3

Outcomes of Secessionist Wars

In May 2009, the Sri Lankan government crushed the separatist movement led by the Liberation Tigers of Tamil Eelam (LTTE). For the first time in decades the government could take control of the northern and eastern parts of the island, the land on which the Tigers had aimed to create their separate state. The conflict between the Tamils, comprising about 13 percent of the population, and the ruling Sinhalese majority had started to simmer in the 1950s, and escalated to full war by 1983. Faced with increasing discrimination and repression, the Tamils had first sought autonomy and later full independence, a goal that was resisted by successive Sri Lankan governments. Mahinda Rajapaksa, the Sri Lankan president who oversaw the final military campaign against the Tigers, was not alone in seeking a Sri Lanka consisting of “one nation, one people.” And with the brutal end to the war—the Tamil Tiger leadership and many civilians were killed—he might very well have succeeded in crushing the hope of a separate Tamil state.

The Tamils are only one of many national groups who have fought for their own state. It is not the only national group who has failed either: In the early 1960s, Katanga unsuccessfully tried to break away from Congo. A few years later, Biafra tried to break away from Nigeria with no more luck. And more recently, Chechnya tried unsuccessfully to break away from Russia. Other secessionist movements have fared better: After only a short war, Slovenia secured independence from Yugoslavia in 1991. Croatia broke away from Yugoslavia at the same time, but its territory was contested until 1995. East Timor formally received independence from Indonesia in 2002 after a long and bloody occupation. And
in January 2011, after decades of conflict, the South Sudanese went to the polls to vote on independence. Ninety-nine percent wanted to secede from Sudan, and six months later the South Sudanese flag was raised in Juba, the new capital.

Secessionist wars are fought not between established states, but between a state and a group within it who desires to become a state. While such wars are fought over territory, they are motivated by a politically grounded demand by one group to have a state of its own. It is the boundaries of the political unit itself that are in question. How, then, should such wars end? When should a secessionist conflict end in sovereign statehood, and when should it not?

One way to approach the answer to this question is, to put it somewhat crudely, to say that the rightful end of war can be deduced from the way the war started and the way it was fought. If the secessionist group has fought a just war, then the war should end in secession. If the group did not, then secession should not be the outcome. I call this the strict correspondence argument. I should point out that this argument does not consist of a substantive judgment of what a just war is. It only says that the war has to be just in order for the peace that follows to be just. Just war scholars will often disagree on questions of substance, and for that reason the demand that a war be considered just does not by itself provide a solid benchmark against which to judge war outcomes.

While there is an undeniable elegance to the strict correspondence argument, it is not very helpful. It greatly overstates the degree to which we can deduce postwar justice from *ad bellum* justice. The main problem is that it fails to see that our judgment of when a war should be initiated is a different kind of judgment than our judgment of how it should end. We want to set the bar against going to war high because wars always lead to immense human suffering, but once war is fought we want an outcome that is just and stable. That might mean that we judge it wrong for a secessionist group to go to war, but once the war has been fought (and even if the group was in part to blame for the initiation of the war), the war should end in secession. By the same token, the insurgency that is fighting the war on the secessionists’ behalf might not be fighting it justly, yet their unjust fighting does not invalidate the claim to secession. Disconnecting our *post bellum* judgments from our *ad bellum* judgments can also mean that even