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# Unequal Civilian Accommodation within Democratic Rule: The Case of Sri Lanka's Northern Province after the Government–LTTE Conflict

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## ABSTRAK

Tulisan ini menganalisis hubungan sipil-militer Provinsi Utara Sri Lanka pasca konflik antara pemerintah Sri Lanka dan *Liberation Tigers of Tamil Eelam* (LTTE) tahun 2009 berdasarkan pemikiran Alfred Stepan serta David Pion-Berlin dan Harold Trinkunas. Stepan menjelaskan dua dimensi yang mempengaruhi hubungan sipil-militer, yaitu dimensi kontestasi militer dan dimensi hak istimewa militer. Analisis dari dua dimensi tersebut menunjukkan adanya hubungan sipil-militer dengan akomodasi sipil yang tidak seimbang di Provinsi Utara Sri Lanka. Temuan ini sejalan dengan teori yang dikemukakan oleh Pion-Berlin dan Trinkunas bahwa dalam keadaan krisis yang tinggi dan kontrol sipil yang lemah, militer memiliki peran domestik yang ekstensif dan melakukan intervensi. Penelitian ini menggunakan pendekatan kualitatif dan menerapkan teknik studi literatur dan analisis dokumen.

Kata kunci: Hubungan sipil-militer, LTTE, militer, Sri Lanka, Provinsi Utara

## ABSTRACT

This study analyzes the civil-military relations in Sri Lanka's Northern Province after the 2009 conflict between the central government and the Liberation Tigers of Tamil Eelam (LTTE) by drawing upon the theories of Alfred Stepan and David Pion-Berlin and Harold Trinkunas. Stepan posited that there were two dimensions that shaped civil-military relationships: military contestation and prerogatives. This study's analysis of these two dimensions in the case of Sri Lanka's Northern Province shows that the civil-military relationship in the region takes shape in the unequal civilian accommodation type. This analysis corresponds to Pion-Berlin and Trinkunas' theory that high levels of crisis coupled with weak civilian control would pave the way for the military to take on extensive domestic roles and intervene in civilian affairs. This research employs a qualitative method through the examination of existing literature and documents.

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Keywords: civil-military relations, LTTE, military, Sri Lanka, Northern Province

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## INTRODUCTION

For decades, Sri Lanka's Northern Province was ridden by ethnic conflict between the majority Sinhalese and the Tamil minority. In 1974, the Liberation Tigers of Tamil Eelam (LTTE), also known as the Tamil Tigers, began launching series of attacks as a response to the discrimination against the Tamil. The LTTE terrorized the central government in Colombo and made the Eastern and Northern Province the basis of their movement. After several decades, the Sri Lankan government-LTTE conflict finally came to a ceasefire after the LTTE leader, Velupillai Prabahakaran, was killed in the 2009 war (International Crisis Group 2012a, 4; hereafter ICG).

During the conflict, the Eastern and Northern Provinces suffered heavy destruction, with their economic infrastructure experiencing some of the worst. As a response, the democratic Sri Lankan government launched a series of post-conflict reconstruction and reconciliation programs in the Northern Province with the military's support. President Mahinda Rajapaksa formed the Presidential Task Force (PTF), which was supposed to be under the control of the Minister of Economic Development, Basil Rajapaksa, and to work in cooperation with the military commanders in the Northern Province (ICG 2011, 14).

The involvement of the military in this restoration project was intended to make the reconstruction and reconciliation programs in the province more effective and efficient. The military involvement in reconstruction and reconciliation efforts is nothing new for many countries and organizations, particularly for non-combat military operations. These non-combat military operations consist of various non-war internal missions, such as national development, internal security, humanitarian aid, and social welfare projects (Desch 2001, 18).

The main reason to deploy the military in non-combat operations is the military's capacity to complement the civilian government, particu-

larly in areas where the latter is much weaker. Military personnel and units are capable of incorporating communication, construction, education, healthcare, professional, or transportation training in their non-combat operations. In addition, many social benefits could be widely received from their involvement (Goodman 2001, 45). The military's comparative advantage in terms of organizational discipline and provision of security and technical capacity in the efficient distribution of logistics could fulfill the need for organizational or civilian authority in the short-term (Franke 2006, 18).

However, the military's entanglement in domestic affairs must be done with caution, paying close attention to the division of roles between the civilian authority and the military. During crises, the role of the military should be mainly temporary but effective in supporting the needs of the civilian authority (Franke 2006, 16). Long-term roles, particularly cultural and deeply rooted roles in society, must be held by the civilian authority or humanitarian organizations (Franke 2006).

In assessing the dynamics of civil-military relations, Alfred Stepan (1998, 100–108) emphasized the analysis of two variables, military contestation and prerogatives. Stepan based his analysis on the Brazilian and Latin American context after the democratic transitions in the 1980s (Eldem 2019, 4). One of his findings showed that low military contestation coupled with strong military prerogatives would result in an unequal civilian accommodation type of civil-military relationship (Stepan 1998, 135).

