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The effects of the Indian ocean tsunami
on peace in Sri Lanka and Aceh

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**THE EFFECTS OF THE INDIAN OCEAN TSUNAMI ON PEACE IN
SRI LANKA AND ACEH**

*A thesis submitted in fulfilment of the
requirements for the award of the degree

MASTER OF ARTS (RESEARCH)

from

UNIVERSITY OF WOLLONGONG

by

MEREDITH MELECKI, BA, MA (COURSEWORK)

**FACULTY OF ARTS
2006**

CERTIFICATION

I, Meredith L. Melecki, declare that this thesis, submitted in partial fulfillment of the requirements for the award of Master of Arts (Research), in the Department of History and Politics, University of Wollongong, is wholly my own work unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

Meredith L. Melecki

10 July 2006

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LIST OF SPECIAL NAMES AND ABBREVIATIONS

ABC	Australian Broadcasting Corporation
Accord	refers to the Indo-Lanka Peace Accord
Aceh	Nanggroe Aceh Darusslam
AMM	Aceh Monitoring Mission
ANU	Australian National University
BPKI	Badan Penyelidik Kemerdekaan Indonesia or Committee for the Investigation of Indonesian Independence
BRR	Rehabilitation and Reconstruction Agency for Aceh and Nias
CARE	Cooperative for Assistance and Relief Everywhere
CMI	Crisis Management Initiative
COHA	Cessation of Hostilities Agreement
Darul Islam	House of Islam uprising
DOM	Military Operations Region
EPDP	Eelam People's Democratic Party
EPRLF-V	Eelam People's Revolutionary Liberation Front – Varathar
FDI	Foreign Direct Investment
FPI	Islamic Defenders Front
GAM	Gerakan Aceh Merdeka or the Free Aceh Movement
GDP	Gross Domestic Product
GoSL	Government of Sri Lanka
GRDP	Gross Regional Domestic Product
HD Centre	Henry Dunant Centre
HRW	Human Rights Watch
ICG	International Crisis Group
ICISS	International Commission on Intervention and State Sovereignty
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
ILRF	International Labor Rights Fund
IMF	International Monetary Fund
INGO	International Non-Governmental Organisation
IOM	International Organization for Migration
IPKF	Indian Peace-Keeping Force
JI	Jemaah Islamiyah
JVP	Janatha Vimukthi Peramuna
LNGO	Local Non-governmental Organisation
LTTE	Liberation Tigers of Tamil Eelam
MER-C	Medical Emergency Relief Charity
MILF	Moro Islamic Liberation Front
MMI	Indonesian Mujahideen Council
MoU	Memorandum of Understanding
MPR	Majelis Permusyawaratan Rakyat or People's Consultative Assembly – Indonesia's highest state institution; equivalent to Parliament or Congress
New Order	Orde Baru
NGO	Non-Governmental Organisation
OPEC	Organization of the Petroleum Exporting Countries
PLOTE	People's Liberation Organization of Tamil Eelam
PULO	Pattani United Liberation Organization

SAP	Structural Adjustment Program
SLFP	Sri Lanka Freedom Party
SLMM	Sri Lanka Monitoring Mission
Sri Lanka	The Democratic Socialist Republic of Sri Lanka
TAFREN	Task Force for Rebuilding the Nation
TNI	Tentara Nasional Indonesia – National Army of Indonesia
TRO	Tamil Rehabilitation Organisation
TULF	Tamil United Liberation Front
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNP	United National Party
USD	United States Dollar
WB	World Bank
WFP	World Food Program
WHO	World Health Organisation

Abstract

The 26 December 2004 tsunami was far reaching in its effects but the two areas most devastated by the tidal wave were the Indonesian province of Aceh and the country of Sri Lanka. These areas have much more than the impact of the tsunami disaster in common. They have both also been sites of decades-long violent conflicts that have compounded many of the problems caused by the tsunami.

One result of the tsunami was an influx of NGOs into these two areas. NGOs, as promoters of development, have increasingly been associated with activities deemed necessary to the creation of peace. This stems from an understanding in the fields of development and peace and conflict resolution that not only does war undermine development, but that the cause of internal wars can be linked to failures of development. Therefore, the role of NGOs is important when examining efforts at peace creation in Sri Lanka and Aceh since the occurrence of the tsunami.

In this thesis I have focused on Oxfam International and CARE International which are two of the largest international NGOs acting in both Sri Lanka and Aceh. In undertaking this assessment I aim to consider the ways in which NGOs may have impacted the resumption or resolution of conflict in Sri Lanka and Aceh, and whether or not NGOs have played a role in the differing outcomes of the wars in these areas.

To undertake this investigation I first present an overview of the conflicts in Sri Lanka and Aceh. This includes an inspection of the historical, economic, and political elements that have been contributed to the origination of each conflict. This is followed by an exploration of development theories and theories of peace and conflict resolution, focusing on the ways in which the situations of Sri Lanka and Aceh support or contradict arguments from these fields. I then examine the literature concerned with NGOs in order to present a thorough consideration of the pros and cons associated with

NGOs in both conflict situations and the creation of peace before I review and evaluate NGO activities in Sri Lanka and Aceh subsequent to the tsunami disaster.

In the course of writing this thesis I have found that many of the advantages and disadvantages emblematic of NGO involvement in conflict and post-conflict situations are currently present in Sri Lanka and Aceh. However, NGOs in Sri Lanka have been associated with fewer of the drawbacks identified with non-governmental organisations in conflict situations than NGOs in Aceh. If the proposition that NGOs can aid in peacemaking and peacebuilding is correct, we could therefore expect that in this situation NGOs have been more effective in Sri Lanka than Aceh. This highlights one of my primary findings which is that NGO activities addressing problems associated with underdevelopment cannot in themselves lead to the creation of peace. In fact, it seems that NGO efforts are merely an adjunct to endeavours to create peace.

I wish to thank the numerous people who have helped me throughout the process of creating this thesis. It could not have been completed without the countless supporters who helped me in a multitude of ways. I would especially like to thank my supervisor's - Dr. Kate Hannan and Dr. Ruchira Ganguly-Scrase - who read through many drafts, provided rich insights, and supplied a great deal of direction when it was needed. I am also grateful to the postgraduate students and staff of the University of Wollongong's Faculty of Arts who gave me academic and moral support and supplied me with many appreciated and rich educational opportunities. Thank you to my parents who provided me with inspiration and the backing to complete this project, and always did their best to help me in whatever way they could. The rest of my family, who have been a fantastically supportive and caring group of people, cannot be excluded from this either. Finally, thank you to all of my friends who helped me in their own ways – through listening, helping me to maintain some balance, or providing me with laughs throughout many stressful moments.

Introduction

The majority of recently created states are the result of independence from colonial empires and were created from boundaries imposed by these powers. Upon independence many new states were artificially instilled with the ideas of liberal democracy and its institutions. However, it did not take long for the idealistic mood of the time to prove naïve as the newly democratised states became the sites of some of the “world’s bloodiest nationalist struggles.”¹

My intention in this thesis is to profile and analyse recent attempts to create peace within two areas where prolonged civil unrest based on ethnic divisions has occurred: Sri Lanka and Aceh. In order to examine efforts at peace in these areas I will focus particularly on the role of civil society and specifically the use of non-governmental organisations (NGOs) in the period since the 26 December 2004 tsunami.

In the process of writing my thesis I have undertaken an in-depth profile of the many elements contributing to conflict in Sri Lanka and Aceh. I have positioned these two conflicts within the fields of development studies and peace and conflict resolution studies in order to provide an overview of the problems to be addressed in post-conflict situations. I have also explored the literature concerned with the role of NGOs in order to demonstrate the roles, the means, and the situations in which NGOs may be involved in peacemaking. The 26 December 2004 tsunami disaster created an occasion for NGOs to enter the areas of Sri Lanka and Aceh that have experienced long-term civil strife and this has provided an opportunity to explore the possibility of linkages between development, conflict resolution, and NGOs. I conclude the thesis with an assessment of NGOs in post-tsunami Sri Lanka and Aceh to determine their impact on efforts to generate peace in the post-tsunami climate.

¹ E. D. Mansfield and J. Snyder, “Democratic Transitions, Institutional Strength, and War,” in *International Organization* 56.2 (2002), p. 297

While a brief assessment of the history, economics, and political situation of Sri Lanka and Aceh cannot adequately explain the conflicts in these nations, it is necessary background to any discussion of their wars. Therefore, I will present an overview of these elements, after which I will provide an examination of the wars and their toll on each respective state. This includes consideration of the numerous previous attempts to create peace, the successes and failures of these attempts, and the necessary elements for successful peace settlements.

Scholars considering the causes of protracted conflicts such as those occurring in Sri Lanka and Aceh often focus on the effects of development that have the capacity to promote conflict. It is commonly understood that a relationship between development and conflict exists and problems associated with post-colonial development are deemed to both directly and indirectly give rise to conflict. Those who promote conflict resolution (particularly within societies facing internal war) cite the need for further development in order to resolve and prevent future conflicts. Both of these lines of reasoning are based on the idea that development is either incomplete or has failed in areas where conflict occurs and widespread acceptance has been afforded to the hypothesis that development is essential to the resolution of these conflicts.² I will place the conflicts of Sri Lanka and Aceh within theories of development and conflict resolution in order to contribute to an understanding of some of the problems that must be overcome to create an enduring peace.

Contemporary development theorists have taken an interest in the role of civil society as an entity that is able to intervene in situations of conflict in order to address and overcome incomplete or failed development processes. Recent theories of peace and reconciliation have also noted the need for a strong civil society in creating a stable

² E. E. Azar, *The Management of Protracted Social Conflict: Theory and Cases* (Hampshire: Dartmouth, 1990), p. 2

and lasting peace in areas torn by internal wars. Empirical evidence and development literature has shown that NGOs – as the predominant aspect of civil society - are playing an increasingly active and important role in states that are continuing the development process. However, my main objective in presenting the backgrounds of these two areas is to complete an assessment of the ways in which NGOs contribute to, or detract from, peace creation in Sri Lanka and Aceh. I have also studied the influence of NGOs and their involvement in reconstruction and rehabilitation in a number of regions recently affected by war and/or disasters. The majority of these studies relate to countries in Eastern Europe, South America, or Africa. In this thesis I will consider to what extent the findings of these analyses are applicable to the present situations of Sri Lanka and Aceh.

The 2004 tsunami created a situation in which international attention was suddenly and explosively focused on both Sri Lanka and Aceh. This allowed for the increased presence of NGOs in each area and created an environment in which international NGOs had numerous funds and resources to contribute to activities in Sri Lanka and Aceh. In both areas the presence of international NGOs had been largely absent prior to the tsunami. Therefore, the tsunami can be credited for a variety of reasons with facilitating the potential for NGOs to impact the establishment of peace. Consequently, current circumstances in these countries present an opportunity to scrutinise the impact of NGO involvement on conflict resolution in Asia.

The role of NGOs in transitions to peace, although widely accepted today, is not without controversy and I will identify a number of advantages and disadvantages arising from their use. My account of NGO involvement in these situations is set against scholarly accounts of unequal development and conflict resolution. These findings are then used to examine the impact of NGO activities in Sri Lanka and Aceh

since the tsunami and particularly their policies on peace creation. I conclude my observations of the activities of NGOs in post-tsunami Sri Lanka and Aceh by considering previously established benefits and problems associated with the use of non-governmental organisations in conflict situations. I do this with particular regard to the possible effects of NGO activity on the establishment of peace in Sri Lanka and Aceh. The political outcome has been quite different in these two areas.

Chapter 1: Sri Lanka

Since Sri Lanka became an independent state it has been unable to accommodate its diverse peoples and the Tamil minority group has increasingly felt marginalised and abused, leading to the country's present situation of war. In order to understand the context in which peace must occur in Sri Lanka, it is necessary to be aware of the multi-faceted issues and grievances that must be overcome. The country is made up of three ethnic groups: the Sinhalese, Tamils, and Moors (more commonly referred to as Muslims). The Sinhalese majority practice Buddhism and speak Sinhalese while the Hindu Tamil and Muslim Moor minorities speak Tamil and English. The country has been the site of civil war since 1982. In this chapter I will examine the effect of colonial powers on the relationship between ethnic groups; the economic and political marginalization of minorities within the country; the approach of both rebels and the national armed forces in fighting the present civil war; and the increasing complexities caused by outside involvement.

Map 1.1: Ethnic Communities and Religions of Sri Lanka

source: www.lib.utexas.edu/mamps/islands_oceans_poles/sri_lanka_charts_76.jpg

Graph 1.1: Breakdown of Major Ethnic Groups in Sri Lanka

BACKGROUND

The island of Ceylon has had a long and ancient past that has been filled with the comings and goings of various ethnic groups, wars fought between both internal and external powers and the differing impacts of religions. Like many other countries in its region, Sri Lanka has also been immensely affected by colonial powers that demarcated state borders by the island's shape.

Ceylon's history with colonisation began in the 16th century. This marked the start of a dramatic transition for the island, which, by Western standards of the time, was primitive and undeveloped. Each coloniser to rule over Sri Lanka brought designs for

Westernisation of the island's cultures, religions, economy, and politics. The Portuguese were the earliest to arrive, coming from the southern coast of India in 1505 and setting up a series of cinnamon trading settlements and Catholic missionaries³ along the southern and eastern coasts which were ruled separately. The Dutch drove the Portuguese out in 1658 and during their rule continued to administer Tamil and Sinhalese areas separately and with sensitivities to customary laws, expanded the island's commercial export activities and introduced Roman-Dutch law and Calvinism to Ceylon.⁴

Both the Portuguese and Dutch were zealous in their missionary activities and treated natives with intolerance and discrimination.⁵ Though the history of the island is largely debated, historians generally agree a religiously antagonistic relationship did not exist between ethnic groups prior to colonisation. The Portuguese were particularly harsh toward the Buddhist religion and both powers treated Hinduism and Islam with contempt.⁶

The British took over after Dutch involvement in the Napoleonic Wars prevented them from continuing to administer Ceylon, and in 1833 they became the first power to amalgamate control over the entire island.⁷ The British colonial structure is ironically credited with both helping to turn the island into a viable modern state and creating many of the problems contributing to the country's current war.

The British dramatically changed the economic character of Ceylon, establishing plantations of coffee, tea, rubber, and coconut. Some income from these activities was re-

³ M. Gunasingam, *Sri Lankan Tamil Nationalism: A Study of its Origins* (Sydney: MV Publications, 1999), p. 67 and A. Shastri, "Government Policy and the Ethnic Crisis in Sri Lanka" in *Government Policies and Ethnic Relations in Asia and the Pacific*, edited by M. E. Brown and Š. Ganguly, (Cambridge: MIT Press, c1997), p. 131

⁴ Gunasingam, *op cit.*, pp. 54 and 57, K. M. DeSilva, *Managing Ethnic Tensions in Multi-Ethnic Societies: Sri Lanka, 1880-1985* (Lanham: University Press of America, c 1986), p. 17 and Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 18.

⁵ De Silva, *Managing Ethnic Tensions*, *op cit.*, p. 18

⁶ *Ibid.*

⁷ Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 131

invested in the island through the spread of infrastructure and increased educational opportunities which were primarily passed on to the Tamil population.⁸ During this time Indian Tamils were also imported to work on plantations which were experiencing labour shortages.⁹ The country began to industrialise when hydroelectric power was developed in the 1920s and domestic manufacturing was promoted to meet the demands of domestic markets. Impetus for further industrialisation occurred when Ceylon was used for the production of goods vital to World War II. This development encouraged Ceylonese politicians and leaders to seek independence. Sinhalese leader D.S. Senanayake began to pressure the British government for dominion status with self-government. As a result, efforts to create a new constitution began in 1944.¹⁰

Under British tutelage Ceylon gradually gained the means for self-government. Initially the British established a Governor, an Executive Council, and a Legislative Council that included non-voting members – who eventually became elected by a restricted electorate - to represent major ethnic groups. Pressure for reforms from Ceylonese elites shifted the emphasis from ethnic representation to territorial representation and later changes included universal suffrage, provisions for a primarily native-led government, an independent judicial branch, and control over all affairs other than defence and foreign policy.¹¹ As the country became increasingly independent minorities began to fear

⁸ Gunasingam, *op cit.*, pp. 74-80

⁹ K. Henrard, "Relating Human Rights, Minority Rights and Self-Determination to Minority Protection," in *Managing and Settling Ethnic Conflicts*, edited by U. Schneekener and S. Wolff, (London: C. Hurst & Co., 2004), p. 18

¹⁰ P. Athukorala and S. Rajapatirana, *Liberalization and Industrial Transformation: Sri Lanka in International Perspective*, (Delhi, Oxford: Oxford University Press, 2000), pp. 29 and 30-1, De Silva, *Managing Ethnic Tensions, op cit.*, p. 135 and I. Ahmed, *State, Nation and Ethnicity in Contemporary South Asia* (Pinter: London, 1996), p. 243

¹¹ Spencer, *op cit.*, pp. 28 and 50-1, Ahmed, *op cit.*, p. 243, DeSilva, *Managing Ethnic Tensions, op cit.*, pp. 87-8 and Athukorala and Rajapatirana, *op cit.*, p. 29

Sinhalese dominance as the system of territorial representation¹² proved imbalanced and created “an ethnically bi-polar political imagination in the country.”¹³

Meetings between British colonial authorities and Sinhalese representatives (one Tamil was included late in the process) produced a constitution based on D. S. Senanayake’s proposals¹⁴ and the Westminster model of liberal democracy. The new government consisted of a parliament with an upper house and a lower house, the latter of which included district representatives chosen through a plurality system and responsible for selecting the prime minister and cabinet. A bill of rights was excluded, although a provision prohibiting the passage of ethnically based discriminatory measures was incorporated, and the electoral system was designed to allow multiethnic representation from diverse localities and increased the weight of rural and minority areas. These policies – which aimed to allow minorities to make up forty percent of the lower house - proved futile.¹⁵ Despite minority fears and a lack of support from Ceylonese representatives, British colonial authorities approved the new constitution.¹⁶

The 1947 Ceylon Independence Act granted Sri Lanka its official independence effective 4 February 1948 and because of its quick and peaceful transition the island was heralded as a model for all decolonising territories to emulate. The successful transition is generally attributed to British efforts to install a Western-style democracy prior to independence. The British also allowed some experience with quasi-democratic institutions and they created a robust industrialising economy. They also promoted

¹² J. Pfaff-Czarnecka and D. Rajasingham-Senanayake, “Democracy and the Problem of Representation: The Making of Bi-polar Ethnic Identity in Post/Colonial Sri Lanka,” in *Ethnic Futures: The State and Identity Politics in Asia*, edited by J. Pfaff-Czarnecka, et. al., (New Delhi; London: Sage Publications, 1999), p. 115

¹³ Ahmed, *op cit.*, p. 243

¹⁴ DeSilva, *Managing Ethnic Tensions*, *op cit.*, p. 135

¹⁵ Shastri, “Government Policy and the Ethnic Crisis,” *op cit.*, pp. 136-7

¹⁶ DeSilva, *Managing Ethnic Tensions*, *op cit.*, p. 136

relatively high levels of education and established a social welfare system. At independence the island's many ethnic groups seemingly coexisted peacefully; a situation expected to continue because of a democratically elected government that was presumed to provide equal representation.¹⁷ However, within a period of ten years cracks in the façade emerged as power struggles between the island's two largest ethnic groups - the Tamils and Sinhalese - began to crystallise, sometimes ending in violence.

While Sri Lanka's political and economic situation at independence was promising, it remained one of large inequalities striated along socioeconomic and sociopolitical lines. An elite and urban class had developed with a life very separate from their rural and working-class counterparts.¹⁸ The Constitution myopically lacked minority protections, which, along with apparent tensions, spoiled the expectations of Ceylon's success. Over time, Sinhalese encroachments on the Tamil population were a catalyst for violence between Ceylon's two major ethnic groups. The Tamil case for Eelam has gained strength from rising Sinhalese nationalism in the state of Sri Lanka, which generates momentum from the marginalisation of minorities.

The Path of Economic Development: Import Substitution to Export Orientation

The immediate post-independence economy experienced few changes and the government largely continued the policies of British colonial rule. State ventures expanded to include health, education, and electrical services. This increased social mobility and the economy became reliant on the continuation of heavy public expenditure by the state. In

¹⁷ "Sri Lanka: What Lies Ahead?," *The South Asia Monitor*, 1 March 1999, <http://www.csis.org/saprog/sam/sam06.pdf> (accessed 29 April 2005); p. 1 and K. M. de Silva, "Sri Lanka: Surviving Ethnic Strife," *Journal of Democracy* 8.1 (Jan. 1997): p. 97 and J. Jupp, *Sri Lanka: Third World Democracy* (London and Totowa: Cass, 1978), pp. 1 and 105.

¹⁸ W. D. Lakshman and C. A. Tisdell, introduction to *Sri Lanka's Development Since Independence: Socio-Economic Perspectives and Analyses*, edited by W. D. Lakshman and C. A. Tisdell, (Huntington: Nova Science Publishers, 2000), p. 2

1956 the role of the private sector was increased.¹⁹ However, changes in export demands meant private industry became an economic burden and the government was eventually forced to pursue a protectionist trade regime.²⁰ The Sri Lankan economy had become isolated from the global economy by 1965 and the government began to seek bilateral trade agreements with the Eastern bloc, reflecting Sri Lanka's inclination toward socialism. Partial liberalisation and a return to multi-lateral agencies and Western aid²¹ occurred in 1970, although socialist-style policies along with import-substitution continued to be the foundation of economic policy until the election of United National Party (UNP) President J.R. Jayewardene. This resulted in a major shift in Sri Lanka's economic policy and it became the first country in South Asia to employ pervasive economic liberalisation in 1977. Tariffs supplanted quantitative restrictions, free-trade zones were established, foreign investment was promoted, privatisation encouraged, and openness to imports occurred. Sri Lanka entered into structural adjustment programs (SAPs) with the International Monetary Fund (IMF) and World Bank (WB), under which the average annual rate of growth doubled from 1970-1977. The island quickly began to develop a market economy, and for the first time manufacturing exports outnumbered agricultural exports as the economy grew at a pace unmatched since independence.²² Since 1995 the

¹⁹ S. Liyanage, "The Political Economy of Structural Economic Dynamics in Sri Lanka Since Independence," in *Sri Lanka's Development Since Independence: Socio-Economic Perspectives and Analyses*, edited by W. D. Lakshman and C. A. Tisdell, (Huntington New York: Nova Science Publishers, 2000), p. 158, G. Gunatillake, "Development Policy Regimes," in *Sri Lanka's Development Since Independence: Socio-Economic Perspectives and Analyses*, edited by W. D. Lakshman and C. A. Tisdell, (Huntington: Nova Science Publishers, 2000), pp. 135 and 140, and Athukorala and Rajapatirana, *op cit.*, pp. 33-4

²⁰ N. D. Karunaratne, "The Export Engine of Growth in Post-Independence Sri Lanka," in *Sri Lanka's Development Since Independence: Socio-Economic Perspectives and Analyses*, edited by W. D. Lakshman and C. A. Tisdell, (Huntington: Nova Science Publishers, 2000), pp. 174-175 and Athukorala and Rajapatirana, *op cit.*, p. 35

²¹ Athukorala and Rajapatirana, *op cit.*, pp. 35-6 and Gunatillake, *op cit.*, p. 140

²² Athukorala and Rajapatirana, *op cit.*, pp. 35-9, N. DeVotta, "Sri Lanka's Structural Adjustment Program and Its Impact on Indo-Lanka Relations," *Asian Survey* 38.5 (May 1998): p. 465 and Gunatillake, *op cit.*, pp. 140 and 147

development strategy has focused on increasing the productivity and income of the poor. This has not been particularly successful but has necessarily connected poverty alleviation with growth and development.²³ However, the full potential of these liberalisation policies has been hampered by the civil war; which requires ten percent of GDP per year, causes macroeconomic instability, and scares away foreign investment.²⁴

Political Change: An Unfulfilled Democratic Legacy

Immediately upon obtaining independence Sinhalese efforts were made to disenfranchise the island's largest minority group - the Indian Estate Tamils which comprised twelve percent of the population²⁵ - through *The Ceylon Citizenship Act of 1948*, *The India-Pakistan Residents (Citizenship Act of 1949)* and *The Ceylon Parliamentary Elections (Amendment) Act of 1949*. These were initially put forward to increase the economic position of Sinhalese peoples who, despite their majority status, were economic and social minorities. In reality, these acts may have been the result of the malfeasance of D. S. Senanayake, who used them to strengthen his position within the UNP party, prevent future unions between Ceylonese and Indian Tamils, assuage the Kandyan of economic grievances²⁶ and incorporate them into the UNP party.²⁷

²³ Gunatillake, *op cit.*, p. 149

²⁴ Athukorala and Rajapatirana, *op cit.*, pp. 42-3

²⁵ A. Shastri, "Estate Tamils, the Ceylon Citizenship Act of 1948 and Sri Lankan Politics," *Contemporary South Asia* 8.1 (1999): pp. 65 and 67

²⁶ Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 138 and R. DeSilva, "An Ontological Approach to Constitutionalism in Sri Lanka: Contingency and the Failure of Exclusion," in *Laws of the Postcolonial*, edited by E. Darian-Smith and P. Fitzpatrick (Ann Arbor: The University of Michigan Press, 2002), pp. 68-70

²⁷ Shastri, "Estate Tamils," *op cit.*, p. 78

Graph 1.1 Breakdown of Major Ethnic Groups in Sri Lanka

source: graph created from information provided by the Department of Census and Statistics – Sri Lanka, www.statistics.gov.lk/index.asp

These acts, which were the first examples of the state targeting the political rights of an ethnic group, revealed the Constitution's ineffectiveness at ensuring citizenship rights and undermined electoral weightings meant to serve as checks and balances.²⁸ From this point on major political parties used ethnic outbidding to appeal to the Sinhalese majority and ensure political victory. Consequently, the Sinhalese consolidated their position in power while Tamil and other minority groups were largely ignored or marginalised.²⁹ Despite this, the relationship between Tamils and Sinhalese remained agreeable as Tamils pursued constitutional means to advance their security.³⁰

The 1956 elections marked a turning point in Sinhalese/Tamil relations. The victorious Sri Lanka Freedom Party (SLFP) appealed to the Sinhala population on a pro-Buddhist, pro-Sinhala platform, and pledged to introduce a Sinhala Only language bill

²⁸ V. Nithiyanandam, "Ethnic Politics and Third World Development: Some Lessons from Sri Lanka's Experience," *Third World Quarterly* 21.2 (April 2000): p. 288, W. Clarence, "Conflict and Community in Sri Lanka," *History Today* 52.7 (July 2002), p. 44, Shastri, "Estate Tamils," *op cit.*, pp. 66 and 75 and Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 139

²⁹ Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 140, Shastri, "Estate Tamils," *op cit.*, p. 83 and J. Pfaff-Czarencka and D. Rajasingham-Senanayake, introduction to *Ethnic Futures*, *op cit.*, p. 117

³⁰ Rajasingham-Senanayake, "Democracy and the Problem of Representation," *op cit.*, p. 118 and Spencer, *op cit.*, p. 34.

immediately upon taking office.³¹ This act attempted to establish Sinhala as the official language of Ceylon, indirectly oppressing employment and social opportunities for Tamil- and English-speaking minorities.³² In response, the Tamil Federal Party (which formed in 1949 with the goal of establishing a federal state) organised non-violent protests that were attacked by Sinhalese mobs as police watched.³³

Prime Minister S.W.R.D. Bandaranaike and Tamil United Liberation Front (TULF) party leader SJV Chelvanayakam met to find a solution to the manifesting tensions, resulting in the Bandaranaike-Chelvanayakam Pact of 1957, which provided limited decentralisation of the government through regional councils and compromised on the language issue. However, Buddhist clergy, Sinhalese nationalists and the UNP conducted violent protests to pressure Bandaranaike to refute the Pact, thwarting the agreement.³⁴ As the state became increasingly repressive toward Tamils a surge of Tamil migration began, predominantly to Western countries.³⁵ Meanwhile, the Sinhalese continued to consolidate their superior position as the employment of Tamils decreased.

³¹ Clarence, *op cit.*, p. 44, Nithiyandandam, *op cit.*, p. 291 and M. de Silva, "Sri Lanka's Civil War," *Current History* 98.632 (December 1999), p. 428

³² N. DeVotta, "Illiberalism and Ethnic Conflict in Sri Lanka," *Journal of Democracy* 18.1 (January 2003), p. 87 and Shastri, "Government Policy and Ethnic Crisis," *op cit.*, p. 145

³³ de Silva, "Sri Lanka," *op cit.*, p. 99, Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, pp. 144-5, DeVotta, "Illiberalism and Ethnic Conflict," *op cit.*, pp. 87-8 and Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 145

³⁴ The Tamils submerged their demand for language parity and the Sinhalese offered Tamil minority language status and provided for its administrative use in predominantly Tamil areas. N. DeVotta, "Control Democracy, Institutional Decay, and the Quest for Eelam: Explaining Ethnic Conflict in Sri Lanka," *Pacific Affairs* 73.1 (Spring 2000), p. 59, DeVotta, "Illiberalism and Ethnic Conflict," *op cit.*, p. 87 and Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 144, DeVotta, "Control Democracy," *op cit.*, p. 59 and Clarence, *op cit.*, p. 45

³⁵ R. Gunaratna, "Sri Lanka: Feeding the Tamil Tigers," in *The Political Economy of Armed Conflict: Beyond Greed and Grievance*, edited by K. Ballentine and J. Sherman (Boulder and London: Lynne Reiner Publishers, 2003) p. 200 and Rajasingham-Senanayake, *op cit.*, p. 118

Table 1.1: Proportion of Tamils Employed in State Services

source: Shastri, A., "Government Policy and the Ethnic Crisis," *op cit.*, p. 146

As the situation continued to deteriorate, agitation in the north and east of the island began to require military intervention and the declaration of a state of emergency, leading to press censorship and the arrest of twelve northern and eastern MPs. Throughout the 1960s the party system became increasingly divided and previous communalist aims were often overlooked as ethnic outbidding occurred.³⁶

Amongst this background of solidifying Sinhala superiority, the SLFP once again came to power under the world's first female prime minister – Mrs Sirimavo Bandaranaike (1960-1965 and 1970-1977) - who produced some of the policies most responsible for marginalising the Tamils.³⁷ The government of this period inherited an embittered youth population because of an inability to produce adequate opportunities for social mobility among the increasing numbers of university-educated persons.³⁸ In 1971 a youth uprising resulted from the lack of economic growth of the state and was "a response against the elite domination of the government, which did not go far enough to bring about socialist reform."³⁹ In reaction, the government endeavoured to improve living standards and reduce

³⁶ Jupp, *op cit.*, p. 13-14

³⁷ DeVotta, "Illiberalism and Ethnic Conflict," *op cit.*, pp. 88-9

³⁸ S. Hettige, "Transformation of Society," in *Sri Lanka's Development Since Independence: Socio-Economic Perspectives and Analyses*, edited by W. D. Lakshman and C. A. Tisdell (Huntington: Nova Science Publishers, 2000), p. 24

³⁹ *Ibid.*, p. 25

income inequalities among the Sinhalese and introduced largely unsuccessful land reform programs resulting in declining productivity and a slow down in growth.⁴⁰

A new constitution in 1972 afforded Buddhism and the Sinhalese language official status and replaced the name Ceylon with the Sinhalese name The Democratic Socialist Republic of Sri Lanka. This constitution contained no minority protections or bill of rights, exacerbated a loss of minority confidence in the state, and created the impression that a tyranny of the majority was developing.⁴¹ In 1976 the TULF began to officially appeal for independence, and the myriad of educated, unemployed Tamil youths began to organise militarily. These military associations remained relatively placid until the state passed the *1979 Prevention of Terrorism Act*, which was a catalyst for large-scale human rights abuses in the north.⁴²

With the intention of reconciliation a new constitution was installed in 1978 affording the Tamil language parity with Sinhalese, establishing a presidency alongside the prime minister, introducing proportional representation, and creating greater minority protections. However, it retained the eminent status of Buddhism and waned in addressing further Tamil grievances including calls for devolution.⁴³ University quotas were implemented beginning in 1974, increasing opportunities for non-Tamil groups that had historically been educationally marginalised. While this reverse-affirmative action plan intended to curtail the unfair advantages most Tamils received because of their historically

⁴⁰ P. J. Alailima, "The Human Development Perspective," in *Sri Lanka's Development Since Independence Socio-Economic Perspectives and Analyses*, edited by W. D. Lakshman and C. A. Tisdell (Huntington: Nova Science Publishers, 2000), p. 43 and Gunatillake, *op cit.*, pp. 144-5

⁴¹ DeVotta, "Control Democracy," *op cit.*, p. 59

⁴² *Ibid.*, p. 62, K. Stooke and K. Ryntveit, "The Struggle for Tamil Eelam in Sri Lanka," *Growth and Change* 31.2 (Spring 2000): p. 296, and Nithiyanandam, *op cit.*, p. 298

⁴³ DeVotta, "Illiberalism," *op cit.*, p. 89, de Silva, "Sri Lanka," *op cit.*, p. 103 and deSilva, *Managing Ethnic Tensions*, *op cit.*, pp. 295-303 and Spencer, *op cit.*, pp. 200-1

superior education, it was hard for Tamils to accept their reduced numbers in university placements.⁴⁴

By the late 1970s thirty-six militant groups fighting for the rights of Tamils existed. The Liberation Tamil Tigers of Eelam (LTTE) established themselves as the paramount military group in 1983 when their forces attacked a Sri Lankan army patrol, killing thirteen.⁴⁵ This produced statewide violence against Tamils, resulting in estimates of between 400 and 300,000 deaths and the displacement of hundreds of thousands of Tamils. Unlike previous comatose responses to anti-Tamil rioting, the Tamils retaliated through violent youth uprisings of their own – primarily through the LTTE. This, along with a large increase in defense spending and loss of investor confidence shown in decreasing FDI, marked the beginning of the civil war.⁴⁶

⁴⁴ deSilva, *Managing Ethnic Tensions*, *op cit.*, p. 309

⁴⁵ Clarence, *op cit.*, p. 46 and Spencer, *op cit.*, p. 38

⁴⁶ Clarence, *op cit.*, p. 46, De Silva, "Sri Lanka's Civil War," *op cit.*, p. 429 and Athukorala and Rajapatirana, *op cit.*, p. 41

Map 1.2: Boundaries of Tamil Eelam

source: www.tamilnation.org/tamileelam/boundaries/index.htm

A number of studies have appraised the total cost of Sri Lanka's war. Inevitably, these studies have differed in their determinations.

Table 1.2: Estimates of Economic Costs of Sri Lanka's Civil War

source: adapted from Bandara, J. S., "Economic Cost of Sri Lanka's Ethnic Conflict: Comment," *Journal of Contemporary Asia* 33.1 (March 2003): p. 143

Despite the differing results it is obvious that the war has imposed a great economic burden on the country, which comes in many different forms.

Estimates place the number of Tamil refugees at around 520,000 worldwide, a number which is continually growing.⁴⁷ These refugees, along with a number of Sinhalese émigrés, generally consist of the country's brightest and best-educated people, leading to a brain drain. While the national economy experienced a growth rate of five and a half percent per year between 1990 and 1995, the Tamil-controlled Jaffna peninsula experienced an average growth rate of negative six and two-tenths percent per year. Had the Jaffna peninsula maintained even a stationary growth rate during this period the country's overall growth rate would arguably have reached six and three-tenths percent.⁴⁸

A decrease in both domestic and foreign investment, resulting from a dubious economic environment and a loss of confidence in the private sector, increased fiscal deficits. Gross domestic investment has dropped from its 1983 rate of 15 percent to less than three percent in 1996. Foreign investment remained near one percent during the 1983 to 1996 period, kept down by changes in government and numerous bombings.⁴⁹ Tourism, which had become an important aspect of the economy in Sri Lanka, experienced a sharp decline that only began to be corrected in the early 1990s; although by 1996 the number of tourists in the country still remained lower than pre-war levels. Export growth has fluctuated during Sri Lanka's war years, experiencing a surge of GDP in 1997 to 13.6

⁴⁷ G. Pradhan, "Economic Cost of Sri Lanka's Ethnic Conflict," *Journal of Contemporary Asia* 31.3 (August 2001), p. 375

⁴⁸ *Ibid.*, p. 376

⁴⁹ *Ibid.*, pp. 379-80

percent and then a sharp decline to four and nine-tenths percent of GDP a year later. Levels of trade (measured as a percentage of GDP) were higher in 1980 than they were in 1996.⁵⁰

Others argue the war has contributed positively to Sri Lanka's economy. It is estimated 150,000 are employed as security personnel for private business, generally from the poor, and employment is generated in areas that provide goods to the military.⁵¹ Government soldiers are enlisted from the ranks of rural youth and persons who join because it is the only employment available to them. These avenues are believed to have created around 400,000 jobs in Sri Lanka.⁵² However, it is doubtful that these gains outweigh the negative economic, social, and political aspects caused by conflict and people are increasingly becoming disillusioned with government corruption resulting from the war. The government and its military have been accused of prolonging the war for their benefit and there have been allegations in publications such as *The Christian Science Monitor* that those in the upper echelons of society have gained fortunes and power as the result of civil war.

While there is clearly some debate over the connection between Sri Lanka's economic policies since independence and the outbreak of war in 1983,⁵³ few would dispute that Sri Lankan Tamils "have been on the receiving end of economic development policies that exacerbate their impoverished situations and ignore their demands,"⁵⁴ including reductions in the number of employment opportunities and university placements made available to them. Despite this, the opening of the economy positively affected the

⁵⁰ *Ibid.*, pp. 381-2

⁵¹ *Ibid.*, p. 375

⁵² Pradhan, *op cit.*, p. 375

⁵³ G. Alling, "Economic Liberalization and Separatist Nationalism: The Cases of Sri Lanka and Tibet," *Journal of International Affairs* 51.1 (Summer 1997): p. 117 and M. Moore, "Economic Liberalization versus Political Pluralism in Sri Lanka?," *Modern Asian Studies* 24.2 (May 1990): pp. 341-83

⁵⁴ Alling, *op cit.*, p. 117

economic opportunities of the Tamil middle-class involved in entrepreneurial activities.⁵⁵ This, however, strained ethnic relations further and led to the development of a contemptuous attitude toward Tamils by middle-class Sinhalese who did not benefit as much from the new economic policies. Sinhalese youth were placated at the expense of larger minority groups and social integration was neglected.⁵⁶ Sinhalese newspapers published propaganda against Tamil business policies and organised aggression toward Tamils by the Sinhalese middle-class began to explode.

The war has thus ensued since at least 1982 with no prospect of 'victory' for either side. Despite its appearance as a strong candidate for a UN peacekeeping type situation this has not occurred, with little outside intervention taking place.

⁵⁵ *Ibid.*

⁵⁶ Hettige, *op cit.*, p. 30

Map 1.3: Provinces of Sri Lanka

source: <http://www.mapsofworld.com/sri-lanka/sri-lanka-political-map.html>

WAR AND PEACE

Until 1991 the LTTE was aided in its efforts to establish an independent state by the Indian state of Tamil Nadu, which armed and trained Tiger rebels. India was a willing participant in the conflict because of its regional interests, geographic proximity, large Tamil population, and disapproval of the foreign policy of President Jayewardene.⁵⁷ After Indian Prime Minister Rajiv Gandhi was assassinated by the LTTE in 1991 India withdrew all aid for the Tigers.⁵⁸ Ever since, the LTTE has been supported by the patronage of Tamil Diasporas spanning four continents and twenty countries that have - through both choice and force - donated large amounts of earnings to the efforts of the LTTE.⁵⁹ Evidence exists linking the Tigers to illegal trading in drugs and weapons and the LTTE's struggle has been marked mostly by guerrilla and terrorist tactics such as suicide bombings, which are considered its reason for success against the much larger Sri Lankan military.⁶⁰ Both sides have been denounced for genocidal acts during the war and an extensive list of human rights abuses is documented. It is hard to unveil the exact loss of life and number of refugees resulting from the war but estimates place all these numbers at very high levels. Seventeen political assassinations occurred during the war which has created reports of anywhere from 100,000 to 362,000 internally displaced persons (IDPs), over a ½ million Tamil refugees,⁶¹ and media reports of between 64,000 and 65,000 casualties.

Government Violations of Human Rights

Prior to the start of the civil war in 1983 the Sri Lankan government (GoSL) is believed to have encouraged and aided in the abuse of Tamils during riots, in which police

⁵⁷ DeVotta, "Illiberalism," *op cit.*, p. 90, de Silva, M., "Sri Lanka's Civil War," *op cit.*, p. 258

⁵⁸ D. J. Whittaker, *The Terrorism Reader*, 2nd ed. (London and New York: Routledge, 2001), p. 86

⁵⁹ Whittaker, *The Terrorism Reader*, pp. 83, 87, and 92, D. J. Whittaker, *Terrorism: Understanding the Global Threat* (London: Pearson Education Limited, 2002), p. 42, and Gunaratna, *op cit.*, pp. 202 and 212

⁶⁰ Whittaker, *The Terrorism Reader*, pp. 86-7 and 91 and Gunaratna, *op cit.*, pp. 208-9

⁶¹ Whittaker, *Terrorism*, p. 43 and Pradhan, *op cit.*, p. 375

and military forces reportedly did nothing other than assist protesters in their actions. Since the start of the conflict the government has been heavily criticised by organisations such as Amnesty International, Human Rights Watch, and United Nations agencies for human rights infringements. It is believed 40,000 to 60,000 people disappeared or died in the government-controlled southern area of the island between 1987 and 1991,⁶² with many more disappearances continuing into present times. Amnesty International reports that in many instances those that disappeared were taken for questioning to covert facilities where it is suspected they were tortured and killed.⁶³ Other instances of disappearance involved children recruited by armed groups working with the Sri Lankan army, specifically the People's Liberation Organization of Tamil Eelam (PLOTE). Many of these children came from adverse circumstances or difficult family situations.⁶⁴ Women have been subject to a pervasive climate of violence during the conflict, including instances of sexual assault on Tamil women at police checkpoints.⁶⁵

The government has been condemned for failing to implement measures necessary to meet the International Covenant on Civil Political Rights to which it is a party.⁶⁶ Many of the problems in this regard arise from the legal system which seems to have been suspended with the implementation of various declared states of emergency and the

⁶² Ahmed, "State, Nation, and Ethnicity," *op cit.*, pp. 259-60, Amnesty International, "Public Statement: Sri Lanka: Investigations into more than 700 "disappearances" should be made public," 23 April 1998, also available online at <http://web.amnesty.org/library/index/ENGASA370101998>, and Amnesty International, "Sri Lanka: Amnesty International proposes to send observers to exhumations in Sri Lanka," 18 May 1999, also available online at <http://web.amnesty.org/library/index/ENGASA370131999>

⁶³ Amnesty International, "Sri Lanka: Possible "disappearance"/fear of torture," 3 July 2001, also available online at <http://web.amnesty.org/library/index/ENGASA370092001>

⁶⁴ Amnesty International, "Sri Lanka: Further information on Fear for safety/Child soldiers," 11 May 2001, also available online at <http://web.amnesty.org/library/index/ENGASA370072001>

⁶⁵ United Nations, "Committee Experts Urge Sri Lanka to Take 'Special Temporary Measures' to Advance De Facto Equality Between Women, Men: Concerns Expressed on Levels of Violence Suffered by Sri Lankan Women," UN Press Release WOM/1315, Committee on Elimination of Discrimination against Women, 545th and 546th Meetings, Twenty-sixth session, 28 January 2002

⁶⁶ Amnesty International, "Sri Lanka: Under Scrutiny by the Human Rights Committee," 1 December 1995, also available online at <http://web.amnesty.org/library/index/ENGASA370211995>

Prevention of Terrorism Act; which has been censured by the International Commission of Jurists for rejecting the right to bail, creating an unspecified detention period, rejecting trial before independent courts, and questionably increasing the scope of sanctioned offenses.⁶⁷

LTTE Abuses of Human Rights

Early in the conflict Tamil political groups attacked Sinhalese civilians in the northern and eastern provinces in an effort to force them from the area they consider their traditional homeland.⁶⁸ Muslim residents in these areas have also suffered heavily under the LTTE, and were at one point ordered to “leave or be killed.”⁶⁹ Over 50,000 Muslims left northern Sri Lanka between 1990 and 1996 and abuses by the LTTE toward them have been equated to ethnic cleansing.⁷⁰

The LTTE has primarily been criticised for its unabashed recruitment of child soldiers as young as eleven throughout its battle against the government. These children have been used in suicide missions and a disproportionate number – 40 to 60 percent – of LTTE casualties during the 1990s were children. Some children join by choice, hoping to enter the struggle for Eelam or because of government violence, while others are forced to enlist after their families are terrorised, or because of a lack of education or poverty.⁷¹

Beginnings of a Peace Process: The Indian Peacekeeping Force

Until 1986 the Indian government tolerated the activities of the LTTE in Tamil Nadu, while at the same time working toward creating a solution to Sri Lanka’s problem.

