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Framing disputes and organizational legitimation: UK-based Sri Lankan Tamil diaspora groups' use of the 'genocide' frame since 2009

The ending of the war in Sri Lanka in 2009 led to significant changes in the political strategies pursued by Sri Lankan Tamil diaspora groups in the UK. One contentious feature of these groups' campaigns has been their use of the 'genocide' frame to describe the actions of the Sri Lankan state, which has been predominantly viewed either as signal of these groups' strategic naivety or as a coded expression of a wider nationalist agenda. In this article I argue that its growing use in the post-war period is more complex and is best understood in relation to these organizations' strategies of legitimation. Deploying the genocide frame has served two key functions: to demonstrate groups' responsiveness to popular demands, and to challenge dominant international approaches to post-war Sri Lanka. Together these functions served to bolster groups' legitimacy in an environment characterized by political change and high levels of inter-organizational competition.

Keywords: Sri Lanka, Tamil, diaspora, legitimacy, genocide, framing

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1. Introduction

The emergence of new social movements frequently triggers 'framing disputes' that can involve disagreements about how problems are diagnosed, the proposed solution to these problems, and about which frames are most effective at mobilizing core constituencies (Benford 1993). This study examines a framing dispute concerning use of the 'genocide' frame by UK-based Sri Lankan Tamil diaspora groups in relation to mass killing by the Sri Lankan state. Use of the genocide frame by Tamil activists has often been viewed as a strategically flawed means of prompting a more robust international response to the ongoing crisis in Sri Lanka, or as a coded articulation of a separatist agenda (Oakfield 2013). This article argues instead that activists' use of this frame is best understood by focusing attention on processes of organizational legitimation. The article examines the period after May 2009 when the long-running civil war between the government and the Liberation Tigers of Tamil Eelam (LTTE) ended. This period saw sharp changes in the political dynamics confronting activist diaspora groups. The organisations examined in this paper were afforded unprecedented political space to pursue a range of novel advocacy strategies, and competition between new and

existing groups intensified. The article concentrates largely on the experience of UK-based groups, though it also provides some discussion of the activities of some transnational organizations since many of the dynamics described here involve interactions between transnational and UK-based groups.

When assessed in relation to these groups' international advocacy goals, use of the genocide frame presents something of a paradox since it has undermined credibility with international NGOs and governments, and fed widely-held concerns about the Tamil diaspora's links to the LTTE and a wider separatist agenda. I argue that this apparent paradox can be understood by paying closer attention to three inter-related factors that shaped their strategies in the post-2009 period: (1) a changing political environment characterized by a deterioration in relations between the Government of Sri Lanka (GoSL) and western governments, and driven by the government's failure to implement policies to support reconciliation and accountability, (2) the high levels of competition between Tamil diaspora groups as they sought to adjust to the new political realities of this period and shore up organisational legitimacy; and (3) the need for these groups to balance internal and external legitimacy, responding both to the requirement to influence international policymakers and to perceptions that they were pursuing an agenda that was diverging from the views held by the wider diaspora population.

The article finds that while use of the genocide frame is driven by a complex array of factors, it has increasingly been used firstly to emphasise a rejection of the dominant international framing of conflict in Sri Lanka focused on reconciliation, and secondly to underpin these groups' democratic credentials. As well as emphasising the benefits of combining an analysis of diaspora organizations' strategic framing with a broader consideration of these groups' own struggles for organizational legitimation, the article also draws some wider conclusions about the extent to which diaspora actors are capable of challenging dominant international framings of conflict. While the post-2009 environment has seen a gradual convergence between the objectives of international actors and Tamil diaspora groups in relation to post-war Sri Lanka, diaspora organizations' challenge to the dominant conceptualisation of the conflict has been counter-balanced by widespread attempts to assert their liberal, democratic credentials. These characteristics highlight the paradoxical nature of resistance to the liberal project – while diaspora groups were capable of challenging dominant framings of conflict, this challenge was nevertheless presented in fundamentally liberal terms.

In this article I adopt Brubaker's (2005, 12) view of diasporas as a 'category of practice' 'used to make claims, to articulate projects, to formulate expectations, to mobilize energies, to appeal to loyalties'. I also draw on Sökefeld's (2006, 265) approach of viewing 'the formation of diaspora communities as an instance of mobilization processes', a perspective that can help to counter 'essentialist concepts of diaspora that reify notions of belonging and the "roots" of migrants in places

of origin'. The analysis presented here is therefore concerned with wider questions about how the Tamil diaspora community mobilizes, and the social and political dynamics of this mobilization (Sökefeld 2006). Diaspora organizations can play an important role not only in achieving their own stated objectives but also in maintaining imagined communities. This work may be particularly intense during periods when that unity is threatened (Sökefeld 2006, 279). As this case illustrates, diaspora mobilization is often closely bound up with challenging or contesting dominant narratives and identifications (Sökefeld 2006). This article explores how mobilization in the post-2009 period was closely shaped by the dominant international narrative of post-war Sri Lanka - reconciliation. I approach the diaspora community from the perspective of diaspora organizations engaged in political activity, highlighting the variety of political strategies pursued under the broader banner of Sri Lankan Tamil political activism. In doing so, the article stresses that 'political identities do not spring forth automatically simply because the conditions for their emergence exist ... but ... must be introduced into public discourse by specific people with specific interests' (Kasinitz 1992, 9).

