

# The use of child soldiers in war with special reference to Sri Lanka

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Throughout history, the involvement of children in military operations has been extensively documented. The issue of child conscription is multi-faceted, with very few medical but more sociological aspects, including terrorism, politics, economics, history, culture and religion amongst other factors. Many United Nations Instruments as well as the International Criminal Court have documented that child conscription is detrimental to a child's development, violates Child Rights, and is a war crime. Efforts by international bodies to address conscription as child abuse have failed since the process is undertaken by groups rather than individuals, and because the law has no access to the perpetrators. The background to a conflict in Sri Lanka and various ethno-religious and political factors are discussed. The role of the diaspora community, the internet and various fund-raising mechanisms for war are discussed. The history of child conscription and studies examining reasons and the tasks assigned to them as conscripts as well as abusive aspects, especially in relation to emotional abuse, neglect and physical harm, are discussed. Documentation of conscription as child abuse needing a definition including a new definition of 'suicide by proxy' is stressed. The importance of culture and history, and the manipulation of the idealistic mind are discussed in the context of 'setting the stage' for child conscription. The toy weapon industry and the real arms industry, especially small arms, are important in maintaining conflicts, especially in the developing world. The conflicts of interests of members of the UN Security Council and the 'peace-keepers' of the world is discussed.

**Keywords:** Child soldiers, Tamil separatists, Sri Lanka

## Introduction

Although it may be true that conscription of children into armed groups and the horror and suffering to which they are subjected has become a more central focus of the Western media in recent years, it is untrue to claim that the problem is new or growing. It has been documented throughout history that children have been extensively involved in military operations from Egyptian, Greek and Roman times to the Mediaeval era, the Napoleonic and American Civil Wars and World Wars I and II.<sup>1-3</sup> The issue of child conscription is multifaceted with very few medical but more sociological factors including, amongst many others, terrorism, political, economic, historical, cultural and religious aspects.

Ever since the UNICEF report by Grac'a Machel on child soldiers was published, there has been increasing concern about these children.<sup>4</sup> Much earlier to this report, the Additional Protocol to the Geneva Conventions (1977), Article 4, under Fundamental Guarantees, states '(c) Children who have not attained the age of 15 years shall neither be recruited in the

armed forces or groups nor allowed to take part in hostilities.'<sup>5</sup>

Article 8 of the Rome Statute of the International Criminal Court War crimes (1988), section 2 (b), xxvi, states 'Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities is classified as a war crime.'<sup>6</sup>

The United Nations Convention on the Rights of the Child in 1989, article 39, recognized conscription of children as detrimental to those rights.<sup>7</sup> Although the 1989 UNCRC highlighted prevention of child conscription as important, the earliest appropriate age of recruitment mentioned in the CRC at that time was 15 (article 39). Paradoxically, the definition of a child in the same document was an individual under the age of 18 (article 1). The document remained unchanged until 2000, when the UN successfully adopted an Optional Protocol, now ratified by several member nations. The Protocol raised the age of recruitment to 18 and this has been in effect since 2002.<sup>8</sup>

Despite mounting international pressure against the use of children, dictators, so-called 'freedom fighters' and terrorists are using children increasingly in their military campaigns. The issue of child combatants has

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been discussed at the highest international level for almost two decades. Perception of child soldiers as heroes has altered, and child conscription is now seen as a violation of child rights and one of the worst forms of child exploitation and abuse.<sup>9</sup>

Even though other forms of child abuse are being tackled, the international community has not yet been able to challenge the global impunity of terrorists, militants and governments who recruit child soldiers. Millions of dollars have been spent on figurative meetings, conventions and other forms of advocacy without a visible change in the prevalence of the problem, except when conflicts cease. Some of the many factors which make it difficult to address this issue are as follows. Compared with other forms of abuse often perpetrated by individual adults, conscription is by organized groups and rarely by an identifiable individual answerable to the local or international community or law-makers. Governments which recruit children are often dictatorships and rebels are often terrorist groups who are sufficiently dangerous, powerful and dishonest to assassinate those who lobby against them,<sup>10-13</sup> including in the international community.<sup>14</sup>

Often, groups involved in so-called liberation struggles are from minority communities and they are sometimes supported by the international community and expatriates who sympathise with these groups whom they consider to be 'underdogs'. The international community working for peace may not want to raise the issue of child recruitment for fear of not being able to work together. There are two sides to the coin, i.e. the issue of justification of a conflict, especially when a minority is involved, and the use of child soldiers.