⁶⁷ *Ibid.*, S. Ponnambalam, *Sri Lanka: The National Question and the Tamil Liberation Struggle* (London: The Tamil Information Centre, 1983), pp. 6-7 and 109

⁶⁸ de Silva, *Managing Ethnic Tensions, op cit.*, pp. 354-5

⁶⁹ Ahmed, *op cit.*, p. 263

⁷⁰ *Ibid.*

⁷¹ Human Rights Watch, “Fact Sheet on Child Soldiers in Sri Lanka,” 11 November 2004, also available online at <http://hrw.org/english/docs/2004/11/11/slanka9662.htm> and Human Rights Watch, “Sri Lanka: Child Tsunami Victims Recruited by Tamil Tigers,” 14 January 2005, also available online at <http://hrw.org/english/docs/2005/01/14/slanka10016.htm>

These efforts resulted in a peace agreement in 1985 between India and the Sri Lankan government, and shortly after the first ceasefire between the Tamils and Sri Lankan government.

Sri Lankan Tamils had been advocating Indian involvement for several years, citing India's intervention in the independence of Bangladesh as a precedent, particularly because of conceived similarities in the refugee situation and abuses of the ethnic population. In reality, the Bangladeshi situation deviated in several key aspects from that of the Tamils in Sri Lanka,⁷² and the Indian government consistently rebuffed Tamil lobbying efforts for direct involvement.⁷³ In the end though, Cold War and regional politics prevailed and India became entangled in Sri Lanka's strife.

As the conflict continued India's desire to consolidate its regional position began to change its perspective on its proper role in Sri Lanka's affairs. Sri Lankan President J. R. Jayewardene offered Western countries access to military bases in exchange for aid, angering the Indian government which adamantly opposed the presence of outside powers in the region.⁷⁴ India's strategy in relation to the outbreak of violence in Sri Lanka prior to Jayewardene's actions had consisted of mediation efforts, protecting and supporting the

⁷² The primary similarity between Bangladesh's condition and the Tamil dilemma was the atrocities committed by the state against each respective ethnic group. However, Pakistan's actions constituted genocide against the Bengalis, located in the Eastern wing of Pakistan. As millions of Bengalis fled across to the Indian border, Pakistan's intervention within Indian Territory became a threat. While controversial claims of genocide on the part of the Sri Lankan government do exist, none of the questioned atrocities occurred within India's boundaries. East Pakistan consisted of territory that had been synonymous with India until decolonisation; while any political association between Sri Lanka and India had not existed for thousands of years. An overwhelming majority of Bengalis questioned the the Pakistani military regime's actions of maintaining 'territorial integrity' opting for independence from Pakistan, whereas at Sri Lanka's independence few Tamil calls for independence existed. Furthermore, India was a proponent of non-alignment during the Cold War and Bengal remained unaligned throughout its struggle while Sri Lanka began to involve outside, Western powers. See M. S. Rajan, "Bangladesh and After," *Pacific Affairs* 45.2 (Summer 1972): pp. 191-205

⁷³ de Silva, *Managing Ethnic Tensions*, *op cit.*, pp. 353-4

⁷⁴ Shastri, "Government Policy and the Ethnic Crisis," *op cit.*, p. 156 and D. T. Hagerty, "India's Regional Security Doctrine," *Asian Survey* 31.4 (April 1991): p. 351

Tamil minority, and preventing the intervention of outside forces.⁷⁵ However, the Sri Lankan policy of relying on outside powers changed this. Many outsiders refused involvement after pressure from India; however, Israel and Britain supplied counterinsurgency training and Pakistan, China, South Africa, Singapore, and Malaysia provided military aid.⁷⁶

After talks beginning in 1984 failed to create a compromise and fighting continued to escalate, the Indian government hardened its efforts to create an agreement.⁷⁷ Frustrated and led by newly-elected Prime Minister Rajiv Gandhi (who was less sympathetic to Tamil goals), India began to disarm and expel the LTTE in 1986; triggering the bloodiest period in Sri Lanka's civil war.⁷⁸ The forced return of the LTTE to Jaffna prompted two terrorist acts and the announcement of LTTE intentions to govern the Jaffna peninsula from 1 January 1987. The Sri Lankan government viewed this as a declaration of independence, and implemented a siege against Jaffna and an organised military campaign against the Tamils. In response to government actions the Indian government discharged transport and fighter aircraft to Jaffna under the guise of providing aid.⁷⁹

Sri Lanka may have been forced to accept India's involvement in creating peace because of its deteriorating economic situation, IMF and World Bank concerns for foreign aid, and foreign powers aversion to providing military assistance.⁸⁰ The Indo-Lanka Peace Accord, signed in 1987, established the 13th amendment which allowed for power sharing

⁷⁵ Hagerty, *op cit.*, pp. 351-2

⁷⁶ Hagerty, *op cit.*, p. 354 and K. Rupesinghe. "Ethnic Conflicts in South Asia: The Case of Sri Lanka and the Indian Peace-Keeping Force (IPKF)," *Journal of Peace Research* 25.4 (December 1988): p. 348 and P. V. Rao, "Ethnic Conflict in Sri Lanka: India's Role and Perception," *Asian Survey* 28.4 (April 1988): pp. 424-5

⁷⁷ Rao, *op cit.*, pp. 426-31

⁷⁸ *Ibid.*

⁷⁹ Hagerty, *op cit.*, p. 355 and Ahmed, *op cit.*, p. 258

⁸⁰ Rao, *op cit.*, p. 422

and devolution through Provincial Councils.⁸¹ It demanded an immediate cessation of fighting, the surrender of Tamil weapons, and the withdrawal of the Sri Lankan army from Tamil-dominated provinces. The Northern and Eastern provinces would be temporarily merged until a referendum deciding their fate could be implemented and Indian forces would enforce and maintain the peace.⁸² The Indian government, meanwhile, agreed to end its support of the LTTE if the Sri Lankan government agreed to acquiesce to India on the use of foreign militaries in the region, forbade the use of Trincomalee port by countries that might undermine India's regional role, and refrained from using foreign broadcasting for military purposes.⁸³

The Accord was flawed in that it was reached without the collaboration of the LTTE or Buddhist extremists, Indian forces were unprepared for a counterinsurgency campaign, it failed to address some root causes of the conflict and the reaction of the Tamil and Sinhalese populations was miscalculated.⁸⁴ In the southern part of Sri Lanka a Sinhalese terrorist group known as the Janatha Vimukthi Peramuna (JVP) undertook revolutionary activities in opposition to the state, unsuccessfully working to create a situation chaotic enough to topple the Sri Lankan government.⁸⁵

Meanwhile, the LTTE refused to accept the Indo-Lanka Accord but announced they would not engage in violence against the Indian Peace-Keeping Force (IPKF). One of the first tasks of the IPKF was to gather Tamil weapons, which Tiger cadres publicly and willingly acquiesced to.⁸⁶ However, after a boat containing LTTE soldiers was confiscated, hostility was activated between Indian and Tamil forces (now almost solely represented by

⁸¹ Rajasingham-Senanayake, *op cit.*, p. 123

⁸² Hagerty, 356 and Rupesinghe, *op cit.*, p. 346

⁸³ Hagerty, 356 and Rupesinghe, *op cit.*, p. 346-8

⁸⁴ Hagerty, *op cit.*, p. 357

⁸⁵ *Ibid.*, p. 358

⁸⁶ Ahmed, *op cit.*, p. 260

the LTTE); leading to the deployment of 6,000 Indian soldiers to the Northern Province in July 1987, a number that increased to 70,000 by 1990.⁸⁷ The Sri Lankan government, unhappy with and threatened by the presence of Indian soldiers in its sovereign territory, ironically cooperated with the LTTE during this time, clandestinely providing arms and facilities to the Tigers. Throughout the fighting the Indian forces committed human rights abuses and war atrocities in the form of rapes, tortures, and civilian executions.⁸⁸ These acts were sometimes provoked by the LTTE which designed attacks specifically to direct retaliatory action onto Tamil civilians.⁸⁹ Ultimately, India's involvement in Sri Lanka "earned the enmity not only of Tamils [through human rights abuses] but Sinhalese nationalists who accused the Sri Lankan government of being little more than the puppet of India"⁹⁰ and was unsuccessful in creating a lasting peace.

An Internal Solution?

Following India's failed attempt at peacemaking the island plunged back into war and, without international attention,⁹¹ there was little hope of peace until President Chandrika Kumaratunga was elected to office in 1994. She had campaigned on a platform of peace and her election was viewed as a public appeal to end the war. In early 1995 the LTTE and Kumaratunga signed a cessation of hostilities agreement based on decentralization and articulated in the simultaneous publication of a new constitution with peace talks.⁹² However, the talks proved unsuccessful and were aborted when the government, confident after its defeat of the JVP insurgency through the use of death

⁸⁷ *Ibid.*

⁸⁸ Ahmed, *op cit.*, p. 261-2

⁸⁹ Rupesinghe, *op cit.*, p. 349

⁹⁰ C. L. Sriram, *Confronting Past Human Rights Violations* (London and New York: Frank Cass, 2004), p. 172

⁹¹ M. Young, "Making Peace in Sri Lanka," *Current History* 100.645 (April 2001): p. 183

⁹² M. Chadda, "Between Consociationalism and Control: Sri Lanka," in *Managing and Settling Ethnic Conflicts*, edited by U. Schneckener and S. Wolff (London: Hurst and Company, 2004) p. 95

squads in 1991,⁹³ attacked Jaffna hoping to force the LTTE to accept its proposals. The offensive was not sufficient and the LTTE fought back with its own military initiatives. While fighting continued the government constantly worked toward the acceptance of the proposed devolution package based on the 13th Amendment.⁹⁴

The newest devolution package created Provincial Councils (simply retitled versions of Regional Councils) with legislative matters separated into central and regional responsibilities and necessitating collaboration between Parliament and the Councils. This division specified law enforcement, courts, education, and the provision of public services as provincial matters that would be financed by grants provided through a National Finance Commission and international aid and investment, while the centre continued to collect taxes.⁹⁵ The redesigned constitution also “guaranteed fundamental rights, the coequal status of Tamil and Sinhala with English as the *lingua franca*, and protection of ethnic minorities, including the right to promote their own culture and religion,” although it retained Buddhism’s superior status.⁹⁶ The proposal called for a referendum to settle the question of a merger between the Northern and Eastern provinces. Trincomalee and Batticaloa districts would vote on the referendum as they were ethnically mixed, and Amparai, a predominantly Sinhalese area, could either form an independent region or join with the neighbouring Sinhalese province of Uva if unhappy with the referendum’s outcome.⁹⁷ Therefore, the proposed referendum allowed the people to determine the

⁹³ P. Wallensteen and M. Sollenberg, “Armed Conflicts, Conflict Termination and Peace Agreements, 1989-1996,” *Journal of Peace Research* 34.3 (Aug. 1997): p. 343 and R. V. L. Wadlow “Demanding Sacrifice: War and Negotiation in Sri Lanka,” *International Journal on World Peace* 16.3 (Sept. 1999): p. 88

⁹⁴ Wallensteen and Sollenberg, *op cit.*, p. 98

⁹⁵ *Ibid.*, p. 99

⁹⁶ *Ibid.*, p. 100

⁹⁷ Chadda, *op cit.*, pp. 98-9

boundaries, which is preferable in any solution concerned with the integrity of peoples rather than territories.⁹⁸

Despite the positive reforms put forward in the proposed Constitution, peace talks failed and fighting returned. The government claimed the LTTE was unwilling to participate in a transparent, democratic creation of peace and did not tolerate opposition originating either from inside its own organisation or civilians. The LTTE criticised the government for being evasive and vulnerable, insincere in its statements on re-establishing a sense of normalcy to the north, and falsely supporting peace to generate support among the international community. Both sides claimed the other exploited the period for re-armament.⁹⁹

The “Norwegian Model”

According to media reports Norway covertly began to broker peace talks in 1998, at which time it was not clear if the timing or situation was any more conducive for peace than it had previously been. The failure of the 1995-1996 talks made it clear that although both sides proclaimed peace was their objective, neither was willing to give up their position.¹⁰⁰ The historical reality of Sri Lankan electoral politics is that ethnic outbidding has been used repeatedly to secure victory; therefore, both sides fear a peace settlement will cause them to lose their powerful position and capacity to influence their electorate. In this situation each side believes it “derives more immediate profit from war and violence than from peace and political competition. The failure to end the war therefore reflects the

⁹⁸ H. Hannum, “The Specter of Secession: Responding to Claims for Ethnic Self-Determination,” *Foreign Affairs* 77.2 (March-April 1998), p. 18

⁹⁹ Chadda, *op cit.*, p. 109

¹⁰⁰ *Ibid.*, pp. 109-10

perverse rationality of immediate gains and explains why Sri Lanka's civil war has been intractable.”¹⁰¹

Nevertheless, Norway has persisted and worked to mediate a solution since 1998 with U.S., Indian, and Japanese backing. After two years of covert negotiations between Norway, the Sri Lankan government, and the LTTE, a unilateral ceasefire of one-month was announced simultaneously by the GoSL and the LTTE, effective 24 December 2001. A Norwegian peace team then arrived in Sri Lanka to officially renew a peace dialogue. The press reported the LTTE and GoSL requested Norway's involvement because of its neutral position in South Asia, acceptance by all parties involved (including India), historical involvement in the island through development assistance, and its previous experience in mediating peace talks in Latin America and the Middle East.

Norway led efforts to create a more permanent ceasefire through a Memorandum of Understanding (MoU) signed on 22 February 2002, which also created the Norwegian-led Sri Lanka Monitoring Mission (SLMM) to monitor ceasefire violations. Norway used a carrot and stick approach to facilitate talks and create trust between the two sides, with each side making minor concessions throughout negotiations. The GoSL removed civilian travel restrictions, re-opened a sea passage in the North for LTTE access, and lifted their economic blockade of the North. The LTTE reopened a primary roadway - the A9 highway - through the highly contested Elephant Pass area and agreed to cease the use of suicide bombers.¹⁰² A milestone was reached when, for the first time in seven years, the government and LTTE met for face-to-face talks in May 2002 and agreed to commence

¹⁰¹ *Ibid.*, p. 110

¹⁰² “Sri Lanka's Peace Process: Time Line,” www.peaceinsrilanka.org, (accessed 3 May 2005)

formal talks in September 2002.¹⁰³ Throughout these negotiations Norway applied its trademark diplomacy that advocates cooperation between the government and civil society to create peace. Known as the “Norwegian Model,” in Sri Lanka this occurred through Norway’s accentuation of the need for resettlement and reconstruction. The talks began successfully with the LTTE lowering demands from independence to claims for increased autonomy. This was a stance more acceptable to the Sri Lankan government.¹⁰⁴ As negotiations proceeded the two sides were able to agree on development proposals for the northern and eastern regions of the island as well as administrative and financial arrangements for their execution.¹⁰⁵ Subcommittees were created to address issues such as internal refugees, the removal of landmines, and increasing foreign aid; all of which were reported by news organisations to be creating confidence between the two sides. These subcommittees made all parties responsible for implementing peace and gave ownership of the process to Sri Lankan officials as opposed to third parties. However, the talks were unable to overcome a divergence of opinion surrounding the creation of an interim administration in the north and east, and continuous government opposition reportedly caused the LTTE to leave the talks in April 2003. The talks then experienced a permanent setback in November 2003 when, according to press reports, President Kumaratunga was unhappy with the way Prime Minister Wickremesinghe was allowing Norway to influence negotiations. Kumaratunga was also unhappy with the compromises the Prime Minister was making. This led to her suspending Parliament and taking over the island’s security forces. Wickremesinghe could no longer make essential concessions or security assurances

¹⁰³ *Ibid.*

¹⁰⁴ Department of Government Information, “Resettlement key to Sri Lanka peace – Norway,” 21 September 2002, available online at http://www.news.lk/Newsseptember_2002_213.html

¹⁰⁵ “Sri Lanka’s Peace Process: Time Line,” *op cit.* and “Draft Agreement between the GOSL and LTTE,” 26 May 2003, available online at <http://www.peaceinsrilanka.org/insidepages/proposals/proposals.asp>.

to the Tigers and he left the negotiations. In response the Norwegian delegation temporarily ended its mediation role, stating through media reports that it could not be involved in negotiations while it was unclear who the official representatives were.

Even after Norway suspended its involvement each side officially maintained the ceasefire, although numerous violations occurred. By mid-2002 the SLMM had received complaints of 270 LTTE violations and 110 GoSL violations.¹⁰⁶ LTTE transgressions included unremitting recruitment of child soldiers despite approving the Action Plan for Children Affected by War¹⁰⁷ and assassination attempts against political rivals.¹⁰⁸ Government infractions included the continual rape of women at military checkpoints and disappearances.¹⁰⁹

The international community began to pressure the government and LTTE to resolve the conflict by linking aid to an improved security situation.¹¹⁰ The LTTE has

¹⁰⁶ A. Shastri, "Sri Lanka in 2002: Turning the Corner?," *Asian Survey* 43.1 (Jan/Feb 2003): p. 217

¹⁰⁷ The LTTE, in June 2003, approved the Action Plan for Children Affected by War and promised to stop the recruitment of child soldiers; releasing 831 of those it had enscribed. However, this was negated by activities which led to the new recruitment or re-recruitment of 1,700 children during the following year and a half. After the tsunami of 26 December 2004 the LTTE stepped up its child-recruitment activities, which many believe was a response to the devastating death the tsunami inflicted on LTTE forces. Many of these children had been orphaned or dislocated as a result of the tsunami. Human Rights Watch, "Sri Lanka: Child Tsunami Victims Recruited by Tamil Tigers," 14 January 2005, also available online at <http://hrw.org/english/docs/2005/01/14/slanka10016.htm> and Shastri, "Sri Lanka in 2002," *op cit.*, p. 217

¹⁰⁸ Disapproval has also been expressed over the LTTE's abuse of the ceasefire to assassinate primarily Tamil political rivals. In the span of one-and-a-half years, twenty-two persons associated with competing Tamil political parties such as the Eelam People's Democratic Party (EPDP), the Eelam People's Revolutionary Liberation Front-Varathar (EPRLF-V), the People's Liberation Organization of Tamil Eelam were murdered, while attempts were made on the life of 16 others and still others were kidnapped and remain missing in the LTTE's effort to consolidate political control over the Tamil population. Human Rights Watch, "Sri Lanka: Rights Groups Say LTTE-linked Killings Continue with Impunity," 7 August 2003, also available online at <http://hrw.org/press/2003/08/srilanka080703.htm> and Amnesty International, "Open Letter to Liberation Tigers of Tamil Eelam (LTTE), Sri Lanka Monitoring Mission (SLMM) and Sri Lankan Police Concerning Recent Politically Motivated Killings and Abductions in Sri Lanka," 12 August 2003, also available online at http://www.amnesty.org/library/index/ENGASA370042_003

¹⁰⁹ Amnesty International, "Sri Lanka: Possible "Disappearance"/Fear of Torture," 3 July 2001, also available online at <http://web.amnesty.org/library/index/ENGASA370092001>, Amnesty International "Sri Lanka: Amnesty International Proposes to Send Observers to Exhumations in Sri Lanka," 18 May 1999, also available online at <http://web.amnesty.org/library/index/ENGASA370131999>, and United Nations, "Committee Experts Urge Sri Lanka," *op cit.*

¹¹⁰ Bullion, "Waiting Game," *The World Today* 60.2 (Feb. 2004): p. 19

become painfully constrained because many Western governments - including the United States, Canada, and Britain - proscribed the organization, thus hindering its ability to raise funds. The Sri Lankan army has encountered desertion, with the media claiming nearly one-fifth of its troops have quit. The population is beginning to tire of the fighting and many support peace. The media is reporting a developing attitude among Sinhalese that the continuing war will not result in victory or create peace, and negotiations are needed. Most telling is the multiplicity of statistics revealed by surveys of the public. In 2004 it was found that “a majority of Sri Lankans, and indeed a majority in each ethnic group, are prepared to accept a diverse array of proposals,”¹¹¹ and a newspaper article in *The Sunday Observer* revealed 72.4 percent of Sri Lankans believe the current situation of no-war, no-peace is less optimal than a permanent solution.

The government, LTTE, and Norway continued to make proposals to resume talks but an agreement seemed unmanageable. The circumstances were rather precarious with a lack of trust on both sides, diplomatic standstills, and the LTTE using the media to threaten a return to war because of the failure to agree to interim self-government. This was the situation when, on 26 December 2004, a devastating tsunami hit Sri Lanka causing catastrophic destruction and over 30,000 deaths.¹¹² However, while the tsunami created many troubles for the island, including significant loss of life and property, it was believed it could be the impetus needed for the re-engagement, and hopefully success, of the peace talks.

¹¹¹ Centre for Policy Alternatives, “Potential for Peace,” (2004), 5, also available online at http://www.spalanka.org/research_papers/KAPS_2004_Final_Report.pdf

¹¹² “Country Profile: Sri Lanka,” *BBC Online*, 8 April 2006, www.bbc.co.uk/2/hi/south_asia/country_profiles/1168427.stm

The Political Situation Since The Tsunami

After the tsunami the media reported positive events as both LTTE and government leaders expressed sorrow at the devastation inflicted upon all Sri Lankans and the government offered aid and supplies to the North, which the LTTE accepted. Norwegian diplomats again went to Sri Lanka with hopes of mediating talks. Initial efforts appeared useless as the press reported a struggle to control relief assistance. The LTTE claimed the government was withholding aid and invading Tamil relief camps while UN Secretary-General Kofi Annan was prohibited from visiting LTTE controlled areas and the LTTE reactivated its campaign to recruit child soldiers.¹¹³

Many believed the tsunami would present an opportunity for the government of Sri Lanka, Tamils, and Muslims to work together and enhance the role of regional councils during reconstruction. If successfully done, this would have promoted accountability, transparency, power-sharing,¹¹⁴ and created a climate of trust and acceptance - aiding in the formation of a long-term solution.¹¹⁵ The international community encouraged this as well by linking assistance with the creation of an aid-sharing arrangement.

The government, LTTE, and Muslims were able to come to an agreement on aid sharing. According to this deal a Tsunami Relief Council would be created in which representatives from the government and Tamil communities would distribute aid accordingly. Muslim leaders were not signatories to the agreement because of opposition by the LTTE. President Kumaratunga was able to convince the United National Party (UNP) to refrain from opposing the deal despite their reservations. However, Buddhist

¹¹³ United Nations Children's Fund (UNICEF) and Human Rights Watch

¹¹⁴ Centre for Policy Alternatives, "Report on the Post-Tsunami Reconstruction of Sri Lanka Workshop," 8 April 2005, p. 1 also available online at www.cpalanka.org/research_papers/Report_Post-Tsunami_Reconstruction_Workshop.doc

¹¹⁵ *Ibid.*, p. 3

monks staged protests and coalition partner The Peoples Liberation Front (JVP) refused to back the agreement and sent the bill to the Supreme Court, which ruled it unconstitutional.

The lack of support by the JVP and collapse of the government coalition caused fears that political instability would occur and worsen the situation. While this instability has not occurred it has made any possibility of a peace settlement even slimmer. Without the support of the JVP it would be hard for the government to push any necessary legislation compromising with the LTTE through Congress. As in previous instances, a lack of cohesiveness by the Sinhalese majority is an impediment to the peace process.

The situation became even grimmer as fighting renewed between the LTTE and a break away faction led by Karuna in March 2005. This issue became especially contentious when the LTTE declared the Sri Lankan government was aiding the breakaway faction and therefore violating the ceasefire. The biggest threat to the ceasefire occurred when the Sri Lankan foreign minister was assassinated. No one escaped blame as the government accused the LTTE and the LTTE claimed the military or a member of the Sri Lankan government looking to become more powerful was responsible for the assassination. The government declared a state of emergency and military troops set up roadblocks and began house-to-house searches for the culprits. Shortly after the assassination incidents of violence against Tamil political party buildings and Tamil journalists occurred. Some suspected the LTTE was behind these attacks while others feared they were reprisals for the assassination.

Norway's role in the peace process has begun to come under fire as well. The Sri Lankan government asked for a review of the truce and asked Norway to convene a meeting to renegotiate the ceasefire, which the LTTE opposed. Norway felt the push for talks was admirable but reportedly was unhappy that they would not focus on a future

peace agreement. In an effort to compromise, Norway called for talks that discussed how to better implement and maintain the ceasefire rather than rewriting the ceasefire. The LTTE and government agreed to this. However, a debate over where the talks would occur ensued and in the end no agreeable location was found.

Amid all this Sri Lanka held a highly contested presidential election in November 2005 in which Prime Minister Rajapakse was elected President. Shortly before the election President Kumaratunga requested the United Nations increase its role in Sri Lanka's peace negotiations. Many in Sri Lanka believe Norway has been too soft and supportive of the LTTE and others have complained Norway is unable to effectively monitor the ceasefire or push the peace process forward. Since Rajapakse has taken over the presidency he has also advocated the replacement of Norway, requesting intensified involvement by India. India has many interests in the conflict and if the war is renewed these interests could be threatened. However, while India appears willing to do whatever necessary to prevent a return to war, they are unable to directly participate in negotiations. India has proscribed the LTTE as a terrorist group and is therefore unable to confer with it. Furthermore, distrust between the LTTE and India is high and India's previous involvement in Sri Lanka has spoilt any credibility it may have in negotiating Sri Lanka's peace; even though all parties involved admit India's approval is necessary for any settlement. India has maintained pressure on the LTTE by reaching defence arrangements with the Sri Lankan government and increasing its naval patrols of LTTE areas while it has pressured Rajapakse to refrain from responding to the LTTE with violence and to restart peace talks.

As violence and killings continued to escalate, leaders around the world made pleas for everyone involved to maintain the ceasefire. However, the situation appeared uncertain and chaotic, as no one could be sure who was responsible for the continued aggression.

Some analysts believe the LTTE is not strong enough to carry out the attacks occurring since the tsunami, while others assert the LTTE has used the ceasefire period to rearm themselves, which the government has also publicly claimed. President Rajapakse began bilateral meetings with individual political parties in order to create a consensus that has historically been lacking amongst the primarily Sinhala government. This is largely considered to be a positive move, as it would hopefully prevent any agreement reached between the government and LTTE from being stifled through a failure to receive parliamentary approval. However, pressures by some parties and particularly Buddhist Monks could result in a renewed nationalistic fervor amongst Sinhalese and the refusal of the President to continue negotiations. While these negotiations have been occurring protests in Jaffna have become more frequent.

As the situation prior to the tsunami shows, any agreement will have significant obstacles to overcome: the internal fighting of the Sinhalese-led government and Tamil forces, the LTTE's continual refusal to disarm, the slow-coming agreement on a devolved political structure and the internationalisation of the conflict through the involvement of outside powers and the Tamil diasporas.¹¹⁶ Furthermore, rival political factions continue to pose an obstacle to government compromises and "the militant sections of ... Sinhalese nationalists pose a powerful obstacle to a future system of ethnic impartiality."¹¹⁷ Traditionally the Sinhalese have been wary of federalism and misunderstand it as a step toward the separation of the Sri Lankan state, which they oppose based on their belief that

¹¹⁶ Shastri, "Sri Lanka in 2002," *op cit.*, p. 215

¹¹⁷ DeVotta, "Control Democracy," *op cit.*, p. 69

Sri Lanka is the possession of the Sinhalese race; the ‘intruder’ status of Tamils; and the necessary maintenance of the *status quo* to protect Buddhism.¹¹⁸

CONCLUSION

The war in Sri Lanka has endured since at least 1982 with no prospect of ‘victory’ for either side. Over time the dynamics and grievances of the war have multiplied and transgressed. Originally based on Tamil feelings of marginalisation and repression, grievances that must be overcome today for the establishment of peace have been compounded by human rights abuses and the problems of previous failed attempts at peace. Present-day efforts at peace must now encompass more than just the government and LTTE, they must include Muslim and Islamic factions which were not previously critical to peace negotiations. Furthermore, any effort at peace that is pursued today will most likely not entertain the idea of a separate state of Eelam. Instead, these efforts appear to be moving toward improving minority satisfaction in the existing Sri Lankan state,¹¹⁹ including minorities other than Tamils.¹²⁰

The situation since the tsunami highlights the complexity of the conflict in Sri Lanka. Before the conflict between the country’s minority groups can be resolved, tensions and discord within the ethnic groups themselves must be addressed. Properly implemented, the successful solution to Sri Lanka’s conflict will address the political and economic inequities that caused the Tamil population to become disillusioned with the Sri Lankan state and encourage the creation of a collective Sri Lankan identity. However, the realisation of this solution appears to be untouchable at the present time as violence is

¹¹⁸ M. R. Singer, “Sri Lanka’s Tamil-Sinhalese Ethnic conflict: Alternative Solutions,” *Asian Survey* 32.8 (Aug. 1992), p. 714

¹¹⁹ D. Horowitz, “The Cracked Foundations of the Right to Secede,” *Journal of Democracy*, 14.2 (April 2003): p. 6

¹²⁰ E. K. Jenne, “Sri Lanka: A Fragmented State,” in *State Failure and State Weakness in a Time of Terror*, edited by R. I. Rotberg (Cambridge: World Peace Foundation, 2003), p. 234.

returning to the country with assassinations, military attacks, and political wrangling continuing as though the tsunami (and the accompanying hopes for peace) had never occurred.

Chapter 2: Aceh

Indonesian history often focuses on the trading empires of Java – Sri Vijaya and Majapahit – kingdoms that today are considered one justification for an Indonesian identity.¹²¹ The other primary justification for a common identity encompassing the peoples of Indonesia's present borders is its colonial history.¹²² However, one significant area - Aceh - was little affected by the presence of these kingdoms or European colonial powers, and in fact, maintained its own power base and authority throughout much of Indonesia's history.

Graph 2.1: Ethnic Groups of Indonesia

source: statistics adapted from BPS Statistics Indonesia, "2000 Population Census," available online at <http://www.bps.go.id/sector/population/index.html>

Nanggroe Aceh Darussalam, a special region of Indonesia more commonly known as Aceh, has been fighting a war against Indonesia for the last 26 years although

¹²¹ C. Drake, *National Identity and Integration in Indonesia: Patterns and Policies* (Honolulu: University of Hawaii Press, 1989), p. 22

¹²² Modern day Indonesia is the largest Muslim country in the world, with 90 percent of its population of 220 million following Islam. The country is made up of 13,000 islands - 1,000 of which are inhabited by 300 recognised ethnic groups speaking 600 dialects and primarily practicing four religions. C. Drake, "The Spatial Pattern of National Integration in Indonesia," *Transnational Institute of British Geography* 6 (1981): p. 471 and D. Armstrong, "The Next Yugoslavia? The Fragmentation of Indonesia," *Diplomacy and Statecraft* 15.4 (2004): pp. 783-808

violent movements in the area have occurred several times since 1950. The disgruntlement of the Acehnese people stems from their belief that Indonesia should be an Islamic state and from their feelings of Islamic marginalisation, abuses by the Indonesian government of natural resources located within the province, and a failure to provide employment and development opportunities for the area. The area's poverty was exacerbated when the 26 December 2004 tsunami hit the region. However, since the tsunami a peace accord has been reached between Acehnese rebels and the Indonesian government. It is helpful to become familiar with the history and features of this conflict to formulate a comprehensive understanding of the events occurring there today.

BACKGROUND

Aceh¹²³ is believed to have been an entry point for Islam into Southeast Asia during the eighth century,¹²⁴ and was regarded by Islam as “the pivot of the Archipelago”¹²⁵ for centuries. It has remained steadfastly Muslim ever since its ruler converted to Islam in the 13th century¹²⁶ and was at the forefront of efforts to keep out colonial powers. When Portugal began to interfere in the area of modern-day Indonesia, the Sultan of Aceh led efforts to drive out the would-be colonisers and took control over much of Sumatra. As the Dutch began to establish their presence in Indonesia much of Aceh's status was lost.¹²⁷ However, the original base of the Acehnese kingdom remained independent¹²⁸ throughout much of Holland's colonial rule. It was not until

¹²³ This is the most commonly accepted spelling of the region today and will therefore be the spelling used in this paper. However, other and past spellings exist such as Acheh and Atjeh.

¹²⁴ E. Weiner, “Aceh Diarist: Déjà Vu: Indonesian Region Embroiled in Civil War,” *New Republic*, 2 June 2003, p. 42

¹²⁵ A. Reid, *The Contest for North Sumatra: 1858-1898* (Melbourne: Oxford University Press, 1969), p. 1

¹²⁶ P. Church, *A Short History of South-East Asia*, 4th ed. (Singapore: John Wiley & Sons (Asia) Pte Ltd, 2006), p. 42

¹²⁷ *Ibid.*, pp. 2, 4 and 6

¹²⁸ Aceh was recognised as a sovereign state world-wide, maintaining diplomatic and treaty relations with numerous countries and powers.

1913,¹²⁹ forty years after the Dutch declared war against the Kingdom of Aceh Dar-al-Salam in 1873, that the Dutch were able to claim any control over Aceh. Aceh may have been able to retain its independence throughout much of Holland's involvement in the area because the Dutch ruled Indonesia through the United East India Company rather than the Dutch state until 1815. Therefore, during most of Indonesia's colonisation, Holland was purely interested in economics and worried little about anything else in the area – such as the spread of religion.¹³⁰

The war in Aceh cost the Dutch more than US\$10 billion (adjusted to current rates) and 37,000 soldiers; with nearly twice as many Acehnese killed.¹³¹ The Acehnese fought using guerilla warfare; making it difficult for the Dutch to determine who were soldiers and who were civilians. In a situation resembling the Indonesian military's recent operations in Aceh, the Dutch military attacked civilians and villages, creating domestic and international opposition to the war. The Dutch were finally able to defeat the Acehnese when they discovered and exploited hostilities between Acehnese religious leaders and nobles. By appealing to the Acehnese aristocracy and blocking supply lines the Dutch army began to control the area.¹³² Thus, while much of the Indonesian archipelago was ruled by Holland for centuries, Aceh only submitted to Dutch rule for four decades and even then was never completely subdued by the colonial power.¹³³

¹²⁹ L. Thaib, "Aceh's Case: Possible Solution to a Festering Conflict," *Journal of Muslim Minority Affairs* 20.1 (2000): p. 105-10

¹³⁰ B. Anderson, "Political Culture in Indonesia," in *Case Studies in the Social Sciences: A Guide for Teaching*, edited by M. L. Cohen (London: East Gate, 1992), p. 326 and Church, *op cit.*, pp. 43-8

¹³¹ A. Vickers, *A History of Modern Indonesia* (Melbourne: Cambridge University Press, 2005), p. 11

¹³² *Ibid.*, pp. 11-3

¹³³ A number of dates are given by various historians for the year in which the Dutch defeated the Acehnese, the earliest of these being 1903 (J. Bertrand) and the latest being 1913 (K. D. Crow and M. Malley). However, most seem to agree the Acehnese continued to revolt against the Dutch government even after losing independence and this contest over the actual date upon which Dutch control began is in itself evidence that the Dutch were hardly able to pacify the Acehnese. Crow even goes as far as saying that fighting continued during the entirety of Dutch power in the region.

World War II dramatically transformed the region of Southeast Asia and Aceh was no exception. In 1942, yet another Acehnese rebellion forced the Dutch to withdraw from Indonesia¹³⁴ and the Japanese replaced them. Under Japanese control the traditional leadership of Aceh was undermined and traditional elites were replaced with Islamic scholars strongly allied to advocates of an Indonesian Republic.¹³⁵ As Japanese defeat in World War II became imminent, the Committee for the Investigation of Indonesian Independence (Badan Penyelidik Kemerdekaan Indonesia or BPKI) was created to define the borders of a sovereign Indonesia and map out an effective transfer of sovereignty from Japan. The Japanese offered independence to Indonesia in 1945, but this was refused out of principle and for fear it would be considered illegitimate by Western powers. Instead, Indonesian leaders declared Indonesia a republic; however, the Republic was forced to contend with the Dutch who maintained control in Borneo, West New Guinea, and West Java for four more years¹³⁶ as a war for independence was fought.

Aceh was a primary player in the war of independence, and as the only province in which the Dutch did not reassert their authority, it became strategically important. In a decisive move Aceh chose not to establish itself as an independent state at this juncture; instead joining in the struggle to expel the Dutch from Indonesia and donating numerous men, resources, and money to the fight.¹³⁷ This period is crucial for several reasons and decisions made at this time had repercussions that continue to reverberate today. Dutch failure to even attempt to regain control over Aceh has created ambiguity about the legality and legitimacy of Indonesia's claim to Aceh. Because Aceh remained

¹³⁴ A. Reid, "War, Peace and the Burden of History in Aceh," *Asian Ethnicity* 5.3 (October 2004), p. 303

¹³⁵ J. Bertrand, *Nationalism and Ethnic Conflict in Indonesia* (Cambridge: Cambridge University Press, 2004), p. 165

¹³⁶ D. R. SarDesai, *Southeast Asia: Past and Present*, 4th ed. (Boulder: Westview Press, 1997), p. 173, J. M. Reinhardt, *Foreign Policy and National Integration: The Case of Indonesia* (New Haven: Yale University Press, 1971), p. 31 and Bertrand, *op cit.*, p. 32

¹³⁷ T. Kell, *The Roots of Acehnese Rebellion, 1989-1992* (Ithaca: Cornell Modern Indonesia Project, 1995, p. 10 and Bertrand, *op cit.*, p. 163

independent from Dutch control it cannot be said the Dutch had sovereign power over Aceh when it granted independence to Indonesia through the United Nations in 1949; therefore, Aceh legally could not be included in the state of Indonesia as defined by Dutch colonial boundaries.¹³⁸ Instead, argue some, a referendum should have been held in Aceh to determine if it would remain independent or join with the Republic of Indonesia. Others argue Acehnese involvement in the war for independence separates it from recent fights for independence in Indonesia such as East Timor's in that it chose to unite with the Indonesian state.¹³⁹

Despite Aceh's presence in the Indonesian war for independence, it has been vastly underrepresented at key nationalist events throughout the country's history.¹⁴⁰ In an early defining moment of Indonesian nationalism a number of youths took a pledge - commonly known as the Youth Pledge of 28 October 1928 - but no Acehnese representatives were in attendance at this assembly. During the writing of the 1945 Constitution only one Acehnese delegate served on the Preparatory Committee for Indonesian Independence, and he was considered a product of Western influence and not an accurate reflection of the Acehnese people.¹⁴¹ Instead, many argue the significant role of and commitment to Islam in the Acehnese region as well as its long reign of independence has created a separate Acehnese identity.¹⁴²

These factors created an ironic situation in which

On the one hand, Aceh had had a long record of resistance to the Dutch as well as a relatively slight degree of integration with the rest of Indonesia, for its people had almost no contact with nationalist organizations operating in other areas of the archipelago. On the other hand, its performance in the national revolution was one of the

¹³⁸ K. McCormack *et al.*, "Aceh: Negotiating Substantive Issues: Briefing Packed for the Free Aceh Movement Delegation," Negotiation Simulation (Public International Law and Policy Group, March 2004), p. 3, Thaib, *op cit.*, p. 107 and Armstrong, *op cit.*, p. 793

¹³⁹ *Ibid.*

¹⁴⁰ J. Wanandi, "Indonesia: A Failed State?," *The Washington Quarterly* 25.3 (2002): p. 139

¹⁴¹ see Yoesoef in D. Bouchier and V. R. Hadiz, editors, *Indonesian Politics and Society: A Reader* (London: RoutledgeCurzon, 2003), p. 263-4

¹⁴² Armstrong, *op cit.*, p. 793 and Reid, "War, Peace and the Burden," *op cit.*, p. 306

most outstanding. Its role in the struggle for Indonesian independence had created a special relationship – at least in the minds of the Acehnese – between them and the revolutionary Central Government.¹⁴³

Because of its role in the revolution the Indonesian government initially gave Aceh the title of “Special Region,” a great deal of autonomy was allowed, and Acehnese elites were placed in central government administrative positions.¹⁴⁴

Acehnese disenchantment with Indonesia began in 1950 when the government removed Aceh’s provincial status and merged it with the province of North Sumatra.¹⁴⁵ The Acehnese became increasingly marginalised and frustrated by corruption in the central government. Despite being rich in natural resources the area was one of the poorest in Indonesia; receiving less than 5 percent of the revenues generated from Aceh’s resources. Furthermore, the Acehnese were dissatisfied with the central government’s decision to abandon the Islamic state in preference of a secular state and its refusal to recognise Islamic law in Aceh.¹⁴⁶

Aceh and the Darul Islam Rebellion

In 1953 Aceh joined the countrywide Darul Islam rebellion, not to secure independence, but hoping to convert Indonesia to an Islamic state. In the lead-up to Indonesian independence President Sukarno articulated the idea of Pancasila, which he later used to legitimise his government during his time as President. Pancasila, meaning Five Postulates, advanced the ideals of nationalism, humanitarianism, representative government, social justice, and belief in God,¹⁴⁷ and was crucial to uniting the many religious, ethnic, and geographic factions within Indonesia. However, by creating a

¹⁴³ S. Nazaruddin, *The Republican Revolt: A Study of the Acehnese Rebellion* (Singapore: Institute of Southeast Asian Studies, 1985), p. 1

¹⁴⁴ Crow, *op cit.*, p. 92

¹⁴⁵ Vickers, *op cit.*, p. 40

¹⁴⁶ Armstrong, *op cit.*, p. 794 and Bertrand, *op cit.*, p. 166

¹⁴⁷ Note that this did not specify a particular God; meaning Indonesia would remain a secularist state.

secular state it failed to advance the role of Islam which upset many Acehnese who were staunchly Islamic and felt betrayed by the Indonesian government.

The central government pacified the revolt in 1959 after an extensive number of troops were sent to the area, resulting in abuses toward the local population and causing a strong disdain for the military. To end the revolt the central government compromised with Acehnese leaders, returning the area's provincial status in 1956, designating it a "Special Region" in 1959, and reappointing Acehnese to local administrative and military positions.¹⁴⁸

The central government's response to the rebellion resulted in three significant outcomes for Aceh. Firstly, the Indonesian military violently put down the rebellion which caused large inequalities between the people of Aceh, the military, and government. Secondly, the provincial status of Aceh allowed for extensive autonomy and the focus of Aceh's rebellion shifted from a nation-wide reform movement to a regional effort. Lastly, the Acehnese leadership was partitioned and the rebellion's failed objective greatly changed Aceh's status within Indonesia. The 1960s saw the continued marginalisation of Islam as the secular state was advanced; furthering a regional Acehnese identity separate from the Indonesian national identity.¹⁴⁹ Furthermore, throughout this period the government failed to address Aceh's poverty; continuing its practice of keeping revenue raised from Aceh's resources. Aceh's unique history and powerful regional role meant an identity based on Islam and its past was easily found amongst its population. During this time "a deeper pool of grievances ... sealed the Acehnese sense of distinctiveness and laid the basis for a strong ethno-nationalist movement to arise."¹⁵⁰

¹⁴⁸ Armstrong, *op cit.*, p. 794

¹⁴⁹ Bertrand, *op cit.*, pp. 162 and 166-8

¹⁵⁰ *Ibid.*, p. 163

Economic Marginalisation and Growing Dissatisfaction

A substantial amount of liquefied natural gas was found in North Aceh in 1971, leading to industrial development in the area. However, the central government exploited this and other resources, directing the majority of revenues to itself, foreign investors, and businesses in Jakarta.¹⁵¹ Simultaneously, a transmigration program began in which residents (mostly Javanese) were encouraged to move to outer areas - resulting in the entrance of 35,516 transmigrants to Aceh between 1969 and 1983 and promoting suspicions of Javanese colonialism.¹⁵²

Industrial growth in the region did not equate to increased jobs for the Acehnese, and more than 70 percent of the population continued traditional livelihood activities such as agriculture and fishing.¹⁵³ During 1981/1982 Aceh's ports were some of Indonesia's most prosperous. The province was approved for foreign investment projects worth more than \$209 million (USD), and over 190 tons (per every 100 Acehnese) of international cargo was exported out of Aceh.¹⁵⁴ Throughout the New Order period it is approximated that revenues from Aceh's resources made up 11 percent of Indonesia's income.¹⁵⁵ The Indonesian government was quick to utilise these natural resources and expanded industrial development without regard for the environment or effects on local farmers, and despite Aceh's economic contributions the province was given little support for development.¹⁵⁶ Aceh's Gross Regional Domestic Product (GRDP) was three times larger than the Gross Domestic Product (GDP) of Indonesia as a whole. Yet its population remained poor and the province received less

¹⁵¹ Weiner, *op cit.*, p. 42

¹⁵² Drake, *National Integration in Indonesia*, *op cit.*, p. 131 and Armstrong, *op cit.*, p. 794

¹⁵³ Bertrand, *op cit.*, p. 170 and Drake, *National Integration in Indonesia*, *op cit.*, p. 182

¹⁵⁴ Drake, *National Integration in Indonesia*, *op cit.*, pp. 116, 138 and 176

¹⁵⁵ R. Sukma, "Aceh in Post-Suharto Indonesia: Protracted Conflict Amid Democratisation," in *Autonomy and Disintegration in Indonesia*, edited by D. Kingsbury and H. Aveling (RoutledgeCurzon: London and New York, 2003), p. 150 and K. P. Erawan, "Political Reform and Regional Politics in Indonesia," *Asian Survey* 39.4 (July/August 1999): p. 597

¹⁵⁶ Sukma, "Aceh in Post-Suharto," *op cit.*, p. 150 and Drake, *National Integration in Indonesia*, *op cit.*, p. 168

than 800 rupiahs *per capita* in development assistance from the central government. This made it one of the most ignored provinces in Indonesia.¹⁵⁷

After the settlement of the Darul Islam rebellion the Acehnese believed they had achieved a compromise in which they could control their affairs and interests in an autonomous manner. However, continued economic exploitation and unfulfilled promises of Suharto's New Order resulted in increasing Acehnese displeasure toward the central government.¹⁵⁸ The strong sense of disdain the people of Aceh developed for the Indonesian government was eventually transformed into the creation of the Free Aceh Movement (Gerakan Aceh Merdeka and commonly known in the West as GAM), which declared war on Indonesia in 1976.