I start from the understanding that social movements are not simply transmitters of ideology but are instead engaged in a complex process of framing reality (Epstein 1998, 415). Frames perform a range of functions for social movements: they can help to diagnose social problems, highlight the urgency and seriousness of particular claims, rally support by helping to 'align' events and experiences into digestible cognitive packages, and outline specific solutions (Benford and Hunt 1993; Benford and Snow 2000). They are not invented by social movements, although these groups may seek to reinterpret or reshape their meaning. For certain social movements 'framing processes are critical to the attainment of desired outcomes' (Benford and Snow 2000, 632). Since genocide is 'a uniquely powerful frame' (Epstein 1998, 416), its use has important political consequences for groups that choose to deploy it.

The article explores the links between frames and strategies of organizational legitimation. Relatively few studies in the social movement literature have directly explored how framing disputes are linked to processes of legitimation, although processes of legitimation have been recognized as forming an important part of the wider process of resource mobilization (McCarthy and Zald 1977). The small number of studies that have examined how social movements manage legitimacy have found that this approach can provide important insights into how social movement leaders make strategic decisions during periods when there are significant shifts in the political opportunity structure (McLaughlin and Khawaja 2000; Gillham and Edwards 2011).

In this paper, legitimacy is understood as the 'generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within a social system' (Suchman 1995, 374-5). Legitimacy is a problematic concept because it can be understood "both [as] a belief held by subjects,

or by some subjects, and a claim made by rulers” (Barker 1990, 59). Claiming legitimacy is often an integral part of organizations’ strategies of legitimation with assertions of legitimacy used to ‘underpin or provide credibility to other legitimacy claims’ (Thrandardottir 2013, 2). This ambiguity surrounding organizations’ strategic use of the notion of legitimacy will be examined in greater detail below. Although frames can play a central role in shaping processes of organizational legitimation and de-legitimation, the way in which framing relates to organizational legitimacy has been underexplored in the existing literature (exceptions include Haunss 2007, Steffek 2009, Walton 2012).

This research is based on thirty semi-structured interviews with key Tamil diaspora activists, analysts and commentators conducted between September 2012 and September 2013. Interviewees were leaders or coordinators involved in determining or challenging the strategic direction of these organizations. I sought to interview key representatives from the most prominent and politically-active groups in the UK, as well as individuals involved in two leading trans-national organizations. Most interviewees were UK-based, although a small number were based in the USA, Canada and Europe. Interview data was supplemented by an on-going analysis of news coverage of these groups’ activities and media statements from key diaspora groups in the UK.

The article will be organized as follows. The next section provides an overview of Sri Lankan Tamil diaspora organizations in the UK, and describes key trends in the sector since 2009. Section 3 sketches some broader theoretical, conceptual, and political problems with the genocide frame. Section 4 analyses diaspora groups’ use of the genocide frame and how it has changed since 2009. Section 5 explores the various functions the term serves for particular groups. Section 6 concludes by drawing out some of the broader implications of the study.

2. Overview of the Sri Lankan Tamil Diaspora in the UK

The total population of Sri Lankan Tamils living outside Sri Lanka is estimated at around one million (Orjuela 2012). The Sri Lankan Tamil community in the UK numbers around 180,000, second largest only to the populations in Canada (estimated at between 200,000 and 300,000) and South India (200,000) (ICG 2010; Orjuela 2012). This paper focuses on organizations that pursued political objectives with the following key aims: mobilizing and uniting diaspora groups and populations both within the UK and globally (particularly within and between Europe and North America); raising awareness about problems facing Sri Lankan Tamils living in Sri Lanka among the British public; engaging with politicians and officials in pursuit of justice and accountability for Sri Lankan Tamils both in the UK and internationally; and supporting litigation against key figures in the Sri Lankan government and military on charges of war crimes, crimes against humanity and genocide. In several cases, these goals were pursued alongside other developmental, cultural and social goals.

This article focuses on several prominent organizations that were established prior to 2009 including the British Tamils Forum (BTF) – a leading advocacy group and umbrella organization established in 2006; and the Tamil Youth Organization (TYO) - an international youth-led organization originally established in the Wanni after 2002 with branches in the UK (established in 2004), Canada and Norway among other countries. It also examines several new transnational organizations with an active presence in the UK. These include the Transnational Government of Tamil Eelam (TGTE) - a ‘government in exile’ for the Tamil diaspora with elected officials in around twenty countries; the Global Tamils Forum (GTF) - an umbrella body of a number of Tamil organizations in different countries; and Tamils Against Genocide (TAG) - an advocacy group engaged primarily in litigation against Sri Lankan officials.

Many politically-active diaspora groups have close links to LTTE networks. Both the BTF and the TYO were originally sanctioned by the LTTE leadership, and the TGTE is headed by the LTTE’s former legal advisor. The effectiveness of the TGTE and other transnational umbrella groups has been undermined by in-fighting between the two main LTTE factions (Amarasingham 2013). These links have raised ongoing suspicions that these groups function as ‘front’ organizations for the LTTE and its networks. Many of the organizations experienced factional disputes during the post-war period. Divisions formed particularly along generational and caste lines. One interviewee described how one UK-based group’s adoption of the genocide frame was clearly linked to a new lower-caste faction gaining control and supporting a more grass-roots orientation for the organisation. This repositioning also involved internal struggles between activists who supported and opposed a closer alignment with pro-LTTE networks.

