

Bombs and Bombast: Counter Terrorism Norms and the Discourse of the LTTE

Abstract

The 9/11 attacks intensified an ongoing effort to combat terrorism through the use of international laws, which center on the norm of non-combatant immunity and underscore the illegitimacy of using violence against civilians, regardless of justification of the cause. The impetus behind counter-terrorism norms has come from states and international organizations. But have these norms impacted 'terrorist' groups themselves? This paper analyses the impact of the counter-terrorism norms in the context of one of the oldest 'terrorist' groups in existence; the Liberation Tigers of Tamil Eelam (LTTE). In doing so the paper applies the stage theory socialization framework of Risse, Ropp and Sikkink to new theoretical and empirical ground, by examining changes in discourse as an indicator of norm diffusion. The paper finds that the LTTE has consistently made arguments justifying their use of violence within the vocabulary and contours of discourse of the international community, both before and after 9/11. The impact of 9/11 has resulted in a markedly increased effort on the part of the LTTE to contest their characterization as a 'terrorist' group. This analysis reiterates the importance of normative and ethical arguments as an integral part of a long-term effort to combat terror as an instrument of politics.

Introduction

The 1990s witnessed the emergence of a wealth of literature within the field of International Relations devoted to the subject of norms.¹ (Sikkink 1991; Finnemore 1993, 96; Klotz 1995; Katzenstein 1996) The first wave of norms literature established that norms 'matter' in effecting the behavior of states, often overriding material and strategic concerns. The second wave of scholarship has subsequently focused on the 'when, why and how' of norms by theorizing the diverse mechanisms through which norms impact the behavior, identities and interests of states (Finnemore and Sikkink 1998; Price 1997; Risse et al, 1999; Checkel 98,

¹ Norms are defined as "shared understandings of standards of behavior" (Klotz, 1995) and "a standard of appropriate behavior for actors with a given identity." (Finnemore, 1993). Thus both 'standards' which may refer to actual laws, measures or conventions, which can be institutionalized, as well as 'appropriate behavior', which refers to that which is 'good', 'proper' or 'ought to happen', make up the definition of a norm. (Simon and Martini, p.133)

1999). Among the issues raised in this literature is the vital question of how we can discern whether norms have an impact on actors in the international system. Is this only evident through behavioral changes or are there other ways to determine whether a norm is impacting on and diffusing to actors?

A common idea running through this literature is that an important way to detect the impact of norms is to examine the discourse of norm-breakers (or violators). Various scholars argue that examining the rhetoric of norm-breakers in response to normative regimes is a reliable gauge of their commitment and compliance with the norm. (Nadelman 1990; Klotz 1995; Thomas 2001; Crawford 2002) They argue that shifts in rhetoric or discourse may be precursors to behavioral changes. One of the key works to highlight the significance of rhetoric as an indicator of the impact of norms is *The Power of Human Rights* (Risse, Ropp, Sikkink eds. 1999). In their introductory theoretical chapter Risse and Sikkink underline the significance of looking at what norm-violators *say* as an integral part of assessing norm 'socialization', which refers to the process by which international norms are internalized and implemented by states. The authors develop a stage model to show how human rights violating states are gradually socialized into accepting human rights norms, thereby providing a theoretical framework to assess norm socialization.

However, like the majority of scholars on norm diffusion, Risse et al equate the identity of norm-violators squarely with states and are focused on norm socialization in the context of states only. Although their work, in keeping with constructivist scholarship as a whole, accords a significant role to non-state actors (NSA's); this role is conceptualized primarily as that of norm entrepreneurs such as NGO's who pressure states to comply with norms. The reverse issue of the impact of norms on non-state actors and their socialization into norms remains understudied and under theorized. The need to account for and study

these actors is underlined by their increasing role in and impact on the international system. IR Scholars have convincingly shown that non-state actors are increasingly more responsible for effecting political outcomes, whether it is MNC's in the area of political economy (Keohane and Nye, 1977), NGO's in human rights (Keck and Sikkink, 1998; Risse et al, 1999; Thomas, 2001), coalitions of NGO's and individuals such as in the landmines case in the area of arms control (Price, 1997) or the epistemic communities in the environmental arena (Haas, 1992). Given this reality, it is imperative for theories of norm socialization to be extended to non-state actors to see whether these groups too are impacted by principled ideas. This is significant because non-state actors also, in fact, violate international norms.²

Indeed, violent non-state actors such as 'terrorist' groups³ are responsible for human rights violations of the most fundamental kind, thus highlighting the need to shift focus to such groups to see whether and to what extent they can be socialized into upholding international (or universal) norms, and whether existing theories of socialization can shed light on such actors. This paper takes the example of a difficult and shadowy type of NSA; the 'terrorist' organization to apply the Risse et al framework. The case of counter-terrorism norms presents a compelling basis to probe and extend the applicability of existing theories of socialization to non-state actors. Terrorism, defined here as violence targeted randomly and indiscriminately at civilians, is by no means a new phenomenon and counter-terrorism norms also have a long history.⁴ However, the extraordinary attention focused on issues

² Some constructivist scholars have emphasized the need to study 'bad norms' to compensate for the "tendency to consider only ethically good norms" (Checkel, 1998, p. 339), but they have neglected the importance of also looking at problematic or 'not so good' actors as well, which is an integral part of accounting for the "bad things in world politics that are socially constructed" (Checkel, 1998, p. 339).

³ I place the word terrorist in single quotation marks to acknowledge that it is often a label applied to various groups that contest this labeling and not an analytical term in itself.

⁴ A detailed discussion of the definition of terrorism follows in the paper. I recognize that the LTTE contests its labeling as a terrorist organization. However, I use the LTTE as an example of a terrorist

relating to terrorism in the light of 9/11 and the subsequent creation of several unprecedented counter-terrorism measures centered on strengthening the norm of non-combatant immunity makes it pertinent to assess the impact of these norms on terrorist organizations themselves. Given the fluid and intangible nature of these groups, examining their rhetoric may be one of the few ways to understand whether such norms impact the ‘terrorist’ groups themselves or whether it is a case of the international community of states ‘preaching to the choir’ of states. Indeed, analysis of the rhetoric of terrorist groups is already engaging scholars. For example, a study of Al Qaeda’s discourse shows an increasing tendency to justify and explain their killing of civilians (Simon and Martini, 2004: 141). Steven Simon and Jeff Martini see this as evidence that the norm of non-combatant immunity “is spreading” to terrorist groups who may not publicly renounce the use of violence but are increasingly having to justify their breaking of a widely accepted norm to their own constituencies (ibid. 142). Simon and Martini refer to a “feedback loop” where norm breakers are forced to offer “ex-post facto justifications of their actions” proving that a boundary of acceptable behavior or a normative line has been transgressed. (ibid: 141) Thus the example of counter-terrorism norms is timely and relevant ground on which to test theories on norm socialization. The fact that it is states that seek to influence non-state actors to respect norms (here, of non-combatant immunity) is also theoretically intriguing.

This equation leads to the main empirical questions asked in this paper. Are ‘terrorist’ groups impacted by international counter terrorism norms? Do such groups explain or attempt to justify their actions to the international community? Are they aware of international norms or are they irrational and untouched by such developments? This leads

group based on their repeated attacks on civilians as well as their designation as a terrorist group by the USA, UK, Canada, Australia, India, Sri Lanka, the EU and the UN.

to a larger question; are terrorist organizations cognizant of normative and ethical arguments or do they operate in a moral vacuum?