Stepan's (1998) analysis corresponds to that of Pion-Berlin and Trinkunas' (2005), who inquired into civil-military relationships from the perspectives of crisis and civilian control. Pion-Berlin and Trinkunas (2005, 13) argued that intense military involvement in times of crisis when the civilian authority was weak allowed the military to intervene in policymaking. In this regard, the military tends to intervene not because of its natural desire to dominate internal affairs, but rather because the civilian government lacks the capacity to run their tasks; this condition paves the way for the military to take up the roles of the weak civilian authority (Pion-Berlin and Trinkunas 2005).

This study aims to analyze the civil-military relationship, particularly the unequal civilian accommodation, in the post-conflict Northern Province of Sri Lanka using a combination of Stepan's (1998) and Pion-Berlin and Trinkunas' (2005) theories. The research question that this study seeks to answer is, "*what did the unequal civilian accommodation type of civil-military relationship look like in post-conflict Sri Lanka's Northern Province?*" From a theoretical perspective, this study does not aspire to test Stepan's analysis. It mainly suggests that Stepan's theory, combined with that of Pion-Berlin and Trinkunas', may help us in assessing the military influence in a civilian governance in non-political contexts, such as the reconstruction and reconciliation process in the Northern Province of Sri Lanka.

This paper is structured into five sections: introduction, theoretical framework, research methods, discussion, and conclusion. More specifically, the discussion begins with an outline of the post-conflict Northern Province as a contextual background, an explanation on the military contestation and prerogatives dimensions proposed by Stepan (1998) as this study's theoretical framework, followed by an analysis of civil-military relationship that emerges as a result of the interaction of these two dimensions. The Northern Province's case feeds into the analysis and helps explain the consequence of civil-military relations in democratic governments due to the granting of extensive control to the military during a crisis.

## THEORETICAL FRAMEWORK

The studies of civil-military relations inquire into the power relations between civilian governments and the military in shaping a state's political system. This field has a long history and has been heavily based on the democratic transitions in Latin America after the third wave. Theories of civil-military relations in Latin America have been widely adopted to analyze similar phenomena in other regions, such as South Asia and Southeast Asia (see, for example, Crouch 1999 and Shah 2013).

Scholars like Samuel E. Finer (2002) have outlined two factors shaping the opportunities for the military to intervene in a civilian rule:

situations in which the civilian government becomes dependent on the military authority and when the popularity of the military sidelines that of the civilian authority. Michael C. Desch (2001, 18) emphasized the military's mission, whether internal or external, as a factor affecting the relationship between the civilian government and the military. Goodman (2001) posited that evaluation of the effectiveness of the military's mission also mattered. The legitimacy of the military authority in social welfare provision, for example, is seen to be appropriate in situations where there are no other non-military institutions capable of carrying out these affairs (Goodman 2001, 56).

Studies of civil-military relations have also been contextualized to adapt to the contemporary democratic context. The involvement of the military in Indonesia's handling of the COVID-19, for example, has shown that caution is needed to avoid abuse of power and breach of administrative structure (Fahrizal 2020, 5). For countries with low levels of resilience, the extensive participation of the military into governance during a crisis without strong civilian leadership and responsiveness is bound to lead to the weakening of civilian control and the strengthening of military authority (Graham 2020). Thus, types of civil-military relationships could be predictors for democratic quality (Cole 1992, 22).

This study stems from Alfred Stepan's (1998) analysis of the Brazilian context after the third wave. Stepan (1998) posited that there were two dimensions that influenced the form of civil-military relationships: military contestation and prerogatives. The interaction between the dimensions shapes the type of civil-military relationship in a certain country (Eldem 2019, 4).

The military contestation dimension refers to open military contestation in opposition to the policies of the civilian authorities. The level of military contestation is highly dependent on the extent of fundamental differences or disagreements between the military and the civilian government on vital issues. These vital issues comprise of 1) the legacy of human rights violations; 2) military budget; and 3) the military's mission, organization, and structure as well as the civilian government's control over the military (Stepan 1998, 100–118).

The legacy of human rights violations pertains to the proportion of responses made by the military institution and civilian authorities towards human rights violations committed by the former. The civilian government's response to these violations will push the military to shield themselves after the transition phase. This particular reaction occurs when the government seeks to investigate the military's violations and criminalize the military elites (Stanley 2001, 73).

The military budget is a civilian government's policy pertaining to the maintenance, increase, or decrease of the military budget. This policy includes the supply of weaponry. Meanwhile, the military's mission, organization, and structure as well as the civilian authorities' control over the military refer to the disagreements between the civilian government and military pertaining to the formulation of a mission, structure of, or control over a new military institution. Conflicts between the civilian government and the military will heighten when the civilian government seeks to shape the military's mission and establish a strong mechanism of control. The initiation of such a policy will be perceived as a threat to the military institution.

Military contestation is regarded as low when no conflict between the military and civilian government arises from the three vital issues mentioned above (Cole 1992, 20). This dimension, however, is not sufficient on its own in determining the type of civil-military relationship that emerges; it must be assessed along with the prerogatives held by the military. Low levels of military contestation, for example, are not always coupled with similarly low levels of military prerogatives (Cole 1992).

Military prerogatives are defined as the civilian government's attitudes towards the military institution, whether its presence is opposed, whether the military has privileges, and whether these privileges apply in a formal nature. Military prerogatives affect the military's capability to assert control over the civilian government, intervene into the civilian authority, and take up roles outside of the military profession, such as the defense sector or even the shaping of the relations between the state and the political and civil society (Cole 1992, 127). Military prerogatives are high when the military is able to increase its capacity

in these issues—*de facto* or *de jure*—without being subject to substantial opposition (Shah 2013, 1019).

