer severely wounded. False rumors were dispersed to the south that a group of Tamils had burnt down Buddhist temples in the North which had killed Sinhalese residents. Reacting to this news, the Sinhalese retaliated by looting business shops and attacking Tamil homes, an official report indicates that 125 individuals were killed. Chattopadhyaya (1994) illustrates that President J.R Jayawardene’s 11-year term in office was filled with sheer havoc, almost every year he was in power there was ethnic violence against the Tamil minorities. 1981 was a year that many Tamils from the diaspora and in Sri Lanka would refer to as a libricide. Uniformed security men and Sinhalese thugs in plain clothes organized attacks against the Tamil community. However, this instance was different than the riots and attacks from previous years. Parliamentary ministers and Sinhalese goons within the community set the Jaffna Public Library on fire, this library held over 95,000 books and irreplaceable manuscripts. The library contained memoirs, cultural, political and religious texts; majority of these texts were written by Tamil

scholars and Tamil authors in an effort to contribute and sustain the Tamil culture. Though the state did not overtly admit to this crime, many witnesses have argued that the government was complicit. The Sinhalese thugs and uniformed men had also burnt down a Hindu temple and more than 100 shops and markets. Furthermore, during this period, there were many attacks carried out by Tamil separatist movements against the state in order to attain a separate land for the Tamils. Thus, Jaffna was heavily militarized for the purpose of wiping out any groups or rebels who pursued a separate state for the Tamils. The government's deployed armed forces were exacerbating the situation and created greater tension amongst the ethnic groups, reports indicate that the army routinely assaulted Tamils with impunity. 1982 was also the year when the state had permanently implemented the Prevention of Terrorism Act; this draconian law enabled state officials to keep any individual who is deemed as a suspect for an indefinite period of time. It also gave the Ministry of Defence legitimate power to make arbitrary arrests and keep the suspect in any location they deem as appropriate, including military camps.

1983 was the last straw for the Tamils, it consisted of police-led violence which resulted in killings, arbitrary arrests and raids, places of worship such as temples and churches burnt down as well as more than 100 Tamil-owned shops in blaze. Chattopadhyaya (1994) describes the killings as systematic since they were carrying voters' lists and the addresses of the Tamil residents in Colombo. Eye witnesses during the riot claim that the Sinhalese mobs who were responsible for looting, murdering and burning houses were government supporters. Considering the ethnic composition of the army and the Sinhalese mobs in this event, Chattopadhyaya (1994) mentions that many scholars and writers argue that July of 1983 was a genocide against the Tamil minorities.

DeVotta's (2009) illustrates his perspective on how the LTTE's goal for establishing a separate state had fallen and the contentious causes for Rajapaksa's victory against the Tamil militant group. Majority of his paper reflects the termination of the war but he also provides a comprehensive account of Sri Lanka's ethnic relations, namely, the state-sponsored ethnic malpractices against the Tamils. President Mahinda Rajapaksa's time in office, from 2005 to 2015, was pivotal to both consolidating the Sri Lankan Army's power and weakening their opponent through various means. However, DeVotta (2009) explains that the counterterrorism strategies that the Rajapaksa government adopted has compromised individual liberties, press freedom, and enabled an extrajudicial regime. The author emphasizes that the Rajapaksa regime was much different from former governments by providing the military *carte blanche* to decimate the LTTE. DeVotta (2009) lists the five main strategies that the Sri Lankan military used in order to wipe out the LTTE. Firstly, the Sri Lankan Army purposefully did not differentiate the LTTE cadres and the Tamil civilians in the LTTE-controlled areas, thus, viewing every Tamil in the area as a terrorist. By conflating the identity of the LTTE and Tamil civilians they systematically eliminated individuals who were seen as LTTE-sympathizers. The assassins were commonly seen in white vans and went by the title 'killer squads'. According to the U.N reports, in 2006 and 2007, Sri Lanka held the world-title for having the highest rate of disappeared people. A second tragedy that DeVotta (2009) alludes to is the culture of impunity that allowed security personnel and paramilitary groups to extort, rape, disappear, and murder with abandon. Thirdly, the government used the state-owned media and its Media Centre for National Security to create propaganda that showed inflated LTTE deaths and underreported military casualties; it stopped releasing casualty numbers in October 2008. This was mainly done to maintain Sri Lankan Army soldiers' morale and simultaneously gain public support for the

civil war. Any media outlet that published casualty figures or depicted the Sri Lankan Army in a negative light were persecuted; they were either kidnapped, assaulted, imprisoned, or murdered. Amnesty International indicates that 14 media persons were killed since 2006. The fourth strategy was the practice of guerilla warfare by the Sri Lankan Army, as the LTTE-controlled regions were shrinking, the military bombed rebel positions and surrounded the newly captured areas. However, the use of guerilla warfare entailed civilian deaths, evidence shows that the military targeted civilians and hospitals within the no-fire zones in order to inflict maximum casualties. For the Tamils who were escaping the LTTE-controlled areas, they were placed in Internally Displaced Camps (IDPs) where they were later systematically disappeared. Lastly, in an effort to terminate the war without any unnecessary delays, the Rajapaksa government disregarded and ignored any criticism from the international community. Those who opposed Rajapaksa's policies were branded as either traitors or LTTE sympathizers, they also argued that any country who demanded for an investigation were infringing on Sri Lanka's sovereignty. In 2009, Rajapaksa's regime defeated the LTTE with a total disregard for human life.

UNROW Human Rights Impact Litigation Clinic published an article which is pertinent to the genocidal case in Sri Lanka, the paper was submitted to the Permanent Peoples' Tribunal as a briefing document which analyzed the countless violations of international law committed by the Sri Lankan government and army. The article provides a depth analysis of the legal definition of genocide and simultaneously attempts to offer substantive evidence. It draws evidence primary from United Nations' reports and other public source material. As the basis for its legal argument, the article draws on previous genocidal cases and elaborates how each case interpreted and inferred genocidal intent, specifically, it employs the case study of Sudan and Srebrenica (UNROW, 2014). Utilizing these two cases, the researchers employ a comparative

analysis and attempt to correlate the studies in order to demonstrate genocidal intent in Sri Lanka.

UNROW (2014) holds the position that genocide was committed by the Sri Lankan government specifically against the Tamil population of Vanni; Vanni is the area in which the Sri Lankan government launched their ruthless campaign against the LTTE in the latter part of the war which resulted in 70,000 casualties. UNROW claims that the deliberate attacks against the Vanni people were committed on racial and political grounds. Since the Vanni people were ardent Tamil nationalists and were heavily influenced by the LTTE, the authors argue that this mere fact was sufficient for the killings. It should also be noted that Vanni was where LTTE's headquarters of various bureaucratic departments were located. Vanni region has an immense symbolic significance to the Tamils since it was the headquarters of the *de facto* Tamil state of Tamil Eelam and it was the territory that bridged the Northern and Eastern province of Tamil Eelam. Eradicating the people and the region would result in the fall of the Tamil state. Likewise, the authors state that the region of Srebrenica held great significance since it served to unify the state which the Serbs sought for, if the Serbs could not secure Srebrenica it would mean that the Serb state of Republika Srpska would in turn be not united. Moreover, given the fact that the Tamil population of Vanni is greater than 250,000, it unequivocally constitutes a 'part' of the Tamil population, thus, satisfying the genocidal element of targeting a 'part' of the entire ethnic population (UNROW, 2014: 5). In comparison, the Bosnian Muslims in Srebrenica were estimated to be 40,000 which constitutes a 'part' of the overall Muslim population in Bosnia. Both Srebrenica and Vanni had regions that were proclaimed to be safe zones where civilians could take refuge, however, in both incidents they were congregated and killed. Another category that is consistent in both cases is the act of preventing the targeted population from

reconstituting in their original location. In Srebrenica, the Serbian military forces decided to transfer the women and children, preventing them from regrouping in the same area; a common tactic employed for ethnic cleansing (UNROW, 2014: 6). Sri Lanka's forcible transfer of Tamils into Internally Displaced Person (IDP) camps rendered it to be difficult for the Tamils to resettle in Vanni considering they were required to remain in these camps up to three years.

International Criminal Court's indictment of Sudanese President Omar Al Bashir relied on three main categories for inferring genocidal intent. First being the existence of a plan executed by the government to conceal and deny the crimes committed in the Darfur region against the targeted groups. Second, public documents and official statements made by government officials. The last category was examining the nature and extent of the violent acts perpetrated by the Government of Sudan forces against the targeted groups. UNROW provides substantive evidence that satisfies each category in order to make their case for genocide (UNROW, 2014). Citing the Public Interest Advocacy Center (PIAC), a human rights group, UNROW demonstrates that the government had systematically destroyed mass graves in order to conceal any indication of the killings. PIAC, based on informants, have evidence that suggests security forces from the Sri Lankan Police and Sri Lankan Army (SLA) are complicit in the destruction of these civilian mass burial sites. The information seems to correspond with other sources, specifically, a Sri Lankan soldier's account of the government bulldozing mass graves. UNROW draws official statements from the Sri Lankan president, defense secretary, commander of the SLA, government ministers and previous Sri Lankan presidents. Analyzing the speeches of these high-ranking officials, the researchers claim that Sinhala chauvinism and anti-Tamil hostility is apparent and common in all the discourses. More salient is the point that the LTTE

and the Vanni Tamils seem to be conflated in these speeches; it was conveyed that anyone who held the ideology of a Tamil separate state was a legitimate target (UNROW, 2014:9).

UNROW's overview of the last stages of the war in 2009 indicates that the SLA had shelled three consecutive No Fire Zones that were established and demarcated by the government themselves. The United Nations hub and the areas that the International Committee of the Red Cross (ICRC) were operating to assist wounded civilians were also shelled. The SLA and government were well informed as to the locations of these regions since they had the exact GPS coordination given by the UN and their own intelligence unit (UNROW, 2014:11). By the end of January 2009, 33 Tamil people were being killed and this count surged near the end of April of 2009 when casualties rose to 116 per day (UNROW, 2014: 11). In May 2009, the last month of the war, it was estimated that 1000 civilians were dying each day. According to a government official, as a means to defeat the LTTE, the government understated the amount of civilians trapped in the conflict zone in order to limit the food and medical supplies going into Vanni. The government also reduced the numbers by conflating the civilian and LTTE population. Moreover, UNROW demonstrates that the Sri Lankan security forces committed rape and violence against the Tamil population when transferring and screening the civilians to the IDP camps. Abduction and torture were also systematically executed by the Sri Lankan security forces, evidence suggests that the government had knowledge of these malicious practices. Based on witnesses' accounts, rape, abductions and torture is prevalent in the post-war period and these practices are deeply entrenched in the Sri Lankan security forces' culture.