To answer these questions, I apply Risse et al's 'spiral model' framework of norm socialization to study one of the oldest 'terrorist' organizations in existence, the Liberation Tigers of Tamil Eelam. The LTTE has been fighting the Sri Lankan government for more than two decades in a secessionist cause to form the independent state of *Eelam*. There are several reasons why the LTTE is an apt case to study in this context. First, the LTTE's long history ensures that there are sufficient grounds to test a long term process like norm socialization. Secondly, focusing on the LTTE enables us to examine whether international norms have an effect on older terrorist groups and movements, and how far the fallout of 9/11 has added pressure on such groups. While recent counter-terrorism measures and laws have been developed with intent to combat global networks such as Al Qaeda this case enables us to see whether other groups have been forced to reexamine their strategies. Thirdly, the LTTE is a less shadowy and more structured group than a group like Al Qaeda in the areas it controls in the Northern part of Sri Lanka, the LTTE functions much like a state with its own administration, bureaucracy, schools, hospitals etc. Thus this is a closer fit to apply the spiral model and allows for the possibility of phases such as institutionalization to be visible. I examine the rhetoric of the LTTE leader, Velupillai Prabhakaran over a 15 year period to see whether the socialization framework is applicable to a non-state actor. By utilizing the method of discourse analysis, I assess the extent to which Prabhakaran's rhetoric reflects and reveals the impact of evolving counter-terrorism norms. Thus, to sum up, I focus on a particular socialization theory, apply it to study a different unit (violent non-state actor), in the context of a different set of norms centered on the norm of non-combatant immunity, which is comparable for this actor to human rights norms for state

actors. The question is whether we can see the same dynamics of socialization in this case as in the case of human rights for states.

The paper finds that the LTTE has consistently made arguments justifying their use of violence within the vocabulary and discursive contours of the international community, both before and after 9/11.⁵ However, the aftermath of 9/11 did result in a markedly increased effort on the part of the LTTE to characterize themselves as a liberation movement as distinct from ‘real’ terrorist organizations, to actively engage in a debate on what constitutes terrorism and to justify their own actions. Thus, what emerges clearly from the study is that violent non-state actors are not impervious to the discourse and normative pressure emanating from the international community. Prabhakaran’s speeches reveal an increasingly conscious effort to resist a collective identity with ‘real’ ‘terrorist’ groups and thus an acknowledgement of the basic norm that against killing civilians. However, the paper casts some doubt on the extent to which existing theories of norm socialization are able to shed light on the changes in the core beliefs of such groups and argues that international counter-terrorism norms are limited in their ability to impact violent NSA’s because the norms remain geared towards states, rather than the NSA’s themselves. Thus the paper focuses on the theoretical and policy implications stemming from the idea that ‘terrorist’ groups do engage in a discourse on the use of violence.

The following section lays out the theoretical terrain of the paper by explicating Risse et al’s stage theory in more concrete detail. Section two delves into the issue of terrorism and discusses the evolution of counter-terrorism norms pre and post 9/11. With the theoretical and conceptual boundaries thus laid out, section three outlines the context of the empirical case at hand by briefly discussing the background to the Sri Lankan conflict and the LTTE.

⁵ (This paragraph is still rough as I’m still working on the analysis and conclusions)

Section four contains the analysis of Prabhakaran's rhetoric and is prefaced by an outline of the method of discourse analysis used in the paper. Section five discusses the broad findings of the paper and finally, section six arrives at some implications and further questions as well as conclusions.

1. Stage Theory of Norm Socialization

(I need a little bit here on other theories of socialization) Risse et al's theory of socialization provides a concrete framework of how states are impacted by human rights norms. The scholars identify three processes whereby norm breakers are gradually socialized into upholding the norm they have been flouting.

- Processes of instrumental adaptation and strategic bargaining (Phase 1 is marked by the repression and activation of the network and phase 2 is characterized by denial)
- Processes of moral conscious raising, argumentation, dialogue and persuasion (Phase 3 is marked by tactical concessions and phase 4 is when principled ideas gain prescriptive status)
- Processes of institutionalization and habitualization (Phase 5 begins to see rule consistent behavior with the institutionalization of the norms)

(Risse et al.1999, p. 22-31)

The first stage is 'instrumental adaptation' which usually occurs in early stages of norms socialization, although the three processes can occur simultaneously. In the first phase within this stage, norm-violators are likely to repress opposition to their actions. There is a tendency to deny and contest accusations of norm-violation. At this point the norm-violators do not accept the validity claims of the norm and regard their accusers as ignorant or malicious. By

the second stage, norm breakers begin to engage with the concerned norms, albeit in defiant and combative terms.

The next stage “emphasizes processes of communication, argumentation and persuasion.” As pressure mounts in the third phase, norm-violating states feel compelled to make ‘tactical concessions’ in order to ensure that material resources are not closed off and their interests are not hurt, while they continue breaking the norm. This starts as a continuation of the instrumental adaptation phase as norm-violators start “talking the talk”, while continuing the same actions. Their discursive engagement on norms could range from wanting to clarify the terms of the debate to seeking to change the predominant definitions and terms of the discourse. They may also challenge the validity of the norm itself. Further along the process, “actors might actually agree on the moral validity of the norm”, but disagree or differ on whether *their* behavior is covered within it. This indicates that the actors accept the moral validity and salience of the respective norms but still do not want to appear to acquiesce to it. They will have to increasingly justify and explain actions in new ways in response to the pressure of such norms. Finally, there is the institutionalization and habitualization of the norm where actors institutionalize the relevant norms into their domestic practices, signaling a transition to ‘rule consistent behavior’. Risse et al operationalize this for the human rights case in a five step spiral model summarized above.

Following from this framework, it emerges that if neither actions nor rhetoric change, we cannot observe the socialization of norms. If the actions of the norm-violators stay the same but their rhetoric changes, this may indicate the initial and intermediate stages of norm socialization. If actions and rhetoric both change then the actor is at the last stages of the socialization process according to Risse et al’s framework. Thus it is important not only to examine rhetoric but also to assess this along with changes in action. Before

assessing whether this framework can tell us something about the potential socialization of terrorist groups, it is necessary to outline and contextualize the emergence and content of counter-terrorism norms.

2. Counter-Terrorism Norms

Defining Terrorism

Terrorism is a notoriously difficult term to define. A survey of the different definitions of terrorism by organizations such as the FBI, the US Department of State, and the International Committee of the Red Cross or the UN reveals that there are significant divergences between how these organizations define terrorism. Yet this has not prevented its widespread use by states, governmental organizations, policy makers and scholars often becoming nothing more than a label to be applied to political enemies. Regardless of the much bandied about term, it is imperative to arrive at a working definition for this paper which I have stated earlier is violence targeted randomly and indiscriminately at civilians. This definition contains the minimum and most basic elements presence in most definitions of terrorism as I shall discuss below.

International laws as well as scholarship converge on some basic differences between what constitutes terrorism and what is regarded as 'regrettable but sanctioned' (Bajpai: 2002: 12) forms of violence, such as war. The words of Michael Walzer, capture the particular abhorrence of terrorism; 'terrorism is the deliberate killing of innocent people, at random, in order to spread fear through a whole population and force the hand of its political leaders.' (Walzer: 2004: 38) Examining each component of this definition in turn will show how each specific attribute is distinct from sanctioned forms of force. First, the violence against civilians is deliberate and thus not mistaken. Thus the accidental killing of civilians as part of an attack on combatants gone awry does not qualify as a terrorist act. Second, it is also

random in that there is not specific target among the civilian population- any civilian will do. This randomness is instrumental in the spreading of fear among the larger population as it creates the perception that anyone could be next. Such fear and panic spread amongst the civilian population is designed to force the political opponent, most often, governments to accede to demands.

The key difference is that terrorism specifically targets innocent civilians. At the root of counter-terrorism norms is the norm of non-combatant immunity. The idea that innocent civilians should be immune from attacks is enshrined in various international treaties, statements, conventions as well as texts of moral philosophy. Most important among these are the Geneva Conventions, particularly convention 4, and their additional protocols and the 1948 Universal Declaration of Human Rights. States are not the only parties that this norm is binding on. In 1977, protocol II amended the Geneva conventions to apply to ‘all parties’ in armed conflicts as well as to ‘non-international’ armed conflicts, which would pertain to groups such as the LTTE.⁶ This understanding is confirmed by NGO’s such as Amnesty International who have made it policy to also target non-state actors for human rights violations. Yet, while the underlying norm against terrorism is well established, the definition of terrorism has been more difficult to establish, allowing for its flagrant violation and for various questions about what it constitutes.

