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# **ETHNIC CRISIS IN SRI LANKA INDIA'S OPTIONS**

**V P VAIDIK**



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## Preface

This book is an attempt to explore the dimensions of the ethnic crisis in Sri Lanka. What I learnt during my one year's research and the shorter field-trip to Sri Lanka in June, 1984 has been collated here for the readers. The warm response I received for the series of articles published in 'The Times of India' (August, 1984) and for the Seminar paper that I presented at India International Centre reinforced my resolve to produce this book. The book might prove to be controversial. I realised this while facing some eminent Sinhala scholars at the South Asia Conference organised by University of Wisconsin (November, 1984) at which I had presented the first chapter of the book as my Seminar Paper. However, if the book could set some people thinking, besides providing them with systematic information on the ethnic imbroglio in Sri Lanka, my purpose will be more than served. I have tried my best to be objective and impartial while presenting both sides of the case, though the conclusions and the opinions are necessarily my own.

Though the book deals with Sinhala-Tamil relations in a historical perspective, it has not lost sight of the main issues which have been the bone of contention between the two communities since Sri Lanka's independence. In fact, the issues concerning language, colonisation, admissions to universities, employment opportunities and devolution of powers have been discussed thoroughly. The policies of succeeding Colombo regimes towards the Tamil problem have been analysed along with the Tamil response to them. The policies of the Jayewardene regime, naturally, find greater emphasis in the book for the reason that it confronts a worse crisis than any other Government ever had to in Colombo. It

was impossible not to refer to the major shifts that had recently occurred in the foreign policy of Sri Lanka. The linkages between the ethnic crisis and the westward lunge of the Jayewardene regime are too obvious to be overlooked. It is for the first time, however, that the India factor has emerged in relation to the Sinhala-Tamil conflict. Although Indian efforts at mediation have not succeeded so far, its interest in the Sri Lanka problem has been growing rather than dissipating. The Indian options vis-a-vis Sri Lanka, therefore, have been discussed at length in the last Chapter. The invasion scenario has been examined critically.

The second part of the book contains a number of appendices. This part is divided into two sections. The first comprises of five interviews with the ruling and opposition leaders of Sri Lanka. My interview with President Jayewardene is not included because most of it was 'off the record'. Many other interviews with venerable Buddhist monks and officials of the Governments of India and Sri Lanka including the top brass from the military and intelligence too did not find a place in the book owing to a variety of reasons. However, the author has been immensely benefited from them. The interviews published as appendices would help the readers acquaint themselves with the undercurrents of Sri Lanka politics as well as the complicated thought-processes of the leaders at the helm.

The second section comprises of several tables and documents. These tables reveal the ethnic realities of Sri Lanka, which formed the major basis of my analysis in the book. The documents mainly deal with the Tamil demands and the response of various Governments to them. A select bibliography is also appended at the end.

It is needless to add that I, alone, am responsible for any inadvertent lapses that may be found in the book.

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—V. P. Vaidik

## Contents

<i>Preface</i>	...	(v)
1. Historic Divide	...	1
2. Black July	...	13
3. Politics of Collusion and Collision	...	19
4. Bandaranaike and The Tamils	...	34
5. Jayewardene and The Tamils	...	44
6. Issues That Divide	...	68
7. The Westward Tilt	...	85
8. India's Options	...	105
<i>Appendices</i>		
1. Let India Invade Sri Lanka	...	119
2. Jaffna Tamils Want to Dominate	...	125
3. Non-Violent Movement is the Answer	...	137
4. No Harm in Talking to the 'Boys'	...	146
5. We Don't Support the Eelam	...	153
6. Ethnic Distribution in Sri Lanka	...	162
7. University Admissions 1975	...	164
8. Percentage Distribution of Undergraduate Entrants by Academic Streams and Ethnicity for the Academic Years 1977-78, 1978-79, 1979-80	...	166
9. Percentage Distribution of Undergraduate Entrants by Academic Stream and Ethnicity for the Academic Years 1980-81, 1981-82 and 1982-83	...	167