The final stages of the war in Sri Lanka in 2008 and 2009 saw an upsurge in political activism from Tamil diaspora organizations. Over 100,000 protestors took to the streets of London and Toronto between January and May 2009 calling for international intervention to end the violence (Thurairajah 2009; Pragasam 2012). This period saw large numbers of second- and third-generation activists engaging actively in the Tamil struggle for the first time. The defeat of the LTTE in May 2009 ‘prompted a ‘paradigm shift’ in the ‘mode, content, strategy, and leadership’ of the Tamil diaspora (Vimalarajah and Cheran 2010) and a realignment of the transnational Tamil political field away from the LTTE operating in North East Sri Lanka to new institutions and organizations in the diaspora (Brun and Van Hear 2011). It also led to a fracturing of the LTTE’s international networks. While the LTTE had exerted close top-down control over the diaspora in the past (see Orjuela 2008; ICG 2010), the post-war period saw competition between different factions that played out through rival diaspora organizations (Jeyraj 2010; Amarasingham 2013). The demise of the LTTE also led to a shift in the political positioning of diaspora organizations from a widespread commitment to achieving

independence through armed struggle, towards a broad consensus around the need to assert the right to self-determination through non-violent and democratic means.

The post-war period has seen a growing erosion of democratic governance in Sri Lanka and the government has provided few openings for engagement with opponents on issues of accountability and reconciliation (Goodhand 2013; ICG 2013). Although the demise of the LTTE has provided unprecedented space for diaspora groups to pursue a range of political strategies, there has also been a growing realisation among diaspora groups that political progress would be incremental and that diaspora groups would have to adapt their strategies accordingly (Vimalarajah, Kanapathipillai and Neuweiler 2011, 33). The demise of the LTTE has provided space for diaspora groups to engage in a more sophisticated range of media and advocacy strategies with young activists becoming more active participants in UNHRC sessions. As will be discussed below, this trend has fuelled vigorous debate among UK-based diaspora groups concerning whether they should support or challenge international efforts to build peace in Sri Lanka.

Whilst UK-based Tamil diaspora groups enjoyed new opportunities during this period, they continued to face a credibility challenge that stemmed primarily from the perception that these groups remain linked to LTTE networks and continue to support its violent methods. Some commentators argued that during protests in 2009, activist groups' use of the Eelam flag (which is seen by many as synonymous with the LTTE), 'delegitimized the protests in view of the public and elite decision-makers' (Godwin 2012, 175) and acted as a barrier to the engagement of non-Tamils in the protests (Thurairajah 2009). A related criticism is the failure of many diaspora groups to criticise publicly the LTTE or address accusations of its crimes (Rajasingham 2009). International advocacy groups such as the International Crisis Group (ICG 2010, i) have argued that the diaspora's continued vocal commitment to independence has 'widened the gap' between them and Tamils living in Sri Lanka. Diaspora activists have struggled to reconcile on the one hand the diaspora's continued commitment to independence or self-determination, and on the other the continued resonance of a securitized understanding of the Tamil separatist struggle in the Western world, where a separatist stance is still implicitly viewed as indicating support for violent tactics.

Since 2009, there have been signs of a shift in the way in which the competing frames of genocide and reconciliation are perceived and utilised by international actors. The failure of the Sri Lankan government to implement accountability mechanisms and political reform, together with a growing acceptance that a process of state-backed demographic change or 'Sinhalisation' is underway (see ICG 2012; CPA 2013), has led to a growing acknowledgement among some western policymakers that an approach that privileges reconciliation may have to be adapted. This more robust stance is illustrated by western government's support for a UN Human Rights Council resolution backing an

international investigation into human rights violations passed in 2014. Charges of genocide have also been more readily used by politicians in South Asia: both the Indian government and the Tamil National Alliance (TNA) Chief Minister of the Northern Province used the term in 2013, having previously avoided doing so (see Tamil Guardian 2013; Jayatilleka 2013).

The political vacuum created after the demise of the LTTE in Sri Lanka led to the formation of a variety of new organizations, and led many established organizations to pursue new political strategies. This was an emerging field of actors, and new organizations had to work quickly to generate legitimacy among diaspora communities, other diaspora organizations, key international actors, and in some cases with the wider UK population. These strategies for generating internal and external legitimacy often overlapped, but at times were also in tension with each other. Furthermore, the political opportunities presented by changes in the internal political dynamics of the Tamil diaspora and wider shifts in relations between western governments and the Sri Lankan government were difficult for these organizations to interpret.

Diaspora organizations adopted a number of strategies to address the credibility challenge. The formation of umbrella bodies such as the TGTE and the GTF served to present a strong and unified voice and helped to facilitate engagement with international institutions. While these groups have had some successes in aligning the policy positions of Tamil diaspora groups in the UK and internationally (e.g. the Joint Remembrance Message released in May 2012), they have also experienced internal tensions. The GTF, for example, lost the support of some of its members because it was seen as increasingly unrepresentative and undemocratic.

Another approach designed to address the credibility challenge has been to demonstrate a commitment to non-violence and democracy. The BTF, for example, introduced a rule that new members had to denounce armed struggle, while the TGTE's founding constitution states a commitment towards a 'democratic system of government' and the principles of 'peace, non-violence and tolerance' (see TGTE 2010). Amarasingham (2013, 29) argues that democratic accountability has become an established feature of transnational organizations and that these groups' legitimacy among the community was increasingly contingent upon adhering to rational-legal principles.

