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Research Article

Constraining Tamil Transnational Political Action: Security Governance Practices beyond the Sending State

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Abstract

This paper examines the security governance of the Tamil diaspora through a practice lens. It takes as its starting point the observation that the Tamil diaspora community has historically been subjected to complex and multi-scalar security governance. How this continues after the end of the Sri Lankan civil war period remains empirically and theoretically underexamined, with studies focusing instead on Tamil diaspora organizing. This paper addresses this gap by mapping and theorizing contemporary constraints to Tamil transnational political action (TPA), building on the growing literature on the transnational repression of diaspora. Further, it proposes to move beyond the state-centrism and liberal bias inherent in this literature, by centering security governance practices. Based on a review of existing literature and historical and ethnographic data collected through mixed-method fieldwork among the Tamil diaspora community between 2015 and 2018, this paper concludes that key security governance practices that constrain Tamil TPA, such as proscription, counterterrorism policing, and formal diplomatic practices, have continued since the end of the civil war, each revealing complex global security entanglements beyond the diaspora sending state.

Resumen

Este artículo analiza la gobernanza en materia de seguridad de la diáspora tamil desde el punto de vista práctico. Este artículo toma como punto de partida la observación de que la comunidad de la diáspora tamil ha estado históricamente sometida a una gobernanza en materia de seguridad compleja y con múltiples escalas. El modo en que continúa esta situación tras el final del periodo de guerra civil en Sri Lanka sigue siendo poco estudiado empírica y teóricamente, y los estudios se centran más bien en la organización de la diáspora tamil. Este artículo aborda esta laguna mediante la descripción y teorización de las limitaciones contemporáneas a la acción política transnacional tamil (TPA, por sus siglas en inglés), basándose en el creciente número de estudios sobre la represión transnacional de la diáspora. Además, propone superar el estadocentrismo y el sesgo liberal inherentes a estos estudios, centrándose en las prácticas de gobernanza en materia de seguridad. Este artículo concluye, sobre la base de una revisión de la literatura existente y los datos históricos y etnográficos recogidos a través de un trabajo de campo de métodos mixtos entre la comunidad de la diáspora tamil entre 2015 y 2018, que las prácticas clave de gobernanza en materia de seguridad que limitan la TPA tamil, como la proscripción, la policía antiterrorista y las prácticas diplomáticas formales, han continuado desde el final de la guerra civil, y que cada una de las cuales revela complejos entrelazamientos de seguridad global más allá del Estado de origen de la diáspora.

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Résumé

Cet article analyse la gouvernance sécuritaire de la diaspora tamoule dans une perspective pratique. Il prend comme point de départ le constat selon lequel la diaspora tamoule a, de tout temps, fait l'objet d'une gouvernance sécuritaire complexe, à plusieurs échelles. La persistance de ce phénomène à l'issue du conflit civil au Sri Lanka n'a été que peu analysée, que ce soit empiriquement ou théoriquement, les travaux de recherche portant plus volontiers sur l'organisation de la diaspora. Cet article ambitionne de combler cette lacune en identifiant et théorisant les contraintes actuelles à l'action politique transnationale de l'ethnie Tamoul, en s'appuyant sur une documentation de plus en plus importante traitant de la répression transnationale de la diaspora. Il propose également de prendre des distances avec la vision étatique centralisatrice et le biais libéral inhérents à cette littérature, en s'axant sur les pratiques de gouvernance sécuritaire. S'appuyant sur des écrits existants et des données historiques et ethnographiques collectées via un travail de terrain avec méthodes mixtes au sein de la diaspora tamoule entre 2015 et 2018, cet article conclut que les principales pratiques de gouvernance sécuritaire qui contraignent l'action politique transnationale tamoule, telles que les interdictions, le contre-terrorisme ou la diplomatie officielle, se sont perpétuées après le conflit civil, révélant chacune de complexes intrications en matière de sécurité mondiale, au-delà de l'État d'origine de la diaspora.

Keywords: diaspora, transnational repression, security governance, practice theory, transnationalism, social movements

Palabras clave: autoritarismo/represión, sociedad civil/movimientos sociales, gobernanza mundial, política contenciosa/violencia política, redes/ong, raza/etnicidad/nacionalismo

Mots clés: autoritarisme/répression, société civile/mouvements sociaux, gouvernance mondiale, conflits politiques/violence politique, réseaux/ong, race/origine ethnique/nationalisme

Introduction

This article examines the security governance practices that shape transnational political mobilization (TPA) of the Tamil diaspora, and ultimately their ability to resist transnational repression by their home state. Members of the Tamil diaspora community have mobilized for political causes relating to their homeland for decades (Wayland 2004; Fair 2005). During the Sri Lankan civil war, which formally lasted from 1983 until May 2009, the Tamil diaspora at large became infamous for raising funds in support of insurgent groups fighting an oppressive Sri Lankan government (GOSL). To counter the alleged threat posed by such transnationalism, governance actors—including but not limited to the GOSL—devised not only formal measures, such as criminalization through proscription of diaspora groups, but also broader intimidation and repression of Tamil diaspora organizing. In this period, eliminating the overseas arm of the Liberation Tigers of Tamil Eelam (LTTE) was one of the state's key counterinsurgency tactics. However, even in the post–civil war period, which has seen an end to insurgent activity by the LTTE, the Tamil diaspora has remained subject to security governance practices that constrain transnational political action. Such practices, which continue to target the diaspora community inside the host state, range from the contestation and policing of commemorative events to intimidation of Tamil demonstrators, and even the wrongful arrest of human rights advocates. In 2019, two Tamil men were wrongfully apprehended by counterterrorism police while boarding a plane at the Heathrow Airport, on their way to protest for Tamil rights at the fortieth session of the United Nations Human Rights Council (UNHRC) in Geneva. A year earlier, on February 4, 2018, Sri Lankan defense attaché Brigadier Fernando was caught on camera outside the Sri Lankan Embassy in London intimidating and threatening protestors, by "running his forefinger across his throat whilst maintaining eye contact with the protestors."[1] Diplomatic immunity, a practice involving

1 "Sri Lankan Brigadier Summoned to UK Court for 'Throat Slit' Threat," *Journalists for Democracy in Sri Lanka*, January 18, 2019, http://www.jdslanka.org/index.php/news-features/politics-a-current-affairs/846-sri-lankan-brigadier-summoned-to-uk-court-for-throat-slit-threat.

both the Sri Lankan sending state and the British home state, has protected him from facing any legal charges.

These examples suggest that the Tamil diaspora remains subject to security governance, and vulnerable to repression, even in the aftermath of war. And yet, the literature has left this largely unexplored. Scholars of Tamil transnational political action in the postwar period have focused on explaining new forms of mobilization based on shifting "opportunity structures," either internally to the diaspora or in the host-country or global political environment (Brun and van Hear 2012). While this has yielded insightful contributions to Tamil political mobilization more broadly (Vimalarajah and Cheran 2010; Amarasingam 2015; Walton 2015; Orjuela 2018), it has perhaps also led to a too optimistic assessment of contemporary Tamil diaspora political agency. Conversely, this study will draw on literature that examines processes of diaspora governance. In particular, I will engage a growing body of scholarship that has examined how authoritarian states "engage" their emigrant populations by projecting their power across borders (Brand 2006; Tsourapas 2015: Moss 2016; Dalmasso et al. 2018; Glasius 2018; Chaudhary and Moss 2019) in such a way that curtails their mobilization capacity, sometimes amounting to "transnational repression" (Moss 2016). But, as will become evident in my analysis, measures to constrain Tamil diaspora activism do not just emanate from the sending state. Rather, as this paper will argue, the Tamil diaspora is constrained by a range of security governance practices, which involve more than one actor and transcend the sending/receiving state binary. By centering governance practices, this article will show that (1) the security governance, which has long constrained Tamil diaspora politics, has continued since the end of the Sri Lankan civil war and (2) this governance relies on the interaction of a complex set of actors and spaces, beyond the Sri Lankan home state.

The article will proceed as follows: I will examine the literature on Tamil diaspora mobilization since the end of the Sri Lankan civil war, before reviewing scholarship that has looked at the ways in which diasporas and transnational political action are constrained and securitized. Building on the literature on transnational repression and diaspora governance, I will suggest an analytical framework that centers "diaspora security governance practices," through which complex governance constellations beyond the state–diaspora relationship can be made visible and subsequently untangled. I will then introduce my case study and outline my data collection and analysis methods, before discussing my findings.