10. Summary of Analysis of the Ethnic Distribution of Professionals in the Ferguson's Directory 1980-1981	... 168
11. Corporations Sector Employees by Major Occupational Groups and Race—1980	... 170
12. Ethnic Distribution of Senior Administrative Professional and Technical Personnel	... 171
13. Defence Agreement between his Majesty's Government in the United Kingdom and the Government of Ceylon	... 172
14. The Official Language Act, No. 33 of 1956	... 174
15. Bandarnaike-Chelvanayakam Pact, 1957	... 176
16. Tamil Demands Accepted Partially by S.L.F.P. in 1960	... 179
17. Dudley Senanayake-Chelvanayakam Pact, 1965	... 182
18. Tamil Language (Special Provisions) Regulations, 1966	... 184
19. Draft of the Federal Constitution—1971 Constituent Assembly	... 185
20. Language (Provisions in the Constitution of 1978)	... 199
21. Citizenship (Provisions in the Constitution of 1978)	... 203
22. District Development Councils—Present Structure	... 204
23. Press Release Annexure 'A' Annexure 'B' Annexure 'C'	... 207
24. Some Positive Proposals for a Suitable Solution to the Problem of the Tamils in Sri Lanka	... 217
Select Bibliography	... 221
Index	... 233

## 1

## Historic Divide

In the long history of Sri Lanka, political opinion has never been so polarised as it is today. Riots have been taking place intermittently for the last 100 years between the various communities of Sri Lanka<sup>1</sup>, but the riots in July 1983 between the Sinhalese and the Sri Lankan Tamils have shaken the very foundations of the nation-state. The Sri Lankan Tamils are questioning the legal basis of the state of Sri Lanka and the Sinhalese are obsessed with the idea of protecting their country from the onslaught of the northern demon whose tentacles they see as being spread across the Gulf of Mannar.

There is no one in Sri Lanka, of any standing, to speak for the entire island; even the senior-most leaders speak with an ethnic tongue. The political processes have come to naught, the ethnic divide is complete, and the future looks grim for

1. The first communal riot took place in 1883 in Colombo between the Buddhists and Catholics. The second major riot occurred between the Sinhalese and Muslims in 1915. The Sinhalese and Tamils clashed for the first time in the modern era only in 1956. The second major riot between these communities took place in 1958. The 1977 riot occurred immediately after the general elections. The July 1983 riots began as a reaction to the killing of 13 Sinhala soldiers by the Tamil terrorists in the North.

The Sinhala-Tamil riots in 1988 were by and large communal in character, and Government incitement was minimal. The riots of 1977 were essentially political which took a communal turn later on. The police joined in these riots to avenge the murder of two policemen in the North. The July 1983 riots were said to be planned, directed and executed by the Army with Government complicity.



Sri Lanka. My three-week long tour of the island and a number of interviews with people high and low there, have impressed upon me the possibility of another ethnic bloodbath, more horrible than the last, and one whose international repercussions may go far beyond the calculations of the present Sri Lankan authorities.

The roots of the Sinhala-Tamil problem go back more than two thousand years. The contrary historical perceptions of the two communities have coloured their perceptions of the present problems so much that a rational dialogue between them seems well-nigh impossible. The Sinhalese hug their beliefs, their prejudices buttressed by the religious sermons of the Bhikkhus and by the lessons in the school text-books that Sinhalese, Aryan by race, were the original inhabitants of Sri Lanka, having migrated from North India 2500 years ago. Buddhism is their religion, and Sinhala is their language. Sri Lanka is the haven for both the religion and language, and the Sinhalese were ordained by Lord Buddha himself to protect the race and the religion.

The Tamils are looked down upon as invaders from South India, and their language, Tamil, being of the Dravidian stock exacerbates the racial divide. The myth is maintained that it was because of the recurrent Tamil invasions from South India, that the vast irrigation system which sustained the economy of the northern dry zone was destroyed, and that Sri Lanka was like Rama Rajya before the Tamils came.

The racial myth is bolstered by the story concerning a North Indian King, Vijaya, who came to Sri Lanka 2500 years ago. One of Vijaya's forefathers was supposed to have been born of a union between a princess and a lion ('simha' in Sanskrit). So the Sinhalese are the children of the lion, and Simhaladvipa, that is Sri Lanka, the 'island of lions'.