Counter-Terrorism Norms: History and Evolution

The sheer pace at which counter-terrorism law has evolved, with several important international laws passed in the wake of the attacks on the World Trade Center and the Pentagon, points to 9/11 as a watershed event in the context of international counter-

⁶ For a comprehensive discussion on the rights of the civilian, see Helen Kinsella (2005) Barnett, Michael and Raymond Duvall *Power in Global Governance* Cambridge: Cambridge University Press

terrorism law.⁷ Counter-terrorism expert Rohan Gunaratna sums up a popular perception when he says “the world changed after 9-11.”⁸ Yet, just as terrorism did not start with 9/11, norms proscribing the use of terrorism have a long history. The LTTE’s exposure to pressure from the international community to respect the norm of non-combatant immunity occurred much before the current post 9/11 normative climate. Terrorism emerged as a serious transnational threat to security during the 1960’s and 1970’s.⁹ A notable aspect of this era of terrorism was the connection of specific political agendas and goals to terrorist acts such as the Palestine, Kashmir and Basque issues, to name a few.¹⁰ Thus, terrorism of this era was primarily thought of in terms of secessionism. The 12 existing UN Conventions promulgated between 1963 and 1999 dealing with specific sectoral aspects such as hijacking, hostage taking, bombing, etc. addressed the variants of terrorism of that era.¹¹ These conventions defined the specific act, criminalized it internationally, and developed mechanisms to prosecute or extradite the perpetrators. Yet, there was the increasing consciousness that such measures did not adequately address the core unacceptability of terrorism. As Pablo Policzer sums up, after the 1970’s a consensus emerged which argued that

regardless of what they were called (whether terrorists, freedom fighters, liberation movements, militias, etc.) the question arose as to whether they should be expected to respect the same humanitarian and human rights norms as states.¹²

⁷ See Appendix 1 for a table of key International Legislation on Terrorism

⁸ Interview with Rohan Gunaratna conducted via email in July 2005

⁹ For a comprehensive list of terrorist incidents from the 20th Century onwards see the MIPT Terrorism Knowledge Base <http://www.tkb.org/IncidentGroupModule.jsp>

¹⁰ The killing of Israeli athletes at the 1972 Munich Olympics, the various hijackings and attacks on aircraft, and kidnappings or attacks on diplomats and political figures were notable incidents during this period.

¹¹ Appendix 2 See “UN acts against terrorism” at <http://www.un.org/terrorism/> Also see Jane Boulden and Thomas Weiss (eds.) (2004) *Terrorism and the UN* Bloomington: Indiana University Press

¹² Policzer, Pablo *Neither Terrorists nor Freedom Fighters* Paper Presentation at ISA Conference Honolulu, Hawaii 2005

The events of 9/11 accelerated the promulgation of counter-terrorism norms and unleashed a flurry of law making designed to address the loopholes left by previous legislation to enforce this expectation.¹³ These instruments criminalized specific acts such as the financing, supporting and harboring of terrorists, and converged to strengthen the larger normative argument that targeting innocent civilians is morally and legally impermissible. Simon and Martini highlight the emerging consensus among the international community that terrorism violates the fundamental 'principles of the international community' (Simon and Martini: 2004: 131). The idea behind this emerging normative or prohibition regime is that the use of terrorism (defined as violence targeted indiscriminately or directly at civilians) is unacceptable, regardless of the justice of the cause or reasons behind the action.

(Summarize what the terrorism definition is going to do in this paper briefly- basically, the norms seem to be targeted towards controlling the behavior of states, ensuring their compliance etc. Still not evident how far these have actually impacted groups and also how pre-existing political problems involving terrorism.

¹³ Resolution 1368 in the immediate aftermath of 9/11 gave states the right to individual or collective self defence as a legitimate response to terrorism. The UN's global program against terrorism was launched in October 2002 as a framework for the UN's operational activities in this field. The Declaration on "Measures to Eliminate International Terrorism" declares that terrorist acts are in any circumstances unjustifiable, whatever the considerations of political, philosophical, ideological, racial, ethnic, and religious or any other nature that may be used to justify them. The declaration required member states to refrain from organizing, instigating, assisting or participating in terrorist acts in other states or encouraging activities within their own borders. The *Convention on the Suppression of Financing of Terrorism* concluded in 2000 deals with the criminalization the financing of terrorism. Resolution 1373 bans the support to terrorist groups by all states. All 191 members were covered by this binding resolution which compelled states to affect domestic legislation to curb terrorism, financing of terrorist cells, the closure of camps etc. It also established the Counter Terrorism Committee (CTC), whose mandate 'places it at the centre of United Nations activities to deny opportunities for the commission of acts of terrorism.' The FATF Eight Special Recommendations also criminalize the financial support of terrorism. By 2003, an overwhelming 190 countries had submitted their mandatory reports on anti-terrorism measures to the CTC, which scholars have seen as evidence that counter-terrorism had reached a global stage. The global nature of the fight was also stressed by resolution 1377 in November 2001 which also bound states into creating anti-terrorism legislation domestically. These trends were encapsulated in resolution's 1455 and 1456 of 2003. Domestic instruments included the 'Patriot Act' in the USA, Prevention of Terrorism Act in India etc.

Groups have been effected/ impacted. Can we expect to see greater engagement or pressure? Or do these groups remain untouched? Looking at LTTE may be particularly instructive/ appropriate in this regard)

The following section briefly examines the conflict in Sri Lanka which is necessary to understand the context of the LTTE's emergence and their arguments on the use of violence to further their political cause.

3. Protracted Conflict in the Emerald Isle

The conflict in the small island of Sri Lanka serves as a microcosm of questions surrounding ethnicity, secessionism, intervention and terrorism. The conflict has claimed more than 65,000 lives since a protracted war broke out between the Tamil rebels (headed by the LTTE) and the Sri Lankan government in the late 1970's.¹⁴ The Tamils (predominantly Hindu) and the Sinhalese (predominantly Buddhist) are the two largest ethnic groups on the island, with the Tamil population being a significant minority.¹⁵ While some scholars depict the conflict as a primordial clash between ethnicities, most mainstream scholarship points to the effects of policies initiated by the first few Sinhalese governments in power after gaining independence in 1948.¹⁶ While the transition from British colonial rule to parliamentary democracy did not see any ethnic tensions, this was soon to change with the election of the

¹⁴ Figures from Amnesty International http://www.amnestyusa.org/countries/sri_lanka/index.do

¹⁵ According to the CIA fact sheet the Sinhalese constitute 73.8% of the population while Tamils make up 8.5% while other groups such as Sri Lankan moors (Muslims) and 'up country' Tamils make up other minority groups. Figures available at <http://www.cia.gov/cia/publications/factbook/geos/ce.html> Each ethnic group today has a distinct identity with distinctive beliefs of their origin; the Sinhalese believe that they descended from an Aryan prince from Bengal, the Tamils claim a Dravidian origin from Southern India. The "Indian" Tamils are plantation workers descended from labourers indentured by the British colonial government during the 19th and 20th centuries and are largely Hindus. The Sinhalese are mainly Buddhists (92 per cent), the rest being Christians.

¹⁶ For a comprehensive history of the origins of the conflict, see Sumantra Bose *'States, Nations, Sovereignty: Sri Lanka, India and the Tamil Eelam Movement'* (Sage Publications, 1994) and *'State Crises and Nationalities Conflict in Sri Lanka and Yugoslavia'* (Comparative Political Studies 28:1, 1995, pp 87-116), S. J. Tambiah *Ethnic Fratricide and the Dismantling of Democracy* (University of Chicago Press, 1986).

Buddhist backed coalition called the Sri Lankan Freedom Party (SLFP). Faced with the growing economic problems of their constituency, Sinhalese politicians and religious leaders fanned the popular perception that the minority Tamils had received preferential treatment and economic benefits under British rule.¹⁷ This set in motion a series of policies to redress this supposed imbalance, resulting in the deliberate targeting of the Tamil population. Tamil grievances broadly refer to the Sinhalese displacement of Tamils from their traditional strong holds in the South and West of Sri Lanka, the designation of Sinhalese as the official state language in 1956 under the 'Sinhala only' act, which coupled with the subordination of English to Sinhalese, disadvantaged the Tamil population (who had greater conversance with English), the standardization of university admissions criteria in terms overly favorable to the Sinhalese, anti-Tamil violence and harassment and economic neglect towards areas inhabited by Tamils.¹⁸ Tamil parties had asked for autonomy even before independence but after the institutionalization of these policies, Tamil demands became radicalized and called for the creation of the state of *Eelam* from the North and East provinces of Sri Lanka.