¹⁵⁷ Erawan, *op cit.*, p. 598 and Drake, *National Integration in Indonesia*, *op cit.*, p. 180

¹⁵⁸ Aguswandi, "Aceh: Civil Society – The Missing Piece of Peacebuilding," in *Searching for Peace in Asia Pacific: An Overview of Conflict Prevention and Peace-building Activities*, edited by A. Heijmans *et al.* (London: Lynne Rienner Publishers, Inc., 2004), p. 383

2.1 Map of Aceh Province

source: <http://baliwww.com/ache/map.htm>

WAR AND PEACE

In 1976 GAM was founded to fight for an independent Acehese state and oppose what was viewed as Javanese colonialism, economic exploitation, and military control.¹⁵⁹ Aceh's first rebellions aimed to create an Islamic Indonesia and failed. The area "became more marginalized, the autonomy for Islam was never implemented and only a small portion of the elite seemed to reap benefits from the New Order regime" which led to calls for independence and the GAM rebellion.¹⁶⁰ The movement was founded by Hasan di Tiro, an offspring of the last Acehese sultan,¹⁶¹ and began as a small faction made up primarily of elites working to spread an ideology.¹⁶² Initially it received little support and was easily crushed by Indonesian military forces.¹⁶³

The New Order and Aceh's DOM Status

In a military coup during 1966 Indonesian President Sukarno was removed from power and replaced by Lieutenant General Suharto, ushering in the era of the New Order (Orde Baru). The transition was shambolic and under the New Order free speech and political clashes were replaced with security and economic growth and "from a Javanese perspective the turmoil and the dangerous years of freedom fighting, Islamic upheavals (particularly Darul Islam), hyperinflation, party politics and the fierce opposition between communists, Muslims and nationalists ended."¹⁶⁴ Self and state-sponsored censorship within the media occurred as ethnic frictions, regional rebellions, military condemnation and the business interests of the Suharto family became taboo

¹⁵⁹ Bertrand, *op cit.*, p. 171 and Sukma, "Aceh in Post-Suharto Indonesia," *op cit.*, p. 149

¹⁶⁰ Bertrand, *op cit.*, pp. 171-2

¹⁶¹ L. Niksch,, for U.S. Congress, *Indonesian Separatist Movement in Aceh*, 105th Congr., 2nd sess., 2002, RS20572, p. 3

¹⁶² K. E. Schulze, *The Free Aceh Movement (GAM): Anatomy of a Separatist Organization*, (East-West Center: Washington, 2004), p. 18

¹⁶³ Armstrong, *op cit.*, p. 794

¹⁶⁴ Hellman, J., *Performing the Nation: Cultural Politics in New Order Indonesia* (Copenhagen: NIAS Press, 2003), pp. 18-9

subjects.¹⁶⁵ Suharto obscured ethnic groups by practicing ethnic cleansing, mandatory transmigration to subdue far-away rebellious regions, and through his 200,000 man army.¹⁶⁶

The philosophy of Pancasila experienced a revival during the late 1970s when Suharto identified it “with traditional indigenous values of social harmony, political consensus, and culturally neutral norms of behaviours in plural society”¹⁶⁷ and declared it Indonesia’s “sole ideology.”¹⁶⁸ In 1978 training in the rhetoric of Pancasila was instigated at all levels and rivals to Pancasila were considered Communist or Islamic extremists. The Pancasila ideology was formalised in 1988 when the People’s Consultative Assembly (Majelis Permusyawaratan Rakyat or MPR) made it a requirement of all political parties to accept Pancasila¹⁶⁹ and in 1985 all social, religious and political organisations were required to adopt the philosophical principles of Pancasila. This caused some (especially Islamic groups) to fear their autonomy and principles were being replaced with a Javanised, secular ideology.¹⁷⁰

This policy reveals Suharto’s emphasis on uniformity within Indonesia. His efforts to create an Indonesian identity and national unity ignored the pluralistic aspects of the archipelago,¹⁷¹ causing resentment in already restless areas such as Aceh. Suharto was able to pursue this ideal through the military with which he enjoyed a strong relationship. It has been noted that during this period the policies guiding the government and military were largely one and the same, and consequently military

¹⁶⁵ *Ibid.*, p. 155

¹⁶⁶ G. Simons, *Indonesia: The Long Oppression* (London: Macmillan Press, 2000), p. 57 and R. W. Liddle, “Indonesia: Suharto’s Tightening Grip,” *Journal of Democracy* 7.4 (October 1996): p. 60

¹⁶⁷ SarDesai, *op cit.*, p. 275

¹⁶⁸ Bouchier and Hadiz, *Indonesian Politics, op cit.*, p. 104

¹⁶⁹ *Ibid.*

¹⁷⁰ D. E. Ramage, *Politics in Indonesia: Democracy, Islam and the Ideology of Tolerance* (London: Routledge, 1995), pp. 3 and 3-5

¹⁷¹ R. Sukma, *Security Operations in Aceh: Goals, Consequences, and Lessons* (Washington: East-West Center, 2004), p. 4

practices had a focus mirroring the states.¹⁷² Therefore, the military occupied two roles - to promote state ideology and to defend the nation – causing it to develop into one of the country's most powerful agents. This dual-function has been cited as reasoning for the prominent position of military officers in the country's government - including military generals serving as president, one-fifth of Parliament that is made up of military officers, the filling of regional bureaucratic positions with military officers, and a large representation of military personnel in cabinet and diplomatic positions.¹⁷³ Although the ideology of Pancasila was used to promote a democratic Indonesia in which multiple views were permitted, in practice this quelled opposition and helped justify military rule.

The role of the military became particularly important when the state faced a crisis or rebellion, such as the revolts in Aceh.¹⁷⁴ The armed services felt that, particularly early in the country's history, they were responsible for maintaining the character of the Indonesian state; a task which civilian governments had proven inept at based on the 21 uprisings occurring in the first 20 years of Indonesian statehood.¹⁷⁵ After each militarily quelled rebellion the armed forces purged itself of any members from the defiant region. This served to underpin the Javanisation of an institution which had been inclusive of few minorities since its founding.¹⁷⁶

The military has used its role in the war of independence from the Dutch to justify its position in Indonesian politics and society since independence.¹⁷⁷ The army

¹⁷² Bouchier and Hadiz, *op cit.*, p. 143

¹⁷³ R. W. Liddle, *Leadership and Culture In Indonesian Politics* (Sydney: Allen & Unwin, 1996), pp. 85 and 187 and B. Anderson, "Authoritarianism: Indonesia," in *Case Studies in the Social Sciences: A Guide for Teaching*, edited by M. L. Cohen (London: East Gate, 1992), p. 319

¹⁷⁴ J. Wanandi, "Challenge of the TNI and Its Role in Indonesia's Future," in *Governance in Indonesia: Challenges Facing the Megawati Presidency*, edited by H. Soesastro, A. L. Smith and H. M. Ling (Singapore: Institute of Southeast Asian Studies, 2003), p. 93

¹⁷⁵ see H. Crouch in T. Lee, "The Nature and Future of Civil-Military Relations in Indonesia," *Asian Survey* 40.4 (July/August 2000): pp. 693-694 and Drake, "The Spatial Pattern," *op cit.*, p. 471

¹⁷⁶ Anderson, "Political Culture in Indonesia," *op cit.*, pp. 340 and 342

¹⁷⁷ Wanandi, "Challenge of the TNI," *op cit.*, pp. 92-3 and Liddle, *Leadership and Culture*, *op cit.*, pp. 85

felt it had a particular claim to power because of the capture of the civilian leadership – including Sukarno - in 1948 when the principle actors in the war for independence allowed themselves to be taken by the Dutch. As a result, the army became responsible for continuing the war through guerrilla fighting and was able to portray the events of the 1948 capture as disloyalty by the civilian leadership.¹⁷⁸ These events led to the creation of the military's identity as the institution responsible for rescuing Indonesia and therefore as a leading example of Indonesian nationalism.¹⁷⁹ The 1945 Constitution guaranteed military involvement in the country's legislative body¹⁸⁰ by reserving seats for military representatives; further adding to the legitimacy of the invasive military. Also, the overthrow of Sukarno and eradication of the Indonesian Communist Party led countries such as the United States and Japan to bestow large amounts of aid to Indonesia. This, along with membership in the Organization of the Petroleum Exporting Countries (OPEC), led to economic growth in Indonesia. The military considered itself responsible for this growth because of the role it played in ousting Sukarno and the demise of the Communist Party, which further added to its belief it should be one of Indonesia's most powerful institutions.¹⁸¹

It should be noted the relationship between the military and President Suharto was reciprocated. Although the military was a powerful and influential body toward the president, Suharto also found ways to exert influence on the military. In the early years of his presidency Suharto aided loyal military personnel by influencing promotions and retirements within the military and helping to supply supplemental incomes to favoured personnel.¹⁸² Some even assert TNI power was directly linked to Suharto, who allowed

¹⁷⁸ Lee, *op cit.*, p. 694

¹⁷⁹ Liddle, *Leadership and Culture*, *op cit.*, p. 85

¹⁸⁰ Wanandi, "Challenge of the TNI," *op cit.*, p. 93

¹⁸¹ B. Anderson, "The Political Role of the Military: Indonesia," in *Case Studies in the Social Science: A Guide for Teaching*, edited by M. L. Cohen (London: East Gate, 1992), p. 345

¹⁸² Liddle, *Leadership and Culture*, *op cit.*, p. 121

the military to maintain a political role in exchange for loyalty.¹⁸³ However, this is not meant to downplay the importance of the military in catapulting Suharto to the presidency and without the support of which he would not have remained in power. The military could likely have helped to overthrow Suharto just as they did Sukarno; and military support was necessary for Suharto to implement his economic plans which may have faced opposition without a powerful force to deter it.¹⁸⁴

From GAM's revival in 1989 until 1998 the Indonesian government responded to the rebellion in Aceh with a policy of "shock therapy," portraying the movement as an unscrupulous crusade. The military severely exaggerated the threat arising from GAM to justify doubling the already 6,000 troops in Aceh with reinforcements.¹⁸⁵ The region was declared a Military Operations Region (DOM) and the armed forces harshly repressed many of the Acehnese people. Believing local villagers often provided information and aid to rebel fighters, the military did not distinguish between GAM fighters and Acehnese civilians. Instead all Acehnese were viewed "as potential GAM members until proved otherwise."¹⁸⁶ International observers have referred to this phase as "a systematic 'campaign of terror designed to strike fear in the population and make them withdraw their support for GAM'."¹⁸⁷ The strength of the Indonesian military compared to GAM meant that by 1992 the rebellion had been suppressed. However, the military continued its harsh rule and committed a large number of human rights abuses such as extrajudicial arrests, the killing of numerous civilians and torture.¹⁸⁸ Furthermore, after negative coverage of events in Aceh the Indonesian government

¹⁸³ Wanandi, "Challenge of the TNI," *op cit.*, p. 93 and Church, *op cit.*, p. 52

¹⁸⁴ Liddle, *Leadership and Culture*, *op cit.*, p. 113 and Anderson, "The Political Role," *op cit.*, p. 340

¹⁸⁵ Sukma, *Security Operations in Aceh*, *op cit.*, pp. 7 and 8

¹⁸⁶ *Ibid.*, p. 9

¹⁸⁷ Schulze, *The Free Aceh Movement*, *op cit.*, p. 18 and J. Martinkus, *Indonesia's Secret War in Aceh* (Sydney: Random House Australia, 2004), p. 89

¹⁸⁸ Sukma, *Security Operations in Aceh*, *op cit.*, p. 5

closed the area to the international world – banning NGO involvement and foreign media while heavily censoring what its own media reported.

During this period the military also forced Acehnese civilians to mobilise into local militias to fight GAM. Other civilians were compelled to become military spies, dividing the Acehnese population by planting suspicions in the minds of many and allowing spies to use their position for revenge.¹⁸⁹ In an effort to gain the loyalty of the local population the Indonesian government implemented development programs within the province. However, many were involuntarily forced to join these programs creating further discontent against the government. Throughout operations in Aceh, Suharto and members of his regime refused to acknowledge that GAM and its rebellion were politically motivated. They preferred to criminalise the resistance.¹⁹⁰

The New Order was largely able to suppress ethnic tensions statewide until 1998 when a number of secessionist movements - including Aceh's - intensified and ethnic violence occurred with renewed force.¹⁹¹ This was a result of matters such as Suharto's aging, corruption within his regime, widespread feelings of a possibility for independence, the financial crisis that brought forward ethnic complaints pushed aside under Suharto's dictatorship, and military unhappiness with Suharto's increasing acceptance of a role for Islam in Indonesia.¹⁹² Suharto was forced to resign amid a loss of military support and increasing political and economic turmoil, while government policies of "brutal and exploitative racket, abuse of human rights and focus only on minority enrichment" were proven failures as violent clashes and centrifugal forces exploded throughout the islands.¹⁹³

¹⁸⁹ *Ibid.*, p. 11

¹⁹⁰ *Ibid.*, p. 9

¹⁹¹ Bertrand, *op cit.*, p. 43

¹⁹² Simons, *op cit.*, p. 200 and Bertrand, *op cit.*, p. 42 and Bouchier and Hadiz, *op cit.*, p. 186

¹⁹³ Simons, *op cit.*, p. 192 and Bertrand, *op cit.*, p. 40

During the New Order every renegotiation between the central government and Aceh “was interpreted from the perspective of gains and losses to Aceh. With each government attempt to implement and secure its vision of national unity the Acehnese perceived an encroachment.”¹⁹⁴ Therefore, Aceh’s struggle has become defined along ethno-nationalist lines exacerbated by the failure and complete unwillingness of the New Order government to address the root causes of Acehnese strife. With the forced resignation of Suharto and the resulting possibility of democratisation the people of Aceh demanded a voice in their future, called for justice, stipulated the military pull out, and sought scrutiny of the human rights situation over the past ten years. This quickly expanded into an intensified military campaign by GAM and calls for a referendum in which the population strongly backed freedom.¹⁹⁵

GAM

In the late 1980s GAM experienced a transformation when it re-emerged as a stronger, better equipped, and more widely supported military movement. This is largely attributed to involvement with Islamic organisations and increased support from the local population that was becoming bitter toward the central government. The New Order government of the time responded by granting the military increased power in the region; which placed GAM and its members in increasing jeopardy. GAM was very much the underdog during this period but was able to survive because of the safety of its exiled leadership, Malaysian support and protection for the movement, and a steady source of recruits due to the Acehnese populations continued aversion to the Indonesian government.¹⁹⁶ Therefore, although weakened by 1998 when Aceh was no longer considered a Military Operations Region, GAM was able to reemerge with relative strength. The period of fighting beginning in 1998 and continuing until 2004 is

¹⁹⁴ Bertrand, *op cit.*, p. 161

¹⁹⁵ *Ibid.*, p. 174 and Wanandi, “Indonesia,” *op cit.*, p. 140

¹⁹⁶ Schulze, *The Free Aceh Movement*, *op cit.*, p. 19

considered to be the third stage of the GAM rebellion.¹⁹⁷ This phase is distinct from earlier GAM operations for several reasons – including GAM's involvement in human rights abuses, illegal activities, and a split in the organisation's leadership.

GAM became the focus of international condemnation as it began to conduct human rights violations, including the killing of civilians. Most controversial have been its attempts at ethnic cleansing, in which Javanese in particular have been targeted as victims of harassment and extortion.¹⁹⁸ It is believed 80,000 non-Acehnese people have been forced to urban areas of the province while others have fled altogether, with the heaviest period of forced migration occurring between 2000 and 2002 during which roughly 50,000 civilians were forced to leave.¹⁹⁹ This practice has helped to ensure that Aceh is almost purely made up of ethnic Acehnese. Furthermore, GAM has become involved in some questionable activities, using crime, kidnappings, and the drug trade to raise revenues.²⁰⁰ There is speculation it is responsible for the burning of over 1,000 schools and is linked to the recruitment of child soldiers.²⁰¹ GAM also stands accused of encouraging mass migration of its own people in order to provide propaganda against the Indonesian military.

During this time a split in the leadership of GAM also became apparent. This split is believed to have actually occurred in 1987 but was kept hidden until 1999 when a power struggle ensued, resulting in the killing of one GAM leader. The primary affect of the split on the conflict has been the Indonesian government's uncertainty over with which faction to negotiate. Those who are considered to be most detrimental to the establishment of peace, though, are local GAM commanders who have effectively

¹⁹⁷ *Ibid.*, p. 19

¹⁹⁸ *Ibid.*, p. 53

¹⁹⁹ D. R. Dillon, "Southeast Asia and the Brotherhood of Terrorism," (paper presented at Nihon University, 19 November 2004, Mishima, Japan), also available online at <http://www.heritage.org/Research/AsiaandthePacific/hl860.cfm>

²⁰⁰ Schulze, *The Free Aceh Movement*, *op cit.*, p. 38

²⁰¹ Dillon and Human Rights Watch, "Indonesia," January 2003, also available online at <http://www.hrw.org/reports/2004/childsoldiers0104/8.htm>

become warlords. They have little interest in controlling their troops and may become peace spoilers.²⁰²

In more recent years GAM has begun to internationalise its conflict in Aceh in diverse ways. The organisation worked to involve actors such as the Henry Dunant Center (HD Center) and later the four “Wise Men,” attacked foreign interests such as Exxon-Mobil, and advocated holding meetings in international locations. GAM’s interest in internationalising the conflict comes from its desire to be recognised as the only legitimate representative of Aceh. Through international recognition and negotiation the group becomes Aceh’s sole representative and a political actor equal to the Indonesian government. The question of international involvement has been extremely complicated in this context, as GAM supports full international involvement while Indonesia is reluctant to accept outside actors other than the United Nations.²⁰³

The United Nations intervention in East Timor prompted GAM to argue its case for a similar intervention. In a U.S. Congressional Report it was noted the debacle of East Timor led the United States to become more interested in Indonesia and its policy shifted to encourage democratic practices and the resolution of separatist conflicts to stabilise Indonesia’s borders.²⁰⁴ The Bush administration has also involved itself in negotiations surrounding Aceh, working to prevent the TNI from continuing human rights abuses in Aceh, pushing GAM to negotiate under the auspices of the Special Autonomy Act, and pressuring the Indonesian government to implement this act.²⁰⁵ The Indonesian Parliament passed the Special Autonomy Act in 2001, allowing Aceh to retain an increased share of revenues from its resources and allowing for limited self-

²⁰² Schulze, *The Free Aceh Movement*, *op cit.*, p. 35

²⁰³ Niksch, *op cit.*, p. 4

²⁰⁴ *Ibid.*, p. 5

²⁰⁵ *Ibid.*, p. 6

government. However, the Act failed to delineate how it would be executed²⁰⁶ and GAM largely ignored it.

GAM's relationship with Islamic Terrorist Organisations

Despite numerous linkages between GAM and Islamic terrorist associations, the movement has remained independent and targeted toward Aceh. Media outlets have reported Iran provided monetary assistance to GAM and an estimated 5,000 of the group's guerrilla fighters were trained in Libya,²⁰⁷ which also worked to distribute money and facilitate networking between a wide cross-section of terrorist groups. It is alleged that GAM members trained alongside Jemaah Islamiyah (JI), with the Moro Islamic Liberation Front (MILF) in the Philippines, and smuggled weapons with Thailand's Pattani United Liberation Organization (PULO).²⁰⁸

While GAM is assumed to be associated with many radical Islamic terrorist organisations in Southeast Asia its goals separate it from the jihad. GAM remains committed to creating a separate Acehnese state while organisations such as al-Qaeda are fighting for an Islamic state. Media reports note that GAM and JI do not have a friendly relationship and GAM was unreceptive to a brief courtship by al-Qaeda. This, along with statements by GAM leader Hasan di Tiro publicly supporting the war on terror, may be the explanation for GAM's failure to appear on the United States' list of terrorist organisations.²⁰⁹ These dynamics may also have had an impact on U.S.-Indonesia relations as U.S. military aid to Indonesia was cut with references made to Indonesia's human rights record in Aceh. This represented a change from previous U.S. policies which were guided by America's Cold War fears. Leary of pushing Indonesia

²⁰⁶ Niksch, *op cit.*, 4

²⁰⁷ K. E. Schulze, *The Free Aceh Movement, op cit.*, p. 18 and P. Chalk, "Separatism and Southeast Asia: The Islamic Factor in Southern Thailand, Mindanao, and Aceh," *Studies in Conflict & Terrorism* 24 (2001): p. 254

²⁰⁸ Dillon

²⁰⁹ Niksch, *op cit.*, p. 2 and Dillon

toward the Soviet Union, the U.S. had previously tried to maintain a distance from Indonesian domestic disturbances. Since the War on Terror U.S. condemnation has continued despite some U.S. policy makers advocating the resumption of military training with Indonesia.

GAM vs. Exxon-Mobil

GAM began to target foreign interests in Aceh, particularly those of Exxon-Mobil, when fighting escalated in 1998. Not only was GAM upset with what they saw as the plundering of the region (media reports estimate Exxon-Mobil removed \$40 billion worth of oil in Aceh), GAM also claimed a large Exxon-Mobile facility was a center of Indonesian military activities and therefore a legitimate target. Exxon-Mobil hired Indonesian military forces to protect their interests in the region and human rights groups have reported these forces have been responsible for human rights abuses - including rape, murder, extortion, and torture – some of which occurred on land owned by Exxon-Mobil.

The International Labour Rights Fund (ILRF) filed a suit against Exxon-Mobil in the Federal District Court for the District of Columbia in 2001; alleging 11 Acehnese were victims of human rights abuses by forces protecting Exxon-Mobil interests and that the company made no effort to address the problem upon realisation of the abuses. Furthermore, it has been claimed that Exxon-Mobil equipment was used by the military for the digging of mass graves in Aceh. However, the U.S. government is fearful of the ramifications this case could have on diplomatic relations with Indonesia²¹⁰ and political pressure has indefinitely delayed the case with a trial date yet to be set. Meanwhile, GAM has been accused of impeding the transportation of Exxon-Mobil products by hijacking and burning Exxon-Mobil automobiles, shooting at Exxon-Mobil aircraft, and

²¹⁰ Niksch, *op cit.*, p. 6

targeting Exxon-Mobil vehicles with landmines. Such offences against Exxon-Mobile interests forced the company to temporarily suspend operations in the region in 2001.²¹¹

GAM's opposition to Exxon-Mobil highlights what many believe is the primary reason for Western interest in Aceh. The region is not only resource-rich but also strategically important as it borders the Malacca Strait, through which 30 percent of world trade and 50,000 ships a year travel. If GAM chose to threaten the Malacca Strait the affects for ports such as Singapore would be detrimental and countries such as the United States and Japan would suffer sizeable economic consequences.²¹²

The Post-DOM Period

Some have contended the lack of strong leadership in negotiating Indonesia's democratic transition after the downfall of Suharto led to an escalation of separatist conflict in Indonesia.²¹³ Like Sukarno and Suharto before him, each Indonesian president has responded to the Aceh problem with military action; further alienating the Achenese who have become highly skeptical of the central government and cynical of commitments and promises made within the political confines of the Indonesian system.²¹⁴

Habibie's Response

In response to Acehnese demands President Habibie ended DOM status and announced the removal of all unnecessary troops; however, these promises never transpired and violence continued.²¹⁵ Forty-two Acehnese representatives met with Habibie in early 1999 and demanded the release of political prisoners, autonomy, and increased provincial revenues. Habibie payed little attention to these demands and consigned them to parliament rather than address them himself.

²¹¹ Dillon and Schulze, *The Free Aceh Movement*, *op cit.*, p. 51-3

²¹² Dillon

²¹³ Sukma, "Aceh in post-Suharto Indonesia," *op cit.*, p. 152

²¹⁴ Bertrand, *op cit.*, pp. 161 and 163.

²¹⁵ *Ibid.*

Several months later Habibie travelled to Aceh where he apologised for past injustices toward the Acehnese, promised to aid families affected by these injustices through rehabilitation and the proper burial of victims, agreed to free several political prisoners, and supplied funding for infrastructure development. This was unsuccessful in appeasing much of the population as Habibie failed to address calls for an inquisition into human rights abuses and was unwilling to relent on calls for a referendum. Because he was dependent upon the military for his political existence Habibie was politically tied and unable to investigate the military's human rights abuses.²¹⁶ As a proxy Habibie passed a law granting "special status" to Aceh, allowing it to employ Islamic law in religious and economic matters, to incorporate Islam into its education system, and infuse local culture into local government. However, this was too little too late and did not quell aggression toward Java.²¹⁷

Wahid's Response

When President Wahid gained control of Indonesia he offered a referendum to the Acehnese people but quickly reneged on this option and instead became the first president²¹⁸ to work to negotiate a settlement with GAM. According to the press he initially offered Aceh 75 percent of earnings from its forestry, oil, and gas industries, the removal of non-organic troops from the area, a higher level of autonomy, and increased equity in development.

In 1999 a Swiss-based NGO, the HD Centre, became involved in Aceh with the aim of preventing the conflict from intensifying and minimising the effects of the conflict on civilians. With the help of the HD Centre the two sides were able to negotiate a three-month humanitarian pause in May 2000 in order to distribute humanitarian aid and to create confidence-building measures. The humanitarian pause

²¹⁶ *Ibid.*, pp. 175-6

²¹⁷ *Ibid.*

²¹⁸ Martinkus, *op cit.*, p. 30

was extended for another three months during which time further negotiations continued through Joint Committees working to address deadlocks, security issues, and humanitarian issues while monitoring teams were set up. However, the sides were unable to conclude a ceasefire, agree on demilitarisation, or decide on the use of flags in the region.²¹⁹ The military's lack of support for the humanitarian pause led to increased violence in late 2000 and disparities in the understanding of the agreement led to continued fighting.²²⁰

Despite this the two sides met in early 2001 to work toward a political resolution of the conflict. Agreements were reached on the development of democracy, human rights, and the economy in Aceh. This agreement was known as a Provisional Understanding and security arrangements were implemented to begin the execution of the agreed initiatives. During continued negotiations the two sides created peace zones, instigated humanitarian projects, and worked to create democracy. However, by June the Provisional Understanding was falling apart as violence was increasing and several Joint Committees were disbanded. GAM was accused of using the ceasefire to strengthen its forces when media outlets reported increases in its membership and arsenal.

Under increasing opposition and in a move many consider to have been a gesture to appease the military with which Wahid was experiencing a turbulent relationship,²²¹ Wahid refused to continue negotiations. Instead he increased counter-insurgency measures in the region and declared GAM a separatist movement.²²² In July the police arrested and charged six GAM Joint Committee and monitoring team representatives under the country's terrorism laws. This action brought condemnation

²¹⁹ Aguswandi, *op cit.*, p. 387

²²⁰ Bertrand, *op cit.*, p. 178 and Sukma, *Security Operations in Aceh*, *op cit.*, p. 154

²²¹ Sukma, *Security Operations in Aceh*, *op cit.*, p. 153

²²² Bertrand, *op cit.*, pp. 178-80 and Sukma, *Security Operations in Aceh*, *op cit.*, p. 154

from many inside and outside Indonesia. It was considered a violation of the country's terrorism laws that stipulate crimes with political motivation are not considered terrorist acts. One Indonesian legal observer noted in a media interview that GAM's status as a political movement protects its members from being charged with acts of terrorism. GAM became reluctant to send high-level negotiators to meetings fearing they would be arrested which angered the Indonesian government and the HD Centre sponsored peace process came to an end.²²³

Megawati's Response

With the empowerment of Megawati the state's position toward GAM changed once again. Megawati is known to be staunchly nationalist but was forced to bow to international pressure and work toward a negotiated agreement with GAM,²²⁴ while also allowing for more troops to be sent to Aceh.²²⁵ In September 2001 the GAM members previously arrested at a Joint Committee meeting were released and the HD Centre revitalised peace discussions; inviting four foreign former statesmen with credible negotiation experience to join the process. Known as the Wise Men, these former politicians and military officers worked under the auspices of the HD Centre to restart negotiations.

In talks with the HD Centre GAM agreed for the first time to work with the Indonesian government to find interim solutions including autonomy rather than advocating solely for independence. In early 2002 both sides agreed to meet for talks in Switzerland. After a series of talks producing a Joint Statement in December 2002 the two sides signed a Cessation of Hostilities Agreement (COHA).²²⁶ This agreement

²²³ McCormack, *et al.*, *op cit.*, p. 5 and Centre for Humanitarian Dialogue, "Indonesia," available online at www.hdcentre.org/Aceh,%20Indonesia

²²⁴ Aguswandi, *op cit.*, p. 387

²²⁵ Niksch, *op cit.*, p. 4

²²⁶ Centre for Humanitarian Dialogue, "Indonesia," *op cit.*

reduced police violence, forced GAM to begin disarming, and stipulated the Special Autonomy Act would be used to continue a broad dialogue process.

Building on previously failed agreements between the two sides, the COHA created a monitoring mission made up of representatives from the Indonesian government, GAM, and the HD Centre and created a Joint Security Committee to maintain peace. Furthermore, eleven Peace Zones – demilitarised areas in which troops were prohibited from being added - were gradually implemented to allow for humanitarian and reconstruction aid and served as a confidence-building measure. Problems with the agreement became apparent almost immediately as both sides were cautious about removing military personnel. Furthermore, GAM and the Indonesian government had clashing interpretations of the Special Autonomy Act and the role of GAM in the 2004 local elections was ambiguous.²²⁷ The COHA was backed by the HD Centre and pledges from numerous countries and international organisations to provide aid in return for its success. It was effectively implemented until April 2003 when casualties began to increase and monitoring teams were withdrawn to the capital Banda Aceh for safety.

By May 2003 it was obvious the Agreement was breaking down and a Joint Council was assembled in Tokyo between the Indonesian government and GAM to try and save the peace process. This Council was unsuccessful in overcoming problems between the two sides and the Cessation of Hostilities Agreement buckled when Indonesia instigated a colossal military operation and declared martial law in Aceh.²²⁸

The violence employed by the Indonesian government only strengthened the estrangement many Acehnese felt and increased local support for GAM. The actions of the Indonesian military (and GAM to a lesser extent) led to an exodus of Acehnese from

²²⁷ McCormack *et al.*, *op cit.*, p. 5

²²⁸ *Ibid.*, pp. 5-6 and Centre for Humanitarian Dialogue, “Indonesia,” *op cit.*

the region, producing numerous internally displaced persons as well as refugees. In some cases people were fleeing from violence while in many other instances people were leaving in search of necessities such as food and water. In the media it was reported the Indonesian military used the exodus as justification for continued martial law.

Indonesia gained international support for its actions because of the war on terror, the United States' pre-emptive strategy in Iraq, and Indonesia's assertion that its actions were an attempt to maintain state sovereignty.²²⁹ The U.S. led War on Terrorism shifted the way the Indonesian government conducted its operations in Aceh. Actions were modeled after the U.S. intervention in Iraq, with the occurrence of "shock and awe" tactics, arbitrary civilian arrests on the basis of terrorism, and the ousting of international aid workers, including members of the UN.

By June 2004 many felt the situation was grim, with one journalist predicting it would be ten years before any successful negotiations would again occur. The Acehnese population had only become more disenchanted with Indonesia and the international community was beginning to accept government actions in the context of the War on Terror.

Aceh's Best Chance for Peace?

When the Indian Ocean Tsunami battered Aceh on 26 December 2004 the GAM leadership immediately declared a unilateral ceasefire. Despite an initial negative reaction to foreign help, President Susilo Bambang Yudhoyono made appeals for a new direction in the peace process and he is reported in the press to have contacted six foreign ambassadors shortly after the tsunami to gain advice on resolving the conflict in Aceh. Some speculated the involvement of foreigners and foreign aid in the recovery

²²⁹ Weiner, *op cit.*, p. 42

process, as well as the scope of the disaster, would be the impetus to push GAM and the Indonesian government back into a peace dialogue.

As relief and rehabilitation efforts were undertaken positive signs for peace began to emerge. While some fighting initially occurred the ceasefire was largely observed and in mid-May the Indonesian government repealed the emergency rule that had been in place for three years. Both sides made media statements declaring the tsunami had changed their perspective and peace was more important than winning the battle.

Some have suggested a positive environment for peace was already developing when the tsunami occurred. Current President Susilo Bambang Yudhoyono, who ascended to power three months before the tsunami, had made a campaign promise to reach peace with Aceh. Furthermore, GAM forces suffered heavy losses during the 2003 military offensive. News articles reported International Crisis Group (ICG) estimates that only 3,000 fighters remained and GAM itself acknowledged it had lost control over 20 percent of its territory. Australian National University (ANU) fellow Dr. Ed Aspinall was quoted on ABC as saying “the tsunami ... represented an opportunity for the two sides to go back to the negotiating table without losing face and also an opportunity to involve the international community once again in a search for a solution.”

What Peace Looks Like

27 January 2005 found representatives of both GAM and the government of Indonesia in Helsinki, Finland making a renewed effort toward peace under the guidance of the Crisis Management Initiative (CMI) – a non-profit organisation founded by former Finnish President Martti Ahtisaari. The aim of this meeting was to re-establish a dialogue between the two parties. After two days of discussions an agreement to

conduct further talks was reached. Throughout the next seven months the two sides met for five rounds of talks; during which issues such as autonomy, provincial elections, political participation, human rights, security arrangements, economic development, the post-conflict role of GAM, and monitoring were debated.

On July 17, after an intense five-day period of meetings discussing a draft treaty prepared by the CMI, it was announced a Memorandum of Understanding between GAM and the Indonesian government had been agreed upon and would be signed on the 15th of August. This accord differed from previous peace attempts in that it was reached after a ceasefire had already been agreed upon. Therefore, it was able to immediately resolve political and security issues unlike previous efforts at peace which were required to first create a truce.²³⁰ Furthermore, the two sides met intensively during five meetings which media reports credited with creating understanding and trust between the parties. The agreement appears to have utilised concessions made previously in agreements while working to address the causes leading to the collapse of other accords.

The lengthy nature of Aceh's conflict, previous broken promises and failed agreements, and the local population's distrust of the central government make the involvement of an outside party a prerequisite to the success of any lasting peace. Known as the credible commitment theory,²³¹ outside involvement in itself does not guarantee lasting peace as it may not have the ability and desire to enforce conformity. In 2005 countries in Europe and Southeast Asia agreed to send a reported total of 200 unarmed officials to monitor and discharge the agreement under the Aceh Monitoring Mission (AMM), and the Chairman of the CMI was designated to rule upon disputes the

²³⁰ R. Harvey, "Hopes and fears for Aceh peace deal," *BBC Online*, 18 July 2005, available online at <http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/asia-pacific/4693875.stm>

²³¹ See B. F. Walter, "Designing Transitions from Civil War: Demobilization, Democratization, and Commitments to Peace," in *Nationalism and Ethnic Conflict*, revised ed., edited by M. E. Brown *et al.* (Cambridge: The MIT Press, 2001), pp. 415-43

AMM could not settle.²³² Furthermore, international attention focused on the region because of the tsunami raises the stakes of both non-compliance by signatories to the peace accord and the ineffectiveness of the AMM. No party involved wants to lose face or be portrayed worldwide as responsible for spoiling Aceh's best chance at peace.

To enable successful disarmament the current Memorandum of Understanding has detailed a time frame for the demobilisation of GAM and the decommissioning of non-organic troops and police officers, which is to be monitored by the AMM. This follows the CMI's belief that it is necessary for opposing groups to disarm in a sequential manner at corresponding phases to guarantee each side's security. To date this settlement has proved to be successful at overcoming problems that have arisen and often targets have been reached early.

While some fighting continued to occur after the peace accord was signed - including several exchanges of shots, alleged acts of extortion and kidnappings by the military, and reported acts of piracy by GAM - these were rare and government officials disregarded them in the media as common occurrences in transitions to peace. A dispute over which GAM weapons qualified to be handed in to the AMM broke out in September, as the first deadline for demilitarisation was nearing. Despite this, media accounts related that GAM initially turned in more weapons than the peace agreement required and did so in a transparent manner allowing local citizens, the Indonesian military, and government officials to view the handover. The agreement addressed the repatriation of GAM, which media reports often cite as the reason for GAM's successful disarmament. GAM members are entitled to benefits such as monetary assistance by the Indonesian government, which if effectively carried out would provide them with both alternatives and reasons to refrain from fighting.

²³² Crisis Management Initiative, "Aceh Peace Process Negotiations," available online at www.cmi.fi

The Memorandum of Understanding stipulated a large amount of political and economic autonomy²³³ for the province, set out in detail the parameters of this autonomy, and created space for Acehese cultural symbols within the region. According to journalists the local Acehese government has the right to collect taxes, pass local laws, and maintain traditional symbols. The Indonesian federal government will continue to manage foreign affairs, defence, national security, and freedom of religion. Initial media reports revealed GAM and the Indonesian government each interpreted the meaning of autonomy for Aceh differently. However, the agreement sets out the exact powers of the central government in Aceh which is hoped will help to quell any questions over the distribution of power.

One Acehese grievance that provided much support for the separatist movement was the Indonesian government's failure to provide redress for human rights abuses in the area. Recent efforts at conflict resolution have strongly advocated the use of human rights tribunals and truth and reconciliation commissions to allow victims to deal with the many emotions that conflict ignites. Because the Acehese have cited their vulnerability to human rights abuses throughout the war as a reason for distrust of the Indonesian government and their participation in the conflict, it was critical that recourse for victims be established within the structure of the MoU.

The Memorandum created a Truth and Reconciliation Commission as well as a human rights court specific to Aceh. However, these areas have become somewhat controversial and it is too early to tell if they will provide effective solutions for Acehese victims. Since the signing of the agreement a debate has simmered over the mandate of a Human Rights Tribunal in Aceh. The Indonesian government announced it would limit the Tribunal to cases occurring after the signing of the agreement in an

²³³ As offered in previous attempts at peace Aceh will retain 70 percent of the revenues raised from its natural resources.

effort to move forward and prevent blame. News outlets reported this angered many victims in Aceh, although it has been noted the task of redeeming past violations in Aceh is overwhelming because nearly everyone has been a victim at some point during the history of the conflict.

The role of spoilers in any peace process has become an important element of modern peace negotiations and is one of the reasons cited as creating the need for international involvement. In Aceh there are several groups that could become a spoiler – nationalistic politicians within the parliament, the military, militias operating within Aceh, and aspects of GAM. Despite reported fears it would be difficult to get parliamentary approval for the peace agreement, parliamentary leaders agreed to back the accord in early August 2005. Several journalists noted the military does not appear interested in peace as it would inhibit their ability to be involved in illegal money making activities in Aceh, but the military has largely abided by the agreement to date. GAM reportedly expressed concern that up to 10,000 militias organised by the Indonesian military were not subject to the provisions of the peace accord and would renew violence once GAM had disarmed. However, since GAM has disarmed these militias have thus far not been reported as causing problems.

To date the agreement has been rather successful, with both sides meeting deadlines setout for demobilisation and decommissioning. However, more complex tasks have a long way to go before completion. The Indonesian parliament is still working to create a bill allowing GAM to establish itself as a political party in accordance with the country's laws and questions of the ability of exiled GAM leaders to participate have not been resolved. It has been reported in the media that trust between the two sides has not entirely been reestablished as GAM members are still uncomfortable traveling throughout the province. The government has asked for GAM

members to be identified, hoping to make the repatriation process easier. However, these requests have largely been refused, reportedly because GAM members fear the government will use it to arrest and torture them. Also, the agreement has guaranteed a political role for GAM but this will require the reformation of Indonesian laws governing the creation of political parties, which is proving to be a difficult and drawn out process.

CONCLUSION

Aceh's history – from its founding until present times - has been dominated by efforts to maintain its independence and protect its Islamic traditions. Although the province briefly experienced peace under the authority of the Indonesian state, this was quickly marred by feelings of marginalisation and discontent with the secularisation of Indonesia. Over time Acehnese grievances expanded to include economic exploitation and human rights abuses which occurred at the hands of the Indonesian military. Rather than address these issues, a succession of Indonesian presidents only served to alienate the population further through broken promises and continued abuse.

The tsunami created a situation that compelled both the Indonesian government and the Acehnese rebel group GAM to find a solution to the area's conflict. Supported by the Crisis Management Initiative, the two sides were able to reach an agreement addressing the underlying issues to Aceh's war. So far the agreement has been implemented as planned. However, the implementation of policies designed to overcome some of the most contentious issues of the conflict has not yet been necessary. As the time comes to execute these policies more conclusions can be drawn with regard to the effectiveness of the peace accord in overcoming the differences between the Acehnese people and the Indonesian government will become apparent.

Chapter 3: Finding Similarities and Differences Between the Conflicts: Sri Lanka and Aceh from the Perspectives of Development and Conflict Resolution Theory

An evaluation of the similarities and differences between Sri Lanka and Aceh's situations is useful when examining the role and impact of NGOs in the post-tsunami situation because these details may help explain differences in conditions that exist today. While NGOs have impacted the peace processes in both countries, they are not the sole reason Aceh has taken steps toward peace and Sri Lanka has backtracked from peace since the tsunami occurred. Any discussion of this matter must be based within the proper context of the history, politics, and economics of each situation and must take into account that the tsunami and NGOs actively involved in reconstruction represent only one part of the peace process.

The parallels and contrasts between Sri Lanka and Aceh become understandable when examined from perspectives of conflict resolution and development theories. Therefore, these two situations will be situated within the framework and theoretical principles of conflict and development studies. This will enable us to gain a picture of the complex nature of each conflict in respect to the other. This framework reveals three broad themes and arguments. These are that violence is intrinsic to state formation, that the process of democratisation (and civil society) develops over a long period of time, and that violence is likely to increase as previously excluded groups compete for resources.

The trend toward democratisation and the increase in internal conflicts has created a debate focused on the failures of political institutions.²³⁴ From a historical viewpoint conflict in newly democratising countries may be viewed as an indication of development, as it is often argued that violence is natural in the evolution of a nation-

²³⁴ B. Reilly and K. Graham, "Conflict Through Asia and the Pacific: Causes and Trends," in *Searching for Peace in Asia Pacific: An Overview of Conflict Prevention and Peacebuilding*, edited by A. Heijmans, N. Simmonds, and H. van de Veen (London: Lynne Rienner Publishers, 2004), p. 17

state and should be expected in the world's newest states just as it occurred in European states.²³⁵ However, modern day policies often view conflict in post-colonial and newly democratising states as a sign of political corrosion.

The survival of modern-day states is guaranteed by international structures that see the state as the ideal form of global order,²³⁶ resulting in states that are not allowed to fail.²³⁷ The international community (made up of states and international governing bodies) is wary of separatist movements and disintegrating states because of the precedent this could set for disgruntled populations in other territories. Because it is in the interests of powerful international actors to maintain the *status quo*, the international community refuses to recognise the legitimacy of separatist movements while providing authenticity to collapsed or failing states through continued recognition.²³⁸ The International Commission on Intervention and State Sovereignty (ICISS) acknowledged the presence of debilitated and feeble states but determined the best response to these countries is to fortify and augment them rather than allow them to fail.²³⁹ This guarantee of status by the international community may have created "quasi-states" in which rulers do not need to rally their populations, organise society, press for state development and welfare systems, or be wary of the repercussions of bad governance because the international community will help guard them against attempts to alter the *status quo*.²⁴⁰ Expanding on this argument has been the claim that quasi-states are a new form of international protectorates in which the international community atones for

²³⁵ see for example M. Ayoob and C. Tilly

²³⁶ J. Milliken and K. Krause, "State Failure, Collapse, and Reconstruction," *Development and Change*, 33.5 (2002): p. 762

²³⁷ see for example I. W. Zartman and G. Sorenson

²³⁸ K. M. de Silva, "Conflict Resolution in South Asia," in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.* (Hague: Netherlands Institute of International Relations, 1996), p. 307

²³⁹ S. Chesterman *et al.*, *Making States Work: From State Failure to State-Building* (New York: International Peace Academy), p. 1

²⁴⁰ C. Clapham, "The Challenge to the State in a Globalized World," *Development and Change* 33.5 (2002): p. 775-95

a state's underdevelopment enough to maintain its sovereignty.²⁴¹ Therefore, territories questionably labeled as states (Milliken and Krause argue that at the time of decolonisation many states did not fit the definition of statehood according to international law) have little or no incentive to pursue state building. Following this line of reasoning some have focused on how states have been able to endure rather than why they fail.²⁴²

Both the governments of Sri Lanka and Aceh have benefited from the international community's reluctance to allow the separation of current state boundaries. Had governments and international institutions recognised the state of Tamil Eelam or Aceh the situation in these two areas may have been dramatically different. At the furthest extreme an intervention similar to that of the United Nations in East Timor may have occurred while, in the least, this may have increased the ability of organisations such as the LTTE and GAM to raise revenues and acquire arms. Instead the international community, through financial institutions such as the World Bank, has invested in development activities and numerous countries have provided foreign aid to the governments of these countries.