The main objective of the Permanent Peoples' Tribunal (PPT) is to regain the authority of the affected people and safeguard the rights of these people, mainly in situations where the state and other international bodies/actors are noncompliant due to geopolitical reasons. The first

session of the PPT on Sri Lanka was held in 2010 and found the government guilty of the war crimes and crimes against humanity charges. This report however provides a summary of the most recent session in 2012 which conveys the charges brought by different NGOs against the Sri Lankan government on accounts of genocide. A salient point that differentiates this document from the papers submitted to the PPT is that it holds the position that the Tamil genocide is an ongoing process rather than an isolated event. PPT contends that genocide is an attempt to eradicate the identity of a group, alienating it from its experiences and history and dispossess and control their past, present and future (Permanent Peoples' Tribunal, 2014). Drawing from Raphael Lemkin's notion of genocide, they also state that genocide is the destruction of the national identity of an oppressed group and the imposition of a national identity by the oppressor. Using these definitions, they argue that when attempting to understand genocide as a process there will be events that are not deemed genocidal, but provide the appropriate conditions for genocide to transpire. In the context of Sri Lanka, the process of eliminating the group identity and imposing a different identity essentially commenced when the British created Sri Lanka a unitary state. It was more evident in 1956 when the Sinhala language was established as the official language of Sri Lanka and it failed to recognize the Tamil language even for administration purposes. The anti-Tamil pogroms were integral to the genocidal process because they are strong indicators of eliminating the Eelam Tamil identity. Riots were incited whenever the Tamils would voice their grievances in the form of nonviolent protests, subsequently, the Sinhala state and Sinhalese civilians would resort to violence in order to suppress the Tamils' protests. Furthermore, the Permanent Peoples' Tribunal considers the Eelam Tamils as a national group; the Eelam Tamils have lived in the north and east of the island since they had arrived to the country (Permanent Peoples' Tribunal, 2014). A very salient point is that the Eelam Tamil

identity had been established prior to the armed struggle, the identity recently gained recognition through the group's claim of its right to self-determination. The term 'Eelam' had been used by the indigenous Tamils to refer to the entire island; however, it now is commonly used to identify the northern and eastern parts of the island.

Similar to the UNROW paper, the PPT had presented evidence that corresponds with the United Nations' definition of genocide. An immense amount of evidence was cited that the authors argue meets the condition of 'killing members of the group', they trace the killings to the June 1956 Inginiyalga Massacre. Drawing recent evidence from the last phase of the war, specifically in 2009 when the war terminated, they articulate the government's strategy of herding civilians into the 'no fire zones' for the aim of mass killings. In addition to the mass murders, they provide insight into targeted assassinations of prominent Tamil civil leaders who were killed on the grounds that they spoke about the Tamil genocide. Furthermore, the second condition of genocide, 'causing serious bodily or mental harm to members of the group' includes acts of sexual violence against a group and especially when they are executed with state impunity. Detailed accounts of Eelam Tamil women being victimized by state security forces were reported by the PPT and they conclude that many of the perpetrators were not convicted and unpunished; PPT lists cases that occurred during the war and in the aftermath. PPT also claim that the disturbing conditions and prolonged detainment in the IDP camps and the indiscriminate shelling that left many civilians disabled are integral to satisfying the second condition. As a result of the Sri Lankan army's final onslaught, according to official reports, approximately 30,000 Tamil civilians were severely disabled from the shelling in the 'no-fire zones' (Permanent Peoples' Tribunal, 2014). Referring now to the genocidal condition of 'deliberately inflicting on the group conditions of life calculated to bring about its physical

destruction in whole or in part', the PPT notes that subjecting the groups to a subsistence diet, systematic expulsion from homes and not providing the group with adequate medical care is essential to satisfying this condition. Reports have indicated that the government had executed an immoral strategy of confiscating lands and properties which they deem as military High Security Zones (HSZ), rendering many civilians as internally displaced persons. International Criminal Tribunal for Rwanda (ICTR) recognized the systematic expulsion of victims from their homes as integral to 'inflicting conditions of life calculated to bring about the physical destruction of a protected group'. As the UNROW paper indicated, as a part of the SLA's counterinsurgency strategy, the government failed to provide adequate food and medicine during the last phase of the war resulting in a colossal amount of deaths. International Crimes Evidence Project suggests that the government's refusal of food and medicine amounted to persecution. Their plan was to understate the civilian population trapped in the conflict zone in order to simply starve them into submission (Permanent Peoples' Tribunal, 2014). Not offering any medical supplies was a tactic employed to defeat the LTTE and it also meant disregarding any civilian life. The final condition of genocide that the article discusses is 'imposing measures intended to prevent deaths within the group', the tribunal offers research conducted by The Social Architects organization. The study was examining three villages, Keranchi, Veravil and Valaipaddu, they found that the government health workers coerced Eelam women into taking a contraceptive implant known as Jadelle. PPT concludes that genocide against the Eelam Tamils is a continuing process and the climax of this genocidal process was in 2009 during the government's final military onslaught. Though the entire group or their identity has not been fully eradicated, the aim of eliminating the Eelam Tamil identity continues to remain and is evident in the government's ongoing plans of Sinhala

colonization, militarization and the imposition of Sinhala Buddhist culture within the traditional Tamil homeland.

Human Rights Watch (HRW) conducted a research pertaining to sexual violence experienced by the ethnic Tamils in Sri Lanka and the array of state apparatuses who were allegedly involved in these cases. The team of researchers interviewed 120 people; 68 victims, 10 relatives of the victims, 11 witnesses to sexual violence, 31 church workers, international agency staff, doctors and lawyers. From the group of victims that they were interviewed, 27 of the individuals were men, 38 women and 3 boys (Hogg, 2013). All of these cases transpired between 2006 and 2012, the victims reported that their perpetrator held a position in the Sri Lankan security forces and were either within the police force, army, intelligence unit, Criminal Investigation Department (CID) or Terrorism Investigation Department (TID). The names of all the interviewees were omitted from the research document due to safety reasons, many expressed that they were fearful of reprisals by the Sri Lankan security forces. In regards to addressing rape, the researchers employed the internationally recognized definition of rape which was articulated by the Rome Statute of the International Criminal Court. Included in the document are the victims' account of their personal experience, either rape or some form of sexual violence which they had experienced, and also the medical records of the victims to corroborate the trauma. The report also dedicates a small section solely on discussing cases of sexual violence by the Sri Lankan security forces throughout the span of the conflict which were either ignored or the perpetrator not being prosecuted. Citing these specific cases were also strong indicators of the culture of impunity that the Sri Lankan security forces have long maintained within their institution. Moreover, the article provides an overview of the necessary duties of Sri Lanka under international law and also its obligation under its own national law. It concludes by offering

recommendations to this ongoing problem of sexual violence within the nation that could potentially aid victimized individuals, prevent future violations and maintain accountability within Sri Lanka's security forces.

HRW's findings demonstrate that the sexual violence and rape practices during the conflict and in the aftermath by the Sri Lankan security forces were systematic and widespread; they were not isolated cases and many of the different agencies colluded (Hogg, 2013). Research suggests that rape was employed to torture suspected LTTE members and other individuals who had associations with the LTTE in order to gather confessions. Testimonies garnered from the research indicates that individuals who were detained by the Sri Lankan security force, even when having no knowledge of LTTE activity, would provide the forces with false confessions on LTTE members in desperation to be released from the rape and torture. Majority of the victims told the interviewer that the security force members had agreed to stop the rape and release them if they sign a confession; after submitting a confession, in many cases, the rape and torture continued. A strong indicator of these practices being collective and not being individually-led is the presence of members of different government agencies in the interrogation process and the subsequent rapes they all had committed. From the given testimonies, it was clear that the highest levels of the state security apparatus had knowledge of these ill practices and provided the perpetrators with complete immunity (Hogg, 2013). With the exception of one victim, all victims in the research who were selected from the IDP camps and screening sites were denied basic due process rights. None of them were given the opportunity to see a judge and all of them were denied access to any legal counsel. Furthermore, the researchers contend that rape and torture was utilized by the forces to instill terror within the Tamil population; all the women interviewed by HRW suffered vaginal rape at least once. In regards to why certain individuals

were targeted, victims expressed that they were selected for interrogation due to their alleged association with the LTTE or if they were deemed as a LTTE-sympathizer (Hogg, 2013).

McConnell (2016) had written a comprehensive article on the case study of Sri Lanka by employing the 10 stages of genocide theorized by Dr. Gregory Stanton of Genocide Watch. She firmly contends that genocide was committed by the Sinhalese state and people, successive Sri Lankan governments have been inciting violence against the Tamils ever since independence. McConnell (2016) urges us to consider genocide as a process, especially in the context of Sri Lanka, and rather that it is something which does not happen overnight. A salient point that she makes is that the genocide could either be linear or cyclical and it varies depending on the situation; if preventive measures and sanctions are not imposed then it is inevitable that the violence will not cease. Citing various genocidal cases such as the former Yugoslavia, Rwanda and Srebrenica, the author claims that there are stark differences in narratives constructed by the victim and the perpetrator in regards to the events that transpired. It is common that the perpetrator entirely denies the atrocities that had unfolded and attempt to conceal any substantive evidence which could indict them. It is also likely that they would prevent any further investigations and halt other nations from being involved in the process of accountability. Victims however attempt to reveal to the world that the atrocities were real and persistently convince state actors to not be dissuaded by the perpetrator and insist on independent investigations.

Beginning with the first three stages, *classification*, *symbolisation* and *discrimination*, McConnell (2016) states that classification could be understood as a way to differentiate the groups and it could be done through ethnicity, race, religion or nationality.