Tamil Diaspora Agency and the State: Complicating the Relationship

Social Movement Approaches to Tamil Diaspora Activism

The violent final period of the Sri Lankan civil war initiated a profound shift in the political activism of the global Tamil diaspora. This shift has been the subject of a growing amount of scholarly work. In the immediate aftermath of the war, policy reports began offering rapid analyses of the future role of the Tamil diaspora in post-conflict Sri Lanka (e.g., International Crisis Group 2010). In 2010, Cheran and Vimalarajah argued for an understanding of the Tamil diaspora as rational political actors with interests and agency, operating in a complex sociopolitical environment. They diagnosed that the end of war had led to a "rupture," which now offered "challenges and opportunities for Tamil communities to rethink and re-articulate anew their demands for equality, justice and sovereignty" (Vimalarajah and Cheran 2010, 5). Challenges they identified included the Tamil diaspora's relationship to its sending state, observing that "governments encourage transnational economic practices of diasporas while transnational political and social activities are viewed with suspicion" (Vimalarajah and Cheran 2010, 25). In the case of the Sri Lankan state, its postwar "long-distance politics" included a "new diplomatic policy against the political Tamil diaspora" (Vimalarajah and Cheran 2010, 26). Crucially, the authors paid attention to "external factors shaping Tamil diaspora activism" (Vimalarajah and Cheran 2010, 25), such as securitization and proscription practices, which constrained diaspora mobilization in a post-9/11 era. The report makes clear that any assessment of Tamil diaspora mobilization capacity must consider relations, not just between the Tamil diaspora and its homeland, but also dynamics inside the host country, the global political environment, and internal diasporic relations. Yet, it is now ten years old and a reassessment is in order. For example, there is a need to systematically examine what has changed since 2010, especially with regard to the "external factors" shaping Tamil diaspora organizing.

Some studies have begun to examine in more depth the internal and external dynamics of Tamil diaspora mobilization, to understand its successes and failures (Amarasingam 2015; Walton 2015). Walton (2015) looks at the UK-based Tamil diaspora's framing practices, specifically its use of the "genocide frame" in their efforts to gain recognition of human rights abuses committed against Tamils by the GOSL. Walton suggests that from 2009, the Tamil diaspora had to confront "sharp changes in the political dynamics confronting activist diaspora groups" (Walton 2015, 959), including deterioration

of relations between Western governments and the GOSL, increased competition among Tamil diaspora organizations, and the need to balance internal and external legitimacy. He concludes that the use of the genocide frame was initially avoided to build support among international actors, but became more useful over time, as activists started building intra-diaspora support (Walton 2015, 971). While his discourse–analytical approach to framing practices offers important insights into the operations of mobilizing Tamil diaspora groups, some of the issues encountered in the report by Vimalarajah and Cheran (2010) remain. Walton identifies "deterioration in relations between the government of Sri Lanka and Western governments" (Walton 2015, 960), suggesting that this provides an opportunity for Tamil diaspora mobilization. But is this analysis too optimistic about the increased space for diaspora activism? As this study will show, actors within the British state prioritize friendly diplomatic relations with the GOSL and continue to regard the Tamil diaspora with suspicion.

Relatedly, Amarasingam's book *Pain, Pride and Politics* (Amarasingam 2015) examines the diasporic politics of Canadian Tamils, especially surrounding the activism and events of 2008 and 2009. He argues that diasporic politics are driven as much by internal/communal developments within the diaspora, as they are by dynamics within the sending state. Further, Guyot (2018) has examined shifts in Tamil diaspora mobilization tactics and relationship to the homeland, following the end of the civil war and violent defeat of the LTTE. She suggests that, while during the war decision-making on Tamil nationalist issues was firmly in the hands of the LTTE in Sri Lanka, since the LTTE's defeat the "the struggle for the Tamil cause has shifted from the battlefields on the island to the corridors of the Palace de Nations in Geneva" (Guyot 2018). This has not only increased the autonomy of the Tamil diaspora but also brought new opportunities and challenges. She identifies a shift toward lobbying the "international community," whereby local and national politicians in the United Kingdom and Canada have begun to vocally support the Tamil diaspora community, both in their domestic political processes and at the UNHRC. Meanwhile, diaspora autonomy has led to ideological divisions between diaspora and local Tamil populations, and Tamil diaspora scope for action is caught up in a "dilemma between seeking internal or external approval" (Guyot 2018). In sum, these scholars agree that the peace-wrecker versus peace-makers discourse developed in the 1990s is dissatisfactory in accounting for Tamil diaspora mobilization, which is more heterogeneous than previously suggested. Further, they concur that it is affected by its sociopolitical environment, although they disagree on which environmental factors are the most important (domestic, global, home state, competing organizations, internal diaspora). Finally, all see 2009 as a critical turning point for the Tamil diaspora's mobilizing potential, thus providing invaluable insights into the internal makeup of the global Tamil diaspora population and its various organizing tactics, both during and immediately after the civil war. However, while they extend our understanding of the power of diasporas, they also perhaps overemphasize the changes that have taken place in global politics, as well as the agency of Tamil diaspora actors in navigating this change.

The emphasis on changing opportunity structures is not unique to the study of Tamil diaspora mobilization. In fact, opportunity structures are a "foundational concept" in social movement studies (McAdam, Tarrow, and Tilly 2003). Since the end of the Cold War, diasporas have been studied through various lenses developed in the broader social movement studies literature, including being defined as transnational social movements (Adamson and Demetriou 2007). This was a welcome development considering prior scholarship had largely considered diasporas as homogeneous and largely passive or emotionally motivated groups without rational decision-making capacity (e.g., Anderson 1992). However, conversely, an overemphasis on the autonomy of diaspora actors in global politics often does not adequately account for constraints to diaspora agency. This critique has been leveled at social movement study approaches more broadly, as they have tended to overemphasize actor agency and the capacity for rational deliberative action or "norm entrepreneurship" (e.g., Keck and Sikkink 1998; Riddle and Brinkerhoff 2011). One consequence of this emphasis on "opportunity" or agency is that it shifts responsibility for lack or failures of mobilization on to diasporas, while at the same time obscuring or underestimating the power of dominant actors/structures to (often violently) repress such mobilization.

Fortunately, some scholars have shifted their focus toward curtailment and constraints of transnational diaspora mobilization, or *Transnationalism from Below* (Smith and Guarnizo 1998). Theoretically, these approaches build on the assumption that political mobilization (transnational or otherwise) is mediated by opportunities and constraints alike. In parallel to this theoretical development, the events of the Arab Spring have created empirical demand for scholarship that looks at (both domestic and transnational) mobilization in the face of authoritarian state practices. The demand is being met by scholars who seek to explain social movement activity in the face of immense adversity and state repression. Dana Moss has conducted ground-breaking

research seeking to understand why some diaspora communities refrain from TPA and what mechanisms lead to their eventual mobilization (Moss 2016). Her work has focused on the question why, during the Arab Spring, diaspora communities remained immobilized for a period of time until they eventually started partaking in anti-state protest. Her grounded-theory approach has yielded a wealth of insights into the phenomenon of "transnational repression" (Moss 2016). She identifies lethal retribution, threats, surveillance, exile, withdrawing of scholarships, and proxy punishment (Moss, Michaelsen, and Kennedy 2022) as its mechanisms. Meanwhile, mechanisms that triggered mobilization in spite of repression were fear for relatives, observing a vanguard of risk-taking revolutionaries (embracing risk/cost sharing), and weak responses by regimes to ongoing activism. Her study reveals the constraints faced by diasporas who mobilize, and the "mechanisms" through which she suggests that transnational repression operates.

Chaudhary and Moss (2019) then theorize more deeply about the constraints that keep some communities from mobilizing, building on their combined research experience of TPA among diasporas from Pakistan, Syria, Libya, and Yemen. Specifically, they investigate "why some groups with political opportunities for transnational action choose to abstain from, or remain under-engaged in, origin-country politics" (Chaudhary and Moss 2019, 2). Importantly, they identify four key sources of constraint, which do not only pertain to the sending state–diaspora relation, or the transnational field, but also to the global and local host country environments in which diasporas find themselves (Østergaard-Nielsen 2003). This is a crucial move toward a less-state-centric conception of constraints to diaspora mobilization. They also make room for the possibility that opportunities and constraints for mobilization change over time. This approach will inform my analysis of Tamil diaspora governance in this paper. However, before I outline my methodological framework, I will consider literature that explicitly centers the actors and structures that govern, engage, constrain, and repress diasporas.

Diaspora Governance: Sending-State Engagement and Extraterritorial Authoritarianism

A substantive literature has emerged in recent years that examines the ways in which states manage the increasingly important role that diasporas play in international politics. This literature takes as its empirical starting point the increase in formal and informal mechanisms, policies, institutions, and practices that have emerged to channel the economic and social remittances of diaspora populations, both by creating opportunities for and by constraining the mobilizing potential of their diasporas. The literature is split into accounts of diaspora *engagement* by formally democratic states, and the extraterritorial practices by states defined as authoritarian, a distinction that itself warrants further problematization.