The debate surrounding the development of states in Europe and the applicability of this process to the developing world should be mentioned at the outset of this chapter. Some have argued that the idea of a state, and in particular a nation-state, is a Western phenomenon not necessarily applicable to modern developing countries in its current form. This is because states developed in Europe after particular conditions and developmental paths had occurred; whereas states in today's developing world were formed without having gone through the same developmental process. This

²⁴¹ R. H. Jackson, *Quasi-States: Sovereignty, International Relations, and the Third World* (Sydney: Cambridge University Press, 1990), pp. 22-3

²⁴² Milliken and Krause, *op cit.*, p. 763

idea is particularly pertinent with regards to the development of democracy which has become the accepted norm of Western governments.²⁴³

Does Participatory Democracy Promote Peace and Development?

For many, development has become synonymous with the promotion of democracy.²⁴⁴ However, this assumption should not be taken without an examination of the possible fallacy of this argument.

Democratic institutions are portrayed as defending civil and political autonomy necessary for human security and therefore allowing people to more freely and comfortably focus on pursuing economic ambitions.²⁴⁵ Democracy is presumed to be representative and accountable because of electoral processes ensuring politicians and governments work for the good of society in order to remain in power.²⁴⁶ Furthermore, democracy is often cited as the preferable form of government because of the democratic peace theory, in which it is argued that democracies are inherently peaceful because they do not fight each other. However, the process of democratisation is not necessarily peaceful and it has even been asserted it may in fact be a contributing factor to conflict.²⁴⁷ Several studies regarding the relationship between democracy and civil war have been conducted, but conclusive results are still lacking.²⁴⁸ Notably though, these studies argued democracies possess mechanisms for stifling dissent just as

²⁴³ see for example A. Chua, *The World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability* (New York: Anchor Books, 2004)

²⁴⁴ U. S. Kambhampati, *Development and the Developing World* (Cambridge: Polity Press, 2004), p. 147

²⁴⁵ *Ibid.*, p. 149

²⁴⁶ M. S. Grindle "Ready or Not: The Developing World and Globalization," in *Governance in a Globalizing World*, edited by J. S. Nye and J. D. Donahue (Washington D.C.: Brookings Institution Press, 2000), pp. 194-5

²⁴⁷ Reilly and Graham, *op cit.*, p. 18

²⁴⁸ For discussions of the argument democracy stifles civil war see M. Krain and M. Myers, "Democracy and Civil War: A Note on the Democratic Peace Proposition," *International Interactions* 23.1 (1997): pp. 109-18 and R. Rummel, "Is Collective Violence Correlated with Social Pluralism?," *Journal of Peace Research* 34.2 (1997): pp. 163-75. For a discussion supporting the argument democracy and civil war are linked see E. A. Henderson, *Democracy and War: The End of an Illusion?* (London: Lynne Rienner Publishers, 2002), H. Hegre *et al.*, "Towards a Democratic Civil Peace? Democracy, Democratization, and Civil War 1816-992," paper presented to the Annual Conference of the Peace Science Society, Tuscon, Ariona, November 1997) and E. Henderson and J. D. Singer, "Civil War in the Postcolonial World, 1946-92," *Journal of Peace Research* 37.3 (2000): pp. 275-99

autocracies do. Therefore, democracies should not be considered less likely than autocracies to experience civil war. These studies have found the countries most likely to experience civil war are those of semi-democracies which are unable to sustain democratic institutions allowing an outlet for political dissent.²⁴⁹ The inability of minorities to have their needs considered in both Sri Lanka and Indonesia shows that a lack of mechanisms for democratic expression of resistance exists.

The relationship between civil war and the process of democratisation is believed to be particularly strong when the transition to democracy occurs hastily rather than through a slow process as occurred in Europe. One theorist of democracy, Robert Dahl, claims all political structures face a crisis at some point, and for democracy to survive this crisis it must have firmly established its basis in a society.²⁵⁰ Another critic goes so far as to say that socio-economic and political development are by nature damaging and therefore conflict should be seen as advancing development through creating a shift from weak states to concern for local advancement.²⁵¹

Many, though, feel democracy is not, nor should it be considered, concurrent to development and it may even be an inappropriate means for achieving development aims. The economic growth of the “Asian Tigers,” including Indonesia, is a particularly strong argument against the relationship between democracy and development, as those countries - like many others that have gone through the development process - did so under ‘soft’ authoritarian leadership.²⁵² Proponents of this view may see democracy as the result of the developmental process, in which at a certain point successful

²⁴⁹ H. Hegre, T. Ellingsen, N. P. Gleditsch, and S. Gates, *op cit.*, and E. Henderson and J. D. Singer, *op cit.*, p. 287

²⁵⁰ Dahl in H. Handelman, *The Challenge of Third World Development*, 3rd ed. (Upper Saddle River, New Jersey: Pearson Education, Inc., 2003), pp. 39-40

²⁵¹ J. Overton, “Development in Chaos?,” (paper presented to the DevNet Conference, Wellington, New Zealand, 17-19 November 2000), p. 5

²⁵² Kambhampati, *op cit.*, p. 147

democracy may be allowed and/or be a requirement for further development.²⁵³ Examining the rise of democracy gives credence to this perspective. Generally economic development occurred prior to the introduction of democracy in developed countries. Even the most recent examples of Western development – including Germany and Japan - were guided by highly centralised and involved states during the development process, after which the introduction of democracy occurred.²⁵⁴

Authoritarian regimes are believed to be more stable than democracies in which unexpected and frequent changes in leadership and policy may occur due to competing interests. Under an authoritarian regime one person or group's interest is paramount and the government is considered more stable. However, when change does occur, it tends to be more violent and disruptive than changes in democratic systems.²⁵⁵ Examples of the stability of authoritarian governments can be found in the rule of Sukarno and Suharto in Indonesia. Under their tutelage Indonesia remained relatively stable and experienced economic growth. However, when Sukarno was deposed it was through a violent military *coup*. When Suharto stepped down from his position the strong centralised role of the Indonesian government (and military) was weakened allowing separatist movements to arise.

Many argue democracy actually hinders development. Because democratic systems require politicians to cater to a constituency, they may promote the welfare state to gain legitimacy at the expense of economic growth.²⁵⁶ Economic development entails a high amount of savings to be invested in infrastructure rather than welfare

²⁵³ *Ibid.*

²⁵⁴ A. Leftwich, "Governance, Democracy and Development in the Third World," in *Development Studies A Reader*, edited by S. Corbridge, *Development Studies: A Reader* (Sydney: Arnold, 1995), pp. 430 and 436 and Chesterman *et al.*, *op cit.*, p. 1

²⁵⁵ Kambhampati, *op cit.*, p. 148

²⁵⁶ *Ibid.*

schemes.²⁵⁷ Sri Lanka, for instance, maintained strong welfare programs throughout the first twenty years of its independence. However, the levels of economic growth in the country have nearly always been relatively low compared to other countries in Asia. This negative relationship between democracy and growth may be nullified by the effects democracy can have on growth. If a developing state increases welfare spending it is likely spending on education will increase. As education increases, human capital and growth are also likely to increase, leading to increased economic growth.²⁵⁸

Democracy is criticised for catering to constituents, and pressures placed on it by special interest groups such as Buddhists in Sri Lanka or the military in Indonesia, this, as well as repeated policy changes which occur within democratic government transitions, is viewed as a wasteful and inefficient activity.²⁵⁹ For instance, Indonesia was ruled by the same leader for 31 years and under Suharto maintained a fairly consistent economic policy. However, elections in Sri Lanka have led to frequent changes in the ruling party and economic policies and priorities seemed to vary depending on which party was in power. Furthermore, democracy is seen as slow because of its consensual nature often resulting in miniscule and steady changes rather than the rapid change believed necessary for development.²⁶⁰

Questions surrounding the ability of underdeveloped societies to maintain democracy also exist. Development creates numerous changes and requires a strongly guided society to mitigate or undermine the potential negative effects of change. For instance, former Indonesian president Suharto cited economic growth in support of his strong central government. Many developing countries as they exist today are believed to have “superficial and cosmetic [democracies] and hence are likely to buckle at the

²⁵⁷ Corbridge, *op cit.*, p. 430

²⁵⁸ Kambhampati, *op cit.*, p. 150

²⁵⁹ *Ibid.*, p. 148

²⁶⁰ A. Leftwich, *States of Development: The Primacy of Politics in Development* (Cambridge, Oxford: Polity Press, 2000), p. 6

first major test.”²⁶¹ This is aligned with the belief that forcing delicate and difficult issues such as individual liberties onto the agenda before prior tensions have been overcome or trust has developed within society will promote violence.²⁶² The Sinhalese-dominated government of Sri Lanka, for instance, adopted undemocratic and exclusionary policies as soon as the opportunity arose; thus creating riots as individual liberties such as religious freedom were restricted. Conflict has even been seen as a result of problems arising from the creation of democracy with declarations that conflicts may appear to be about issues such as territory, but are in reality attributable to “competition over democracy.”²⁶³

Another explanation for the relationship between democratic transitions and violence is that as a country democratises it allows for participation by persons previously excluded from political affairs and their participation may actually intensify conflicts that had previously been subdued.²⁶⁴ The Sinhalese majority in Sri Lanka, for instance, quickly worked to repress minority groups while efforts to consolidate cultural dominance occurred. An obvious example of this is Sinhalese efforts to make Sri Lanka a guardian of the Buddhist religion. A different take on this argument is that people previously colonised are now demanding their rights. Once democracy is in place they have a platform and the ability to assert their needs in ways unavailable to them during colonisation.²⁶⁵ If democratic mechanisms have not been fully developed,

²⁶¹ *Ibid.*, p. 9-10

²⁶² Reilly and Graham, *op cit.*, p. 102

²⁶³ K. Graham, “Transition and Conflict in Asia Pacific: The Role of the International Community in the Democratization Process,” in *Searching for Peace in Asia Pacific: An Overview of Conflict Prevention and Peacebuilding Activities*, edited by A. Heijmans *et al.* (London: Lynne Rienner Publishers, 2004), p. 90

²⁶⁴ J. Hippler, “Violent Conflicts, Conflict Prevention and Nation-building – Terminology and Political Concepts,” in *Nation-Building: A Key Concept for Peaceful Conflict Transformation*, edited by J. Hippler (London: Pluto Press, 2005), p. 12 and J. Pfaff-Czarnecka, “Democratisation and Nation-building in ‘Divided Societies,’” in *Nation-Building: A Key Concept for Peaceful Conflict Transformation*, edited by J. Hippler (London: Pluto Press, 2005), p. 29

²⁶⁵ D. J. Singer, “Armed Conflict in the Former Colonial Regions,” in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.* (Hague: Netherlands Institute of International Relations, 1996), p. 48 and J. Pfaff-Czarnecka, *op cit.*

the state may be unable to accommodate the aspirations of these citizens. If they feel separated from the power of the state, they may develop into extremist or pro-independence movements.²⁶⁶ Javanese control over the Indonesian state failed to accommodate the aspirations of a number of groups even after democracy was introduced, giving rise to numerous pro-independence movements such as the movement in Aceh.

Is the Nation-State Universally Relevant?

Similar to arguments over the formation of democracy and the state are arguments often made in regards to the nation-state. These are especially applicable to a discussion of Sri Lanka and Indonesia because of the national wars of liberation within each location. Nationalism is believed to be a European phenomenon, particularly in Western Europe where it is believed the first territorial nations were founded.²⁶⁷ Furthermore, criteria determining the status of nations - such as territory, citizenship rights, and legal and political traditions - were developed in the West.²⁶⁸ These ideas of state and nation-state were transferred to colonies. Under this structure nationalist ideologies were cultivated in many developing countries.²⁶⁹

It is often argued that the nation-state in Europe formed under specific conditions in which capitalism, a transition from monarchies, and secularisation collided to create a favorable atmosphere for the existence of a nation-state.²⁷⁰ Furthermore, this coincided with turmoil, mobility among populations, and education,

p. 29

²⁶⁶ R. Nair, "Religious Radicalism and State Policies of Democratic Governance and Human Rights," in *Religious Radicalism and Security in South Asia*, edited by S. P. Limaye *et al.* (Honolulu: Asia-Pacific Center for Security Studies, 2004), pp. 365 and 385

²⁶⁷ A. Kumar, "The State and Status of the Nation: A Historical Viewpoint," in *Autonomy and Disintegration in Indonesia*, edited by D. Kingsbury and H. Aveling (London and New York: RoutledgeCurzon, 2003), p. 49

²⁶⁸ Kumar, *op cit.*, p. 50 and P. James, "Forming Nations: Beyond Western-Centrism," in *Autonomy and Disintegration in Indonesia*, edited by D. Kingsbury and H. Aveling (London and New York: RoutledgeCurzon, 2003), p. 36

²⁶⁹ James, *op cit.*, p. 30

²⁷⁰ *Ibid.*

and occurred in areas not necessarily homogenous but in which an identity that had formed for various reasons eventually became accepted.²⁷¹ This argument counters claims - particularly relating to Indonesia - that borders defined colonially constitute a national identity. While capitalist development, population mobility, and education may have increased in Sri Lanka and Indonesia after the period of colonisation ended, this did not create a homogenous culture among heterogeneous groups.

Countries developing democratically or nationalistically in modern times do not enjoy independence from external constraints as Europe did. They have been economically and societally scarred by colonial rule²⁷² and this history has changed the attitudes and opportunities of post-colonial countries. For instance, the so-called Asian values characterized in part by non-interference and sovereignty within many Asian countries may be a response to Asia's history under colonial rule, negative experiences resulting from outside interference, and "the sense that Asia has never been left alone to develop its own institutions, processes and architecture to manage power relations."²⁷³ Economically, many of these countries are plagued by an unequal distribution of resources that exists between developed and developing countries, between regions within countries, and in numerous other forms.²⁷⁴ Even today, in both Sri Lanka and Indonesia a wide discrepancy exists between the economic status of ethnic groups. When conflict began each country was at the lower end of GDP *per capita* rankings.

²⁷¹ *Ibid.*, p. 40

²⁷² S. D. Muni, "Arms and Conflicts in the Post-Cold War Developing World," in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.* (Hague: Netherlands Institute of International Relations, 1996), p. 199, J. Remenyi, "What is Development," in *Key Issues in Development*, edited by D. Kingsbury *et al.* (London: Palgrave, 2004), p. 23, Alavi in Leftwich, *States of Development*, pp. 83-84 and D. Green and L. Luehrmann, *Comparative Politics of the Third World*, London: Lynne Rienner Publishers, 2003, p. 67

²⁷³ V. Hawkins and A. Timms, "Asian Approaches to Peace and Security and the Role of the United Nations," (the report of the IPA-Lowy Institute for International Policy conference, Sydney, Australia, 1-3 September 2004), p. 4

²⁷⁴ A. N rman, "Development Thinking: Bridging the Gap Between Theory and Practice," *Current Development Thinking* 79.4 (1997): p. 222

While these countries are encouraged to develop economically in order to overcome problems including the unequal distribution of resources, it is not environmentally logical to expect that these countries will be able to achieve the level of economic growth the most developed countries enjoy today.²⁷⁵ Furthermore, non-state actors not in existence during the earliest period of development in Europe, are very influential in today's world – including transnational corporations and international financial institutions.²⁷⁶ In this way globalisation has “pushed nation-states in many parts of the world to the limits of their potential as a vehicle for security and development,”²⁷⁷ and populations may become indifferent to a state failing to provide for them.²⁷⁸ The International Monetary Fund has established structural adjustment programs (SAPs) in both Sri Lanka and Indonesia, and in each instance government-controlled industries were privatised. In Sri Lanka the IMF cut welfare spending while in Indonesia the IMF did not allow for the on-going provision of food and fuel subsidies when the Asian Financial Crisis pushed millions of people back into poverty.

One particular area in which today's developing states have enjoyed less autonomy is violence. The international community is quick to react against or discourage violence. Modern developing states are subject to international critiques on a larger scale than the countries of Europe were during their formation. While the present-day states of Europe were embroiled in wars leading to the creation of modern boundaries, the international community as it exists today was largely non-existent. Therefore, for much of Europe's history states involved in war were not subject to condemnation, censure or sanctions by international players. While the conflicts in Sri

²⁷⁵ Närman, *op cit.*, pp. 217-25 and J. McKay, “Reassesseing Development Theory: Modernization and Beyond,” in *Key Issues in Development*, edited by D. Kingsbury *et al.* (London: Palgrave, 2004), p. 46

²⁷⁶ Nayyar, *op cit.*, p. 11 and D. Held and A. McGrew, *Globalization/Anti-Globalization* (Malden: Blackwell Publishers, 2002), p. 17

²⁷⁷ M. T. Berger, “From Nation-Building to State-Building: the Geopolitics of Development, the Nation-State Wystem and the Changing Global Order,” *Third World Quarterly* 27.1 (2006): p. 14

²⁷⁸ J. Rapley, *Globalization and Inequality: Neoliberalism's Downward Spiral* (Boulder, London: Lynne Rienner Publishers, 2004), pp. 89-90

Lanka and Aceh have not led to peacekeeping interventions by the United Nations, elements of the United Nations have initiated relief programs and UN member countries have continuously monitored these conflicts. Furthermore, international and regional powers such as the United States, India, and Japan have through various means pushed at one time or another for solutions to these conflicts while countries such as Norway, Finland, and Switzerland have been directly or indirectly involved in mediations.

In Europe some have argued the nation-state arose out of a violent struggle in which it emerged as the strongest power over other forces. Once it achieved primacy a more peaceful and sensitive state emerged in the form of the welfare state.²⁷⁹ This supremacy was often achieved through means discouraged today, including forced migration and genocide occurring as a consequence of the destabilising effects of development.²⁸⁰ The conflicts in both Sri Lanka and Aceh have been linked to accusations of genocide and many NGOs claim forced migrations are an undeniable aspect of these wars. In the formation of Western democracies disenfranchisement occurred over a long period in the lead-up to universal suffrage which was gradually implemented. These were a result of the elite fearing marginalised minorities would redistribute wealth.²⁸¹ Decolonised states do not have this luxury and in Sri Lanka, for instance, universal suffrage was introduced before the country was independent. The violent process of European state formation has also been described as a tussle between local and central powers, in which efforts by the center to assert power were resisted.²⁸² This notion applies to Indonesia in particular as conflicts within its borders are often seen as attempts to oppose the central government in Java.

²⁷⁹ H. W. Houweling, "Destablising Consequences of Sequential Development," in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.* (Hague: Netherlands Institute of International Relations, 1996), pp. 145-6

²⁸⁰ *Ibid.*, p. 145

²⁸¹ Chua, *op cit.*, pp. 190-5

²⁸² L. van de Goor *et al.*, *Between Development and Destruction: An Enquiry into the Causes of Conflict in Post-Colonial States* (Hague: Netherlands Institute of International Relations, 1996), p. 7

Violence also occurred during the Western formation of nation-states through revolutions and state collapse, which are again discouraged by the present international community. In the process of European state formation multiethnic states were allowed to disintegrate into more ethnically homogenous units, a practice frowned upon today.²⁸³ In the cases of Sri Lanka and Aceh the international community refuses to recognise Eelam or Aceh as an independent state; instead continuing to respect Sri Lankan and Indonesian authority over these areas despite their governments' inability to exercise authority over separatist-held territory.

One result of revolutions and state collapses in Europe was a new state able to more deeply penetrate society, eventually leading to capitalism and political pluralism. In regards to this assertion it is interestingly pointed out that

the population's identification with the state occurred after all the alternative sources of identification, such as Church and empire, feudal lords, guilds, village community, family clan, and region, had been deprived of their independent power to offer viable strategies of survival to followers.²⁸⁴

In Sri Lanka and Aceh it is apparent that all these forms of identification have yet to become fully disqualified. In both cases religion remains a part of ethnic identity, as does identification with village communities and regions.

The influence and control of the international community over many of today's developing states – whether it be through economic and political policies supported by developed countries or intervention in states failing or embroiled in nationalist wars – is viewed by some as merely a new form of colonialism. According to this view development policies advocated by the international community have served as an avenue for “Western economic and geopolitical imperialism.”²⁸⁵

²⁸³ Clapham, *op cit.*, p. 791

²⁸⁴ Houweling, *op cit.*, pp. 146-7

²⁸⁵ D. Simon, “Development Reconsidered; New Directions in Development Thinking,” *Current Development Thinking* 79.4 (1997): p. 184

The rise of poverty has been attributed to the extension and pervasiveness of capitalism that is seen as deconstructing traditional forms of society and so guarding against widespread poverty on a communal level. Therefore, by treating development as a universal process in which local societies are ethereal, Third World countries have been damaged by development policies supposedly meant to help.²⁸⁶ In an effort to develop, Third World rulers followed policies destructive to their countries and societies. As cultural destruction continued leaders became less proficient at self-rule, making them reliant upon the industrial world.²⁸⁷ Sri Lanka is largely dependent on foreign aid to support its expenditures while Indonesia experienced economic growth by combining domestic investment funds with foreign investment.

Theories of Development

A change in American foreign policy after the Second World War gave rise to modernisation theory²⁸⁸ which reached its zenith in the 1950s and 1960s. This theory saw development as a linear process in which the underdevelopment of the third world was a preliminary stage and circumstances believed responsible for advancing development in the first world could be passed on to create development in the third world. The third world, which lacked anything from a shortage of capital to the correct cultural values to create an entrepreneurial class, needed to acquire the modern cultural values, political structures, and economic institutions of the West to achieve growth.²⁸⁹ Essential to this was education, urbanisation, and a mass media allowing for a cultural

²⁸⁶ A. Escobar, *Encountering Development: The Making and Unmaking of the Third World*, (Princeton: Princeton University Press, 1995), p. 22 and 44

²⁸⁷ Escobar, *op cit.*, pp. 39 and 52-3

²⁸⁸ Several terms are used to describe this theory. I refer to modernisation theory as Berger, *The Battle for Asia*, *op cit.*, pp. 87-9 does, a term encompassing post-World War II western theories of how to approach the third world.

²⁸⁹ J. Rapley, *Understanding Development: Theory and Practice in the Third World*, 2nd ed., (London: Lynne Rienner Publishers, 2002), p. 15, Remenyi, *op cit.*, p. 45, J. Hippler, "Violent Conflicts," pp. 4-5, and Kambhampati, *op cit.*, p. 70

renovation able to accommodate growth and development.²⁹⁰ This forced post-colonial states to address state building and nation-building concurrently²⁹¹ but it was before institutions able to mitigate the problems of development were created.²⁹²

The theory was modified when Samuel Huntington argued economic growth and democracy did not necessarily generate stability but rather often produced conflict. It became accepted that political stability was a decisive factor in development and therefore authoritarianism was a temporary necessity.²⁹³ Others extended this argument to contend that authoritarianism could also benefit economic growth.²⁹⁴ This was supported by, and provided justification for, the establishment of authoritarian regimes throughout Latin America and Asia.²⁹⁵

Some theorists see the formation of a nation-state as a direct result of capitalism's evolution and attribute conflict to the progress of capitalism.²⁹⁶ This theory suggests capitalism imposes on traditional forms of society and until a capitalist transformation is complete chaos and violence will occur. However, once the transition to capitalism is concluded democracy and civil society will have formed, helping to mitigate violence. This conclusion is based on the "fact that developed civil societies no longer wage war against each other."²⁹⁷ These theorists support the earlier presented view that authoritarianism is good for development. However, this has been criticised for overlooking the "ethnic biases of capitalism," placing too much emphasis

²⁹⁰ H. Handelman, *op cit.*, pp. 12-3, and Lipset in N. Guilhot, *The Democracy Makers: Human Rights and International Order* (New York: Colombia University Press, 2005), p. 112

²⁹¹ see for example Chesterman, Ignatieff, and Thakur

²⁹² *Ibid.*

²⁹³ see S. P. Huntington, *Political Order in Changing Societies* (London: Yale University Press, 1968), p. 68

²⁹⁴ Handelman, *op cit.*, p. 14

²⁹⁵ Guilhot, *op cit.*, p. 117 and M. T. Berger, *The Battle for Asia: From Decolonisation to Globalisation* (London: RoutledgeCurzon, 2004), p. 105

²⁹⁶ D. Jung *et al.*, "Ongoing Wars and their Explanation," in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor (Hague: Netherlands Institute of International Relations, 1996), p. 55-6

²⁹⁷ *Ibid.*, p. 56

on markets, and placing too much blame on democracy. Furthermore, examples throughout Africa counter the assertion that dictatorships lead to economic and political growth.²⁹⁸

Despite these changes modernisation theory continued to face many criticisms. The linear path assumed by modernisation theory did not allow for the possibility of fundamental differences between the first and third worlds or consider the significance of time and place.²⁹⁹ Modernisation theory maintained a harsh view of traditional cultures and focused on the ways in which these cultures failed to meet the standards of modern cultures. This was viewed as ethnocentric and criticised for failing to recognise that some traditional aspects of culture might be valuable for growth.³⁰⁰ Furthermore, Western values and the desire for growth did not prove universal as fundamentalists in areas such as the Middle East began to rebel.³⁰¹ The theory also became outdated, argued critics, because it was based on a Cold War mentality in which foreign aid was used to prevent countries from turning to the Soviet Union.³⁰²

Two of the biggest criticisms facing modernisation theory came from the school of *dependencistas*. These theorists argued that third world elites entrusted by the West with implementing political development actually benefited from third world underdevelopment and therefore were working to maintain the backwardness of their countries.³⁰³ It was also in the interest of the West to maintain the *status quo* in the third world as it ensured a supply of cheap resources and a market.³⁰⁴ *Dependencistas*

²⁹⁸ Chua, *op cit.*, pp. 262-3

²⁹⁹ Rapley, *op cit.*, p. 16 and Berger, *The Battle for Asia, op cit.*, pp. 86 and 105

³⁰⁰ P. W. Preston, *Development Theory: An Introduction* (Oxford: Blackwell Publishers, 1996), pp. 173-4, Kambhampati, *op cit.*, p. 71 and Handelman, *op cit.*, p. 14

³⁰¹ *Ibid.*, M. Albrow, "Globalization after Modernization: a New Paradigm for Development Studies," in *Globalization and Development Studies: Challenges for the 21st Century*, edited by F. J. Schuurman, (London: SAGE Publications, 2001), p. 22 and Rapley, *Globalization and Inequality*, p. 35

³⁰² Guilhot, *op cit.*, pp. 104-5 and Preston, *op cit.*, p. 172

³⁰³ see Beran in Rapley, *Understanding Development, op cit.*, pp. 16-7 and Beran in Handelman, *op cit.*, p. 15

³⁰⁴ see Frank in Rapley, *Understanding Development, op cit.*, p. 17, Frank in Handelman, *op cit.*, p. 15,

argued that modernisation theory failed to account for the effects of the developed world on the developing world, and by insinuating that third world countries were archaic effectively ignored their histories.³⁰⁵ During decolonisation first world countries had exhausted local resources and destroyed capitalist competition in third world locations³⁰⁶ causing third world countries to face a tougher battle than first world countries had because they were automatically disadvantaged in competition with developed countries.³⁰⁷

The experiences of countries such as Sri Lanka and Indonesia give credence to some of the critiques of modernisation theory. In both instances, the activities of colonial powers in regards to social and economic exploitation have proved difficult to overcome. Synchronising the processes of state-building and nation-building has proved unattainable to date and the assumption that statewide nationalism either already existed or would develop in these locations has proven false. Despite modernisation theorists' view of development as an evolutionary process, they overlooked the need for evolutionary development of democracy and capitalism in post-colonial countries. Their focus on the diffusion of ideas from the West ignored structural factors that have prevented the development of democracy in each country and capitalism, to date, has proven unable to overcome these difficulties.

Criticisms of modernisation theory helped establish dependency theory (the theory of *dependencistas*) which argues that third world underdevelopment is the result of historical events in which the first world exploited the third world.³⁰⁸ Therefore, the first and third worlds did not start at the same point in their development processes and

and Preston, *op cit.*, p. 192

³⁰⁵ see Frank in Preston, *op cit.*, p. 174

³⁰⁶ Baran in Rapley, *Understanding Development*, p. 17, Handelman, *op cit.*, p. 15 and Kambhampati, *op cit.*, p. 71

³⁰⁷ Berger, *The Battle for Asia*, *op cit.*, p. 105 and Preston, *op cit.*, p. 175

³⁰⁸ Preston, *op cit.*, pp. 190-1

the already developed first world provides economic competition in the form of economically powerful countries and multi-national companies that they themselves did not have to contend with during their development. The world situation required the third world to borrow money and buy technology from the first world, creating dependency.³⁰⁹ First world countries were viewed as primarily concerned with protecting their interests and using alliances created with third world elites to maintain this dependency.³¹⁰ In reality, it was not in the interests of the elite to tolerate democratic participation or to allow minorities to benefit from economic growth. Therefore, in order to break out of the poverty cycle, third world countries needed to break free of the first world and elites within their countries and instead rely on the state to create an independent growth strategy.³¹¹

This strand of development theory was criticised for being overly pessimistic and unable to rationalise instances in which the third world did develop through relationships with multi-national companies located in the first world. Furthermore, it ascribed all of the problems of the third world solely to external factors; failing to take notice of difficult issues already existing in the third world.³¹² The experiences of Sri Lanka and Aceh reinforce both of these criticisms.

Almost immediately upon independence Sri Lanka began to pursue a policy of economic isolation as prescribed by the development theory of the time. While this allowed the country to develop some of the strongest social indicators in Asia it did little to aid the country's economic growth. By way of contrast, the economic growth occurring in Indonesia was predominantly a result of increased foreign investment rather than seclusion from the global economy. Within Indonesia the area that had the

³⁰⁹ Handelman, *op cit.*, p. 15

³¹⁰ see Furtado and Amin in Rapley, *Understanding Development*, p. 17 and Kambhampati, *op cit.*, pp. 73-8

³¹¹ Rapley, *Understanding Development*, *op cit.*, p. 18 and see Furtado in Preston, *op cit.*, p. 193

³¹² Handelman, *op cit.*, pp. 16-7 and McKay, *op cit.*, p. 57

least contact with Dutch colonisers (Aceh) is also one of the most resource-rich provinces. Development theory suggests Aceh would therefore be one of the most developed areas of Indonesia. However, policies within Indonesia have ensured it remains one of the most economically and socially underdeveloped areas in the country.

There are other theorists who argue that economic underdevelopment in the third world is a result of the failure of colonial countries to exploit their colonies *enough*. According to this logic, development was most likely to occur in areas where large numbers of settlers moved to a colony and took with them their skills and knowledge – such as occurred in the United States. However, in areas where the main colonial activity was to extract resources, development was less likely to occur.³¹³ Sri Lanka and Indonesia (and Aceh to a lesser degree) are both examples aligning with this view. In each instance the countries were used largely for resource extraction yet were left with little technology, skills or knowledge.

Other theorists argue that the debate is too state-centric and should focus more on the role of society within the process of nation-state formation. Two views of society are offered in this approach. The first sees society as a collection of organisations which are naturally conflicting as they work to gain control over people. Some organisations - in an effort to increase their power - will create alliances and coalitions, which develop into “overlapping arenas of social relations and social control.”³¹⁴ Those who encourage the social-centric role of state formation argue conflict is caused by a struggle for social control in which the state is a primary actor. This positions the state as only one of many actors in the area governments are

³¹³ Rapley, *Understanding Development*, *op cit.*, p. 44 and Kambhampati, *op cit.*, p. 67

³¹⁴ J. S. Migdal, “Integration and Disintegration: An Approach to Society-Formation,” in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.*, (Hague: Netherlands Institute of International Relations, 1996), p. 92

working to administer.³¹⁵ Related to this view is the idea of *defensive* nationalism, in which nationalism develops as a reaction to perceived inequalities, encroachments, or disorder.³¹⁶ In both Sri Lanka and Aceh nationalistic ideas were, if not a result of at least reinforced by, policies and their effects leading to increasing marginalisation of minority communities as well as relocation programs increasing the percentage of persons from the majority ethnic group living in areas considered to be neutral (in the dry zone of Sri Lanka) or traditional territory of minority groups (the Eastern Province of Sri Lanka and the province of Aceh).

A second approach views society as an outside structure consisting of a community of people sharing an identity through their experience with the state. According to this view society existed prior to the state and invented the state to defend and advocate for it.³¹⁷ This may have been the case during the Indonesian war for independence in which the Acehnese joined in the fight against the Dutch to create an independent state. According to this approach, conflict arises as the state attempts to create boundaries encompassing its society or these boundaries change.³¹⁸ In this regard nationalism can be seen as *developmental*, or representative of a consolidated population and its hopes and desires in opposition to other groups.³¹⁹ According to this society-based approach, successful states arise when the state becomes powerful enough to overcome other aspects of identity such as religion or ethnic ties. If a state's legitimacy is questioned or its capacity decreases other forms of identity become the paramount factor uniting people.³²⁰ Neither Sri Lanka nor Indonesia appears at any time throughout their independence to have established themselves as states advocating

³¹⁵ *Ibid.*, p. 95-6

³¹⁶ R. Tetzlaff, "Globalisation and Nation-building – Not a Contradiction in Terms," in *Nation-Building: A Key Concept for Peaceful Conflict Transformation*, edited by J. Hippler (London: Pluto Press, 2005), p. 21

³¹⁷ Migdal, *op cit.*, pp. 93 and 98

³¹⁸ *Ibid.*, pp. 99-100

³¹⁹ Tetzlaff, *op cit.*, p. 21

³²⁰ Migdal, *op cit.*, pp. 102-3

for their population as whole. Instead, from the viewpoint of the Tamils, the Sri Lankan state has supported Sinhalese nationalism; while according to groups such as the Acehnese, the Javanese monopolise the interests of the Indonesian state. As these groups consolidate their power and the state becomes increasingly aligned with their desires, minority groups have begun to feel current boundaries do not represent them and other forms of identity have united people to fight for a reconfiguration of borders.

Similarities

The conflicts in Sri Lanka and Aceh are replete with similarities. Each area was deeply affected by its colonial history and has experienced opposition since the 1950s, soon after statehood was granted. In each case human rights abuses have occurred by military and rebel forces, resulting in numerous refugees and internally displaced persons. Fighting has been ongoing for decades – 23 years in Sri Lanka and 30 years in Aceh; coalescing identities and creating generations of people who have lived their entire lives in a wartime atmosphere. All of these factors created largely ethnically homogenous areas through scare tactics and the killing or forced movement of minority groups.

Sri Lanka and Aceh have also previously negotiated peace settlements – based on both internal solutions and external involvement. They have failed. This factor is particularly important because the resulting failures provide an opportunity for future peace negotiators to correct past mistakes or oversights as well. Negatively though, they have also created distrust amongst all the parties involved. In each instance people such as military personnel and rebel leaders gain economically and politically from the continuation of war and could create spoiler problems.

Similarities can also be drawn between rebel groups fighting in Sri Lanka and Aceh. The LTTE and GAM have each gained control over large areas in which they

have set up *de-facto* states, complete with judicial systems and mechanisms for tax collection. They have been accused of human rights abuses and evidence exists indicting both groups of recruiting child soldiers. A strategy of internationalisation has been pursued by the LTTE and GAM, although the LTTE has been much more aggressive in this policy and maintained it for a longer period as discussed in more detail later. This strategy has been employed in each instance as a means to gain legitimacy as the political representative of each respective ethnic minority group. Also, both groups have experienced a split in their ranks; creating questions of who should be included in negotiations. This split has had a more profound impact in Sri Lanka where a shadow war between the two blocs has begun.

While these similarities are easily derived from surface observations of the wars deeper similarities can be found in the causes of both wars. Drawing on these conflicts several intertwined themes - which can be categorised into structural, political, economic, and cultural factors³²¹ - become readily apparent in the unsuccessful evolution of post-colonial Sri Lanka and Indonesia. The failure of these country's governments to address issues of state infrastructure, political institutions, economic discrepancies, and previous historical and cultural issues resulted in the stifling of democracy as well as the rise of ethno-nationalist movements.

Structural Factors

A prevalent view among scholars of internal conflict is that weak states are, if not the cause of, the force allowing conflict to develop.³²² These states are often incapable of guarding against undemocratic forces because while newly democratising countries often possess a high degree of political participation they maintain few robust

³²¹ M. E. Brown, "The Causes and Consequences of Internal Conflict: An Overview," in *Nationalism and Ethnic Conflict*, edited by M. E. Brown *et al.* (Cambridge: The MIT Press, 2001), p. 5

³²² see for example S. P. Huntington, E. D. Mansfield and J. Snyder, M. Ayoob, K. Gantzel, E. A. Henderson, D. R. Singer, and R. Jackson.

political institutions.³²³ Additionally, regimes in weak states tend to lack political support or legitimacy which may result in government efforts to control any means of violence.³²⁴ This situation was prevalent in Indonesia which fought a war for its independence rather than undergoing a peaceful transition, and appears to have existed to a lesser extent in Sri Lanka despite (or because of) British attempts to prepare the country for self-rule.

Some see nationalism as a political tool in these situations because leaders cannot rely on instruments and institutions of legitimacy such as the media and political parties at this juncture. This situation is unmistakably apparent in Sri Lanka's transition to democracy during which universal suffrage was granted to the country creating a mass electorate nearly 20 years prior to the development of political parties occurring at independence. When parties did develop there was little conflict between them causing candidates to appeal to castes and religions as opposed to platforms and issues³²⁵ and creating a situation in which ethnic outbidding became the norm. Later, as some Sinhalese politicians worked to address Tamil grievances, they were often constricted by the lack of a consistent policy among government coalitions and threats to abandon political alliances – a problem continuing to plague the country today.

The other setting in which newly democratised countries may develop nationalistic competition occurs when powerful interests become threatened by democracy. In these instances endangered interest groups or selfish leaders appeal to the masses to retain their power and by placing their interests above those of the state they “may succeed in establishing terms of inclusion in politics that force opposition

³²³ Mansfield and Snyder, “Democratic Transitions,” *op cit.*, p. 298

³²⁴ K. Krause, “Armaments and Conflict: The Causes and Consequences of ‘Military Development,’” in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.* (Hague: Netherlands Institute of International Relations, 1996) p. 182 and Grindle, *op cit.*, p. 190

³²⁵ *Ibid.*, pp. 55-6

groups to accept nationalism as the common currency of public discourse.”³²⁶ This can develop into a zero-sum fight for power.³²⁷ Alternatively, weak states are unlikely to possess institutions engaging in conflict resolution and areas in which negotiation does occur are plagued by a mindset of win-win outcomes.³²⁸ In Sri Lanka there is no doubt that powerful Buddhist monks and Sinhalese leaders were plagued by this. In Aceh this also seems to have occurred, although the intentions of leaders may not have been belligerent. In an effort to unify the many diverse peoples of the Indonesian archipelago the government refused to grant Islam the official status the Acehnese had hoped for, and later the government and the military threatened this Islamic identity further with Pancasila.

Moreover, in weak states it is becoming increasingly accepted that the population as a whole is not concerned with abstract principles of democracy as much as the day-to-day policies that impact them. Therefore, charismatic leaders who do not necessarily provide for democratic advancement but do provide for the advancement of a portion of the citizenry may be entrusted with leadership of the country. This is credited to a lack of development between politics and policy,³²⁹ which fails to create an electorate invested in democratic development.

When the prevailing interest group(s) of a democratised state are threatened, they may work to enfeeble and marginalise democratic institutions.³³⁰ In Sri Lanka, Buddhist Monks in particular threatened the government and staged protests against policies they felt gave too much power to the Tamil population. In Indonesia the

³²⁶ Mansfield and Snyder, “Democratic Transitions,” *op cit.*, p. 299

³²⁷ R. Jackson, “The State and Internal Conflict,” *Australian Journal of International Affairs* 55.1 (2001): p. 72 and Grindle, *op cit.*, p. 190

³²⁸ O. Barbanti, Jr., “Development and Conflict Theory,” in *Beyond Intractability*, edited by G. Burgess and H. Burgess (Boulder: Conflict Research Consortium, University of Colorado, August 2004), also available online at http://www.beyondintractability.org/m/development_conflict_theory.jsp

³²⁹ M. Ottaway, “Democratic Reversals,” *Georgetown Journal of International Affairs* 1.2 (Summer/Fall 2000): p. 115

³³⁰ Mansfield and Snyder, “Democratic Transitions,” *op cit.*, p. 301

military serves as an example of a threatened interest group. It uses its influence and position in the government to ensure government policy corresponds with its pursuits, often working against local groups advocating for democratic and non-democratic changes. It justified its tactics and abuses on the basis of preserving the state, yet prevented the strengthening of democracy. This is a common occurrence in countries lacking strongly developed institutions and allows for “a hypertrophied military establishment, with tentacles of influence reaching into all levels of society.”³³¹

The rise of a strong military in a weak state can have several detrimental impacts. In these situations the military may be able to control the resources of a society, often taking more than its fair share. This can have negative economic repercussions and/or create an opportunity cost in which other institutions or areas are slower to develop because of a lack of resources.³³² It is hard to qualify this statement within the context of Sri Lanka or Indonesia’s situation as we are unable to ascertain what the economic situation in each country would have been with a smaller military presence or no military at all. However, in both instances economic statistics have shown military spending has constituted a considerable part of state budgets; obviously leading to decreased spending in other areas. Secondly, a strong military generally coincides with elite and institutional reliance on the military for power, resulting in the weakening or failure of other social and political institutions to develop.³³³ In return, “social conflict ... is endemic, and the potential for reducing insecurity through political dialogue and compromise is limited.”³³⁴ The dependence of elites on military institutions was especially severe in Indonesia where an entrenched and influential relationship between the military and both Presidents Sukarno and Suharto existed. In

³³¹ Krause, *op cit.*, p. 182

³³² *Ibid.*, p. 186

³³³ *Ibid.*, pp. 186-7

³³⁴ *Ibid.*, p. 187

each instance it is worth noting the presence of the military in the decline of power for Sukarno and Suharto. In Sri Lanka the relationship appears to have been less extensive although the government has typically reacted to domestic threats through the use of military force and states of emergency. In each country there appears to have been little use of alternative means of dispute reconciliation and instead a willingness and rapid resort toward military use when situations become undesirable.

Krause³³⁵ points out that in many Western states the military's security role is limited to external threats while a reciprocal relationship between the state and population at large as well as the formation of representative government has allowed for alternative mechanisms of internal security. In some cases this in itself has thwarted the growth and power of the military, as there was no need for a large military organisation. However, in developing countries – and particularly in weak states - these alternatives were often missing, leading to the establishment of a large military for internal security that continues to be used as the primary method of quelling internal dissent. Furthermore, once the military has reached this stage of power, those who control it may use it to advance their own position often in terms of ethnic identity.³³⁶ The Sri Lankan army has primarily been utilised to fight an intrastate war rather than for protection from external threats. In Indonesia the situation differs in that the army has been used to guard against perceived external threats; however, its primary commitments since independence have been related to internal discontent. In both instances the military is fighting on the side of a ruling government considered primarily representative of a dominant ethnic group (i.e. the Sinhalese in Sri Lanka and the Javanese in Indonesia).

