

# Messing up on Mahinda

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*Mahinda Rajapaksa meets the people during the 2015 Sri Lankan presidential campaign*

It feels a little odd to be sharing my latest Sri Lanka thinkpiece, published this morning, on a day when focus is very much on the other side of the planet. But here it is in any case.

## Messing Up On Mahinda: Michael Roberts On Eelam War IV

[Colombo Telegraph](#), 9 November 2016

As a commentator on Sri Lanka's civil war [Michael Roberts](#) has proved himself as productive and tirelessly self-referential as he is frequently misguided. The latest example comes in his article '[From Historic Compromise to Resolve: Mahinda Rajapaksa in 2006](#)' (*Colombo Telegraph*, 27 Sept. 2016).

In response I will focus on aspects of Robert's analysis – mostly concerning the origins of Eelam War IV (2006 – 2009) – that are either contentious, factually inaccurate, lacking in

supporting evidence, seemingly uninformed by my analysis of the same – or in some cases all of the above.

## **Jaffna advance**

But let us start a little earlier, as Robert's article does, with some summary conclusions regarding a key event in Eelam War III (1995 – 2002): the LTTE's effort to seize Elephant Pass – and beyond that Jaffna – in July 2000. Here Roberts suggests that the Tiger's failure to advance on Jaffna after taking Elephant Pass was essentially due to the actions of 'chief hero' Defence Minister A Ratwatte, the 'ordinary soldiers in the peninsula war theatre' plus President Kumaratunga and the Pakistani government in 'supporting roles'. This account omits or otherwise glosses over some important facts:

- The 7000 LTTE force advancing on Jaffna in summer 2000 was massively outnumbered by the 40,000-strong SLA force garrisoned inside Jaffna. And by mid-June 2000 the SLA garrison had indeed succeeded – unsurprisingly given the balance of forces – in pushing LTTE troops southwards along the Jaffna peninsula.
- Irrespective of respective force size, and for reasons that have never been fully clarified, at some point the LTTE appears to have decided to hold back from advancing on Jaffna. Erik Solheim has this to say on the matter: 'From the town outskirts the LTTE issued a demand that [the SLA] should leave all their military equipment behind, and ships could pick up the soldiers and take them to Colombo ... The Indians were ready to rescue the soldiers by ship, but wanted no part in the fighting. We worked closely with Delhi on this offer. The LTTE were ready to let the soldiers go, but insisted they should leave their equipment.' [\[1\]](#) In other words hardly a case of 'heroic' SLA military pushback.
- Any discussion of SLA surrender modalities lost its relevance once, as Solheim notes, government forces were

able to 'stabilise' the military situation and relieve the immediate threat to the Palaly air base.

- Pakistan's rapid emergency provision of military supplies—most importantly multi-barrel rocket launchers (MBRLs), making their first appearance in the conflict here—undoubtedly played a critical part in the SLA military pushback: while at the same time India, in Solheim's words, 'looked the other way as it happened'.

## **Rajapaksa and Eelam War IV**

Moving onto to events leading up to the start of Eelam War IV in July/August 2006, Roberts begins by outlining his basic thesis. Which is that, faced with a 'Hobson's Choice', Mahinda Rajapaksa elected to follow the only reasonable course of action open to him, namely initiate all-out war against the LTTE.

Precisely why initiating what rapidly turned into full-scale war, going far beyond the immediate objective of reopening the Mavil Aru anicut sealed off by the LTTE was the 'only', let alone 'reasonable' course of action open to President Rajapaksa remains unclear at this point, Before getting into the nuts and bolts of Eelam War IV's origins, however, Roberts treats us to a somewhat breathless overview of the events of what might be called the functioning Ceasefire (CFA) era (2002-2006)..

Roberts is dismissive of the CFA – a position that gained widespread acceptance once it became clear the Rajapaksa administration had decided to ignore (and later officially abrogate) an Agreement that the previous administration had negotiated with the LTTE. I stress *negotiated* since, as Robert's account makes abundantly clear, there was nothing in the CFA that had not been the subject of painstaking discussion, negotiation and compromise between the two sides.