Scholars have sought to explain the emergence and spread of diaspora engagement strategies (Gamlen et al. 2013; Délano and Gamlen 2014; Ragazzi 2014). They have tended to focus on formal policies, for example, the extension of voting rights or the creation of diaspora engagement institutions within a sending-state apparatus, and much of this literature suggests that diaspora engagement politics are firmly embedded in relations between the diaspora and its home state (Gamlen et al. 2013; Mylonas 2013). This means that states "govern" or manage their diasporas according to national interest, although differing reasons have been given to explain why states might have an interest in "engaging" their diaspora populations. Gamlen et al. (2013, 9) have created a typology of reasons for the proliferation of diaspora engagement institutions. They suggest that some states seek to "tap" their diaspora for economic gain, or "embrace" them for symbolic gain, while others create diaspora engagement policies due to diffusion of governance norms. One criticism that has been leveled at this literature is that it has focused on the extraterritorial practices of democratic states. On the whole, these are designed to encourage transnationalism, rather than suppress it. In her seminal book that precedes most literature on diaspora *engagement*, Laurie Brand (2006) argues that attention should be paid to the policies and practices of sending states toward their emigrants. Importantly, she suggests that the Middle Eastern states that she studies reach out to their emigrants or diaspora populations not because of economic or identity-based interest, but for security reasons. Building on this ground-breaking work, scholars have begun to examine in more detail what they call extraterritorial authoritarianism (Moss 2016; Dalmasso et al. 2018; Glasius 2018; Tsourapas 2018, 2020). Authoritarian states, they argue, show us that there exists a darker side to diaspora engagement, one that is perhaps less enshrined in formal policies and institutions and that is driven by states' security concerns. For example, Dalmasso et al. (2018) identify an "extraterritorial gap" whereby scholars have overlooked—until recently—the practices of states who "need to maintain control over populations abroad" (Dalmasso et al. 2018, 1) for security reasons. The authors show "how authoritarian rule from the home state continues to be exercised over populations abroad, through the practices authoritarian

regimes have developed to manage and offset the risks mobility poses on them." (Dalmasso et al. 2018, 2). Building on this intervention, Glasius has explored in more detail "how authoritarian states rule populations abroad, and how their practices may contribute to authoritarian sustainability" (Glasius 2018, 180). She develops the theory "that authoritarian rule should not be considered a territorially bounded regime type, but rather as a mode of governing people through a distinct set of practices" (Glasius 2018, 179) and organizes these practices into categories. Going beyond transnational repression, she suggests that authoritarian states engage their populations abroad as either subjects, patriots, clients, outlaws, or traitors. Glasius' decision to focus on *practices* of authoritarianism holds much promise. For one, it decenters the state, by challenging the territorial boundedness of authoritarian regimes. Further, by centering practices or mechanisms of governance, we can investigate the logic behind them, rather than assume a priori whether they are motivated by rational or ideational factors.

Where does that leave diaspora who are governed by regimes not formally classed as authoritarian? After all, democracies also have security concerns that lead them to adopt governance practices that are not exactly benevolent. The Sri Lankan state is a case in point. Having cast Tamil diaspora mobilization as a security threat, they have resorted to a creative array of practices that constrain this mobilization. Importantly, as a formally democratic state and ally of liberal Western regimes (especially in the Global War on Terror), successive governments have formally excluded Tamil diaspora members from domestic political processes, while also resorting to repression tactics aimed at activities taking place in host countries. This complicates the distinction between practices of varying regime types. It also implicates some host states much more deeply in these governance practices. As I will show, in many instances, Tamil diaspora mobilization has been constrained because the GOSL and the British or Canadian government have cooperated, sometimes guided by international legal agreements on policing or counterterrorism, sometimes eschewing formal agreements for the sake of intelligence gathering (Sentas 2010; Abbas 2011; Nadarajah 2018).

Overall, as pointed out by Glasius (2018), the focus that the burgeoning literature on extraterritorial authoritarianism places on a particular regime type overlooks the fact that democracies might exhibit nondemocratic behavior, especially regarding exiled minority populations. It also overlooks that many mechanisms constraining TPA require cooperation (and sometimes even the primary agency) of third actors beyond the sending state, for example, the country of residence or other international actors (Moss 2016; Chaudhary and Moss 2019; see also Nadarajah 2018). If surveillance and monitoring by authoritarian sending states are considered practices of transnational repression, then international organizations or states that support the sending state in this capacity are complicit in transnational repression. This is another argument for centering practices of transnational repression and diaspora governance, rather than focusing on regime types.

In sum, while the literature on extraterritorial authoritarianism has a lot to offer to the study of diaspora governance and constraints on mobilization, it often remains too state-centric, something that scholars such as Glasius (2018) and Furstenberg, Lemon, and Heathershaw (2021) have sought to challenge.[2] While this has broader theoretical implications (e.g., regarding methodological nationalism or Western centrism), it also does not reflect the empirical reality of how governance functions. It obscures how individual sending-state practices are embedded within a broader global environment, and how they manifest locally, *on the ground* in the host state. Furthermore, the focus on authoritarian regimes obscures the complicity of other actors, for example, host-state actors and international organisations such as Interpol (Cooley and Heathershaw 2017). Building on Glasius (2018), in the following section I propose a centering of governance practices for the analysis of the mobilization of the Tamil diaspora and the constraints they face.

Methodology

Governing the Tamil Diaspora

Today, the global Tamil diaspora population is estimated at approximately one million people, living across several continents, with the largest communities outside of South Asia residing in Toronto, Canada, and London, the United Kingdom (Gunasingam 2014).[3] Like other diaspora communities, Tamils have organized much of

2 See also Adamson (2019), who looks at non-state authoritarianism, also with a focus on the LTTE and the Tamil diaspora.

3 For example, it is estimated that the UK-based Tamil diaspora comprises anything between 100,000 and 200,000 individuals (Gunasingam 2014), although it is notoriously difficult to know the exact number of any diaspora population living in the United Kingdom, due to imprecise census data. In Toronto, there are approximately 150,000 Tamils, most of whom reside in the Scarborough and North York wards of the Greater Toronto Area (George 2012).

their life around homeland-oriented activities. They frequent temples, Tamil language schools, and community centers where children learn traditional dances such as Bharatanatyam. Importantly, Tamils are also highly politically mobilized toward their homeland. At the time of my research in 2016, Tamils based in Western European or North American home states are mobilizing around the postwar politics and transitional justice process in Sri Lanka (Walton 2015; Orjuela 2018; Thurairajah 2022). Mobilization is largely driven by formal organizations, diverse in their origin and aspirations (Amarasingam 2015). Organizations such as the *British Tamils Forum* (BTF), the *Canadian Tamil Congress* (CTC), and the globally dispersed *Transnational Government of Tamil Eelam* (TGTE) pursue a broad range of strategies to raise public awareness around human rights violations that occurred at the end of the civil war and to influence policy makers, for example, regarding foreign relations with Sri Lanka (Godwin 2018). Other organizations have a narrower focus and employ different strategies. For example, the organization TAG (*Together against Genocide*, formerly Tamils against Genocide) focusses its efforts specifically on advocating for genocide recognition, both nationally and internationally, while other organizations prioritize transnational action for the economic development of their homeland (Craven 2021). As mentioned above, this ability of Tamils to organize publicly has been framed as a significant shift away from the civil war period, during which the Tamil diaspora was subjected to security governance from actors—including but not limited to the Sri Lankan state—looking to constrain and police the activities of this population.

The global Tamil diaspora has been variously made and unmade in its relations with powerful global actors over the last centuries, even before the onset of the civil war. British colonial rule saw Tamils sent to other parts of the empire to act as colonial administrators, rather than indentured laborers, which was the fate of many other South Asian colonial subjects (Emmer 1986). By the time of Ceylonese independence in 1948, a diaspora had formed in the British colonial metropolis that considered itself part of a unified Ceylonese state, rather than a Tamil national homeland, and was thus largely left alone by the increasingly nationalist Singhalese government, as well as the British state. The notion of a "Tamil" diaspora or Tamil diaspora identity did not take hold until larger groups of Tamil nationalists were forced into political exile, having to flee the increasingly oppressive anti-Tamil policies of the Sri Lankan state. The discriminatory policies of the Singhalese state and the outbreak of civil war in 1983 initiated a dramatic shift in Tamil migration and settlement patterns as people started to claim asylum across the globe, for example, in Canada, Australia, and European states such as Germany, Sweden, and Switzerland.

The relationship between the Sri Lankan state and the Tamil diaspora has thus always been fraught. The contemporary Tamil diaspora consists mostly of individuals who fled GOSL oppression and civil war and has long been regarded by the sending state as a locust for separatist and insurgent ideology. However, the Sri Lankan state has also never been alone in its fight against Tamil insurgency, and repression of Tamil diaspora activism. For example, even before the onset of war in 1981, British Prime Minister Thatcher assured the Sri Lankan government that the United Kingdom was "keeping a 'close eye' on Tamil diaspora activism" (Nadarajah 2018, 287). Such involvement of the host state and other global actors in overseeing the activities of the Tamil diaspora population further expanded in the 1990s. When intelligence circulated about the scale of the international network of the LTTE, and the funding it received from the global Tamil diaspora, the latter's status as *peace-wrecker* was cemented, not just in the eyes of the Sri Lankan state and its majority Singhalese population (Fuglerud 1999; Orjuela 2008). Despite internal heterogeneity, the Tamil diaspora as a whole was also increasingly brought into connection with global criminal networks engaged in drug trafficking and money laundering (Cornell 2012), and thus subjected to collective victimization and punishment (Sentas 2010).