She notes that Tamils lived in the north and east of the country as distinct people with a different language, culture and religion prior to colonial rule. The Portuguese and Dutch ruled the Tamil Kingdom separately from the Sinhalese Kingdom, thus, classification was quite apparent in this case. However, she makes it clear that differences or classifications are not solely the issue, rather it is the inability to ensure equality by finding a common ground. For example, a way to tackle classifications and ensure equality is to establish two national languages or provide equal footing to two different religions. Despite the numerous ways to maintain a non-hostile relation, the author argues that nothing was done to promote diversity and equality in Sri Lanka, one religion and ethnicity would be observed as the dominant whereas the other would be subordinated. McConnell expresses that symbolisation such as the use of the Star of David in the Jewish holocaust was not necessary in the context of Sri Lanka since their cultural attire, language and religious markings such as the holy ash on their forehead was sufficient in differentiating them from the Sinhalese majority. The Tamil identity was visibly recognizable and the author claims in the article that the state had later conflated the Tamil identity with 'Tiger' (terrorist). Discrimination being the third stage is evident in the case of the Tamils, discrimination was legitimized and accepted due to the implementation of various draconian legislations. Disenfranchising the Indian Tamils in Sri Lanka (1948); enacting the Sinhala-Only Act (1956); policy of standardization (1971) which mainly targeted Tamil students; removing section 29 of the constitution which safeguarded minority rights (1972); and endorsing Buddhism while failing to recognize other religions under the constitution (1972). Institutionalized discrimination was contested by the Tamil minorities but it was invariably met with military suppression and brutal responses, such as anti-Tamil pogroms (1956, '58, '77, '81, '83), from the Sinhalese civilian population. These riots and organized killings are the results of

the fourth stage, *dehumanization*, at this stage hate vocabulary and language is used by the perpetrator to consider the victim as nonhumans. Influential Sinhalese-Buddhist nationalists in the early 19th century such as Anagarika Dharmapala referred to Tamils as exploiters and aliens, he was also responsible for distorting religious texts and promote killings in the name of Buddhism. Sinhalese chauvinist nationalists have employed these misinterpreted texts to legitimize killings of Tamils since then. McConnell (2016) cites that successive Sri Lankan government leaders such as President Jeyawardena, President Wijetunge, President Mahinda Rajapaska have indoctrinated this ideology and have incited violence against the Tamils. This paradigm enables the killings to be facilitated since the perpetrator does not consider the ‘other’ as a human, thus, this leads to the next stages of *Organized Killings (fifth stage) and Polarization (sixth stage)*. Organized killings is either carried by state apparatuses, civilians or both, in Sri Lanka both were complicit during the bloody pogroms; at this stage the killings are systematic and not isolated episodes. McConnell (2016) notes that the riots were well organized and government MPs were inciting the attacks and providing the Sinhalese mobs with voter lists in order to identify houses and shops owned by Tamils. In the following stage, *polarization*, we are able to discern an ‘us’ versus ‘them’ discourse emerging and it is constructed by the state. Media is used as a tool to disseminate polarizing propaganda, the Sri Lankan government and Sinhala extremist groups used various media outlets to prevent the Tamils from exercising their right to self-determination.

The seventh stage, *preparation*, is when the state prepares by arming itself against the targeted group and indoctrinates the masses with an irrational fear of the ‘other’ group, the author states that not all Sinhalese were swayed. During the riots, some Sinhalese citizens risked their lives by offering their house as a refuge for the Tamils who were fleeing from the Sinhalese

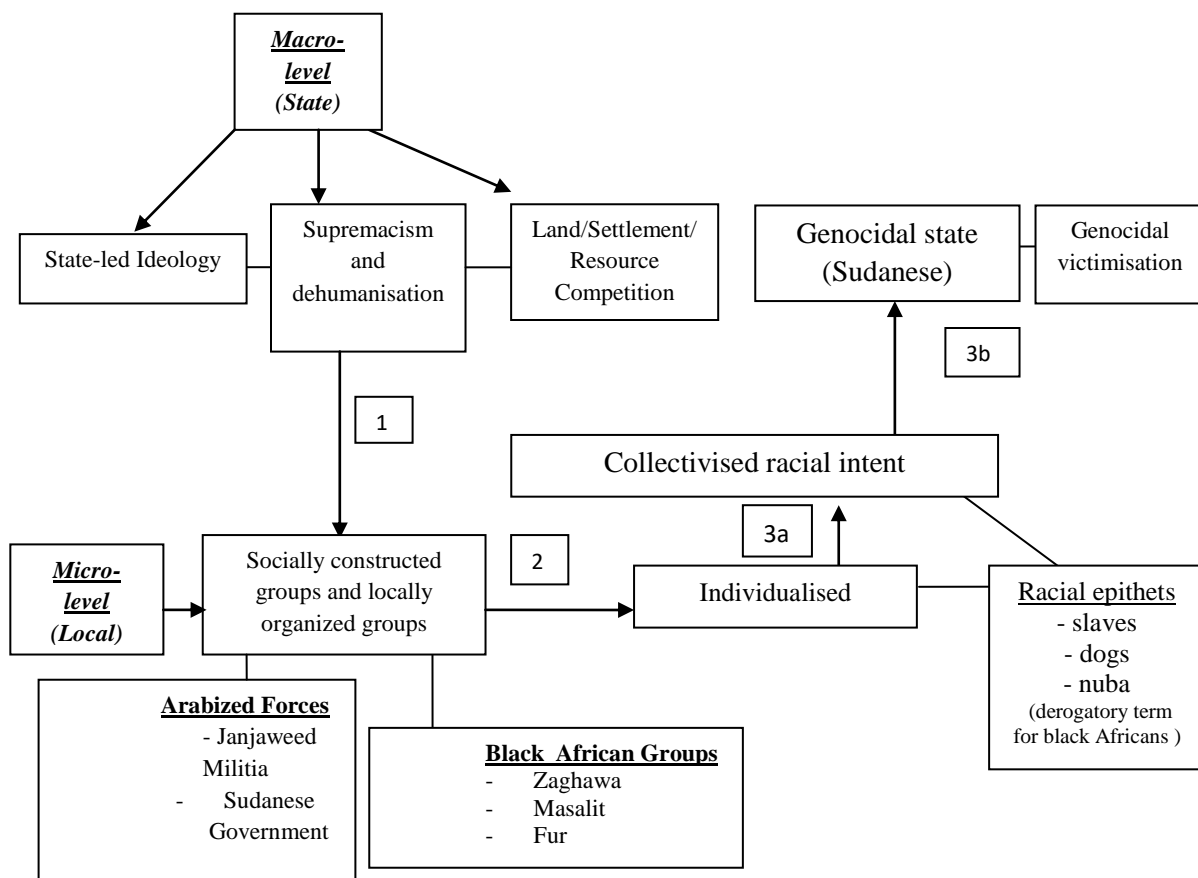
mobs. After preparation is *persecution (eighth stage)*, this can be examined in 1981 when the Jaffna Library was burnt down by state actors, McConnell (2016) states that this was executed in order to erase the Tamil people's collective memory and what better method of eradicating a group's memory than burning significant texts pertaining to their culture and heritage. 3,000 Tamil people were then killed in the 1983 pogrom, burnt alive and slaughtered; the mobs were using petrol from the Ceylon Petroleum Corporation which was under the jurisdiction of the Industries Minister. Further persecution can be observed in the implementation of The Prevention of Terrorism Act (PTA) of 1979, this law makes it possible for torture, arbitrary arrests, rape, enforced disappearances and summary execution to transpire. Immensely affected by this law were and continue to be the Tamil minorities since their identity was conflated with LTTE (terrorists). The narrative that the Sri Lankan government had adopted is that the state was combating terrorism and the 'terrorists' are the Tamils who have been attempting to establish a separate state. Following persecution is *extermination* and McConnell (2016) contends that this stage occurred in 2009 when the Sri Lankan Army launched their final offensive against the LTTE and killed anywhere between 70,000 and 140,000 Tamil civilians. The tenth and final stage is *denial*, this is when the state blatantly denies any wrongdoings and attempts to convince the international community that there were no casualties. In the aftermath of the war, the government reiterated that there were no civilian casualties even though independent observers, human rights groups and the United Nations have found the state concealing mass graves. McConnell (2016) concludes that the only way to bring accountability and move in the right direction is through the International Criminal Court (ICC), she acknowledges that Sri Lanka is not a signatory to the ICC but draws our attention to the fact that Sudan was neither a signatory. The Sudanese genocide was recognized by the ICC because the situation was referred by the UN

Security Council, subsequently, indicting six individuals on counts of genocide, war crimes and crimes against humanity.

CHAPTER 3: Theoretical Framework

3.1 Collective Action Theory of Genocide

Hagan and Rymond-Richmond (2009) advanced a theory known as Collective Action Theory of Genocide to explain the heinous crime of genocide. They adopt the Darfur genocide as their model for testing the theory and utilize the existing definition put forth by the United Nations. The theory they had proposed encompasses existing criminological elements such as state crime, collective violence and organizational crime. Primarily it emphasizes that genocidal victimization occurs at three different levels and are deeply interconnected with each other; macro, meso, and micro-level. To put it succinctly, the theory states that at the macro-level there are two main precipitating conditions. First being land competition, the limited space in the region or country creates a hostile relation between the different ethnic or racial groups. Second, a state-sponsored supremacist ideology is constructed where the state deems one particular racial or ethnic group as inferior. At the micro-level, both the competition and supremacist ideology produces locally organized interest groups. The individuals who comprise these groups have internalized the racist ideology and later carry out violent acts against the competing racial or ethnic group. Later, individual-based actions transforms into collective action, where the dominant ethnic group carries out collective violence such as rape, lynching, murder and other heinous crimes. Moreover, the dominant group and the state (members of the elected party, police, army and other state-apparatuses) commit genocide against the other group; in most cases, the victimized group is a minority population. Below is a schematic diagram of Hagan and Rymond-Richmond's (2009) collective action theory of genocide.



Hagan and Rymond-Richmond's (2009) theory is influenced by Coleman and Sampson's transformation problem and this concept is how the meso-level and the micro-level (individual) are connected. The transformation problem is the process by which individual choices transform into collective action. Another concept that is evident in their theory is socially constructed groups and this is framed by influential political figures that are within the government, in the case of Darfur, members in the Sudanese government were responsible for labelling such groups. Groups are commonly divided by their racial, ethnic, national, or religious identity. By segregating these social groups, it also accentuates the groups and this makes genocide to be readily committed. Separating or labelling the social group places the individuals within the vulnerable group to be more susceptible to violent attacks.

The authors also discuss the process of ‘othering’ and this can be understood when the victim group is identified as the alien or outcast in that particular society; the ‘us’ versus ‘them’ dichotomy. The process of ‘othering’ is orchestrated by state elites who disseminate and perpetuate the supremacist ideology. By creating the victim group as the ‘other’, they eventually become the subordinate group and this becomes an accepted social fact amongst the dominant group. At the micro or individual level, racial epithets are used to dehumanize the ‘other’. Moreover, the dominant group’s identity is reinforced by labelling the ‘other’ group, this produces solidarity and partisanship among the individuals in the dominant group. Thus, the common cause unites the group and creates the conditions for genocide to be committed. However, the authors argue that genocide cannot be committed unless the state plays a major role. The state solidifies the social cohesion among the dominant group and persuades the group that the state is threatened by the ‘other’, this then subordinates the individual who belongs to the dominant group and forces them to accept the dominant ideology. The authors also allude to the fact that there will be individuals who make the conscious decision of not joining the collectivity. In these cases, the individuals do not accept the dominant ideology of supremacy and also will protect the ‘other’/victim group by providing them with assistance; for example, offering shelter, food, and other necessities.

Hagan and Rymond-Richmond (2009) use Sampson’s concept of collective efficacy coupled with Matsueda’s collective action in order to explain how individual actions motivate others to unite and collectively act. Collective action is framed through three imperative elements: (1) defines the cause of the issue and its solution collectively rather than individually; (2) frames the enemies – ‘us’ versus ‘them’ (3) defines an injustice that can be solved through a collective action (Hagan and Rymond-Richmond, 2009). Moreover, collective efficacy deals

with the capacity of certain members in a community to control the behaviour of individuals and groups in the neighbourhood or community.