Robert's suggestion that what he obliquely calls the 'media

event' in Kilinochchi in April 2002 – he is in fact referring to the landmark press conference held there by LTTE leader Prabhakaran – paved the way for peace negotiations to start that autumn is false. Talks were part and parcel of prior Norwegian-brokered negotiations between the Government of Sri Lanka (GoSL) and the LTTE leadership, chiefly in the shape of their senior adviser Anotn Balasingham, held before, during and after the CFA's official signature in February 2002.

As far as pinning down the beginning of talks goes, the clinch moment in fact came in late July 2002, when chief GoSL negotiator Milinda Moragoda met Balasingham at the Norwegian Embassy in London. Most importantly, Thailand was agreed as the venue for opening talks –venue being, as often in such processes, a potentially fraught issue.[\[2\]](#)

### **Norwegian facilitators: LTTE stooges?**

So far so strange. But now Roberts really gets into his stride with the claim that there is 'room to suggest' that 'during the next few years', 'several Norwegian envoys [who?] and Erik Solheim in particular', morphed from third party facilitators acting at the express request of both parties into 'sides' partial to 'LTTE interests'.

Since the end of the war, the view – in some circles at least – that the Norwegians in general, and Erik Solheim in particular, acted on the basis of pro-Tiger sympathies has assumed the status of a quasi-mystical truth. A view of uncritical acceptance rather than careful examination, in other words. And it's this perspective that may in turn help to explain Robert's one-liner dismissal of my book *To End A Civil War: Norway's Peace Engagement in Sri Lanka* as simple 'Solheim hagiography'.

Perhaps Roberts simply can't bring himself to believe that there's anything interesting to say about the Norwegian engagement beyond Mangala Samaraweera's memorable 'salmon-

eating busybodies' trope. Certainly in calling for a 'careful' study of the Norwegian role in Sri Lanka Roberts indicates that he doesn't consider my research on the subject as meriting that description. In reality, however, I suspect the issue for Roberts is not one of an absence of careful study on my part, but rather the *perspective* from which that study is conducted – a perspective that, by the way, has as little to do with 'Solheim hagiography' as sections of Robert's article have to do with known facts.

Robert's casual manner with the facts is on open display in his summary treatment of the post-tsunami era. Specifically he suggests that the arrival of 'funds and greater INGO involvement' in the context of the post-tsunami disaster relief effort bolstered the LTTE. While it is true that limited amounts of relief did make it through to Tiger-controlled areas, this also completely ignores the fact that a key LTTE complaint throughout early 2005 was the marked *lack* of relief resources flowing into the Vanni, chiefly on account of the official obstacles placed in its way.

Indeed, as Norwegians involved in brokering the agreement attest in my book, the major political setback of this period – the failure of the P-TOMS agreement [\[31\]](#) intended to establish a structure to ensure equitable distribution of relief funds, which Roberts doesn't even mention – may well, from an LTTE viewpoint, have been the straw that broke the camel's back. Why continue to try and make peace, so the argument runs, with a partner who won't even help foster the rehabilitation and reconstruction of the parts of the country under your control? From this perspective, moreover, there is a certain grim inevitability underlying the path from the Sri Lankan Supreme Court's suspension of key clauses of the P-TOMS agreement (14 July) to the assassination of Foreign Minister Lakshman Kadirgamar less than a month later (12 August).

## **2005 Presidential Elections**

The most egregious example of Robert's tendency to play fast and loose with the fact, however, concerns his account of the November 2005 presidential elections and beyond. He makes three central claims:

- Mahinda Rajapaksa secured his narrow victory over Ranil Wickremasinghe on the backs of Tamil wide scale abstention, undertaken at because the LTTE 'asked' for it.
- The LTTE backed Rajapaksa at the election because they wanted a 'Sinhala hawk' to win and in that way 'assist . . . in its international campaign in the Western world'.
- Over time and under the influence of events, Mahinda Rajapaksa's initially pragmatic attitude towards dealing with the LTTE and taking forward the peace process evolved into a hard-nosed determination to opt for full-scale confrontation.