Thus, beside constraints imposed by the GOSL, the Tamil diaspora increasingly had to contend with an emerging global anti-narcotics regime, enforced by local police in their host countries. Within a short period, the Tamil diaspora had become a "suspect community" (Sentas 2016) in Western cities, such as Toronto and London, and subjected to community policing measures, frequent police raids, and increased surveillance (Laffey and Nadarajah 2016). This carried on (and arguably worsened) well into the early 2000s. For example, around 2004, the London Met "set up a special task force to deal with Tamil gang related violence" (Orjuela 2011, 13), titled Operation Enver.

The new millennium further expanded security governance of the Tamil diaspora. While the LTTE had already been proscribed as a "terrorist organization" in the United States and the United Kingdom from the late 1990s onward (Sentas 2016), after 9/11 the designation of an organization as "terrorist" derived new meaning (and power) globally. It now legitimated—even required—responses beyond national jurisdictions, in terms of both actors and spaces. The war on terror needed to be *global*, and so the GOSL was able to successfully link their domestic struggle against separatism and insurgency with the Global War on Terror

(Nadarajah and Sriskandarajah 2005). This had implications for the entire Tamil diaspora population and placed severe constraints on mobilization activity. For example, by labeling all insurgent groups as terrorists, this effectively made all those who sent funding to those supporting the Tamil nationalist struggle into terrorist co-conspirators (Laffey and Nadarajah 2016). Thus, for most of the civil war, the majority of the Tamil diaspora population had to lay low if they were to avoid either Sri Lankan state repression or being targeted by their host country governments for affiliation with terrorism. Political rallies and demonstrations took place (Rasaratnam 2016) but did not attract large portions of the Tamil diaspora who were more focused on everyday worries of integration and professional development (Gunasingam 2014). This changed in the final phase of the war, as has been explored in much depth by the scholars mentioned above (Vimalarajah and Cheran 2010; Amarasingam 2015; Walton 2015).

The brutal defeat of the LTTE by the GOSL in May 2009 presented a turning point not only in Sri Lankan domestic politics, but also for relations between the Tamil diaspora and its home- and host state (Brun and van Hear 2012). As evidence emerged that implicated the GOSL in war crimes and human rights abuses, committed in the final phase of the war against Tamils on the island, Western media coverage shifted gradually away from the Tamil-diaspora-as-threat narrative. Western governments and public officials began condemning the actions of the GOSL and adopted a more sympathetic stance to their domestic Tamil diaspora populations. The end of the civil war thus opened an important window in that the Tamil diaspora was able to mobilize in unprecedented ways, and scholars have rightly been focused on explicating this shift.

Nevertheless, there is a need to look closer at what has actually changed and what has stayed the same. My intention in this article is to show that it is important not to overstate the extent of change in Tamil diaspora governance. Not all Western governments responded in the same way to the end of war and defeat of the LTTE, showing that global level shifts in discourse were not necessarily universal or linear (Craven 2022). For example, while in 2013 the then Canadian Prime Minister Stephen Harper stayed away from the Commonwealth Heads of Government Meeting (CHOGM), something which Tamils the world over had asked their host governments to do, UK Prime minister David Cameron did not.[4]

4 "Shadows over Commonwealth Summit in Sri Lanka," *BBC News*, November 14, 2013, https://www.bbc.co.uk/news/world-asia-24753921.

This reevaluation of the "turning point" also has an effect on how we understand security governance of the Tamil diaspora today. With this in mind, this article accepts that the global Tamil diaspora has carved out increased space for resistance and national struggle beyond the LTTE since the end of the civil war. But importantly, rather than overestimate this space for mobilization, it will show how various governance practices have continued to structure the Tamil diaspora experience since the end of the civil war. It will show to what extent the Tamil diaspora remains securitized, that is, governed as a potential security threat. Although, in the period between 2015 and 2019, under Sirisena's "good governance" government, efforts were made to "engage" diasporic Tamils in more benevolent ways, today the Sri Lankan state continues to regard the Tamil diaspora with suspicion.[5] Meanwhile, the tolerance exhibited by some global actors, including the Sri Lankan, British, and Canadian government, toward the Tamil diaspora should not be mistaken for disinterest or even support of transnational political action.[6] Indeed, if we look beyond the formal interactions between elite diaspora organizations that take place—from Geneva to Westminster, and in Ottawa—among liberal-policy networks at the national and global levels, and instead center security governance practices—both historical and contemporary—then we see that the space for Tamil diaspora activism remains slim. In the following section, I will discuss my framework for the study of governance practices that pose ongoing constraints on the Tamil diaspora as they try to mobilize.

Data Collection

The argument brought forward in this paper builds on data collected for my PhD project, a multisited ethnographic study of Tamil diaspora engagement, in three sites of global governance. While the PhD explores and

5 For example, in December 2015, I attended a workshop organized by International Alert in Colombo—attended also by Sri Lankan state representatives—on how to engage overseas Sri Lankans in peacebuilding programs. See also https://www.international-alert.org/wp-content/uploads/2021/08/Sri-Lanka-Diaspora-Engagement-EN-2015.pdf.

6 With some notable exceptions, such as Jeremy Corbyn, who has supported Tamil refugees in the United Kingdom, and the Tamil struggle for national self-determination since its earliest days, see, for example, "Learn Lessons of the Past," *Morningstar Online*, https://morningstaronline.co.uk/article/learn-lessons-past-%E2%80%93-campaigner-against-1980s-prison-ship-refugees-warns-government-not.

compares diaspora governance across these three different governance sites (spanning across three governance fields, namely human rights and transitional justice, development, and security), this paper draws primarily on research conducted on the security governance case—albeit situating it in a broader global ecosystem of Tamil diaspora governance.

The data for this paper are taken primarily from research conducted between December 2015 and 2018 in London, among members of the Tamil diaspora that were mobilizing toward their homeland—both politically and economically—as well as the practitioners and policy makers that were involved in governing this transnationalism. These are supplemented by global contextual data collected during trips to Colombo, Toronto, and Geneva, as well as online. This was done in order to place data on the UK-based Tamil diaspora into conversation with broader evidence from the global Tamil diaspora, allowing me to interrogate the extent of the globality or "universality" of the UK-based Tamil diaspora experience of governance.

In London, I participated in and observed events during which I recorded ethnographic fieldnotes of diaspora mobilization and governance in action. This included spending time at Tamil commemorative events (e.g., Maveerar Naal) and political rallies, informal meetings with Tamil activists, and attending conferences organized by Tamil student groups and organizations such as the BTF and the Tamil Information Centre (TIC).[7] Crucially, because I was interested in the broader (global and national) security governance environment that the Tamil diaspora had to operate in, I also attended events that were attended mostly by security practitioners and policy makers, such as the 2016 UK Security Conference, held at Olympia in Kensington, and parliamentary evidence sessions on insurgent groups, terrorism, and countering violent extremism (see Abbas 2019). Finally, because my access to spaces where security practices targeting the Tamil diaspora (e.g., police raids, arrests, instances of intimidation) were playing out in real time was limited, I relied significantly on desk research. I collected secondary academic sources, policy documents, think-tank reports, and news articles (from both mainstream and Tamil diaspora–run news media such as the Tamil Guardian) that related to Tamil diaspora repression and diaspora governance more broadly.

7 For example, *Tamils of Lanka: A Timeless Heritage* organized by the TOC in the suburbs of Kingston, in South-West London, of which Seoighe (2021) has written so beautifully.

All data were recorded and annotated in NVivo, and subsequently analyzed with the help of the conceptual framework outlined in the following section.

Centering Diaspora Governance Practices to Reveal "Security Entanglements"

In this section, I propose a centering of practices of diaspora security governance. Like Glasius (2018), I define practices as the routinized "doings and sayings" of actors in global politics. However, I extend my perspective beyond the practices of authoritarian sending states to include all practices that are potentially concerned with securing diaspora. I take inspiration from recent literature that has emerged in international relations, in which ontological priority is given neither to states nor to individual rational agents, or powerful structures, but instead the practice itself (Adler and Pouliot 2011; Adler-Nissen 2012; Bueger and Gadinger 2018). Drawing on some of the discussions within this literature on governance practices (Pouliot and Thérien 2018), I conceptualize practices as my primary units of analysis. In the study of diaspora governance, this is particularly useful. Rather than confine myself to the study of the policies and strategies that sending states—for example, those that have been a priori identified as authoritarian—implement to govern their overseas populations, I can identify a practice of diaspora governance and then ask whether it is indeed motivated by authoritarian ideologies and also what other actors or structures might be implicated in it.