While these strategies to boost credibility were largely effective in building trust both with the diaspora population and with international governments and NGOs, other aspects of these groups' advocacy work created tensions between these groups' key audiences. As will be explored below, during the early years of the post-war period several groups avoided using the genocide frame and instead adopted approaches to post-war Sri Lanka that emphasised the pursuit of accountability for alleged war crimes and crimes against humanity committed by the Sri Lankan state. These approaches

were increasingly criticised by some activists in the years following the end of the war on the grounds that they were pandering to the international narrative of reconciliation and were failing to prompt substantive policy changes either among the international community or the Sri Lankan state.

3. The genocide debate: conceptual and political challenges

The genocide frame presents specific conceptual and political challenges for advocacy groups. The frame embodies several conflicting imperatives – moral, legal, and social. Different actors use the term in different ways –to draw attention to evil-doing, in a strictly juridical sense, or to describe a particular subcategory of mass killing. Straus (2001, 359) has concluded that these multiple attributes have made genocide an ‘attractive concept’, but have ‘also made for a conceptual muddle’.

The most widely used definition of the term is enshrined in Article 2 of the UN Convention on Genocide (UN 1948), which defines it as: ‘any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group’. Straus (2001) notes that there is ambiguity attached to the three core elements of this definition – the mode of killing, the object of killing, and the subject of killing. This ambiguity has led many genocide scholars to fundamentally question the term’s usefulness as an analytical category (Boghossian 2010).

One important discrepancy in different actors’ use of the concept is between what have been described as liberal and post-liberal understandings of the term. A liberal understanding conceives of genocide as ‘the intended action of a coherent agent’ (typically an authoritarian state) (Powell 2009). ‘Post-liberals’ view genocide as ‘a structural process that does not require any intending agent’, and as such can happen almost accidentally or without coordinated action (Powell 2009). This discrepancy is important in relation to the Sri Lankan case where the term is applied in two distinct ways that are often conflated - in relation to events at end of the war in 2009 and with reference to the broader post-colonial experience of the Tamil community. As will be explored in greater detail below, while these conceptual ambiguities can be problematic, they may present groups with opportunities to highlight or downplay particular elements of the term in response to changing political circumstances.

Recent years have seen a growth in international advocacy surrounding genocide and mass killing. US-based advocacy groups such as Genocide Watch (founded in 1999) and the Save Darfur Coalition

(2004) played an important role in drawing attention to issues of mass killing in Darfur. These groups call for a robust international response to ongoing atrocities, often calling for US-led military intervention to prevent genocide. These campaigns have been widely criticised for simplifying and misrepresenting the conflict in Darfur, for ignoring other comparable cases of mass killing in Africa, and for proposing inappropriate actions to address the conflict (De Waal 2007; Mamdani 2009). Some critics argue that this type of advocacy can devalue genocide's usefulness as an analytical tool and undermine its 'special moral force' (De Waal 2013). While we might question whether these arguments apply directly to the Sri Lankan case, they nevertheless form part of the wider political context within which these diaspora groups operated.

4. Sri Lankan Tamil diaspora groups' use of the 'genocide' frame

The genocide frame has been widely used by Tamil activists both before and after the end of the war. Thurairajah (2009) conducted interviews with protestors in Canada in 2009 and found that this frame was widely subscribed to among participants of all ages and served as an effective mobilization tool. The term has been used in two distinct ways. First, in reference to the events that occurred in Mullivaikal in May 2009 during final stages of the war, when thousands of civilians are alleged to have been massacred by Sri Lankan armed forces (e.g. see the TGTE Freedom Charter (TGTE 2013)). Second, in relation to a long-running 'structural genocide' of Tamils in Sri Lanka, characterised not only by killings, but also by 'widespread and prolonged displacement and destruction of the community's physical and cultural base' (TAG no date, no page number). While these two meanings are often explicitly linked in official statements, emphasis is more commonly placed on the 'Mullivaikal genocide'. While this article focuses on these groups' use of the term 'genocide' in English, several groups used a corresponding Tamil term 'inappatukolai' (literally 'race murder'), which has been used by Tamil political groups since the 1980s and was used heavily by the LTTE after the resumption of war in 2006.

In the years immediately following the end of the war, some organizations made a conscious decision to limit their use of the term for strategic reasons. GTF, for example, has not used the term frequently based on the calculation that to do so might undermine their access at the UN. Some lobbying groups received support from international advocacy consultants who suggested that they avoid use of the genocide frame and encouraged them instead to campaign within the human rights and war crimes discourse. In November 2012, there was considerable internal debate among diaspora groups about whether or not the term should be included in a Resolution resulting from the World Tamil Conference in London. It was eventually included, despite fears that this would undermine wider support for the resolution in India.

Interviews and analysis of press statements reveals a growing consensus around use of the term in the post-2009 period, which became noticeable from around 2011. Several interviewees argued that a growing body of popular and official pieces of evidence that supported the case for genocide (such as the UN Panel of Experts report published in 2011 [UN 2011] or the *No Fire Zone* documentary broadcast on Channel 4 in 2013) had contributed to this shift in mainstream opinion both in the UK and internationally. Most interviewees argued that these bodies of evidence about the state's actions during the war, together with evidence of a wider ongoing process of state-sponsored demographic change in Sri Lanka (see, e.g., ICG 2012; CPA 2013) have led to a growing congruence between the analysis of diaspora groups and international policymakers, although most western governments remain resistant to using the genocide frame in public. The term has continued to be resisted by human rights organizations who argued that it could be used 'as a rhetorical flourish', and that it is easier to gather legal evidence to prove a case for war crimes (Tamil Guardian 2012).