Low military contestation and high military prerogatives are argued to lead to unequal civilian accommodation. A nation-state in such a condition is vulnerable because the military forces claim that their control over many prerogatives is legitimate. As a result, the processes of policy formulation and implementation are likely to be conflictual. Military institutions with strong support from the civil and political society are capable of using their prerogatives to impose decisions upon the democratic government, against which the latter has very little means to refuse if it wishes to avoid a coup (Stepan 1998, 135). In such a context, civil-military relationships of the unequal civilian accommodation type could serve as a middle way towards a more democratic system (Cole 1992, 21).

Stepan's argument is in line with that of Pion-Berlin and Trinkunas' (2005). Looking into the cases of Latin American countries, they outlined four quadrants based on the intensity of the crisis and civilian control (Pion-Berlin and Trinkunas 2005, 12). In the first quadrant is the condition in which a high level of crisis is coupled with strong civilian control; this condition results in an extensive role of the military in internal affairs but without any interventions. An example of this case is Argentina in 2000–2003. The second quadrant is the condition where the crisis is high and civilian control is absent, leading to an extensive role of the military in internal affairs but with intervention. This condition occurred in Venezuela in 2002. The third quadrant is where the crisis is low, but the civilian control is high, leading to a constrained military involvement in internal affairs. Military intervention is unlikely in such a condition. Argentina in 1991–2000 is an example of this case. In the fourth quadrant, both the levels of crisis and civilian control are low, resulting in a moderate level of military control in internal affairs without any interventions.

Out of these four quadrants, military intervention and their domination in internal affairs occur in conditions where crisis is high while the civilian authority is weak. The military is likely to intervene in civilian



governance, not because of its inherent interests to dominate internal affairs but rather because of the inadequacy of the civilian authority, leaving room for the military to fill in (Pion-Berlin and Trinkunas 2005, 13). The vacuum of power and weak control over military activities in domestic issues, coupled with the support from the political elites and ongoing conflicts, allow the military to take up positions that cater to their interests (Pion-Berlin and Trinkunas 2005).

This study draws upon Stepan's (1998) theory of the two dimensions of civil-military relationships, conjoined with Pion-Berlin and Trinkunas' (2005) theory, to explain the unequal civil accommodation type of civil-military relationship in Sri Lanka's Northern Province. Although Stepan's and Pion-Berlin and Trinkunas' studies were based on the Brazilian and Latin American context after the third wave, we argue that the theory is applicable to analyze the case of Sri Lanka's Northern Province. These two theories are used to simplify the complex dynamics of military involvement in reconstruction and reconciliation in the post-crisis period in North Sri Lanka through comprehensive analysis.

## RESEARCH METHODS

This study employs a qualitative method. Qualitative methods are suitable to gauge in-depth data pertaining to phenomena and behavior, allowing us to make sense of social behavior and various contexts (de Vaus 2002, 5). Qualitative research is commonly carried out in projects seeking to analyze social structures, behavior, and culture (Ritchie et al. 2003, 25). This characteristic is appropriate for this study as it aims to explore the unequal civilian accommodation type of civil-military relationship in Sri Lanka's Northern Province. This mode of research would help reveal the effects or consequences of a policy or decision and the causes underlying such outcomes (Ritchie et al. 2003).

Qualitative research prioritizes rich and in-depth data on social and political phenomena. This study primarily looks at secondary data; it draws upon existing literature and documents. Document analysis is carried out to gather information as well as delve further into the meanings of the messages contained in the analyzed documents (Ritchie et

al. 2003, 35). The documents analyzed in this study are reports written by NGOs, previous studies on the topic, government documents and statements, as well as news covering the phenomenon in question. We employ a case study method to reach a holistic understanding of the studied political phenomenon (Mason 2018, 209). The in-depth and holistic analysis of the Northern Province case will help make sense of civil-military relationships in similar settings.

## DISCUSSION

This section is divided into four parts. First, we delve into the context of the Northern Province after the 2009 conflict. The second and third parts look into the two dimensions laid out in our theoretical framework: the military prerogatives dimension and military contestation dimension. Then, we analyze how these two dimensions resulted in an unequal civilian accommodation type of civil-military relationship in the Northern Province.

### *Context: Civilian Rule in the Post-Conflict Northern Province*

The weak capacity of a democratic civilian rule often opens room for the military to intervene and extend its control (Pion-Berlin and Trinkunas 2005, 13). Reflecting upon Sri Lanka's Northern Province's case, the failure of the civilian rule in the region resulted in complex problems that paved the way for the military to intervene and take over the governance of internal affairs. These problems included refugees and victims of war, the destruction of the region's infrastructure, unemployment, a fragmented society, the possibility of attacks from the Tamil diaspora, and poor economic conditions in the region and country.

The first issue is the region's weak governance and its history of a strong military presence. This problem was caused by the LTTE's firm control over the region during the conflict. The government institutions in the Northern Province had been under the LTTE's control, leading to a weakening of these institutions (Herath 2012, 26). The LTTE had

established its own judicial system, police, border patrol, and administration in the Northern Province (ICG 2012a, 3). After the conflict, the Sri Lankan government struggled to revive the government institutions that the LTTE previously controlled; the effort has been proven difficult due to the infrastructure damage in the region. This vacuum of power allowed the military to become the alternative authority in the province. The military's legitimacy is also further strengthened by the fact that they have been the most prominent actors in the fight against the LTTE.