### Background to the Conflict

The separatist war in Sri Lanka ended in 2009 and there are many lessons to be learned from its child soldiers' experiences by Sri Lanka and the international community to help prevent a recurrence. Conflict between two groups, usually a civil war, is the foundation for conscription of children. Knowledge of the historical, political, cultural, religious and economic backgrounds and interacting social issues is crucial to understanding child conscription.

A grievance is the most fundamental justification for a conflict. In Sri Lanka, the British divide-and-rule policy<sup>15,16</sup> during its occupation enabled the Tamils as well as Christian and upper-class Sinhalese to pursue education in American and British missionary schools, which empowered the English-educated Tamil and upper-class Sinhalese to work in the government administration as administrators and professionals. Thus, at the time of Sri Lankan independence in 1948, Tamils, despite being a minority, played a substantial role in government

and were economically secure. Some groups (castes) of Tamils claimed that the invading Western Armies used the divide-and-rule policy within their community too, since these groups were disempowered and other Tamil groups (castes) empowered in both South India and Jaffna (Sri Lanka) which are geographically, ethnically and culturally alike. Since the inclination to violence and war was traditionally related to a seafaring and warrior caste, disenfranchising or removing a region's military caste could negate its potential for violence and rebellion.<sup>17</sup> When the Portuguese arrived, the *Maravar* were the traditional soldier caste of Jaffna. The Portuguese dismantled the feudal military system of the Jaffna. The British too demilitarized Tamil society by dividing the Tamil castes.<sup>17</sup> The word *Maravar* then developed into a caste name for hunters and robbers, for dacoits, i.e. a criminal caste in South India. In 1911, the *Maravars* were declared a criminal caste by the colonial Government of India.<sup>18</sup> Sivaram, a pro-'Tiger' journalist who was later killed, probably by pro-government forces, claimed that 'Tamil militarism arose from the grievances of the disenfranchised Tamil military castes.'<sup>17</sup>

Since independence, a majority Sinhalese Buddhist revival brought fresh impetus and appeared unable to address the Tamil need to share power. Sinhala, declared to be the official language,<sup>19</sup> prevented English-educated Tamils and upper-class Sinhalese and European Burghers (of Dutch origin) from functioning and led to the initial emigration to western countries and the first diaspora community.<sup>20</sup> The next grievance was the government's standardization of entry to universities, which stimulated protests by Tamils with a strong educational background, established during colonial rule.<sup>21</sup> Tamil youths were badly affected and this fundamental grievance stimulated anti-government military groups, especially the Liberation Tigers of Tamil Eelam (LTTE). Many Tamil students migrated to the West for further study but carried the grievance with them. Anti-government subversive activity led to attacks on the defence forces which culminated in the 1983 riots with attacks on Tamil civilians.<sup>22,23</sup> This led to resentment and a mass exodus of Tamil refugees to western countries in which they were given much sympathy and support. A strong Tamil diaspora community was thus formed and the LTTE received massive funding. Diaspora support and internet propaganda wars are crucial to the maintenance of conflict in the modern era. Diaspora fund-raising through collecting, investing, shipping, trafficking of persons, credit card fraud, possible drug trafficking, etc. were crucial to the huge anti-government operation.<sup>24-26</sup>

Corruption, impunity and violence, including poor governance are, also important in a conflict since they

provide justification for a minority and sympathetic rationalization by the West.<sup>27</sup>

Most, if not all wars are fought in the name of a nation or sovereignty, religion or ethnic group. In the wars of Alexander the Great, Caesar, the British Empire, the Crusades, the Moghuls the Nazis and of neo-colonialism, the leaders used ideals of 'democracy' and jihad as justifications or symbols of power and revered leadership. Powerful symbols are necessary in order to induce the masses, who might not understand the realities of power, economics or politics, to support and even die for them.<sup>27</sup>