The BTF was another group that largely avoided using the term 'genocide' in press releases until 2012 when it began to use the term frequently. This shift was explained by interviewees in a variety of ways. BTF itself justified it as a response to the emerging weight of evidence in favour of this view (especially the publication of the UN Panel of Experts report in March 2011 (UN 2011)). Other activists who were supportive of this shift argued that they had begun to use this term as a means of sustaining support from the community and that their avoidance of this term was leading to a draining away of these groups' legitimacy with the diaspora. Other community representatives who were not so closely engaged in political activism and were more cautious about its use, challenged this view on the grounds that these groups did not have a large degree of popular support in the first place. In this case, use of the genocide frame was related to the organisation's efforts to shift its identity from a top-down advocacy organisation towards a more broad-based organisation with deeper links to the diaspora population. Other aspects of this shift included greater efforts to recruit members, and introducing more formal organisational procedures for electing officials and consulting with members. These shifts were pushed through by a new group of activists joining after 2009, who were keen for the organization to adopt a more grass-roots approach. The differences of interpretation about why the genocide frame was adopted also illustrate how narratives of legitimation are often highly contested and can themselves serve as legitimacy claims.

As well as being a useful indicator of broader shifts in the political environment, use of the term 'genocide' has been a key fault line in the political position of diaspora groups. The significance of using the term 'genocide' as an outward marker of a group's political stance, allegiances and functions is demonstrated by the considerable degree of policing that goes on surrounding its use by different groups. A number of interviewees discussed how organizations' use of the term was heavily policed by other activists, often provoking instant criticism on social media platforms such as Twitter.

Even organizations that used the term regularly were criticised for not using the word frequently enough in certain media statements.

5. Functions

It is important to stress that although this article explores the functions of diaspora groups' use of the genocide frame, it does not argue that these frames were deployed purely on the basis of strategic calculations instrumental purposes. The reality is more complex - the adoption of these frames is informed by the interplay of various influences including personal and collective experiences and testimonies (George 2011; Jones 2013), intentional strategic behaviour, and decisions that unintentionally generate functional outcomes.

Deploying the genocide frame performs a range of organizational and political functions for the groups that use it. First, the term functions as a fitting expression of the devastating and traumatic experiences of killings, discrimination, torture, and displacement that had affected the Sri Lankan Tamil community both historically and more recently during the final stages of war. As recent ethnographic research with Sri Lankan Tamils in the UK has illustrated, tales of historic and contemporary suffering are 'recurring features of the narratives of Sri Lankan Tamils' (Jones 2013, 6). Invoking genocide in this sense provides, as one interviewee describes it, 'an expression of the worst thing imaginable'. As well as providing a means for articulating discussing complex systematic patterns, the term also has deep historical resonances and in moral terms has become 'synonymous with the apex of human evil' (Straus 2001, 359). As such the term can help to align advocacy organizations' public statements with popular understandings of historic and contemporary violence in Sri Lanka.

Second, genocide can also be distinguished from other related terms such as mass killing in terms of the actions that it entails. The term is 'inflammatory, more reproachful, and entails at least a moral (if not legal) obligation to stop such acts' (Heinze 2007). This view has been reinforced in recent years by the high-profile activities of campaign groups such as the Save Darfur Coalition. In 2009 particularly, Tamil activists used the term to 'raise the alarm' and in the hope that invoking genocide would spur international intervention. Today most activists are aware of the limited value of deploying genocide as a tool for mobilizing international action. In the current context the term largely seeks to direct international actors towards acceptance that since contemporary violence is part of a wider historical pattern of systematic discrimination, approaches that rely on a reconciliation process led by the Sri Lankan state are likely to fail.

Third, the charge of genocide serves to de-legitimise the post-colonial Sri Lankan state, and in doing so “legitimises” in a perverse way, both the basis of the struggle waged by the LTTE, as well as its use of extreme violence in the pursuit of self-determination’ (Pragasam 2012, 153). If the Sri Lankan state’s actions towards the Tamil minority are viewed as part of a deeply-rooted genocidal pattern, resolving conflict via political means can appear futile. This aspect of the genocide frame meant that its use by UK-based Tamil diaspora groups was often perceived as indicating implicit support for a broader nationalist agenda.

Fourth, some interviewees depicted using the term genocide as a means by which certain groups were able to shore up their internal legitimacy. One interviewee, for example, stated that using the national flag and deploying the term ‘genocide’ in public statements would garner more support from the diaspora population and could be strategically employed when groups were losing public support. While some interviewees questioned whether generating popular support was genuinely a key objective of these groups, others argued that it was important for these groups to build support with the public to insure themselves against future splits and tensions, and to bolster their financial position. For some groups, these demands for popular legitimacy were driven largely by the fact that these groups were trying to reposition themselves as a grass-roots, rather than specialist advocacy organizations.

Fifth, particularly since 2011, there has been a backlash against certain activists for utilising the dominant international framings of post-war Sri Lanka. The term ‘genocide’ has been used as an explicit rejection of the cosmopolitan discourse of international actors – a means of demonstrating groups’ independence and defiance at the stance of international organizations and actors. As Nadarajah and Sentas (2012, 75) have argued, while ‘Tamil demands for accountability, overlap with those of the international community – but the two projects have very different contents and rationalities...For the international community the victims are primarily human beings, or...citizens of Sri Lanka. However, for the Tamils, the victims are first and foremost members of the Tamil nation’. These two rationalities imply different solutions – reconciliation for the international community and self-determination for the Tamil diaspora. This rejection of the international discourse of reconciliation has been most clearly expressed by youth activists associated with the TYO, in the ‘Tamil Sovereignty Cognition’ declaration, released in November 2011. This document stated that the signatories ‘declare that it is time for the international players to drop pretensions of “domestic” solutions and vigorously engage in a transparent international mechanism to approach the Sri Lanka-Tamil Eelam conflict as a question between nations’ (TamilNet 2011). Of all the groups examined here, the TYO appear to have been most critical of other groups for failing to use the genocide frame in public statements. Few other activists expressed these sentiments publicly, but similar dynamics were described by many of the activists from other organizations interviewed for this research.