³³⁵ Krause, *op cit.*, pp. 187-8

³³⁶ *Ibid.*

The state has also gained a monopoly over the legitimate right to use force and maintain a military. This stems from decolonisation occurring after World War II in which the authenticity of state borders created by the colonial period were reinforced and conventions protecting state sovereignty became prominent. This was based on the experience of wars prior to and including World War II that were largely over territorial debates with other states. However, modern wars are mostly internal and fought over territory within borders; therefore, rather than strengthening the state as earlier wars have done, internal wars tend to weaken the state apparatus.³³⁷

While it is accepted the state will maintain a military and can use it forcefully when threatened, non-state actors – such as the Liberation Tigers of Tamil Eelam or the Free Aceh Movement - that claim legitimacy and choose to create and sustain a military are often branded as rebels or terrorist organisations. Throughout history organisations today considered heroic have engaged in acts that at the time were considered terrorism – including the rebels of the French Revolution, opposition in Nazi-controlled areas of Western Europe during World War II, and anti-colonialists in Africa and Asia.³³⁸ These examples show some of the terrorist methods used by the LTTE and GAM have, in hindsight, gained legitimacy. By definition terrorism “is unlawful action, going beyond what are regarded as the bounds of legitimate protest, going further than confrontation, on to exceeding the limits of conventional social behaviour.”³³⁹ However, from the standpoint of terrorist groups they are often engaging in a political movement in which marginalisation and deprivation have left them no other alternatives for communication.³⁴⁰ Members of these organisations see themselves as soldiers fighting a war of liberation. However, it should be noted not all the activities of these

³³⁷ Clapham, *op cit.*, p. 786

³³⁸ Whittaker, *Terrorism, op cit.*, pp. 13-21 and see also B. Jenkins in Whittaker, *The Terrorism Reader*, , *op cit.*, p. 261

³³⁹ Whittaker, *Terrorism, op cit.*, p. 10

³⁴⁰ *Ibid.*, pp. 12-3

organisations (particularly those impacting civilian populations) would be legal under the rules of war.³⁴¹ Perhaps the only difference between terrorist-like groups and organisations such as the state is their lack of legitimacy. The state itself is not immune from undertaking activities fitting into the realm of terrorism, particularly against rebel populations, under the guise of counter-terrorism. Yet, their ability to use military force is not prohibited or under coercion. Both the Sri Lankan and Indonesian militaries have been criticised for committing acts falling under the definition of terrorism, including attacks on civilians.

Often groups labeled as terrorists engage in questionable and illegal activities that further brand them as rebels. Both the LTTE and GAM have been linked to illegal activities throughout their history. The LTTE particularly has been noted for involvement in drug trafficking and it is alleged GAM has participated in illegal arms trading. While these groups have been criminalised due to these types of activities, it should be remembered that they continue to maintain political objectives and classifying organisations like the LTTE and GAM as criminal may cause their grievances against the state to be overlooked. This could possibly result in missed opportunities for negotiating solutions as well as granting effective legitimacy to states that may themselves be engaged in uncouth activities.³⁴² This is particularly apparent in Sri Lanka where the government successfully lobbied for the LTTE to be classified by Western countries such as the United States and Great Britain as a terrorist organisation and therefore proscribed. The LTTE has been branded a criminal organisation while the international community supports the Sri Lankan government, and many of its activities – particularly human rights abuses – are overlooked. In Indonesia this has not been as

³⁴¹ B. Jenkins in *The Terrorism Reader*, *op cit.*, pp. 259-60

³⁴² K. Ballentine and H. Nitzschke, "IPA Policy Report: Beyond Greed and Grievance: Policy Lessons from Studies in the Political Economy of Armed Conflict," (International Peace Academy, October 2003), pp. 6 and 21

significant and efforts by the government to classify GAM as a terrorist organisation have so far been unsuccessful. Significantly, the United States chose not to classify GAM as a terrorist organisation because it recognised GAM's grievances have some legitimacy and that the Indonesian government has been involved in some dubious activities in Aceh.

Political Factors

Another factor leading to armed rebellions that are present in Sri Lanka's and Aceh's conflict is that of discriminatory or exclusionary politics. In these instances a minority group may be inadequately represented – as both the Tamils and Acehnese were during key events in the creation of statehood – or purposefully marginalised from participation in politics. Domains in which participation can be limited include government, judicial institutions, law enforcement, and even political parties. In Sri Lanka the Constitution proved inadequate at ensuring adequate Tamil representation in the parliament and Sinhalese policies regarding language and education ensured Tamils were largely excluded from military and civil service jobs. In Indonesia there has long been a feeling of Javanese colonialism and the central government removed Aceh from provincial status early on; instead merging it with North Sumatra and curtailing opportunities for representation in the central government. Furthermore, Indonesian laws governing the creation and maintenance of political parties require parties to maintain offices in a majority of provinces, restricting the formation of regional parties. As a result few Acehnese have participated in formal political processes.

These political factors are presumed to have a larger impact if groups are strongly motivated, adopt offensive measures, and have a strong sense of identity. Both Sri Lanka and Indonesia have demonstrated their commitment to maintaining their territorial boundaries, instigating violence as a means to legitimise rule and a method to

define power. Moreover, in both countries the majority of the population has been willing to give up democratic rights for the supposed good of society.³⁴³ The primary rebel group in each conflict has proved to be willing to utilise offensive means to achieve its aims. Furthermore, the length of each conflict shows groups in each situation are committed to attaining autonomy at a minimum, and preferably independence, and each group had an established identity prior to their post-colonial situations.

Another factor believed to increase the likelihood of violence when discriminatory or exclusionary politics occurs is the geographical spread of minority groups. If a “core ethnic region” exists within a state this area is in a position to create rival power mechanisms and may be more assertive if their rights are trampled on or distribution is perceived to be unbalanced.³⁴⁴ Both minority populations examined in this thesis make up a large majority in their respective regions, which can therefore be classified as “core ethnic regions.” Furthermore, the history of these conflicts shows these groups coalesced when they perceived they were being treated undemocratically and inequitably.

Economic Factors

The role of economics is prominent in literature describing conflict and the failures of post-colonial states to develop, and the cases of Sri Lanka and Aceh support this argument. While every country experiences economic difficulties at some point, newly developed or developing countries often have a difficult time mitigating these factors. Therefore, economic problems may create competition in which groups fight for resources and frictions can arise. Capitalism is especially susceptible to this struggle

³⁴³ C. Nagengast, “Violence, Terror, and the Crisis of the State,” *Annual Review of Anthropology* 23 (1994): pp. 111, 115 and 124

³⁴⁴ H. E. Hale, “Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse,” *World Politics* 56.2 (2004): pp. 165-93

because it “creates winners and losers [and] social cleavages have provided a way of mobilising coalitions of common interest to be part of the winning side.”³⁴⁵ A failure to manage and prevent the exploitation of resources can lead to corruption and misconduct which serves to delegitimise the state and undermine the state’s ability to fulfill its obligations.³⁴⁶

These economic problems are especially perceptible in Sri Lanka where a shifting economic policy, at first creating an isolated market and later becoming subject to world economic organisations, led to a slow growing economy. As a result the Sinhalese majority began to move into geographical and industrial areas that had traditionally been Tamil strongholds. In Indonesia a fast growing population and unequal economic growth were used by the central government to justify and encourage Javanese migration to outer areas of the state. This often resulted in the advancement of the Javanese at the expense of locals; particularly in the case of Aceh where Acehnese were often overlooked for employment.

Another aspect of economic difficulties is the possibility of discriminatory economic systems, which may be an inherent aspect of the system or could arise from the above-mentioned issue of scarcity of resources. In this situation a particular group or region profits considerably more from a country’s economic growth. Sri Lanka’s economic system suffered from a form of affirmative action in which the Sinhalese majority was working to redress the Tamil dominance in the most lucrative sectors of the economy during the colonial period. Despite being by far the largest group on the island at the time of independence, the Sinhalese were vastly underrepresented in high paying and prestigious fields such as engineering and medicine. Therefore, they introduced legislation dramatically increasing their ability to enter these areas while

³⁴⁵ Reilly and Graham, *op cit.*, p. 17

³⁴⁶ H. Nitzschke, *Transforming War Economies: Challenges for Peacemaking and Peacebuilding* (New York: International Peace Academy, December 2003), p. 11

Tamils were largely restricted. The Tamils in this situation can be described by Amy Chua's phrase - "market-dominant minority" – because their status became jeopardised when democracy allowed the Sinhalese majority to use ethno-nationalism to try to correct injustices.³⁴⁷ In Aceh economic conflict arose over more tangible substances. The region of Aceh was rich in natural resources such as oil and timber but as I have noted previously, the local population saw little of the revenues generated from these areas and it remained one of the poorest regions in the country.

One theory relating economics to violent state development is that of relative deprivation, in which it is believed people will become aggravated and even violent if there is an incongruity between what they expect and what they receive in reality. A similar theory, known as the frustration-aggression theory, argues that when people become aggravated and discouraged they will become violent.³⁴⁸ These feelings of deprivation can be the basis for the formation of group identity giving rise to conflict.³⁴⁹ Some scholars believe the above-mentioned economic difficulties have been heightened through modernisation. With increased industrialisation, technology, education, and media presence people are more apt to travel and become aware of others, making them aware of their relative status.

There is empirical evidence finding that poverty and inequality are often elements of conflict.³⁵⁰ The situations of Sri Lanka and Aceh support these claims. Particularly in Aceh there was considerable consternation over the differences between expectations of economic gain from the natural resources being extracted and the economic situation existing in reality. As this continued people became more willing to take up arms and eventually a secessionist movement began. In Sri Lanka the situation

³⁴⁷ Chua, *op cit.*, pp. 6-7

³⁴⁸ van de Goor *et al.*, *op cit.*, p. 21 and Rapley, *Globalization and Inequality*, *op cit.*, pp. 30-1

³⁴⁹ Houweling, *op cit.*, p.156

³⁵⁰ van de Goor *et al.*, *op cit.*, p. 22

was not as clear-cut. However, when measures were put in place to reduce the numbers of Tamils in prestigious jobs and university placements, thus reducing their capacity to advance economically, frustration among the Tamil population intensified.

Alternatively, some theories suppose that rather than increasing the likelihood of violence economic inequality reduces the likelihood of disputes because those with economic supremacy will do everything in their power to maintain their position, including stifling conflict.³⁵¹ In both Aceh and Sri Lanka it can be argued those in power have worked to maintain their economic position. However, rather than containing violence this has contributed to it. Particularly in Sri Lanka a situation developed in which an economically prosperous ethnic group was becoming economically marginalised after independence was achieved. Those who had been economically well-off were attempting to maintain their position, eventually through violence. Insurgencies, therefore, can be seen as arising as a result of elite efforts to create power networks for themselves.³⁵² These insurgent groups are able to create and maintain a following because they provide an opportunity for the personal success and the safety of combatants. Furthermore, they may be seen as substitutes for corrupt governments and have often worked to marginalise those they are fighting.³⁵³

Cultural Factors

Internal conflicts are often classified as ethnic or nationalist conflicts, which suppose a common identity, either historically formed or elite driven. This shapes the basis for violence between groups. Ethnic groups often have antagonistic histories that may cause disunity within a state. However, in the cases of Sri Lanka and Aceh these antagonistic histories do not appear to be the motivating factors of war. Instead, a form

³⁵¹ *Ibid.*, 21

³⁵² W. Reno, "The Politics of Insurgency in Collapsing States," *Development and Change* 33.5 (2002): pp. 842-4 and Leftwich, *States of Development*, *op cit.*, p. 94

³⁵³ Reno, *op cit.*, pp. 842-4

of cultural inequity or intolerance appears to be a much larger factor. This form of discrimination, which is readily apparent in the history of conflict within both countries, can occur in educational, legal, or government institutions. Religion is believed by some to be a natural companion to nationalism as it defends identity, opposes class politics, and “can be understood as a cultural refraction.”³⁵⁴ Countries lacking a hegemonic religion often do not suffer from the development of religious nationalism; however, when this does occur it often develops into a territorial divide. The appeal of religious nationalism is in its ability to collectively represent a group failed by the state through a divine mandate for redemption.³⁵⁵

In Sri Lanka legislation was passed prohibiting the use of the Tamil language in state institutions, including schools. This placed limitations on the spread of Tamil culture in educational institutions, made legal procedures difficult and unfair, and prevented Tamil inclusion in government. Furthermore, Buddhism was declared the state’s sole religion despite its almost singular following of Sinhalese, marginalising the Hindu and Christian faiths often practiced by Tamils. In Aceh the culture is heavily infused with Islamic tradition that impacted educational and legal institutions as well as religious and social practices. The Indonesian state did not outlaw Islam or grant another religion official status, but it worked to prevent the pervasiveness of Islam’s role in the state and many Islamists felt the ideas advocated by Pancasila were antithetical to the religion. In particular, state law did not follow sharia law in the courts and did not stipulate that Islamic teachings be presented in schools. While Aceh was an independent and largely autonomous province it was able to overcome the secular state. However, when it was merged with the province of North Sumatra, Aceh lost much of its ability to make Islamic ideals official and therefore became confined.

³⁵⁴ R. Friedland, “Religious Nationalism and the Problem of Collective Representation,” *Annual Review of Sociology* 27 (2001): p. 130

³⁵⁵ *Ibid.*, pp. 130, 138 and 142

Another effort to assimilate Tamils and Acehnese occurred through migration programs. In Sri Lanka an area known as the dry zone had historically served as a natural buffer between Tamils and Sinhalese. As technology developed and the population increased, the government encouraged Sinhalese to move into this area. This was perceived as an aggressive act by many Tamils who felt threatened. The situation became worse when the government began to move Sinhalese into eastern parts of the country which were traditionally Tamil and Muslim localities. In Indonesia the government began sponsoring a transmigration policy in the 1970s in which a large number of people were moved from the island of Java to less populated areas of Indonesia. In the case of Aceh, these migrants often received better jobs and in some cases believed themselves to be racially superior.

It should be noted that efforts to produce cultural assimilation and/or genocide occurred on behalf of the minority group in each country as well. After hostilities began members of the majority group were often forced to leave rebel-held areas or were killed. The primary reasoning behind these measures was to maintain a culturally homogenous area which strengthened claims for self-determination.

One controversial argument relating to culture is that some societies are not compatible with Western forms of development, and particularly ideas of democracy and nation-states that are currently in vogue. Islam is commonly referred to in this argument because it is not tolerant of separation between church and state.³⁵⁶ However, others argue that religion can bolster the state because throughout history religion has been used to grant legitimacy to states. This argument asserts that the challenge is to find commonalities between religion and state goals; therefore, states dominated by Islam should appeal to communal values while other religions such as Buddhism can be

³⁵⁶ Handelman, *op cit.*, pp. 41 and 51-2

used to advance individual rights.³⁵⁷ Those advocating secular states have cited two reasons for the desirability of separation between church and state. They argue that it allows for religious freedom and the promotion of tolerance.³⁵⁸

Other factors in relation to religion should not be ignored in the debate over the effects of cultural factors on development. In Indonesia, for example, the Javanese culture places a high level of importance on hierarchy requiring reverence to persons in elevated positions, which could easily be antithetical to democracy.³⁵⁹ Buddhism is traditionally viewed as a peaceful religion advocating equality. However, in Sri Lanka this has not been the experience and Buddhist monks have had a formidable influence on the state. Buddhism may be considered incompatible with modern state systems because it focuses on the individual while the modern state concerns itself with society. Therefore, it is often critical of the state, focusing on the degree in which state activities are incompatible with its own ideas, moral views and welfare.³⁶⁰ In Sri Lanka, where Buddhism has become nearly synonymous with the Sinhalese ethnicity, any actions by the state to counter Sinhalese supremacy, even for the purposes of modernisation, could easily be seen as antithetical to Buddhist ideas and welfare.

Differences

While numerous similarities between Sri Lanka's conflict and Aceh's conflict can be established, some significant differences must also be considered. These differences are important for analysing the level of alienation from the state that ethnic groups in each country feel, appreciating the resulting attitudes that must be overcome to generate peace, and discerning the differing policies of each government and NGOs within both countries.

³⁵⁷ *Ibid.*, p. 52

³⁵⁸ *Ibid.*

³⁵⁹ Kumar, *op cit.*, p. 52

³⁶⁰ D. Senghass, *The Clash Within Civilizations: Coming to Terms With Cultural Conflicts* (London and New York: Routledge, 2002), pp. 45-55

Colonial Experience

Both Sri Lanka and Indonesia were marked by colonialism although their experiences differ. Throughout the governance of three colonial powers Sri Lanka was at times exposed to divide and rule policies and subjected to forces, which placed pressures on religion and culture. These were marginalised in two key ways. Particularly under Portuguese and Dutch rule the Sinhalese and Tamils both opposed a common enemy but efforts were also made by the colonising power to create tensions between the groups. Secondly, each coloniser left behind influences resulting in new religious or ethnic groups such as the Burghers, adding yet another dimension to the country's multidimensional culture. Another important aspect of Sri Lanka's colonial heritage is the British effort to create a smooth transition to independence including the beginnings of democracy. However, while their intentions may have been benevolent, some of these measures actually miscarried and resulted in strengthened ethnic identities or a lack of democratic protections.

The colonial experience of Indonesia, and particularly Aceh, diverged from that of Sri Lanka. While Indonesia also felt the influence of the Portuguese it was the Dutch that were able to consolidate control over the region and who ruled the islands while the British had little involvement in the area. However, Aceh, as I have previously noted, remained independent from Dutch control, as well as the control of other powers before it, for all but several decades. This meant the Acehnese were not subjected to the same influences of Dutch colonisation as the rest of Indonesia and developed an identity and attitude based on their success in fighting off colonialists. Therefore, while the majority of modern day Indonesia did not experience autonomous development, Aceh experienced a much more self-directed process of growth and maturity during the colonisation period. This history and identity influenced Acehnese expectations and

perceptions of the form an independent Indonesia would take. Equally important is the Dutch response to calls for decolonisation which resulted in war rather than efforts at a democratic transition. While the war for independence may have helped solidify a sense of Indonesian identity it may also have caused the violence which gripped the country immediately after independence. While minority groups in Sri Lanka attempted to use a number of political means over an elongated period of time to create a solution to their problems, Indonesia was almost immediately threatened by the Darul Islam rebellion in which Aceh participated. The quick resort to violence may be explained by the strength of the military in post-colonial Indonesia as well as the lack of democratic experience and understanding at both a local and national level.

Some have argued that the colonial experience had the effect of consolidating rather than dividing ethnic groups living in a territory. This can be attributed to a coalescence of identity that is thought to have occurred during wars of liberation from colonial forces and/or a shared experience and history under colonial rule. In regards to the former the cases of Sri Lanka and Aceh again differ. Sri Lanka was able to negotiate independence rather than fight a war against the British, and the Sinhalese and Tamil populations may have missed an opportunity to create a Sri Lankan identity. However, Indonesia did fight a war against its Dutch colonisers but this has not prevented the country from facing numerous outbreaks of ethnic unrest or separatist movements. The later justification positing that colonialism may positively impact national identity is also often negligible. In many instances divide and rule tactics were utilised under colonial powers, which has only fueled the divisions between ethnicities in a state. This appears to be an indirect influence on Sri Lanka's ethnic problems, in which efforts to address the inequality between Tamils and Sinhalese established under the British shortly after independence gave rise to tensions that have proved to be

difficult to overcome. However, Aceh remained largely outside the scope of Dutch power and was not affected by this type of colonial policy. Furthermore, it has been argued that in the scope of history the period of colonialism did not last long enough or have deep enough impacts to create a common identity among age-old nationalities.³⁶¹ While Sri Lanka was under colonial control for a longer period than Indonesia and particularly Aceh, both of these countries have histories dating back many centuries prior to even the advent of European statehood.

In opposition to the argument claiming that colonialism can be a source of identity formation, it has been argued that many problems of developing countries are actually attributable to colonialism, especially in the region of South Asia.³⁶² Several factors are ascribed to this, some of which existed prior to colonialism but were exacerbated during this time and others which were created during the colonial experience.

Colonised states were bequeathed borders and institutions as determined and created by their colonisers rather than developing boundaries through a natural progression or a consideration of indigenous factors. Once granted independence the governments of these states – including Sri Lanka and Indonesia – maintained the colonial borders and institutions, and continued to ignore native cultures and ethnicities.³⁶³ In this regard conflicts such as those in Sri Lanka and Aceh can be viewed as resulting from not only colonial rule but also “the re-emergence of powerful pre-colonial forces seeking a political identity coinciding with language and culture, and/or with religion.”³⁶⁴ The impact of colonial rule on differing ethnic groups has also

³⁶¹ O. H. Kokole, “Ethnic Conflicts Versus Development in Africa: Causes and Remedies,” in *Between Development and Destruction: An Enquiry into the Causes of Conflict in Postcolonial States*, edited by L. van de Goor *et al.* (Hague: Netherlands Institute of International Relations, 1996), p. 127

³⁶² de Silva, *op cit.*, p. 299

³⁶³ *Ibid.*, p. 306

³⁶⁴ *Ibid.*, p. 306-7

contributed to the post-colonial conflict situation of each country,³⁶⁵ and this occurrence is wider than divide and rule tactics which were used in some locations. Whether intentionally or inadvertently, colonial rule affected ethnic groups in different ways resulting in power discrepancies. For instance, under colonial rule in Sri Lanka Tamils became disproportionately educated and represented in high status jobs. When independence was gained the majority Sinhalese population almost immediately contrived policies to rectify this situation while the Tamil population aspired to maintain their position. The post-colonial situation in Indonesia was dramatically different due to a very different colonial legacy. However, it is apparent the Acehnese had a strong desire to pursue their own cultural and religious traditions which were not necessarily compatible with the desires of the Indonesian state.

Type of Conflict and International Response

A substantial dissimilarity impacting the way in which conflicting parties pursue peace in our two case studies is that, while both are ethnic in nature, the war in Sri Lanka resembles a civil war much more so than the war in Aceh which is a regional conflict. There could be many reasons for this such as the geographical nature of each country, their differing histories, or varied methods of colonial rule. The reasoning is not as important as the impact this has on the way each is handled, particularly by the international community. While international involvement has been a characteristic of each conflict at differing levels, political elements caused differing reactions to each war. Prior to the tsunami neither had large-scale international media attention; however, foreign governments and bodies such as the United States, the European Union, and the United Nations had at times placed pressure on Sri Lanka while maintaining an almost invisible stance toward the Indonesian government and GAM.

³⁶⁵ *Ibid.*, p. 314

The reasons for this are complex and varied, but it can be concluded that the differing nature of each war results in differing diplomatic responses. Other pressures impacting international responses have included Cold War politics, regional powers, media attention, diasporas, and the differing importance and power of each country on the international stage. Importantly, while each rebel movement has worked to internationalise the conflict they have done so to different degrees and with varying success.

The LTTE has a large diaspora which is either very loyal, very fearful, or both and places pressure on foreign governments to address Sri Lanka's war. Additionally, they maintain a network of media outlets and international non-governmental organisations that have helped raise awareness of the Tamil struggle. Moreover, the LTTE internationalised its conflict by assassinating the Indian Prime Minister (although India had already involved itself in the conflict the assassination increased international attention) and the government of Sri Lanka was successful in classifying the Tigers as a terrorist organisation after 9/11.

Aceh, on the other hand, has been noticeably absent from international scrutiny. This may largely result from Indonesia's success at closing off the region to both local and international media and NGOs. However, GAM made little effort to bring attention to the Acehnese plight until East Timor received independence. Prior to this GAM's international dealings were largely with neighbouring Malaysia which harboured some GAM members or other countries in Southeast Asia with which it participated in illegal activities such as arms trading. The Acehnese diaspora is neither as large nor widespread as that of the Tamils and GAM as an organisation did not use the methods of the LTTE to extract money or political support from its refugees. However, after East Timor became independent GAM began to recognise the impact organisations such

as the UN could have on Indonesia and therefore in the late 1990s it began to appeal to organisations such as the UN, Human Rights Watch, and Amnesty International.

Economic aspects must also be taken into account when considering the involvement of the international community in the two conflicts. Sri Lanka is not a major trading partner for the world's largest powers nor does it sit in a strategic location. It produces little in the way of important natural resources such as oil or gas and therefore its security is not of large importance to the world. Aceh, however, is in a strategic location on the Malacca Strait and is a large supplier of natural resources. This would seem to make it more amenable to international involvement; however, this has hardly been the case. International companies (particularly Exxon-Mobil) have come to rely on the Indonesian government and military for their continued operations. Therefore, large states in which these companies are headquartered and which benefit from their operations, are reluctant to oppose the Indonesian government for fear it will upset either the multi-national company itself or threaten the security arrangements provided by the government. The multi-national companies, for their part, largely benefit from the status quo and often have been part of economic exploitation and proven unwilling to challenge the Indonesian government unless directly provoked. GAM, for its part, has not utilised its strategic location to threaten the economic security of countries relying on the Straights of Malacca. This situation has created a paradox in which, at least in these two instances, the country which has received the most international attention directed toward its conflict is also the country which the international community has the least economic interest.

Economic Impact of Conflict

The relationship between economic importance and conflict brings to light another interesting situation. Despite long-term wars in each site and therefore political

instability and uncertain safety, the overall economic impact of each war has differed. In each instance arguments may be made about the diversion of resources to fighting the war or the number of jobs the war creates. However, the impact of each war on foreign direct investment (FDI) is noticeably different. Sri Lanka possesses few natural resources and its primary involvement with foreign economies has generally related to its tourist industry. In Sri Lanka the war has had profoundly negative effects on foreign investment – both in terms of private investment and aid - while Aceh has continued to be the site of foreign investment by private companies and until recently the Indonesian government's relationship with aid organisations was little affected by its record in areas such as Aceh. Therefore, while Aceh may have faced hardships, Indonesia has suffered less economically as a result of the war than Sri Lanka has. This is because Aceh's resources are not people-centred as Sri Lanka's are. The war in Aceh does not present as much of a threat to life because the actors involved in the foreign side of Aceh's economy can remain far away from the region. Sri Lanka, on the other hand, receives the majority of its foreign investment from persons who travel to the country and spend their money within the local economy, and the tourist industry is less likely to prosper during a war in which people's lives are threatened.

CONCLUSION

Many problems surround the current expectations of the state system and it is obvious modern states and actors involved in peace and development have much to overcome. This includes questions surrounding the suitability of the current state system for non-Western countries, the expectation of states that they will achieve development without following the same path and process as already developed states, external constraints, and colonial experiences.

The conflicts in Sri Lanka and Aceh are markedly distinct from each other through their differing colonial histories, the shape each conflict has taken, the international response to each confrontation, and the impact of each respective war on economics and particularly foreign direct investment. However, a number of similarities between the two settings also exist which shed light on the common experiences and failures of each state and the impediments to peace and development. Surface commonalities exist but other, more enlightening factors, are easily classified into structural, political, economic, and cultural factors. In each instance the post-colonial state was unsuccessful at overcoming economic and religious tensions resulting in the marginalisation of particular groups and the appeal of ethnic assemblages. The failure of each state to create justice for ethno-minorities has shaped the newly emerging states through ethnic and nationalist struggles.

Chapter 4: The Potential or Non-Potential of NGOs in Conflict Situations: An Interrogation of the Literature

The number of international non-governmental organisations has seen unprecedented growth during the past century - from 176 in 1909 to 28,990 in 1993.³⁶⁶ The existence of local NGOs has dramatically increased as well, with numbers quadrupling³⁶⁷ in the 1990s to reach 47,098 in 2000.³⁶⁸ The arrival of NGOs is particularly prevalent in newly democratising countries - Russia is home to 65,000 NGOs, the Philippines have 21,000, and Chile boasts 27,000. It has been calculated that NGOs distribute more aid than the entire United Nations organisation (minus the World Bank and International Monetary Fund).³⁶⁹ In 1980 NGO financial resources were valued at US\$2.8 billion while by 1993 they were assessed at US\$5.7 billion.³⁷⁰ This increase in spending has been promoted by an upsurge in donations from OECD countries, which channeled seven-tenths of a percent of their aid through NGOs in 1975, 5 percent in 1993-1994³⁷¹ and as much as 25 percent of their emergency assistance budgets in 2002.³⁷² CARE's budget in 2001 was nearly US\$380 million, Catholic Relief Services had an income of US\$334 million in the same year, and in 2002 World Vision generated US\$1.032 billion in donations.³⁷³

The surge in NGOs and their budgets is reflected in the enhanced role and increased importance of non-governmental organisations in recent decades. Some large

³⁶⁶ M. Edwards and D. Hulme, introduction to *Beyond the Magic Bullet: NGO Performance and Accountability in a Post-Cold War World*, edited by M. Edwards and D. Hulme (West Hartford, Conn.: Kumarian Press, 1996), p. 1

³⁶⁷ D. L. Brown *et al.*, "Globalization, NGOs, and Multisectoral Relations," in *Governance in a Globalizing World*, edited by J. S. Nye and J. D. Donahue (Washington D.C.: Brookings Institution Press, 2000), p. 278

³⁶⁸ see Union of International Associations in D. Held and A. McGrew, *Globalization/Anti-Globalization* (Oxford: Polity, 2003), pp. 18-9

³⁶⁹ M. Fitzduff and C. Church, "Stepping Up to the Table: NGO Strategies for Influencing Policy on Conflict Issues," in *NGOs at the Table: Strategies for Influencing Policy in Areas of Conflict* (Oxford: Rowman and Littlefield Publishers, Inc., 2004), p. 3

³⁷⁰ Edwards and Hulme, *op cit.*, p. 1

³⁷¹ *Ibid.*, p. 3

³⁷² Rigby, A., "Review Article," *International Affairs* 77.4 (2002): p. 501

³⁷³ Fitzduff and Church, "Stepping Up," *op cit.*, p. 7

NGOs are considered to have more influence on international relations than small states.³⁷⁴ Several factors - which may be a reflection of wider changes in the international community - lie behind the increasing weight of NGOs. The end of the Cold War has made room for more actors, including NGOs, which were pushed to the periphery during the time of dominant superpower rivalry.³⁷⁵ Increased technology and communications have strengthened the focus and significance of global issues and have led to the internationalisation of many matters associated with NGOs.³⁷⁶ Finally, as NGOs have grown they have contributed to a growing class of "global citizens," resulting in the increasing acceptance of international norms and a growing understanding that some problems are not bound by borders.³⁷⁷

Since the emergence of NGOs many factors have sustained their continuous growth and increasing acceptance by the international community. At a state level many countries have been re-directing their overseas development budgets through NGOs to carry out development activities. The European Union alone donates two-thirds of its humanitarian aid budget to NGOs.³⁷⁸ This may be a result of the recognition among traditional development agencies that they have been ineffective at curtailing poverty at a grassroots level and a decline in the expectations of trickle-down economics to overcome poverty.³⁷⁹ NGOs, however, have had success tackling poverty and related issues, are directly linked to civil society which is becoming accepted as

³⁷⁴ P. J. Spiro, "'New Global Communities: Nongovernmental Organizations in International Decision-Making Institutions," *The Washington Quarterly* 18.1 (Winter 1995): p. 2

³⁷⁵ Spiro, *op cit.*, p. 2, Fitzduff and Church, "Stepping Up," *op cit.*, pp. 7-8, M. Leen, "Perspectives on Aid: Benefits, Deficits and Strategies" in *From the Local to the Global: Key Issues in Development Studies*, edited by G. McCann and S. McCloskey (London: Pluto Press, 2003), p. 103, J. Schade, "Between Projectitis and the Formation of Countervailing Power - NGOs in Nation-building Processes" in *Nation-Building: Key Concept for Peaceful Conflict Transformation?*, edited by J. Hippler (London: Pluto Press, 2005), p. 125 and M. W. Foley, "Laying the Groundwork: The Struggle for Civil Society in El Salvador," *Journal of Interamerican Studies and World Affairs* 38.1 (Spring 1996), p. 6

³⁷⁶ Spiro, *op cit.*, p. 3

³⁷⁷ Spiro, *op cit.*, p. 4, I. Smillie, "NGOs and Development Assistance: A Change in Mind-Set?," *Third World Quarterly* 18.3 (1997): p. 564 and Fitzduff and Church, "Stepping Up," *op cit.*, p. 7

³⁷⁸ Smillie, *op cit.*, p. 563-4 and Leen, *op cit.*, p. 103

³⁷⁹ Smillie, *op cit.*, p. 564 and Fitzduff and Church, "Stepping Up," *op cit.*, p. 7

necessary to the maintenance of democracy, and have been multiplying and intensifying in the most poverty-stricken area of the world – the South.³⁸⁰ States are also increasingly transferring methods of diplomacy and intervention to support for NGOs because of an increasingly cautious and prudent approach to interference resulting from peacekeeping failures during the 1990s.³⁸¹ Tasks of relief, development, and peacekeeping previously assumed by the state are now often being entrusted and delegated to NGOs.³⁸²

Despite this enlargement of and greater reliance on the NGO community in international relations, the term NGO has proven difficult to define, resulting in numerous meanings. By name NGOs are separate from government and many definitions assign a non-profit character to them, although some NGOs were created by or are supported through governments. Organisations accepted as falling into the NGO category have a wide range of activities and objectives, ranging from charitable groups and religious associations to groups advocating topics such as human rights or the environment. Their objectives can be anything from providing social welfare or development programs to creating social justice or legal support.³⁸³ For the purposes of this thesis the term NGO will be explained using the definition provided in The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief. This describes NGOs as “organizations, both national and international, which are constituted separately from the government of the country in which they are formed.”³⁸⁴

³⁸⁰ *Ibid.*

³⁸¹ Rigby, *op cit.*, p. 501

³⁸² M. Duffield, “NGO Relief in War Zones: Towards an Analysis of the New Aid Paradigm,” *Third World Quarterly* 18.3 (1997): p. 527

³⁸³ W. F. Fisher, “DOING GOOD? The Politics and Antipolitics of NGO Practices,” *Annual Review of Anthropology* 26 (1997): p. 447

³⁸⁴ International Federation of Red Cross and Red Crescent Societies, “The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief”

In this chapter I will undertake a review of both the advantages and disadvantages related to the increasing relevance and use of NGOs in development and conflict resolution. In this endeavour I draw on literature relating to NGOs from development studies as well as studies in peace and conflict resolution. The spectrum of opinions surrounding NGOs is wide-ranging. The independence, flexibility, and neutrality of NGOs have been associated with a number of favourable characteristics for resolving conflicts and augmenting development practices. Their close connection with civil society is also highly praised and they are believed to be better able than government actors to involve themselves in and commit to political processes necessary for peace and development. However, the idealism surrounding NGOs has been called into question by some who argue they are not as egalitarian, independent, or democratic as many believed. Furthermore, the relatively new nature of their activities and aspects of international politics means they are prone to mistakes and abuses that may be detrimental to peace and development. The large-scale humanitarian response to the tsunami in Sri Lanka and Aceh means NGOs have embroiled themselves in an area where development is needed to overcome both conflict and disaster. Therefore, a clear understanding of the literature surrounding NGOs in peace building and development is helpful in evaluating the current situation of NGOs in both locations.

BENEFITS

Non-governmental organisations are beneficial on a global scale and in a multitude of ways. Small states unable to send representatives to international conferences are increasingly using NGOs to stand in for them.³⁸⁵ Unlike governments, NGOs have the ability to concentrate on a specific area and focus efforts on their strengths, creating a specialised role for themselves in the international community.³⁸⁶

³⁸⁵ Spiro, *op cit.*, p. 49

³⁸⁶ V. K. Chand, "Democratisation From the Outside In: NGO and International Efforts to Promote Open

Valuably, their independence allows them to hold governments accountable and enforce transparency. State actors have not been able to do this.³⁸⁷ Independence and popular support also mean they are able to influence government agendas without political sensitivities.³⁸⁸ NGOs are skilled at pressing governments on global issues and maintaining the international significance of these issues.³⁸⁹

NGOs have the capacity to move quickly and react to changing circumstances in a proficient manner which governments, laden with bureaucracies and sensitive to constituent wishes, are unable to achieve.³⁹⁰ NGOs and their employees are believed to be selfless helpers working without political or monetary motivations. However, while the aims and objectives of NGOs might be based on ethical beliefs, some remind us it is important to recognise that these values may not be universal. NGOs, no matter how good their intentions may be, are guided by the beliefs of governments, religions, sponsors, and individuals of what is just and fair; meaning they are often unintentionally biased.³⁹¹

A noticeable shift has recently occurred within the NGO world in which NGOs traditionally associated with relief work, humanitarian aid, and development have also become progressively involved in conflict resolution.³⁹² This comes from an awareness among NGOs and others involved in peacebuilding that “In order to respond to needs on the ground, some NGOs [may] also become drawn into human rights work, the treatment of trauma, support for conflict resolution and campaigning for changes in

Elections,” *Third World Quarterly* 18.3 (1997): p. 548

³⁸⁷ H. Jackson, “Reluctant Partners: Including NGOs in Conflict Management Policy-Making,” *e-merge: A Student Journal of International Affairs* 1 (January 2000), http://www.carleton.ca/e-merge/v1_art/v1_jack/v1_jac8.html, Smillie, *op cit.*, p. 571 and Fitzduff and Church, “Stepping Up,” *op cit.*, p. 10

³⁸⁸ Jackson, “Reluctant Partners,” *op cit.*, p. 3

³⁸⁹ Spiro, *op cit.*, p. 1

³⁹⁰ Smillie, *op cit.*, p. 564 and Fisher, *op cit.*, p. 444

³⁹¹ Fisher, *op cit.*, p. 458

³⁹² L. Agerbak, “Breaking the Cycle of Violence: Doing Development in Situations of Conflict,” *Development in Practice* 1.3 (Nov. 1991): p. 151, M. Duffield, “Aid Policy and Post-Modern Conflict: A Critical Review” (Occasional Paper 19, Birmingham: School of Public Policy, The University of Birmingham, 1998), p. 12 and Fitzduff and Church, “Stepping Up,” *op cit.*, p. 5

official policy.”³⁹³ Previous NGO relief work in situations of conflict addressed issues of urgency but did little to address issues underlying and causing conflict. An understanding that NGOs can respond to wars with both relief and development initiatives in a manner consistent with peacebuilding has developed.³⁹⁴ Peacebuilding addresses issues which led to violence, often meaning “a society’s institutions [need] to meet the needs of citizens better than they have done in the past. Central to this process is the creation and implementation of effective and just social policies.”³⁹⁵ This means NGO activities need to move above and beyond simply aiding a society to return to pre-war standards. Instead, NGOs involved in relief, rehabilitation, and reconstruction need to work with governments and local populations to achieve just, fair, and sustainable development.³⁹⁶

Because NGOs are able to provide services in areas where states either lack the will or capacity to do so themselves,³⁹⁷ they have often found themselves involved in conflict situations. Their detachment from governments and the political agendas of international politics makes them a less threatening outsider than states and international organisations in situations of conflict.³⁹⁸ In areas such as Sri Lanka and Aceh where rebel groups have created *de facto* control this can be particularly beneficial. NGOs do not alarm host governments by affording the level of legitimacy and recognition state

³⁹³ Agerbak, *op cit.*, p. 151

³⁹⁴ Agerbak, *op cit.*, p. 154, Duffield, *Aid Policy, op cit.*, p. 13 and M. Duffield, “NGO Relief in War Zones: Towards An Analysis of the New Aid Paradigm,” *Third World Quarterly* 18.3 (1997): p. 530, and J. Goodhand and D. Hulme, “From Wars to Complex Political Emergencies: Understanding Conflict and Peace-Building in the New World Disorder,” *Third World Quarterly* 20.1 (1999): p. 15

³⁹⁵ M. H. Ross, “Adding Complexity to Chaos: Policymaking in Conflict Situations,” in *NGOs at the Table: Strategies for Influencing Policy in Areas of Conflict*, edited by M. Fitzduff and C. Church (Oxford: Rowman and Littlefield Publishers, Inc., 2004), p. 23

³⁹⁶ Agerbak, *op cit.*, pp. 152-3 and Leen, *op cit.*, pp. 96 and 107

³⁹⁷ Spiro, *op cit.*, p. 1, Duffield, “NGO Relief,” *op cit.*, p. 533 and Schade, *op cit.*, p. 125

³⁹⁸ J. Prendergast and E. Plumb, “Building Local Capacity: From Implementation to Peacebuilding,” in *Ending Civil Wars: The Implementation of Peace Agreements*, edited by S. J. Stedman, D. Rothchild, E. M. Cousens, (London: Lynne Rienner Publishers, 2002), p. 328

involvement would and also does not threaten insurgent groups through military might.

Economics Benefits

A chief justification for NGO involvement in peace building and post-war reconstruction is the economic practicality of this involvement. Large amounts of aid enters into areas experiencing civil strife.³⁹⁹ Empirical evidence shows that humanitarian expenses soar during conflict. The UN, for instance, spends more on humanitarian emergencies than it does on development and United States aid to Rwandan genocide victims was equivalent to its yearly support to Sub-Saharan Africa.⁴⁰⁰ During the 1990s emergency spending increased six-fold and throughout the mid-1990s 15 percent of development aid was distributed by NGOs.⁴⁰¹ Furthermore, a direct result of war is often the destruction of infrastructure. This is infrastructure that may have originally been built by NGOs and now must be rebuilt. Therefore, NGO activities working to create and maintain peace in societies currently experiencing war or overcoming conflicts can help reduce humanitarian aid entering conflict areas as well as the amount of money necessary for rebuilding if war returns.⁴⁰² In the post-tsunami situations of Sri Lanka and Aceh humanitarian aid is needed with or without peace. Therefore, if NGO work contributes to the creation of sustainable peace while rebuilding areas ravaged by the tsunami, it may well save money in the long run.

Advantages in Policy-Making and Peacebuilding

The role of NGOs in policy-making is a relatively new phenomenon but has many advantages and is particularly helpful in overcoming difficulties of conflict and post-conflict situations. A number of reasons for including NGOs in policy-making

³⁹⁹ R. J. Muscat, *Investing in Peace: How Development Aid Can Prevent or Promote Conflict* (London: M. E. Sharpe, 2002), p. 9

⁴⁰⁰ P. N. Lyman, "Globalization and the Demands of Government," *Georgetown Journal of International Affairs* 89 (Winter/Spring 2000): p. 91

⁴⁰¹ T. G. Weiss, "International NGOs, Global Governance, and Social Policy in the UN System" (GASPP Occasional Papers No. 3/1999), p. 14

⁴⁰² Muscat, *op cit.*, p. 31

discussions have been identified. Embracing NGOs in policy formation allows NGOs a greater role in peace building, boosts their abilities in conflict work, and can guarantee maintained international intervention. NGOs have the capacity to retain international attention because of their prolonged dedication to areas of conflict – a dedication that governments lack because of monetary concerns and domestic politics.⁴⁰³ This is crucially important as a number of academics have identified long-term international commitment as an essential element in the creation of an enduring peace.⁴⁰⁴ Some go even further, claiming NGO backing can build support for United Nations involvement in an area and give legitimacy to UN activities.⁴⁰⁵

Scholars writing for the *Online Journal of Peace and Conflict Resolution* have identified a number of ways in which NGOs overcome the limits of traditional track one diplomacy. NGO neutrality means they are perceived as solely interested in peace creation rather than being guided by political agendas. This, along with their capacity for early intervention, makes it easier for them to create trust between themselves and warring parties and could allow conflicting factions a dignified way to begin dialogue.⁴⁰⁶ Because NGOs focus on altering society by creating mechanisms for peace they emphasise capacity building that is necessary for an independently sustainable peace. Protracted conflicts such as those of Sri Lanka and Aceh permeate a society, meaning that it is important that society and not just the government achieve

⁴⁰³ Fitzduff and Church, "Stepping Up," *op cit.*, p. 13, Jackson, *op cit.*, p. 3 and Prendergast and Plumb, *op cit.*, p. 334

⁴⁰⁴ see for example as M. W. Doyle and N. Sambanis, "International Peacebuilding: A Theoretical and Quantitative Analysis," *The American Political Science Review* 94.4 (Dec. 2000): pp. 781 and 795, B. F. Walter, "Designing Transitions from Civil War: Demobilization, Democratization, and Commitments to Peace," in *Nationalism and Ethnic Conflict*, revised ed., edited by M. E. Brown *et al.* (Cambridge: The MIT Press, 2001), p. 442 and T. D. Sisk, "Peacemaking in Civil Wars: Obstacles, Options and Opportunities," in *Managing and Settling Ethnic Conflicts*, edited by U. Schneckener and S. Wolff (London: Hurst & Company, 2004), p. 257

⁴⁰⁵ Chand, *op cit.*, p. 548 and Weiss, *op cit.*, p. 11

⁴⁰⁶ D. Baharvar, "Beyond Mediation: The Integral Role of Non-Governmental Approaches to Resolving Protracted Ethnic Conflicts in Lesser-Developed Countries," *The Online Journal of Peace and Conflict Resolution* 4.1 (Summer 2001) and Chand, *op cit.*, p. 551

reconciliation.⁴⁰⁷ The inclusion of NGOs in negotiations therefore offers a balanced approach to resolution.⁴⁰⁸

Some have recognised the indispensability of involving actors able to execute peace agreements in the resolution process.⁴⁰⁹ NGOs are essential to creating this environment in a variety of ways as articulated by scholars such as Jackson, Weiss, and Duffield. NGOs are able to muster local and international support⁴¹⁰ for policies and can help ensure a local and sometimes forgotten population such as the Muslim minority in Sri Lanka is represented. This is important in overcoming the problems of a conflicted society because it allows local needs to be heard and addressed and helps contribute to the development of a democratic process.⁴¹¹ They provide supplementary sources of knowledge, and their relationship with locals enables them to create an understanding of what communities want and require.⁴¹² NGOs have the added benefit of being more flexible and innovative than governments, particularly in conflict situations.⁴¹³ While governments are restricted in policy making during periods of conflict because they are either involved in the conflict or are bounded by bureaucracy, NGOs do not have these restrictions.⁴¹⁴ For instance, many governments have proscribed the LTTE in Sri Lanka meaning they cannot negotiate with or provide aid to them. However, NGOs are able to work alongside the LTTE both in advancing conflict resolution and providing development aid.

