

No Longer a “Whore,” Not Yet a “Terrorist,” Never a Citizen

Majoritarian Right and the Rabble

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Would it still make sense to speak of democracy . . . when it would no longer be a political question?

—Jacques Derrida, *The Politics of Friendship*

One ultimately inherits [experiences] only oneself.

—Friedrich Nietzsche, *Thus Spake Zarathustra*

In March 2000, twenty-nine-year-old sex worker Sriyalatha was strip-searched by Ministerial Security Division (MSD) officers who nabbed her “loitering” in the High Security Zone (HSZ) of the capital city of Colombo, Sri Lanka.¹ Sriyalatha had gone to the bustling Union Place to meet a client who never appeared. She decided to take a stroll down Jinathana Road in search of prospective clients, unaware of the new flexibility and nomadic character of urban, militarized zones and cartographies authorized by current “ethnic” insurrectionary violence. The HSZ had been barricaded and carved out to secure the political and transnational capital of secessionist social elites ensconced in neoliberal comfort yet feeling twitchy about Sri Lanka’s protracted ethnic war and frequent suicide bomb attacks. For Sriyalatha, a survivor of the ravages of stigmatized widowhood and motherhood, sex work offered the provisional and precarious means of battling against structural privation and dispossession. Her invasive presence in the HSZ profiled disjunctive configurations of capital accumulation expressed in the local and transnational and in the polarized gendered logics of security and precarity. Upon entering the zone she

was immediately surrounded by soldiers prepared to form an impromptu firing squad but who moved to strip-search her in front of a gathering crowd of the curious. For the military and the crowd her demeanor, indeed her appearance, was a simulacrum of the ethnic other, the *abyssal* Tamil “minority.” The security forces claimed they were “provoked by the woman’s outwardly suspicious movement and her being dressed in a *shalwar khomeez*, a dress worn by female suicide bombers of Tamil Eelam, the separatist guerilla army.”² She was subsequently arrested, taken to a detention center, interrogated and tortured, charged with a minor offense, and surreptitiously released. It was reported that the military “responded swiftly and appropriately” to the conditions of heightened vulnerability and aggression that followed from the military conflict between the state and the Liberation Tigers of Tamil Eelam (LTTE).³

Securitization and the Majoritarian Right

My concern in this essay is with the ending and aftermath of the war against the Tamil separatist LTTE in 2009 and the light these terrorizing nonendings shed on the lesser-known proliferation of acts and ideologies of extrajudicial state violence in the civil society beyond the official battle zone. This inquiry concerns the structural and transacted violence that accompanies the political and cultural precomprehension of majority/minority logics that governed both the war and subsequent deflective ideologies and wish-images of postwar “inclusionism” and “reconciliation.” I interrogate two indexical episodes as coimbricated ideological barometers: (1) the responses of the Sri Lankan security apparatus, media, and feminists to Sriyalatha’s arrest, detention, and torture; (2) ideologies of minoritarian disaffection and disposability advanced by three prominent Sri Lankan public intellectuals at the time of the army’s concluding assault on fleeing Tamils. I delineate the emergence of a *postpublic sphere*, overdetermined by opposition to transnational humanitarian discourse and by increasing tolerance of routinized extrajudicial violence.⁴ This postwar emergency zone cannot be reduced to a linear extension of majoritarian/minoritarian logics that precipitated and sustained the war. I contend that a rupturing politics of unlocatability of both state violence and of its objects drove the deconstitution of the scheduled Tamil minority into a disaffected “rabble” without social composition, civil objectivity or rights.

It is crucial here to understand the discourse and logic of securitization in Sri Lanka and other emergency zones as executing a transcendentalized majoritarian right through finite empirical forms from law to war. Deleuze and Guattari define “the majoritarian right,” standard or measure as a constant and norm independent of relative qualities and quantities.⁵ Rather than being based on positive empirical counts, the majoritarian

right is a predicative apparatus that institutes the measurability of the political and the politics of measure as an underivable foundation.⁶ The Deleuzian concept of the majority has no representative value but rather is instituted alongside the given state of domination as a preconditioning law founding violence. Sovereignty is here schematized as a maximal and indecomposable numericality and a majoritarian precipice beyond which can only be encountered the vertigo of the less-than-One, the less than maximal. The minoritarian is what is anomalously remaindered from a founding magnitude as a disturbance, variance, and derivative surplus of a political field or situation. For Deleuze and Guattari, the majoritarian right as axiomatic precedes its finite and particular subjectification; it does not designate but rather makes and instates. There are only majoritarian objects through which the majoritarian norm becomes representable. Thus religion is not constitutive of the majoritarian right but constituted by it as a political apparatus and public affect in much the same manner that demography is politically constituted to populate the majoritarian right with calculable subjects. In Sri Lanka, under majoritarian right, religion is mathematized and demographically marked geography theologized.⁷

Both major and minor figurations can differentially embody this instituted, a priori norm through the relational grid of compatible and incompatible rights. The majoritarian right institutes a majority/minority fracture as a constitutive antagonism in which the major and the minor unfold as two irreconcilable di-visible figures for envisioning the one entity—the majoritarian nation.⁸ However, the minoritarian is not exhaustively captured by the majoritarian right or by the structure of its “count.” The majoritarian casting of minorities as a deficient variance at the origin of, and throughout the becoming of, the nation-state project provokes an *aporia*: that the minority, made culpable by virtue of its surplus condition, is never entirely containable within the governmental and discursive order of the nation, particularly when it is deployed as the locus where the nation-state seeks to reencounter and comprehend itself. This im-possible minority is inferred when Qadri Ismail identifies a minority-to-come who is “opposed to the placing of significance and value in number as such, one that . . . refuses to know its place.”⁹ Beyond the majoritarian right lies the minoritarian as a differential substance and multiplicity drifting beyond legibility despite citational programs to constrain it to demographic distribution, religious compression, economic descriptors, and electoral counts. I claim that in reactively registering this indiscernible excess at specific historical junctures, the majoritarian right dissolves the once-classifiable minority into a “rabble” subsisting and drifting beyond the nameable multiplicity of subentities schematized by the majority. Following Hegel the “rabble” is theorized as a structuring amputation and as dis-organic in not being a functioning organ of a body politic.¹⁰ From

her submerging arrest and detention Sriyalatha reemerged as an oppositionality from every being-together (*mitsein*) embodying and condensing an *im-possible* minority rendered indiscernible by her opacity and resistance to definitive location. A related indiscernibility reappears a decade later as the complicit intelligentsia of the Sri Lankan war effort strove to humanize ethnocidal war crimes by casting Tamil victims as a historically stagnant, Orientalized, and roboticized rabble. In the aftermath of the war, President Mahinda Rajapaksa, exercising the majoritarian right, decreed a new national minority comprised of those disaffected from the nation, a political condition that bore the signature of an amorphous and disposable Hegelian rabble.

Tracking the transmutation of the minority into the rabble collides with numerous teleological readings of the conflict in Sri Lanka mobilized by the “imperative” of a commensurating and reconciled ethnic pluralism projected as bringing an end to violence and inequity. This remedial framework assumes equivalential ethnic plurality as an underlying historical truth and substructure fatally distorted by majoritarian and statist violence. This preinscribed substructure is *read as disfigured* from an idealized vantage point that both prescribes and anticipates the fulfillment of reasoned ethnic pluralism by appropriate political structures. However the antiteleology embodied by the Hegelian rabble teaches us that such preemplotted readings of ongoing political violence, made from the ethical vantage point of its imperative amelioration, skew in situ analysis and occlude the historical contingency and incalculable subjects of such violence.