Sixth, bringing together points four and five, because use of the term genocide directly challenges prevailing discourses of the international community, its use has become a powerful legitimising tool for a variety of activist groups, helping to articulate these groups' deep-seated ideological commitment and opposition to international efforts to resolve the conflict in Sri Lanka via reconciliation. Several interviewees argued that using the term genocide in public statements helped them to demonstrate a more critical stance towards international approaches. This view was epitomised by a TYO youth activist who argued during an event held in London in 2013:

'it is vital that our tactical approach is not one of submissive engagement but one of critical engagement where ... we don't go out there and say "it's not genocide because they may not be happy with that", we don't say it's war crimes and crimes against humanity because that's what they want us to say, we say it as it is, we call a spade a spade, we say it's genocide and our only solution is Tamil Eelam' (TamilNet 2013).

This argument is often linked to a wider effort to assert group legitimacy by highlighting organizational accountability and democracy. In a policy document that resulted from the same event it is stated:

'Our job is not to tell our people what the politicians think, our job is to take the mandate of the people to the politicians to put it in the simplest of ways...activists have a responsibility to uphold that mandate' (TamilNet 2013).

Use of the term 'genocide' therefore was strategically deployed as a means of indicating that certain diaspora groups were not simply following the lead set by international actors, but rather were following the wishes of their supporters. As such, the term is used to underline the democratic and accountable qualities of these groups. As noted in the case of the BTF discussed above, some interviewees questioned whether policy was actually being formulated in this way – suggesting that these accounts of organizational legitimation may be aspirational, rather than reflecting the real dynamics of these processes.

These assertions are also linked to the environment of internal competition and formed part of a broader critique of organizations that were seen to have betrayed the cause by engaging with the international community, often in an underhand way. The identification of 'antagonists' can be particularly important in recruiting members and identifying collective grievances (Hunt, Benford and Snow 1994). Several activists interviewed discussed how they were criticised for deliberately favouring the language of war crimes, or for not using the term frequently enough. TYO activists

again epitomised the criticisms made of these organizations, stating that there was a danger that organizations that failed to speak consistently to internal and external audiences could be seen as deceptive (TamilNet 2013). As well as underpinning efforts to emphasise democratic accountability and to challenge international discourses, use of the genocide frame helped these activists to differentiate their own strategies from those of their rivals, and to discredit these alternative approaches.

6. Conclusion

Activists' use of the 'genocide' frame has been dismissed as being strategically naïve, or as a manoeuvre to divert attention from the crimes of the LTTE. This article has argued that its use is more complex. The frame's deployment also relates to efforts to reject or challenge the dominant international framing of post-war Sri Lanka, and has formed an important part of the 'credentialising process' whereby new and established groups efforts to legitimise themselves in the highly competitive organizational environment that characterised the post-war period (Benford and Snow 2000). In particular, the 'genocide' frame has been increasingly deployed to assert groups' democratic credentials and to challenge and reject the political approaches of other organizations. Growing use of the genocide frame must also be understood as a response to the growing frustration among some activists at the lack of progress achieved by early advocacy efforts that emphasised war crimes and crimes against humanity, and the growing availability of public evidence to support this case.

As such, the article has demonstrated how a detailed analysis of competitive processes of legitimation can help to elucidate framing disputes. This analysis suggests that while the strategic behaviour that shapes the adoption or avoidance of certain frames is related to diaspora groups' performance goals such as their capacity to influence inter-governmental organizations, this behaviour is also shaped by processes of organizational legitimation. These processes of legitimation involve complex negotiations with a range of actors including other diaspora organizations, supporters, and international bodies. The analysis highlights a clear tension between these groups' efforts to build internal legitimacy (garnering support among the diaspora population, and respect and recognition from other organizations), and their quest for external legitimacy (the extent to which they were deemed legitimate by western governments, or by international human rights organizations).

The article also has some wider implications for understanding variations in activists' use of the 'genocide' frame. Epstein's (1998) study of AIDS activists' use of the genocide frame in the 1980s and 90s found that when a subset of activists began to engage with the alleged 'perpetrators of genocide', and as AIDS activists' goals shifted from raising public awareness to transforming

biomedical research, the frame ceased to be useful. In the case examined here, the shift has been in the other direction: while some groups initially avoided this framing in order to promote engagement with international actors, over time the demands of building their constituencies and popular accountability took precedence. This underlines the point that diaspora organizations are not simply lobbyists - they also seek to represent the broader interests and concerns of the diaspora population. For some groups, the gradual adoption of the genocide frame reflected a shift in their organizational character – from lobbying group to a more representative body – and constituted an attempt to ‘proffer, buttress and embellish’ an identity as a democratic and accountable organization (Hunt, Benford and Snow 1994, 185).