The early epics of Sri Lanka, like the *Dipavamsa* and *Mahavamsa*, have different versions of Vijaya story, and one of

2. See R.A.L.H. Gunewardena, "The People of the Lion; Sinhala Consciousness in History and Historiography" in *Ethnicity and Social Change in Sri Lanka* (Social Scientists' Association, Colombo, 1984), pp. 1-53.

them tells us of Vijaya's marriage with a South Indian princess. But, disregarding all these details, an ordinary Sinhala believes in his racial purity and considers himself superior to any non-Sinhala or non-Buddhist residing in Sri Lanka. In the words of B.H. Farmer:

"Rather as the Old Testament builds up the concept of Israel as a specially chosen people in a way that has had a profound influence on Jews ever since, so does the *Mahavamsa* build up the concept of special destiny of the Sinhalese kings, the Sinhalese people, and the island of Sri Lanka in relation to Buddhism; and the result has been equally profound."<sup>3</sup>

This racial myth assumed pernicious dimensions owing to the common belief in the story of a war between the Aryan King Dutthagamani and the Tamil King, Elara. Elara ruled in the north and Dutthagamani in the south. Dutthagamani, so the story goes, waged a war to protect Buddhism from the 'unbelievers' of the north. Five hundred Bhikkhus, according to the *Mahavamsa*, accompanied Dutthagamani's crusading army to conquer Anuradhapura. Having defeated Elara and unified the entire country into one kingdom, Dutthagamani, a true Buddhist, lamented like Asoka the killing of countless human beings. The Buddhist monks consoled him by saying that those who lost their lives fighting against him were "unbelievers and men of evil life not to be esteemed any more than beasts."

Popular folklore justifies the killing of non-believers to safeguard the Buddhist order and the expelling of all culturally heterodox elements from Sri Lankan society. The thirteenth-century work *Pujavali* by Mayurapada Thera while celebrating Dutthagamani clearly states: "This island of Lanka belongs to the Buddha himself; Therefore, the residence of wrong believers in this island will never be permanent."<sup>4</sup>

3. See B. H. Farmer, *Ceylon: A Divided Nation* (London, 1963), p. 8.

4. The Dutthagamani-Elara episode has been re-examined by some Sinhala scholars recently. W. I. Siriweera has tried to demolish a few of the popular beliefs regarding this myth. He states:

"The *Mahavamsa* author, who belonged to the Mahavihara fraternity, glorified the heroic and 'ideal' aspect of Dutthagamani



This exclusivist line is perpetuated by most of the current academic and popular writing on the history of Sri Lanka.<sup>4</sup> A quotation from a recent Sinhala pamphlet would perhaps illustrate the point more forcefully:

"The link between the Sinhala race and Buddhism is so close and inseparable that it had led to the maxim: There is no Buddhism without the Sinhalese and no Sinhalese without Buddhism'. This is an undeniable fact. The literature of the Sinhalese is Buddhist literature. The history of the Sinhalese is the history of Buddhism. The language of the Sinhalese is enriched by the doctrine of Buddha. The 'Era' of the Sinhalese is the 'Buddha Era'. The culture of the Sinhalese is Buddhist culture. The flag of the Sinhalese is the Sinhala Buddhist flag.

"With the establishment of Buddhism, the Sinhala culture and civilization took on a new orientation. Yet, from a few years ago, there has been an organized movement of

and was far less concerned with the historicity of certain events and situations than with their significance. In a historical sense no evidence is found in the *Mahavamsa* to suggest that Buddhists were persecuted under Elara. On the contrary, the chronicle itself states that Elara was a pious and just king and that, though himself a non-Buddhist, he had patronized Buddhism."

See W. I. Siriweera, "The Dutthagaman-Elara Episode: A Reassessment" in *Ethnicity and Social Change in Sri Lanka*, p. 60.

Susantha Goonatilaka, another Sinhala scholar, in his brilliant paper argues against the partisan character of *Mahavamsa* and states:

"The *Mahavamsa* leaves no doubt as to its ideological import when it ends every chapter with the exhortation 'Compiled for the serene joy and emotion of the pious.' This exhortation at the end of a chapter occurs, it should be noted, after some chapters describing in a very real political and partisan manner, bloody wars, dynastic feuds and bloodletting on a massive scale, drawing echoes of Kautilya and Machiavelli." (p. xviii).