Eugenic Enmity

Sri Lanka’s ethnic war began in 1983 in reaction to a series of prior withdrawn and withheld promises to the Tamils by the Sinhalese-dominated state.¹¹ Abrogating postcolonial pluralism was not a contingent event but the exercise of majoritarian right that positioned Tamils as a never fully constituted promissory subject lacking any political arrival. Sinhala Buddhist nationalists espoused a majoritarian politics grounded in a political eugenics—territorialized autochthony plus consanguinity—that united *nomos* and *physis*, law and race, while instituting the radical incompatibility of the national *ethnos* with a *demos* considered surplus to the majoritarian right.¹² (“Race” had been in use as a formal designation of majority/minority formations as recently as the 1970s.) The Sinhala state secured the racialized-ethnicized ground through populist mobilization: the settlement of Sinhalese in predominantly Tamil areas; the declaration of Sinhala as the official language and denying official status to Tamil; restricting Tamil entrants to university; and assaulting Tamils who staged

Satyagraha, nonviolent civil disobedience against discrimination. The validating location of Sinhala Buddhist sovereignty was symbolically remapped onto the Tamil-dominated northeast, and the region's drive for autonomy viewed as decapitating the state.

With autonomy rejected and the former federalists radicalized into eugenic nationalists, Tamil activists opted for a separate state through armed struggle. Internecine warfare raged as different militant factions sought hegemony in fratricide from which the LTTE emerged victorious. In the 1983 Black July pogrom, Sinhalese mobs aligned with the ethnic state rampaged, killing and burning Tamils and their property and precipitating an exodus of refugees. The Sri Lankan army institutionalized a labyrinthine carceral complex; the intelligence camp at the Chemmani checkpoint in Jaffna was the most brutal site where atrocities were committed with full impunity.¹³ At checkpoints women were visibly arrested and subsequently disappeared, while many young men were invisibly abducted and disappeared. The LTTE counter-campaigned with terror attacks against civilians in southern Sri Lanka and assassinated Tamil activists and public intellectuals perceived as threatening their hegemony. They possessed ground, naval, and air forces that included child soldiers and female suicide bombers and ran prisons in which traitors/collaborators and defectors from the movement were tortured and executed.¹⁴ By the mid to late 1990s the Sri Lankan state, governing through emergency laws, had partitioned the country into “danger zones,” “cleared/uncleared areas,” and “military or government controlled versus LTTE controlled.” Underwriting these demarcations were *civilizational* tropologies of sovereignty, fraternity, and propriety: son of the soil/alien invader, friend/enemy, purity/impurity, respectable/degenerate, bourgeois wife/whore, and good/evil—many of which gravitated to Sriyalatha's assault.

Hidden before the Law

My inquiry into the detention and disappearance of Tamil women began while working for the Center for Women's Research (CENWOR) and later with the protest group Women for Peace (WFP). Detention cells were not politically citable. The secrecy did not concern the existence of detainees, which was public knowledge, but the locations of the cells in which they were held. Through local subjugated knowledge I discovered a detention center hidden inside Colombo's main prison for common criminals and another in a Buddhist temple. The camouflage was in part necessitated by standing legal obligations incumbent upon administrators to provide humanitarian access. This requirement was skirted by disappearing the detention centers along with their human cargo.

In this gulag “high-valued” detained female “Tamil suspects” were kept incommunicado away from public scrutiny.¹⁵ Kala, fifteen years old, the youngest “terror suspect” I met, was arrested by the army at a bus stand. Meena, the oldest, a grandmother aged sixty-three, was taken to be an LTTE conduit. All of them had experienced physical and sexual violence at the hands of security or police personnel. Prison torture included the insertion of bottles and other objects into the vagina and anus, position abuse, being forced to urinate and defecate in buckets that were infrequently removed from cells. Cut off from all support structures and medical aid, they remained locked up in cubicles round the clock, without sanitation, under suffocating heat. Their food was inedible rice porridge excessively salted to induce tormenting thirst in that heat. Women’s requests for medical treatment for interrogation injuries and complaints concerning deteriorating health conditions were dismissed. The cells were without any light or window, and every night women retreated into darkness and stench that intensified both their vulnerability and abjection. Their incarceration seemed indefinite, and many women entertained anxiety about returning to their villages for fear of “reprisal attacks.” Prolonged absence from home was locally interpreted as time spent in a militant camp or indicative of an informer. To be thus incriminated was a pronouncement of death.

Sriyalatha’s strip search can be read as an extension of these detention practices and abuses. More than the bare facts of racialized and gendered policing, Sriyalatha’s arrest and stripping revealed the fragile social imaginaries that drove the prison-counterinsurgency complex. She recalled that moment: “With guns pointed at me from a distance, they ordered me to raise my blouse. Similarly they asked me to take off my undergarments. They simply stared at me while I stood semi-naked on the street.”¹⁶ Panic-stricken security personnel frantically hurried to inform their officers by radio. The army high command and the air force were alerted to avert a grave national security threat by launching a preemptive strike against the alleged suicide bomber. Though Sriyalatha was not an armed fighter, or even a Tamil, an extraordinary military mobilization was readied to deter her deadly suicide attack in a spectacle of excess and expenditure for its own sake.¹⁷ Contrary to security procedures, Sriyalatha failed to flag her National Identification Card (NIC). Beyond this, her “faltering” Sinhala idiom and dark skin held associations with the racially cast minority. Eugenic securitization imputed that all Tamil female suicide bombers were dark and wore the Indian *shalwar khameez*. Lack of NIC and language confirmed racial suspicion among the spectators who thronged the arrest scene relishing the gratuitous spectacle of sexual humiliation, utterly oblivious to the trepidation displayed by those searching for the bomb.¹⁸ The conjuncture of a contaminating yet exposed sexualized body and

politically sterilized space triggered an overdetermined politics of location and intersectional minoritization on the part of the state, the voyeuristic crowd (including Buddhist monks), and later the media. Yet, rather than expose “terrorism,” this encounter disconcerted the culturally disavowed survival sex practiced among Colombo’s impoverished, which did nothing to sustain the dominant security narrative. The assault thus effectively invoked both the *raced* body of the Tamil woman and the *classed* body of the Sinhala woman, propelling Sriyalatha beyond a binary politics of majoritarian location. The minoritarian condition emerges in this arrest as irreducibly multiple, a self-deepening nothingness, as decitizenized, and as a presence that cannot be absorbed by the majoritarian present. The minorities that Sriyalatha both embodied and disembodied instigated the self-encounter of the majoritarian right with its last instance and penultimate reach.

When the soldiers initially threatened to shoot Sriyalatha, she screamed as loud as she could: “Don’t shoot me, I have a child!” (*mata veditiyanna epa, mata lamayek innawa*). She opened up a classificatory abyss, however fleetingly, to make claims about her social worth and irreplaceability. The language of her protest recycled the grammar of majoritarian right, mobilizing the maternal and the familial to deobjectify herself as both terrorist and whore—her public presence without a male escort signified unlimited sexuality or unlimited violence. Though she strove to minimize her disposability and her distance from national fraternity, Sriyalatha’s bodily and spatial culpability had opened the fissure between the state and minorities known and unknown, present and still to come.