At first sight at least, the initial claim retains some plausibility. It is certainly true, as Roberts states, that after an extended period of silence on the subject, in the final stages of the election campaign the LTTE began 'asking' Tamils to abstain – even if 'ask' is a strange way to describe the campaign of fear and intimidation they deployed in order to prevent Tamils – notably those residing in areas under direct Riger control – from voting.

That important detail aside, others factors contributing to the boycott included a last-minute Supreme Court ruling that polling stations due to be located close to official checkpoints between 'uncleared' and 'cleared' areas would have to be moved at least 500 metres away – thereby significantly reducing the incentives for the 250,000 prospective Tamil voters living in 'uncleared' areas to vote.

These are details that Roberts might reasonably be expected to address. But they pale in comparison to the real elephant in the room: the suggestion that the LTTE's call for an election

boycott was the outcome of a prior (not so) secret deal with Mahinda Rajapaksa. This, in my view, represents a pivotal moment in the war's final years. Nonetheless, you do not need to invest it with the same significance to find it extraordinary that it receives no mention at all in Robert's account.

### **Election Boycott Deal?**

I will not go through every aspect of the allegations: these are amply detailed elsewhere. [\[4\]](#) The essential point is that there is clear evidence to suggest that not only was there a covert deal between Rajapaksa and the LTTE over the boycott, but also that it was the product of back door connections established between the two sides some months prior to the presidential election, if not earlier.

Speculation over the existence of a deal first surfaced soon after the election via Tamil journalist D.B.S. Jeyaraj, who suggested an agreement had been reached following a series of secret meetings in Kiliinochchi between Tamilselvan and a 'special representative' of Rajapaksa. (Allegedly, too, that 'special representative' was Tiran Alles.) With Rajapaksa's expressed approval, it was suggested, Alles had established contact with senior LTTE figures, most probably Tamilselvan and possibly also Pulidevan and Nadesan.

While the deal's substance—securing an election boycott—was supposedly clear from early on, the means by which it was to be implemented proved more problematic. Rajapaksa's electoral alliances with the fervently anti-LTTE JVP and JHU meant that an open deal with the Tigers was out of the question. Thus the talks reportedly focused on the possibility of the Tigers offering 'indirect support' to Rajapaksa's campaign. In the event this is exactly what they did, with the boycott only really moving towards violence and open intimidation in the campaign's final 48 hours—the result, allegedly, of a last-minute visit to Kilinochchi by Alles to persuade the Tigers to

step up their activities.

Jeyaraj suggested that 'political and diplomatic circles in Colombo' were first alerted to Alles' role after reports of the particularly warm embrace and 'profuse thanks' he received from Rajapaksa at a post-election victory gathering.[\[5\]](#) Concerning further details, Jeyaraj confined himself to speculation that 'a financial arrangement was more likely than a political arrangement'.[\[6\]](#)

Following the election, initially things went remarkably quiet concerning the deal allegations. Since then, however, they have resurfaced repeatedly. And thanks to some tireless investigative work by among others Sonali Samarasinghe, ex-*Sunday Leader* columnist and widow of its editor Lasantha Wickrematunge, a clearer picture of the deal's probable contours has since emerged.

It is now clear for example, that substantial sums of money were involved. At some point before the election It appears that an initial cash payment of 180 million rupees (\$1.3 million) was handed over by Basil Rajapaksa to LTTE go-between Emil Kanthan; and, in the event of an election victory for Rajapaksa, a second and larger package was agreed, allegedly involving an LTTE housing project, disarming the Karuna group, appointing 'LTTE nominees' to 'various political offices' and resuming talks in Thailand.[\[7\]](#)

Events on the ground, in particular deteriorating relations between the two sides, eventually ensured that much of this never saw the light of day. On agenda item number one at least, however, there does appear to have been significant movement.

Further investigations revealed that three months after the 2005 election, Rajapaksa made a series of unsolicited multi-million rupee grants to bogus housing projects in the North – in order, it was suggested, to facilitate the agreed transfer

of funds to the Tigers. By the time Rajapaksa produced a cabinet paper on the subject in August 2006, some 150 million rupees (\$1.1 million) had allegedly been paid out to a bogus company set up by Emil Kanthan—the mastermind behind the operation, by now identified by as an LTTE intelligence officer. And in an indication of the overall sums involved in the deal, Rajapaksa's cabinet paper foresaw the eventual release of 800 million rupees (c. \$6m) to the non-existent housing schemes.