3.2 Darfur and Racial Intent

Hagan and Rymond-Richmond (2009) test their theory and investigate if the theory is able to uphold the case of Darfur. Their premise is that the Sudanese government is responsible for the construction of a racist ideology and fostering ethnic divisions in the country. “Of all ideological weapons used in African warfare...ethnicity...has proved by far the superior”(Hagan and Rymond-Richmond, 2009: 162). The Sudanese government facilitated ethnic divisions by mobilizing Arab militias; the Arabs were primarily landless nomadic herders. Using these Arab groups, the government targeted settled Black African agricultural groups; the Arab groups were not hesitant to attack because of their desperation for water and pastures for their livestock. The authors argue that the properties, livestock, and the settled land constitute opportunities for massive criminal acquisition which is a core element of genocide.

Furthermore, the Black African groups were targeted on the basis of their race which renders it as an intentional act, thus, satisfying the criteria of intent required for genocide. Intent is expressed at both the individual and collective level in Darfur; both the Sudanese army and Janjaweed militia are complicit. At the micro level, individualized racial intent was facilitated by militia leaders with high levels of social efficacy and their power was consolidated by the Sudanese government. The violent attacks perpetrated by Arab individuals escalated to collective action; this stage constitutes the meso-level. Usually at this stage in the genocidal process racial epithets are used by the collective to dehumanize the victim group. Hagan and Rymond-Richmond (2009) convey that the use of racial epithets also denotes that there is collectivized racial intent. Finally, the state becomes complicit and collaborates with the

collective, in the case of Darfur, the Sudanese state-actors actively engaged in the campaign of destroying the victim group. There are four major actors in the Janjaweed militia that the authors refer to as a basis for demonstrating social efficacy and the role of race in the genocide in Darfur. The authors refer to the following Militia leaders: Musa Hilal, Hamid Dawai, Ali Kushayb (Ali Muhammad Abd-Al-Rahman) and Abdullah Mustafa Abu Shineibat.

3.3 Legal Elements of Genocide

The authors outline nine key elements of the genocidal pattern of events in Darfur and contend that these elements correspond closely with the United Nation's definition of genocide. These specific elements are central to the theoretical model that Hagan and Rymond-Richmond (2009) developed and tested. The first element is the background tensions existing between Arab and Black Africans in Darfur; the animosity stemmed from the growing competition for land and resources between the Black farmers and the nomadic Arab herders. Being well informed with these communal tensions, the Arab-dominated Sudanese government capitalized on the situation and implemented an Arab-Islamic supremacist ideology and demonizing policies. In result, it further divided the two communities and enabled the state to frame it as an "us" and "them" conflict. It should be noted that both the targeted Black African tribes and the Arab tribes were Muslim, giving the researchers reasons to believe that the tribes were not victimized due to their religious identity. The second element of the genocidal violence in Sudan is the arming of Janjaweed militias by the Sudanese government. Respondents from the Atrocities Documentation Survey (ADS) claim that the state began to provide the Arab tribes with arms as early as the famine in the mid-1980s (Hagan and Rymond-Richmond, 2009: 6). Testimonies which were garnered by the researchers were primarily from the ADS, this was a victimization survey conducted in 2004 on the Darfur refugees who fled to Chad.

The third element in the genocidal pattern is the indiscriminate bombing of African villages by the Sudanese army. Refugees explain that the government would bomb using Antonov aircrafts and helicopters, there would be a series of airstrikes while the government and Janjaweed soldiers executed ground attacks; this constitutes the fourth element. The ground attacks would last for weeks or months and were coordinated by the Sudanese army, however, the Janjaweed would join the government soldiers in these attacks. There is a consensus amongst the respondents that the Janjaweed militia would arrive in small green/grey vehicles, horses and camels during the ground attacks while the soldiers came in tanks and army vehicles. Both parties looted, burned properties and killed villagers during the ground operations. Various refugee testimonies provide vivid details on the atrocious methods employed by the armies during the ground attacks. More importantly, these attacks were all racially charged and it is evident in the racial epithets that were used when the armies were attacking. Racial targeting is the fifth element in the genocidal pattern, Hagan and Rymond-Richmond (2009) allude to the purpose of these derogatory and racial slurs and why it is imperative to demonstrate intent.

The sixth element is sexual violence and this is salient in the genocidal pattern since it destroys the social fabric of the community, especially considering the victimized group is Muslim. Hagan and Rymond-Richmond (2009) draw attention to the fact that within Muslim societies rape is observed to be dishonorable and there is a negative stigma attached to rape survivors. A multitude of testimonies gathered in the ADS indicate the consistency in the use of racial epithets by the perpetrator during sexual assaults. In addition, the attackers in the case of Darfur were dissimilar in their approach, unlike the Rwandan genocide, the women would be abducted and later returned to their respective villages. Their intention was to impregnate the Black women so they would be forced to bear Arab babies. It should also be mentioned that

Black men were also targeted and subjected to sexual violence as revealed by the male interviewees, they claim that the soldiers used rifles and sticks to sexually assault them (Hagan and Rymond-Richmond, 2009: 11). An integral part of genocide is illegally confiscating property and possessions including farming equipment, animals, money and other material goods that people would require for livelihood. This would be considered the seventh element of the genocidal pattern and it is carried out in an effort to prevent the victim group from subsisting. Respondents offer details into who engaged in looting during the attacks and a common response is that the government and the Janjaweed were both actively involved. Victims convey that the perpetrators would loot the houses and shops, subsequently, burning them.

Displacement is the eighth element constituting the genocidal pattern. The Black African tribes required their settlements for securing basic necessities, however, between two and three million Black African tribal members were removed from their lands and forced into internal displacement camps (Hagan and Rymond-Richmond, 2009: 11). There were a number of complaints from the displaced Africans pertaining to the quality and conditions of these camps; refugees claim that many of these camps were not receiving adequate food and medicine. As many as 200,000 refugees fled from the government-controlled camps and took refuge in the camps established by the United Nations High Commissioner for Refugees (UNHCR) in Chad. Lastly, the ninth element within the genocidal pattern is Arab resettlement within former Black African settlements. The shared perception amongst the respondents is that the government desired to kill all the Black African tribes in order to replace the settlement areas with Arabs. Hagan and Rymond-Richmond (2009) provide quantitative evidence in their work supporting the final element and demonstrate that Arab groups have resettled in the areas which were once occupied by the Black African tribes.

CHAPTER 4: Methodology

4.1 Critical Discourse Analysis

Referring back to the aforementioned work of Hagan and Rymond-Richmond (2009), in order to demonstrate genocidal intent in the case of Darfur they supported their work with official statements and public documents. Likewise, the International Criminal Court's indictment of Sudanese President Omar Al Bashir was primarily based on inference. In order to infer genocidal intent the prosecution offered three categories of factors: 1) the alleged existence of a government strategy to deny and conceal the crimes allegedly committed in the Darfur region against the members of the Fur, Masalit, and Zaghawa groups; 2) official statements and public documents; 3) the nature and extent of the acts of violence by the government's army against the Fur, Masalit, and Zaghawa civilian population. Thus, critical discourse analysis is a viable method when inferring genocidal intent by examining statements articulated by high-ranking Sri Lankan army officials.

Van Dijk (2005) provides insight into discourses and racism which is necessary to draw upon for this section. It is in my view that Van Dijk's work is valuable to this research considering I am investigating a crime that was allegedly motivated by racism, more specifically, elite racism. As briefly mentioned in the literature review section, the elite politicians in Sri Lanka were responsible for disseminating information about terrorism which conflated the 'terrorist' with the Tamil identity. Successive presidents continued to employ a discourse that exacerbated the growing hate against the Tamil minorities who were considered 'terrorists', thus, it is crucial to explore the discursive practices of these politicians and their justifications for implementing contentious policies and practices.

“It is therefore crucial that we study racism through a detailed analysis of the discursive practices of the elites and the institutions – of parliamentary debates, political

propaganda, news reports, editorials, opinion articles... such a detailed analysis is especially relevant because, as suggested, many forms of elite racism today are indirect and subtle...We need sophisticated discourse analysis to show how such institutional practices are informed by racist underlying beliefs, or to explain how elite discourses may have deleterious effects on public opinion”(Van Dijk, 2005).

Drawing from the latter part of the quote, Van Dijk suggests that it has deleterious effects on public opinion and I believe this is what reconstructs and reifies the ‘other’; elite discourses have a potent influence on peoples’ views and attitudes. Manor (1984) supports this claim and contends rhetoric was used by Sinhalese politicians to persuade citizens that the ‘terrorists’ are anti-Sri Lankan and those who support the notion of a separate state are also terrorist-sympathizers. The speeches garnered from this research offers rich information on how discourses have instilled a particular way of thinking into the minds of the Sinhalese people. An example of this would be when a researcher had interviewed a Sinhalese citizen and asked about his views on the anti-Tamil riots that were occurring during Black July. He had replied stating, “Yes, there’s curfew. If those Tamils want to come and live in our country they should help us. But they cause all this trouble. Now there’s curfew. How are we to work and buy food? It’s those Tamils cause us problems...”(Manor, 1984: 175). Using Van Dijk’s notion of ingroup-outgroup polarization, it is possible to analyze this text and show that this individual understands that the Sinhalese are the rightful owners of the country, whereas Tamils are visitors. This is an ideological theme that is produced and reproduced in political discourses, it seems to be apparent in the post-war era when General Sarath Fonseka, commander of the Sri Lanka army, delivered a speech on Tamil separatists. “...They can live in this country with us. But they must not try to, under the pretext of being a minority, demand undue things”(UNROW, 2014: 12). The discourse of terrorism in Sri Lanka had constructed a dichotomy through the use of ‘us’ versus ‘them’. ‘Them’ is identified as the terrorists or the Tamil separatists. Van Dijk (1991) refers to the

‘them’ in this binary as the threat or deviance; this becomes a way to justify attacks and killings because the discourse constructs the enemies as a danger to the wellbeing of Sri Lanka; a Sinhala-dominated Sri Lanka.

Critical Discourse Analysis (CDA) is a method that can be utilized to analyze discourses in order to reveal the connections between language, ideology, language and power (Reyes, 2011). This is highly relevant to my research because I wish to explore the construction of an identity which enabled the state and citizens to commit genocide. Van Dijk states that “critical discourse analysis (CDA) is a type of discourse analytical research that primarily studies the way social power abuse, dominance, and inequality are enacted, reproduced, and resisted by text and talk in the social and political context”(Van Dijk, 2001:352). Examining presidential speeches, similar to the ones that were provided in the former section could elucidate the ways in which elites have evaded accountability and dominated the political sphere through discourses that demonized the ‘other’. Adopting CDA as a methodology would entail analyzing at both the micro- and macrolevel. In regards to the presidential speeches, Van Dijk (2001) would argue that speeches would impact individuals at the microlevel and these discourses can also influence legislation and reproduce racism, which constitutes the macrolevel.