Retaliation, particularly civilian attacks by two sides, creates a vicious cycle of violence and animosity, leading to paranoia and division, isolation and polarization of communities, designed and manipulated by warring factions, especially rebels, to be maintained. In Sri Lanka,<sup>27</sup> prohibition of travel from Tiger-controlled areas to other areas and a visa system imposed by the rebels was another strategy to maintain isolation and polarization.<sup>28</sup>

### Child Soldiers in Sri Lanka

There was civil war in Sri Lanka for more than two decades, and the media reported child conscript to militant groups, especially the LTTE, until the war ended in 2009.<sup>29–31</sup>

In 1984, the LTTE rebels established a training base for recruits aged under 16 in Pondicherry, India. Initially, the child soldiers – affectionately referred to as 'Tiger cubs' – received non-military training. As soon as a young recruit reached 16, he or she was put through the Tigers' standard, gruelling 4-month training course. Many who were trained in Pondicherry achieved prominence in battle. The LTTE began seriously to recruit women and children after it declared war against the 100,000-strong Indian Peace-Keeping Force (IPKF) in October 1987.<sup>32</sup>

The first documentation of conscription as a form of child abuse was a study of 19 boy soldiers conscripted before the age of 18 years in Sri Lanka. At the time of interview, the mean age was 19 years, range 16–24, and they were interviewed using a questionnaire with standardized questions.<sup>33–35</sup>

In this study, the mean age of conscription was 14.5 years (range 10–17). Surprisingly, only one of 19 had been abducted and forced to join; the other 18 had all 'volunteered'. How did a majority of them 'volunteer' to join the rebels? Most said that it was usually a peer or older youth who convinced them to join. All of them had to go through some form of indoctrination designed to create 'hatred' of the enemy. Some methods of encouraging volunteering included publicity literature, public address systems and rebel radio and television stations which continuously broadcast 'reasons' and 'justifications' for

volunteering.<sup>31,36</sup> It was aimed mainly at children and adolescents. Model automatic rifles were attached to see-saws in one children's playground. The dead were glorified as martyrs in numerous monuments and posters. School children and school bands paraded at funerals of the dead martyrs.<sup>31,32,36</sup>

In child sexual abuse, grooming by initial exposure to pornography is an important element.<sup>37</sup> Similarly, child soldiers were groomed by glamourising heroism and martyrdom in stories and poems of bravery, real life videos of successful attacks on the enemy,<sup>32</sup> and they were primed to kill by 'first kills' of unarmed 'soft targets' such as massacres even of women and children in Muslim and Sinhalese villages,<sup>32,38,39</sup> or of unarmed so-called traitors and by torturing political prisoners. Retribution for family members killed in action or by military assault on civilians by government forces was another justification given. The strategy in guerrilla warfare of hiding amongst civilians compounds the issue and often justifies government attack on civilians, while militants accuse governments of civilian attack, which perpetuates the cycle, with more and more conscription, especially of idealistic children and young people. Other reasons cited in the study included the virtues of being a freedom-fighter and martyr, and seven said they joined for fear of being abducted by the enemy. Three of the 19 indicated that they had joined for economic reasons, to support their family. When children have seen nothing but war, the glorification of heroes and martyrs, the trim uniforms and the polished guns, where they have seen their parents or neighbours harassed or killed and are themselves in fear of being abducted, when poverty is everywhere and the only employment is to become a child soldier, underpinned by exaggerated propaganda, child recruitment is made to seem justifiable.<sup>33–35</sup>

Similar predisposing factors were described by Somasundaram as 'push and pull' factors.<sup>40</sup> He also cited 'socio-cultural factors' which he attributed to an oppressive Tamil Hindu society in which the so-called lower castes were suppressed by those who considered themselves to be of superior caste. Joining the militant movement became a means by which lower-caste youths could escape this oppressive system.<sup>17</sup> Similarly, younger women exposed to widespread gender and caste discrimination were empowered by joining the militants who gave them a gun and sometimes respect through fear in the community. This emerged in another study of girl soldiers.<sup>41</sup> Somasundaram mentions another aspect, 'society's complicity', and states that Tamil socio-cultural and religious institutions failed to protest.<sup>40</sup> No Tamil leader had dared to condemn it, which he blamed partly on the State for indiscriminate attacks on civilians, but fails to mention the strategy of militants

to hide within civilian populations which is also often seen today in Middle-Eastern conflicts, although it does not justify attacks on rebels in the heart of civilian populations. There is also no mention of death threats including several assassinations of traditional Tamil leaders by the LTTE when they dared protest.<sup>10–13</sup>