Thrown into a military jeep and whisked away to the aptly named Slave Island police station, Sriyalatha was incarcerated, beaten, and interrogated for days. She later recounted how she was repeatedly physically assaulted for her “inadequate,” “unconvincing” responses to queries of the police that sealed her unlocatability and im-possibility. In their deposition the police informed the courts that Sriyalatha was arrested for *failure* to identify herself properly.¹⁹ Her “improper” identification was an overarching existence in dislocation that evaded the precomprehended collectivities of majority and minority entrenched by the addicting dualist metaphysics of the war. Her crime was her disidentity and political *im*-propriety—no longer a simple whore, not yet a terrorist, and inadmissible as a single mother and de facto war widow. Her public strip search, arrest, illegal detention, and the bruises on the exposed surfaces of the body that I witnessed archived the failed attempts by the state to render her mappable and legible but only culpable. This was a state that had repeatedly been rendered vulnerable by ungraspable LTTE female suicide bombers, whose bodies all but evaporated with their auto-immunizing self-incineration. Sriyalatha’s detained body represented the trace of an untriggered, gen-

dered weapon, always explosive but yet to be detonated and was thus a required object of both spectacle and inspection. Her detention was also the imprisonment and petrification of suicidal potentiality and potency as extracted and virtualized from the enframed body of an apotropaic specimen.

Atologies of Terror

Sriyalatha came from the remote farming village of Thelambiyawa. Bearing a soldier's child but without a marriage certificate, she could not claim his wages while he was living or benefits after his battlefield death. As a single mother she was consigned to the field of "unregulated" sexuality, which inscribes Sinhalese women into the rigid binary of wife/whore. Without a marriage certificate and widow's benefits, she was forced into sex work to support her son. De facto widowhood without sanctifying state subsidy carried social stigma; women of this status were seen as "unworthy" and "inauspicious." Yet within the gendered hierarchy, widows of military commanders from the upper class and bourgeoisie were valorized and subsidized by the state in recognition of their husbands' sacrifice. Such privileges were beyond Sriyalatha—no *sacrificial* significance or legality and no political capital could be made out of her or her child's survival. Sriyalatha warred against herself in subduing her temptation to keep the child despite the compelling reality of economic hopelessness, and she sent him off to an orphanage: "I struggled to feed my ten-year-old son. Finally, I made up my mind to hand him over to a childcare center." She continued, "For more than a year, I stayed at a probation center where I met others who were in a similar plight."²⁰ During this period Sriyalatha lost her identity card and had no birth certificate to obtain a new card—she survived as an anonymous *bios xenikos*. Her condition spoke of the constitutive "tension" between the structured social body, where each part has its place, and the *part of no part*, identified as the space of the "infra-political" subject who unsettles in being an element of a society that exceeds the latter's explicit terms.²¹

Her everyday life was one of bitter struggle just to survive and of failed attempts to escape her depositioning as an illegible minority of minorities in a world of increasingly check-pointed dualized identities. Stripped of all symbolic habitus, she could not even occupy the gendered space of the brothel. Every tenuous night she slept in a shack near the squalid Pettah bus station denounced by nationalist custodians of respectability as the duplicitous space of degenerate and immoral men and women, as the nefarious world of the "criminal underclass" subsisting beyond Sinhala civility and bereft of any *lajja* (*shame*) and *baya* (*social fear*). The congested and morally spurious bus station was the commons, a space of transience

and mobility for persons of declassified social strata, whereas the high-security zone with its surveillance and malls stood for petrification, immobilization, modernist transparency, and the suppression of common right. Sriyalatha's intractable adversity, her meanings and priorities, were neither statist nor nationalist but irreducibly singular and constitutively disjunctive with the metonymic chain sex worker—dark-skinned—Tamil-dressed, which precipitated her metaphysical leap into a virtualized suicide bomber. Only in her arrest and politicization did she become a recuperable and capitalized figure of political fantasy, desire, and invasive collectivity.

Shaming the Social Contract

Sriyalatha's arrest incited the government's director of information, who castigated the print media for its "irresponsible coverage" violating the Emergency Regulation of 1998 (Prohibition on Publication and Transmission of Sensitive Military Information).²² The publicly meted sexual humiliation generated salacious diatribes in the media, and the police action was turned into a source of derision, vilification, and slander. Writing to the daily *Island* newspaper, a vocal Sinhala chauvinist pilloried Sriyalatha for "deviant" and "disgraceful behavior" and justified the strip search by saying, "as a sex worker, that was her living anyway."²³ With the amplification of the state and media offensives, activist groups also entered the public debate to voice their outrage. However, this feminist protest was not geared to rebutting the chorus of Sinhala chauvinists and sexists fired up by the imaginary of the empowered, self-erasing, female suicide bomber whose full body finally had been put on voyeuristic view by the state.

The "shameful stripping" was seen by feminists within a "continuum of extreme violence against women" that implicitly equated this event with domestic violence and patriarchy in the private sphere. Colombo-based middle-class feminists located Sriyalatha's brutalization in a liberal order of rights, asserting "women's inalienable, indivisible right to dignity and non-harassment" with appeals for "respectful and humane behavior in future searches."²⁴ What might constitute the humane recasting of a denuding male or statist gaze in the ritual of the strip search remained unclarified. The term "future searches" did not seem to indicate an ethical imperative, much less a demand, for halting violence that was tearing communities apart and humiliating women with *lajja baya* both inside and beyond the official battle zone. Rather it gestured toward a future impregnated with endless violence. In assimilating "offensive" and "invasive" strip searches to the customary "degree of gendered brutality in Sri Lankan society" feminists never acknowledged the state's *suspension* of the patriarchal social contract centered on the public, if not private, inviolability of women as

metonyms of familial integrity. Within state practices, the fully exposable body was the defining condition of panoptical securitization. By calling for the *humanization* of state *militarism*, feminists treated the counter-insurgency state as *reformable*, thereby never challenging the *majoritarian* nation-state project and its reproduction in minoritizing strip searches. Sriyalatha's sex work and class status were excluded from these feminist analyses, which avoided the populist nationalist justification for violence against specific classes and statuses of women in the name of public security and civil dignity. No political connections were made between violence against Sriyalatha as an unrecognized war widow and criminalized sex worker and the pervasive economic and sexual exploitation and ostracization of widows from Muslim, Tamil, and Sinhalese communities in war-ravaged border areas, including sex work organized for army use. Some women's activists placed emphasis on security as an unconditional imperative.²⁵ Others, a minority, bemoaned the lack of attention given to class oppression of women in Sri Lankan society, with which the prevalent feminist human rights discourse was complicit.²⁶ Most of these perspectives, however, omitted the raw contingency that brought Sriyalatha into question: her intractable materiality uncontained by official majority/minority grids, which laid bare their genesis and reification.

This seminal failure to question the protocols of violence under a political culture of impunity revealed the extent to which allegiance to the majoritarian nation-building project infiltrated prescriptive feminism. Feminist social contract discourse circumvented the recognition of intersectional power differentials between women. The presumption of universal contractual rights thwarted crucial political insights concerning the tactics and relations of domination that militarized and criminalized specific women's bodies, disqualified as eligible subjects of social contract based on class, sexual status, and ethnic classification. The feminist recourse to a universal language of rights was predicated on a "free subject free to decide," that is, free to enter into a social contract. Spinoza critiqued a sovereignty that is constituted through the contractual transfer of rights. The social contract of Descartes and Hobbes, originating in seventeenth-century market logic, is a self-regulating, self-constructing machine composed of movable and detachable parts, generating bureaucratic regimes and mechanistic partitions of society by race, class, religion, and gender that can be read as the containers, operators, and purveyors of a majoritarian right in their contractual being. Spinoza rejected a model of a political subject as a machine composed of parts and whole. In one part of this whole there is a specific right such as civil-sexual dignity. Through contractual transfer the part is detachable, exchangeable, and transferrable to another composite body, that is, to the state or civil society.²⁷ According to Hobbes, in this act of transfer the individual exchanges freedom for security and

thereby acquires an additive right as a new part. The sovereign in turn acquires the freedom of the individual, which is the right to act upon the latter autonomously, as in the state strip search. The majoritarian predication of social contract invariably involves the transfer of minoritarian autonomy to the state in exchange for security—this coincides with the Sri Lankan feminist demand for an additive part-right—immunity from *lajja baya* during checkpoint searches.