4.2 Agents of Racism

Van Dijk (2005) emphasizes that there should be greater attention directed towards elite racism when contextualizing racist discourses and understanding the sources of racism. Especially because elites such as politicians, journalists of large newspaper companies or prominent scholars, claim that racism does not stem from them. Rather, they argue it originates from uneducated individuals’ views and extreme right groups’ propaganda but this is the notion that Van Dijk (2005) refutes. Prejudicial and discriminatory behaviors are learned and not innate,

these behaviors are developed from public discourses that are ultimately controlled and influenced by elites; this includes political debates, news and scholarly work. He contends that if these public discourses constituted anti-racist and non-racist notions, subsequently, racism would not be rampant in society. For Van Dijk, racism of elites is discursively formed, it is through their writing and speaking that they convey and produce their racist policies and ideologies. He acknowledges that racist attitudes expressed by individuals or groups who possess minimal influence or power are still able to produce a deleterious effect. However, he states:

“one speech of a prominent politician, one opinion article of a star reporter, or one book of a renowned scholar may have more negative effect than thousands of biased conversations in the street, on the bus or in a bar”(Van Dijk, 2005: 1).

Similarly, creating a significant change and dismantling racism requires the production of alternative discourses which contests the current dominant discourse. This is only possible when majority of the political elites, academics and mass media supports the antiracist ideologies of the contesting groups; examples include post-Holocaust Europe and post-segregationist USA.

4.3 Elite Discourse and Racism

According to Van Dijk (2005), racism is a system of domination and social inequality, domination in this context is defined as an abuse of power against a particular group of people. Both racism and discourses are inseparable concepts since he claims that it is most likely impossible for racism to exist without text and talk. Unfortunately, majority of the studies committed to studying racism omit or minimally capture the role of language and discourses. Moreover, Van Dijk (2005) outlines some of the shared characteristics that are embedded within elite racist discourses which are relevant when examining how the *Other* is portrayed, the prejudice and ideology existing in the discourse and finally the repercussions of this discourse. Firstly, there is an apparent plan of *positive self-presentation* and *negative other-presentation*

throughout the text and talk. Also, the polarization of *Us* and *Them* and the positive or negative opinions are made apparent through the use of hyperbole, euphemisms, selective topics, storytelling and disclaimers. The second characteristic is that the *Other* is portrayed as a threat, deviant or different. Third is the strategy of positive self-presentation and the blatant denial of racism or mitigation of racism which is commonly practiced by elites. A fourth characteristic is the ethnic minorities having no control, access or influence over these texts or talks that are pertaining to them. Lastly, these texts that are articulated and the speeches that are conveyed about *them* are not directed at them, rather they seem to be not considered as recipients at all. In other words, it is almost as though the elites assume that the *Other* will not have access to these talks or texts. Van Dijk (2005) concludes by emphasizing the importance of discerning that these discourses are not merely words or ideas, rather they are an influential social practice which reinforces ethnic inequality and domination in the everyday lives of others. More importantly, if these elite racist discourses are not contested by alternative anti-racist discourses then it is likely that ethnic conflicts and genocides will inevitably be repeated. Citing post-Holocaust Europe and post-segregationist America as evidence, he states that dissemination of antiracist ideologies and discourses creates systematic and substantive change.

4.4 Ideological Strategies

One of the fundamental ideological strategies that Van Dijk (1998) highlights through his theory of ‘ideological square’ is the dichotomy of *positive self-presentation* and *negative other-presentation* which must be alluded to when discussing political discourses. Characteristics that constitute the theory of ideological square are: 1) Emphasizing *Our* good things, 2) Emphasizing *Their* bad things, 3) Deemphasizing *Our* bad things, 4) Deemphasizing *Their* good things. Utilizing this strategy within discourses it renders a division and highlights the stark differences

between *Us* and *Them*. *Us* referring to those individuals who constitute the ingroup or the group that the individual identifies with. *Them* refers to the individuals in the outgroup, which is the group that an individual does not identify with or belong to. It is common that competition arises between the individuals from the ingroup and those part of the outgroup. Furthermore, Van Dijk (2006) provides a framework for analyzing discourses and specifically outlines particular categories that he contends should be used when examining ideologies that are embedded within these texts and talks. He mentions various categories that he had utilized to analyze parliamentary speeches, specifically, portions of a debate in the British House of Commons regarding asylum seekers. Some of the particular categories Van Dijk (2006) draws that I felt were relevant to this paper are as follows: actor description, authority, categorization, generalization, national self-glorification, negative other-presentation, positive self-presentation and victimization. I will allude to these listed categories and contextualize each category by discussing the Van Dijk's (2006) example of parliamentary speeches.

Beginning with the category of actor description, this category refers to when individuals from the ingroup are described in a positive or neutral light, whereas the outgroups individuals are expressed negatively. The way in which these actors are described reflects the underlying ideology of the individual who conveys them. Authority, being the next category, pertains to individuals who cite authorities, such as organizations, for the aim of making their argument more convincing. Van Dijk (2006) notes that people of different ideologies cite different organizations, for example, those who were generally supporting immigration cited Amnesty International as an authority. Another evident feature within the discourses was categorization; this is where the speaker subcategorized asylum seekers into two different categories: genuine political refugees and bogus asylum seekers. Following this category, Van Dijk (2006) identifies

the category of generalization within the discourse. This refers to when speakers make generalizations instead of offering substantive narratives, specifically, in racist discourses he notes that there is a tendency to formulate prejudices based on generalized negative attributes of immigrants. Furthermore, Van Dijk (2006) employs the category of national self-glorification, through the various parliamentary speeches he had analyzed, there was a common theme of praising one's own country, their principles, traditions and history. He also identifies that racist ideologies tend to be present within this category since the speaker usually employs nationalist ideologies.

Negative other-presentation is a fundamental category which relates to the previous ones mentioned above. It is the categorization of individuals into ingroups and outgroups but more importantly it emphasizes the negative characteristics of the outgroup. It can be also be discerned within this category that the speaker divides the outgroups into two more groups: good and bad. As mentioned earlier, the speaker had dichotomized immigrants by placing them into two different groups: 'genuine political refugees' and 'bogus asylum seekers'. The former in this example would be the good and the latter deemed as evil/bad. Van Dijk (2006) also expresses that the category of negative other-presentation is usually coupled with positive other-presentation. Positive other-presentation highlights the ingroups' positive characteristics and attributes and it can readily identified when individuals stress their tolerance levels, empathy, support of human rights and abiding by the national laws. Lastly, in order to gain sympathy and also to depict the other as the enemy, individuals tend to convey that they themselves are victims; this category is regarded as victimization. For the aim of defending their social practices and beliefs, the individuals would produce narratives which regard the ingroups as victims and suffering due to malice acts carried out by the outgroup. Within the immigration

discourse, Van Dijk (2006) provides an excerpt from the parliamentary debate which draws on the poor, hard working individuals who are retired and lastly the elderly from the ingroup. This was done in an effort to demonize the outgroup by citing vulnerable individuals that are being affected by the immigrants.

CHAPTER 5: Analysis

5.1 Textual Analysis of Elite Speeches (1948-1983)

Pertinent speeches articulated by successive Sri Lankan presidents, prime ministers, ministers and high-ranking army officials will be drawn within this section and analyzed to identify supremacist and racial ideologies concealed within their respective speeches. The discourses selected in this section were thoughtfully chosen because the speeches were either delivered in the aftermath of a significant event, addressing an ethnic strife or after implementing contentious policies. Beginning with Sri Lanka's first Prime Minister is appropriate to this analysis because it provides a starting point for contextualizing the political climate and national consciousness in Sri Lanka. Below is an excerpt of Prime Minister D.S Senanayake's (1947-1952) speech addressing Sinhalese colonists who were uprooted from Sinhalese-majority areas and subsequently resettled in a region called Padavivya. This area is located within the traditional Tamil homelands and one of the outcomes of this state-sponsored colonization scheme is that it had altered the demography which ultimately favored the Sinhalese political parties.

“Today you are brought here and given a plot of land. You have been uprooted from your village. You are like a piece of driftwood in the ocean; but remember that one day the whole country will look up to you. The final battle for the Sinhala people will be fought on the plains of Padaviya. You are men and women who will carry this island's destiny on your shoulders. Those who are attempting to divide this country will have to reckon with you. The country may forget you for a few years, but one day very soon they will look up to you as the last bastion of the Sinhala” (Gunaratna, 1988: 201).

Prime Minister D.S Senanayake's speech to the Sinhalese colonists is packed with many layers of meaning that should be unpacked and examined methodically using the tools provided by Van Dijk's (2006) critical discourse analysis.

Firstly, the Prime Minister offers affirmation by employing a metaphor to address the Sinhalese colonists' current situation. He clearly mentions that they have been removed from their community and states that they are like a piece of driftwood in the ocean which illustrates that they are alone and unaccompanied. A salient point that should be alluded to is that Padaviya, the settlement region, was already occupied by the Tamil minorities, yet he makes it appear as though the colonists are lost and abandoned. Next he assures them that they will be regarded as heroes and martyrs which fits within the category of Van Dijk's (2006) actor description. The actors in this context are the Sinhalese colonists who are depicted in a positive light by implicitly referring to them as heroes. A closer examination of the second and third sentence offers some clues to the Sinhalese-nationalist ideologies that are embedded within this speech. The Prime Minister refers to the fact that the 'whole country' will praise them, yet in the following sentence he equates the country to the Sinhala people and disregards the Tamils. Furthermore, implications are evident with this excerpt and as Van Dijk (2006) indicates speakers may not include every detail in a speech because it is implicit; the recipients of the speech will deduce certain information. The receivers of the discourse are well aware of these implicit statements since they collectively share the knowledge and attitudes of the speaker. Similarly, when the Prime Minister discusses the 'battle' without explicitly stating who the opponent or enemy is, it is understood by the Sinhalese colonists. In this case, the opponent or enemy are the Tamils who are seeking secession. Framing the Sinhalese as defenders of the country sheds light on the

exclusionary nature of the Sri Lankan identity and it also provides details on the Tamils being the outgroup.

As mentioned in the theoretical framework section, Hagan and Rymond-Richmond's (2009) model at the macro-level consists of a state-led ideology and simultaneously there is competition for settlement and land. Land grabs and settlement schemes were an integral part of the tactics that were employed by successive Sri Lankan leaders to alter the demography of a particular area, in this case Padaviya, for the purpose of garnering votes for their respective parties. Furthermore, evidenced in this discourse, the Prime Minister conveys the state-led Sinhalese-Buddhist nationalist ideology which in turn reinforces the notion of Sri Lanka being a Sinhalese nation to the ordinary people. It also functions as a means to persuade the mass that the Tamils' objective of establishing a separate state is illegitimate and that the Sinhalese people should not give into their demands.