The second problem pertained to the issue of refugees and war victims. The long-lasting conflict between the Sri Lankan government and the LTTE has displaced hundreds of thousands of people in the Northern Province. In May 2009, as many as 262,629 people had to leave the region (Keerawalla 2013, 6). This number does not account for the 75,000 Muslim population driven out of the region by the LTTE in 1990 (ICG 2012a, 3). The following table details the number of refugees in the Northern Province in 2009:

Table 1. Number of Refugees in the Northern Province, May 2009

| No. | Name of Shelter Place          | Families | Men    | Women  | Total  |
|-----|--------------------------------|----------|--------|--------|--------|
| 1.  | Aruvithoddam                   | 322      | 519    | 534    | 1,053  |
| 2.  | Ananda Cumaraswamy             |          |        |        | 39,671 |
| 3.  | Kadigamar R.V.                 | 5,863    | 10,523 | 10,538 | 21,061 |
| 4.  | Arunachalam R.V. (Zone 3)      | 14,318   | 19,985 | 20,663 | 40,648 |
| 5.  | Cheddikulam M.V.               | 543      | 872    | 897    | 1,769  |
| 6.  | Ramanathan R. V. (Zone 2)      |          |        |        | 80,584 |
| 7.  | Zone 4                         |          |        |        | 35,400 |
| 8.  | Andiay Puliyankulam School     | 616      |        |        | 1,564  |
| 9.  | Pampaimadu Hostal              | 1,387    | 2,229  | 2,285  | 4,514  |
| 10. | Nelukulam Kalaimakal Vidyalaya | 1,353    | 1,539  | 1,485  | 3,024  |
| 11. | Saivaprakasa M. V.             | 1,262    | 1,578  | 1,741  | 3,320  |
| 12. | Tamil M. V (Senior)            | 1,705    | 2,412  | 2,411  | 4,823  |
| 13. | Vauniya Muslim M.V.            | 498      | 722    | 794    | 1,516  |
| 14. | Gamini M. V.                   | 818      | 859    | 1,008  | 1,867  |
| 15. | Kovikulam M. V.                | 481      | 756    | 824    | 1,580  |
| 16. | College of Education           | 1,970    | 2,978  | 3,125  | 6,103  |
| 17. | Poonathottam M. V.             | 484      | 796    | 819    | 1,635  |
| 18. | Tamil M. V. (Primary)          | 458      | 613    | 650    | 1,263  |
| 19. | Kanthapuram Vani Vidyalaya     | 422      | 552    | 564    | 1,166  |
| 20. | Thandikulam School             | 512      | 671    | 757    | 1,428  |
| 21. | Puthukkulam School             | 807      | 1,855  | 1,365  | 3,220  |

|                             |     |       |       |         |
|-----------------------------|-----|-------|-------|---------|
| 22. Velikkulam School       | 436 | 576   | 652   | 1,228   |
| 23. Komarasankulam M. V.    | 735 | 1,035 | 1,140 | 2,175   |
| 24. Samankulam Elders W. C. |     |       |       | 103     |
| Total                       |     |       |       | 262,629 |

Source: Keerawella (2013).

The above table shows that there were 262,629 refugees from the Northern Province. Most of them were from Ramanathan R. V. (Zone 2), Ananda Cumaraswamy, and Zone 4, which covered and sheltered at the Menik Farm Shelter. The Menik Farm Shelter was built by the Sri Lankan government in 2009 on top of a 700-hectare area in the Vavuniya District, Northern Province, to accommodate refugees at the end of the conflict period (Perera 2012). The number of casualties during the end of the conflict period was predicted to have reached 40,000 people (ICG 2012a, 5).

The third problem is the region's infrastructure damage and unemployment. The military attacks in 2009 have caused the destruction of infrastructure in the province. The infrastructure damage has blocked people's access to jobs. A USAID survey found that the majority of families in the province had low income. Around 89% of the families reached by the survey did not have a regular source of income (ICG 2012b, 8). This issue led to poverty and debt. The World Food Programme stated that more than half the population in the Northern Province's five districts lived below the poverty line (ICG 2012b, 10). More than half the region's population was also in massive debt, which amounted to the equivalent of six months' worth of income (ICG 2012b).

The fourth is the fragmented state of the society in the region. This problem was caused by the differing views among the three largest communities in the Northern Province—the Tamil, Sinhalese, and Muslims—regarding the government-LTTE conflict. Each group viewed themselves as the victims of the conflict and being on the right side. The situation was worsened because that there was a lack of effort from the Sri Lankan government to bridge these differing views among the three communities. Instead of going for a power-sharing scheme among

the three groups, the Sri Lankan government opted to deploy the military to act as the authority in the region after the conflict.