As I theorize in more detail elsewhere (Craven 2022), diaspora security governance practices can therefore include any of the following practices outlined in the literature on extraterritorial authoritarianism, for example, surveillance, intimidation (also of relatives at home) (Moss 2016), withdrawal of citizenship rights and expulsion (Brand 2006), but also practices problematized in the literature on security and migration more broadly, such as border management (Huysmans 2000), proscription, policing and criminalization, countering violent extremism and counter terrorism practices (e.g., the Prevent Policy; see Abbas 2019), and the creation of "suspect communities" (Sentas 2010, 2016; Nadarajah 2018).

To make sense of and locate these practices, I then draw on the typology of "sources of constraints" to TPA elaborated by Chaudhary and Moss (2019). These are (1) *geopolitics and interstate relations*, (2) *origin-country authoritarianism*, (3) *weak origin-country governance*, and (4) *exclusionary receiving country context*. The framework broadens our gaze when it comes to looking for "sources of constraints," beyond the sending state. Although sociopolitical conditions in the sending country

remain a key source of constraint, they identify further sources that take us beyond the sending-state–diaspora relation. These include not only the transnational field, but also the global and local host country environment in which diaspora find themselves. Second, by centering "sociopolitical conditions," rather than actors, the framework also accounts for cases where democratic host country regimes play a part in constraining TPA. This also allows for the possibility that diaspora face constraints and repression even when they are not actively mobilizing. Finally, by framing constraints to TPA as *sociopolitical conditions*, Chaudhary and Moss (2019) go beyond formal policies and are able to include less easily identifiable "repression mechanisms" or practices. By combining this framework with a focus on governance practices, I avoid both the overemphasis on agent-driven change and the a priori centering of traditional actors and structures in global politics, and instead can begin to disentangle the complex relationships between actors, across fields and scales that come together in Tamil diaspora governance. Ultimately, I will show that practices can act as a point of entry for analyzing what Adamson and Greenhill (2021) have termed "security entanglements" beyond the sending state.

In the following pages, I will illuminate the security entanglements that have structured the experience of the Tamil diaspora since the end of the civil war. I will consider the following questions: Do Tamils continue to be constrained in their TPA in the post–civil war period? And if so, what are the sources of these constraints? Is Tamil diaspora mobilization constrained by practices that have as their source *origin-country authoritarianism* or *weak origin-country governance*? Or is Tamil diaspora mobilization constrained by practices that have as their source *geopolitics and interstate relations* or an *exclusionary receiving country context*? I will develop the two-pronged argument that (1) Tamil diaspora remains subject to governance practices that constrain TPA, even in the postwar period, and (2) it is impossible to maintain the separation between "origin country" and "interstate relations" and "receiving country context," as governance is embedded within a broader global (and local) environment, one that is characterized by complicity and cooperation between the GOSL, and actors within the host state, be it the United Kingdom or Canada.

Constraining Tamil Diaspora Mobilization through Security Governance Practices

This section contains three case studies, each of which illustrates in different ways how Tamil diaspora TPA continues to be entangled with security governance practices beyond the sending state. Governance practices that diaspora Tamils have to contend with range from "divide and rule," proscription, counterterrorism, and border policing to outright intimidation and harassment by state-affiliated actors, whereby the sending state rarely acts alone when governing.

Figure 1. Photo of Maveerar Naal entrance gate in Stratford, London.
Source: Author.

Commemoration in Spite of Delegitimization and Proscription

In November 2016, I am invited to attend Maveerar Naal, or "Heroes Day," a ceremony organized by several Tamil diaspora organizations in the Queen Elizabeth Olympic Park in Stratford, East London, to commemorate Tamils who had lost their lives during the civil war. As I emerge from the underground at Stratford station, I am greeted by a roaring tiger, usually found on the Tamil Eelam national flag, perched above a huge archway, complete with guns crossed behind it (figure 1).

Next, I pass the not-to-scale models of graves ("Thuyilum Iilam"), historically found in the north and east of the island. Soon after I arrive, the proceedings begin. They include the singing of the Tamil national anthem and other "Tiger Songs" (Bruland in Fuglerud and Wainwright 2015, 93). The Tamil Eelam national flag adorns the walls of the stage, is hoisted (alongside the Union Jack) ceremoniously at the start of the event, and smaller versions are draped neatly over the hero's graves. At the end of the ceremony, I gather with colleagues and Tamil activists at a nearby coffee shop to reflect on the day. In conversation, I learn that today's event was attended by approximately 15,000 people and that other (smaller) events are held simultaneously across the country, and the globe. Since the end of the civil war and defeat of the LTTE, a domestic crackdown on commemoration

practices in Sri Lanka (Seoighe 2015), for example, through systematic destruction of Tamil war graves,[8] has meant that the Tamil diaspora has taken it upon itself to carry on the tradition of Maveerar Naal.

Memory practices such as Maveerar Naal, whose political and social intricacies have been explored at length by scholars such as Camila Orjuela (2018, 2020) and Rachel Seoighe (2021), have become an important place for the Tamil diaspora community to remember, sustain, and advocate for their collective Tamil identity. Seoighe writes that "(w)hile Tamil diaspora politics were traditionally dominated by first generation Tamil men, Mullivaikkal prompted a younger generation of women and men to stage resistance and take ownership of the Tamil liberation struggle by leading and organizing marches, demonstrations and campaigns" (Seoighe 2021, 171). Although Tamils in London were able to celebrate Maveerar Naal without visible incidents that year, this has not always been the case. Tamil diaspora organizing, in the form of holding this event in solidarity with homeland Tamils, has been subject to security governance practices, even in the aftermath of the war and outside the Sri Lankan homeland. How so?

In November 2014, on the occasions of both Maveerar Naal and Canadian Remembrance Day, Rathika Sitsabaesan, a Canadian MP of Tamil descent, appealed to the Canadian House of Commons to "remember and pay tribute to the heroes but also to reflect on the lessons of the struggle for justice, peace, and a life free from discrimination. Sadly, on the island country of Sri Lanka where I was born as a child of war, the discrimination and injustices continue and the ethnic and religious minorities continue to live without peace and in fear."[9] She was subsequently criticized for likening LTTE fighters to World War I veterans, not only by members of the Singhalese online community[10] but also by her Canadian peers. Conservative MP Steven Blaney, the then Minister of *Public Safety Canada*, countered her tribute by asserting that Maveerar Naal was dedicated to the glorification of a proscribed terrorist group.[11] Similar statements about Maveerar Naal have also emanated from within the British political establishment. Shortly after the United Kingdom had reaffirmed its commitment to keeping the LTTE on a list of proscribed organizations in 2014, the Conservative Lord, Lord Naseby, suggested that Maveerar Naal should be prohibited in light of this continued proscription. He claimed that the events "celebrate the life and leader of the Tamil Tigers" and "raise money for Eelam" and should therefore be investigated by the London Metropolitan Police.[12]

I suggest that these incidents and discourses accompanying Maveerar Naal indicate a need to unpack further the power imbued in the concept or practice of *proscription*, which evidently continues to play a key role structuring Tamil mobilization in the post–civil war period. Proscription is, first and foremost, a legal practice, which criminalizes the existence of certain organizations, as well as affiliation with them (Sentas 2010). It was a defining practice of Tamil diaspora governance during the war, employed to curb financial support for the LTTE (Nadarajah 2018), as it criminalized not only the activities of the proscribed organization but also anyone affiliated with it, and such affiliation has been loosely interpreted (Nadarajah 2018). Crucially, the domestic Sri Lankan proscription regime remains in place to date. In fact, five years after the end of the war in 2014, the GOSL went on a veritable proscription spree,[13] listing several Tamil diaspora organizations,[14] including the BTF, who subsequently raised an appeal to the interna-

8 "Tamil Monuments That Have Been Destroyed or Vandalized by the Sri Lankan State," *Pearl Action*, Twitter thread from January 9, 2021, https://twitter.com/PEARL_Action/status/1348040579188404224. See also "Thousands Attend Maveerar Naal Commemorations at Destroyed Thuyilum Illam in Kilinochchi," *Tamil Guardian*, November 27, 2017, https://www.tamilguardian.com/content/thousands-attend-maaveerar-naal-commemorations-destroyed-thuyilum-illam-kilinochchi.

9 "Hansard 148," *House of Commons Debates*, House of Commons Canada, 2014-1-25, 14:10, https://www.ourcommons.ca/DocumentViewer/en/41-2/house/sitting-148/hansard.

10 "Rathika Sitsabaesan, Canadian MP Puts Her Foot in Her Mouth Re LTTE Heroes Day," *Lankaweb*, December 2, 2014, http://www.lankaweb.com/news/items/2014/12/02/rathika-sitsabaesan-canadian-mp-puts-her-foot-in-her-mouth-re-ltte-heroes-day/.

11 Stewart Bell, "Canadian Public Safety Minister Steven Blaney Wants Scarborough-Rouge River MP Rathika Sitsabaiesan to Apologise to All Veterans and All Canadians for Equating Remembrance Day with LTTE Great Heroes Day," *DBSJeyaraj.com*, November 28, 2014, https://dbsjeyaraj.com/dbsj/archives/35498.