The formation of the LTTE (from the Tamil New Tigers, a student group) in 1976 proved to be turning point in the ethnic conflict. The LTTE attracted large numbers of Tamil youth who were dissatisfied with the lack of progress made by moderate Tamil parties.¹⁹ In 1983, violence that had hitherto been confined to the North of Sri Lanka, exploded nationwide and ravaged the capital city of Colombo when the funeral of 13

¹⁷ Under the British the Tamils were, as Sumit Ganguly (1996) writes, 'disproportionately represented in the professional classes.' As Kumari Jayawardhana (1987) elaborates 'the main import and export trade was dominated by the British and Indians and retail trade throughout the country by Muslim and Chettiar traders. Sinhala traders could not break into these areas because of a lack of access to finance, which was controlled by British bankers or South Indian Chettiars. The Sinhala professionals and the educated "petit-bourgeoisie" also felt this competition in so far as they had to vie with Burghers and Tamils for state and private employment.'

¹⁸ For an understanding of the standard Tamil critique of the Sinhalese policy from 1948-1980 see Anton Balasingham's writings. Balasingham is widely regarded as the ideologue of the LTTE as well as the chief negotiator in the peace process.

¹⁹ Parties such as the Tamil United Liberation Front (TULF), Eelam People's Democratic Party (EPDP) etc

Sinhalese soldiers killed by Tamil militants caused riots to break out all over the city. The riots resulted in the killing of many Tamils, marking the start of a full scale protracted conflict between Tamil insurgents and the Sri Lankan government, who were seen as doing little to control the rioting.²⁰ By 1987 the situation was bad enough to warrant the intervention of India, at the behest of the Sri Lankan government. The intervention ended in disaster for India, which was torn between their commitment to the Sri Lankan government and the popular support of the Indian public, particularly Indian Tamils for the LTTE.²¹ The Indian Peace Keeping Force (IPKF) withdrew from Sri Lanka in 1990 with more than 1000 soldiers dead and the situation more volatile than ever as the LTTE had assumed full control of Northern Sri Lanka by this time. A series of progressively more spectacular assassinations and bombings attributed to the LTTE were carried out during the 1990's, as was a wave of suicide bombings. Most important perhaps are the assassinations of the Indian former Prime Minister Rajiv Gandhi in 1991, of Sri Lankan President Premadasa in 1993 and of Sarojini Yogeswaran the Mayor of Jaffna in 1998. Tamil politicians, including moderates such as the public intellectual Neelan Thiruchelvam in 1999, have also been systematically targeted by the group. Politically, a series of increasingly ambitious devolution plans offered by the Sri Lankan government were consistently rejected by the LTTE who emerged victorious in a series of battles with the government in the late 1990's.²²

²⁰ While official figures put the Tamil death toll at about 300 people, Tamil accounts make that number up to 3000 deaths. See http://news.bbc.co.uk/2/hi/south_asia/1166237.stm for a timeline.

²¹ For an account of Indian involvement in Sri Lanka and its consequences see J.N. Dixit *Assignment Colombo* and Sumantara Bose *'States, Nations, Sovereignty: Sri Lanka, India and the Tamil Eelam Movement'* (Sage Publications, 1994)

²² The clearest outlining of the LTTE's demands lay in the 'Thimpu Principles' framework that was presented to the Sri Lankan government in 1985. The principles include the recognition of the Tamils as a distinct nationality, recognition of an identified Tamil homeland and the guaranteeing of its security and integrity based on the principle of self-determination. Based on the above, "the recognition of an inalienable right of self determination for a Tamil nation and the recognition of the right to full citizenship and other fundamental democratic rights of the Tamils who look upon the island as their country."

In 2002, the LTTE agreed to talks with the Sri Lankan Government mediated by Norway and embarked upon a ceasefire. The Sri Lankan government lifted their ban on the LTTE to facilitate this process. The timing of the ceasefire prompted speculation that the changed climate after 9/11 and the crackdown on LTTE front offices in its wake forced the LTTE to abandon its violent approach.²³ However, the numerous political assassinations and killings of civilians by the LTTE that continued throughout the ceasefire cast a shadow on the prospects for peace and on the motives of the LTTE.²⁴ With the August 12th, 2005 assassination of Foreign Minister Lakshman Kadirgamar, a veteran Tamil politician, the cease-fire appears to be near failure.²⁵ The election in November 2005 of the hawkish Prime Minister Rajapakse further imperiled prospects for peace. By October 2006, talks in Geneva between the government and the LTTE had broken down yet again and violence levels had escalated to levels seen in 2002, casting the prospects for peace into grave doubt.

4. Discourse Analysis of Prabhakaran's Speeches

Sources and Method

The qualitative method of discourse analysis seems particularly well suited to the analysis. Its emphasis on interpretation in the light of particular historical and cultural context and reliance on textual sources are ideally suited to the purposes of this paper. I shall

²³ Rohan Gunaratna for example attributes this to be the main reason for the Tigers willingness to negotiate. Interview via email with Rohan Gunaratna on July 30th, 2005

²⁴ In an interview via email (conducted on July 2005) Gunaratna pointed to the killings of the rival Tamil group EPDP as an indicator that the LTTE never fully renounced violence, despite their participation in the ceasefire.

²⁵ The LTTE has never taken responsibility for many of these actions. As Peter Schalk elaborates, in the 1970's the LTTE published a list of its assassinations and attacks as 'acts of dedication to the cause'. As Peter Schalk sums up, at the time the LTTE did not "realize that these publications could be turned against them." Thus from the 1980's the LTTE has been restrictive in announcing its actions or taking official responsibility for such actions.

briefly outline my method of conducting discourse analysis in this section. It is difficult to delineate the bounds of any discourse strictly; any one identifiable discourse is the product of other contexts and other discourses. Yet, for the purpose of the paper it is possible to make some demarcations. First, I restrict my analysis to examining the rhetoric of the LTTE to its leader, Prabhakaran. This is defensible because of the preeminence of Prabhakaran in the LTTE and his overwhelming control over its strategic thinking, policy and decision making.²⁶ Next, I focus exclusively on utterances relating to the use of violence and the topic of terrorism.²⁷ Thus I do not delve into Prabhakaran's rhetoric on other dimensions that may be related but are not fundamental to the use of violence. Thirdly, in the interest of feasibility, I narrow my choice of texts to the annual 'Heroes day' speeches given by Prabhakaran on the 27th of November.²⁸ This speech is seen by LTTE cadres, Sri Lanka scholars and policy makers, as the key annual LTTE policy statement as it outlines the LTTE's plans, political agenda and annual review and is, as Philip Gourevitch writes, often Prabhakaran's "only significant utterance in the course of a year."²⁹

For each speech I note the main themes and arguments made. I identify the main themes and arguments relating to the use of violence across time and note changes. I pay attention to stable themes versus those which shift and may hint at internal contestation. I note whether certain themes disappear, if new ones appear and if any themes appear more

²⁶ For a comprehensive study of Prabhakaran, see M.R. Narayan Swamy (2002) *Inside an Elusive Mind: Prabhakaran* New Delhi: Konark Publishers Pvt. Ltd. See Anita Pratap *Island of Blood* (Penguin, 2003) for a more personal account of Prabhakaran's cult of personality and position within the LTTE.

²⁷ There is a plethora of textual material such as speeches, statements, open letters, transcripts of press conference, interviews and quotes attributed to Prabhakaran in biographical material etc. which could be included in this study.

²⁸ The paper confines itself to examining English translations of publications, speeches etc. These are accessed from www.tamilnation.org, the most extensive website on the LTTE

²⁹ Philip Gourevitch (2005) Letter from Sri Lanka: Tides of War *The New Yorker* 08/01

frequently in certain periods. I also look for the increase or decrease in the frequency of themes and see how this related back to action and context.