The full force of this contractual transfer emerged in the hasty decision by women's groups to call off a public *shalwar khameez* demonstration outside the Liberty Plaza mall bordering the HSZ in which the protesters would don this garment in solidarity with Sriyalatha and Tamil women and in defiance of the politico-military-nationalist diktat. Their retreat was instigated by the fear of a possible state assault resulting not only in arrest and detention but the likelihood of their own public stripping; the latter was an inadmissible fate for women who did not want to undergo shame/fear/exposure in the service of feminist solidarity. This was an inadvertent confession that *lajja baya* had long been militarized by the counterinsurgency apparatus from which no woman was exempt. The suspension of the demonstration and the ensuing silence from the protesters complemented the unwillingness of the predominantly *Sinhalese* feminists to acknowledge that their reformable state had reappropriated *lajja baya* as a political technology of war and governance to which they were irrevocably subject.

The Public Use of (T)reason

In 2007 the state's military offensive intensified, aided by military hardware and intelligence from China, India, Russia, the United States, and Pakistan. The Americans also supplied night-vision submarines that destroyed the LTTE's Sea Tiger fleet. At the height of the Sri Lankan army's final ferocious assault in early 2009, Tamil civilians were being bombed by the military and used as human shields by the LTTE. Civilians suffered most from the military onslaught when Sri Lankan commanders cynically declared a "zero civilian casualty policy" with the intent of precisely targeting them inside the misleadingly named "no-fire zone."²⁸ The third and last of the official no-fire zones crammed tens of thousands onto a sliver of sand in the northeast—a tropical beach that became the scene of witnessless slaughter. According to independent estimates, nearly forty thousand Tamils were killed in the last six months of the hidden war. Western liberal democracies were largely indifferent, while others praised the victory over the terrorists. The UN Human Rights Council passed an astonishing resolution applauding the Sri Lankan government's "commitment to promotion and protection of human rights."²⁹ The post-9/11 mutation of geopolitics spawned by the

US/NATO-led war on terror enabled the Sri Lankan regime to rebrand its assault as part and parcel of this humanitarian global war. Thus Sri Lanka was able to present itself in Geneva (against charges of war crimes by the UN Human Rights Council) as a model of counterterrorism offering its expertise in 2011 to forty countries including the United States on how to defeat the terrorist.

With the killing of LTTE leader Velupillai Prabhakaran and the annihilation of the organization, victory celebrations exploded all over the capital, lasting for days with jubilant Sinhalese dancing in the streets, cars honking horns, the sound of firecrackers, spectators waving the lion flag triumphantly in a vindictive cacophony while gleeful women served ceremonial food. During his (in)famous victory speech to parliament, the president outlined a new calculus of citizenship that mapped Sri Lanka's postwar trajectory by declaiming the end of ethnicized minority-majority distinctions: "*There are only two peoples in this country. One is the people that love this country. The other comprises the small groups that have no love for the land of their birth. Those who do not love the country are now a lesser group.*"³⁰ This was a division to end all existing divisions by reorganizing the polity in terms of the classical colonial fault line of disaffection from the sovereign.

After their capture or surrender, LTTE cadres and Tamil civilians were incarcerated in minimally equipped detention camps. Detention prolonged the infrapolitical statuses of those interned by a war that was meant to restore their Sri Lankan citizenship, its obligations, and its entitlements. This disenfranchising enfranchisement extended to the forced eviction from Colombo of Tamil refugees who had fled the north prior to the LTTE defeat.³¹ Public debates emerged around the rate, rapidity, or tardiness of the "eventual re-integration" of the detained Tamils *as if* the rest of the country existed in a pacific, legally secured, nonmilitarized and democratized everyday. Rather, civil society had been subjugated to an escalating regime of extrajudicial violence leading up to the LTTE defeat in order to silence "disaffected" journalists and NGOs with international connections and to stress the new presidential calculus of affection/disaffection.

During the so-called liberation of the north and east, a discursive strategy of humanitarian disavowal appeared in the isolationist protest against any internationalizing of the "humanitarian" consequences of the war and civilian detention. Dissensus from international human rights discourse traversed governmental circles, the mass media, and liberal to left intellectuals reinvested in the new triumphalism of the nation-state project. Prominent public intellectuals piggybacked on the mass media and attacked the humanitarian internationalization of the conflict as an orientaling and neocolonial gesture that singled out Sri Lanka while ignoring other sites of humanitarian crises perpetrated by so-called Western democ-

racies sponsoring or tolerating vicious occupations in Iraq, Afghanistan, and the West Bank. However, this reaction formation emerged only with the termination of an untimely international silence concerning the human costs of counterinsurgency in Sri Lanka, a silence that could be accounted for by the post-9/11 reframing of the war against the LTTE as a second front extension of the US global war on terror. This silence was underwritten by military aid and advisement by Americans—and their surrogates in the war against terror (Israelis and Pakistanis)—and by the Chinese and Gulf emirates.³² This disaffection from the transnational “right to protect” capitalized colonial and postcolonial history to reposition the nation as a *metahistorical* scapegoat whose latest colonial persecutor was international humanitarianism. These protestations for sovereign right were symbiotic with the state’s escalating harassment of an internationally networked local civil society sphere.

This reaction marked multiple web articles by Michael Roberts, a Sri Lankan anthropologist based in Australia, who compared the counterinsurgency to the Allied war against Nazi Germany and imperial Japan. Like those state apparatuses, he parried, the Tamil Tigers ascribed to ideologies of popular sacrifice entailing the expendability of their own civilians. The LTTE had a “death wish” internalized by Tamils, which disqualified this indoctrinated populace from transnational intervention and even speedy national integration. Their suicidal line of flight propelled them beyond international humanitarian enfranchisement. In reference to the ethos of Japanese kamikaze, he wrote of the LTTE, and of the besieged Tamils: “Their sacrificial ideology has much in common with that displayed by the Japanese during the first half of the 20th century especially the self-abnegating merging of the individual within a larger cause.”³³ Here a masculinist tropology of the female suicide bomber body was extended to the entire Tamil body politic under LTTE rule in a gesture that irrevocably feminized the passive and pathologized Tamils. Based on a comparative anthropology of Asian self-abnegation, Roberts traced local anomie to the forced labor regimes imposed by the Tamil Tigers. He suggested that transnational humanitarian intervention and relief would not liberate the populace from the LTTE’s Asiatic mode of production and their complimentary selflessness and minimal humanity. The Tamils had been “brainwashed” and/or thoroughly integrated into the LTTE war economy, which would thereby illicitly benefit from international humanitarian relief to these worker-drones. “A ‘humanitarian pause’ is a ‘ceasefire’ in ethical clothes. How would a ceasefire . . . help the body of civilians in the immediate future if they continued to remain in Tigerland by choice or under duress?”³⁴ Legitimizing the “collateral damage” of the state’s invasion, Roberts justified the obstruction of humanitarian intrusion:

The more strictly comparative moment is when the Allied forces pushed the German armies back across the western parts of Europe and entered German territory in 1944/45. This process had involved carpet-bombing of German cities for several years. . . . At this end-point, few concessions were granted to the German civilian population from the advancing Allied battalions even while the main targets were the military capacities of the Nazi forces. . . . There was never any question of a ceasefire in order to protect German citizens though there may well have been sporadic instances of military restraint when it was clear that the war was won.³⁵

The Allied carpet-bombing of World War II was intended, but failed, to cripple a massive military-industrial complex and an imperial war machine that were nonexistent in the predominantly agricultural/maritime economy of eastern and northern Sri Lanka. This Allied strategy withheld special civilian protection and entailed systematic civilian targeting such as the fire bombing of Dresden and the nuclear weapons dropped on Hiroshima and Nagasaki. As Roberts fixated on the Asiatic despotism of the LTTE, he gave carte blanche to the Sri Lankan army's ballistic collectivization of northeast Tamils in which indiscriminate violence shrank any ethicopolitical differences between noncombatants and the LTTE. In Roberts's view the besieged Tamil civilian population oscillated between intimidated human shields and brainwashed auxiliary cadres. Thus the civilian terrain in the north did not deserve to be, nor could be, reconstituted as a transnational public sphere of humanitarian intervention, human rights entitlement, and civil dignity. The indoctrinated or suborned civilian population was to be excluded from two public spheres: that of the nation-state, in whose name they were being killed, displaced, and incarcerated, and the humanitarian public sphere engineered by an "extremist" human rights lobby of "secular fundamentalists."³⁶

While Roberts was obsessively focused on LTTE's despotic collectivization, he ignored and/or downplayed the postdemocratic and ethnocidal tendencies of the Sri Lankan nation-state. Yet in one telling moment he confessed of the Sri Lankan intelligentsia: "We are marginal people in the Lankan context lacking institutional foundations, plastic explosives, guns, and goons."³⁷ This apology in the form of a disavowal was an acute diagnosis of the political culture of the Sri Lankan counterinsurgency state and of the extrajudicial violence it promotes in a besieged public sphere.

Parallel to Roberts's excusing of state-authored atrocities was the analysis of anthropologist Pradeep Jeganathan, who critiqued humanitarian intervention in the Sri Lankan situation as neocolonial and discriminatory. Jeganathan placed the entire burden of fascisization on the LTTE, which he accurately characterized as equally antagonistic to radical democratic struggles as it was to the Sri Lankan nation-state project. In response he proposed an affinity between the nation-state project and his

version of radical democracy in accordance with the formula that “the enemy of my enemy is my friend,” thereby transplanting his anticolonial rhetoric and antifascist ethics into the encampment of counterinsurgency through Carl Schmitt.

Jeganathan understandably disdained the LTTE for its xenophobia, its isolation from other subjugated communities, and its brutal repression and assassination of radical Tamil activists disaffected from the LTTE. Yet while acknowledging the relative “tolerance” of the Sri Lankan regime he glossed over the abductions, assassinations, and assault of journalists and activists who challenged the repressive policies of that regime, the increasing politicization and capitalization of the military as a development elite, and the general institutionalized corruption escalated by the war economy. In the final analysis, these journalists and activists, too, were terrorized or killed for being presumably disaffected from a nation-state project bringing the state and the LTTE into each other’s moral orbit. Jeganathan identified sporadic, episodic antidemocratic tendencies in various Sri Lankan political parties and elected governments (excepting the current one) and yet failed to explore the development of a counterinsurgency culture of the state increasingly aligned with the ideology of the American war on terror and its growing resemblance to the authoritarian capitalism of other regimes in the continent, such as its ally China.³⁸ He cited, with rather premature and imprudent approval, an editorial from *The Hindu* that described the military defeat of the Tigers and the confinement of the displaced to concentration camps “as an astonishing feat of rescuing by military means close to 275,000 civilians who were . . . confined by the Tigers for use as a human shield.”³⁹ This narrative justified his dismissal of the international human rights lobby as a neocolonial apparatus.⁴⁰ Jeganathan here endorsed the militarization of humanitarian intervention pioneered and modeled by the United States in the name of expanding democracy and human rights, most recently in Iraq. He further acclaimed the daily improving conditions of the detention camps and noted the temporary nature of restrictions on freedom of movement.⁴¹

At the time of his writing, Human Rights Watch had reported that government’s goal to return only 100,000 of the original 273,000 detainees by the end of 2009 breached a prior commitment to camp residents. Since the end of fighting in May 2009, the government released or returned a large number of Tamil civilians, still leaving hundreds in detention. The government had falsely and repeatedly claimed that it had released thousands detained in Menik Farm camp. In September 2009 for example, it announced that 40,000 people had returned to their districts. In fact many of the people that the government claimed to have released were transferred from Menik Farm to other detention camps, while others were still held at a “way station, a temporary holding facility in Vavuniya.”⁴² Conditions in

these “welfare camps” deteriorated rather than improved, contrary to what Jeganathan foretold. Problems related to scarcity of clean drinking water as well as water for camp sanitation and personal hygiene were highlighted by those outside relief agencies who had limited access to these camps. The population density of the camps exceeded UN mandates, and attempts to leave the camps resulted in the killing and wounding of escapees. Those assaults were dismissed by army sources as the deaths of “disguised” LTTE terrorists. These retaliations spoke to the original rationale for mass internment by the government, which argued that despite their final defeat of the LTTE, former cadres remained posing as IDPs—thus the need for stringent security checks before they could be released or they would eventually join up with hidden LTTE cells scattered throughout the country.

Dayan Jayatilleka, a political scientist turned diplomat who echoed Jeganathan’s characterization of state counterinsurgency as *redemptive* intervention, is the author of a political study on Fidel Castro critically acclaimed in Cuba.⁴³ Appropriating and inverting the language and emblems of communist liberation, in much the same way that the Nazi Brown Shirts took to the German streets with red flags, anticapitalist slogans, and anti-Semitism as the “socialism of fools,” Jayatilleka hailed “the victorious final war against the Tigers as a people’s war of national liberation in which the revolutionary vanguard was the Sri Lankan armed forces.” After the war, he argued, militarily enabled regime change would reopen an electoral space and engender the resurrection of a Tamil polity for which the armed forces and current regime must be solely applauded. Like Roberts, he drew an analogy between the counterinsurgency campaign and the war against Germany and Japan in the 1940s, where human rights violations and war crimes were also excused by the achievement of an overarching democratic eschatology. For Jayatilleka, Sri Lanka, like Israel, should be excused its “distortions and brutalities,” which are counter-balanced and compensated by its “multi-party democratic elections.”⁴⁴