Finally, the article generates some wider implications about international framing of post-war Sri Lanka. Dominant international framing of conflict – which largely conform to the liberal peacebuilding model – have been depicted as acting like a ‘commercial monopoly...reducing the opportunity for alternative or indigenous alternatives’ (Mac Ginty 2007, 458). As has been described in this article, diaspora groups have often struggled to challenge or confront these dominant framings of conflict – those that have have typically been dismissed as ‘extremists’ or ‘pro-LTTE’, and have had their activities closely regulated and monitored by western security agencies. Since the end of the war in 2009, the Sri Lankan state has distanced itself from the liberal peacebuilding approach and rejected the need for establishing robust accountability mechanisms to support a broader process of reconciliation. These developments have led to a growing convergence between the objectives of international actors and diaspora groups, prompting a shift in the political opportunity structure surrounding diaspora advocacy organizations. While western governments and human rights organizations have continued to avoid using the term genocide, some of the core assumptions that underpin the wider genocide frame are increasingly accepted by international actors (see ICG 2012).

As Laffey and Nadarajah (2012, 415) have argued, to a large degree these shifting conditions in the post-war period have highlighted the ‘dependence of the possibilities for diaspora agency on the relations between host and home states’. The growing acceptance of a ‘genocide’ framing of conflict in Sri Lanka has been driven primarily by these broader political relations. While this new environment has facilitated increased space and scope for diaspora groups to challenge dominant liberal framings of conflict, these groups’ political advocacy practices are still ‘fretfully self-regulated to avoid...being dismissed as “extremists”, “ethno-nationalists” or “separatists”’ (Laffey and Nadarajah 2012, 415). As has been shown in this article, use of the ‘genocide’ frame has been carefully balanced by widespread attempts to assert the liberal credentials through displays of internal democratic accountability. While diaspora groups possessed agency to confront and challenge dominant peacebuilding agendas, these confrontations remain closely shaped by the wider norms and practices of liberal governance.

References

Amarasingham, A. 2013. "A History of Tamil Diaspora Politics in Canada: Organisational Dynamics and Negotiated Order, 1978-2013.", ICES Research Paper 11. Colombo: International Centre for Ethnic Studies.

Benford, R. and S. Hunt. 1993. "Dramaturgy and Social Movements: the Social Construction and Communication of Power." *Sociological Inquiry* 62: 36-55.

Benford, R. and Snow, D. 2000. "Framing Processes and Social Movements." *Annual Review of Sociology* 26: 611-39.

Boghossian, P. 2010 "The concept of genocide." *Journal of Genocide Research* 12 (1-2): 69-80.

Brubaker, R. 2005 "The "diaspora" diaspora." *Ethnic and Racial Studies* 28 (1): 1-19.

Centre for Policy Alternatives (CPA) 2013. "Politics, Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka." Colombo: Centre for Policy Alternatives.

De Waal, A. 2007. "Reflections on the Difficulties of Defining Darfur's Crisis as Genocide." *Harvard Human Rights Journal* 20: 25-33.

De Waal, A. 2013. "Playing the genocide card", *New York Times*, 18th December.

George, G. 2011. "Suffering and Celebration: Older Tamils in a Multicultural Toronto". In *World without Walls: Being Human, Being Tamil*, edited by R. Cheran, D. Singh, C. Kanaganayakam and S. Durayappah. Toronto: TSAR

Gillham, P. and B. Edwards. 2011. "Legitimacy Management, Preservation of Exchange Relationships, and the Dissolution of the Mobilization for Global Justice Coalition." *Social Problems* 58 (3): 433-460.

Goodhand, J. 2013. "Sri Lanka in 2012: Securing the State, Enforcing the 'Peace'." *Asian Survey* 53 (1): 64-72.

Haunss, S. 2007. "Challenging Legitimacy: Repertoires of Contention, Political Claims Making, and Collective Action Frames." Chap. 8 in *Legitimacy in an Age of Global Politics*, edited by A. Hurrelmann, 156-172. Basingstoke: Palgrave Macmillan.

Heinze, E. 2007. "The Rhetoric of Genocide in U.S. Foreign Policy: Rwanda and Darfur Compared." *Political Science Quarterly* 122 (3): 359-383.

Hunt, S., R. Benford, and D. Snow. 1994. "Identity Fields: Framing Processes and the Social Construction of Movement Identities." Chap. 8 in *New Social Movements: From Ideology to Identity*, edited by E Larana, H. Johnston, and J. Gusfield, 185-208. Philadelphia: Temple University Press.

International Crisis Group (ICG). 2010. "The Sri Lankan Tamil Diaspora after the LTTE." Asia Report No 186. Brussels: ICG.

International Crisis Group (ICG). 2012. "Sri Lanka's North I: The Denial of Minority Rights." Asia Report 219. Brussels: ICG.

International Crisis Group (ICG). 2013. "Sri Lanka's Authoritarian Turn: The Need for International Action" Asia Report No. 243. Brussels: ICG.

Jayatileka, D. 2013. "Chief Minister Wigneswaran alleges genocide, calls for plebiscite." *Groundviews*, 15th December. <http://groundviews.org/2013/12/15/chief-minister-wigneswaran-alleges-genocide-calls-for-plebiscite/>.

Jones, D. 2013 "Diaspora identification and long-distance nationalism among Tamil migrants of diverse state origins in the UK." *Ethnic and Racial Studies*, Published online: 07 Oct 2013. Doi 10.1080/01419870.2013.835852

Kasinitz, P. 1992. *Caribbean New York: Black Immigrants and the Politics of Race*, Ithaca, NY: Cornell University Press.