Subsequent studies have shown that single parenthood, especially when fathers have been killed in warfare, domestic violence and extreme poverty also push mothers to migrate to the Middle East to work and were predisposing factors for conscription. Several of the recruits who had run away from home had been in some sort of an 'orphanage' maintained by the rebels and had undergone training for some time before formal recruitment.<sup>41,42</sup>

### Tasks Assigned to Conscripted Children

Children reported performing a variety of tasks involving various degrees of danger. Kitchen work, radio communication and digging trenches were the least risky. Guard duty had the potential risk of injury. Front-line fighting, manufacturing bombs and setting land mines were the most dangerous. Most were trained in fire-arm use and had performed more than one task.<sup>33–35</sup>

According to the 19 interviewees, life with the militants was challenging. Twelve of them had run away or attempted to at least once, and 11 of the 19 reported arguing about or refusing to obey orders. Non-compliance was punished in various ways, including kitchen duty, beatings, bullying and verbal and physical abuse by junior cadres, imprisonment, blackmail or death threats. There is also evidence that they were asked to kill 'traitors'.<sup>27</sup>

### Child Conscription is Abuse and Violation of Child Rights

The main objective of this study was to classify the use of children in war as child abuse using standard and modified definitions so that the burden of responsibility lies with the adults who are considered to be the perpetrators. The children, then, cannot be portrayed as criminals but are the victims of crimes committed by adults.

Using previous definitions of emotional abuse of children, a study used the following to categorise conscription as abuse.<sup>43</sup> The 'corruption' of a child by making him engage in violent, destructive, and anti-social behaviour, such as killing and destruction of property, thus making him unfit for normal social experience. The child is 'terrorized' by verbal assault, bullying, blackmail and death threats, all in the name of discipline. Conscription isolates a child from normal social experience, and ignores his emotional and developmental needs by removing him from school and normal family life. Any of the above

would adversely affect a child's right to its identity as a child and to unhindered growth.<sup>7</sup> The United Nations Convention of the Rights of the Child<sup>7</sup> specifies the rights that have to be safeguarded in each country which has ratified the convention. Every child has a right to his or her identity, not only his or her birth, gender identity and name, but also an identity 'as a child'. Apart from a name, a child has to have an identity as an independent individual, when they become a 'personalized entity' with self-esteem.<sup>7</sup> The process of militarization with regimentation and indoctrination, often with convenient short alias names, removes that child's individual identity. Conscription also removes the right to play and recreation, the right to associate with friends and siblings, the right to an education and the right to live with his/her parents. Another aspect of conscription is the loss of a sense of time. 'How old am I?, Am I still a child?' are questions they are at a loss to answer. Because of their idealism, it is easy to manipulate children and draw them into violence which they are too young to resist or comprehend. Akin to 'cannon fodder', children were also used in mass frontal attacks such as on the Elephant Pass army camp in July 1991.<sup>32</sup> There were also very young cadres in many major mass attacks, including in Pooneryn in 1993. Each of these attacks claimed more than 500 lives and many lost limbs, sight and hearing. Children are also likely to be victims of aerial bombardment by government forces.<sup>32</sup>

Parallel to the definition of sexual abuse,<sup>44,45</sup> conscription may be defined as 'the involvement of dependent, developmentally immature children and adolescents in an armed conflict that they do not truly comprehend, to which they are unable to give consent, and which adversely affects their right to unhindered growth and identity as children', and should also be included in definitions of child abuse.<sup>34,35,46</sup>

Conscription may lead children to commit suicide, an act of self-destruction that cannot be fully comprehended. In Sri Lanka, irrespective of age, conscripts usually carried cyanide capsules which they were trained to bite on during suicide missions or when captured.<sup>35</sup>