12 UK Parliament, Hansard 757, November 24, 2014.

13 Meera Srinivasan, "Sri Lanka Bans 15 Tamil Diaspora Organisations," *The Hindu*, April 2, 2014, https://www.thehindu.com/news/international/south-asia/sri-lanka-bans-15-tamil-diaspora-organisations/article5860193.ece.

14 This has happened again recently; see "Sri Lanka Proscribes Hundreds Alongside Tamil Diaspora Organisations," *Tamil Guardian*, March 27, 2021,

tional covenant on civil and political rights (ICCPR) to get the ban lifted as it impeded on its ability to perform human rights–related work, for example, by increasing the risk of detention upon arrival in Sri Lanka.[15] Human Rights Watch has similarly stated that the asset freezing and threat of detention that come with proscription within the home state "threatens peaceful dissent" in the Tamil diaspora in the postwar period.[16]

However, proscription remains a powerful tool of domination not only within the territorial boundaries of the Sri Lankan home state. Importantly, even as relations between the Sri Lankan and the Western governments deteriorated in the months following the end of the war, as details emerged of the human rights abuses committed by Sri Lankan military forces against Tamils, not a single Western power moved to have their LTTE proscription lifted. In fact, more recent attempts to un-proscribe the LTTE at the regional level, based on Council of Europe recommendations, have fallen flat.[17] Further, as incidents in Canadian and UK parliaments demonstrate, efforts to delegitimize Maveerar Naal by linking it to the proscribed LTTE have indirect consequences. Statements such as those by Lord Naseby, in support of the Sri Lankan state regime, are picked up and circulated by news outlets in Sri Lanka,[18] and subsequently globalized/scaled up through online news media. This, in turn, lends legitimacy to voices calling for more constraint of the Tamil diaspora, for example, through prohibition of Maveerar Naal, adding fuel to the fire of those already engaged in online intimidation and harassment of the Tamil diaspora more broadly.[19] So much so that one London-based Tamil activist recently became the victim of a Twitter harassment campaign, including death threats, after appearing on British news in the aftermath of the Easter Mosque bombings in Sri Lanka.[20] Thus, proscription does not only have power as a legal governance tool but also functions to delegitimize the Tamil diaspora discursively. Its power lies not just in criminalization but also in the symbolic maintenance of the LTTE as a global security threat. Proscription itself has then become a battleground for political struggles over who is a legitimate actor in international or transnational politics. On the one hand, the practice presents a direct constraint to Tamil TPA, through prohibiting or limiting fundraising at diasporic events (Sentas 2010); on the other hand, it legitimizes discourses that have a disciplining effect on Tamil diaspora organizing.

What does this tell us about who is governing the Tamil diaspora in the post–civil war period? While Sri Lanka is not formally considered an authoritarian state, in its attempts to control historical memory and narratives (Orjuela 2018), its government has cast the celebration of Maveerar Naal as insurgent activity, banning it entirely within its borders. However, actors within the origin country have also sought to repress or constrain the celebration of Maveerar Naal extraterritorially, within the diasporic space. Critics of the event include Sri Lankan state loyalists among the (online) Singhalese diaspora community, and news outlets inside the origin country, and even people within the Tamil–Canadian diaspora community.[21] Evidently, it is difficult to attribute any practices to a singular origin country actor. This challenges not only the "country-of-origin" category proposed by Chaudhary and Moss and other authors writing on extraterritorial authoritarianism and diaspora engagement more broadly, especially in relation to the Tamil diaspora case. After all, a large proportion of Tamils living in the diaspora would not consider Sri Lanka their "country of origin"[22] and there does not exist a linear-state–diaspora relationship between the GOSL and diaspora Tamils.

https://www.tamilguardian.com/content/sri-lanka-proscribes-hundreds-alongside-tamil-diaspora-organisations.

15 BTF submission to 112th session of ICCPR, https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/LKA/INT_CCPR_CSS_LKA_18254_E.pdf.

16 "Sri Lanka: Asset Freezing Threatens Peaceful Dissent," *Human Rights Watch*, April 7, 2014, https://www.hrw.org/news/2014/04/07/sri-lanka-asset-freeze-threatens-peaceful-dissent.

17 "EU Court Rejects Move to Lift Ban on LTTE," *The Sunday Times, LK*, November 28, 2021, https://www.sundaytimes.lk/211128/news/eu-court-rejects-move-to-lift-ban-on-ltte-463612.html.

18 "'No Genocide in Sri Lanka,' Naseby Tells House of Lords," *The Island*, May 23, 2021, https://island.lk/no-genocide-in-sri-lanka-naseby-tells-house-of-lords/.

19 The scale of this online war has been explored by Priya Kumar (2012, 2018).

20 Amanda Taub, "'We Will Come for You': How Fear of Terrorism Spurs Online Mobs," *The New York Times*, April 29, 2019, https://www.nytimes.com/2019/04/29/world/asia/sri-lanka-attacks-death-threats.html.

21 D.B.S. Jeyaraj, "Political Hypocrisy of Maveerar Naal Mourning," *Daily Mirror Online LK*, December 7, 2013, http://www.dailymirror.lk/dbs-jeyaraj-column/political-hypocrisy-of-maaveerar-naal-mourning/192-39878.

22 Instead, they are more likely to refer to Ceylon, Tamil Eelam, or the Island of Sri Lanka, rather than the state.

What about the "exclusionary context of reception"? At first glance, it appears that few constraints to TPA emanate from the host country or city. London prides itself on being a particularly "inclusive environment" where multicultural events such as Maraveer Naal are encouraged. And yet, underneath the façade of tolerance and liberal multiculturalism lies evidence that suggests that Tamil TPA is indeed constrained by not only hostile domestic political actors, such as Lord Naseby, but also the broader UK political environment of domestic laws, policies, and norms. After all, it is the United Kingdom's proscription regime that Naseby calls upon to legitimate his contestation, not the Sri Lankan.

Importantly, when examining the United Kingdom's proscription regime, it becomes difficult to locate it solely in the "origin country" or "context of reception." It has always been situated in a broader global environment. While the United Kingdom's proscription regime emerged primarily in response to the domestic security threat presented by the Irish Republican Army (IRA) (Legrand and Jarvis 2014), the proscription of the LTTE has always been informed by interstate relations between the United Kingdom and Sri Lanka. For example, arrests made on account of LTTE proscription almost always rely on international intelligence sharing (see Cooley and Heathershaw 2017). In geopolitical terms, the proscription of groups such as the LTTE, advocating for national self-determination, must be understood as a practice to counter the threat to the status quo of liberal internationalism, whereby challenges to fixed nation-state boundaries are framed as threats to international order and global security (Bose 2009).

In sum, an unpacking of discourses around Maveerar Naal shows that security governance practices such as proscription continue to structure Tamil diaspora mobilization in the post–civil war period. Furthermore, Chaudhary and Moss's typology of "sources of constraint" has proven useful in disentangling the actors and spaces implicated in proscription, both as a legal and discursive practice. We find evidence for constraints emanating from the origin country, the reception context, and geopolitical and interstate relations. However, this section has also shown that when it comes to the analysis of governing practices, it is difficult to fully isolate sources of constraint, suggesting more complex security entanglements.

Governance by Counterterrorism and Border Policing

In March 2019, newspapers reported on two young Tamil men arrested while boarding a plane at Heathrow Airport.[23] They were apprehended by counterterrorism police and held in the airport's detention facilities for several hours. Their bags were searched, and one man's apartment raided. The articles went on to report that the two men were on their way to Geneva to attend the fortieth session of the UNHRC to attend a protest calling for justice for Tamil victims of human rights abuses committed by the GOSL during the civil war. It was later revealed that one of the two men was a musician scheduled to perform with his drumming group at the said protest.[24] While they were released on bail later that night, they were unable to attend the UNHRC as they had planned.

This incident suggests another category of governance practices that has significantly structured postwar Tamil diaspora mobilization capacity. These revolve around the concept of "terrorism" and include practices such as *labeling a group or individual as "terrorists"* and *arresting/detaining people on "suspicion of terrorism" charges*, which form part of a repertoire of *counterterrorism measures deployed at borders*, which have both constitutive and constraining effects.

The concept of terrorism holds particular power in global politics, warranting analysis separate from the proscription practice. Notoriously hard to define, the concept of terrorism is fluid and there exists no universal definition. What matters is that as a "speech act," it has immense causal power (Huysmans 2011), meaning that the very mention of the word sets in motion a very real/material governance apparatus built with the intention to eliminate the terrorist threat. Even if the direct involvement of Tamils in terrorist activity, that is, committing or financing acts of political violence, cannot be proven in court, the mere practice of implying the Tamil diaspora's involvement in terrorism has (constraining) effects on TPA. Throughout the civil war, the terrorism accusations made against the LTTE have delegitimized and constrained broader Tamil diaspora activism. For example, in the aftermath of the 2004 Indian Ocean Tsunami, diaspora organizations such as the Tamil Rehabilitation Organisation (TRO), who had been active in the humanitarian sector but were operating in LTTE-controlled areas in Northern and Eastern Sri Lanka—which were hardest hit by the natural disaster—

23 "2 Tamil Activists Arrested by Counter-Terrorism Police at Heathrow," *Tamil Guardian*, March 5, 2019, https://www.tamilguardian.com/content/2-tamil-activists-arrested-counter-terrorism-police-heathrow.