Explaining the phenomenon of using Buddhism by the rulers as a "system of state control", he further argues: "The massive size the stupas and other monuments reached in Sri Lanka, suggests comparisons between the use of massive architecture as forms of ideological control in other contexts to overawe the population; examples in the western context vary from Imperial Rome to Hitler's Germany." (p. xv-xvi). See Susantha Goonatilaka, "The Formation of Sri Lankan Culture: Reinterpretation of Chronicle and Archaeological Material" in *Ethnicity and Social Change in Sri Lanka*.

anti-Sinhala, anti-Buddhist barbarians to destroy our invaluable archaeological ruins and Buddhist shrines.

"It is undoubtable that the future generations, as well as our forefathers who sacrificed their lives for the freedom of their race and for the glory of their religion, shall curse us for our silence. At least, now in the name of our race, in the name of our forefathers and in the name of unborn generations, let us all direct our attention in this direction."<sup>5</sup>

A team of four experts who analysed the school text-books to find out their communal content came to startling conclusions. The study covered mainly text-books published by the Government's Educational Publications Department. The books were in Sinhala, Tamil and English, most of them prescribed until 1981.

The Sinhala-medium books up to grade two did not mention the existence of any non-Sinhala culture, language or people. The Sinhala-Buddhist mono-culture was projected in these texts even to the exclusion of the Sinhala-Christian. The corresponding three readers in Tamil did not have this exclusivist approach. The Tamil children, unlike the Sinhalese, are taught to be tolerant through being informed of the Sinhala, Muslim and even Christian ways of life prevalent in Sri Lanka.

The Sinhala-medium books meant for grades three to nine went a step further. They not only preached mono-culture but also told the pupils about the Tamil invaders. The multi-religious and multi-ethnic character of Sri Lankan society was totally ignored and even independence in 1948 was depicted as the exclusive preserve of the Sinhala race.

The corresponding Tamil-medium books were full of Sinhala-Buddhist references as well as depicting the Muslim and Christian traditions in Sri Lanka. They portrayed the festivals of all the four major religions of Sri Lanka along with the indigenous New Year Day, which is shown as the Day of

5. Translated from 'Sinhalauni, Budu Sasana Bera Geniw' (Sinhalese, save the Buddhist Religion!) and quoted by Kumari Jayawardene, "Ethnic Consciousness in Sri Lanka: Continuity and Change" in *Lanka Guardian*, vol. 6, no. 22, March 15, 1984, pp. 11-12.



both the Sinhala and Tamils. Even the Sinhala heroes were diffied in these Tamil books unlike the monothematic Sinhala-medium books. The analysis found just one reference, after examining ten Sinhala text-books, which laid stress on the commonality of the Sinhala and Tamil cultures.

The English-medium books, which were meant for all the children, tended to project the Sinhala-Buddhist tradition in the hegemonic fashion while giving token representation to other traditions.

The serious academic works on the history of Sri Lanka are deeply influenced by what Sir William Jones wrote about the origins of the Asian languages in 1788 and what Max Muller thought about the so-called Aryan race. Taking their cue from the half-baked ideas of Western scholars, many Sri Lankan authors came out with voluminous tomes extolling the superiority of the Sinhala people and Sinhala language over the Tamils and their non-Aryan language.<sup>6</sup>

By flogging the Elara episode, the Sinhala not only denigrate the Tamils, but stretch it to create imaginary fears about India.<sup>7</sup> A Bhikkhu, a Ph. D., from a Western university, told

6. For details, see, Reggie Siriwardena, "How School Books Foster Communalism" in *Ethnic Relations and Nation-Building in Sri Lanka* (A collection of articles published in *Lanka Guardian*, Colombo, 1984, pp. 41-42). Attention towards the ethnic distortions in the serious academic writings and the school books has also been pointedly drawn by W.I. Siriweera in his paper, "The Dutthagamani-Elara Episode: A Reassessment," *Ibid.*, pp. 66-69. The influence of Western scholars on Sri Lankan authors in imparting a racial interpretation to the history of the island is discussed in detail by R.A.L.H. Gunewardene in his paper, "The People of the Lion: Sinhala Consciousness in History and Historiography," *Ibid.*, pp. 33-40.