In retrospect, circumstantial confirmation of the allegations was provided by the fact that shortly after his election victory, Rajapaksa established a new apex body—the Reconstruction and Development Agency (RDA)—to front his effort to promote an alternative mechanism to the abolished P-TOMS. And the chairman of the new agency was to be – Tiran Alles.

Overall the allegations remain relevant to this day. This year, for example, and as reported in this paper, there have been two attempts to bring the issue of Tiran Alles and Emil Kanthan's involvement in the alleged RADA housing scams – and perhaps more beyond – to court in Sri Lanka.[\[8\]](#) How this story resolves itself remains to be seen. Robert's failure, however, to so much as mention it in the context of his version of the runup to Eelam War IV is incomprehensible.

## **LTTE Calculations**

Concerning the LTTE's rationale for indirectly supporting Rajapaksa in the presidential election, as noted earlier Roberts opts for the view that the Tigers judged themselves to be better off with a 'Sinhala hawk at the helm'. Here it's disconcerting to see Roberts present as apparent fact something that is palpably an interpretation – and a contested one at that. For example, why would the LTTE have viewed Rajapaksa as a hawk if, at least during 2005, to quote Roberts himself, Mahinda 'sought a *modus vivendi* and some form of

cohabitation' [with the Tigers]? Hardly the stuff of hawkish belligerence!

None of which is to say that the [widely-held] interpretation proffered by Roberts is totally without merit. It does, however, need to be revisited in the light of contrary evidence, not least the allegation of an election boycott deal with the LTTE, which taken together with other evidence regarding, for example, Rajapaksa's wider actions and political compulsions, suggests that a more complicated set of motivations were in play here.

### **Mahinda's Peace Policy**

Third, Roberts presents a picture of Rajapaksa as an initially cautious, reasonable man pushed by the inexorable weight of escalating LTTE violence towards the war option. From his own conversations with Lalith Weeraratunga, Rajapaksa's Private Secretary at the time<sup>[9]</sup>, we receive recollection of a memorable Rajapaksa reaction to the devastating LTTE attack on a bus near Anuararadhapura in mid June 2005, whose scene he visited: 'We must finish these people off. There is no point in dealing with them', he is quoted as saying.

It seems almost churlish to point out that by this point, following the failure to achieve a breakthrough in the talks held in Geneva in February 2006, both sides were engaged in what had by June morphed into an escalating series of military skirmishes. The important point here, however, concerns the image presented of Rajapaksa. Specifically, there is clear evidence that in advance of his election as president, Rajapaksa had expressed a far more accommodating attitude towards the LTTE than that suggested by Roberts.

While appreciating Roberts may see this as witness to a hagiographic intent, let me nonetheless quote two key Norwegian players on the subject. First Erik Solheim: in his view, following the presidential election Rajapaksa was

'ready for any option. His priority was not any particular solution to the Sri Lankan crisis, but establishing his own power. In fact during our conversations in January 2006, right after his election victory, he told me that he was ready to hand over the North to Prabhakaran, without elections, in a kind of backroom deal—and with few caveats, except that there would be no separate state.'

'What Mahinda was truly opposed to', Solheim emphasizes, 'was protracted negotiations of the type preferred by the LTTE. Because he knew that would bring down his own all-Sinhala political constellation. And he would also certainly have preferred a dirty backroom deal to any well-organized process leading towards federalism.'

Second Vidar Helgesen, who met Rajapaksa during a trip to Colombo to attend Kadirgamar's funeral in August 2005 Helgesen reports that he enquired about Rajapaksa's views on the peace process, 'should he become President'. 'This is when he told me that he would offer the LTTE a federal solution, and very quickly so', Helgesen recalls. 'He said he wanted to move rapidly and strike a deal with the LTTE within six months, and wanted me to convey that message to Bala[singham] in London. Which I did. In the aftermath', Helgesen concludes, 'it is possible to read that as part of the scheme that many claim was in place, whereby he struck a deal with Prabhakaran to have the LTTE boycott the presidential elections'.