24 Phil Miller, "Tamil Musician Arrested by Counter-Terrorism Police at Heathrow, *Morning Star*, March 5, 2019, https://morningstaronline.co.uk/article/b/tamil-musician-arrested-counter-terrorism-police-heathrow.

had their assets frozen.[25] However, that "delegitimization" of Tamil TPA has been maintained in the postwar period emerges not just from the discourses surrounding Maveerar Naal. In 2011, the CTC sued a prominent security studies professor, who had alleged that the LTTE was "operating in Canada under the name of the Canadian Tamil Congress, which is the main LTTE front organization in Canada."[26]

Of course, the concept of terrorism also has more immediate, embodied, and therefore material consequences. The two men detained at Heathrow Airport were not constrained discursively, but physically. Evidently, in the postwar period, the Tamil diaspora is governed by counterterrorism practices, and with violent consequences. This is because by rendering the LTTE as a terrorist threat, the Tamil diaspora at large is made "suspect" and thus governable under UK Counter Terrorism legislation. They become subject to a set of governance practices that go beyond proscription of organizations with links to the LTTE. For example, in October 2018, a prominent member of the TGTE, a Tamil diaspora organization with chapters all across the globe, was arrested by Thames Valley Police in Oxford.[27] He was part of a group of protestors who had gathered to peacefully demonstrate the visit of Sri Lankan Prime Minister Wickremesinghe on Sri Lankan Independence Day. What "sources of constraint" can we identify when centering these terrorism-related governance practices? Where are the origin and the host state located in this?

Some suggest that the GOSL is to blame for arrests, with Sri Lankan High Commission staff responsible for tipping off London Metropolitan police by supplying them with false information about Tamils engaging in terrorist activity inside UK borders,[28] thus supporting the "origin-country authoritarianism" argument. However, the story is evidently more complex, as arrests surely rely on the willingness of the host-state police forces to act on threat allegations. Similarly, we know that the arrests of the Tamil men at Heathrow Airport were made possible through the help of foreign police forces and border guards. Reports suggest that the suspects were apprehended by airport counterterrorism police on "suspicion of terrorism" charges, because they were understood to be carrying a Tamil national flag, which would have symbolized their affiliation with a proscribed organization. That evidence of their involvement in terrorism would likely not have held up in court matters little. "Suspicion" by airport police officers was enough to warrant arrest under UK counterterrorism law. The piece of legislation legitimizing this is Schedule 7 of the UK Terrorism Act, which grants exceptional and sweeping rights to police in border areas (section 13), "without the need for any reasonable suspicion."[29] The passing of this act in the year 2000 gives some indication of the threat perceived to emanate from beyond the United Kingdom's national borders at the time, for example, by transnationally operating insurgent groups such as the IRA, but also the LTTE. This strongly suggests that the "exclusionary receiving country context" plays a big part in constraining Tamil TPA. It also means that the UK response to Tamil TPA is somewhat decoupled from the sending-state context. The formal end of the civil war in Sri Lanka may have provided some openings for Tamil activism in the United Kingdom, but it does not equate to an end to scrutiny of Tamil diaspora members at the UK border.

Ultimately, practices of counterterrorism policing at borders structure how a receiving country such as the United Kingdom responds to migration and transnational political action (Ragazzi 2016; Zedner 2019). The threat potential emanating from such mobilities is considered so severe that the infringement of human rights and civil liberties is justified in fighting it. However, the United Kingdom's bordering and counterterrorism practices did not appear in a vacuum. Rather, they are deeply embedded in a broader global security environment.

Beside the terrorist attacks in London on 7/7, it is the events of 9/11 that transform both domestic and global threat perceptions around migrants and mobilities. Changes in the global security environment, entailing cooperation around the Global War on Terror, produced a massive expansion of the UK counterterrorism apparatus, whereby airports, ports, and land border crossings became new battlegrounds in this global war. This transformation responded to an emerging fear inside liberal

25 "US to Freeze Tamil Charity Assets," *BBC News*, November 15, 2007, http://news.bbc.co.uk/1/hi/world/south_asia/7097221.stm.

26 "Canadian Tamil Congress Sues Global Terror Expert," *Deccan Herald*, July 13, 2011, https://www.deccanherald.com/content/175844/canadian-tamil-congress-sues-global.html.

27 "British Tamil Activist Arrested and Detained by UK Police," *Tamil Guardian*, October 9, 2018, https://www.tamilguardian.com/content/british-tamil-activist-arrested-and-detained-uk-police.

28 "Protest in Oxford as Sri Lankan PM Addresses Union," *Tamil Guardian*, October 9, 2018, https://www.tamilguardian.com/content/protest-oxford-sri-lankan-pm-addresses-union.

29 Stopwatch, "Schedule 7 Stops under the Terrorism Act," *A Factsheet by Stopwatch*, 2013–2014, https://www.statewatch.org/media/documents/news/2015/aug/uk-schedule-7-stopwatch-factsheet.pdf.

Western states of "homegrown terrorism," where the enemy was always already within, and likely to be black or brown, and Muslim. This fear has translated into racial and religious bias by UK border guards and police officers (Abbas 2011), and consequently also the wider application of Schedule 7. However, these developments cannot be solely attributed to the events of 9/11, or even 7/7.[30] The migration governance crisis is the Mediterranean, which gripped Europe in the 2010s and also played—and continues to play—a crucial role in the securitization of migration.[31] Especially, the outbreak of civil war in Syria, and the ensuing increase of foreign fighters (Dawson and Amarasingam 2017) and supposedly radicalized returnees, has transformed the ways in which diaspora are perceived and governed in their receiving country. A closer look at the conditions surrounding the arrests of the two Tamil men at Heathrow Airport shows that geopolitics and interstate relations play a key role in determining the UK Tamil diaspora's capacity for TPA.

Thus, Tamil TPA continues to be constrained by terrorism-related governance practices in the postwar period. These include the *labeling* of groups and individuals as terrorist, and *border policing*. It has also shown that this security governance practice relies on the interplay of different global and local actors, including and beyond the sending state. While it might be reasonable to believe that the arrests of the two Tamil men at Heathrow Airport were driven by Sri Lankan state forces engaging in practices that resonate with the category of "origin country authoritarianism" (such as *surveillance* and *intimidation*), a closer look at the conditions surrounding the arrest make clear that sources of constraint are as much located in the host state as they depend on "geopolitics and interstate relations."

The Role of UK–Sri Lanka Diplomatic Practices in Constraining Tamil TPA

On February 4, 2018, a Sri Lankan defense attaché and former diplomat, Brigadier Fernando, was caught on camera outside the Sri Lankan Embassy in London visibly intimidating and threatening protestors who had gathered to demonstrate the official state celebration of Sri Lankan independence day. Footage showed the Brigadier "running his forefinger across his throat whilst maintaining eye contact with the protestors,"[32] while photographs that were circulated widely in the media also showed him pointing his finger as the Sri Lankan flag embroidered onto his uniform. His antics were clearly aimed at the Tamil protestors, many of whom had fled state repression in Sri Lanka, and were extremely distressed by the gestures.[33] Fernando was eventually summoned back to Sri Lanka and to date has not been held legally or otherwise accountable for his actions.

At first glance, this incident appears to be a fairly straightforward example of intimidation and harassment by sending-state forces—or a single sending-state agent—reflecting in many ways what has been documented and analyzed by scholars of transnational repression, for example, in the case of the Syrian and Lebanese diasporas during the Arab Spring (Moss 2016). That constraints to Tamil diaspora political activism emanate from the Sri Lankan state in the form presented here thus supports the "origin-country authoritarianism" argument. Further, within the origin country, lack of accountability of the Brigadier might signal weak origin-country governance or lack of political will on the part of the GOSL, or indeed both. However, the further we dig into the details of the incident, the more strained the argument becomes that this is an example of transnational repression facilitated purely by conditions inside the sending state. Rather, I wish to argue that, whether Fernando's behavior was passively condoned or actively encouraged by the GOSL, it was also certainly made possible by circumstances in the British "host state." Let me explain why I suggest that this case cannot be treated simply as an instance of unwanted sending-state interference in host-state sovereignty, but rather reveals complex global security entanglements.

We learn from a detailed press briefing,[34] put together by the Public Interest Law Centre, that Tamil protestors

30 See also Huysmans (2000) on the security–migration nexus and how it precedes 9/11 and Arab spring migrations.

31 Although some argue that the change was more strongly felt in continental Europe (Boswell 2007), partly because the "five-eyes-community" was already more attuned to the "homegrown terrorism" threat.