The fifth issue is the threat of attacks from the Tamil diaspora, who had been supporting the LTTE for decades; after the LTTE's loss to the Sri Lankan military, they were still persistent in launching attacks. The LTTE was heavily reliant on the Tamil diaspora for logistical help, morale, and support to survive in a long period (Vimalarajah and Cheran 2010, 7). After the LTTE's loss, the Tamil diaspora still staged protests in various countries, including India, Malaysia, United Kingdom, Switzerland, and Canada (Vimalarajah and Cheran 2010, 6). They have also set up the Transnational Government of Tamil Eelam (TGTE) and the Global Tamil Forum (GTF), which aim to realize the Tamil's rights to form an independent democratic government through democratic means (Vimalarajah and Cheran 2010, 30).

The sixth is the poor economic condition in the Northern Province—and Sri Lanka. The long conflict between the Sri Lankan government and the LTTE, coupled with the global crisis of 2008, have led Sri Lanka's gross domestic income (GDI) to drop below 4% in 2009 (Athukorala and Jayasuriya 2013, 18). This situation has forced President Rajapaksa to look for alternative solutions to revive Sri Lanka's economic development.

One of these solutions was the Mahinda Chintana program, which designated the Northern Province to generate income from the service sector, particularly tourism and hospitality. For the past years, the Northern Province has been generating the least amount of GDI among the nine Sri Lankan provinces. In 2009, the province was only able to generate 3.3% or LKR 159 billion of Sri Lanka's total GDI. The region's income per capita only reached USD 1,185—far from the average national income per capita, which was at USD 2,053 (Government of Sri Lanka 2010). The Uthuru Wasanthaya development program was established to accelerate the regional development of the Northern Province (Government of Sri Lanka 2010).

### *The Military Prerogatives Dimension*

The series of problems and the condition of the civilian rule in Sri Lanka's Northern Province served as justifications to involve the military in post-conflict non-combat operations, which involved the granting of prerogatives for the military. The Sri Lankan military gained greater authority through the establishment of the PTF, which was headed by the Minister of Economic Development, Basil Rajapaksa, the brother of President Rajapaksa. The PTF consisted of 19 people, including the Chief of the Defence Staff, the Commanders of the Armed Forces, and the Chief of Staff of the Army (Rajakarunanayake 2009). The PTF's authority was publicly known. However, there were no official state documents that specified the PTF's mandate or discretions (Saparamadu and Lall 2014, 15). The military, through the PTF, was given prerogatives in the post-conflict reconstruction and reconciliation efforts, which included the administration and control of refugees, land expropriation and militarization, military businesses, and the monitoring of NGOs, the media, and activists.

In matters relating to refugee administration and control, the military took over many of the roles of the District Secretary and handled the administrative tasks in the Northern Province. The military, who was initially deployed to lend their support, ended up running the region's administrative duties through the Security Forces Headquarters (SFHQ). The District Secretary authority over refugee management, oversight of the actors involved in the reconstruction and reconciliation programs, and provision of services and implementation of the development programs in settlement areas became very limited due to the strong control of the PTF and military through the SFHQ (Saparamadu and Lall 2014, 15). The District Secretary lost the access to resources or finances from external parties, such as NGOs, without the PTF and military's approval (Saparamadu and Lall 2014). The military was also involved in carrying out population censuses with the Department of Census and Statistics. The military carried out the population census on the number of victims after the clash between the military and the LTTE in 2009 (ICG 2012a, 6).

This large control over the population and refugee issues gave the military the power to tailor decision-making to their own interests. For example, the military prevented refugees from moving back to their homes. The lands that previously belonged to these refugees were expropriated and utilized for military interests, such as building camps and barracks. According to the Tamils, they even built houses for families of military personnel from outside of the Northern Province. The following table summarizes the list of expropriated areas in the province:

Table 2. List of Areas Expropriated by the Military in the Northern Province

| District     | Expropriated Land/Area                                 | Purpose                                    |
|--------------|--|--|
| Trincomalee  | Sampoor  | High Security Zones/Special Economic Zones |
|              | Karumalayootru   | Military interests                         |
| Mullaitivu   | Keppapilavu  | SFHQ                                       |
|              | Thirumurikandy   | Military interests                         |
|              | A variety of areas                                     | Military interests                         |
|              | A variety of areas, including Karachchi and Kandawalai | Military interests                         |
| Killinochchi | Iranamadu  | SFHQ                                       |
|              | Other  | Military interests                         |
| Mannar       | Mullikulam   | Navy base                                  |
|              | Silavathurai   | Navy base                                  |
| Jaffna       | Tellipalai   | High-Security Zones                        |

Source: InterAction (2013).

The above table shows that the military has built camps and headquarters in Kilinochchi-Iranamadu, Mullaitivu District, and Mannar District. This takeover has prevented thousands of the Tamil population from returning to their homes and caused them to lose their income. Militarization was also carried out by setting up around 2,000 checkpoints and assigning 10,000 soldiers in the Northern Province (ICG 2012a, 9). The military often carried out random inspections on the people's houses, causing the Tamil to fear for their safety.

The military also carried out various economic activities in the region, such as farming, trading, and businesses in the service and tourism sector. For example, the military utilized the people's farmlands for their own farming, whose yields were then sold for the military's own profit. The military also built hotels, shops, and restaurants. These shops and restaurants were built along the A9 main road of the province

(ICG 2012b, 23). The Thalsevana Holiday Resort in the Jaffna District is an example of this project (CNS/Ecosocialist Horizons 2014, 61). The Navy also provided ferry transport services while the Air Force opened commercial flights in the Jaffna District, Kilinochchi, and Vavuniya (ICG 2012b, 23).