It is incumbent on the Prime Minister to convey inclusionary views and express tolerant attitudes; however, Sri Lankan Prime Ministers have irresponsibly propagated racist and supremacist ideologies. Prime Minister S.W.R.D. Bandaranaike who was in office between 1956 and 1959 delineates his racial supremacist views within the speech below:

“If parity is granted, it will mean disaster to the Sinhalese race....Tamil with their language and culture and the will and strength characteristic to their race...would come to exert their dominant power over us” (Permanent Peoples' Tribunal, 2014: 23).

Immediately in the speech the Prime Minister reveals the inequality that exists within Sri Lankan society and the negative consequences of endowing Tamils with equal status. Van Dijk's (2006) analytical category of victimization is highly relevant to this speech since it divides the ingroup and outgroup by framing it in a manner which portrays the ingroup (Sinhalese) being potentially victimized by the outgroup (Tamils). Racial discourse became a dominant discourse that was

produced in post-independence Sri Lanka; the Tamil race being the inferior race which invaded Sri Lanka and the Sinhalese as a threatened race was promulgated by Sinhalese elites and subsequently deeply ingrained within the Sinhalese people (Little, 1993). Buddhist monks, Sinhalese politicians and other influential people disseminated slogans such as “the Sinhalese have no country but Sri Lanka”(Social Studies Circle, 1984: 28) A popular argument amongst Sinhalese Buddhists nationalists is that the Sinhalese people cannot be found in any other country other than Sri Lanka, thus, justifying Sinhalese Buddhist superordination. Furthermore, the ‘us’ versus ‘them’ dichotomy is apparent within this particular speech and it is explicitly stated that the Tamils are the outgroup who could potentially exert their dominance over the Sinhalese. Overall, the view of the Prime Minister suggests that Sinhalese hegemony should be maintained in Sri Lanka or it could be deleterious to the Sinhalese race if Tamils were given equal status. Linking it to Hagan and Rymond-Richmond’s (2009) model, a state-sponsored supremacist ideology is constructed and within the macro-stage the aim is to instill and internalize these racist attitudes.

As aforementioned in the previous chapters, Black July of 1983 had shaped Tamil consciousness, it was collectively understood by the Tamils that their government will not protect them and will continue to view them as second-class citizens. Before quoting President J.R Jayewardene’s (1977-1988) speech he delivered weeks prior to Black July, I would want to draw some significant points to add context when we are analyzing his talk. As mentioned, Black July was a direct response to the LTTE’s attacks on the Sri Lankan army, this was seen not merely an assault against the state but it was a threat to the existing Sinhalese hegemony. Previous Sri Lankan governments had suppressed dissent by using conventional armed forces and police but President J.R Jayewardene’s regime had ruthlessly adopted a different means of

addressing the situation. President J.R Jayewardene's regime incited the violence using Sinhalese goon squads who had systematically killed the Tamil minorities during the 1983 anti-Tamil riots; blinded by the racist ideology, many Sinhalese soldiers conspired with the goons (Social Studies Circle, 1984; Wilson, 1988). The question then becomes why were these malicious tactics employed and what were his intentions? In order to understand this one must refer to the President's sentiment towards the existing relations between the Sinhalese and Tamils in Sri Lanka. I argue that it is because he shares the exact chauvinist views as his predecessors and successors. Citing a discourse that J.R. Jayewardene had articulated in 1957:

“The time has come for the whole Sinhala race which has existed for 2,500 years, jealously safeguarding their language and religion, to fight without giving any quarter... I will lead the campaign”(Wilson, 1988: 222).

The President J.R Jayewardene not only expresses the dominant discourse of the Sinhalese race being threatened but he also contends that he himself will lead the campaign of preserving and safeguarding the endangered Sinhala race. The Tamils' demand for secession denotes a threat to the wellbeing of the Sinhalese people, given the circumstances and the support the President had from those who shared similar views, resorting to suppression and ultimately killing was necessary for his regime. Referring back to President J.R. Jayewardene's (1977-1988) remarks made to the Daily Telegraph, two weeks prior to Black July, reflects not solely partiality but a total disregard for the Tamil life and it reveals the intent to kill Tamils.

I am not worried about the opinion of the Tamil people...now we cannot think of them, not about their lives or their opinion...the more you put pressure in the north, the happier the Sinhala people will be here...Really if I starve the Tamils out, the Sinhala people will be happy (Bala, 2015:27).

The President's statements added fuel to the existing ethnic tension and interestingly it was forecasted within the speech that the onslaught against the Tamils, Black July, would transpire. He states that if he places more 'pressure' in the north, referring to the traditional Tamil areas,

the majority of the Sinhalese people will be happy. There is no ambiguity within his speech in regards to his position on Tamils, Jayewardene elucidates that he as the leader of the nation will appease the Sinhalese and is not concerned for the welfare of the Tamils. This is evident in his delayed action to the riots by imposing a curfew a day later. Furthermore, an equally relevant speech pertaining to Black July was cabinet minister Gamini Dissanayake's speech delivered to the Tamil estate workers a month after the event.

“Who attacked you? Sinhalese. Who protected you? Sinhalese. It is we who can attack and protect you. They are bringing an army from India. It will take 14 hours to come from India. In 14 minutes, the blood of every Tamil in the country can be sacrificed to the land by us. It is not written on anyone's forehead that he is an Indian or Jaffna Tamil, a Batticaloa Tamil or upcountry Tamil, Hindu Tamil or Christian Tamil. All are Tamils...We have decided to colonise four districts including Mannar with Sinhalese people by destroying forests. A majority of Sinhalese will be settled there” (Shanmugathan, 1984: 74).

Gamini Dissanayake, Minister of Land and Land Development, is an influential figure that was involved within the resettlement and colonization schemes that the government had sponsored. By adopting Van Dijk's (1998) ideological square, it is possible to investigate the supremacist ideology that is embedded within the minister's speech and the common views that the minister shares with the aforementioned political elites. To recall, ideological square consists of four elements: 1) Emphasizing *Our* good things, 2) Emphasizing *Their* bad things, 3) Deemphasizing *Our* bad things, 4) Deemphasizing *Their* good things. Minister Dissanayake's speech depicts the justification for the anti-Tamil riots and the mitigation of the Sinhalese citizens' actions.

Immediately he expresses that the Sinhalese were responsible for the attacks but depicts it as though they deserve praise for their heroic act of protecting the Tamils. We can observe that he deemphasizes the negative actions by briefly admitting to the crime in the beginning, subsequently, emphasizing the good by arguing that the Sinhalese (ingroup) are the only members who have the capacity to protect the Tamils' (outgroup) life. It is salient to note that he

stated ‘we’ when he discusses who is able to attack and protect them; the ‘we’ indicates that the actor identifies with the ingroup (Sinhalese). Again he emphasizes the outgroup’s bad characteristics by alluding to the fact that ‘they’, referring to the Tamil separatists, are deploying troops to fight against the Sri Lankan state. This statement serves to highlight that there is a perceived threat by the ‘other’ and it also delegitimizes the Tamils’ separatist claim. Moreover, Van Dijk (2006) stresses the category of *number game* as an integral component of political rhetoric and this functions to make a statement or argument appear objective. By employing numerical values and statistics, it convinces the recipients that there is credibility in the details of the speech. With respect to Minister Dissanayake’s speech, he informs the Tamils that it would take the Tamil separatists 14 hours to arrive to Sri Lanka and it would take the Sinhalese merely 14 minutes to kill them all. Citing those numbers serves to instill terror within the Tamil plantation workers and also indicates to them that the Sinhalese people have the capacity to eradicate them if they desire to do so.

Paying closer attention to the choice of words, the minister uses ‘sacrifice’ and ‘to the land’ when describing the course of action the Sinhalese will take. ‘Sacrifice’ denotes a sacred act and ‘land’ in this context being the holy entity that they offer the Tamils to. It should be understood that the land being a sacred entity and the Sinhalese Buddhists having a sacred claim to Sri Lanka is a popular belief internalized by Sinhalese Buddhist Nationalists (DeVotta, 2007). This entitlement is derived from the *Mahavamsa* (‘Great Chronicle’), a mythical text which delineates that Sri Lanka is the chosen land of the Buddha; historically, the text has been utilized to sanction violence against Tamils. Moreover, the dichotomy of ‘us’ versus ‘them’ is vividly portrayed by the speaker and although he acknowledges the heterogeneous identity of the Tamil ethnic group, he conflates all Tamils into one to make his point that all are equally deserving of

death. His final remarks sheds light on the overt policy of Sinhalese colonization in post-independence period within the traditional Tamil homelands. Overall, this speech captures the sense of entitlement Sinhalese nationalists assert over the Tamils; both their lives and land.

Cyril Mathew, Minister of Industries and Scientific Affairs, a self-confessed Sinhalese supremacist, speaks on the anti-Tamil riots in parliament.

“We have been patient for ten years and now what happened there has occurred in Sri Lanka also... By non-violent methods or violent ones the Sinhala people are ready to prevent the division of the country”(Obeyesekere, 1984: 162).

To offer some context, when he stated ‘now what happened there’, he is referring to the Malaysian ethnic strife and earlier in the speech he was praising the former Malaysian prime minister, Mahathir Bin Mohammed, for his controversial book entitled *The Malay Dilemma*. In the book Mahathir contends that the Malays should not permit other racial groups to compete with them and protection should primarily be offered to the Malays and promote their religion, Islam (Obeyesekere,1984). The author’s justification is that the Malays cannot afford to go to any other nation, unlike the Chinese who inhabit Malaysia, they can simply leave to China and the Indians who live in Malaysia can move to India. Furthermore, Minister Mathew argues the Malays are analogous to the Sinhalese because they have no place to go as well, unlike the Tamils who can relocate to southern India. Minister Mathew goes on to say that there was a political demonstration in Malaysia during 1969 and the Malay government responded by killing all the Chinese who were involved in the rally. Referring back to the aforementioned quote, he states how ‘we’, the Sinhalese, have been tolerant for more than ten years with the Tamils. There is no mention of inequalities and racism that the Tamils have experienced, rather he shifts the focus on the Sinhalese people. Here he delegitimized the Tamils’ grievances and emphasized the good qualities of the ingroup by highlighting the Sinhalese’s quality of forbearance.