Time Period

The rhetoric of the LTTE can be studied in distinct phases of its evolution. Some of the most egregious acts of violence occurred during the group's nascence. These include the massacre of civilians at the holy Buddhist site of Annuradhapura in 1985, and the bombings of post offices and railway stations through the 1980's. However since there are few textual sources for this period, I start my analysis from 1990. I examine these speeches from the date of the first available speech of 1990 to the most recent speech in 2005, thus examining 15 speeches in all.³⁰ My analysis takes place at two levels. The first is to assess shifts in rhetoric in comparison with action, following the implications of the Risse et al model. The years where I would expect to see changes in the LTTE's discourse are 1991, 1997 and 2001 because of major acts carried out by the LTTE, reactions to these by states opposed to the LTTE, important evolutions in counter-terrorism norms and pivotal international events. Table 1 summarizes these actions. The second step identifies the broad contours of the rhetoric of Prabhakaran's speeches.

³⁰ The first official Heroes Day speech was in 1989 but this speech is impossible to find and is missing from all websites and accounts of the LTTE. In fact, I was challenged by Sri Lanka expert Peter Schalk to find it, which I couldn't do. There are also no reports or accounts about the speech.

Table 1. Significant Actions relating to LTTE

	1990-95	1995-96	1997	1998	1999
Major terrorist actions attributed to LTTE	Assassination of Rajiv Gandhi, Premadasa, Mayor of Jaffna, bomb attacks	Bombing of World Trade Center in Colombo		LTTE attacks holiest Buddhist site in Sri Lanka	Assassination of Neelan Thiruchelvam, Bomb attack on President Kumaratunga
Significant Events	Indian Intervention ends in failure				
Relevant Norms or laws	Indian Ban on LTTE		Ban on LTTE by the USA		Suppression of financing Resolution created

	2001	2002	2003	2004	2004	2005	2006
Terrorist Actions attributed to LTTE	Suicide attack on Colombo airport			Suicide Bombing in Colombo	Killings of political rivals from March.	Assassination of Foreign Minister Kadrigamar	Attacks on Muslim civilians
Significant Events	9/11 attacks on WTC and the Pentagon	Ceasefire between LTTE and Sri Lankan Govt. starts	LTTE suspends ceasefire	Tsunami in South Asia		Elections and new Sri Lankan Government	Various cease fire violations from government and LTTE
International Norms or laws	In February the UK bans LTTE. After 9/11 UNSC Resolution 1373 and other important measures *	Sri Lanka lifts ban on LTTE Canada bans LTTE Further UN resolutions and measures taken	Further UN resolutions measures taken	Further UN resolutions measures taken	Further UN resolutions measures taken	EU imposes travel ban on LTTE members Further UN resolutions	EU bans LTTE

Expectations

I assume that the LTTE would come under increasing pressure to respect counter-terrorism norms in three main ways. The first assumption is that with every major terrorist act that the LTTE carries out, more attention is focused on them as norm-violators and actions are taken specifically against them. Second, as counter-terrorism laws evolved and strengthened around the core notion that attacking civilians is unacceptable; this would increase pressure and focus on the LTTE, as a norm-violator. Thirdly, major international terrorist acts such as the 9/11 attacks or the Bali bombings would focus attention domestically and regionally on the LTTE, as regional actors would capitalize on the opportunity afforded by the international political climate to put pressure on the LTTE.

I posit that Prabhakaran's discourse should reveal elements consistent with the 'denial' phase in the speeches from 1990- 1995. This is the phase when the LTTE first conducted their more spectacular terrorist attacks and when regional powers began to put pressure the LTTE to give up attacks on civilians and leaders. In May 1991, the LTTE assassinated the Indian Prime Minister Rajiv Gandhi. This was a bold attack on the leader of arguably the strategically most important country for Sri Lanka and the regional hegemon. In both India and internationally, the attack received wide spread condemnation from leaders and the public alike. Significantly, the act effectively alienated Tamil leaders and public in India from the LTTE, a vital loss of support. Finally, this act caused India to be the first foreign country to ban the LTTE. For all these reasons, the 1991 Heroes Day Speech should be particularly significant for this study. Prabhakaran should display an argumentative response, given the added pressure.

In January 1996, the LTTE conducted its most spectacular attack by bombing the World Trade Center in Colombo, killing 18 people. The following year, the USA included

the LTTE on their list of banned terrorist organizations. Such an act would have repercussions for the LTTE as much of their support comes from Tamil diasporas in the USA, Canada and the UK. Thus it is reasonable to expect that pressure increased on the LTTE. The killing of Thiruchelvam was met with vocal protest from the USA and countries around the world, which would add to the pressure on the LTTE to refrain from violence. Thus the instrumental adaptation stage would be from 1997- 1999 when the first manifestations of the international community's displeasure occurred. These were the ban on the LTTE by the USA and UK governments. Further, the 'suppression of financing' UN resolution of 1999 should also add pressure on the LTTE. Here the actions would remain the same, but there should be changes in rhetoric, given the increasing pressure and disapproval of powerful states. This is compounded by the fact that the Tamil diaspora whose support is crucial to the LTTE live in these states and thus also feel international pressure as well as sanction.

The last phase starts with 2001 and continues to the present. Though the 9/11 attacks had nothing to do with the LTTE on a surface level, it quickly became the focal point for Sri Lankan politics, as in other contexts, and was used by both the government and the LTTE to accuse each other of terrorism.³¹ The promulgation of several counter-terrorism laws cracking down on support and funding for terrorist activities would also add to pressure on the LTTE, as would the US action on Afghanistan as a demonstration of a commitment to a 'war on terror.' Domestic legislation also strengthened in accordance with states commitments to the UN to combat terrorism in their own countries. Thus, in 2001, I expect to see a greater change in LTTE discourse, due to the impact of 9/11 and the immediate change in political climate. At the same time, the peace process mediated by the

³¹ Margo Kleinfeld's article on the use of "September 11" as a strategic trope in Sri Lankan politics is a fascinating account of the impact of the event on domestic debates within Sri Lanka

Norwegians marked the evolution of Prabhakaran's image as a shadowy terrorist to a public figure, leading an international negotiation process. However, during the cease fire of 2002, more than 16 leaders of rival Tamil parties were killed.³² Thus this stage may see a transition to the 'tactical concessions phase', where rhetoric may change, reflecting greater pressure but actions do not change.

As table 1 highlights, the LTTE has never effectively given up violence. The actions of the LTTE stayed the same and actually escalated in scale from 1990- 2000. If their rhetoric also did not change it is very difficult to see any impact of counter-terrorism norms. If however, the LTTE engage with international norms, contest them or even start 'talking the talk', there may be evidence that they are susceptible to counter-terrorism norms. In 2002, the LTTE embarked upon a ceasefire which constitutes a shifting of action. If their rhetoric also changes sufficiently in this period, this could indicate an increased socialization of counter-terrorism according to the theoretical framework provided by Risse et al. However, the continued attacks on Tamil politicians can also be read as a continuation of the violent behavior and the violation of the non-combatant immunity norm. Thus the rhetoric of this phase could hold clues as to whether the LTTE's core beliefs on the use of violence have changed at all. It is now the task of this paper to analyze Prabhakaran's rhetoric to see how it matches or is in discord with the LTTE's action.

5. Findings

Main Themes (*Need to organize this further- perhaps on the lines of table two*)

Upon identifying the main themes in the LTTE's discourse on the use of violence it is possible to discern some broad changes across time. There are 11 main themes evident in

³² See Amnesty International Reports www.amnesty.com

Prabhakaran's speeches relating to the use of violence. These are summarized below with a brief description of the argument made and an accompanying characteristic quote for illustrative purposes. Some of the themes and arguments recur throughout the 15 speeches analyzed, while others emerge in specific time periods.

1. No alternative to violence: Here Prabhakaran typically says that the LTTE wants peace but that there is no alternative to using violence because of the brutal tactics of the Sri Lankan government. The frequency of the term 'no alternative to armed struggle' is remarkable in the Prabhakaran's hero's day speeches. All the heroes day speeches contain the words 'we had no alternative' to seek recourse to violence.

Our struggle has taken different forms at different times, from non-violent Gandhian agitations to armed resistance movement....We have no alternative other than to continue our struggle, to continue to intensify our struggle. (1992 Heroes Day Speech)

2. Addressing terrorism: Here the typical argument is that the West or international community (used interchangeably) is the victim of a campaign by the Sri Lankan government to paint the LTTE as a terrorist organization and has 'unfortunately' succumbed to this campaign by banning the LTTE or persecuting its members.