As an institution with administrative authority, the military asserted strong control over donor agencies wishing to carry out humanitarian missions in the Northern Province. Any project proposed by an NGO or donors must be approved by the local military commander (ICG 2012b, 15). This condition allowed the military to only approve projects that are seen to bring them benefits (ICG 2012b).

The military also often drove away NGOs or donors that were seen as being uncooperative. In the beginning of 2011, the International Committee of the Red Cross (ICRC) was forced to leave the Northern Province (ICG 2011, 17). Several NGOs and donor agencies have complained about the slow procedure that must follow to obtain permits from the military. This situation indicated an overlap between the authority of the civilian government and military (ICG 2011, 15). The military was able to monitor all the activities carried out by donor agencies and make decisions on what aid these organizations could provide to the people (ICG 2012b). This tight military control hindered the work of these organizations, including the United Nations' (UN) project to channel aid to refugees. For example, the NGOs working for the Rural Development Societies (RDSs) and Women Rural Development Societies (WRDSs) programs have had their work halted due to the military's strong presence in the Northern Province (InterAction 2013, 12).

Furthermore, the military also intimidated and committed violence against people who were seen as political opposition to the central government in Colombo. The military detained people they perceived opposed to the military's policies in the Northern Province. These arrests were made to respond the protests staged in front of the military camps in the region (BBC Sinhala 2011). In March 2011, a Tamil National Alliance (TNA) member of parliament, Sivagnanam Sritharan, was as-



sassinated by a government agent (ICG 2011, 19). On the 16<sup>th</sup> June 2011, the military forcefully dispersed a TNA meeting in Alaveddy, an area in the Northern Province, using violence (ICG 2012a, 14). There was also intimidation towards the media. An editor of the Uthayan newspaper in the Jaffna District was gravely wounded by the military and rushed to the hospital (ICG 2012a). Foreign journalists were also not exempt from the military's intimidation and pressure. Two European journalists were attacked and robbed in July 2011 in Jaffna before previously being warned to leave the province by the military (ICG 2012a).

### *The Military Contestation Dimension*

The extent of military prerogatives in various sectors was coupled with low levels of military contestation. According to Stepan (1998, 100–118), the three vital issues that influence the degree of military contestation and civilian rule are 1) the legacy of human rights abuse; 2) the military budget; and 3) the military's mission, organization, and structure, and the civilian government's control over the military. In the Northern Province, the military contestation dimension was low because the region did not experience open contestation between the military's interest and the civilian government's policies. Conversely, the civilian authority had similar perspectives to those of the military regarding the conduct of reconstruction and reconciliation after the government-LTTE conflict.

In regard to human rights abuse, the Sri Lankan government seemed to shield the military by not showing any effort to investigate the war crimes committed by the military during and after the conflict. The Sri Lankan government formed the Lessons Learned and Reconciliation Commission (LLRC), whose duty was to improve people's lives after the conflict by responding to the people's needs and restoring civil and political rights, as well as other rights (Saparamadu and Lall 2014, 8). However, the LLRC was not granted the authority to influence decision-making, which constrained their work in investigating and taking actions on the human rights violations committed by the military.

The LLRC was only able to recommend policies; discretions were up to President Rajapaksa. The president has not responded to the findings of the LLRC on the war crimes that the military has committed. At the same time, the LLRC itself struggled with internal conflicts, which impacted its role in maintaining accountability and taking part in the reconciliation process (ICG 2011, 22). The limited capacity of the LLRC has invited criticism by the international community. The body is considered to be less accountable, does not have the mandate to carry out prosecutions, does not have a witness protection program, and lacks impartiality, shown by its members' conflict of interests of (ICG 2011).

On the military budget, the Sri Lankan government and the military did not have significant differences. Instead, the government supported the military's development and increase in its budget to cover war expenses. This can be observed from the military budget's growth, from USD 40 million or 1.5% of the gross national product (GNP) in 1978 to USD 215 million or 3.5% of the GNP in 1985 (de Silva 2001, 13). In 1987, the military budget reached 16.8% of the GNP (de Silva 2001). This number continued to rise as the conflict between the Sri Lankan government and the LTTE spread. This budget was utilized to recruit military personnel and modernize weaponry and equipment.

After the conflict, the budget of the military continued to rise. In 2011, the number reached USD 1.7 billion, from USD 1.5 billion in the previous year (Index Mundi n.d.). In 2013, the budget was increased again to USD 1.95 billion (*Gulf Times* 2013). The Sri Lankan government claimed that the increase of the military budget was used to purchase the weaponry needed to fight against the LTTE, fund the armed forces' development, and prevent the LTTE's resurgence (Gunadasa 2011).

The civilian government and the military also did not have stark differences in views about the military's mission, organization, structure, and the civilian authority's control over the military. The Sri Lankan military has been professionalized and has not shown any tendency to subvert the authority of the civilian government since the 1960s. When the war against the LTTE ended, there were demands from the people

for the lessening of the military's presence in the region. However, this request was only possible when the threat of resurgence is completely diminished (Gunadasa 2011)—this threat never really disappeared from the region, as the Tamil diaspora movement was still at large. Furthermore, the post-conflict military was given a mission to take part in the reconstruction and reconciliation mission in the Northern Province. The military not only played a role in carrying out administrative affairs and reconstruction process, but also providing training for former LTTE members and social welfare for the community.