The prominence given to martyrs and the oath in which he/she vows to sacrifice his life probably contributed to this. Children in the LTTE schools were moulded and trained in a military environment. The LTTE sponsored orphanages in which children were taught to sing songs with god-like veneration of the leader and his vision.<sup>47</sup>

Another definition, 'suicide by proxy, has been proposed: 'making a child or adolescent commit suicide through a process of persuasion by adults; an act he or she cannot comprehend, by a process of

persuasion by an adult, for personal, social, economic, or political reasons that the child cannot understand constitutes suicide by proxy.<sup>35,46</sup>

### Psychological Effects of War Trauma

In warfare, child conscripts are killed and wounded in far higher numbers than their adult counterparts. Those who survive often suffer trauma, injury, abuse, and psychological scarring from the violence and brutality they experience. Some are rejected by their families and communities. Most lose the opportunity to acquire an education, employment skills, or any hope for the future. Several studies have described the major psychological effects on child soldiers in Sri Lanka, and they are similar to what has been described in other conflicts.<sup>39–42</sup>

### Culture, Militarism and Suicide

In contemporary history, few cultures practice martial suicide. Why have others not resorted to suicide unless trapped with no option to live? The history, culture and religion that give rise to it are interesting. Martyrdom mentioned in the early Christian era was 'oppositional attitude, against early experience as a marginalized and often persecuted group, which derived legitimacy, authority, and authentic suffering of its spiritual role models.' Martyrdom in the modern world indicates not only death, but death with an end in mind, death for a purpose, a glorious death, and a death accepted willingly in the face of opposition and persecution, and more: death with a point and a fundamentalist embracing of martyrdom as a political weapon.<sup>48</sup>

The Hindu Tamil culture has a long tradition of immortalizing the dead. Many of the gods and goddesses were real people who lost their lives in some sort of struggle.<sup>49</sup> The practice of 'sati', linked to the goddess of that name, is now uncommon, but was practiced in some Indian communities including Hindu Tamils: a recently widowed woman would immolate herself on her husband's funeral pyre. Self-immolation is viewed as an expression of extreme grief at the loss of a loved one.<sup>49–51</sup> Memorial stones became shrines to the dead woman, who was treated as an object of reverence and worship. The Indian culture and Hindu mythology, especially the South Indian Tamil, heavily influence the spirit of Tamils in Sri Lanka.

Jauhar and Saka are ancient Indian Rajput Hindu traditions of honorary self-immolation by women and children, and the subsequent march of men to the battlefield to end their lives with honour when defeat was imminent.<sup>52,53</sup> The feudal regimes of South Indian Tamil history idolized martial suicide in battle. The temple and hero stones of Korravai which depict this practice are found all over Tamil Nadu. These warriors who committed suicide were not only deified

and worshipped in hero stones, but their relatives were given lands which were exempted from tax.<sup>54</sup> Similarly, tax exemptions, rations and other benefits were offered to the families of LTTE militants, particularly to the families of those who died in suicide attacks.

Similar to South Indian feudal kings, recent South Indian leaders, often film idols, have been cult figures revered by society, and many have committed suicide when they were sick which demonstrates the degree of idolization and the emphasis on suicide in the community.<sup>49</sup> The LTTE returned to its roots in a martial culture and revived its symbolic and ritual form. From 1991, the entire week of 21–27 November was declared Great Heroes Week. Interestingly, the birthday of the LTTE leader, Velupillai Prabhakaran also known as Pirapaharan, is 26 November. They also established several cemeteries called '*maaveerar*' ('abodes where the great heroes slumber').<sup>55</sup> Each dead cadre was marked by a single tombstone, the tombstones laid out in rows, and a pavilion venerating them with the names and relevant dates was also built. By nurturing this cult of martyrdom, the LTTE created a living bond of remembrance of dead comrades. The young felt reassured that they too would be respected in this way. The martyrs week reinforced a feeling that by sacrificing their lives they would ensure immortality. The passions thus created inspired other youths to join the LTTE.<sup>55</sup> In Japan, there is also a history of honourable martial suicide in battle, and Kamikaze pilots in World War II landed their planes as missiles on American war ships.<sup>56</sup> They believed that dying for Japan and the emperor was an honourable deed. They saw themselves much like the brave Japanese Samurai of the middle ages who were usually loyal to their immediate superior, who in turn allied himself to higher lords. Many romanticized images of Samurai behaviour contributed to the origin of Kamikaze pilots.<sup>57</sup>