Having unleashed an intense propaganda campaign categorizing our liberation movement as a "terrorist" organization and our freedom struggle as "terrorism" this Government is making every effort to ban our organization locally and abroad. (1999 Heroes day speech)

It is in the realm of war that Chandrika government makes the most confusing statements distorting the reality of the Tamil armed struggle against State oppression as a form of 'terrorism' thereby totally misrepresenting the ethnic conflict to the Sinhala people and the world. (2000 Heroes Day Speech)

3. 9/11: Here Prabhakaran draws a distinction between 'real' terrorist groups such as Al Qaeda and the LTTE which is a 'nationalist movement'. There is also the attempt to

distinguish between terrorist groups as a whole and the LTTE. After 9/11 this theme include a strong condemnation of 9/11 while arguing that the LTTE is different from such perpetrators. This attempts to place the LTTE on the side of the 'legitimate' actors in the international system and not among the norm-breakers.

We fully understand the anger, apprehensions, and compulsions of the Western powers engaged in a war against international terrorism. We welcome the counter-terrorist campaign of the international community to identify and punish the real terrorists. (2001 Heroes Day Speech)

4. Define Terrorism: Prabhakaran argues that the West and the International Community first need to define terrorism because they are applying it wrongly to the LTTE which is a liberation movement.

In this context it is crucial that the Western democratic nations should provide a clear and comprehensive definition of the concept of terrorism that would distinguish between freedom struggles based on the right to self-determination and blind terrorist acts based on fanaticism.(2001 Heroes Day Speech)

5. Liberation movement/ armed struggle/self-determination: These are the self characterizations of the LTTE made by Prabhakaran, often in response to the accusation of being terrorists. The claim of the LTTE has consistently been that it is waging a 'revolutionary', 'guerrilla' or 'liberation' war. It cites that the killing of combatants is legitimate in any conflict and that it views politicians, policemen and army personnel as legitimate targets of violence because they are the instruments of state. Further the argument is that Tamil opposition to the LTTE are characterized as traitors, a crime which is also punishable in war situation.

As long as there is oppression and injustice, as long as there are people deprived of freedom, there will be liberation struggles. (Heroes Day Speech of 1992)

6. Civilians vs. State: The careful delineation of Sinhalese civilians from the Sinhalese government suggests a consciousness of the sanctity of non-combatant immunity. Thus there has been little evidence of trying to demonize the Sinhalese people. Indeed, there has been the conscious attempt in the LTTE rhetoric to separate violence against the state from violence against people itself. This can be seen in contrast to modern day terrorism where violence against a people as a whole is justified as part of the 'war'.

7. Sinhalese terror: Prabhakaran frequently accuses the government of state terror and calls them the 'real' terrorists.

8. Treason of Tamil rivals: This is used to call the LTTE to punish treason and justify the killing of rival and moderate Tamil groups and politicians. In the 2002-2003 period, this was a striking aspect of the Heroes Day speeches, perhaps aimed at justifying attacks on rival groups.

9. Chauvinism, Racism and Genocide: Prabhakaran frequently refers to the Sri Lankan government as racist, chauvinist and genocidal. These are cited as the main reasons why the LTTE has 'no alternative' but to resort to violence.

We are neither 'Terrorists' nor 'Separatists', nor propagators of 'Armed Culture'. We are fighting for a noble cause We are fighting to protect our people from racial annihilation. (1995 Heroes day speech)

We call for the support and solidarity of the world Tamil community at this critical time when we are faced with a genocidal war all alone without any external assistance. We appeal to the people of Tamil Eelam living abroad to champion the cause of our struggle and assist us in all possible ways. (1996 Heroes Day Speech)

10. Statesman like Language: this category refers to a more subtle element evident in later speeches of the 2002-2005 period. Here, Prabhakaran uses language more consistent with

that of a state leader than that of a rebel leader. There is a shift in referring to violence as an a 'military campaign', rather than 'armed struggle'. The willingness to refer to leadership, diplomacy and government responsibilities signifies a shift in self perception and the identity projected out to others. The LTTE's leadership during the Tsunami was particularly highlighted in the 2005 speech. A feature of these speeches is the threats to the government to return to 'armed struggle' if their demands are not met.

11. Awareness of International Community/ Norms: These include references to the international community, Western states, India, the Sri Lankan government and the UN who have proscribed the LTTE. The argument here is that states are cynical and band together against liberation movements like the LTTE's and than international norms are employed in cynically by states who themselves violate them.

We are also aware of the modes of intervention that might arise from the hegemonic designs of the regional power and from the strategic objectives of the super powers.

Every country in this world advances its own interests. ...Therefore we cannot expect an immediate recognition of the moral legitimacy of our cause by the international community. (Heroes Day speech of 1993)

All the member countries of the United Nations have joined the alliance in the war against terrorism spearheaded by the Western powers. Some of the repressive states with a notorious history of racist oppression and gross human rights violations have joined this global alliance against terror. In this context we wish to confine our remarks only to the Sri Lanka state. This government, holding one of the highest records of human rights violations amounting to genocide, has now joined the international alliance against terrorism. (2001 Heroes Day Speech)

The LTTE's stock response to the international community is that it is the victim of a misinformation campaign carried out by the Sri Lankan government. Alongside is an increasing urgency for understanding and legitimacy from the West and a desire to project the LTTE as being in line with the wishes of the international community,

The Western Governments want peace and a negotiated settlement through peaceful means. They insist that the Tamil conflict cannot be resolved by war. (Heroes Day Speech, 2000)

Table 2 Broad Themes in Prabhakaran’s Discourse 1990-2005

RECURRING THEMES 1990-2006	NEW THEMES FOLLOWED BY YEAR THEY APPEAR	DISAPPEARING THEMES
No alternative to violence argument	Addressing terrorism (1995, 1999, 2000, 2001, 2002, 2003, 2004, 2006)	Sinhalese Chauvinism
Liberation movement/ armed struggle/ military/ self determination	9/11 (2001)	Religious Justifications
Civilians vs. State	Define Terrorism (2001, 2002)	Marxism/Marxist arguments
Sinhalese terror/ State is the real terrorist	Treason of Tamil rivals	
Racism and Genocide against Tamils	Statesman like language (2003, 2004)	
Awareness of International Norms/ Community’s views	LTTE has always chosen peaceful path (2006)	

Analysis of Discourse Patterns (*Under Construction: I need to find a way to organize this, perhaps on the lines of table 2 or perhaps in terms of frequency- increase or decrease*)

As table 2 shows, certain themes were present throughout the period under study, while others emerged as responses to certain contexts and events. Consistent themes were not necessarily stable and also gained in strength (frequency of references and intensity, which can be seen in the space and attention devoted to them in speeches) or weakened over time. While Prabhakaran addressed and engaged with issues pertaining to the use of violence and the concept of terrorism throughout the 1990’s, this became an increasing focus of his speeches from 1997 onwards. The content and tone of these utterances also changed from

being unapologetic and combative about the use of violence in early years to one that focussed on explanations, justifications and dialogue.

Themes also changed in content, revealing an ability to package arguments in line with the prevailing political climate. For instance, a stable theme that showed subtle variation was the differentiation of the self (LTTE) from 'terrorists'. Long before the horrors of 9/11 made the phrase 'one man's terrorist is another man's freedom fighter' something of a cliché, Prabhakaran had simply claimed on numerous occasions that LTTE cadres are 'freedom fighters not terrorists' without explaining any distinction further. After 9/11 this argument was dropped in favor of the idea that there were real terrorists (such as those responsible for 9/11) which were distinct from groups like the LTTE. One can observe the gradual acknowledgement of the pariah status of being called 'terrorist' and the attempt to distinguish and remove the LTTE from such an identity. Prabhakaran has consistently displayed a keen cognizance of the abhorrence of terrorism and increased efforts to respond to such accusations over time. While the LTTE has framed itself as the victim of state terror during all three phases, there was variation within this argument too. Whereas the initial manifestation of this trope was to label the Sri Lankan government as being terrorists, subsequent arguments became more sophisticated, appealing to the international community to prevail upon the government to stop using state terror in line with efforts to combat terrorism. The speeches discuss the labelling of the LTTE by the international community as 'unfortunate', 'misguided' and the product of the machinations of a racist and genocidal Sri Lankan government. Thus there is clear cognizance of the international community and an appeal to international norms against racism and genocide used to characterize the enemy. There is a discussion of 'just violence' as opposed to unjust state terror. By posing the

LTTE's use of violence as a response to state terror, Prabhakaran turns the use of the label terrorist on the state.