In executing its administrative tasks, the military told the SFHQ to work in parallel with the District Secretary (ICG 2012b, 15). The SFHQ was led by a major general whose authority covered the entire district in the Northern Province, where every camp has consisted of different divisions and units. Each division within the SFHQ was led by a brigadier or colonel (ICG 2012b). Prior to the presence of the PTF, the District Secretary was responsible for the affairs relating to refugees, transmigrants, and social provision in the Northern Province (Supramadu and Lall 2014, 10). Formally, these affairs were convened by the Ministry of Transmigration and Resettlement Authority. The presence of the PTF created a dualism of authority within the administrative affairs of the Northern Province, rendering the District Secretary subordinate to the PTF's supervision (Supramadu and Lall 2014, 15).

Through the SFHQ, the military helped run daily administrative affairs in the villages (Rajapaksa 2012). The military was also involved in refugee management and identifying former LTTE fighters who had blended in with the refugees. In the first three months of the reconstruction and reconciliation program, the military was able to identify 3,000 former LTTE members among the refugees and separated them (Herath 2014, 44).

As part of the reconstruction program, the military built central refugee shelters, carried out demining, and built housing estates. For example, Division 65 of the Sri Lankan army built 22 out of the 100 houses targeted for refugees in the Akkarayankulam region in 2012 (Sri

Lanka Army n.d-a). The military was deemed able to save LKR 3.7 billion of the budget for infrastructure development (*Sunday Leader* 2012).

In providing training for former LTTE members, the military enacted several programs. These programs included skills training as well as spiritual assistance and meditation program (Herath 2012, 45). The military also held education programs for former LTTE members' children and provided opportunities for them to take school exams (Karunaratne 2014, 104). In terms of social welfare, the military lent ambulances and helicopters to evacuate wounded civilians to the hospitals in Vavuniya, Anuradapura, and Trincomalee Districts (Hearth 2012, 42). They also made donations, held training for medical workers, education seminars, sports events, religious festivals, and enacted tree-planting campaigns. Moreover, the military returned around 150,000 lost cattle to their owners (Hearth 2012, 47–48).

In policymaking, President Rajapaksa appointed several military personnel and veterans to fill in strategic positions, such as gubernatorial and ambassadorial positions as well as positions on the board of state-owned enterprises (Heryadi 2014, 66). The following are the names of military personnel appointed to civilian posts during President Rajapaksa's rule:

Table 3. Names of Military Personnel Appointed to Civilian Posts

| Name                  | Position                                   |
|-----------------------|--|
| Mohan Wijewickrama    | Eastern Province Governor                  |
| G. A. Chandrasiri     | Northern Province Governor                 |
| Thisara Samarasinghe  | Sri Lankan High Commissioner for Australia |
| Sarath Dissanayake    | Ambassador for Cuba                        |
| Wassantha Karanagoda  | Ambassador for Japan                       |
| Jayalath Weerakody    | Ambassador for Pakistan                    |
| Santha Kossegoda      | Ambassador for Thailand                    |
| Gotabaya Rajapaksa    | Minister of Defence and City Development   |
| Nanda Mallawaarachchi | Secretary of the Ministry of Legal Affairs |
| M.R.S.P. Samarasinghe | Manager of Ceylon Petroleum Corporation    |

Source: Heryadi (2014).

The appointment of military personnel and veterans to administrative and ambassadorial posts was seen as a move to maintain the professionalism of the military (Herath 2012, 66). President Rajapaksa's close relationship with the military was also evident from the Sri Lankan

government's support for the military's programs to further professionalize the military. These schemes included the establishment of the Army Training Command (ARTRAC) and Officers' Career Development Center (OCDC). These two facilities served as training avenues for the military to fulfil international professional military standards (Sri Lanka Army n.d-b).

### *Analysis of Civil-Military Relationship in Sri Lanka's Northern Province: Unequal Civilian Accommodation*

According to Stepan (1998, 135), low levels of military contestation and high levels of military prerogatives lead to the unequal civilian accommodation type of civil-military relationship. A nation-state in such a position is fragile due to the military's sense of legitimacy provided by the substantial levels of their prerogatives. Decision-making processes are thus likely to become very conflictual. Militaries with strong support from their allies within the civil and political society are capable of using their prerogatives to impose their policies onto the democratic regime which they are likely to accept to avoid a possible coup (Stepan 1998, 135).

The unequal civilian accommodation relationship was visible in the case of Sri Lanka's Northern Province. As the holder of the highest authority, the military—with its authority over the reconstruction and reconciliation programs in the Northern Province—saw itself as being in possession of excessive prerogatives. The military felt that it had the legitimacy to assert control over administrative and refugee-related affairs, expropriate lands and carry out militarization strategies, run military businesses, and control the activities of NGOs, activists, and the media.