32 Public Interest Law Centre, "Details of the Case Majuran Sathanathan (Complainant) vs. Andige Priyanka Indunil Fernando (Defendant)," *Press Briefing*, November 14, 2019, https://www.tamilguardian.com/sites/default/files/File/20190114-Public%20Interest%20Law%20Centre%20-%20Priyanka%20Fernando.pdf.

33 Public Interest Law Centre, "Details of the Case Majuran Sathanathan (Complainant) vs. Andige Priyanka Indunil Fernando (Defendant)," *Press Briefing*, November 14, 2019, https://www.tamilguardian.com/sites/default/files/File/20190114-Public%20Interest%20Law%20Centre%20-%20Priyanka%20Fernando.pdf.

34 Public Interest Law Centre, "Details of the Case Majuran Sathanathan (Complainant) vs. Andige Priyanka Indunil Fernando (Defendant)," *Press Briefing*,

filed a police report to London Metropolitan Police, which was not acted upon. Nevertheless, Fernando is eventually summoned to court and charged with section 4 of the Public Order Act 1986. An initial guilty verdict[35] and rejection by the judge of claims to diplomatic immunity[36] suggest that the host-state justice system is functioning to protect Tamils in exercising their democratic right to protest, without extraterritorial interference. But already, details that emerge from the trial suggest that this democratic right in the host state is highly conditional, dependent upon relations between host- and home state. One of the key pieces of evidence to emerge out of the case is a document that lists the official diplomatic responsibilities of the defense attaché, which include "safeguarding the embassy," "countering protests against the Sri Lankan government," and "maintaining close relations with British intelligence agencies."[37] If countering protests against the Sri Lankan government is a permissible diplomatic practice in the eyes of the British state, then it is not such a leap to suggest that the British government is implicated in repressive practices constraining Tamil diaspora mobilization within its borders. Maintenance of friendly diplomatic relations with Sri Lanka appears to override the need to protect citizens within its borders from undue surveillance and disciplining.

However, the story does not end here. After the initial guilty verdict, the warrant for Fernando's arrest is later revoked,[38] the court's decision overturned on grounds of diplomatic immunity.[39] Again, details that emerge about why and how this happened suggest further security entanglements between the British and Sri Lankan state. Indeed, in the case of Fernando, it was later reported that the British Foreign Office had a significant role to play in ensuring that he could evade accountability for his actions. As The Guardian reports, the conviction "appeared to trigger a stream of diplomatic exchanges" between Sri Lankan state officials and the British Foreign and Commonwealth Office (FCO).[40] This is confirmed by the Sri Lankan Ministry of Foreign Relations itself: "a request was made through the British High Commission in Colombo that the Foreign and Commonwealth Office, take necessary steps to ensure a review of the process including the order of the Magistrate's Court of Westminster to correct the Court's misunderstanding of International Law and the lapse on the part of the Court administration to bring to the attention of the Magistrate the contents of the Diplomatic Note sent by the Government of Sri Lanka claiming immunity."[41] Ultimately, pressure from the FCO to treat this as a case where diplomatic immunity was warranted meant that "the chief magistrate abruptly withdrew the arrest warrant."[42] This decision by the FCO, and the practice of diplomatic immunity in general, could thus be understood as a form of organized state neglect. The violence inflicted by this practice on non-state actors seems central to understanding transnational repression and diaspora governance, and certainly warrants further investigation.

In sum, when we dig deeper into the case, we realize that multiple agencies in both the sending- and the host state come together to ensure that the agent of repression faces no consequences, thus fostering a hostile culture for Tamil TPA. The British government is undoubtedly implicated in practices constraining undesirable Tamil

November 14, 2019, https://www.tamilguardian.com/sites/default/files/File/20190114-Public%20Interest%20Law%20Centre%20-%20Priyanka%20Fernando.pdf

35 "UK Court Find Sri Lankan Brigadier Priyanka Fernando Guilty," *Colombo Gazette*, January 21, 2019, https://colombogazette.com/2019/01/21/uk-court-finds-sri-lankan-brigadier-priyanka-fernando-guilty/

36 "Foreign Ministry Comments on the Judgement in the Case of Brigadier Priyanka Fernando," *High Commission of the Democratic Socialist Republic of Sri Lanka in the United Kingdom*, December 7, 2019, https://srilankahc.uk/2019/12/07/foreign-ministry-comments-on-the-judgement-in-the-case-of-brigadier-priyanka-fernando/

37 "British High Court Hears Sri Lankan Brigadier's Appeal against Conviction for Threatening Tamil Protestors," *Tamil Guardian*, December 3, 2020, https://www.tamilguardian.com/content/british-high-court-hears-sri-lankan-brigadiers-appeal-against-conviction-threatening-tamil.

38 Owen Bowcott and Diane Taylor, "UK Arrest Warrant for Sri Lanka Attaché over Threat-Cut-Gesture Revoked," *The Guardian*, February 1, 2019, https://www.theguardian.com/world/2019/feb/01/uk-arrest-warrant-for-sri-lanka-attache-over-throat-cut-gestures-revoked.

39 Brian Farmer, "Tamil Protester Loses High Court Fight against Defence Attache," *Evening Standard*, March 19, 2021, https://www.standard.co.uk/news/uk/mcgowan-high-court-lawyers-london-sri-lankan-b925257.html.

40 Owen Bowcott and Diane Taylor (2019).

41 "Foreign Ministry Comments on the Judgement in the Case of Brigadier Priyanka Fernando," *High Commission of the Democratic Socialist Republic of Sri Lanka in the United Kingdom*, December 7, 2019, https://srilankahc.uk/2019/12/07/foreign-ministry-comments-on-the-judgement-in-the-case-of-brigadier-priyanka-fernando/.

42 Owen Bowcott and Diane Taylor (2019).

diaspora mobilization within its borders. Thus, ultimately, geopolitics and interstate relations (the diplomatic ties between the United Kingdom and Sri Lanka) work to create an exclusionary receiving-country context for Tamil diaspora, especially, but not exclusively, those who seek to resist political domination at home and abroad.

Conclusion and Avenues for Further Research

The cases presented here provide several entry points into understanding the political struggles that shape how the Tamil diaspora is governed, both globally and more locally in places such as London. Primarily, they reveal that the Tamil diaspora has been and continues to be the subject of security governance practices, such as proscription, and discursive delegitimization, but also counterterrorism legislation and intimidation, enabled by diplomatic immunity. Diaspora Tamils who are, by definition, territorially removed from their homeland and the island of Sri Lanka are evidently not safe from the long arm of the Sri Lankan state.

Overall, this paper has demonstrated that the UK-based Tamil diaspora continues to face constraints to TPA in the post–civil war period. In fact, since 2009, security governance practices have increased as the diaspora has become a key space for political contestation and thus attempts at repression by actors in the origin country. In the period between 2015 and 2019, considered a window of opportunity for more benevolent state–diaspora relations between Sri Lanka and its Tamils, diaspora members who have returned to Sri Lanka have faced oppression,[43] even disappearance, if they have taken part in anti-government protests abroad.[44,45] Even though the GOSL is not officially considered an "authoritarian" country, its practices, for example, targeting activists with "slander, threats, and even violence," thus resemble those found in the research on extraterritorial authoritarianism. However, Tamil diaspora repression has always required cooperation from the host country, and the global political environment, encompassing colonial and postcolonial entanglements between the United Kingdom and Sri Lanka, continues to shape the ability of the Tamil diaspora to mobilize. This is something that warrants further scholarly attention.

In sum, while the typology proposed by Chaudhary and Moss helps to untangle sources of constraint to TPA, what this paper has revealed is that it is near impossible to locate constraints at one scale, with only one actor, or in one space. Governance practices always rely on a complex entanglement of actors, scales, and spaces. While the practice of proscription might be considered a straightforward legal procedure implemented by a single state, it has local and global consequences and requires that multiple heterogeneous actors form relationships with one another, that is, banks and banking professionals who have to make sure that their clients are not channeling funds through proscribed organizations, the MPs passing proscription legislature, the international organizations through which proscription norms often diffuse. Future research should now theorize further the "complex interplay of actors, scales and spaces," as well as the global historical connections that still shape UK–Sri Lanka relations, and by extension also their respective diaspora governance.

43 Francis Wade, "Beaten and Spied On, Asylum Seekers Reveal Oppression of Being Returned," *The Guardian*, August 6, 2014, https://www.theguardian.com/world/2014/aug/06/beaten-spied-on-asylum-seekers-reveal-oppression.

44 In turn, the United Kingdom changed its asylum policy with regard to applicant from Sri Lanka to reflect the threat to returned Tamil migrants.

45 Indeed, at the time of writing in December 2019, Gotabaya Rajapaksa, former Defense Secretary and alleged war criminal, has been elected to the highest office of Prime Minister of Sri Lanka standing on a platform of increased security, following the Easter Sunday Attacks.

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