NGOs, it is also argued, can tackle four obstructions commonly experienced in policy making surrounding conflict resolution: a deficiency of local capabilities,

⁴⁰⁷ Baharvar and Azar, *op cit.*, pp. 19-20

⁴⁰⁹ Fitzduff and Church, "Stepping Up," *op cit.*, p. 13

⁴¹⁰ Jackson, *op cit.*, pp. 3 and 9

⁴¹¹ Fitzduff and Church, "Stepping Up," *op cit.*, p. 13 and L. Landim, "Non-governmental Organizations in Latin America," *World Development* 15 (1987), p. 36

⁴¹² Weiss, *op cit.*, p. 10, Fitzduff and Church, "Stepping Up," *op cit.*, pp. 13-4 and Duffield, *Aid Policy*, p. 17

⁴¹³ Smillie, *op cit.*, p. 571 and Jackson, *op cit.*, pp. 4 and 9

⁴¹⁴ Fitzduff and Church, "Stepping Up," *op cit.*, p. 14

diminishing public and government attention to policies, the overwhelming number of issues to be addressed, and a lack of public backing for peacemaking policies.⁴¹⁵ Conflict situations – through diminished educational capacities and brain drains like those which have occurred in Sri Lanka and Aceh - often result in a lack of local expertise and experience that is necessary to execute conflict resolution policies. NGOs can provide this expertise and experience. Secondly, public attention often disappears once a policy is accepted, possibly resulting in waning government priorities. NGOs have already been acknowledged as having the ability to hold governments accountable and generate support for a policy, allowing them to keep policies in the public spotlight. As conflict resolution continues additional and unexpected issues arise which might jeopardise the importance of previously raised issues. NGOs can help balance these factors. Finally, some policies crucial to conflict resolution necessitate community support but are not attractive to large segments of the public. Examples of this include Sri Lankan Sinhalese Buddhists who have opposed government efforts at peace and previous efforts at addressing human rights abuses that were considered insufficient by the Acehnese. NGOs are proven and able actors in educating the public and generating support for unpopular policies.

However, it must be remembered that NGO involvement in policy making is a relatively novel occurrence and some have stressed the challenges NGOs face in this area. NGOs must be guarded in this arena so as not to be seen to lose their independence, spur-of-the-moment flexibility, status as an element of society able to counter governments, capacity to maintain involvement in areas disregarded by governments, or manipulated to advance foreign policy.⁴¹⁶ This new role entails a repositioning of NGO activities as they are required to consider unfamiliar strategies

⁴¹⁵ Ross, *op cit.*, 34

⁴¹⁶ Jackson, *op cit.*, p. 55

and relationships with governments as well as develop abilities for analysis, negotiation, and alliance building.⁴¹⁷ Finally, NGO involvement faces a lack of enthusiasm from traditional policymakers who fear their own plans may be negatively impacted.⁴¹⁸

NGOs can also play a role in conflict resolution through mediation and facilitation, which are considered to be some of their strongest peacemaking-related abilities. Through mediation and facilitation, NGOs are able to steer the progression of negotiations and peace. They do this through either encouraging dialogue, guaranteeing fairness and justice, or using innovative skills to create opportunities previously unconsidered.⁴¹⁹ NGO aptitudes for influencing governments are essential to their ability to mediate and facilitate – not only can they influence governments involved in conflict situations they can also influence the governments of their home countries to provide support for a peace process. Furthermore, NGOs may be able to negotiate with non-state actors that governments cannot because of public opinion or legal constraints.⁴²⁰ The neutrality of INGOs is often considered the reason for their success in mediation. However, it also poses some problems. First of all, their outsider status could indicate they do not fully comprehend the conflict and therefore they may inadvertently mismanage the resolution process. Secondly, whether or not all INGO mediators are impartial is questionable. This is because INGOs often receive a large amount of funding from state governments that may have an interest in the conflict. Lastly, INGOs often advocate as well as mediate and their advocacy role could cause them to be viewed as biased.

⁴¹⁷ N. Heyzer, "Toward New Government-NGO Relations for Sustainable and People Centred Development," in *Government-NGO Relations in Asia: Prospects and Challenges for People-Centered Development*, edited by N. Heyzer *et al.* (Kuala Lumpur: Asian and Pacific Development Centre, 1995), p. 6

⁴¹⁸ Fitzduff and Church, "Stepping Up," *op cit.*, pp. 4 and 9

⁴¹⁹ H. Assefa, "The Challenges of *Influencing* Policy in Conflict Situations," in *NGOs at the Table: Strategies for Influencing Policies in Areas of Conflict*, edited by M. Fitzduff, and C. Church, (Oxford: Rowman and Littlefield Publishers, Inc., 2004), p. 51-2

⁴²⁰ Assefa, *op cit.*, pp. 51-2 and 153

Advantages of Being Non-State Actors

Thus far my discussion has focused on ways INGOs can be useful in *creating* peace agreements or peacemaking. INGOs can also be effective in *implementing* peace agreements and peacebuilding in ways states find difficult. Firstly, as already noted, INGOs along with their NGO counterparts are able to create local support for the peace process by creating awareness and participation.⁴²¹ The donor community has access to abundant resources not available to governments.⁴²² This is particularly evident in the monetary nature of aid spending that, as has already been shown, is being progressively channeled through NGOs. For instance, one author argues that the bottom-up approach of NGOs lessens the costs of development compared to the top-down approaches often implemented by government actors. INGOs and NGOs are also adept at peacebuilding because of their ability to contact and assist areas difficult for governments to reach.⁴²³ This may be particularly true of conflict zones in which NGOs are often involved in humanitarian aid while governments are forced to remain disengaged.⁴²⁴

Strengths in the NGO/Civil Society Relationship

INGO involvement in peacebuilding is also praised for its relationship with civil society, which is frequently considered necessary to democracy. In the present era of globalization and the attendant promotion of neo-liberal views, civil society is widely understood to have three ambitions: the successful shift toward democracy, the establishment of a political field allowing for contested elections, and a market

⁴²¹ Smillie, *op cit.*, p. 571 and Jackson, *op cit.*, p. 4

⁴²² E. Egan, "Relief and Rehabilitation Work in Mozambique: Institutional Capacity and NGO Executional Strategies," *Development in Practice* 1.3 (Nov. 1991): p. 175 and Duffield, "NGO Relief," *op cit.*, p. 539

⁴²³ Smillie, *op cit.*, p. 571

⁴²⁴ Duffield, "NGO Relief," *op cit.*, p. 529

economy. All are promoted as positive contributions to development.⁴²⁵ NGOs, in particular, have become the favoured form of civil society and development promotion, and the terms civil society and NGO have virtually become synonymous with one another.⁴²⁶ This is because INGOs are seen by some as the principle players in creating international civil society.⁴²⁷ Several functions of civil society have been identified as beneficial to conflict prevention, making it an important element to averting the recurrence of conflict. Civil society can help revolutionise government policies, institutions, and processes to make them more impartial and tolerant, create a platform for negotiation and mediation, produce a space in which previously maltreated groups can gain influence, and establish relationships among previously warring parties.

NGOs have promoted civil society primarily for one of two reasons. Some view civil society as necessary to development; positing successful development entails a need for impartiality and unassailable policies which requires responsible governments that are liable for their actions. In order to create an accountable government a sphere separate from the state - such as civil society - is necessary in order to monitor government activities.⁴²⁸ Others simply view civil society groups as a more efficient means of achieving development as they work directly with those they assist, circumventing the state.⁴²⁹

Many activities of civil society organisations are considered traditional elements of democracy such as their emphasis on activism, the creation of an internationally

⁴²⁵ Jenkins, *op cit.*, p. 253

⁴²⁶ Fisher, *op cit.*, p. 442, Duffield, *Aid Policy*, p. 14 and M. W. Foley, "Laying the Groundwork: The Struggle for Civil Society in El Salvador," *Journal of Interamerican Studies and World Affairs* 38.1 (Spring 1996): pp. 68-9.

⁴²⁷ see Muscat, *op cit.*, pp. 182-3 and Duffield, "Aid Policy," *op cit.*, p. 15

⁴²⁸ R. Jenkins, "Mistaking 'Governance' for 'Politics': Foreign Aid, Democracy, and the Construction of Civil Society," in *Civil Society: History and Possibilities*, edited by S. Kaviraj and S. Khilnani, (Cambridge: Cambridge University Press, 2001), p. 252

⁴²⁹ S. Khilnani, "The Development of Civil Society," in *Civil Society: History and Possibilities*, edited by S. Kaviraj and S. Khilnani, (Cambridge: Cambridge University Press, 2001), p. 12

accepted legal sector, and human rights awareness.⁴³⁰ Some authors view civil society as an essential characteristic of democracy.⁴³¹ Enthusiasts for the use of civil society in transitions to democracy, capitalism, or peace believe it is a benign force that avoids subjection to the negative pressures of politics and economics.⁴³² Furthermore, it has a presumed ability to hold the state accountable, acting as an alternative to and safeguard against an over-dominant state.⁴³³ It can avert the success of non-democratic governments and is inclined to create open spaces providing an alternative source of representation.⁴³⁴ These spaces can be filled by those lacking representation which can be particularly advantageous during peace negotiations because it facilitates the inclusion of groups customarily excluded from negotiations. In this manner civil society represents an important element in the reconciliation of states embroiled in conflict.⁴³⁵

A component of civil society which is particularly important in peacebuilding is participation, because it can help create more broadminded and liberal stances among individuals.⁴³⁶ As briefly referred to above, it also has the capacity to support and advocate for traditionally marginalised groups.⁴³⁷ An examination of peace creation in Liberia found that *during* the war civil society groups were able to address questions present in all peace negotiations - such as disarmament and elections - and create partnerships to work out achievable ways of addressing these issues. When powerful militant parties threatened to spoil peace civil society was able to mobilise the

⁴³⁰ P. J. Luong and E. Weinthal, "The NGO Paradox: Democratic Goals and Non-Democratic Outcomes in Kazakhstan," *Europe-Asia Studies* 51.7 (1999): p. 1272

⁴³¹ Khilnani, *op cit.*, p. 12

⁴³² Fisher, *op cit.*, p. 442

⁴³³ S. Zubaida, "Civil Society, Community, and Democracy in the Middle East," in *Civil Society: History and Possibilities*, edited by S. Kaviraj and S. Khilnani (Cambridge: Cambridge University Press, 2001), p. 232

⁴³⁴ Luong and Weinthal, *op cit.*, p. 1272 and Khilnani, *op cit.*, p. 12

⁴³⁵ Prendergast and Plumb, *op cit.*, p. 328

⁴³⁶ R. Bellonie, "Civil Society and Peacebuilding in Bosnia and Herzegovina," *Journal of Peace Research* 38.2 (Mar. 2001): p. 173

⁴³⁷ *Ibid.*

population and sent the message that this was unacceptable. After the completion of negotiations began civil society became responsible for educating the public about democracy and reconciliation.⁴³⁸ Similar opportunities are possible in both Sri Lanka and Aceh where rebel groups and militias are prospective spoilers and democracy has been weak or lacking in war-affected areas for decades.

Civil society is often locally based and has connections with local actors that states and governments lack. This means that it may be able to provide a link between local, national, and international actors to help distribute information and coordinate activities.⁴³⁹ Civil society is also generally more aware of local relationships that may be utilised to create peace. International organisations may be able to work with and support these elements of civil society already present at a local level to ensure the long-term success of peace. This was found to be the experience in El Salvador where civil society was used by NGOs to reach isolated populations. NGOs provided resources that civil society used to counter government initiatives to create dependent populations.

Because states and governments are often unable or unwilling to make long-term commitments to peacekeeping, utilising local actors will help enforce peace after the international community leaves.⁴⁴⁰ Peace studies and organisations - including the Human Development Report, the Human Rights Coordination Centre, and the Peace Implementation Council - have supported civil society because of its ability to hold parties liable for their actions.⁴⁴¹ By giving ownership of the problem and its solution to the local community the international community is able to refrain from creating a situation of dependence in which its presence is necessary for sustainable peace.⁴⁴²

⁴³⁸ A. Toure, *The Role of Civil Society in National Reconciliation and Peacebuilding in Liberia* (New York: International Peace Academy, April 2002), pp. 1, 10-1, 14-6

⁴³⁹ Prendergast and Plumb, *op cit.*, p. 330

⁴⁴⁰ *Ibid.*, p. 333

⁴⁴¹ Bellonie, *op cit.*, p. 167

⁴⁴² Prendergast and Plumb, *op cit.*, p. 329

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Although a number of benefits to NGO use have been identified many are skeptical of non-governmental organisations and their abilities and motives. Some of these criticisms are founded on problems inherent in the international system as it currently stands while others have come from the activities and previous experiences of NGOs themselves.

NGOs Have Been too Idealised

One problem with NGOs is that there is no universal method of evaluation or governance. Placing too much reliance on NGO abilities to influence policy and governments may also miscarry because their inclusion, particularly at international conventions, is not procedurally protected but occurs at the discretion of the chair.⁴⁴³ This may be partly a result of the indistinct and indefinite status of NGOs that survive on their appeal to international organisations and issues.⁴⁴⁴ NGO representation at international bodies is also often criticised for not truly representing a diverse population. Instead, some authors argue NGOs present at large international bodies such as the United Nations are the richest and most elite of the NGO world. They do not necessarily correspond with global civil society.⁴⁴⁵ NGOs have been heavily criticised for possessing little transparency, which seems hypocritical as one of their functions is to ensure government transparency. Some believe this lack of transparency allows internal evaluations to be used by NGOs as propaganda promoting half-truths.⁴⁴⁶

It has also been argued that NGOs are in actuality quite limited in the scope of their coverage. While they may have operations in many countries they tend to maintain a presence in only a small number of regions or villages in these countries and

⁴⁴³ Spiro, *op cit.*, pp. 49-50

⁴⁴⁴ Landim, *op cit.*, p. 33

⁴⁴⁵ Spiro, *op cit.*, p. 6 and Fitzduff and Chruch, *op cit.*, p. 12

⁴⁴⁶ Smillie, *op cit.*, p. 566-670, Fitzduff and Church, "Stepping Up," *op cit.*, p. 11 and Edwards and Hulme, *op cit.*, p. 4

the people needing aid the most are not necessarily those receiving it.⁴⁴⁷ Furthermore, great irregularities have been found in the amount of aid provided to differing emergencies, which does not necessarily correspond to need. In the early 1990s aid outflows per person to Iraq nearly doubled that of Yugoslavia, were more than 16 times as large as funding given to the South Sudanese, and over 36 times the amount given to Angolans.⁴⁴⁸ NGOs in urban centres are also believed to benefit more from international aid. One cause of this may be that NGOs active in urban centres have more opportunities to associate with the international community and therefore receive more funding. Rural NGOs are forced to work harder to gain international attention and aid;⁴⁴⁹ therefore, rural people and their needs are less likely to be represented within the international community. In Sri Lanka and Aceh this could be particularly problematic as unequal distribution of development has been identified as a contributing factor to both conflicts.

Problems between North and South NGOs have also been identified. It has been recognised that Northern NGOs are increasingly being circumvented by donors and international organisations for Southern NGOs. This has two negative repercussions. Firstly, Southern governments are more likely than Northern ones to establish legislation challenging NGOs. Therefore, placing too much emphasis on Southern NGOs could be less effective. Secondly, Southern NGOs are often used for service provision while aspects of NGOs such as advocacy are often associated with Northern NGOs. This gives too much weight to Southern NGOs that are mainly service providers and could diminish the overall value of NGOs.⁴⁵⁰

⁴⁴⁷ A. Williams, "A Growing Role for NGOs in Development," *Finance & Development* 27.4 (Dec. 1990): p. 32 and Edwards and Hulme, *op cit.*, p. 5

⁴⁴⁸ Duffield, "Aid Policy," *op cit.*, p. 72

⁴⁴⁹ Bellonie, *op cit.*, p. 177

⁴⁵⁰ Smillie, *op cit.*, p. 565

One of the most widely heard criticisms of non-governmental organisations is their perceived lack of accountability. Authors focusing on this issue generally conclude that it is difficult to create accountability for NGOs because of the nature of their work, a deficiency in transparency, and the lack of an effective evaluation process.⁴⁵¹ It has been argued that in practice NGOs have a multitude of accountabilities which include their donors, staff, the media, recipients of their aid, other NGOs, government regulations affecting NGOs which exist in nearly every country and in some instances a code of conduct.⁴⁵² It is acknowledged that accountability to each of these is often weak, but it is also believed that as a collective whole they provide a strong mechanism for holding NGOs responsible. In fact, it would be detrimental if one area became more significant than another.⁴⁵³ However, it has been asserted that this obstruction has already occurred and NGOs are mostly accountable to those who finance them.⁴⁵⁴ Many argue donors have too much control over the distribution of aid.⁴⁵⁵ This in turn gives them authority over NGOs that become little more than distributing mechanisms. Proponents of this view note that this can create discrepancies between the wishes of locals and donors with the end result that money is not always dispersed.⁴⁵⁶

⁴⁵¹ Edwards and Hulme, *op cit.*, pp. 8-11, Fitzduff and Church, "Stepping Up," *op cit.*, p. 11, N. Uphoff, "Why NGOs Are Not a Third Sector: A Sectoral Analysis with Some Thoughts on Accountability, Sustainability, and Evaluation," in *Beyond the Magic Bullet: NGO Performance and Accountability in a Post-Cold War World*, edited by M. Edwards and D. Hulme (West Hartford, Conn.: Kumarian Press, 1996), p. 32 and Landim, *op cit.*, p. 36

⁴⁵² Smillie, *op cit.*, p. 574-5

⁴⁵³ *Ibid.*, p. 575

⁴⁵⁴ R. Tandon, "Board Games: Governance and Accountability in NGOs," in *Beyond the Magic Bullet: NGO Performance and Accountability in a Post-Cold War World*, edited by M. Edwards and D. Hulme, West Hartford, Conn.: Kumarian Press, 1996, p. 53-4

⁴⁵⁵ T. Ovaska, "The Failure of Development Aid," *Cato Journal* 23.2 (Fall 2003): p. 175, Weiss, *op cit.*, p. 20, Edwards and Hulme, *op cit.*, pp. 6-7, S. D. Biggs and A. D. Neame, "Negotiating Room to Manoeuvre: Reflections Concerning NGO Autonomy and Accountability with the New Policy Agenda," in *Beyond the Magic Bullet: NGO Performance and Accountability in a Post-Cold War World*, edited by M. Edwards and D. Hulme, (West Hartford, Conn.: Kumarian Press, 1996), p. 40, and Muscat, *op cit.*, pp. 188 and 191

⁴⁵⁶ R. Brynen, "Buying Peace? A Critical Assessment of International Aid to the West Bank and Gaza," *Journal of Palestine Studies* 25.3 (Spring 1996): pp. 80-1

NGOs Lack Effective Mechanisms for Conflict Resolution

Many of the criticisms leveled at INGOs are particularly relevant to situations of conflict in which precarious circumstances mean all actors must tread carefully. One criticism greatly reflecting this revolves around a significant difference between NGOs and INGOs. If a problem arises, particularly one from the policy of non-governmental organisations, INGOs are able to pick up and leave. This is obviously a luxury that local NGOs do not have. International NGOs do not have to stay to see the results and suffer from their mismanagement and so may not place the same checks and controls on their operations.⁴⁵⁷

Several commentators argue that NGOs do not possess the potential for burden sharing they are widely praised for because of competition for funding. Therefore, authors such as Smillie, Williams, and Weiss argue that the notion that NGOs can take over some costs of peacebuilding and development is idealistic and naïve.⁴⁵⁸ This underlines a principal criticism of NGOs which results from a problem with synchronization and harmonisation. There is room for greater involvement between NGOs at an international and local level to help alleviate the cost of administering NGOs, to create projects with a prolonged scope, and to aid in the creation of a suitable evaluation process.⁴⁵⁹ It has been pointed out that poor coordination of NGOs at the local level can be particularly detrimental because it minimises representation on the international donor stage.⁴⁶⁰ Situations in which conflict is occurring or recently has occurred are extremely susceptible to the failures of NGO collaboration as a large number of NGOs with competing interests and agendas flock to the area. These NGOs - possibly claiming to represent the same group - may have different ideas about how to

⁴⁵⁷ Assefa, *op cit.*, p. 50

⁴⁵⁸ Smillie, *op cit.*, p. 564, Williams, *op cit.*, p. 32, and Weiss, *op cit.*, p. 20

⁴⁵⁹ Landim, *op cit.*, p. 36

⁴⁶⁰ Brynen, *op cit.*, p. 85

solve the conflict. They may also give greatly varying suggestions for peace building and post-conflict policies. They confuse governments and complicate negotiations.⁴⁶¹ The Boxing Day Tsunami has created potential for this situation to occur in places such as Sri Lanka and Aceh as the number of NGOs in these areas has increased significantly.

INGO involvement requires approval by combatants because their existence in an area could cause several problems. INGOs can be susceptible to factions who may intervene in INGO activities, hindering them at will.⁴⁶² This has already occurred in the case of the LTTE in northern and eastern Sri Lanka as well as in the case of the Indonesian military in Aceh. Besides running the risk of embarrassment, INGOs in these situations are also finding it increasingly difficult to guarantee the safety of their staff and resources as aid agencies are increasingly being targeted.⁴⁶³ This highlights the reality that NGOs are unable to control every aspect of the areas they work in. Other actors including governments, possible spoilers, and even nature can negatively affect NGO programs or cause a return to war.⁴⁶⁴ This problem is compounded by the inability of NGOs to coerce. This means that unlike states and aside from the power they derive from the economic benefits they may bestow, they cannot force parties to abide by their preferences.⁴⁶⁵

Politics and Aid Cannot Be Separated

Authors including Assefa, Muscat, Agerbak, and Schade have disagreed with the supposed neutrality of NGOs. They have argued that aid in conflict situations is always political. When it comes to policy some groups always benefit from a policy, while other groups always benefit from the lack of a policy. Therefore, no policy, including

⁴⁶¹ Fitzduff and Church, "Stepping Up," *op cit.*, pp. 11-2

⁴⁶² Duffield, "NGO Relief," *op cit.*, p. 534

⁴⁶³ *Ibid.*, p. 536

⁴⁶⁴ Egan, *op cit.*, p. 178

⁴⁶⁵ Aall, "NGOs and Conflict Management," *op cit.*, p. 1

policies surrounding aid, can be apolitical.⁴⁶⁶ Aid can negatively impact conflict situations by being redirected to soldiers allowing groups to spend more money on fighting and less on its populace, to starve enemy populations, or to empower local groups that are elevated in status by receiving aid.⁴⁶⁷ Anderson, in her book *Do No Harm*, is a particularly ardent critic of NGO aid and neutrality as it presently stands. She identifies a number of ways in which aid can contribute to war. These can be narrowed down to two categories – aid can either “feed intergroup tensions or weaken intergroup connections.”⁴⁶⁸ Despite her criticisms, Anderson reasons that in disaster or conflict situations not giving aid is worse than giving aid that is inherently political. The most effective thing aid practitioners can do, therefore, is to identify existing local capacities for peace and use aid to strengthen these capacities.⁴⁶⁹ In order to prevent aid from becoming a means of war Anderson and others argue that it is imperative for aid workers to gain a knowledge and appreciation of the milieus surrounding the conflicts and of the societies in which they are involved.⁴⁷⁰

Another group of scholars argue that aid can obstruct peace, although for rather different reasons. They argue that aid can be used by governments to support their own agendas, lead to the decline of the middle class, and to bring about the underdevelopment of local governments.⁴⁷¹ The latter two issues may result from dependency on aid or negative economic consequences of aid. Aid can exacerbate conflicts if it is unevenly distributed. Therefore, NGO involvement and aid should be spread equally throughout a warring society and impartiality should be present in both NGO activities and representation. Consequently, it is important for policies to

⁴⁶⁶ Assefa, *op cit.*, p. 46

⁴⁶⁷ Muscat, *op cit.*, p. 9, Agerbak, *op cit.*, p. 155 and Schade, *op cit.*, pp. 126-7

⁴⁶⁸ M. B. Anderson, *Do No Harm: How Aid Can Support Peace – or War* (London: Lynne Rienner Publishers, 1999), pp. 39-58 and 69

⁴⁶⁹ *Ibid.*, pp. 2 and 23-5

⁴⁷⁰ Anderson, *Do No Harm*, *op cit.*, p. 20 and Fitzduff and Church, “Stepping Up,” *op cit.*, p. 28

⁴⁷¹ Fitzduff and Church, “Stepping Up,” *op cit.*, p. 10

encompass all local actors and be carefully executed.⁴⁷² In El Salvador it was found that just by working with particular groups unintentional political consequences were created by NGOs.⁴⁷³ Again this is because devoting resources to one group means resources are diverted from another group, which may be seen as strengthening specific segments of society or excluding others.⁴⁷⁴

NGOs May Impede Negotiations

Many difficulties of including NGOs in conflict negotiations have been remarked upon. Some actors see NGOs as having the potential to spoil negotiations by focusing too much attention on what they regard as insubstantial, fragile, or technical issues.⁴⁷⁵ NGOs internationally condemning the actions of local actors in a conflict may inadvertently cause groups to attempt to strengthen their position as they feel isolated from the international community. NGOs may also be seen as overly concerned with and reflective of the interests of their home states. This could be especially difficult for INGOs operating in a place such as Indonesia which has recently had several quarrels with developed states, or for INGOs working with actors such as the LTTE that have been branded as terrorist groups. Furthermore, INGO involvement in conflict situations may create an excuse for the idleness of other international actors who believe that as long as someone is contributing to relief they do not need to take on the burdens of action.⁴⁷⁶

A number of limits to the track two diplomacy NGOs are involved can be found in the literature. Without an international administering mechanism to govern NGOs there is a fear that NGO involvement in negotiations will cause a commotion and

⁴⁷² Ross, *op cit.*, pp. 36-7 and 40 and P. Aall, "Nongovernmental Organizations and Peacemaking," in *Managing Global Chaos*, edited by C. Crocker *et al.* (Washington D.C.: United States Institute of Peace Press, 1996), p. 5

⁴⁷³ Foley, *op cit.*, p. 84

⁴⁷⁴ Prendergast and Plumb, *op cit.*, p. 333

⁴⁷⁵ Fitzduff and Church, "Stepping Up," *op cit.*, p. 11, Leen, *op cit.*, p. 96 and Bellonie, *op cit.*, p. 163

⁴⁷⁶ Fitzduff and Church, "Stepping Up," *op cit.*, p. 11 and Leen, *op cit.*, p. 96

become disorderly as too many actors try to get involved. If NGOs take over too much they could inadvertently create apathetic populations. They may take power away from locals. If NGOs fail at their efforts it could be difficult for governments, particularly the government of the country in which the NGO is based, to become involved in future efforts at peace.⁴⁷⁷ Or governments may become irritated with the track two process which largely leaves out politicians and diplomats. NGOs may also sometimes have preconceptions or plans which could frustrate negotiations or their private character may make it difficult to conclude negotiations.⁴⁷⁸

NGOs Cannot Escape Attachments

Skepticism over NGOs has received much attention based around the cynicism and uncertainty surrounding the motives of developed countries.⁴⁷⁹ It is hard for some to separate NGOs from the developed world because the majority of their funding comes from developed countries.⁴⁸⁰ It has been observed through the use of NGOs as election monitors that some developed states may encourage NGO activities in a country because they hope to use NGO findings and experiences as an excuse to intervene.⁴⁸¹ Some wonder if the people NGOs supposedly represent are really their constituents or if these populations even asked for NGO representation.⁴⁸² Furthermore, this advocacy may result in the repositioning of conflict negotiations to external areas if outside states or international actors become involved; possibly reducing the participation of local actors in decision-making and conflict resolution processes or diminishing local capacities for peace.⁴⁸³ Occurrences such as these have been viewed as threatening state sovereignty because a state's ability to control its affairs is reduced

⁴⁷⁷ Baharvar, *op cit.*

⁴⁷⁸ Azar, *op cit.*, pp. 20 and 25

⁴⁷⁹ Chand, *op cit.*, p. 550

⁴⁸⁰ Assefa, *op cit.*, p. 49

⁴⁸¹ Chand, *op cit.*, p. 550

⁴⁸² Assefa, *op cit.*, p. 47

⁴⁸³ *Ibid.*, pp. 48-9

as more international actors become involved.⁴⁸⁴ It has also been argued that sovereignty is actually increased by what Duffield calls the “new aid paradigm.” Because states are increasingly held liable for activities within their borders they are therefore encouraged to be more responsible for dealing with tough situations.⁴⁸⁵

Local communities may not trust the motives or commitments of the international community standing behind NGOs for several reasons. Areas previously neglected or ignored by the international community - such as Sri Lanka and Aceh - might wonder why they are suddenly on the international agenda. They are aware that they have little capacity to affect the length and type of involvement of NGOs making them suspicious of promises and dubious of NGO commitments to tackle problems, particularly when they have previously refused to address these same problems.⁴⁸⁶ NGO ventures are often chosen and developed in areas outside the local community meaning they may have little importance to the local populace and do little to motivate participation. Because NGOs are generally funded by outside actors, this problem is exacerbated as the scope of their mandate is limited.⁴⁸⁷

⁴⁸⁴ Williams, *op cit.*, p. 32

⁴⁸⁵ Duffield, “NGO Relief,” *op cit.*, pp. 531-2

⁴⁸⁶ Luong and Weinthal, *op cit.*, p. 1275

⁴⁸⁷ Bellonie, *op cit.*, p. 174

Questions Surrounding Civil Society

As I discussed previously one of the most accepted roles for INGOs in post-conflict situations is their support of local civil society. However, the appropriateness of outsider involvement in this arena has been questioned,⁴⁸⁸ and a number of predicaments have occurred alongside this objective. In some instances civil society can deepen ethnic divisions and be used to advance the agenda of nationalist leaders. This has occurred in places such as Kenya and Malawi in which civil society has actually served to activate and organise social identity.⁴⁸⁹ Cultures with little previous experience of civil society are particularly susceptible to this because leaders of local civic organisations may often be former government employees.⁴⁹⁰

Other critics of NGO involvement in civil society building argue it is simplistic and naïve to believe NGOs alone can create civil society in a state. For civil society to exist it is necessary that the state ensure, or at the least allow, civil liberties such as freedom of speech and assembly. In this way civil society may in reality be reliant upon or subsidiary to political actors.⁴⁹¹ States, particularly those with previously dominant governments such as Indonesia, are unlikely to sit aside and let civil society develop into a dominant and opposing force. Instead, governments are likely to enact legislation making the development and success of civil society difficult.⁴⁹² If the state chooses, some would argue, it can shut down or subvert elements of civil society that are hostile to its agenda.⁴⁹³ This has been the experience in the Democratic Republic of the Congo,

⁴⁸⁸ Smillie, *op cit.*, p. 565

⁴⁸⁹ Jenkins, *op cit.*, p. 261

⁴⁹⁰ Muscat, *op cit.*, pp. 188-93

⁴⁹¹ Biggs and Neame, *op cit.*, pp. 45-6, Camilleri, *op cit.*, p. 358, Duffield, *op cit.*, p. 13 and K. Kumar, "Civil Society: An Inquiry into the Usefulness of an Historical Term," *The British Journal of Sociology* 44.3 (Sep. 1993): p. 385

⁴⁹² Biggs and Neame, *op cit.*, pp. 45-6 and Camilleri, *op cit.*, p. 358

⁴⁹³ D. Glaser, "South Africa and the Limits of Civil Society," *Journal of Southern African Studies* 23.1 (Mar. 1997), pp. 17-9

Burundi, and Rwanda in which governments have only allowed the promulgation of civil society if it supports their purposes.⁴⁹⁴

Arguments have also been made that states and warring parties cannot be separated. Advocates of this idea believe participants in war will have negative participation in civil institutions⁴⁹⁵ and civil society cannot “abolish interest group politics,”⁴⁹⁶ such as those already existing in Sri Lanka. In Bosnia organised crime has flourished at the expense of desirable aspects of civil society.⁴⁹⁷ Nationalist elites have also abused civil society in order to intensify their power, after which they have impeded internally displaced persons from returning. They were partly able to do this because the presence of civil society and NGOs excused them from becoming accountable for the rebuilding of their state.⁴⁹⁸ In Africa civil society has created access to the state in which leaders have been used in corrupt ways and for personal advancement.⁴⁹⁹ A similar situation was found in El Salvador where civil society has strengthened the supremacy of only a small number.⁵⁰⁰

NGO responsibility for the development of civil society means international funding and support requires accountability by NGOs and local civil society groups toward international agencies. This is not a desirable situation and preferably civil society would be accountable to its local constituency – the people it is meant to empower. The high degree of accountability required by the international community can serve to remove the local community from participation as well as produce situations in which real local needs are disregarded, perhaps aiding the construction of

⁴⁹⁴ Issaka and Bushoki, *op cit.*, p. 7

⁴⁹⁵ Duffield, *Aid Policy*, *op cit.*, p. 32

⁴⁹⁶ Glaser, *op cit.*, p. 13

⁴⁹⁷ Jenkins, *op cit.*, p. 261

⁴⁹⁸ Bellonie, *op cit.*, pp. 165-6

⁴⁹⁹ M. Barton, “Beyond the State: Civil Society and Associational Life,” *World Politics* 41.4 (1989): p. 414

⁵⁰⁰ Foley, *op cit.*, p. 90

an attitude viewing civil society with considerable suspicion.⁵⁰¹ This has created circumstances in which “NGOs become contractors, constituencies become customers, and members become clients.”⁵⁰² In places such as Liberia this dependency on external funding meant the withdrawal of foreign aid led to the perishing of civil society groups or a reduction in their political clout.⁵⁰³

Despite the positive rhetoric surrounding civil society’s ability to generate extensive participation in society through a bottom-up approach, this has also ironically been one of its most criticised aspects. This largely stems from the level of international involvement in civil society. Because international NGOs possess such a strong influence on the activities of local branches and other local organisations that they are associated with, a hierarchical power relationship in which INGOs are at the top may form. This occurs when international regulation, funding, and decisions affect which areas of society become empowered or which groups are allowed to take part in civil society. In these instances local society must live with the effects of decisions made at the top, and attempts to provide a voice and power to those without representation may be forestalled as community leaders become accountable to international organisations.⁵⁰⁴

Some claim this dependency is the objective and NGOs are merely interest groups creating reliance in foreign lands as a way to ensure the need for the international community’s presence.⁵⁰⁵ This may lead to a situation in which NGOs “become the organizational mechanism for an international welfare system, doomed to be little more than the front men for the ‘lords of poverty’.”⁵⁰⁶ Since civil society

⁵⁰¹ Bellonie, *op cit.*, pp. 173-4 and Fisher, *op cit.*, p. 454

⁵⁰² Fisher, *op cit.*, p. 454

⁵⁰³ Toure, *op cit.*, p. 14 and Bellonie, *op cit.*, p. 176

⁵⁰⁴ Bellonie, *op cit.*, pp. 17, 168, 172 and 177 and Fisher, p. 455

⁵⁰⁵ *Ibid.*, p. 176

⁵⁰⁶ Fisher, *op cit.*, p. 454

entered Bosnia in the period of post-war reconstruction fervor it has been transformed from serving the interests of local people and attempting to reconcile warring parties into a force reconstructing the financial system into a market economy and one unable to represent the interests and needs of the local population.⁵⁰⁷ Furthermore, one evaluation found civil society in Bosnia has been at the mercy of the international community, forcing local actors to place the wishes of the international community above their own.⁵⁰⁸

In Kazakhstan a study of environmental NGOs found that despite the appearance of a successful civil society because of an increase in NGO numbers (specifically local NGOs), NGOs have become smaller and increasingly irrelevant since the international community began to promulgate the idea of civil society at independence. This is not solely the result of international involvement. Local resources have declined, Kazakhstan's government has become more controlling (which is ironic in itself as civil society is meant to enhance democracy) and it has proven difficult to overcome issues relating to a political culture in which corruption is rampant. However, international organisations have also promoted their own agendas in these organizations which do not necessarily incorporate actions that would be the most beneficial for the local area.⁵⁰⁹

A number of studies regarding the role of civil society in specific war-torn or underdeveloped countries have found the aims and objectives created by the development community are not met through civil society.⁵¹⁰ International NGOs often enter a country on the premise of developing a local civil society and creating aspects of democratic governance. However, this has actually hindered local civil society or efforts at democracy in several ways, and some even claim the goals of civil society and

⁵⁰⁷ Bellonie, *op cit.*, p. 176

⁵⁰⁸ P. C. McMahon, "Rebuilding Bosnia: A Model to Emulate or to Avoid?," *Political Science Quarterly* 119.4 (Winter 2004), p. 579

⁵⁰⁹ see Luong and Weinthal, *op cit.*

⁵¹⁰ Fisher, *op cit.*, p. 455

democracy are antithetical to each other. This may be a result of differences between INGO and LNGO goals which distract from opportunities to build upon the local development of civil society.⁵¹¹ Even if NGOs do meet their goals in relation to civil society this does not guarantee success.⁵¹² As I have outlined earlier, civil society can become a source of division in society or it can be monopolised by persons with interests antithetical to the rest of society.⁵¹³

Agencies involved in civil society promotion have also failed to agree on a universal definition of the term, meaning each tends to adhere to its own definition. Some definitions include the media or political parties as elements of civil society while others view these organisations as related to the state. Furthermore, circumstances can affect the understanding of this definition making it even more difficult to determine when, where, and how civil society is being used. This has led some to criticise donors as picking and choosing a definition to suit their needs, creating inconsistency in the field.⁵¹⁴

Another deterrent to the perceived success of civil society could be its origin in neo-liberal definitions. This appears to suggest a bias toward the developed world that dominates configurations of civil society,⁵¹⁵ which would exclude other elements or definitions of civil society that may be specific to underdeveloped societies. For instance, in the Middle East it has been noted that Arab notions of civil society generally either exclude religion or set aside a specific space in civil society for religion to exist. However, religion (Islam specifically) has been the Middle East's longest lasting form of community that is separated from the state.⁵¹⁶ Some scholars have

⁵¹¹ Luong and Weinthal, *op cit.*, p. 1279

⁵¹² *Ibid.*, p. 1274 and Jenkins, *op cit.*, p. 251

⁵¹³ Luong and Weinthal, *op cit.*, p. 1275

⁵¹⁴ Jenkins, *op cit.*, pp. 251 and 257

⁵¹⁵ *Ibid.*, p. 262

⁵¹⁶ Zubaída, *op cit.*, p. 235

identified the cause of the problem as differences in culture – such as the possibility of diverse meanings of the word civil society in various societies.

Problems of Dependency

Finally, a criticism leveled at NGOs involved specifically in disaster rehabilitation, development, and conflict resolution is that the aid they provide can create dependency. NGOs may take on all accountability for ensuring basic services are provided as was found to have occurred in Mozambique.⁵¹⁷ Or, a reliance on NGO activities may cause locals to work toward attracting NGO involvement rather than addressing the causes creating the need for NGOs as is understood by some to have occurred in Palestine.⁵¹⁸ Furthermore, if NGOs maintain their provider status for too long, competition between the state and NGOs themselves may develop. This competition can occur over struggles to receive donor funding or as a contest for loyalty. One way a state can gain legitimacy is through the provision of services and NGO aid can prevent a state from consolidating its position of power in this arena.⁵¹⁹ This has the potential to thwart peace after a drawn-out conflict such as Sri Lanka's or Aceh's where the state needs to re-establish a support base in separatist areas. Aid can also be detrimental to the local economy. This can happen either through free handouts which distort the prices of local goods, paying staff (generally consisting of the most educated locals) elevated salaries, and/or via the funding of military leaders in exchange for protection.⁵²⁰ Overall, it can be said that donating resources can create a warped economy in which prices and salaries are distorted, possibly undermining local

⁵¹⁷ Egan, *op cit.*, p. 182

⁵¹⁸ E. E. Said, *The End of the Peace Process: Oslo and After*, 2nd ed. (London: Granta Books, 2002), p. xxvi

⁵¹⁹ Schade, *op cit.*, p. 130

⁵²⁰ Duffield, *Aid Policy*, p. 12, Schade, *op cit.*, p.129, Bellonie, *op cit.*, p. 165, and Egan, *op cit.*, p. 180

economies and destroying a society's chance to create solutions and overcome problems.⁵²¹

In an examination of NGOs in South Africa it was discovered NGOs gave handouts instead of teaching locals to overcome problems, which in some instances led to dependency.⁵²² According to one scholar some of these problems could be overcome through restructuring the donor system. Because donors look for short-term results there is little incentive for NGOs to create programs generating sustainable development. They are more likely to focus on activities with short-term results.⁵²³

Many studies have found NGO activities may be successful when evaluated against their own parameters.⁵²⁴ However, this does not necessarily correlate with sustainable development.⁵²⁵ One study found that despite increasing aid real *per capita* incomes in poor countries have been declining since the 1970s.⁵²⁶ This correlates with other studies concluding aid has not been a significant factor in economic growth or boosting development indicators and has had little impact on countries with poor governance.⁵²⁷ One analysis even found a negative relationship between development aid and economic growth.⁵²⁸

RECOMMENDATIONS FOR SUCCESSFUL INVOLVEMENT

Thus far the many strengths and weaknesses of using NGOs in areas such as Sri Lanka and Aceh where conflict resolution and development is needed simultaneously have been established. Based on the accolades and criticisms of scholars, the NGO community and organisations such as the United Nations have outlined parameters to

⁵²¹ Prendergast and Plumb, *op cit.*, p. 346

⁵²² D. Mindry, "Nongovernmental Organizations, "Grassroots" and the Politics of Virtue," *Signs* (Summer 2001): p. 1194

⁵²³ M. Edwards, "NGO Performance – What Breeds Success? New Evidence from South Asia," *World Development* 27.2 (1999), p. 363

⁵²⁴ Muscat, *op cit.*, p. 37

⁵²⁵ Smillie, *op cit.*, p. 571

⁵²⁶ Ovaska, *op cit.*, p. 175

⁵²⁷ Boone (1996) and Burnside and Dollar (2000) in Ovaska, *op cit.*, p. 176-7

⁵²⁸ Ovaska, *op cit.*, p. 186

guide NGO programs, negate potentially harmful ramifications, and advance the positive outcomes of NGO activities.

Some of these recommendations have been identified through instances in which civil society has successfully aided the implementation of peace and re-building in post-conflict regions. Many of these lessons and conclusions are equally applicable to INGOs. Firstly, it has been found that civil society organisations - including NGOs - are more successful in their post-conflict roles if they have prior engagement in the area.⁵²⁹ Previous work in a region tends to correlate with a greater knowledge of the area and the ways in which support is needed and should be offered. This can mitigate the likelihood that civil society will undermine the peace process, exasperate problems, or unintentionally overlook issues needing to be addressed.

Secondly, in post-war situations civil society has the potential to positively impact peace by including aims and activities related to reconciliation in their mandates.⁵³⁰ This can be achieved through changes made to existing NGO programs. At the very least, this helps prevent the undermining of reconciliation and more practically it can support this process. For example, in areas with strong ethnic tensions many civil society organisations work to develop programs promoting their overall objectives but in a way which bring people from differing backgrounds together, thus increasing interaction between previously segregated or conflicting groups.

Civil society must take steps to increase its legitimacy both with the state and its local constituency. This can be achieved through the setting of sensible and pragmatic goals and suggestions rather than seeking to immediately make radical changes not relevant or important to a government or society. Furthermore, civil society should establish its role as an advocate. This can help the government by preventing hiccups in

⁵²⁹ Prendergast and Plumb, *op cit.*, p. 331

⁵³⁰ *Ibid.*, p. 332

the peace process and society can benefit from the increased pressure on leaders to be responsible. However, civil society must also be aware of the realities of a situation. It should remain aware of the attitudes of various parties toward peace, the validity of government and non-government institutions, and the effects of foreign aid distributed through civil society on the situation.⁵³¹

Some scholars recommend that INGOs involved in peacemaking and peace building should meet four requirements. They should be familiar with the country in which they are working and with the other actors involved in overcoming the conflict. They should be affiliated with local groups, they should be trained in mediation, and they should be aware of the perils associated with their actions.⁵³² They also distinguish several possible roles for NGOs in peace building. These are relief and rehabilitation, the monitoring of human rights, as early warning mechanism advising of potential peace collapses, and the creation of and participation in conflict resolution activities.⁵³³

A number of conventions and guidelines have been developed to create standards guiding all NGOs involved in rehabilitation or reconstruction. These include UN conventions such as the Universal Declaration of Human Rights (1948), the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees (1967), the Convention on the Rights of the Child (1989), and Guiding Principles on Internal Displacement (1998). While NGOs are not bound by these agreements because they cannot be signatories to them as non-state actors, codes of conduct for NGOs have been developed based on these instruments and provide principles to guide NGOs in their activities. The most well-known of these is The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-

⁵³¹ *Ibid.*, p. 330

⁵³² P. R. Aall, "NGOs and Conflict Management," (responses to International Conflict: Highlights from the Managing Chaos Conference, 1996, Washington D.C.: United States Institute of Peace), p. 14

⁵³³ see Aall, "Nongovernmental Organizations," *op cit.*, p. 433

Governmental Organisations (NGOs) in Disaster Relief, which “seeks to maintain the high standards of independence, effectiveness and impact” of NGOs working in situations of disaster.⁵³⁴

Another prominent code in this regard is The Humanitarian Charter, created by the Sphere Project and meant to guide NGOs working in catastrophes and violent situations by identifying roles and responsibilities for its members. These can be summarised as recognising the state’s function as the primary provider of aid to its population, an awareness of international law guiding humanitarian agencies, a dedication to diminishing the positive or negative political effects of aid, and an acceptance of the status of the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR). The Charter also includes a third section outlining Minimum Standards in relation to water, sanitation, nutrition, food, shelter, and health care which NGOs involved in humanitarian interventions should meet.