All forms of peaceful non-violent agitations undertaken by the Tamil people against Sinhala state oppression were brutally repressed by state terror. (2001 Heroes Day Speech)

Certain themes also decreased or disappeared over time. For example, the speeches initially consistently contained the argument that the killing of combatants is legitimate in any conflict and that policemen and army personnel are combatants and thus legitimate targets of violence as instruments of state.

From 1990- 1995, Prabhakaran made no real attempt to justify the LTTE's actions, claiming that armed struggle was the only way to achieve Eelam. In contrast to his later effort to convince the 'West' of the incorrect use of the label of terrorism, he did not seem concerned with initial Sri Lankan and Indian reactions to acts of violence, even after the assassination of Rajiv Gandhi. A common assertion during this time is one of triumph against the 'fourth largest army in the world', a contention that is repeated often in Prabhakaran's speeches.³³ The focus of these speeches is firmly on mobilizing support for the LTTE and arguing that 'armed struggle' is the political solution. By invoking the idea of treason, an act punished severely by states, the LTTE seek legitimacy for their killing of Tamils, suggesting that at this stage the LTTE could be in the repression stage. In the early 1990s speeches the attitude of Prabhakaran to the International Community was one of bitterness and cynicism with defiance for their judgments of the LTTE. However, by 2001 this stance had shifted to one that argued that the LTTE was in accordance with international norms and it was the Sri Lankan government that was the norm-violator.

³³ The LTTE admitted and apologized for the Rajiv Gandhi assassination in May 2006.

The most striking shift occurred after 1997 around the way the LTTE addressed the issue of terrorism. Indeed, this period saw two significant changes in the LTTE's discourse on terrorism. The first was the active response to the charge of terrorism and an intense refutation of this label, culminating in the Nov. 27, 2001 speech which was almost entirely devoted to a discussion of why the LTTE is not a terrorist organization. The second major trend is the cultivation of an image of a statesman and the leader of Eelam, rather than a freedom fighter or guerilla leader. His statesman-like aspirations are echoed in his rhetoric not only internally but also externally. These new elements intensified with the onset of the post 9/11 era from 2001-2005. These were manifested in an increase in statesman like language, signaling a shift from identification with an insurgent or guerilla movement to that of a state. Prabhakaran shifted from characterizing the use of violence as 'armed struggle' to 'military campaign' or 'battle' and frequently referred to Norway as treating him with the respect accorded to a leader unlike Canada and Sri Lanka which blocked the LTTE from attending a conference in Washington D.C. in 2005, for instance. There was also a marked increase in the attention devoted to refuting the label of terrorism coupled with a decline of the 'no alternative to violence' argument in the period from 2002-2005. In the 2006 speech, Prabhakaran takes it one step further by outlining how the LTTE always sought peaceful methods and has been the force behind several peace processes, only to be thwarted by successive Sri Lankan governments who are engaged in a "dual war and peace approach" which Prabhakaran calls "fundamentally flawed".³⁴

Significantly, there is an appeal to the international community to arrive at a comprehensive definition of terrorism, thus underscoring another attempt to identify the

³⁴ For full text of the speech see <http://www.satp.org/satporgtp/countries/shrilanka/document/papers/29nov2006.htm>

LTTE as part of the legitimate bodies in actors in the world. Thus the LTTE leader actively engages with the discourse about terrorism.³⁵

The use of violence in all modes of struggles to attain specific political goals is defined as terrorism by international governments. This narrow definition has erased the distinctions between genuine struggles for political independence and terrorist violence. This conception of terrorism has posed a challenge to the moral foundation of armed struggles waged by liberation movements for basic political rights and for the right to self-determination.

Further, the LTTE were careful to side with the ‘West’ in the war on terror and consistently made a distinction between themselves and ‘real’ terrorist. This attempts to place the LTTE on the side of the ‘legitimate’ actors in the international system and not among the norm-breakers.

6. Analysis³⁶

Having analyzed the speeches of Prabahakaran it is now possible to discuss some preliminary implications. The above analysis suggests that the LTTE has based its rhetoric and moral argumentation with the international community firmly in line with the values of its target audience. By consistently referring to the Sri Lankan government as genocidal,

³⁵ For an excellent discussion of the use of 9/11 as a trope by the LTTE and the Sri Lankan government, see Margo Kleinfeld (2003) *Strategic Troping in Sri Lanka: September Eleventh and the consolidation of Political Position Geopolitics* Volume 8:3 pp. 105- 126

³⁶ (Note: At this point, my paper does not delve into the question of *why* the LTTE may have been persuaded by norms. Thus it could be that leaders are convinced by the moral salience of the norms itself or they could be motivated by interests such as ensuring that the West does not cut off support to them or support their own governments in taking action against the groups. The fear of being punished or held accountable for violating the norm may motivate acceptance of norms through strategic calculations. My analysis suggests that the realization that the political climate is not conducive to breaking the norm anymore is a vital element. Secondly, domestic factors could also explain the changing discourse- these factors include the military stalemate reached in 2002, the emergence of a rival splinter group from the LTTE and the election of the hardline Rajapakse government. *This section is what I have to develop into alternative, interest based hypotheses.*)

racist or chauvinist and shifting to calling them terrorists, the LTTE has structured their arguments within the normative framework of the international community, revealing an understanding of the normative shifts of the international community's stand on the legitimate use of violence as well as the salience of other norms. The promulgation of counter-terrorism norms in the wake of 9/11 did force them to justify and engage with the accusation of terrorism with increasing frequency and intensity. This still does not get at core beliefs but shows that there is some pressure on these actors, who can evade international norms unlike states but still feel the pressure to conform to them.

Implications for Theory: Placing the LTTE in the Spiral Model

The analysis above allows us to ascertain where the LTTE may be placed within the spiral model. Prabhakaran employs a number of rhetorical strategies that are entirely consistent with the characteristics of “argumentation” phase in Risse and Sikkink's framework, such as a shift from the initial contestation of the norm and the urge to change the definitions and terms of the discourse to the latter speeches which signal a growing acceptance of the validity of the norm itself and attempt to show that the LTTE's behavior is not that of a norm-violator. There is a greater urge to justify the LTTE's position, its recourse to violence, to demarcate its targets from ordinary civilians and to try to explain they are not terrorists or violators of the non-combatant immunity norm. The LTTE would currently appear to be in the transitional ‘prescriptive status’ phase where “the actors involved regularly refer to the [concerned] norm to describe and comment on their own behavior and that of others” even though their actions may still violate the norms. (Risse et al, p. 30) Indeed, while the 2002 ceasefire suggested that the LTTE would match their actions to changes in their rhetoric, the return to violence from 2005 belies this expectation.

However, there have been few direct attacks on civilians in the period between 2004-2006 and most civilian deaths have occurred as a result of fighting between the Sri Lankan army and the LTTE. Still, broadly the tension between action and rhetoric echoes Risse and Sikkink's description of the discursive practices evident in the 'prescriptive phase' where... This suggests that Prabhakaran's rhetoric is still not sincere, thus preventing the LTTE from being placed in the 'rule consistent' phase.

Thus on the one hand it appears that the spiral model fits the progression of the LTTE's discursive patterns. Theoretically, this would suggest that theories developed to account for the behavior of states can be applied to non-state actors. However there are several difficult questions as to how far we can use these existing theories of norm socialization to study violent NSA's. The problem remains that we cannot ascertain whether groups such as the LTTE can continue to pay lip service to norms indefinitely, without ever changing their core ideas about the use of violence, due to their very nature as non-state actors outside the purview of international law. It leads to the question of whether we can expect to find further movement down the model and how we would see something like the institutionalization stage with anything less than a complete renunciation of violence. This raises some crucial questions: can violent non-state actors afford to avoid doing anything more than 'talk the talk' because they are difficult to hold accountable given the existing framework of counter-terrorism laws which are primarily targeted at states? Can violent non-state actors evade the pressures that have worked on states (sanctions, the use of international law, removing them from organizations) by the very nature of their being outlawed/ terrorist groups? If so, why do they pay lip service to norms at all?