7. "The Sinhalese have no motherland other than Sri Lanka. The Indian trade union leaders, the Borah traders and most Tamil workers use Sri Lanka as a mine from which they obtain money and invest it in large houses and lands which they buy in the names of their children and close relatives in India. All of them live with one foot in India and the other in Sri Lanka. Their only loyalty to Sri Lanka is as a gold-mine. They do not have any sympathy towards the Sinhalese culture, language, Buddhism or the traditional Sinhalese people."

Translated from '*Sinhalayage Adisi Hatura*' (The unseen enemy of the Sinhalese). See, Kumari Jayawardene, f.n.5, p.11.

me that Sinhala people have no other place to go except Sri Lanka while the Tamils, with their 12.6 per cent of the Sri Lanka population who appear to be in minority, are really a dominant community if one takes into account the 50 million people of Tamilnadu just 20 miles away, with whom they have special relationship and on whom they can fall back in an hour of crisis. History, as perceived by the Sinhala, has helped breed a minority complex in them though they are the overwhelming majority in Sri Lanka with 74 per cent of the total population.

The Tamils, on the other hand, view history in an entirely different perspective. They believe that North India is far away from Sri Lanka. The inflow of peoples, as the Sinhala's claim, from places like Bengal, Orissa and even Madhya Pradesh to Sri Lanka would have been extremely cumbersome apart from the fact that it could not have taken place in one go. It would have been easier and more natural for the South Indians to cross over to the island just 20 miles away. They were the first to inhabit Sri Lanka, and King Vijaya and the so-called Sinhala came much later. The Tamil name for Sri Lanka, 'Belam', is mentioned even in the pre-Christian era Tamil classics. The Tamils in Sri Lanka are mostly Hindus and they argue that "The majority of civilised people in pre-Buddhist Ceylon were followers of Hinduism in one form or another". Even the Sinhala classics like the *Mahavamsa* and Sri Lankan archaeology bear testimony to the fact of Saivite and Brahmanical practices being followed by the people in all corners of Sri Lanka.<sup>8</sup>

8. For further, discussion, see A. Sathasivam, "The Hindu Religious Heritage in Sri Lanka: Revived and Remembered" in *Religiousness in Sri Lanka*, ed. John Ross Carter (Colombo, 1977), pp. 161-173.

Sathasivam has quoted Dr. Paranavitana in his article to prove the pre-Buddhist Tamil heritage of Sri Lanka. Dr. Paranavitana says:

"When we consider that phallic worship was the principal religious faith of the Tamils, the nearest neighbours of the Sinhalese, it is not difficult to believe that the latter people were also attached to this cult before they adopted Buddhism, and also continued to honour the Sivalinga even after this event. Proper names such as Siva, Mahasiva and Sivagusa occurring in the earliest inscriptions show that this god was worshipped by the Sinhalese of the earliest period. The more intellectual among the people perhaps followed the Brahmanical religion." *Ibid.*, p. 62.



The Tamils have their own names for various cities. Jaffna, for instance, is called Yazbpanam, Trincomalee Tirukonamalai, Batticaloa as Mattakalapua, and so on. Some of the recent Tamil writings insist upon seeing a kind of historical continuity so far as the Tamil kingdoms in Sri Lanka are concerned. In any case, there is not much dispute among historians about the Tamil presence in Sri Lanka from the seventh century A.D. and about the existence of an independent Tamil kingdom for almost 400 years from about 1215 A.D. to 1619 A.D. until the fall of Jaffna to the Portuguese. Not only in Jaffna, but also in a place like Kandy, the Nayakkars of South India were on the throne for almost a century. Therefore to call the Tamil outsiders, invaders and late-comers is nothing but a travesty of the facts, the Tamils of Sri Lanka argue.