Table 4.1: Principles Guiding NGO Activities

⁵³⁴ International Federation of Red Cross and Red Crescent Societies, “The Code of Conduct,” *op cit*.

sources: taken from the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief (ICRC) and The Humanitarian Charter.

Other notable, although less influential and less-widely participated in, documents regarding NGO conduct exist which should be briefly mentioned. *International Development Frameworks, Policies, Priorities and Implications: A Basic Guide for NGOs* was developed as a resource helping NGOs become aware of important ideas and policies regarding modern international aid and development and includes highlights of major conferences on development (such as The Monterrey Conference) and briefing papers on issues such as good governance and The Millennium Development Goals. The Inter-Agency Standing Committee also released a policy paper entitled “Protection of Internally Displaced Persons” linking protection and assistance and defining the role of the state and NGOs in regards to this issue.

CONCLUSION

As I have outlined in this chapter experience has shown the involvement of NGOs in situations of conflict and efforts to create peace is varied, and can range from supportive to destructive. There is an assortment of ways in which NGOs, and particularly INGOs, have proven to be helpful. They can take on some of the economic burden of recovery, thus easing the fiscal restraints of the state. NGOs have the capacity to push forward policy-making in several ways – such as the ability to

convince a population to accept a policy, ensuring necessary issues remain on the table, and granting underrepresented factions a voice. Their status as non-state actors allows them to negotiate in places and situations in which states are unable to become involved, is less threatening to state and non-state combatants, and permits a level of creativity governments are unable to attain. Finally, the relationship of NGOs with local civic organisations has been identified as a useful tool for both creating an understanding of the elements local populations consider necessary for peace creation and for providing a site from which policies can be implemented.

NGOs have also been found to have negative repercussions in conflict and post-conflict situations. Some have criticised them as too idealised or have pointed to instances in which civil society itself has not been democratic or desirable. It has been asserted that NGOs do not possess adequate mechanisms for enforcing conflict resolution – such as the ability to enforce an agreement which government actors have. One of the most predominant denunciations of NGO activities has been the claim that even NGOs are unable to separate politics and aid. No matter how hard NGOs try, aid is inherently political and can therefore unintentionally create consequences. If too many NGOs become involved it is believed they will clutter negotiations or if their efforts fail it could be to the detriment of state actors that may undertake future efforts at peace creation. This is partly related to the claims of some that NGOs are inextricably bound to the West. Finally, NGOs have unintentionally created situations of dependency, in which populations become dependent on NGO activities to maintain their economy, for providing basic services, or focus their efforts on attracting NGOs rather than addressing the problems underlying conflict.

In an effort to enhance the benefits and curb the negative results of NGO involvement in conflict situations and efforts to create peace, scholars and non-

governmental organisations alike have created recommendations and parameters to guide NGO activities. Based on international laws and codes, these aim to ensure states are preserved as the primary actor, aid is not used in a political fashion, and that NGO operations are carried out to a minimum standard. In my next chapter I will examine the activities of NGOs in the post-tsunami circumstances of Sri Lanka and Aceh in light of the above-mentioned advantages and disadvantages of NGO involvement as well as the recommendations that have been created.

Chapter 5: NGOs in Post-Tsunami Sri Lanka and Aceh

In their book *NGOs at the Table: Strategies for Influencing Policies in Areas of Conflict* Fitzduff and Church accurately assert NGOs need to capitalise on the “right time” for peace building.⁵³⁵ Previous efforts at peace creation in Sri Lanka and Aceh occurred at the wrong time for peace building, but with the devastation of the tsunami catastrophe many began to wonder if perhaps the time had arrived for peace. In both cases efforts at recommencing negotiations were made. Thus far they have been more successful in Aceh where a peace agreement was reached and is being implemented. The situation in Sri Lanka as it presently stands is much more ominous. The resumption of negotiations is uncertain and numerous ceasefire violations have occurred. While ultimately only the actors involved in a conflict can make a commitment to and enforce a peace agreement, NGO activities in each country have the potential to either assist or thwart efforts at peace, as previously established. This is particularly true at the present time, as the tsunami has facilitated increasing involvement by international NGOs in the region. In this chapter I will examine the activities of Oxfam International and CARE International in post-tsunami Sri Lanka and Aceh in order to determine how the benefits and shortcomings associated with NGO participants that I discussed in my previous chapter apply. My examination will add to discussions surrounding the potential of NGOs to aid in peace creation or diminish efforts at reconciliation.

The INGOs I discuss in this chapter were chosen because their mandates include humanitarian relief in zones of conflict and their activities are related to processes of development. Furthermore, both command respect within the international community and

⁵³⁵ M. Fitzduff and C. Church, “Lessons Learned in Conflict-Related Policy Engagement,” in M. Fitzduff and C. Church, editors, *NGOs at the Table: Strategies for Influencing Policies in Areas of Conflict* (Oxford: Rowman and Littlefield Publishers, Inc., 2004), p. 172

have proved to be influential at the international level. Finally, each of these INGOs is working in both post-tsunami Sri Lanka and Aceh. This makes a comparison of the experiences of both regions and the INGOs themselves feasible.

While in this chapter I will primarily examine two NGOs I do not mean to belittle the impact and influence of other NGO actors in Sri Lanka and Aceh. NGOs not considered in this thesis have also had an impact on the ground in one or both countries. The Crisis Management Initiative negotiated the peace settlement between the Indonesian government and the Free Aceh Movement. Other well-known NGOs such as World Vision, the International Organization for Migration (IOM), and the World Food Program (WFP) have also been involved in each area. However, a detailed examination of every INGO involved is not possible. This is another reason I have limited my discussion to two NGOs relevant to the situations of Sri Lanka and Aceh in the aftermath of the tsunami.

Oxfam International

Oxfam International is a confederation of 12 organisations with a secretariat based in Oxford, United Kingdom and maintaining advocacy offices in Washington D.C., New York, Brussels, and Geneva. The original Oxfam organisation - standing for Oxford Committee for Famine Relief - was founded in Oxford in 1942 when a group began campaigning for the shipment of relief supplies to women and children in Greece. In 1995 the group and eleven like-minded organisations from around the world joined together to create Oxfam International. The organisation proclaims its focus to be on activities combating poverty and injustice worldwide which it attempts to accomplish by addressing the underlying issues of poverty, empowering local organisations to address these issues, and aiding in the development of structures combating poverty. Its stated mission is to create “a just world without poverty” and its declared goal is “to enable people to exercise

their rights and manage their own lives.”⁵³⁶ Oxfam activities are divided into four categories: development programs, emergency work, research and lobbying, and campaigning. In 2003/04 the organisation had a budget of \$402.33 million and collaborated with 3250 organisations in nearly 100 countries.⁵³⁷

The tsunami crisis represented the largest aid effort ever undertaken by Oxfam. It raised US\$287 million in donations, mostly from the public. During the first year of its response Oxfam International spent \$123 million (or 43 percent) of these funds and is believed to have aided 1.7 million people affected by the tsunami.⁵³⁸ Initially Oxfam responded by addressing emergency needs and it has since shifted to the reconstruction of lives and communities. Oxfam is undertaking what it labels “Reconstruction Plus” – a plan enabling underprivileged communities to break free from poverty rather than simply returning them to their underdeveloped status that existed prior to the tsunami.⁵³⁹

To better coordinate its response the Oxfam International Charitable Fund was created by the 12 Oxfam affiliates as an independent company and charity managed by the Executive Directors of the 12 Oxfam member organisations and a Tsunami Fund Management Team. The purpose of this arrangement is to guarantee accountability and transparency as well as allow for project coordination, ensure efficiency, and avoid replication.⁵⁴⁰

⁵³⁶ Oxfam International, “What We Do,” available online at <http://www.oxfam.org/en/about/what>

⁵³⁷ Oxfam International, “About Us,” available online at <http://www.oxfam.org/en/about>

⁵³⁸ Oxfam International, “Tsunami Crisis,” available online at <http://www.oxfam.org/en/programs/emergencies/tsunami/index.htm>

⁵³⁹ Oxfam International, “The Asian Tsunami: The Challenge After the Jakarta Summit,” (Oxfam Briefing Note, 7 January 2005), pp. 3-4, also available online at http://www.oxfam.org/en/policy/briefingnotes/pp050107_tsunami

⁵⁴⁰ Oxfam International, “Oxfam Tsunami Accountability Report” (December 2005), p. 7, also available online at http://oxfam.org/en/policy/briefingnotes/doc051205_tsunami_accountability

CARE International

CARE International consists of an international secretariat plus eleven member organisations based around the world. It identifies its mission as serving people in the poorest communities, working to find solutions to poverty, and advocating for the creation of global citizens. It also aims to create change within communities through self-help, economic pursuits, relief aid, policy making, and tackling discrimination. CARE activities focus on women and undertake pursuits believed to benefit communities rather than individuals. The organisation was founded in the United States in 1945 as a confederation of 22 organisations which sent relief packages to survivors of World War II. Initially CARE stood for Cooperative for American Remittances to Europe although the acronym today represents Cooperative for Assistance and Relief Everywhere. Its activities primarily revolve around survivors of war and disasters in the poorest communities and today it is involved in over 70 countries.

Various CARE member organisations were present in Sri Lanka and Indonesia prior to the tsunami, allowing it to respond within 24 hours. CARE sought out the most exposed and least attended populations. However, CARE International has not set up a trust fund or central committee to oversee its activities and affiliates within the countries.

Notably, CARE International member organisations undertook advocacy programs in their home countries to boost emergency funding packages for countries affected by the tsunami. For instance, CARE USA was part of a team pushing for \$1 billion in extra emergency funding for the tsunami crisis and Peter Bell, the President of CARE USA, urged the United States to fulfill its pledges during a Congressional testimony. CARE also focused on areas not directly impacted by the tsunami but just as poor, accepting donations

to undertake projects in these areas. CARE immediately resolved to be involved in a long-term recovery effort that would address the causes of poverty.⁵⁴¹

SRI LANKA

In Sri Lanka the Boxing Day Tsunami killed an estimated 35,000 people, left 4,000 people missing, destroyed or damaged 100,000 homes, displaced 500,000 people, brought about the unemployment of 400,000, and created approximately \$1.5 billion in damage. Most of the destruction occurred in northern and eastern areas of the country. This is also the location where most of Sri Lanka's civil war has left thousands dead or missing and the displacement of an estimated 800,000 people had occurred. There is no reliable estimate of how many NGOs operated in the country prior to the tsunami. Fifty INGOs were registered with the government before 26 December 2004, although it is recognised that this number is not likely to be an accurate representation. It is believed that between 25,000 and 50,000 NGOs were working in the country and a 1999 UN assessment calculated \$25 million in aid was being channeled annually through NGOs in Sri Lanka while other studies found NGOs were responsible for distributing one-fifth of foreign aid meant for Sri Lanka throughout the 1990s.⁵⁴² Within one week of the tsunami 150 INGOs registered with the Sri Lankan government and by April 2005, 347 humanitarian agencies with activities focused on tsunami devastated areas were registered.⁵⁴³ Pledges of aid to the country exceeded \$2.95 billion, \$853 million of which is being provided through NGOs for

⁵⁴¹ CARE USA, "I am Powerful: CARE USA 2005 Annual Report," p. 26, also available online at <http://www.care.org/newsroom/publications/annualreports/index.asp>

⁵⁴² C. Orjuela, "Civil Society in Civil War: The Case of Sri Lanka," *Civil Wars* 7.2 (Summer 2005), p. 125

⁵⁴³ "Report of the Asian Civil Society Consultation on Post-Tsunami Challenges," (organised by the Asian Forum for Human Rights and Development (FORUM-ASIA) and ActionAid International, 13-14 February 2005, Bangkok, Thailand), p. 5 and J. Thiagarajah, "Evolving Role of the NGO Sector in Post-Tsunami Recovery of Sri Lanka – Issues of Transparency, Accountability & Long-Term Partnership with Government," (paper present at the Sri Lanka Development Forum, Kandy, Sri Lanka 16-17 May 2005), p. 16

long-term recovery.⁵⁴⁴ Five months after the tsunami a Sri Lankan government study concluded that NGOs were a conduit for at least 80 percent of post-tsunami foreign aid.⁵⁴⁵

Issues Facing NGOs in Rehabilitation and Recovery

The aid response in Sri Lanka has faced many difficulties - the uppermost of which has been the on-going conflict as political violence has steadily been on the rise and recently a number of attempted assassinations on both government and Tamil officials has occurred. The tsunami destroyed infrastructure in an area already underdeveloped and largely inaccessible because of the war.⁵⁴⁶ Many also worried that the thousands of landmines planted in Sri Lanka's Northeast were displaced by the tsunami and could create difficulties in supplying aid as well as kill unsuspecting persons. However, this problem does not appear to have arisen.

A debate quickly ensued between the Sri Lankan government and the Liberation Tigers of Tamil Eelam surrounding aid distribution. The Government of Sri Lanka believes that as the sovereign authority over Sri Lanka it should be the principal distributor and manager of the recovery process. Contrastingly, the LTTE views itself as the only legitimate representative of the Tamil population and therefore believes any recovery program should be jointly administered.⁵⁴⁷ Because the LTTE has been proscribed by a large number of governments it is unable to directly receive humanitarian assistance, although it is better able to distribute this aid in the northern and eastern parts of the country that it controls and which were the most devastatingly affected areas. Therefore, the LTTE believes it is imperative that it have a role in distributing tsunami relief aid. The

⁵⁴⁴ S. Cooray, "Donor Support, Pledges, Commitments and Expenditure – The Process -," (paper presented at the Sri Lanka Development Forum, Kandy, Sri Lanka, 16-17 May 2005), p. 38

⁵⁴⁵ *Ibid.*, p. 127

⁵⁴⁶ Cooray, *op cit.*, pp. 35-36

⁵⁴⁷ J. Uyangoda, "Ethnic Conflict, the State and the Tsunami Disaster in Sri Lanka," *Inter-Asia Cultural Studies* 6.3 (2005), p. 341

government is reluctant to provide the LTTE with an official capacity, fearing it will provide *de facto* recognition of its control.⁵⁴⁸ Both sides view the tsunami response as an opportunity to create or restore legitimacy in areas they do not control and among the international community.⁵⁴⁹ After pressure from donors the two sides agreed to a Joint-Mechanism on Tsunami Aid Distribution. However, this was thwarted when the JVP, a party of the coalition government, left the ruling alliance in protest and the Supreme Court ruled the agreement was unconstitutional. This failure to reach an agreement is believed to have constricted the rebuilding process in the Northern and Eastern provinces.⁵⁵⁰

A statewide debate then arose when the Government of Sri Lanka announced plans to create a coastal buffer zone preventing the construction of buildings, houses, and hotels within 100 metres of the shore. The LTTE announced that in areas under its control the buffer zone would be 300 meters.⁵⁵¹ Media accounts reported this plan angered many in the tourist industry who wanted to rebuild on the beach to attract tourism. Fishermen were also upset as they depended on the sea for their livelihoods and needed beach huts to store fishing equipment.⁵⁵² Families living on the coast prior to the tsunami were angry about the plan as well, and were quoted as saying they owned land and had traditionally lived by the seaside and therefore did not want to move. This debate unintentionally exacerbated tensions because of the geographical distribution of the areas affected. Those most likely affected by the implementation of a buffer zone were in the Northern and Eastern provinces dominated by underdeveloped Tamil and Muslim communities.

⁵⁴⁸ *Ibid.*, p. 344

⁵⁴⁹ *Ibid.*, and J. Goodhand and B. Klem, *Aid, Conflict and Peacebuilding in Sri Lanka, 2000-2005*, vol. 1 (Colombo: The Asia Foundation, 2005), p. 55, also available online at http://www.asiafoundation.org/pdf/full_sr_report.pdf.

⁵⁵⁰ Uyandgoda, *op cit.*, p. 345

⁵⁵¹ *Ibid.*, p. 349

⁵⁵² M. Walls, "REPORT: Review of Tsunami Recovery," prepared for the Tsunami Recovery Network, 22 June 2005, p. 15

The government has continuously been criticised by the LTTE, those affected by the tsunami, and even aid agencies. It is accused of poor coordination, failing to keep promises of monetary aid, and slowing down aid distribution through bureaucratic bungling, and corruption. The Sri Lankan government itself admitted in media reports that one month after the tsunami 70 percent of Sri Lankans were not receiving adequate food and medicine, leading to island-wide protests by Tamil groups. At a local level the government has been condemned for using aid to provide political favours to those loyal to it. A review by the Sri Lankan auditor general nearly eight months after the tsunami was reported in the media as finding only eight and two-tenths percent of the \$120.5 million set aside for refurbishing the fishing economy in Sri Lanka had been spent and only 11.2 percent of \$311.5 million to be spent on housing and urban development had been distributed. Other media reports claimed the auditor general found numerous goods provided as aid had disappeared. The customs department was not efficiently clearing goods donated to the country resulting in the inability of NGOs to use them, and the government failed to maintain records of aid spending.

Tamils were not the only ethnic group in Sri Lanka disappointed with the government's relief effort. It was reported that Sri Lanka's Muslim community, which is predominantly located in tsunami affected areas, felt the distribution of aid was discriminatory as the government almost solely aided Sinhalese victims while LTTE aid was focused on Tamil victims. These feelings were amplified by the exclusion of Muslim representatives in negotiations for the creation of a joint mechanism for aid distribution.⁵⁵³ Shortly after the tsunami two prominent Muslim political parties established the Peace

⁵⁵³ Yuangoda, *op cit.*, p. 350

Secretariat for Muslims to create a unified Muslim position to advance their standing in the island's peace negotiations.

Allegations of corruption have arisen in the post-tsunami period as well. Prime Minister Mahinda Rajapaksa was accused of misallocating over \$800,000 of aid. Fears that forced relocation will allow commercial businesses, particularly those in the tourist industry, to purchase land at inexpensive rates have also been raised. It has been said that aid is being diverted to both government and LTTE troops rather than serving those devastated by the tsunami. Local officials have been accused of keeping the best of aid for themselves, only distributing items which do not appeal to them.⁵⁵⁴ Corruption has been cited as an incentive for using NGOs to distribute aid as few trust the government. The Sri Lankan Central Bank declared 80 to 90 percent of foreign aid had been distributed through NGOs five months after the tsunami.⁵⁵⁵

A number of criticisms relating to temporary housing have surfaced. Some shelters are considered inappropriate for the climate of Sri Lanka and are over-populated. The construction of permanent homes is delayed partly because of the debate surrounding the buffer zone. Quarrels and power struggles within the government have further hindered the process of providing temporary and permanent housing. The President created several task forces to respond to the tsunami that were immediately dissolved when the Prime Minister, who was away when the disaster occurred, returned and created her own working party.⁵⁵⁶ Furthermore, the scale of destruction meant legal records and markers were often lost. This made it difficult to determine the original location of properties and houses. Local

⁵⁵⁴ G. Frerks and B. Klem, *Tsunami Response in Sri Lanka: Report on a Field Visit From 6-20 February 2005*, (Disaster Studies Wageningen University and Conflict Research Unit Clingendael Institute, 14 March 2005), p. 24

⁵⁵⁵ N. DeVotta, "Civil Society and Non-Governmental Organizations in Sri Lanka: Peacemakers or Parasites?," *Civil Wars* 7.2 (Summer 2005): p. 179

⁵⁵⁶ Uyangoda, *op cit.*, p. 347

transport infrastructure such as roads and rail lines was substantially damaged, making it difficult to move rebuilding materials to devastated areas. These problems were exacerbated by a lack of warehousing. This made it difficult to store supplies. One study found 58% of NGOs had difficulties with scarce storage facilities.⁵⁵⁷

Many displaced by the tsunami were already displaced by the conflict. This often meant people lost everything for a second time. Tension developed as people who had been displaced by the conflict but not the tsunami felt neglected because their situations were overshadowed by those directly affected by the tsunami.

Women were disproportionately killed in the tsunami and those who survived have suffered many tribulations. Short-term problems affecting women included challenges in receiving emergency assistance and equitable pay in cash-for-work programs.⁵⁵⁸ Another problem has been a lack of security creating vulnerability to gender-based violence such as rape and abuse. This is particularly rampant in camps which are not always well lit and lack adequately concealed bathing facilities and toilets.⁵⁵⁹ Furthermore, a rise in alcoholism has meant women are increasingly exposed to spousal abuse in camps and domestic violence has escalated countrywide in the post-tsunami period.⁵⁶⁰ Finally, social customs dictate women are often not allowed in decision-making processes which makes it difficult to address their needs.⁵⁶¹

⁵⁵⁷ Fritz Institute, *Lessons from the Tsunami: Top Line Findings*, (Fritz Institute: 2005), 3, also available online at [http://www.reliefweb.int/rw/lib.nsf/db900SID/KKEE-6GNR5S/\\$FILE/Lessons%20from%20Tsunami-Fritz.pdf?OpenElement](http://www.reliefweb.int/rw/lib.nsf/db900SID/KKEE-6GNR5S/$FILE/Lessons%20from%20Tsunami-Fritz.pdf?OpenElement)

⁵⁵⁸ Oxfam International, "The Tsunami's Impact on Women," March 2005, p. 9, also available online at www.oxfam.org/en/policy/briefingnotes/bn050326_tsunami_women

⁵⁵⁹ *Ibid.* and S. Fisher, "Gender Based Violence in Sri Lanka in the Aftermath of the 2004 Tsunami Crisis: The Role of International Organisations and International NGOs in Prevention and Response to Gender Based Violence," Masters diss., University of Leeds Institute of Politics and International Studies, p. 27

⁵⁶⁰ Fisher, *op cit.*, p. 10

⁵⁶¹ Oxfam International, "The Tsunami's Impact on Women," p. 10 and Fisher, *op cit.*, p. 27

Many children were killed as a result of the tsunami and the plight of those surviving has been difficult. Particularly in the North and East the LTTE has been accused by Human Rights Watch and media reports of recruiting and kidnapping children. According to Human Rights Watch this may be a direct result of the tsunami that is suspected to have killed a large number of LTTE soldiers. Orphaned children or those separated from their families and homes are particularly vulnerable to recruitment.⁵⁶²

The extreme numbers of NGOs, inter-governmental organisations, and government actors in the post-tsunami situation have made cooperation and coordination a necessity. The Sri Lankan government was slow to organise itself after the tsunami but eventually created the Task Force for Rebuilding the Nation (TAFREN) to coordinate rehabilitation. The LTTE also created the Tamil Rehabilitation Organisation (TRO) whose approval was required for all NGO activities in its area.⁵⁶³ Disputes between the government and LTTE as well as government efforts to control the aid process have made coordination difficult. One study found an oversupply of aid has created overly idealistic ideas about rebuilding and may have also contributed to the creation of a passive population. NGOs have been charged with rushing to establish their “brand,” resulting in competition and mistakes. Local NGOs have accused INGOs of marginalising them and ignoring their recommendations.⁵⁶⁴ A Fritz Institute study supported this allegation, finding that 41% of international NGOs worked with local NGOs and that 27% of INGOs worked with other INGOs. Overall though, 85% of NGOs reported collaborating with governmental or other

⁵⁶² Human Rights Watch, “Sri Lanka: Child Tsunami” *op cit*.

⁵⁶³ V. Rawal *et al.*, “Multi-Agency Evaluation of Tsunami Response: India and Sri Lanka,” July 2005, p. 42, also available online at <http://www.careinternational.org/uk/?lid=2990>

⁵⁶⁴ Freks and Klem, *op cit.*, pp. 20-23

non-governmental organisations.⁵⁶⁵ However, these statistics do not reveal the level or extent of this collaboration.

Civil society has a long history in Sri Lanka but since the country's independence has been largely effective only at serving the interests of politicians and creating divisions within the community. Even prior to independence class, religion, and nationalism partitioned Sri Lankan civil society.⁵⁶⁶ Elements of civil society, and particularly NGOs, have been perceived simply as political interest groups and civil society organisations in Sri Lanka today are typically commanded by social elites and males.⁵⁶⁷ In the 1980s civil society initiatives increasingly became externally funded by international NGOs, which some view as a form of Western colonialism. This has created dependency and a market-like approach in the civil society sector.⁵⁶⁸ Both the government and LTTE have also tried to control NGO activities within the country.⁵⁶⁹ Therefore, natives have traditionally viewed local NGOs suspiciously⁵⁷⁰ and their involvement in the post-tsunami effort was tenuous. However, INGOs working with local NGOs have the ability to strengthen the capacity and images of local NGOs in the post-tsunami period.

A final concern for NGOs is the declining security situation in Sri Lanka. Numerous cease-fire violations have occurred since the tsunami and these have escalated in

⁵⁶⁵ Fritz Institute, *op cit.*, p. 4

⁵⁶⁶ Orjuela, *op cit.*, p. 124

⁵⁶⁷ DeVotta, "Civil Society," *op cit.*, p. 171 and Orjuela, *op cit.*, pp. 122, 125

⁵⁶⁸ K. van Brabant, "NGO-Government Relations in Sri Lanka," in *NGOs and Governments: A Review of Current Practice for Southern and Eastern NGOs*, edited by J. Bennet (INTRAC, 1997), p. 162 and R. Wanigaratne, "The State-NGO Relationship in Sri Lanka: Rights, Interests and Accountability," in *NGOs, States and Donors: Too Close For Comfort*, edited by D. Hulme and M. Edwards (New York: St. Martin's Press, 1997), pp. 125-126

⁵⁶⁹ see van Brabant in Bennet for an overview of these efforts, K. van Brabant and, "The Coordination of Humanitarian Action: The Case of Sri Lanka," (London: Overseas Development Institute, 1997), p. 12, N. Tiruchelvam, "Sri Lanka's Ethnic Conflict and Preventative Action: The Role of NGOs," in *Vigilance and Vengeance: NGOs Preventing Ethnic Conflict in Divided Societies*, edited by R. I. Rotberg (Cambridge (Massachusetts): The World Peace Foundation, 1996), p. 162, and Goodhand *et al.*, "Aid, Conflict and Peacebuilding" August 2005, p. 46

⁵⁷⁰ Wanigaratne, *op cit.*, pp. 221-223

recent months. Violations thus far have not been aimed at NGO workers (although one recent incident reportedly resulted in the deaths of 17 INGO workers in Northern Sri Lanka), but civilians have suffered greatly. It appears that the presence of INGOs has not completely deterred either the government or LTTE forces from committing atrocities and in the future the security of NGO personnel could become an issue.

Oxfam International

Three Oxfam affiliates were present in Sri Lanka when the tsunami struck. Oxfam Great Britain has been involved in the country since 1968 and significantly increased its activities in the country as war escalated in the late 1980s. By 2003 Oxfam Great Britain had 70 employees and six offices in the country, four of which were in the Northern and Eastern provinces where the war was occurring and the Tamil majority lived. Programs focused on developing livelihoods, water and sanitation, rights education for the plantation and women's sectors, and community development in multi-ethnic areas.⁵⁷¹ Oxfam Australia worked in the south, east, and central areas of the island, and concentrated its efforts on ethnically diverse border areas. It has undertaken numerous development activities such as providing education about human rights, creating sustainable livelihoods, and protecting labour rights. Furthermore, Oxfam Australia has created programs focusing specifically on issues of conflict, such as working to reintegrate child soldiers and teaching Sinhalese and Tamil languages in mixed communities.⁵⁷² Oxfam Novib (the Netherlands) also had a presence in Sri Lanka although I could find very few English language sources regarding this.

⁵⁷¹ Oxfam International, "Sri Lanka: Programme Overview," available online at http://www.oxfam.org.uk/what_we_do/where_we_work/sri_lanka/programme.htm

⁵⁷² Oxfam Australia, "Sri Lanka," available online at http://www.oxfam.org.au/world/sthasia/sri_lanka/index.html

The presence of Oxfam in the country prior to the tsunami has placed the agency in a strong position to respond to the disaster. It was able to begin operations within 24 hours of the catastrophe and has worked through its resident staff and with local NGOs during its response.⁵⁷³ Oxfam also dispatched international, short-term staff to Sri Lanka to increase its management capabilities. However, these staff often made decisions without consulting local staff, making the resident staff feel marginalised and resulting in decisions that at times were inappropriate.⁵⁷⁴ This also slowed Oxfam's early response as local staff had to wait for expatriate experts to arrive and it impeded coordination between other agencies as local staff were not empowered to communicate information with even the Sri Lankan government or the UN without approval from headquarters.⁵⁷⁵

In the first year of its post-tsunami activities in Sri Lanka, Oxfam achieved the following results:

Table 5.1: Summary of Oxfam International in Sri Lanka

⁵⁷³ Oxfam International, "Oxfam Tsunami Accountability," *op cit.*, p. 5

⁵⁷⁴ Rawal *et al.*, *op cit.*, p. 14

⁵⁷⁵ *Ibid.*, p. 21-22

source: Oxfam International, "Oxfam International Tsunami Fund: 4th Quarter Report"

Immediate post-tsunami disaster relief

The initial Oxfam response in Sri Lanka involved distributing hygiene necessities, installing water sanitation equipment and temporary toilets, and aiding in search and rescue operations.⁵⁷⁶ Many of Oxfams programs were and continue to be carried out by Oxfam staff members who are Sri Lankan nationals.⁵⁷⁷ Those who note that very few medically related deaths occurred after the tsunami and that no outbreaks of disease arose have praised this response. Oxfam itself noted that not all aid it provided was appropriate to the geographical location or nature of the catastrophe. For instance, in one area of Sri Lanka Oxfam gave every family a water filter only to discover water filters are rarely used in the area.⁵⁷⁸ Several months after the tsunami Oxfam issued a briefing note encouraging cash rather than in-kind donations.⁵⁷⁹

Noticing predicaments and inefficiencies caused by a lack of coordination among aid agencies, Oxfam decided early on to direct its activities to remote areas that were being

⁵⁷⁶ Oxfam International, External Bulletin: "Learning the Lessons of the Tsunami – One Month On," 25 January 2005, p. 1, also available online at http://www.oxfam.org/en/files/doc050125_tsunami_external_bulletin.pdf.

⁵⁷⁷ Oxfam International, "Oxfam International Tsunami Fund: 4th Quarter Report"

⁵⁷⁸ *Ibid.*, p. 19

⁵⁷⁹ Oxfam International, "Making the Case for Cash: Humanitarian Food Aid Under Scrutiny," April 2005, also available online at http://www.oxfam.org/en/files/bp71_food_aid_240305.pdf/download

neglected.⁵⁸⁰ This decision helped to avoid duplication of aid projects and the overlooking of remote areas. However, it did not necessarily help combat the overall problems of coordination and cooperation within the aid community. Since the beginning of the emergency phase Oxfam also worked with its local associates.⁵⁸¹ This should ensure that projects are executed with input from the communities they aim to serve and it should strengthen local civil society and NGO actors. However, during the short-term response, Oxfam itself encountered many difficulties in coordination between its local and international staff. This problem was compounded by a high rate of staff turnover and synchronisation between native and expatriate staff was not always present.⁵⁸² This was particularly apparent during Oxfam's first assessment after the tsunami. The assessment team only utilised local staff as translators and Oxfam's response strategy was not always appropriate.⁵⁸³

Medium and long-term development goals

Throughout its medium-term response Oxfam has created programs to address the needs of women, established livelihood programs, worked to address environmental issues, provided bedding, and promoted health awareness among survivors.⁵⁸⁴ The involvement of Oxfam in women's issues is particularly relevant in the post-tsunami situation, as women have been identified as facing a number of difficulties. Gender protection is a central theme in much of Oxfam's work in tsunami-affected provinces. It has undertaken a monitoring role as well as developing women's councils and encouraging female involvement in rebuilding programs. It has provided training in gender equity and gender

⁵⁸⁰ *Ibid*

⁵⁸¹ Oxfam International, "Oxfam Tsunami Accountability," *op cit.*, p. 16

⁵⁸² Rawal *et al.*, *op cit.*, p. 14

⁵⁸³ *Ibid.*, p. 17

⁵⁸⁴ Oxfam International, "Learning the Lessons of the Tsunami," *op cit.*

rights and planned an advocacy campaign.⁵⁸⁵ Oxfam provided fishermen with nets and boats so they could return to traditional employment rather than rely on handouts. Furthermore, the organisation is working to prevent the exploitative working relationship prevalent among fishing communities in Sri Lanka prior to the tsunami. Often businesspeople owned fishing boats and nets giving them control over fishermen who used their equipment. Oxfam is distributing fishing supplies to those who did not own them prior to the tsunami.⁵⁸⁶ Overall, Oxfam's hygiene education programs were considered successful and the NGO was applauded for designing programs with regards to the socio-economic and educational levels of their audience.⁵⁸⁷

Throughout its longer-term involvement Oxfam is working to create sustainable access to food, income, health facilities, and water. Oxfam has traditionally been noted for its strength in water and sanitation projects. Continued participation in its niche area is important. Furthermore, it is developing programs for women and children and creating cash-for-work programs for the fishing population.⁵⁸⁸ Cash-for-work programs, while considered excellent for short and medium-term stability, have been criticised by some for creating dependency if sustained for long periods.

Shortly after the long-term response to the tsunami began it was found that Oxfam's cash-for-work programs were paying higher than average wages, which had two detrimental affects. Firstly, it hurt the labour market and local industry as many chose not to immediately return to traditional livelihood activities such as agriculture because they could earn more by participating in cash-for-work programs. Secondly, the high wages

⁵⁸⁵ Fisher, *op cit.*, pp. 38-39

⁵⁸⁶ J. Thompson, "Fairer Fishing Returns," June 2005, p. 1, also available online at <http://www.oxfam.org.au/world/emergencies/tsunami/articles/fishing.pdf>

⁵⁸⁷ Rawal *et al.*, *op cit.*, p. 33

⁵⁸⁸ Oxfam International, "Learning the Lessons of the Tsunami," *op cit.*

paid to participants attracted employees from outside the tsunami-affected areas. This unintentionally disadvantaged tsunami victims as a rule stipulating only one member per family could participate in cash-for-work programs was easy to enforce among those living in camps but more difficult to enforce among non-locals.⁵⁸⁹ These programs are beneficial though because they complete projects requested by the local community and Oxfam has justified their wages by arguing that they supply an income helping families to overcome their losses.⁵⁹⁰

Strengthening civil society: Peace-building and conflict resolution

Notably, Oxfam International is continuing to work with local NGOs to assist in training, providing expertise, and funding while local partners are responsible for labour and implementing projects.⁵⁹¹ Ten local organisations have also received aid in reconstructing offices and reacquiring resources from Oxfam.⁵⁹² This is a good start to developing the capacity of local actors. However, measures must be taken to prevent dependency by allowing partner NGOs to develop alternative sources of revenue.

Overall, it can be said Oxfam's involvement in Sri Lanka after the tsunami has so far been positive in terms of creating growth and development. It has committed itself to a long-term program and to rebuilding devastated areas not only back to their condition prior to the tsunami but in a manner creating sustainable growth. It has also consulted with local communities prior to building shelter and has been commended for practical and satisfactory designs. Furthermore, it pressured the government to create a solution suitable

⁵⁸⁹ Rawal *et al.*, *op cit.*, p. 35

⁵⁹⁰ *Ibid.*, pp. 34-35

⁵⁹¹ Oxfam International, "Oxfam Tsunami Accountability," *op cit.*, p. 16 and J. Thompson, "The Power of Many," June 2005, p. 2, also available online at www.oxfam.org.au/world/emergencies/tsunami/articles/hambantota.pdf.

⁵⁹² Oxfam International, "Oxfam International Tsunami Fund Quarterly Report: December 26 2004 - March 31 2005," p. 5, also available online at www.oxfam.org/en/files/oitf_report_2005q4/download

to the population at large in relation to the buffer zone controversy. Apart from its work with women, helping to protect them from challenges they face in the post-tsunami situation and promoting gender equality, its efforts at collaboration, while at first questioned, also meant it had considerable potential to make a positive impact on the development of local civil society as long as it does not continue to marginalise its local affiliates.

In relation to recommendations for successful NGO involvement in conflict situations that I mentioned in the previous chapter, Oxfam has successfully fulfilled many of these. As I have noted Oxfam International was involved in Sri Lanka prior to both the conflict and the tsunami which increased its knowledge of the situation and could be expected to have helped it create a response that does not contribute to the country's tensions. Oxfam has also developed inclusive programs involving all ethnic groups while undertaking development initiatives. While these programs may not be designed specifically for reconciliation they can help to integrate previously divided societies. The INGO is also working with its local civil society partners to increase and develop their capacities, which should aid in developing their legitimacy. It has assisted these groups through funding and training as well as organising initiatives to seek suggestions from the community regarding its programs.

Oxfam International largely succeeds in fulfilling requirements of INGOs in peace building roles. Oxfam is knowledgeable about the complex situation in Sri Lanka, has links with local organisations, and appears to be aware of the problems their involvement could create. However, it is unclear if Oxfam staff have mediation training and their activities to date suggest they have not undertaken this role. Of the four possible peace building roles for NGOs identified by commentators that I have discussed on pages 164-

168, Oxfam has clear participation in three. They are conducting relief and rehabilitation in response to the tsunami and often in areas and ways that also aid post-conflict development. They have assisted in human rights monitoring, particularly in camps where women are often threatened. While their activities are not specifically geared toward conflict resolution they have created projects that may help with this in the long run by incorporating a multi-ethnic workforce. However, they do not appear to be acting as an early warning mechanism cautioning against a deteriorating security situation. Numerous media reports and other, more advocacy oriented NGOs have served this function which does allow Oxfam to focus on other work.

Oxfam's work in Sri Lanka complies with the Code of Conduct created by the ICRC. It has been particularly strong at ensuring humanitarian needs are put first (perhaps sometimes at the expense of focusing on resolution), supplying aid on the basis of need, and including recipients in the implementation of projects. Thus far both aid recipients and those donating resources to Oxfam appear to be content with Oxfam accountability, as no major complaints have risen. Oxfam also seems to be successful thus far at complying with the Sphere Projects Humanitarian Charter, and particularly those guidelines relating to minimum standards in water, sanitation, nutrition, food, shelter, and health care. Oxfam housing projects are particularly notable for their fulfilment of the Humanitarian Charter's guidelines and as I have noted, the organisation won an award for the success of its permanent housing design.

While Oxfam has not been focused on reconciliation issues it has been careful to include Muslim communities in its response and this has meant that it has not been adding to feelings among the Muslim community that they are being disregarded. However, as the Joint-Mechanism on Tsunami Aid Distribution was never carried out, Oxfam and other

NGOs became a mechanism through which aid could be channelled. Therefore, Oxfam may have had a role in negating the necessity of an agreement that could have become the basis for restarting peace negotiations.

Oxfam's activities have not focused on children but this is also not in their mandate. Initially its relationship with local NGOs was questioned. More recently though, it has successfully cooperated with local NGOs which should be beneficial in the long run as long as dependency does not develop. Its involvement in coordination among INGOs is less clear, although the coordination effort among INGOs as a whole appears weak. Particularly in the early days of its response, Oxfam added to this problem by requiring its local staff to receive approval from Oxfam headquarters to communicate about projects with anyone outside the organisation. Oxfam must be careful to prevent the distortion of the local economy or the creation of dependency through its activities, particularly through its cash-for-work programs that continue to date.

Lastly, it must be said that like all NGOs operating in Sri Lanka, questions surround the affect of aid on combating parties. Oxfam has provided a large amount of monetary assistance and organised a number of projects that normally fall under the domain of the state. It is likely this has allowed both the GoSL and LTTE to maintain war budgets rather than diverting resources to post-tsunami reconstruction. In the post-tsunami atmosphere one or both parties to the war could have lost legitimacy by failing or being unable to respond to post-tsunami needs and the amount of aid Oxfam, for instance, has provided means this scenario will not come up.

CARE International

Member organisations of CARE International became involved in Sri Lanka in 1956. Early operations focused on food support, agricultural and natural resource

management, and minor economic development programs. In the 1980s the program's mandate changed to focus on emergency, rehabilitation, and development assistance to people displaced by war in the Northern and Eastern provinces. CARE also worked with the populations of the tea plantations to better their quality of life and ensure they were consulted in development programs. Through its activities CARE conferred with the central government, local NGOs, and local businesses and banks.⁵⁹³

CARE has a widespread presence in post-tsunami Sri Lanka with operations in seven of the most distressed districts, including LTTE-directed areas.⁵⁹⁴ Most of the CARE staff responding to the tsunami disaster were chosen from CARE programs already operating in the country and many of these were locals. At the outset of its response CARE also sent in staff specialising in emergency response which consisted of persons from the surrounding region. While CARE's response was far-reaching it was fairly small considering the extent of the disaster, which limited its reaction to the tsunami.⁵⁹⁵ CARE staff had a knowledge of the areas they were working in. This was beneficial as it enabled the organisation to react swiftly and operate without undertaking any further assessment of these areas. However, the small size of their team and a lack of local experience responding to a disaster such as the tsunami meant CARE staff focused their information and activities on small-scale projects.⁵⁹⁶ The organisation had created a Disaster Management Unit based in Colombo at an early stage but granted field offices a large amount of power. Nonetheless, CARE employees often had to confer with the Colombo

⁵⁹³ available online at <http://www.care.org> and <http://www.careinternational.org.uk>

⁵⁹⁴ R. Glasser, "One year on ... The Devastating Indian Ocean Tsunami," p. 2, also available online at http://www.careaustralia.org.au/downloads/newsletter_dec2005.pdf

⁵⁹⁵ Rawal *et al.*, *op cit.*, p. 13

⁵⁹⁶ *Ibid.*, p. 17

office before making decisions which sometimes slowed their response. CARE has since decentralised its hierarchy somewhat and local staff are now better able to make choices.⁵⁹⁷

By the end of 2005 – one year after the tsunami – CARE had completed a number of emergency relief projects that included:

Table 5.2: Summary of CARE International in Sri Lanka

source: CARE, “I Am Powerful,” CARE USA 2005 Annual Report, pp. 26-27

Immediate post-tsunami disaster relief

Immediate provision by the organisation included the delivery of essential food and non-food items, support for the clean-up process, supplying of vital medicines, and working to restore safe drinking water.⁵⁹⁸ It can be said CARE’s initial response was successful because an outbreak of disease was prevented and few tsunami-related deaths occurred once the initial impact was over. CARE also began building temporary shelters in January 2005, but briefly ceased this activity after disputes with the government.⁵⁹⁹ CARE was one of the first organisations to implement cash-for-work programs, which started within one month of the tsunami and primarily consisted of clean-up efforts.⁶⁰⁰

⁵⁹⁷ *Ibid.*, pp. 21-22

⁵⁹⁸ CARE USA, “I Am Powerful,” *op cit.*, pp. 26-27, www.careinternational.org.uk, and www.care.ca

⁵⁹⁹ Rawal *et al.*, *op cit.*, p. 25

⁶⁰⁰ *Ibid.*, p. 34

Medium and long-term development goals

Medium-term responses by CARE have included the continuation of immediate relief projects, the assembly of temporary shelter, the construction of a market at the appeal of the government, and cash-for-work programs.⁶⁰¹ CARE involved local communities in designing transitional shelters that were distributed to families in at risk situations and seem to have been highly suitable.⁶⁰² CARE also worked to restore community infrastructure such as garbage collection.⁶⁰³ These activities are positive as they return partial-responsibility for recovery to local communities, helping to prevent dependency. As CARE's cash-for-work programs expanded they became larger and during the medium-term response CARE employed more than 1700 people for 10 weeks. Priority was given to tsunami-victims in these programs and when they did not fill labour demands marginalised people from other areas were brought in with the approval of the local community.⁶⁰⁴ However, some have remained in these programs rather than returning to their pre-tsunami employment which again has particularly hurt agriculture.⁶⁰⁵

An independent evaluation of CARE's tsunami response found the organisation was slowed by its lack of capacity to respond to a disaster this large. In several instances supplies were delayed and in one case took three months to deliver.⁶⁰⁶ While CARE's distribution was perhaps slowed because it consulted with local communities before

⁶⁰¹ CARE USA, "I Am Powerful," *op cit.*, pp. 26-27, www.careinternational.org.uk, and www.care.ca

⁶⁰² Rawal *et al.*, *op cit.*, p. 26

⁶⁰³ CARE, "Sri Lanka: Building back better in Trincomalee," 11 April 2006, available online at http://www.care.org/newsroom/articles/2006/04/20060411_trinco_update.asp

⁶⁰⁴ Rawal *et al.*, *op cit.*, p. 34

⁶⁰⁵ *Ibid.*, p. 34

⁶⁰⁶ *Ibid.*, p. 19

sending supplies, the lag in time meant much of the supplies CARE provided was already provided by other NGOs before CARE's supplies arrived.⁶⁰⁷

CARE's long-term commitment promises the building of homes and training of local partners and persons in livelihood programs.⁶⁰⁸ The restoration of livelihoods has been carried out through the provision of equipment, cash grants, and training. This should help reduce dependency, as its recipients will be able to establish a permanent business from CARE's assistance rather than becoming dependent on it for an income. CARE has also focused its operations on often-overlooked populations.⁶⁰⁹ Other than involving itself in the advancement of women CARE has focused on low-caste areas of Sri Lanka, including areas receiving no government aid. CARE has undertaken gender advocacy in its post-tsunami work and has trained locals in international humanitarian law. CARE organised a celebration for International Women's Day in Batticaloa that focused on gender-based violence and is planning similar activities for the future. The organisation has also recorded instances of violence against women and organised meetings to tackle this problem. Finally, CARE has created support mechanisms for victims of gender-based violence and established psychological care.⁶¹⁰

Strengthening civil society: Peace-building and conflict resolution

Generally CARE has maintained a constructive influence on development in post-tsunami Sri Lanka. The organisation was able to begin its response to the situation rapidly, which was partly due to its ability to react without undertaking a preliminary assessment of the situation due to its prior involvement in the area. However, because a relatively small

⁶⁰⁷ *Ibid.*, p. 20

⁶⁰⁸ CARE USA, "I Am Powerful," *op cit.*, pp. 26-27, www.care.org, www.careinternational.org.uk, and www.care.ca

⁶⁰⁹ *Ibid.* and Rawal, *op cit.*, p. 37

⁶¹⁰ Fisher, *op cit.*, p. 37

number of CARE employees are present in Sri Lanka some problems initially arose in CARE's response, particularly with decision-making in the field. Furthermore, if CARE had more staff in the country they may have been able to take on more or larger projects. However, CARE has managed to have a widespread presence in the country despite its small staff and has overcome some of its early problems with decision-making.