'Vote Rajapaksa for deals – lots of them' might have been an appropriate election slogan then. For it is the pragmatic – some would say wholly unprincipled – willingness to cut deals that comes across most strongly from the Rajapaksa approach to dealing with the LTTE at this stage. And recalling the February 2006 Geneva talks – wholly unmentioned, curiously by Roberts – Solheim states as follows:

### **The Village Chief**

'One of the Sri Lankan negotiators gave the best explanation of Mahinda's style of operation. He is the village chief, he argued, and the chief sits in the middle of the room and everyone comes to him and he agrees to sort out this matter with you, that matter with someone else. There is no overall strategy: he may make a deal with you today that is contrary to the one he makes with me tomorrow. The village will be happy, they will have a great leader. And he will be kind to everyone, do his best for them. And that is how the Geneva delegation was put together.'

For all the obfuscation Roberts does at least offer one interesting snippet of information, culled from his contacts with members of the former Rajapaksa administration, relating to a confidential face-to-face meeting between government minister Jeyaraj Fernandpoule, sent at Rajapaksa's express request, and the LTTE's Tamilselvan, held on or around the time of the mounting July 2006 Mavil Aru crisis. I take this to be yet another example of the tangled web of intrigue woven by Rajapaksa in his efforts to maintain lines of communication to the LTTE – and with the 'official' Norwegian facilitator at times appearing to be treated simply as one among many such channels.

If he is interested in such matters, moreover, Roberts might wish to consult my account of the role played by Irish Sinn Fein Deputy Leader Martin McGuinness both in Rajapaksa's contacts with the Tigers, and at his express request, in setting up a meeting for the Sri Lankan President with UK Prime Minister Tony Blair in September 2006.[\[10\]](#) With all such individual cases, however, the important thing is to discern the pattern – a pattern that is well captured by the Rajapaksa as 'village chief' notion referenced above.

Here the last word on the subject goes to the focus of my supposed 'hagiography' – Erik Solheim: '[Mahinda]', Solheim told me, 'wanted to open up as many avenues of contact as possible in order to give himself the greatest variety of

options: that's why the delegations to the Geneva talks included both pro- and anti-peace people. It also fits with his opposition to a protracted peace process. Giving an opportunity to someone other than the Norwegians is in accordance with everything else we know. Looking for a shortcut would be absolutely logical from his point of view. But while he didn't want a protracted affair, I also think that initially, at least, he had no clear idea of how to pursue the peace process: this developed later'.

And one could also ask: who or what helped him develop that clear idea? Roberts seems to think it was essentially a function of events. But he might also wish to consider the role of specific personalities: starting, perhaps, with Mahinda's brother and Defence Secretary: Gotabaya Rajapaksa.

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[1] See my *To End A Civil War: Norway's Peace Engagement in Sri Lanka* (Hurst, London: 2015), p. 46.

[2] *To End A Civil War*, pp. 96-97.

[4] *To End A Civil War*, pp. 233-238.

[5] According to one report Rajapaksa's words to Alles were simply 'You made it possible'. 'Meet Tiran Alles', *The Nation*, 11 March 2007.

[6] D.B.S. Jeyaraj, 'Did LTTE have secret deal with Mahinda to enforce boycott?', *TamilWeek*, 27 Nov.-3 Dec. 2005.

[7] S. Samarasinghe, 'Payment vouchers to Tiger companies for vote swindle surface', *The Sunday Leader*, 23 Sept. 2007.

[8] See e.g., 'Tiran Alles And Emil Kanthan Faces Charges For Financing LTTE', *Colombo Telegraph*, 14 Aug. 2016.

[\[9\]](#) Weeratunga is one of those alleged to have taken part in secret meetings with LTTE representatives prior to the 2005 presidential elections, to trash out an election boycott deal with the Tigers.

[\[10\]](#) *To End A Civil War*, pp. 269-273.