Veering away from self-presentation, he expresses the belligerent methods that will be employed by the collective to defend the Sinhala nation against the Tamils. It should be mentioned that the state was unequivocally involved in the event of Black July, more importantly, there is evidence that suggests Cyril Mathew's involvement and coordination of the atrocities (Spencer, 1998; Benda-Beckmann and Pirie, 2007). During Black July, Shanmugathan (1984) notes that the majority of the petrol that was supplied for burning Tamil homes, automobiles, shops and people came from Ceylon Petroleum Corporation which falls under the jurisdiction of Industries Minister, Cyril Mathew. Earlier in the paper I had identified one of the infamous publications of Cyril Mathew entitled *Sinhala People – Awake, Arise and Safeguard Buddhism*. However, his expressions of racism and Sinhala supremacy were not solely limited to his book; he exacerbated and antagonised the conflict by penetrating at the local/micro-levels. For example, Benda-Beckmann and Pirie (2007) allude to Cyril Mathew's notorious anti-Tamil rhetoric within the pamphlets that he made and was later distributed to Sinhalese locals, the pamphlet was titled *Kavuda Kotiya* which translates to "Who is the Tiger?". According to the authors, these pamphlets were disseminated months prior to the riot and the details within this pamphlet were crude and contained an anti-Tamil tirade. An outcome of the minister's fear-mongering campaign was that it implanted an erroneous image of the 'other' within the ingroup's minds. More specifically, it reduced the Tamil identity to separatists and this inevitably transformed Tamils into terrorists or terrorist sympathizers due to the state's proscription of separatism.

Another eminent leader within the Jayewardene regime was Lalith Athulathmudali, served as the Minister of Trade and Shipping, he had delivered a speech in Parliament on July 21, 1983; two days prior to the beginning of Black July.

"... As far as the Government is concerned, what it thinks is correct for the Tamils it will carry out. Whether you participate [in the round-table conference] or not, whether you support us or not, we will implement what we want to implement. The Government will go ahead with what it thinks is correct to bring an end to terrorism"(Hoole, 2001: 60).

Countless victim testimonies and evidence indicts Minister Cyril Matthews' involvement in the destruction of the Jaffna Library that transpired in 1981, but amongst the state actors that were complicit in this crime were both Ministers Gamini Dissanayake and Lalith Athulathmudali (McConnell, 2016; Selvaganesan, 2016). The importance of highlighting Minister Athulathmudali's complicity in this crime is that the act was racially-motivated and it also sheds light on the impunity that state actors have enjoyed due to the pervasive political discourse of terrorism. Furthermore, examining Athulathmudali's speech, dominant themes within his talk includes entitlement to Tamil life, conflating the Tamil identity and the dichotomy of us versus them. It can be discerned within the language and choice of words he uses that there is a clear expression of power and dominance over the 'other', especially when he conveys that some sort of action will take place and is definite about the government's course of action being the only option. The certainty in his speech denotes his conviction in the government's actions and his strong approval of any method, even killing, to eradicate terrorism. Days after this speech, state-sanctioned killings had transpired (Black July), suggesting that the 'implement' he was referring to were the killings of Black July. Similar to his cronies, the Minister conflates the Tamil identity with terrorists by not distinguishing or identifying who the terrorists are; this is an implication that is deduced by the recipients. Furthermore, his construction of 'us' and 'them' is central to understanding the exclusionary boundaries depicted in the speech and also how government actors have commonly used this dichotomy to legitimize the war against terrorism, consequently, persecuting and killing civilians who fit in this broad label of 'terrorist'. Van Dijk's (2006) categorization of implication is pertinent to this speech since Minister Athulathmudali divides

the group identities by stating “whether you support us or not”. Implied in this statement is that if individuals who do not support the government are, in turn, deemed as the ‘other’ or constitute the out-group. Likewise, this excerpt has alarmingly close resemblance with George Bush’s speech to congress in 2001 when he dauntlessly asserted, “either you are with us, or you are with the terrorists”(Wondolleck et al., 2003:207). The dichotomous language frames the identities of the ‘other’ and it also establishes the boundaries of the conflict. Drawing another part of the speech Minister Athulathmudali had delivered in parliamentary that day:

"In the process innocents may suffer. We will do our best to avoid it. I think the SLFP wants to fight terrorism and I am not convinced as to the reasons why they are backing out [of the round table conference]. As a Sinhalese-Buddhist party how can you refuse to participate in a conference of this nature? How will you face any election or the people if you do not come forward to eradicate terrorism? I call upon you to join hands with us to suppress these fascist terrorists..."(Hoole, 2001: 60).

Evident in this part of the speech is the predictions of the atrocities that would unfold in a matter of two days and also expressing false benevolence by blatantly claiming that the government will attempt to mitigate the harm. In addition, addressing his adversarial party, SLFP (Sri Lanka Freedom Party), he contends that they should be involved and supportive of the government’s agenda. Embedded within this speech is the political ideology of Sinhalese Buddhist nationalism which plays a pivotal role in gathering support from the opposition; implicit in his condemnation of the SLFP for not participating in the round table conference is that they should be actively involved in maintaining a unitary state for the Sinhalese Buddhists. Moreover, it not only elucidates both political parties’ views and attitudes but it also sheds light on the majoritarian view that Sri Lanka should be governed by the Sinhalese-Buddhists. This is clear when he states “how will you face any election or the people if you do not come forward to eradicate terrorism”?(Hoole, 2001: 60). It can be readily recognized and deduced in this line that the ‘people’ or the constituency he refers to is the Sinhalese-majority and appeals for the

opposition's support by claiming that the people, being the Sinhalese, want to eradicate the 'terrorists'. At the end of this excerpt, Minister Athulathmudali extends out to the opposition by implicitly stating that it is not too late to be considered in the in-group. There is a clear strategy of polarization in this speech and the rhetoric used dichotomizes the actors into good and bad; the good being the Sinhalese who oppose separatism and the bad constitutes the 'terrorists'/out-group or those who are not actively involved in opposing separatism.

5.2 Textual Analysis of Elite Speeches (2008-2009)

Selecting more recent speeches for the analysis, specifically in both the last phase of the war and in the post-war era, will enable us to ascertain if the Sinhalese supremacist ideology continues to remain in political discourses. Firstly, however, it is imperative to offer some background details on the actors who delivered the speeches to contextualize their role in the conflict and their significance in the last phase of the war. Influential state actors chosen for this section are Lieutenant General Sarath Fonseka, former Commander of the Sri Lankan Armed Forces; Gotabhaya Rajapaksa, former Defense Secretary; Mahinda Rajapaksa, former President of Sri Lanka. Lt. General Sarath Fonseka, who served as the Commander of the Sri Lankan Army forces between 2005 and 2009, is viewed as a hero who had defeated terrorism in Sri Lanka. His glorious recognition as a national hero stems from the victorious battle he had led against the LTTE during the last phases of the war and subsequently eliminating the LTTE military. According to Devotta (2007), nearly 60 percent of the Sinhalese population in Sri Lanka favored a military solution to the ethnic conflict. Thus, his pivotal role in eradicating the LTTE allowed him to gain support from the majority for his actions and simultaneously whitewash the events of 2009. It was only under his command did the Sri Lankan Army conduct successful campaigns against the LTTE; General Fonseka oversaw the entire final phase of the

civil war. The latter point should be alluded to because it informs us that he was aware of the implications of the assaults that were carried out against the LTTE, which in turn took the lives of over 70,000 Tamil civilians (UN-Secretary General, 2012). Below is General Fonseka's statement on his views towards Sri Lanka, he delivered this statement in 2008.

“I strongly believe that this country belongs to the Sinhalese but there are minority communities that we treat them like our people...We being the majority of the country, 75%, we will never give in and we have the right to protect this country...They can live in this country with us. But they must not try to, under the pretext of being a minority, demand undue things”(UNROW, 2014: 12).

There is no ambiguity in his speech when he conveys his exclusionary view of Sri Lanka being a nation for the Sinhalese and the strategy of positive self-presentation is evident in the first line as he portrays the Sinhalese as benevolent people by expressing that we, the Sinhalese leaders, treat them like our people. Van Dijk (2006) claims that positive self-presentation can be discerned in speeches when the individual emphasizes their tolerance and hospitality. Professing to be caring for the 'other' has been an integral part of political discourses. Specifically, Devotta (2007) notes that a core belief in the nationalist ideology is that the minority communities in Sri Lanka are only living in the country due to Sinhalese Buddhist sufferance. We can trace this belief back to the former section where Minister Gamini Dissanayake had blatantly asserted that the Sinhalese are able to kill off the Tamils in merely 14 minutes if they desired to. Furthermore, General Fonseka's justification for the Sinhalese being entitled to governing Sri Lanka is based on the notion of majoritarianism; since the Sinhalese are the majority, they should control and rule the nation. Another strategy that is present within his justification is what Van Dijk (2006) refers to as the rhetoric strategy of number game. For the aim of enhancing credibility for their arguments, speakers utilize statistics as a way of displaying objectivity. Within General Fonseka's statement, he cites the Sinhalese demographic as a means to validate Sinhalese

hegemony and claim over Sri Lanka. Following his use of statistics, the invariably used rhetoric of threat against the Sinhalese is used by the General; the need to defend the Sinhalese people against the ‘other’ or ‘enemy’ is apparent in almost every speech examined in the former section. Moreover, the extreme polarization of the in-group and out-group coupled with the preconceived notions within the speech offers insight into the General Fonseka’s attitudes on who he refers to as ‘they’. Earlier in the statement we observe that he uses the term ‘minorities’ to refer to the Tamils but subsequently he conflates the separatists, LTTE, with the Tamil minorities by stating ‘they’ must not demand undue things. Hidden in this statement is the preconceived notion that all Tamils are LTTE or LTTE-sympathizers, this is deeply concerning because it informs us on who was deemed as a legitimate target during the last phase of the war.

An equally important state actor in the last phases of the war and ultimately in the success of defeating the LTTE was Sri Lanka’s former Defense Secretary Gotabhaya Rajapaksa. The level of power the Defense Secretary possessed during the last stages of the war was immense. During the final assault in 2009, Gotabhaya had full discretion and testimonies of Sri Lankan army soldiers reveal that the final assault, which resulted in thousands of Tamil civilian casualties, was commanded by Gotabhaya Rajapaksa (UNROW, 2014). Thus, it is important to understand the Defense Secretary’s attitudes towards the targeted population and the reasons for subjecting them to attack. Taking a closer look at a statement he delivered to IBN on February 3, 2009 will provide insight into his rationale behind the attacks against the Tamil civilian population.

“There are no independent observers, only LTTE sympathizers. Radio announcements were made and movement of civilians started a month and a half ago”(UNROW, 2014: 11).