A jurist of Jaffna, R. Balasubramaniam, told me that legally the Tamils of Sri Lanka have a continuous separate national existence. The kingdom of Jaffna, "whose courts of justice exercise jurisdiction in the northern and eastern parts of the Island from the limits of Puttalave and Mannar to the river Koomane or Koombukkam", was vested with sovereignty so far as the Tamil people of Sri Lanka are concerned. In the eyes of the law, the Tamils have not exercised their option to merge with the kingdoms of Kotte and Kandy, which had surrendered their sovereignty to the Portuguese in 1597 and to the British in 1815 respectively. These three major kingdoms of Sri Lanka were administered separately until 1833 by the British. The Independence Act of 1947 provided only for an Order-in-Council, unlike India where the Constituent Assembly was empowered to draft and adopt a constitution for the whole country. Therefore, while drafting a new constitution, the Sri Lankan Constituent Assembly passed a resolution in 1970 to break the legal continuity with the British Parliament. "With the break in legal continuity the sovereignties of the inhabitants of the Island, namely, people of Kandy, Kotte and Jaffna reverted to the respective people. Therefore, in the absence of the legal continuity or the consent of the Tamil Nation, the Constitution enacted is not valid and binding on the Tamil Nation."

This is not merely legal sophistry: the fact the High Court judges of Sri Lanka chose to refrain from pronouncing their judgement on this issue in 1976 when it (*Sri Lanka Vs. A Amirthalingam*) was brought to the Court, tells its own story.<sup>9</sup>

The bitterness between the Sinhala and the Tamils reached such proportions after the 1956 'Sinhala Only' Act that a massive effort at reinterpreting Sri Lankan history was undertaken by the Tamil scholars. One school tries to emphasise the composite culture of Sri Lanka and another is bent upon underlining the superior Saivite Hindu heritage of the Sri Lanka Tamils. For this school, Dutthagamani is Dushtagamani (Gamani, the Evil) and Anuradhapura is Anradhapura (city of crimes). The Sinhala for them are basically uncultured peasants and backward fools (*Moddu*).

The one million tea plantation Tamil workers are uneducated and backward like the Sinhala peasants. The Jaffna Tamil prefers to distance himself from them for all practical purposes. These are the scheduled caste and backward class Tamils brought over to Sri Lanka as plantation labour just a hundred years ago by the British while the 1.8 million

9. In the judgement of the Trial-at-Bar No. 1 of 1976 in the case of the *Republic of Sri Lanka Vs. Appapillai Amirthalingam*, the High Court judges opined:

"So far as the validity of our Constitution is concerned because we are not high court judges under an old Constitution—no such office being known to the law prior to the 1972 Constitution. We are High Court Judges created under the new legal order established by the Constitution of Sri Lanka of 1972. Further by the terms of our oath we have sworn allegiance to the Republic of Sri Lanka and undertaken to serve the Republic in accordance with the constitution and law.

"In these circumstances the time-honoured and judicially settled principle of justiciability that a court or tribunal which owes its creation to a particular Constitution cannot embark upon an inquiry into the validity of that Constitution demands to be accepted. We, therefore, hold that the validity of the Constitution is not justiciable by us."

See, R. Balasubramaniam, "Ceylon Tamils and the Revival of Sovereignty" (A typed pamphlet, Jaffna, 1984), pp. 1-2.



Tamils, who occupy the eight districts of the northern and eastern provinces are the 'sons of the soil' since time immemorial. This 'son of the soil' has no other homeland to go to except the 'Tamil Eelam'. The Tamils of Tamilnadu do have an ethnic connection with them but the Jaffna Tamils consider themselves as far more authentic guardians of the Tamil heritage than their northern brothers.<sup>10</sup> How can the Sinhala cow down such a proud people who cannot be manipulated by their own ethnic relations in the North?—a brilliant young Tamilian in Jaffna asked me. However, the average Sinhala hardly recognises this independent Sri Lankan Tamil identity.