This situation was due to the unstable state of the Northern Province, shown by the still suboptimal condition of civilian rule in the province. The province was still facing crises after the conflict ended, such as issues of refugees and victims of war, infrastructural damage, unemployment, a fragmented society, the threat of resurgence from the Tamil diaspora, and the poor economic conditions in the Northern

Province. In times of a high social and economic crisis, the military was able to take over the chain of command, either through the demands of the people or its own accord (Pion-Berlin and Trinkunas 2005, 13).

The consequence of an unequal civilian accommodation condition is the military takeover of the civilian government's authority over the decision-making process. For instance, the military in the Northern Province was able to take over the role of the District Secretary in administrative affairs, carry out population census, control the influx of refugees and monitor the activities of NGOs and state employees in the region. The military used its authority to impose decisions that the civilian government must accept. An example of this was the military's involvement in meetings that were supposed to be led by the civilian government and its steering of the meetings to produce policies in favor of the military's interests.

The involvement of the military in civilian or internal affairs is normally unfavored as it strengthens the prerogatives of the military and gives them larger autonomy than that of the civilian government, paving the way for the military's further immersion in political processes—particularly policymaking—and increasing the risk of human rights abuse by the military (Pion-Berlin and Trinkunas 2005, 7). In the case of the Northern Province, these three consequences occurred due to the relationship of unequal civilian accommodation. In addition to the military's domination over and ability to insert itself in the administrative affairs of the Northern Province, high levels of military prerogatives within land management and the running of military businesses have also placed the Tamil in a major disadvantage. This problem was also evident in terms of the military's surveillance over refugees, activists, journalists, and NGOs, which facilitated intimidation and violent conduct against those deemed to oppose the military.

The Sri Lankan government itself did not take action against the military's discretions and violations. Although on paper, the military's role within the reconstruction and reconciliation programs was under the authority of the civilian government, the military had the freedom to make discretions that favored them. The findings of the LLRC con-

firmed this, stating that the Sri Lankan government has largely ignored the military's violations.

The above analysis, which draws upon Stepan's (1998) framework, corresponds to the four-quadrants framework posited by Pion-Berlin and Trinkunas (2005). The case of the Northern Province showed that the region was faced with high levels of crisis and weak civilian rule. The crisis dimension can be seen from the ongoing reconciliation and reconstruction processes and the persisting threat of resurgence by the Tamil diaspora. The weak civilian control dimension was indicated by the still suboptimal governance in the region, particularly in terms of refugee management and accommodation of victims of war, infrastructural damage, the fragmented state of the society, and poor economic conditions. The weakness of the civilian rule was also reflected in the lack of government responses against the human rights violations found and reported by the LLRC (ICG 2011, 22).

The combination of the high levels of crisis and weak civilian control resulted in the military's expansive domestic role and intervention. This was shown by the substantial levels of military prerogatives, which led to an unequal civilian accommodation, as argued by Stepan (1998). The military intervention and extensive immersion in political affairs were made possible by the vacuum of power, support of political elites, as well as ongoing conflict (Pion-Berlin and Trinkunas 2005, 13). These three conditions were present in the case of the Northern Province. The military involvement in the province to support the reconstruction and reconciliation efforts through the PTF was strongly supported by President Rajapaksa. The president himself maintained a close relationship with the military and granted several strategic government posts to the military higher-ups and veterans. Although the conflict between the LTTE and the Sri Lankan government has subsided, the threat of the Tamil diaspora striking back during the reconstruction and reconciliation remains a looming possibility.

An unequal civilian accommodation type of civil-military relationship could be a middle way towards a more democratic system (Cole 1992, 21). The Sri Lankan military has a sizable number of active-duty

personnel, particularly in the Northern Province. To justify this large capacity, the military was granted extensive authority and permission to carry out military business activities during the reconstruction and reconciliation process. This served as a middle way for the military to exercise their autonomy while the Sri Lankan civilian government benefited from their involvement in internal affairs to meet development targets without having to give up the democratic form of government to authoritarian rule.

## CONCLUSION

This study seeks to explain the civil-military relationship, particularly the unequal civilian accommodation kind, in Sri Lanka's Northern Province after the government-LTTE conflict. This study shows that the unequal civilian accommodation type of civil-military relationship in the region occurred as a result of a low level of military contestation and high military prerogatives. Pion-Berlin and Trinkunas' framework further facilitates our analysis and shows that this type of civil-military relationship came about due to high levels of crisis and weak civilian rule in the region. This combination allowed room for the military to dominate and intervene in internal affairs. This form of civil-military relationship was heavily shaped by the post-conflict context of the Northern Province, as it gave legitimacy for the military to enter the realm of civilian rule.

The involvement of the military in the reconstruction and reconciliation programs in the Northern Province after the government-LTTE conflict was a form of non-combat military operation in times of crisis. Despite the unequal civilian accommodation in the Northern Province's case, such a relationship did not impact the civilian government's capacity to govern in general. This is because this type of relationship was viewed as a middle way for the Sri Lankan democratic government to share its powers and normalize the large capacity of the military personnel in the Northern Province.

The civil-military relationship formed in the Northern Province provides further insight into military immersion in civilian affairs during a



crisis. Without strong control and oversight, the military's involvement in domestic non-combat missions allows the military the freedom to carry out their missions following their own interests (Pion-Berlin and Trinkunas 2005, 7). Consequently, the formulation and implementation of policies become conflictual, compromise the authority of the civilian government, and hurt the people on the ground.

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