To offer some details on the hostilities and to situate his statement in the broader context of the final stages of the war, I will draw pertinent evidence from the Permanent Peoples' Tribunal. PPT has indicated in their report on Sri Lanka that at the end of January 2009, 33 people were being killed each day by the Sri Lankan Army, the death count surged to 116 civilian casualties by April 2009 (Permanent Peoples' Tribunal, 2014). Relevant to note that the initial recorded death toll corresponds to when the Defense Secretary had articulated his speech; this raises grave concern on who he views as a legitimate target. Preconceived notions are deeply embedded within this statement, he delineates the civilians trapped in the conflict zone are all considered supporters of the LTTE, thus, ideological support for the LTTE is suffice for death. Moreover, another statement he conveys which captures the intent to destroy is when he proclaimed:

“...Anything that stands outside the designated safety zone, will be targeted. Be it a hospital, be it civilians, as long as it remains out of the ‘no fire zone’ it becomes a legitimate target...”(Admirand, 2014:33).

United Nations reported that three consecutive no-fire zones were demarcated and publically announced by the Sri Lankan government; Tamil civilians were congregating in these zones and the government subsequently shelled these areas (UN-Secretary General, 2012). Based on the substantive evidence offered by the United Nations, there is indication that the government perceived any area within the conflict zone as a legitimate area to shell and fire. Intent is not solely demonstrated in his statement but also in the discrepancy that the supporting evidence offers. Despite the United Nations and the International Committee of the Red Cross' repeated message to the government regarding their exact location via GPS coordinates, the government continued to shell hospitals that were treating injured civilians. Therefore, it cannot be regarded as collateral damage since the army had complete knowledge from both their own intelligence unit and the United Nations. It should be mentioned that the Sri Lankan government had dropped

pamphlets, written in the Tamil language, near the areas to draw the civilian population into these professed “no-fire zones” (UNROW, 2014). Furthermore, contrary to Gotabhaya’s statement, civilians were targeted within the safe zones, thus, it can be deduced from both of his statements that these civilians were deemed as LTTE-sympathizers or LTTE. Moreover, the reality of the last months of the war starkly contrasted with the President’s policy of zero civilian casualty.

President Mahinda Rajapaksa, who had a key role in the chain of command, was well aware of the hostilities during the final stages of the war and was informed about the onslaughts by his brother, former Defense Secretary Gotabhaya Rajapaksa. May 19, 2009 marks the date the government declared victory against the LTTE, on this date the president conveyed his sentiments on the minority population.

“We have removed the word minorities from our vocabulary three years ago. No longer are the Tamils, Muslims, Burghers, Malays and any others minorities. There are only two peoples in this country. One is the people that love this country. The other comprises the small groups that have no love for the land of their birth. Those who do not love the country are now a lesser group” (UNROW, 2014: 11).

In 2006, three years prior to the termination of the war, Mahinda Rajapaksa won the national elections; this point is salient since it provides context to better understand when the regime removed the word minorities from their vocabulary. An integral part of Lemkin’s definition of cultural genocide is that the oppressor aims to destroy the collective identity of the ‘other’ or the targeted group. At the same time there is an imposition of the perpetrator’s identity onto the victim group (Stanton, 2002). By removing the Tamil identity and imposing a Sinhala Sri Lankan identity onto the Tamils amounts to cultural genocide. In addition, the former President also employs the strategy of polarization within this speech, resulting in a clear distinction of who constitutes the in-group and out-group. Van Dijk (2006) elucidates on the concept of

polarization by stating that speakers are inclined to further categorize the out-group by dividing them into ‘good’ and ‘bad’ members. Within this particular speech, the out-group (Tamils) are separated into either loyalists or traitors but more importantly the President dehumanizes those Tamils that are considered LTTE-sympathizers by referring them as a lesser group. This is worrisome because it sheds light on the intolerance of the regime towards those who hold opposing views or opinions. Consequently, he would consider members of the legitimate Tamil political parties within parliament, such as Tamil National Alliance (TNA), as lesser citizens within Sri Lankan society. TNA is the largest Tamil political party in Sri Lanka and after the war had ended they won the provincial elections and as a result they controlled the provincial government in the Northern Province. One of the views that TNA had expressed is that the Tamil people are entitled to the right to self-determination and one of their former demands was an independent state for the Tamils. Moreover, anyone who supports the TNA would be deemed as a lesser being according to former President Mahinda Rajapaksa.

CHAPTER 6: Conclusions

6.1 Conclusion

Genocide is not a spontaneous act nor does it always begin with bloodshed, as this paper attempted to demonstrate, the precursor of genocide is the ideological construction of the ‘other’. Relying on the theoretical model provided by Hagan and Raymond-Richmond (2009), this paper garnered research from credible sources to determine if the Sri Lankan case satisfies the elements within their genocidal theory. Collective Action Theory of Genocide supported the case of Darfur and from their study Hagan and Raymond-Richmond (2009) were able to outline nine elements of the genocidal pattern. The nine elements will be drawn in this section and correspond it with Sri Lanka as way to synthesize the conducted research and demonstrate that

their model supports the case. The first element was *background tension and competition for land or resources*. There was unequivocally a competition for land in Sri Lanka over the ‘traditional Tamil homelands’, specifically in the Northern and Eastern Province, and this was due to both political and economic reasons. From the political standpoint, the Northern Province was highly concentrated with the Tamil population which was problematic for the Sinhalese-dominated political parties due to lack of support they would obtain from the constituency in these regions. In addition, the majority of the ardent Tamil nationalists lived in the Northern Province which made it difficult to maintain a unitary state, thus, successive government implemented colonization schemes to alter the demographic pattern. In regards to an economic-driven incentive, the Northern and Eastern parts of the country were conducive to agriculture. Successive post-independence governments relocated poor Sinhalese farmers who resided in densely populated wet zone areas into the dry zones of the Northern and Eastern province.

Former Sri Lankan governments have incited violence against the Tamil minorities by promoting racial supremacist ideologies. Evident in the discourses examined, the notion of the Sinhalese being an endangered race in the South Asian region and their culture being threatened were central to the othering process and the framing of ‘us’ versus ‘them’. Following this is the second element of *arming*, in the case of Darfur the Sudanese government armed militias and galvanized them to terrorize the indigenous black African tribes, namely Zaghawa, Masalit and Fur. Analogous to this is Jayawardene’s ruling party mobilizing the Sinhalese aggressors/goons to attack the Tamil minorities during Black July of 1983 (Social Studies Circle, 1984; Bandarage 2009). These ‘goon squads’ were agents of government ministers who were hired and paid to eradicate political dissent. The third element that Hagan and Rymond-Richmond (2009) outlined was *indiscriminate bombing*. The Sudanese Army had employed a scorched-earth policy and

indiscriminate aerial bombardment in order to eliminate the rebels and simultaneously kill the civilian population (Lefkow, 2004). Similarities are discernible in the case of Sri Lanka, specifically, in 2009 during the last stages of the civil war when the government engaged in bombing campaigns and consequently led to an immense amount of civilian casualties (UN-Secretary General, 2012). Fourth element of the genocidal pattern is *ground attacks* and this was satisfied in Darfur when both the Janjaweed militia and the Sudanese Armed Forces joined together to burn and loot properties while killing villagers as well. Parallel to this event were the anti-Tamil pogroms of 1956, '58, '77, '81, '83; complicit in these riots were government ministers, state apparatuses including the police and army and lastly the Sinhalese mobs.

An indicator of *racial targeting*, the fifth element, is the use of racial slurs or derogatory terms to address the 'other'. In Darfur, during the attacks led by the Janjaweed militias and the army, the forces would shout out derogatory terms such as 'nuba', 'slaves' or 'dogs' in order to dehumanize the 'other', rendering it easier to kill. Similarly, there were racial epithets used by political elites to refer to the Tamils, many of them commonly referred to them as 'terrorists' or 'LTTE-sympathizers', this in turn rendered it justifiable since they were perceived as legitimate targets. Based on the notion that the Tamil minorities were either sympathizers or terrorists, the Sri Lankan forces were using sexual violence and rape practices as methods for gaining information; satisfying the sixth element of *sexual violence*. Human Rights Watch found that sexual violence during the conflict and in the aftermath by the Sri Lankan security forces were systematic and widespread. Many of these cases were not isolated events and the research also suggested that different government agencies colluded in these practices (Hogg, 2013). *Illegally confiscating property and possessions* is the seventh element and this is vividly seen in the aftermath of the conflict. Private lands owned by the Tamil minorities are being confiscated by

the government and this is vindicated by the case filed by the northern Tamils in 2013 against the Sri Lankan government. Specifically, UNROW (2014) report indicates that the stolen land is being utilized for army bases in Jaffna. These properties were seized by the government due to the immense amount of Tamils being forcibly displaced from the war; *displacement* is the eighth element of the genocidal pattern. The government proclaimed in February 2009 that the Tamil refugees will be kept in the IDP camps for a maximum time of three years (UNROW, 2014). According to Amnesty International (2009), there was an additional 300,000 displaced people and were detained in approximately 40 camps; estimated of 50,000 children were in these camps. The organization states that the Sri Lankan government misrepresented the scale of the crisis and was not equipped to provide the displaced population with adequate food, water and shelter. It also restricted NGOs and International agencies to enter and offer assistance. Amnesty International (2009) refers to these overcrowded IDP camps as a place for mass arbitrary detention, many of these civilians are being detained on grounds of being allegedly linked to the LTTE. Amnesty International (2009) concludes by stating that these prolonged arbitrary detentions will only worsen the Tamil group's suffering and alienate them further from the rest of Sri Lankan society.

The final element that Hagan and Rymond-Richmond (2009) articulated is *resettlement*, in Darfur, the Sudanese government had implemented a policy of Arab resettlement within the former Black African settlements. As indicated in this paper, there were state-sponsored settlement schemes in the post-colonial period but in regards to the aftermath of 2009 this paper did not extensively research the occurrences of resettlements. Nevertheless, it is noteworthy to mention that there have been instances of resettlements in the Northern Province. According to the Sri Lanka Army's website, it states that there is a new housing project dedicated to 'war

heroes' and heroic families of those soldiers who were killed in the war (Gamage, 2016). These houses will be constructed in the Vavuniya district within the Northern Province. Opposition from the ruling party of the Northern Province, Tamil National Alliance, was clear when they had expressed that the government is attempting to change the demography of the region (Gamage, 2016). Moreover, since there is a gap within the existing literature on this topic, this author appeals to researchers who are dedicated in studying the Sri Lankan ethnic conflict to further study the genocidal element of resettlement in the post-conflict era.

The case study of Sri Lanka is strongly supported by the collective action theory of genocide, utilizing the theory it was demonstrated that the Sri Lankan government had committed genocide against the Tamil minorities. Based on the substantive evidence garnered in this research, it is in the author's position that there were two distinct climaxes within the crime; one being the atrocities of Black July in 1983 and the second climax being the final stages of the war in 2009. Limited by the scope of this research, since it examined solely at post-independence up until 2009, elements of the genocidal pattern continuing to exist in post-2009 Sri Lanka is impossible to infer from this particular research. Thus, it is recommended that further research is conducted to ascertain if the conditions of genocide are present in the aftermath of the civil war and if a subsequent event will likely unfold.

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