The historical wedge between the Sinhala and the Tamils instead of being bridged was broadened during the four and a half centuries of Portuguese, Dutch and British rule. Though Sri Lanka had the longest period of colonial rule among the South Asian countries, the foreign powers did very little to industrialise the island. It remained a basically export-oriented plantation economy, which hardly gave rise to a widespread

10. It is claimed by the Sri Lanka Tamils that they played a crucial role in the Tamil Renaissance, which coincided with the publication of two journals—*Siddhanta Deepika* (1897-1913) and the *Tamilian Antiquary* (1907-1914). Apart from the pioneering role played by Arumuga Navalar (1822-1879), who is described as the Dayananda Saraswati of Sri Lanka Tamils, in laying the foundation of the Tamil Renaissance, many other Jaffna Tamils like C.W. Tamataram Pillai (1832-1901), V. Kanagasabhai Pillai (1855-1906), T. Chellappah Pillai, T.A. Rajarathanam Pillai, T. Kanagasundaram Pillai (1863-1922), Sabhapathy Navalar spent virtually their lifetime in Tamilnadu and contributed to the cause of the Tamil people and their language.

"By living and working in the midst of the Tamils in South India, who were themselves experiencing tremendous changes, these scholars from Sri Lanka engaged in a two-way traffic of ideas and movements that ushered in a new era. These scholars considered themselves part of the mainstream of Tamil culture and contributed to it as much as they received. In fact, during the time of Navalar and about three decades after his death, it was the 'Jaffna school' that dominated the literary scene in Madras."

See, K. Kailasapathy, "Cultural and Linguistic Consciousness of the Tamil Community" in *Ethnicity and Social Change in Sri Lanka*, pp. 107-120.

proletarian consciousness or built a solid bourgeoisie. Neither could a credible left movement unite various ethnic groups nor did a nationalist upsurge like the Indian National Congress bring people together to share common suffering in Sri Lanka. The colonial rule instead exploited, on the one hand, the caste divisions among the Sinhala to further its economic interests in the rural areas while on the other hand, the proselytising fervour of the British conferred extra privileges on the Tamils and the low caste Sinhala who took to Christianity.<sup>11</sup>

Even those Sinhala who did not accept Christianity as their faith succumbed to the temptation of gaining official favour by adopting Western surnames (Fernando, de Fonseka, de Silva, Pereira, etc.) or first names Junius Richard, Solomon, Don Stephen, John, etc). This mentality gave birth to a new class of opportunists who reached the helm of public life and administration but were empty of inner content. The colonial masters utilised this weakness of the Sinhala educated class to accentuate existing cleavages among them.

The Indian Tamil labourers were brought by the colonial masters to take care of their coffee and tea plantations and to rebuff the Sinhala peasantry which had earlier refused to work in the brutal conditions. These half-million Indian labourers were surrounded in the upcountry plantations and totally cut off from the Sinhala as well as from the local Tamils. The Indian Tamils still continue to be looked upon as part of an alien economy despite the nationalisation of the tea estates.

11. The Sinhala have four major castes—Goyigama, Karava, Salagama and Durava. However, they are in no way comparable to the four *varnas* of Indian Hindus. The Goyigamas are the topmost caste but they are not Brahmins. They are cultivators, landlords and numerically superior to all other castes. Most of the famous leaders of modern Sri Lanka, except a man like Prime Minister Premadasa, hail from the Goyigama caste. The Karavas were originally fishermen but now they have carved out a place for themselves in some other fields too. The Salagamas are basically cinnamon-peelers and Duravas are toddy-tappers. The artisans and smiths usually belong to Navandanna and washermen to Hina castes. The Rodiys in the upcountry are known as the 'outcastes' but they are unlike the *Harijans* in India.



Sri Lanka did not experience any cultural renaissance which could weld together all the people from Jaffna to Galle. Whatever cultural revival we find in the late nineteenth and early twentieth centuries was fragmented in terms of North and South, Sinhala and Tamils and Buddhists and Saivites. No anti-British mass movement like the one in India took shape in Sri Lanka. Freedom to Sri Lanka came on a platter. The British economic holdings remained intact and the brown *Sahebs* like Don Stephen Senanayake, his son Dudley and John F. Kotalawela succeeded the British in Colombo. The post-independence governments did little to bring the Sinhala and Tamils together. The historical myths continued to haunt both peoples.