CARE International has been rather successful in meeting the recommendations for NGO involvement in conflict situations and following the principles and guidelines proscribed in the ICRC's Code of Conduct and the Humanitarian Charter created by the Sphere Project. CARE has had a long presence in Sri Lanka and as I have noted, its previous activities in the area provided it with knowledge of Sri Lanka's situation. This knowledge is reflected in CARE's success at responding in ways that have not augmented tensions in Sri Lanka. CARE's post-tsunami goals have not included reconciliation but its efforts to restore the needs of communities rather than individuals has led to the creation of projects which bring together persons from varying ethnic backgrounds. This could indirectly facilitate future resolution. CARE does not appear to provide local affiliates with resources to increase their legitimacy. However, it has heavily involved local persons in projects, which could aid in the creation of future civil society leaders.

In Sri Lanka CARE meets many of the recommendations for INGOs in conflict situations. CARE's activities and publications show it seems to be aware its actions could have detrimental effects. It does not appear to be strongly affiliated with local groups although it is training locals in international law and standards. I could find no information regarding staff training in mediation. In Sri Lanka CARE activities sufficiently fill the role of relief and rehabilitation work. Its activities, while not specifically addressing conflict resolution, do work to bring together ethnic groups that have been fighting. In its official

capacity CARE is not a human rights monitor but it has been working to advance the rights of women which provides it with some involvement in this area. However, CARE has been silent (at least publicly) in regards to the recent war-like occurrences in Sri Lanka meaning it has not played the role of an early warning mechanism.

CARE has largely met the principles laid out in the ICRC Code of Conduct. It has been particularly adept at using aid to strengthen vulnerable peoples, reducing their risks in the case of future disasters. CARE has been working to include those it is trying to help in its projects. Thus far no complaints concerning CARE's accountability have emerged. CARE has also successfully adhered to the principles and standards defined by the Sphere Project in the Humanitarian Charter. Its activities have met the Charter's minimum standards and it is respecting the roles and responsibilities summarised in the Charter. CARE ceased the building of temporary shelter in Sri Lanka when the organisation and tsunami victims disagreed with government guidelines.

Notably, CARE has (at least publicly) been absent from the debate surrounding buffer zones and its mandate means it is largely absent from issues relating to children. As with other NGOs, the possibility exists that CARE's continued involvement in the area has thwarted possible incentives for the GoSL and LTTE to work together. Aid provided by CARE could leave more space for both parties to contribute resources to the war effort, particularly as CARE involvement covers areas the state is traditionally responsible for. Compared to Oxfam, CARE has failed to provide in-depth information, potentially contributing to problems in accountability and transparency.

Although CARE has worked to ensure a community-based approach and involved both tsunami victims and others who are poor but not directly impacted by the tsunami, CARE initiatives do not appear to have brought the country any closer to peace. If

anything, they have lessened the motivation for the two sides to work together in tsunami recovery initiatives, which could perhaps result in a dialogue surrounding the creation of peace. However, it also does not appear that CARE programs have contributed to or increased strains or fighting with the country.

ACEH

In Aceh the tsunami is believed to have killed 130,000 people, left 37,000 missing, created unemployment for 25 percent of the population, and produced damages of \$4.5 billion.⁶¹¹ The World Bank estimated the tsunami would be responsible for a 20 percent decrease in Aceh's economy and the impoverishment of 600,000 Acehnese. This devastation occurred on top of damage created by the long-standing conflict occurring in the region. As a result of the war an estimated 12,000 to 15,000 people were left dead, at least 80,000 refugees had fled, and numerous infrastructure losses occurred.⁶¹²

The conflict meant hardly any NGOs existed in the area at the time of the tsunami. The World Health Organization (WHO), International Committee of the Red Cross (ICRC), and United Nations Development Programme (UNDP) are believed to have been the only agencies conducting operations relating to humanitarian needs.⁶¹³ It is estimated NGO expenditure in Aceh during 2002 was only \$2 million.⁶¹⁴ The tsunami compelled the Indonesian government to permit the increased presence of INGOs in the province and an estimated 300 INGOs began activities in the area because of the post-tsunami climate of

⁶¹¹ "At-A-Glance: Countries Hit," *BBC News*, available online at news.bbc.co.uk/2/hi/asia-pacific/4126019.stm

⁶¹² Martinkus, *op cit.*, p. 5

⁶¹³ L. McCulloch, *Aceh: Then and Now* (Minority Rights Group International, 2005), p. 24, also available online at <http://www.minorityrights.org/admin/download.pdf/MRGAcehReport.pdf>

⁶¹⁴ "At-A-Glance," *op cit.*

need. These INGOs are dispersing approximately \$2.5 billion in long-term recovery aid for Aceh.⁶¹⁵

Civil society in Indonesia was strengthening prior to the tsunami. At the time of Soeharto's resignation in 1998 there were only remnants of civil society organisations in the country. However, since this time there has been a dramatic increase in civil society organisations. Throughout the New Order period NGOs in the country had been either co-opted by the government or were largely relegated to development activities. In the latter case they undertook operations in areas the state either could not or would not enter. This meant that "NGOs ... had merely become the extended arm and implementing agencies of the authoritarian government."⁶¹⁶ In Aceh the ending of DOM status coincided with renewed civil society development. Many organisations emerging at this time were student associations and women's groups which were energetic actors in the Province. The majority of civil society bodies in Aceh focused on humanitarian issues and encouraging peace and democracy. However, the military situation in Aceh meant most organisations were fragile and few, if any, were directly involved in peace negotiations.⁶¹⁷

Issues Facing NGOs in Rehabilitation and Recovery

NGOs involved in rebuilding and reconstruction have encountered many difficulties in their activities. Initially the conflict between the Indonesian government and the Free Aceh Movement threatened the security of aid personnel. GAM quickly announced a unilateral ceasefire to allow for the efficient use of relief supplies and personnel. The

⁶¹⁵ *Ibid.*

⁶¹⁶ H. Antlöv *et al.*, "NGO Governance and Accountability in Indonesia: Challenges in a Newl Democratizing Country," (feature paper for Just Associates, July 2005), p. 4 also available online at www.justassociates.org/associates_files/Peter_NGO%20accountability%20Indonesia%20July%202005%20version.pdf

⁶¹⁷ Aguswandi, "Aceh: Civil Society – The Missing Piece of Peacebuilding," in *Searching for Peace in the Asia Pacific: An Overview of Conflict Prevention and Peacebuilding Activities*, edited by A. Heijmans *et al.* (London: Lynne Rienner Publishers, 2004), pp. 387-93 and A. Reid, "War, Peace and the Burden of History in Aceh," *Asian Ethnicity* 5.3 (October 2004): pp. 309, 391-92

Indonesian government at first refused to let emergency and aid workers into the area creating media reports that the government was responsible for preventing hundreds of lives from being saved. Fears were raised that the military would use the tsunami as an opportunity to consolidate its power in Aceh by creating a situation in which people were reliant on the military for food, water, and medicine. However, the scale of the disaster and the outpouring of international aid made it difficult for the Indonesian government to keep the island closed off to the outside world.

The Indonesian government ultimately bowed to international pressure and allowed aid groups and workers into Aceh, although it announced foreign aid workers could only remain in the region for three months. The government maintained this line despite international pressure and public requests by the governor of Aceh for aid workers to remain. NGOs were also denied contact with certain Acehnese people and regions by the Indonesian government.⁶¹⁸ However, when the three-month deadline passed a softer policy was implemented which reportedly required remaining foreign NGOs to sign a Memorandum of Understanding stipulating that they would not interfere in Indonesia's internal affairs or act in a manner benefiting separatist interests. Media accounts considered this policy to be based on fears of outside involvement in Indonesia dating from the East Timor crisis, as well as fears by some Muslims that Christian aid groups would take advantage of the disaster to evangelise. The Indonesian government expelled the United Nations High Commissioner for Refugees (UNHCR) from Aceh, saying Aceh did not have refugees but rather internally displaced people. The agency was eventually allowed to return with an amended role three months later.

⁶¹⁸ Wall, *op cit.* p. 14

The government was reported in the media to have required aid workers to register with a central authority and encouraged them to limit their involvement to Aceh's two largest cities – Banda Aceh and Meulaboh - unless escorted by military personnel. This was supposedly because they could not guarantee the protection of aid workers against GAM any other way. However, GAM publicly repudiated this concern stating they would not attack aid workers and the government's warnings were largely ignored. Media reports stated that the government's official line on efforts to control foreigners was an attempt to coordinate aid efforts and maintain safety. However, through the media some openly condemned the government and suspected these actions were really an attempt to hide evidence of military abuse. Media outlets, Indonesian nationalists, and humanitarian personnel criticised the military for placing its efforts to manage foreign aid workers above its efforts to save and help tsunami survivors. Meanwhile, the military continued to carry out a propaganda war against GAM through the media, alleging it was responsible for gunfire in Banda Aceh and claiming it was stealing aid provisions and penetrating refugee camps.

Several Islamic groups, including some with terrorist links, sent relief workers to Aceh at this time and their motivations have been questioned. While they may have gone to Aceh in a benevolent attempt to help, these groups have also gained widespread media attention, are critical of allowing Western influence into Indonesia, have undertaken proselytising activities in Aceh, and may try to use the situation to gain political advantage. Most concerning are the alleged links between the TNI and these groups. An article in the *Terrorism Monitor* alleged Indonesian military planes transported known members of

violent Islamic organisations such as the Islamic Defenders Front (FPI) to Aceh following the tsunami and politicians as high ranking as the Vice President helped to arrange this.⁶¹⁹

One of the first groups to move in was Laskar Mujahidin, the militant wing of Majelis Mujahidin Indonesia and formerly led by JI leader Abu Baker Bashir, which is reported to have sent 50 members to the region. This group is preceded by its reputation for killing Christians in other areas of Indonesia and is believed to have links with al-Qaeda. Media accounts detailed the organisation's effort to establish a relief camp with the intention of it serving as "Islamic Law Enforcement," and it is believed its workers viewed their role as both providing aid and maintaining Islamic law in Aceh. Other groups reported to have become involved in relief efforts in Aceh include the Indonesian Mujahideen Council (MMI) - also founded by JI leader Abu Bakar Ba'asyir and boasting the membership of many prominent JI leaders – the FPI, which is accused of bombing bars, and the Medical Emergency Relief Charity (MER-C), which has produced jihadi videos.

The recovery process also hit some snags as reconstruction proceeded very slowly. It appeared the government was renewing previous policies of economic desertion, prohibiting foreigners from the region, and failing to carry out commitments. In early May 2005 the newly appointed head of the Rehabilitation and Reconstruction Agency for Aceh and Nias (BRR) was reported in *The Guardian* to have said little progress had been made and nearly all of the promised government funds had yet to be distributed. The local government was ineffective because many of its employees had been killed in the tsunami. This made it difficult to respond.⁶²⁰ The government seemed to have little presence in the

⁶¹⁹ Z. Abuza, "Out of the Woodwork: Islamist Militants in Aceh," *Terrorism Monitor* 3.2 (27 January 2005): p. 3

⁶²⁰ S. Hill, "The Day the Ocean Moved: The Story of the Tsunami Disaster in Indonesia," (a public lecture, 21 April 2005, University of Wollongong). p. 10

Aceh relief effort while major international aid agencies were operating numerous recovery projects – a situation the media largely blamed on the mishandling of government funds.

One year after the tsunami the majority of survivors still lived in tents or other forms of inadequate temporary housing. In September the UN announced that many tsunami survivors were still dependent on rations, relief efforts needed to be sped up, and the recovery phase should begin without delay. Others were critical of the government for making promises it was failing to keep, particularly in terms of land distribution and the rebuilding of homes. Media reports cited difficulties in sorting out land claims and disagreements over government relocation plans. These reports also claimed that less than ten percent of necessary housing had been rebuilt by this time. NGOs said they were inhibited by the Indonesian government and were largely limited to providing guidance while the administration worked out details of the recovery effort. The government was also accused of neglecting to pay a monthly fish allowance to refugees, meaning many were forced to survive on rice.

As discontent grew Acehnese students began to protest. Organisations such as the World Bank defended the Indonesian government's slow recovery efforts, attributing delays to the government's decision to create a reconstruction agency and to utilise a bottom-up approach to rebuilding. The UN also noted that the region's remoteness was an impediment. The source of delays may also be attributable to the scale of devastation which, as in Sri Lanka, created logistical problems. At times INGO employees were forced to walk long distances or use helicopters to deliver aid. Aid organisations also initially faced bottlenecks and difficulties in transporting supplies. There were few airports in the region and those that did exist were small. Especially as unsolicited supplies were arriving

a large number of traffic jams occurred in delivery centres.⁶²¹ Furthermore, the tsunami killed many local officials meaning government capacity to deal with land claims was hindered and legal documents and markers determining property boundaries were often lost.⁶²² The Indonesian government proposed the creation of a buffer zone which would cause some survivors to rebuild 70 kilometres away from their homes. As in Sri Lanka, many in Aceh rely on fishing for income and food and claim this buffer zone is an impediment to their preferred lifestyles.

Nonetheless, these problems are no excuse for the number of temporary shelters considered uninhabitable by the local population. Much of the temporary housing has been constructed in the fashion of barracks sheltering large numbers of people. This makes privacy difficult and many families prefer to stay with friends or relatives rather than live in barracks, meaning much of the temporary housing is unoccupied. At the end of February 2005 it was reported 142 of 397 barracks were inhabited and despite their unpopularity plans to build a total of 997 barracks continued with NGO support.⁶²³

The Indonesian military also went to work to help rebuild Aceh, although initially the Acehnese people were sceptical of this response. The media reported a population wary of involving themselves in clean-up processes the military was carrying out and some noted this was the first time they had been helped and not hurt by the armed forces. Furthermore, plans by the Indonesian government to register and relocate thousands of people displaced

⁶²¹ The Economist Intelligence Unit, "Disaster-Response Management: Going the Last Mile: Thailand and Indonesia," (an Economist Intelligence Unit briefing paper, 2005), pp. 9-10, also available online at http://www.fritzinstitute.org/PDFs/Case-Studies/DHL_disaster_main_lowres.pdf, S. York, *Angels of Aceh: The Compelling Story of Operation Tsunami Assist* (Crows Nest, NSW: Allen & Unwin, 2005), p. 31 and R. Oloruntoba, "A Wave of Destruction and the Waves of Relief: Issues, Challenges and Strategies," *Disaster Prevention and Management* 14.4 (2005): p. 512

⁶²² Hill, *op cit.*, p. 16

⁶²³ *Ibid.*, p. 27

as a result of the tsunami caused anxiety among groups such as Human Rights Watch (HRW), which noted the action could be an attempt to control the population.

Indonesia's record of corruption was and still is a major problem to be overcome. In April 2006 the Rehabilitation and Reconstruction Agency for Aceh and Nias was created to manage and coordinate the reconstruction process and help limit corruption by maintaining transparent accounts and sidestepping bureaucratic processes.⁶²⁴ However, corruption has remained present in Aceh since the tsunami. The military has been accused of taxing supply trucks entering the province and local officials are at times believed to have exaggerated the amount of need in their regions to secure increased aid. Media reports have charged that equipment donated for reconstruction is being sold at markets. Early on in the recovery process both media reports and NGOs told stories of the Indonesian military and GAM requiring bribes to allow aid transportation and both sides were accused of stealing aid.

Again as in Sri Lanka, many more women than men were killed by the tsunami in Aceh. This has created problems for men who now must take on tasks traditionally delegated to women, but the majority of the problems caused by this discrepancy in deaths fall on the surviving women. Fears exist that women will have to take on an increasingly heavy workload to help extended families. There are also concerns that because women now make up a smaller percentage of the population they will not be heard or are more susceptible to sexual harassment and domestic violence. Furthermore, there is concern that women may be encouraged to marry younger, impairing their chances of education, livelihood possibilities, and reproductive health if they are encouraged to have more

⁶²⁴ Walls, *op cit.*, p. 14

children.⁶²⁵ Women have found problems in temporary shelters that have been provided. Similar to the situation in Sri Lanka, Acehnese women cite a lack of privacy and poor sanitation in both barrack-style housing and that provided by host families.⁶²⁶

The number of NGOs and inter-governmental organisations entering the Aceh region makes coordination and cooperation of utmost importance. However, media reports have cited a multitude of situations in which coordination has been absent. For instance, it was reported *Medecins du Monde* entered a village to provide vaccinations only to find this had already been carried out by another NGO that left no documentation of its activities. In Aceh there have also been accusations that a lack of coordination caused some areas to receive too much aid while others are receiving nothing. The large amount of money being donated to NGOs has been blamed for this lack of coordination, as the incentives encouraging coordination (i.e. need and desire due to scarce resources) typically present in a disaster do not exist in post-tsunami Aceh.⁶²⁷ Another criticism common to INGOs in Aceh is that they do not collaborate with locals to find out what their wishes and needs are.⁶²⁸ The military operations zone in Aceh meant local NGOs and civil society organisations were hard to find in pre-tsunami Aceh. Therefore, INGOs entering the country had few established links with the local society.⁶²⁹ On a positive note, if collaboration occurs properly the post-tsunami situation represents an opportunity for INGOs to help develop local NGO and civil society capacities.

⁶²⁵ Oxfam International, "The Tsunami's Impact on Women," *op cit.*, pp. 2-3

⁶²⁶ UNFPA, Woman Studies Center and Oxfam, "Gender and Changes in Tsunami-Affected Villages in Nanggroe Aceh Darussalam Province," December 2005, pp. 15-23, also available online at https://www.oxfam.co.uk/what_we_do/issues/conflict_disasters/gender_tsunami.htm.

⁶²⁷ Canny, *op cit.*, p. 4

⁶²⁸ UNFPA, Woman Studies Center, and Oxfam, "Gender and Changes," *op cit.*, p. 37 and Canny, *op cit.*, p. 4

⁶²⁹ Canny, *op cit.*, p. 5

Problems of dependency and economic distortion have emerged in Aceh since the tsunami. A World Bank study found inflation in Aceh eight months after the tsunami was 17 percent. This is much higher than Indonesia's average rate of seven percent. It has been largely attributed to the higher wages international NGOs were paying staff and a distortion in the market caused by handouts. A former government minister suggested a mark-up of as much as 40 percent has been given to items used in infrastructure and development projects in post-tsunami Aceh.⁶³⁰ Fears have been raised that cash-for-work programs could cause problems. This is because people have become dependent on these temporary programs rather than returning to their traditional livelihoods.⁶³¹

Oxfam International

Oxfam International had five member organisations in Indonesia prior to the tsunami. These were involved in the Aceh Province from 2000 to 2003 when they were forced to leave due to martial law.⁶³² Affiliates engaged in Indonesia were Oxfam Australia, Oxfam Great Britain, Oxfam Novib, Oxfam New Zealand, and Oxfam Hong Kong. Their activities focused on issues such as gender development, health, technical training, illegal logging, aiding local NGOs, encouraging dialogue in areas of conflict, and working to aid at risk communities. Because Oxfam was not directly involved in the region when the tsunami hit it took five days to reach Aceh. However, it had partner organisations in the area that were able to swiftly begin their work.⁶³³

In the first-year after the tsunami Oxfam International was able to offer the following:

⁶³⁰ McCulloch, *op cit.*, p. 28

⁶³¹ UNFPA, Woman Studies Center, and Oxfam, "Gender and Changes," *op cit.*, pp. 14-15

⁶³² Oxfam International, "Oxfam Tsunami Accountability Report," p. 10

⁶³³ Oxfam International, "Learning the Lessons of the Tsunami," *op cit.*

Table 5.3: Summary of Oxfam International in Aceh

source: Oxfam International, “Oxfam International Tsunami Fund: 4th Quarter Report and www.oxfam.org

Immediate post-tsunami disaster relief

Oxfam’s initial response focused on emergency efforts such as supplying water, food, temporary shelter, and equipment necessary for clean-up efforts.⁶³⁴ These efforts have again been positively perceived as no major outbreaks of disease occurred and post-tsunami deaths were minimal. Oxfam encouraged cash donations to buy food from local sources rather than supplying ration packets.⁶³⁵ This is important as it helps prevent the elimination of local suppliers from the market when free handouts are given.

⁶³⁴ Oxfam International, “Learning the Lessons of the Tsunami” *op cit.* and Oxfam International, “Oxfam Tsunami Accountability Report,” *op cit.*, pp. 10-15

⁶³⁵ Oxfam America, “Appropriate Responses and Lasting Solutions for Aceh’s Tsunami Survivors,” (a briefing paper for Oxfam America, February 2005), p. 4, also available online at http://www.oxfamamerica.org/.../briefing_papers/briefing_note.2005-02-17.2291810785/bn_indonesia021105.pdf

Medium and long-term development goals

During its medium-term response Oxfam endeavoured to build temporary shelter, address water and sanitation needs, undertake livelihood and cash-for-work programs, and return displaced people to their homes. Oxfam has been involved in programs headed by the United Nations and the Indonesian government to build barracks serving as temporary housing. As I have noted these are unpopular with the local population and often left empty. The cash-for-work programs implemented by Oxfam in Aceh are similar to those created in Sri Lanka. Both combined rehabilitation and development as people were paid to participate in clean-up efforts. In carrying out these programs Oxfam worked to train locals and left project management to local villagers.⁶³⁶ Oxfam has also worked to develop the capacity of local civil society in Aceh. It created more than \$740 million in projects involving anything from the reconstruction of offices to training for local staff.⁶³⁷

In its long-term response Oxfam expects to be involved in Aceh for three years. It will focus on engaging local NGOs that have great knowledge of Aceh but lack the technical skills that Oxfam possesses.⁶³⁸ At the end of the first year Oxfam had collaborated with 63 local NGOs on a variety of issues ranging from corruption to support for women's groups.⁶³⁹ Oxfam has encouraged the Indonesian government to speed up the process of returning persons displaced by the tsunami to their homes. It has raised concerns that businesses and developers may thwart efforts by locals to return to their original homeland and is pushing the government to issue a clear-cut policy regarding land-use.⁶⁴⁰

⁶³⁶ Oxfam International, "Oxfam International Tsunami Fund Quarterly Report," *op cit.*, p. 4

⁶³⁷ *Ibid.*, p. 5

⁶³⁸ Oxfam International, "Learning the Lessons of the Tsunami," *op cit.*

⁶³⁹ Oxfam International, "Oxfam Tsunami Accountability Report," *op cit.*, p. 10

⁶⁴⁰ Oxfam International, "Appropriate Responses," *op cit.*, p. 4

Oxfam's image was harmed when 22 of its employees in Aceh violated Oxfam's policies and procedures and ten persons were accused of fraud leading to losses of US\$22,000. Once it became aware of the problems Oxfam temporarily ceased all non-necessary activities in locations where questionable activities were occurring. An investigation was launched and based on these findings disciplinary action is being considered.⁶⁴¹ However, according to media reports, some areas of Aceh do not want Oxfam to return. Tsunami survivors in these regions cite the slow to almost non-existent efforts at rebuilding houses as the reason behind their contempt for the agency. Oxfam claims budgetary procedures are constraining its progress in the area.

Strengthening civil society: Peace-building and conflict resolution

Oxfam's initial involvement in post-tsunami Aceh consisted of positive contributions. It was part of the successful prevention of disease and death and was able to deliver supplies to areas in need despite bottlenecks faced by many NGOs in the region. It has also undertaken development projects in the area such as working to develop competent local civil organisations and NGOs in Aceh. Importantly, Oxfam is working to ensure women are consulted in development projects and are equally involved in livelihood programs, again contributing to development.

In Aceh Oxfam's record with regards to the recommendations for successful NGO involvement in conflict situations has again been mixed. Oxfam had previous involvement in Indonesia and even Aceh, although it had not been present in the province for several years prior to the tsunami. The program seems to have had a knowledge of the conflict situation and traditional customs in the area. However, this knowledge did not result in the

⁶⁴¹ Oxfam Press Release, "Oxfam's Investigation into Irregularities in Aceh, Indonesia," 4 May 2006, available online at http://www.oxfam.org/en/news/pressreleases2006/pr060504_tsunami

provision of appropriate temporary shelter for the Acehnese. Oxfam's programs in Aceh also seem to have been devoid of concern for reconciliation mechanisms. The form of reconciliation necessary in Aceh is largely between the Acehnese people and the Indonesian military rather than people living side by side. Therefore, Oxfam programs that mostly promote reconciliation through the integration of local populations are not effective in Aceh. Oxfam is working with local civil society groups in Aceh which should strengthen their capabilities as long as they also develop mechanisms for promoting their longer term independence. However, controversies surrounding Oxfam in Aceh could have a negative impact on partner civil society groups.

In Aceh Oxfam largely meets the four-part recommendations I cited previously with only a few criterion missing. Oxfam seems familiar with the area and those involved in the conflict. It also has local affiliates which were able to respond to the disaster even prior to Oxfam's arrival. As in Sri Lanka no information surrounding mediation activities was found. Finally, Oxfam may be aware of the perils its involvement could have, but this has not prevented it from trouble. For instance, the organisation has supported Indonesian government initiatives such as temporary housing despite the discontent of the Acehnese people and it has been accused of leaving areas before projects are finished.

For the most part Oxfam has met ICRC Code of Conduct principles but has lacked in two crucial areas. Oxfam's collaboration with government housing initiatives that were unacceptable to the local population calls into question its involvement, intentional or otherwise, in furthering government and political policies in Indonesia. The housing controversy, the scandal surrounding fraud in Aceh, and reports that it has left regions before completing its projects create doubt surrounding its accountability, particularly to the recipients of its aid. Oxfam has been successful at meeting the minimum standards

outlined in the Humanitarian Charter other than the housing debacle in which temporary shelters were inadequate. It also has followed the Charter's principles and roles and responsibilities for member NGOs.

Oxfam has been inadequate at overcoming some problems faced by all NGOs in Aceh. It has been involved in corruption scandals that indicate it has not been able to overcome the climate of corruption existing in Indonesia. The temporary housing it supported has been criticised by local populations and the creation of permanent housing has been slow. When condemnation occurs Oxfam has reportedly simply left areas, leaving projects unfinished. This is a common criticism of international NGOs which are able to leave an area when difficult situations arise without fear of the repercussions that local NGOs face. Oxfam has also acknowledged it might be partly to blame for the creation of unrealistic expectations in Aceh by publicising a timeframe for housing that could not be met.

The conflict situation in Aceh was not one requiring reconciliation between parties living in the area. However, the people of Aceh still need to achieve reconciliation with the Indonesian government. Oxfam activities in the area have been focused on development and reconstruction rather than reconciliation. However, to be fair to Oxfam, this was a much more immediately necessary task. Oxfam must ensure its projects do not impede the government's ability to establish legitimacy in Aceh through its own development initiatives. It should also ensure communication between itself and the local population as well as the Indonesian government in order to facilitate the creation of trust and prevent the exclusion of any parties during the recovery effort.

CARE International

CARE first became involved in Indonesia in 1967, initially through food deliveries in Java. It later expanded activities to provide medical training and health, environment, water, and sanitation projects and during the 1990s became involved in emergency assistance. Throughout this time CARE also provided training and materials to local civil society groups and worked to alleviate problems and tensions in post-conflict situations within the country. However, CARE did not have a presence in Aceh prior to the tsunami.⁶⁴²

CARE's activities in Indonesia focus on the city of Banda Aceh, the district of Aceh Besar and the island of Simelue.⁶⁴³ At the end of 2005 CARE's activities in these areas included:

Table 5.4: Summary of CARE International in Aceh

source: CARE, "I Am Powerful," *op cit.*, pp. 26-27

Immediate post-tsunami disaster relief

CARE's preliminary response to the tsunami emergency was to provide water and sanitation to devastated areas and to clear debris. CARE also took responsibility for food

⁶⁴² www.careaustralia.org.au

⁶⁴³ CARE, "I Am Powerful," *op cit.*, p. 26

distribution on Simeulue Island.⁶⁴⁴ Again, the lack of disease and death after the tsunami is largely contributable to these types of activities and CARE's role in this success should be acknowledged. Early in its response CARE supplemented its team in Aceh with local people who they hired, trained, and gave increased control over programs as time went on. This provided CARE with local knowledge and allowed local Acehnese to gain an income and skills.⁶⁴⁵ CARE headquarters in Aceh also hosted the first of what became weekly meetings among international agencies to coordinate efforts and the organisation participated in a United Nations assessment team within days of the disaster. In efforts to restore normalcy as quickly as possible to the people of Aceh, CARE and a local partner organisation provided goats for a sacred Muslim festival and worked to restore community activities within the first month of its response.⁶⁴⁶

Medium and long-term development goals

During its medium-term response CARE continued to provide water and sanitation equipment, psycho-social support, seeds and tools to help farmers restore livelihoods, boats for fishing communities, and temporary housing.⁶⁴⁷ CARE has focused a large amount of effort on areas largely neglected by other agencies – particularly Simeulue Island. CARE's activities here have focused on rebuilding in an earthquake and tsunami-resistant manner, the donation of equipment for the continuation of agriculture programs as well as the creation of farmer's groups to aid in the dissemination of information and community participation. After providing hygiene education to survivors which included instruction in

⁶⁴⁴ CARE USA, "I Am Powerful," *op cit.* and www.careinternational.org.uk

⁶⁴⁵ CARE, "Year of Reckoning: CARE Canada and the Drive to Rebuild Indonesia After the Tsunami," p. 4, also available online at <http://www.care.ca/work/emergency/tsunami/TsunamiReportFinal.pdf>

⁶⁴⁶ *Ibid.*, pp. 2, 4

⁶⁴⁷ CARE USA, "I Am Powerful," *op cit.*, CARE International Indonesia, "Six Months After the Tsunami – CARE Indonesia Update," pp. 4-7, www.care.ca and www.careinternational.org.uk

tutoring friends and family, CARE identified the most able instructors and employed them in the health industry.⁶⁴⁸

CARE has committed itself to a five-year response in Aceh which will focus on three districts and cost over \$US80 million.⁶⁴⁹ This includes the continuation of cash-for-work and other livelihood programs. Furthermore, CARE will rebuild permanent housing and community infrastructure including schools, hospitals, and recreational facilities.⁶⁵⁰ CARE has determined this approach will rebuild communities to a standard higher than that existing before the tsunami.⁶⁵¹ Throughout these activities CARE has followed a holistic approach assisting communities as a whole rather than individuals. As in Sri Lanka this may help prevent tension between those receiving aid as a result of the tsunami and individuals in need of aid but not affected by the tsunami. CARE refers to its program as “Beudoh” which means reconstruction in Acehnese, and utilises its local staff to communicate with the local community and design plans in consultation with, and with the approval of, local communities. For a plan to be implemented the local community must agree to accept long-term responsibility for its execution.⁶⁵²

Strengthening civil society: Peace-building and conflict resolution

CARE’s efforts in Aceh appear to be largely beneficial. It is working to assist underrepresented areas where it has coordinated NGO activities. It was able to supply immediate aid despite difficulties in transportation and hold-ups occurring at airports serving Aceh. While CARE activities have been characterised somewhat by slow

⁶⁴⁸ CARE, “Year of Reckoning,” *op cit.*, p. 6

⁶⁴⁹ *Ibid.*, p. 12

⁶⁵⁰ CARE USA, “I Am Powerful,” *op cit.*, www.care.ca, www.careinternational.org.uk, and CARE International Indonesia, “Six Months After the Tsunami,” *op cit.*, p. 8

⁶⁵¹ CARE International Indonesia, “Six Months After the Tsunami,” *op cit.*, p. 8

⁶⁵² CARE, “Year of Reckoning,” *op cit.*, p. 12

rebuilding, this appears to be largely attributable to problems faced by all NGOs as a result of the Indonesian government rather than its own inadequacies. An increasingly advocacy-focused role by CARE may be influential in urging the government to move forward quicker but CARE does not appear to be involved in this activity. CARE's efforts have been designed in a way that should limit the amount of distortion between aid recipients and those who are impoverished but not affected by the tsunami.

The first recommendation given in the proceeding chapter is for NGOs to restrain their involvement in conflict areas to places they have previously been involved. CARE International had a long presence in Indonesia although it had no previous experience in Aceh. CARE International's work is largely unrelated to reconciliation in the area. Its activities have focused on relief and rehabilitation and they do not have inbuilt mechanisms to create reconciliation between the people of Aceh and the Indonesian government. It is also recommended INGOs help civil society in a post-conflict situation in order to accumulate legitimacy in the eyes of the state and the local population. CARE has worked to increase the capabilities of local NGOs they are associated with. They have done this primarily through the provision of funding and training.

With regard to the requirements I have been citing for NGOs, CARE meets some of the criterion while its fulfilment of others is less clear. CARE was not previously engaged in Aceh but this does not appear to have created any situations in which CARE exacerbated tensions. CARE did not have previously strong links to local groups, but the Indonesian government's policy of refusing international access to Aceh meant few organisations did. However, CARE has worked with local organisations since becoming involved in the post-tsunami situation. Thus far CARE activities have not created major problems suggesting they are aware of the possible consequences of their actions in the region. Furthermore,

their community-based approach seeks to prevent the creation of tensions in the area by seeking to serve the greater good rather than individuals. CARE, though, has made no mention of staff trained in mediation. CARE's activities have been confined to involvement in relief and rehabilitation efforts and through its efforts at empowering women it has served as a human rights monitor. In Aceh the post-tsunami situation has been largely peaceful negating any need for CARE to act as an early warning mechanism. The organisation has developed post-conflict initiatives to empower local communities and women.

CARE has applied the principles outlined in the ICRC Code of Conduct and Humanitarian Charter. CARE has been particularly strong at applying the Code of Conduct principle of using aid to diminish future vulnerabilities by constructing houses which are earthquake and tsunami-resistant and addressing the needs of women who suffered disproportionately during the tsunami. Other than its involvement in the construction of government-approved temporary shelters, CARE has implemented projects surrounding water, sanitation, nutrition, food, and health care with attention to the minimum standards outlined in the Humanitarian Charter.

As noticed when examining CARE activities in Sri Lanka, there seems to be a lack in the information provided by CARE about its activities as well as independent audits of the organisation's post-tsunami actions. This leaves one to question the accountability and transparency of the organisation. In addition, no CARE activities appear to have had a direct impact on facilitating the peace agreement between the Indonesian government and GAM. While the circumstances of Aceh's conflict do not require CARE to attempt reconciliation between populations living together, it must be careful to allow the

Indonesian government to undertake schemes to restore its legitimacy in the eyes of the Acehnese.

CONCLUSION

The evaluation of Oxfam International and CARE International presented above reflects both the benefits and drawbacks of using NGOs in conflict situations. Based on the strengths and weaknesses of international NGOs in the situations as introduced earlier in my argument, my evaluation reveals that the two organisations examined have not been involved in some of the areas in which NGOs have previously faced heavy criticism - such as politicising aid, a lack of coordination between NGO organisations, and entering situations with a lack of knowledge which leads to them contributing to the creation of further tensions in the area. Oxfam and CARE activities have also reflected some of the beneficial aspects of NGO involvement such as reacting to the tsunami disaster quicker than many governments and particularly those of the countries the tsunami devastated; endeavouring to strengthen local civil society capacities; working with marginalised or forgotten populations; and acting as an advocate for local populations.

However, CARE International and Oxfam International have not been able to fully curb the negative results associated with NGO involvement in their response to the post-tsunami situation. Cash-for-work programs have been cited for distorting local economies and having the capacity to create future dependency and fears of over-aiding in both areas have been raised. Claims that NGOs are too idealised may also be reflected in Oxfam and CARE activities. They have been successful at restoring development, but their activities appear to have little impact on peace or reconciliation.

NGO involvement in Sri Lanka could be having an adverse affect on diplomatic initiatives to create peace through efforts such as the Joint-Mechanism on Tsunami Aid

Distribution. Conceivably, the better track record of NGOs in Sri Lanka has been an impediment to peace. The large amount of aid entering the country from NGO's such as Oxfam International and CARE International has lessened the negative consequences of the failure of the GosL and LTTE to create a Joint-Mechanism on Tsunami Aid Distribution and therefore receive millions of dollars in foreign aid. Had this agreement been reached it may have been a step toward re-establishing trust and aiding each side in the realisation a political agreement between the factions. Secondly, because NGOs have addressed the urgent needs of Sri Lanka's tsunami-victims - such as providing shelter, food, water, and even employment - both the GoSL and LTTE have had more time, money, and energy to focus activities on their own ambitions rather than the needs of their populations.

When dissatisfaction with the government's inability or unwillingness to supply sufficient food and medicine arose among the Tamil population island-wide protests resulted. Had NGOs not supplied these necessities it is plausible that more protests would have occurred and the government would have been forced to either respond effectively to the criticisms or would have lost power. Similarly, it is questionable if the LTTE on its own could have responded to the immense needs of its population after the tsunami as the organisation was ineligible to receive foreign aid from many of the world's richest countries. Therefore, the presence and activities of NGOs in LTTE areas may have reduced pressures on them to divert resources from their political aspirations for relief and rehabilitation.

In Aceh the Indonesian government clearly controlled the fate of the NGO presence in the province. The GAM was unlikely to be able to respond to the immense needs of the Achenese population in the post-tsunami period without help from NGOs. Yet, the Indonesian government forcing NGOs aiding the population to leave would have reflected

poorly on its rule with both the people of Aceh and the world as a whole. Therefore, both sides to the conflict had a reason to have NGOs remain once they became active in Aceh. This has probably off-set the possibility that NGOs' would undermine the need for cooperation between the Indonesian government and GAM since the tsunami. In this regard the presence of NGOs in Aceh may have indirectly aided in the willingness of the two sides to create a peace agreement rather than thwarting attempts to create agreements as in Sri Lanka.

While both locations experienced the benefits and detriments of NGO involvement, the response of Oxfam International and CARE International seems to have fewer direct negative impacts on the population in Sri Lanka. Despite this, Sri Lanka's conflict has slid back into a tenuous situation while in Aceh a peace agreement is being carried out. This suggests it is difficult for NGOs involved in humanitarian responses to have any significant impact on the creation of peace and it is a reminder that NGOs have only limited control over a given situation. Ultimately, warring parties must be ready for peace. NGO activities are unlikely by themselves to end violence.

Conclusion

While NGOs can help address grievances causing conflict, especially in terms of underdevelopment and economic disparities, this in itself is not enough to create peace. In the first chapters of my thesis I have shown that as the protracted conflicts in Sri Lanka and Aceh have continued the nature of grievances held by combating parties have transformed and expanded. Today, solely addressing issues of underdevelopment and discrimination is not sufficient for the realisation of peace. Reconciliation and trust will need to be re-established and abuses occurring during conflict must be addressed alongside political and economic development initiatives.

In this thesis I have also sought to demonstrate how problems of development contributed to the creation of civil war in Sri Lanka and Aceh. This relationship is widely recognised in development and conflict resolution literature. Within the field of development studies the problems of development in the post-colonial period have been connected to the rise of conflict. Studies in conflict resolution also refer to the crucial need to expand political and economic development in order to create peace. Both development theorists and those writing within the genre of conflict resolution have identified NGOs as an element of civil society able to assist in the creation of development that in turn is believed to lead to peace. While NGOs may be capable of generating and improving development, this is not sufficient. As the tsunami disaster showed in Sri Lanka and Aceh, links between development, conflict resolution, and NGOs may exist, but these links are not adequate for the generation of peace.

The problems to be overcome in a conflict situation (as I identify in my discussion of the drawbacks of NGOs) are too numerous and great for the activities of humanitarian NGOs – even those working with conflict resolution in mind, to resolve on their own. NGOs such as Oxfam International and CARE International cannot cover

all these activities at once. However, they have shown that although development initiatives are their priority, they can realise these goals in a manner that contributes to the facilitation of peace. Nevertheless, it is ultimately only the cooperation and participation of governments and rebel factions that can create renewed trust and address the abuse of human rights.

The examples I have examined in this thesis show that many of the problems associated with NGO involvement are not in themselves reasons for the beginning or continuation of a conflict. If the involvement of humanitarian NGOs did have a profound impact on peace, the situations of Sri Lanka and Aceh would probably be reversed today. In Sri Lanka, NGO activities have gone much more smoothly than in Aceh. Problems of corruption have not arisen, housing was better suited to the population, and Oxfam and CARE took a more advocacy-oriented approach in relation to the government. While all of these issues have been satisfactorily prevented or handled in Sri Lanka, they have all become problems in Aceh. Yet Sri Lanka is facing a perilous political situation while Aceh appears to be on a course for peace.

The difficulties arising in Sri Lanka from the presence of NGOs - such as an economy that is becoming distorted and the unwillingness of persons employed in cash-for-work programs to return to their traditional livelihoods - do not seem connected to the violence currently returning to the country and the failure of the two warring factions to meet for peace negotiations. The successes of NGO activities such as those carried out by Oxfam and CARE that have occurred in Aceh - including efforts to rebuild communities and their accomplishment in following principles, guidelines, and recommendations for NGO involvement in conflict situations - appears to have had little effect on the decisions of conflicting parties to create and begin the implementation of a peace agreement. In these situations the observation that NGO

activities cannot be directly linked to the beginning or resolution of conflict is sustained. If a direct link did exist then Aceh - where NGOs have been accused of creating dependency, failing their local constituents, and corruption - would most likely today be the site of continued violence. In Sri Lanka, on the other hand, where NGO activities have been associated with numerous beneficial activities, peace would be returning. However; exactly the opposite is occurring.

Overall, the activities of NGOs in Sri Lanka seem to have encountered fewer difficulties and created fewer troubles than NGO activities in Aceh. Furthermore, the situation of Sri Lanka seems more amenable for NGO activities that are typically connected to reconciliation because there are many more opportunities to work with multi-ethnic communities in the country. These points would suggest a greater likelihood for the creation and facilitation of NGO-aided peace in Sri Lanka where the political situation has remained tumultuous. In Aceh however, where NGOs have come across numerous difficulties and been involved in problematic projects, the province is moving toward peace with a peace agreement signed and thus far successfully executed. Therefore, despite NGO efforts to connect relief and development - the examples of Sri Lanka and Aceh, at least since the tsunami, seem to correspond with propositions that the peacemaking capabilities of NGOs are too idealistic and, ultimately, NGOs have only a limited amount of control over a situation in which the desire and commitment of governments and rebel forces is required to create and implement peace agreements.

The post-tsunami experiences of Oxfam International and CARE International in Sri Lanka and Aceh show that problems previously associated with NGOs in development and conflict resolution in areas as diverse as Eastern Europe, South America, and Africa apply to South and South East Asia as well. Finally, while my assessment of Sri Lanka and Aceh demonstrates that simply addressing problems of

incomplete or failed development does not inevitably lead to peace, this finding does not suggest that development is unnecessary for the resolution of conflict. Perhaps this is where the connection between NGOs and peace lies.

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