Laffey, M. and S. Nadarajah. 2012. "The hybridity of liberal peace: States, diasporas and insecurity." *Security Dialogue* 43 (5): 403-420.

Mac Ginty, R. 2007. "Reconstructing post-war Lebanon: A challenge to the liberal peace?" *Conflict, Security and development* 7 (3): 457-482.

- Mamdani, M. 2009. *Saviors and Survivors: Darfur, Politics, and the War on Terror*, New York: Doubleday.
- McCarthy, J. and M. Zald. 1977. "Resource Mobilization and Social Movements: A Partial Theory." *The American Journal of Sociology* 82 (6): 1212-1241.
- McLaughlin, P. and M. Khawaja. 2000. "The Organizational Dynamics of the U.S . Environmental Movement: Legitimation, Resource Mobilization, and Political Opportunity." *Rural Sociology* 65 (3): 422-439.
- Nadarajah, S. and V. Sentas. 2013. "The Politics of State Crime and Resistance: Self Determination in Sri Lanka." Chap. 6 in *State Crime and Resistance*, edited by E. Stanley and J. McCulloch, 68-63. Oxford: Routledge.
- Oakfield, S. 2013. "Genocide Replaces Separatism in Tamil Diaspora Vocabulary." Inter Press Service News Agency, 26 October. <http://www.ipsnews.net/2013/10/genocide-replaces-separatism-in-tamil-diaspora-vocabulary/>
- Orjuela, C. 2008. "Distant Warriors, distant peace workers? Multiple diaspora roles in Sri Lanka's violent conflict." *Global Networks* 8 (4): 436-452.
- Powell, C. 2009 "What do genocides kill? A relational conception of genocide." *Journal of Genocide Research* 9 (4): 527-547.
- Pragasam, N. 2012. "'Tigers On The Mind': An Interrogation of Conflict Diasporas and Long Distance Nationalism. A Study of the Sri Lankan Tamil Diaspora in London." PhD diss., London School of Economics and Political Science.
- Rajasingham, N., 2009. "Sri Lanka's silenced dissenters still speak volumes." *The Independent*, 18th May. <http://www.independent.co.uk/voices/commentators/nirmala-rajasingam-sri-lankas-silenced-dissenters-still-speak-volumes-1686773.html>
- Sökefeld, M. 2006. "Mobilizing in transnational space: a social movement approach to the formation of diaspora." *Global Networks* 6 (3): 265-284.

Sri Lanka Guardian. 2012. "TNA MPs Join Call For International Investigation Into 'Genocide'." *Sri Lanka Guardian*, November 13th. <http://www.srilankaguardian.org/2012/11/tna-mps-join-call-for-international.html>

Straus, S. 2001. "Contested meanings and conflicting imperatives: a conceptual analysis of Genocide." *Journal of Genocide Research* 3 (3): 349-375.

Steffek, J. 2009. "Discursive legitimation in environmental governance." *Forest Policy and Economics* 11 (5-6): 313-318.

Tamil Guardian. 2012. "Amnesty UCLU panel asks – 'Sri Lanka: Genocide?'" *Tamil Guardian*, 20 November. <http://tamilguardian.com/article.asp?articleid=6353>

Tamil Guardian. 2013. "'None can deny that there was genocide' – Chidambaram." *Tamil Guardian*, 1st December. <http://www.tamilguardian.com/article.asp?articleid=9384>

TamilNet. 2011. "Tamil Sovereignty Cognition Declaration a conceptual reference point." *Tamilnet* 28th November. <http://www.tamilnet.com/art.html?catid=79&artid=34656>

TamilNet. 2013. "Diaspora youth release Policy Document to chart course of struggle post-Mu'l'livaaykkaal." *TamilNet*, 14th July. <http://www.tamilnet.com/art.html?catid=79&artid=36475>

TAG (Tamils Against Genocide). No date. "Model Indictment Charging U.S. citizen and Sri Lanka Defence Secretary and U.S. Permanent Resident and Commander of the Sri Lankan Army." TAG website. <http://www.tamilsagainstgenocide.org/ExecutiveSummary.html>

TGTE (Transnational Government of Tamil Eelam). 2010. "Constitution of the Transnational Government of Tamil Eelam." TGTE, September 2010. http://www.tamilnet.com/img/publish/2010/09/TGTE_English_Const..pdf

TGTE. 2013. "Freedom Charter." Tamil Eelam Freedom Charter Website. <http://tamileelamfreedomcharter.org/wp-content/uploads/2013/04/Preamble-and-questionnaire-Eng.-March-2013.pdf>

Thrandardottir, E. 2013. "NGO Legitimacy: Four Models." Working Papers on Transnational Politics, London: City University, London.

UN (United Nations). 1948. "Convention on the Prevention and Punishment of the Crime of Genocide.", Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 1948.

UN (United Nations). 2011. "Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka." New York: United Nations.

Vimalarajah, L. and R. Cheran. 2010. "Empowering Diasporas: The Dynamics of Post-War Transnational Tamil Politics.", Berghof Occasional Paper No. 31. Berlin: Berghof Peace Support. <http://www.berghof-conflictresearch.org/documents/publications/boc31eBPS.pdf>

Vimalarajah, L., V. Kanapathipillai, and S. Neuweiler, 2011, "Engaging Tamil Diaspora for Peace and Development." Berlin: Berghof Peace Support.

Walton, O., 2012, "'Peace building without using the word 'peace': National NGOs' reputational management strategies during a peace-to-war transition in Sri Lanka." *Critical Asian Studies*, 44 (3): 363-390.