My critique of the two anthropologists neither addresses nor disputes their prior ethnographic research. Rather, their political prescriptions, which claim residual ethnographic authority, and Jayatilleka’s faux-Marxist avowals do not stand up to close historical examination. Roberts wished to deny the Tamils humanitarian intervention because they were imprisoned in a premodern Asiatic mode of production, which this intervention would only reinforce. This despotic mode of production had to be destroyed by the intervention of a modernizing development elite—the Sri Lankan army. For Jeganathan, Tamils in the northeast were held hostage by the intolerance of a “pre-modern,” xenophobic, narrowing, minoritizing ideology, and thus their liberation by the armed forces was also a modernizing, humanitarian, and majoritarian achievement. His contention was that the military intervention would effectively create the possibility of

resituating the Tamils in a liberal regime of democratic pluralism of which the detention camps were the harbinger. Jayatileka emphasized the need for reconstituting the Tamils as a democratic polity through an army equipped with an ethical and political authority equivalent to a guerrilla *foco* from the Sierra Maestra mountains of Cuba. He analogized Tamils to Russian, Chinese, and Latin American peasants requiring the modernity of a revolutionary vanguard in the form of the Sri Lankan army. While rejecting transnational human rights discourses and practices as a neocolonial imposition on Sri Lanka, these ideologues of compulsory detention and modernization subjected Enlightenment paradigms to a nationalist expropriation. The military campaign represented a progressive technocracy that would accelerate history and transform Tamil premodernity and its minoritarian deindividualization, exclusionism, and zombification. Their dismissal of the Enlightenment humanitarian norm reserved the nation-state as the privileged engine of neo- or postliberal modernization much in the same way the feminists in Sri Lanka—who protested against Sriyalatha’s strip search—saw the state apparatus as reformable by a new counterinsurgency social contract.

From Minority to Rabble

The diatribes of these public intellectuals, like the approbation that applauded the arrest of Sriyalatha even after she ceased to be a suicide bomber, consign both her and the northeastern Tamils to the category of the Hegelian rabble (*Pöbel*), characterized as “elemental, irrational, barbarous and terrifying.”⁴⁵ As analyzed by Frank Ruda and Rebecca Comay, the Hegelian rabble is a contingent bloc whose precondition is permanent distress marked by their unrealized and unrealizable integration into society.⁴⁶ The Hegelian rabble constitutes those who exist in a state of “rightlessness” (*rechtlosigkeit*) and unstably appear as such in civil society through a right of distress (*Notrecht*) as a right against society and as a right without (civil) right.⁴⁷ The rabble is both produced and makes itself from a nothingness generated from within the civil order. Civil society produces its own nothingness by producing a state of rightlessness, an “unestate,” embodied in the rabble.⁴⁸ The rabble is both the destructive excess of a social totality and a “reflexive determination” of civil society.⁴⁹ Though the rabble is not part of a body politic it exists as a present yet detachable element without essence, character, habit, or universality.⁵⁰ Unlike the citizen, it is not an organ of a corporate body but rather persists as a dis-organic and decomposing part of the body politic, determining the latter from inside.

This presence of the rabble means civil society produces rights *with* a right and a right *without* right (the rabble) as integral to its ethical develop-

ment. However, the ethical form of civil society becomes incoherent in producing rights it cannot recognize or only misrecognize and becomes a self-emptying ethical form in producing a structuring right without right that exceeds society's ethical calculations and thresholds. This implies that human rights and inhuman rightlessness comprise a necessary contradiction of civil society. As unincorporable protosubject the rabble has no rights as civil property and can only claim a right to rights as a protoright that is never fully constituted in the civil order. The protosubject is disarmed with only a precarious, contestable, and preobjective right to rights as an "ought" rather than an "is." This condition of the protosubject as a permanently promissory subject of rights aptly describes the contingency of the Tamils at the end of the war in the "no-fire" free-fire zones and in the detention camps where they were supposed to receive back their citizenship.⁵¹ The state exploited this utopian right to rights as camouflage for its violence in the safe zones and detention centers.

Ultimately the rabble cannot be assigned a political form admissible to civil society. This is refracted by the apotropes of contamination, primitivity, premodernity, and Orientalized abnegation assigned to the Tamils rendered rabble by the regime's de facto public intellectuals in their respective "ethnographies" of the vile. Hegel's phenomenology of the rabble centered on the tropes of subjective "depravity," "decay" (*verfaulen*), "stagnation" (*Faulnis*), and "foulness" (*faulheit*), which anticipated the tropes of historical stagnation, egological decomposition, and ideological atrophy deployed by the aforementioned scholars to justify the disposability of the Tamils as rabble.⁵² There is a politics of the rabble insofar as it is a nothingness that comes from and exists within the positivity of civil society and insofar as it is dialectically resynthesized and sublimated by the social order. A sublimating objectification of the rabble coordinated the gendered conflation of Sriyalatha with the figure of the female suicide bomber in which both were marked with interchangeable, uncontrollable sexuality and violence.

Ruda describes the rabble as a socially unbinding "excremental exudation" who cannot attain a state of agential objectivity in the civil order, a condition that places the rabble beyond that of the scheduled, classifiable minority. To be a classifiable minority is to occupy an objective state as one's civil property. The rabble, as a right without right, do not possess right as property but as chronic distress, as a dispossession that Ruda calls the "unestate" and a right of distress. The rabble emerged as a right without right at the end of the "ethnic war" at the juncture where Tamils were programmatically envisioned by the state as a schematic subentity of the majority through the enclaving practices of no-fire zones, forced detention, and the *aporias* of ethnic inclusionism and pluralism. In these zones of denegation, safe but deadly, securitized but precarious, the minority and

the rabble coincided in the same space, in the same displaced bodies, and in the same raped, dead, and disappeared. The thousands of disappeared, executed and buried in hidden mass graves, commemorated the terminal conversion of the minority into the unlocatable rabble.

Informalized and unattributable violence against the disaffected is a violence that exists beyond law and criminalization, for it targets the rabble who exist beyond law. The victims of such informalized or disavowed state violence are not juridically criminalized by the state because this would place them within evaluative law and therefore within the structure of accountable and countable citizenship in which certain jurisdictions over their fate could be interrogated. Informalized extrajudicial violence, which dispenses with the logic of jurisdiction, produces and confirms the targeted and captured Tamils *as* rabble in that they are sentenced not to punishment but to culpable disaffection from the state. It is a violence that is deniable insofar as it does not have to account to the law for either its procedures or its consequences. In the sphere of majoritarian right, the surplus rabble remains surplus both in life and in death.

The Sri Lankan state proposes reconciliation to Tamils in the form of representative inclusionism but without offering formal accountability and measurement for acts of extrajudicial violence committed against them and their imputed citizenship; this is a reconciliation that negates the very structures of citizenship that it claims to enforce and expand. If reconciliation is meant to be the assimilation of Tamils into structures of citizenship, the denial of extrajudicial violence inflicted on Tamils and the denial of redress to Tamils afflicted by this violence means that they have been asked to assimilate and reconcile to the nation-state without historicizable citizenship. Here we have the paradoxical formula of reconciliation without the accountability, responsibility, duties and rights of citizenship for both perpetrators and victims: an inhuman reconciliation unreconciled to reconciliation. This is the political inhumanism inflicted on the rabble as the inversion of the very transnational enlightenment humanism rejected by the state and its complicit public intellectuals.