Implications for Policy

If the promulgation of norms proscribing the use of violence against civilians indeed resonates with those who use such violence, then policy makers have an incentive to try to reach the support base that legitimizes such groups. Eroding the legitimacy accorded to groups that use terror tactics is crucial as it forces the groups to reconsider their use of such violence and to push for more alternative ways to make their demands. Thus, conceivably, if the norm of non-combatant immunity were to be strengthened, tightened and spread more effectively among the support base of those who use terrorism as a strategy, this would possibly force groups to abjure the use of violence against innocent civilians, for instrumental if not ethical reasons. A normative approach to counter-terrorism focuses on the very heart of the public in question and thus constitutes a 'bottom up' approach to policy rather than exclusively 'top down'.³⁷ Indeed, my paper suggests that spreading counter-terrorism norms is fundamentally handicapped by the inability of states to effectively prosecute non-state actors such as the LTTE. The existing conventions and laws are aimed at ensuring the compliance and cooperation of states because there is a limited ability to hold violent non-state actors accountable, given their intangible and nebulous status. This reiterates the need for a bottom up approach. What may be more effective, as was argued by Robert Keohane shortly after 9/11 is to focus on the delegitimation of terrorism among the support groups and constituency that such groups rely on, in the manner of prohibition regimes that delegitimized slavery and piracy. (Nadelman, 1990; Keohane, 2002; Simon and Martini, 2004)

Such an approach points to the continued relevance of the idea of 'soft power' (Nye, 1990). Thus an approach which pays attention to the education of young people typically

³⁷ Indeed, in the aftermath of the 7/7 bombings in London, intense discussions were held as to how to get local Muslim leaders to denounce the use of violence against civilians.

recruited by such organizations³⁸, public diplomacy carried out by states, and greater engagement of influential leaders in the community who can draw on indigenous sources (such as myths, religious texts, history) that proscribe violence against innocents may be more effective than ‘hard power’ based strategies that serve to reinforce the rhetoric of group leaders. I have already suggested that the efficacy of counter-terrorism norms is cast into doubt because of their focus on states; one way to target norms more effectively at violent groups themselves may be to draw on local cultural sources that emphasize the norm of noncombatant immunity. Indeed, the norm of non-combatant immunity is universal and is enshrined in various indigenous or local artifacts which may have greater meaning for the concerned support base than abstract and esoteric laws.

Secondly, the paper underlines the need for policy makers to pay attention to what ‘terrorist groups’ say. The importance of discourse is lent credence by the content of Prabhakaran’s speeches that suggest that leaders such as Prabhakaran seek legitimacy from the international community. Thus, much like norms scholars have found for states reputation seems to matter for non-state actors too. Prabhakaran’s repeated and increasing references to himself as a statesman and his focus on the respect (or lack thereof) accorded to the LTTE points to another way that such groups can be pressured to uphold norms. It also highlights the value of sustaining dialogue with such groups and avoiding the trap of labeling, creating disincentives to talk. Indeed, the Sri Lankan government is the only country to have lifted their ban on the LTTE, in order to facilitate the peace process and has maintained this while pursuing other means to proscribe the group. Prabhakaran’s grievance at being isolated from multilateral talks on Sri Lanka and being banned by the EU has been a

³⁸ There is continued debate about the role of education in fostering terrorism. While some people point to the indoctrination of poor, frustrated and vulnerable youth, others argue that education is not a determining factor, typically pointing to the higher and westernized education of several Al Qaeda members.

pivotal reason for the breakdown of the peace process and reveals the extent to which labeling can be effective and also risky. Thus, the discourse of the LTTE points to the need not only to listen to discourse but also to engage with groups who place a premium on it.

For those interested in the case of Sri Lanka, this paper reiterates the importance of paying attention to the discourse (particularly of the LTTE). Discourse may be an important component in understanding questions such as how the LTTE has sustained the support of the powerful Tamil diaspora in countries such as the UK, USA, Canada and Australia where the LTTE has been banned and where the rhetoric against such groups is equally strong.³⁹ Furthermore, Sri Lanka scholars are already examining how the ‘politics of labeling’ between the government and the LTTE has played as much of a part in trapping both sides into an intractable conflict as the violence itself.⁴⁰

Implications for Research

My initial findings open up several avenues for further research, based both on the arguments made above, as well as its limitations. One immediate limitation of this paper is its reliance on English sources. The importance of looking at texts in the original Tamil cannot be emphasized enough as translations may miss telling nuances and meanings in language⁴¹. However, this limitation may not adversely affect my paper for two reasons. The first is because the discourse of the LTTE with the international community is an exchange that is

³⁹ For an understanding of the Tamil diaspora See Sarah Wayland “*Ethnonationalist Networks and transnational opportunities: the Sri Lankan Tamil diaspora*” (Review of International Studies 30, 2004 pp 405-426). For a more sociological and literary account, see Ramachandra Guha *Tigers in the Alps* (Himal South Asian, May 2003) <http://www.himalmag.com/2003/may/essay.htm>

⁴⁰ See Margo Kleinfeld (2004) Strategic Troping in Sri Lanka: September Eleventh and the Consolidation of Political Position *Geopolitics* and Nadarajah and Sriskandarajah (2005) Liberation Struggle or Terrorism? The politics of naming the LTTE *Third World Quarterly* 26:1

⁴¹ For instance, Peter Schalk’s work on the concept of martyrdom in the LTTE examines the intricacies and variations of the way the word ‘martyr’ is used in LTTE speeches and writings.

primarily conducted in English. Thus by focusing on the English translations of the Heroes Days speeches, I am effectively looking at the LTTE's intended messages to the outside world and thus remain focused on the discourse with the international community. Secondly, the translations are official documents issued by the LTTE and are available on their own websites as well as websites and publications sympathetic to the LTTE.⁴² Thus the translations used are likely to be faithful to the message Prabhakaran wants to convey to an international audience. Future research which looks at the original texts could shed light on the fractures or differences between rhetoric targeted at international audiences versus internal audiences, which is crucial in understanding how the LTTE packages their message to these different constituencies.⁴³ Secondly, my focus on Prabhakaran's discourse alone sacrifices complexity in the interest of feasibility. For example, it may be important to examine the discourse emanating from a rival group led by the rebel Karuna which split from the LTTE in 2004 to see whether this group has other responses to the question of using violence against civilians.

Finally, the case highlights the importance of looking at the impact of norms on groups other than the targets themselves. Do norms have demonstration effects on groups other than the target of the norms? This is a question worth exploring in future research. While counter-terrorism measures and laws have been developed with intent to combat global networks such as Al Qaeda, they may have had the result of forcing other groups to reexamine their strategies. The study of the discourse of terrorist groups other than the LTTE is a further implication for research. It is beneficial for scholarly and policy reasons to

⁴² These websites include www.eelam.com, www.tamilnation.com

⁴³ See www.satp.org/satporgtp/countries/srilanka/database/majorincidents.htm Also Amnesty International website for reports on attacks on civilians and political killings attributed to the LTTE

ask whether the premise, methods and conclusions reached here are applicable to other groups⁴⁴

Conclusion

The premise and findings of my paper suggests that dichotomous ‘black and white’ depictions of terrorists may be dangerously simplistic. To gain an understanding of how normative arguments may be used to combat the use of violence against civilians, it is necessary to acknowledge that ‘terrorist’ groups do not take place in a moral vacuum or void, but instead actively engage with and respond to international norms. In today’s political climate where terrorism is understood in terms of ‘good’ vs. ‘evil’, ignoring the normative and moral sources that groups such as the LTTE draw upon is a folly. Instead, listening to and understanding the ethical argumentation of such groups may enable us not only to evaluate whether anti-terror norms are ‘working’ but also how they may be developed in the future.

⁴⁴ Christina Hellmich’s recent analysis of Osama Bin Laden’s rhetoric is a study in such a direction Christina Hellmich (2005) Al Qaeda – terrorists, hypocrites, fundamentalists? The view from within *Third World Quarterly* Vol. 26, No. 1

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Interviews

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