Likewise, Jihad in Islamic conflicts often demonstrates sacrifice of life for religion,<sup>58</sup> and although there is mention of martyrdom in Islamic history, some view it as a distortion of the religion's understanding of struggle and claim that it has been introduced to the culture only recently.<sup>59</sup> In contemporary history, a 13-year-old boy who fought in the Iran/Iraq war is said to have been the first Muslim to have committed suicide. The Iranian leadership declared him a national hero and an inspiration to further martyrs, something which has gathered momentum in recent years.<sup>60</sup> It is interesting that phrases such as 'sacrificing life' for a 'motherland/fatherland' and 'allegiance to the leader' are employed by most such organizations.<sup>48,61</sup> In modern conflict, suicide attacks are mainly perpetrated by Islamic groups in the Middle East, Africa, Chechnya,

Afghanistan, Pakistan, Indonesia and the Philippines. However, the Lord's Resistance Army (LRA) in northern Uganda, a predominantly Christian group based primarily on a cult leadership, is based on claims of personal revelations from God and mystical charisma, the doctrine of the Ten Commandments and emphasis on Acholi (tribal) tradition, demanding unquestioning devotion and loyalty, inculcated through punishment and psychological pressure. It includes rituals of coercion, and is based on secretiveness and isolation.<sup>62</sup> Such punishment and threats, including to the family, and psychological pressure and coercion are seen in most such organizations.

The international community is more interested in politics, peace and adult human rights, and child rights and the conscription of children may not be given the same priority, which makes it easier to abduct children than adults. Political, personal and other hidden agendas within the international community may divert attention from conscription. Refugee votes is also an issue in many local elections in the western world and India, where there are large numbers of the diaspora.<sup>63,64</sup>

The abundant 'availability' of poor children with poor prospects of education, vocational training or future employment makes their conscription more attractive, demonstrating the mutual relationship between supply and demand. Use of children rather than adults is more cost-effective and they can be allocated the same tasks. They require less food, complain less and are paid less, if at all. They have no dependants and the economic loss of death or disability is less while conscription ensures protection, tax exemption and food for the rest of the family.

Village children idolize past kings and warriors with imaginary swords. Commercial and political ventures want children to develop ideas of 'bravery'. Profit-making organisations want to sell books, films, videos, toy guns, toy soldiers and hundreds of other worthless but harmful gimmicks. Most boys go through this phase without actually facing real danger and trauma, although contributing to real-life aggressive behaviour. Children are 'cheaper' and 'expendable' in an expensive war scenario! Children are supposed to be 'braver' than adults, since they are unable to comprehend the dangers of war. An added element is the idealism of youth before they develop lateral thinking, which makes it easier to 'train' them and get them to 'listen' to power-hungry leaders who encourage them to sacrifice their lives in the name of bravery, and the gun-making industry is now ready to see those deadly weapons in the hands of those young people who have been primed from boyhood with 'harmless' toy guns. Violent toys and films in childhood are known to be associated with violence in later life.<sup>65-67</sup>

The cycle of war continues, even though challenged, since the influence of money and power always override social justice and a belief in non-violence and peace. Paradoxically, a majority of member countries of the UN Security Council are the main producers of small arms for internal conflicts.<sup>68</sup> Women and children could not be involved in conflict without the supply of lightweight small arms produced by powerful nations.<sup>68</sup> Some countries which promote peace and non-violence manufacture arms for civil conflict.<sup>69,70</sup>

The specific identification of groups and persons responsible for child recruitment, the creation of proper standards in the International War Crimes Tribunal,<sup>6</sup> prosecutions by the International Criminal Court in The Hague<sup>71</sup> and the establishment of local laws are crucial to arresting this worldwide scandal. Peace monitoring by the UN and foreign governments should promote accountability and not merely provide documentation for political gain.<sup>72,73</sup> Children should not be considered a separate entity and child rights should be accorded the same priority as other human rights.

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