In the recent war Tamils died outside the structure of citizenship and state perpetrators inflicted violence outside the structure of citizenship, which means that violence was given and received outside of “accountable” legality and criminality. This is why Roberts questioned the “civilian” (read citizenship) status of the Tamils caught in the battle zone. The anomic status of this violence exposes the juridical fiction of the enfranchisable minority and confesses the latter as minoritized beyond law and any civil classification and therefore *as* rabble. Such remedial protocols of transitional justice as war crime tribunals, reconciliation, amnesty, forgiveness, and apology presume and require structures of citizenship and corresponding protocols of accountability including criminalization, adju-

dication, sentencing, and indemnification. Accountability is *referring* an act to a normative and justificatory agency that renders the act answerable and measurable and therefore transcends the act. *Referre* means in Latin “to carry back,” and we are responsible (*respondere* means to pledge or to commit oneself in return) and answerable when as self-limiting political actors we claim such measurement as the *return structure* of our acts. “This return structure is the ground for imputation.”⁵³ Law as accountability presupposes a protocol of return by which the citizen accounts for what she/he has done as the return of action upon the actor. There is a presumption that the juridical subject must be responsive to her/his own action in a civil order. However, in reference to the atrocities of Sri Lanka’s “ethnic war” and its ongoing aftermath there is a wholesale political and cultural abandonment of a formalized return structure for the actions of the state and its proxies. This ethical abnegation is furthered by the abandonment of a public sphere in which such measurement and adjudication could visibly take place. This means not only that the perpetrator is no longer accountable for assessable war crimes but also that there is no formal return structure within which to render any account of that violence against the rabble; the latter, too, as a rabble, lack the right of a return structure, of a public forum in which to account juridically for the violence they have undergone.⁵⁴ This postpublic and postcivil sphere is instituted and maintained by the violence of a state that neither forgives nor apologizes nor accuses but continues to punish, abandon, and dispose. A state engaged in the extrajudicial, clandestine, silent disappearance, detention, torture, and killing of its citizens is a state that no longer requires the ceremony of public accusation as an outmoded procedural rationality of civil society. Without a public sphere constituted by law and rights, there is no “where” or “when” of accusation, forgiveness, or reconciliation. The battle zone of the northeast, the checkpoints and detention centers there and in the rest of the country were constructed in such a manner as to occlude any such public character and a corresponding agent, time, and space of public witnessing and measurement—they pioneered the postpublic sphere. Without a public sphere as the site of the public use of reason, crime itself ceases to exist. The violent act to be accused, tried, punished, or forgiven consumes itself for it requires no repose in referentiality, registration, and archivization and seeks no institutional memory. This is why the state continues to anonymously assault constitutive elements of the residual public sphere—the media, NGOs, minority religious edifices—with growing impunity. Jacques Derrida says that all states are capable of being rogue states.⁵⁵ Sri Lanka is a rogue state, which is a state capable of inflicting disavowed and deniable violence on what it considers to be the rabble of roguish, disaffected minorities. Within a critique of criminal reason, roguishness stands for the externality of the state to its acts and to the damage inflicted on any juridical category. As

long as the state claims a right such as the monopoly of reasonable force, it can be held accountable to the public sphere for its use of such a right through the latter's institutions as agents of measurement. The rogue state is a state that no longer needs a right in order to inflict violence on those with no rights, whose citizenship is either dehistoricized or suspendable. A state that has the right of no right exercises the right *not to have any right* in its use of violence and thus to have no accountability to any legal or moral measure—in exercising this right to no right, this state becomes a well-armed rabble. For Sriyalatha, as for the many others who decoded the anatomy of this rabble state in the sheer disposition of their *illegible and rightless* bodies, the reconciliatory promise of a *postwar* dispensation from violence and terror unfolded as an exilic journey through the prison house of postdemocracy.

Notes

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1. The Ministerial Security Division (MSD) was attached to the Ministry of Defense.

2. Chris Kamalendran and Chamintha Tillekaratna, "Revealing Tale," *Sunday Times*, 26 March 2000, www.sundaytimes.lk/000326/news4.html.

3. *Ibid.*

4. For a detailed discussion of the postpublic sphere, see Mangalika de Silva, "The Uninheritable State and the Post-Public Sphere," *Religion* 42, no. 1 (2012): 151–62.

5. Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, trans. Brian Massumi (Minneapolis: University of Minnesota Press, 1987).

6. In this sense the ahistoricity that critics assign to a sovereign majoritarian ethnoreligious subject is neither an opportunistic mythography nor deficient historiography but rather a power-knowledge effect of this underivable, self-constituting, a priori instituted *ex nihilo*. The dehistoricizing majoritarian right commands a consequential moral continuum of iterative historical time.

7. The tracking of a racializing Buddhist nationalism to the historical conjuncture of its dialogical agon with an imposed and racializing colonial Christianity fails to demystify the former but rather confirms the mimetic expropriation of majoritarian right from the colonial order by a eugenic politics of Sinhaleanness (see below). For the historicist demystification thesis, see David Scott, "Toleration and Historical Traditions of Difference," in *Community, Gender, and Violence: Subaltern Studies, XI*, ed. Partha Chatterjee and Pradeep Jeganathan (New York: Columbia University Press, 2001). On the theologized cartography and the tropology of the iterative, see Tariq Jazeel, "Reading the Geography of Sri Lankan Island-ness: Colonial Repetitions, Postcolonial Possibilities," *Contemporary South Asia* 17, no. 4 (2009): 399–414.

8. The Deleuzian schema, which proposes a founding asymmetrical majoritarian antagonism, questions David Scott's commensuration of Sri Lankan majority/

minority affiliations, which also marginalizes the role of state right. Scott proposes a Sri Lankan ethnic multiplicity as “historical traditions of difference” and as “distinctive moral communities” engaged in an “intertwining” public “argument” concerning their “distinctive moral selves.” See Scott, “Toleration and Historical Traditions of Difference,” 301–2. Here he transposes the distinctive atomized liberal subject, of whom he is critical, onto equivalent collective “traditions of difference,” which enact a public use of reason through “embodied historical argument.” This premise omits the preoccupation of the counterinsurgency state by the majoritarian right, which precludes the commensuration of collective identities in a precarious public sphere rendered radically less argumentative by preventative detention, informalized disappearance, and extrajudicial murder. See my critique below of teleological readings of conflict resolution in relation to commensurable ethnic pluralism.

9. Qadri Ismail, *Abiding by Sri Lanka: On Peace, Place, and Postcoloniality* (Minneapolis: University of Minnesota Press, 2005), 126.

10. This discussion of the majoritarian right and of the Hegelian rabble below is derived from my book manuscript, “Uncountable Di-Visibilities: On Minoritarian Insovereignty.”

11. See A. Sivanandan, *When Memory Dies* (London: Arcadia Books, 1997).

12. Jacques Derrida, *The Politics of Friendship*, trans. George Collins (London: Verso, 1994), 110–12.

13. “Jaffna: The Contest between the Man and the Beast Within,” *Special Report 7*, 29 August 1996, www.uthr.org/SpecialReports/spreport7.htm#_Toc512561286.

14. See the website of University Teachers for Human Rights (UTHR), www.uthr.org/.

15. Mangalika de Silva, “Selvi’s Revenge,” *Domains 2* (2006): 1–43.

16. Kamalendran and Tillekaratna, “Revealing Tale.”

17. Georges Bataille, *The Accursed Share* (New York: Zone Books, 1993).

18. Kamalendran and Tillekaratna, “Revealing Tale.”

19. “Freedom for Strip Victim?,” *Sunday Times*, 26 March 2000.

20. Kamalendran and Tillekaratna, “Revealing Tale.”

21. Jacques Rancière, “Introducing Disagreement, I,” *Angelaki Journal of the Theoretical Humanities 9*, no. 3 (2000): 3–9.

22. “Competent Authority Advises the *Sunday Times*,” *Sunday Times*, 26 March 2000.

23. Letter to the Editor, *Sunday Times*, 22 March 2000.

24. Women and Media Collective Press Release, 29 March 2000.

25. Kamalendran and Tillekaratna, “Revealing Tale.” This was the position of Maureen Seneviratne, the chairperson of the NGO protecting women and children. Though she was opposed to sexual humiliation, she asserted that “security is a must these days.”

26. Women’s Education and Research Center (WERC), 24 April 2000.

27. Antonio Negri, *The Savage Anomaly*, trans. Michael Hardt (Minneapolis: University of Minnesota Press, 2000), 71–83, 142–43.

28. Frances Harrison, *Still Counting the Dead: Survivors of Sri Lanka’s Hidden War* (London: Portobello Books, 2012).

29. Steve Crawshaw, review of *Still Counting the Dead: Survivors of Sri Lanka’s Hidden War*, by Frances Harrison, *Guardian*, 26 October 2012, theguardian.com/books/2012/oct/26/sri-lanka-civil-war-review.

30. Mahinda Rajapakse, “President’s Speech to Parliament on the Defeat of

LTTE,” 19 May 2009, transcript, satp.org/satporgtp/countries/shrilanka/document/papers/president_speech_parliament_defeatofLTTE.htm.

31. Sanjana Hattotuwa, “We Could Have Put All of Them in Detention,” *Groundviews*, 12 June 2007, groundviews.org/2007/06/12/we-could-have-put-all-of-them-in-detention/.

32. Dayan Jayatilleke, “The Politics of Diaspora Dissidence,” *Groundviews*, 10 October 2009, groundviews.org/2009/10/10/.

33. Michael Roberts, “Dilemmas at War’s End: Thoughts on Hard Realities,” *Groundviews*, 10 February 2010, groundviews.org/2009/02/10/; Michael Roberts, “Tamil Tigers: Sacrificial Symbolism and ‘Dead Body Politics,’” *Anthropology Today* 24, no. 3 (2008): 22–23.

34. Roberts, “Dilemmas at War’s End.”

35. Roberts, “Dilemmas at War’s End.” Roberts’s other analyses include but are not limited to the following: “LTTE and Tamil People I: Preamble,” *Groundviews*, 21 April 2009, groundviews.org/2009/04/21/ltte-and-tamil-people-i-preamble/; “LTTE and Tamil People II: Interflows,” *Groundviews*, 22 April 2009, groundviews.org/2009/04/22/ltte-and-tamil-people-ii-interflows/; “LTTE and Tamil People III: Nationalism and Living Religion,” *Groundviews*, 23 April 2009, groundviews.org/2009/04/23/ltte-and-people-iii-nationalism-and-living-religion/; “LTTE and Tamil People IV: Dedicated Tamils,” *Groundviews*, 24 April 2009, groundviews.org/2009/04/24/ltte-and-tamil-people-iv-dedicated-tamils/.

36. In this subsequent rejoinder, Roberts restated many of the propositions advanced in his earlier essay. Michael Roberts, “Dilemmas at War’s End: Clarifications and Counter-Offensive,” *Groundviews*, 17 February 2009, groundviews.org/2009/02/17/dilemmas-at-wars-end-clarifications-counter-offensive/.

37. Michael Roberts, “The Rajapakse Regime: Brickbats Plaudits,” *Groundviews*, 17 December 2009, groundviews.org/2009/12/17/.

38. Pheng Cheah has made this observation with regard to the division of the south in contemporary globalization. See Pheng Cheah, “Humanity in the Field of Instrumentality,” *PMLA* 121, no. 5 (2006): 1552–57.

39. Pradeep Jeganathan, “Sri Lanka’s Common Future,” 20 July 2009, pjejanathan.org/south-paw/2009/7/20/sri-lankas-common-future.html.

40. Pradeep Jeganathan, “ICES and ‘I’: The Struggle for a Critical Social Science,” *The Island*, 22 February 2008, island.lk/2008/02/22/features4.html. Jeganathan’s critique was endorsed by the government spokesman Rajiva Wijesinha; see Rajiva Wijesinha, “Gifts of Those Who Like to Play God,” no. 5 in the series “Darkness, Dysfunction and Breakdown: Threats to National Sovereignty,” *The Island*, 20 April 2010, island.lk/2010/04/20/features7.html.

41. University Teachers for Human Rights, “A Marred Victory and a Defeat Pregnant with Foreboding,” Special Report 32, 10 June 2009, uthr.org/SpecialReports/spreport32.htm.

42. University Teachers for Human Rights, “Let Them Speak, Part VI: Protecting Crime by Criminalising an Entire Populace,” Special Report 34, 13 December 2009, uthr.org/SpecialReports/Special%20rep34/Uthr-sp.rp34part4.htm.

43. Dayan Jayatilleka was Sri Lanka’s ambassador/permanent representative to the United Nations in Geneva (2007–9) and vice-president of the United Nations Human Rights Council (2007–8). Subsequently he served as ambassador to France, with accreditation to Spain and Portugal, and as Sri Lanka’s permanent delegate to UNESCO.

44. Dayan Jayatilleka, “The Politics of Diaspora Dissidence,” *Groundviews*,

10 October 2009, groundviews.org/2009/10/10/. Here Jayatileka elided the fact that the Sri Lankan army was exclusively an ethnic Sinhalese entity.

45. G. W. F. Hegel, *Elements of the Philosophy of Right*, ed. Allen Wood, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1996), 303A.

46. Frank Ruda, *Hegel's Rabble: An Investigation into Hegel's Philosophy of Right* (London: Continuum Books, 2011); Rebecca Comay, *Mourning Sickness: Hegel and the French Revolution* (Palo Alto, CA: Stanford University Press, 2010), 141.

47. Ruda, *Hegel's Rabble*, 132–33.

48. *Ibid.*, 15–31.

49. Slavoj Žižek, “The Politics of Negativity” in Ruda, *Hegel's Rabble*, xiii.

50. Ruda, *Hegel's Rabble*, 89.

51. In this analysis, I am amending Hannah Arendt’s philosophical anthropology of a humanizing right to rights by interfacing it with Werner Hamacher’s notion of a promissory subject of rights as a never fully constituted actuality. Arendt speaks of a “mere unqualified existence,” a concept akin to the Hegelian rabble, as engendering a right to rights. See Hannah Arendt, *The Origins of Totalitarianism*, 2nd ed. (Cleveland, OH: Meridian, 1958), 298–301. On the promissory subject, see Werner Hamacher, “Wild Promises on the Language ‘Leviathan,’” *New Centennial Review* 4, no. 3 (2004): 215–45.

52. Ruda, *Hegel's Rabble*, 86–87.

53. Reiner Schürmann, *Heidegger on Being and Acting: From Principles to Anarchy* (Bloomington: Indiana University Press, 1990), 261.

54. The “Lessons Learnt and Reconciliation Commission” (LLRC) of 2010, instituted by the state, absolved the army and failed to offer protection to witnesses in compliance with international law; did not investigate witness testimony that would establish the identities of individual perpetrators, particularly where accusations implicated government forces; did not probe government or pro-government witnesses regarding allegations of violations committed by government forces and allied paramilitaries; offered no recommendations aimed at bringing individuals to justice. See “Report of the Commission of Inquiry on Lessons Learnt and Reconciliation,” November 2011, slebassyusa.org/downloads/LLRC-REPORT.pdf. See also Amnesty International, “Sri Lanka: When Will They Get Justice? Failures of Sri Lanka’s Lessons Learnt and Reconciliation Commission,” 7 September 2011, amnesty.org/en/library/info/ASA37/008/2011/en.

55. Jacques Derrida, *Rogues: Two Essays on Reason*, trans. Pascale-Anne Brault and Michael Naas (Stanford, CA: Stanford University Press, 2005).