## 2

Black July

The July 1983 riots gave a severe jolt to whatever conceptual propinquity between Buddhism and Hinduism existed in Sri Lanka. As an Indian and a born Hindu it was, in fact, very embarrassing for me to reply to the oft-asked question whether I was a Buddhist or a Hindu. A watertight compartment normally does not exist between them in India but the cleavage between these two branches of the same tree appeared to be too wide in Sri Lanka to be covered by the Buddhist Mahaviharas, where I saw the idols of Buddha, Vishnu, Ganesh and Skanda being paid similar obeisance by followers of both the faiths. The burnt Tamil shops and houses in Colombo and Kandy and the charred Buddhist Pagoda in Jaffna stood as a mockery of the shared religious heritage.

The nearly-half million Tamil still living in the Sinhala area are extremely nervous, and so is the minuscule Sinhala minority in the Jaffna area. According to the government figures at least four hundred people were killed in the riots, and more than 150,000 Tamils sought asylum in the refugee camps. The casualties in Colombo's slum area were the highest. Tamil shops, factories and houses were burnt, while the Sinhala establishments remained untouched. In his recent book, *The Agony of Sri Lanka*, Dissanayaka, who is also a senior official at the Ministry of Foreign Affairs in Colombo, admits :

"The rioting hitherto was by leaderless mobs. In the afternoon the violence took a different turn. There was organised violence by gangs which were quite obviously trained and



who operated with military precision. Their targets were the economic basis of the Tamils in Colombo and their homes. Tamil homes were thus systematically consigned to the flames. Such homes were identified with pinpoint accuracy using electoral lists."<sup>1</sup>

Thousands of people have changed their residence and place of work after the July riots. Real estate prices in the Tamil areas in Colombo, like Bambalpitiya, have plummeted. Abandoned Sinhala houses can still be seen in Jaffna. The distrust between the communities is so entrenched that an ordinary Sinhala would be mortally afraid to visit Jaffna. During my three-week-long stay in Sri Lanka, I was invited to several Sinhala and Tamil houses to eat but nowhere did I find a mixed gathering except at the residence of Dr. A.T. Ariyaratne, the Sarvodaya leader, where I met the editor of the *Tribune*, S.P. Amarasingham, who is a Jaffna Tamil. The political atmosphere is so vitiated in Sri Lanka that before talking to a foreigner like me a Sinhala would make sure that no Tamil was around, and *vice versa*. The Tamils eagerly pour venom on the Sinhala but would plead for anonymity. It was a sad surprise to me when after lunching with Brigadier Seniviretna I learnt that my interpreter, who was a Tamil young man, had not accepted the meals offered to him at the Palali military camp near Jaffna by the Sinhala staff of the Brigadier.

Let alone these ordinary people, the Buddhist monks, who are supposed to be spiritually oriented and compassionate, gave me the impression of being intolerant of the Tamils. They consider the Tamils to be disloyal. Though some left-leaning Bhikkhus talked of their role in saving the fleeing Tamils during the July riots, several Tamil intellectuals and leaders were quite outspoken in condemning the Bhikkhus in general as "the instigators of the riot". Conversations with a number of Bhikkhus and the hard-core Sinhala politicians at various places revealed their terrible annoyance with the Tamils who now look upon India as their only saviour. Why have the Tamils of Sri Lanka learnt no lessons even after the

1. See, T.D.S.A. Dissanayaka, *The Agony of Sri Lanka*, (Colombo, 1984), pp. 80-81.

July riots, wonder many Sinhala politicians.

The Indian Tamils, on the other hand, especially those in the upcountry tea estates gave me the impression of dreading another mass programme by the Sinhala. By and large they had remained untouched in the last riots, but owing to the pervasive anti-India feeling and the damage suffered by their relatives in the urban areas, they are now more nervous than the Jaffna Tamils living in the Sinhala areas. Unarmed, uneducated and sequestered in a Sinhala-dominant area, they are also, unlike the Northern and Eastern Tamils, landlocked and far away from India.

The entire Tamil population of Sri Lanka has lost faith in the impartiality of the Army and the Police. The July riots were provoked by the Army men and it was the Army which indulged in arson, looting and cultural vandalism.<sup>2</sup> The massacre of several Tamil prisoners in the Welikade jail by the Sinhala prisoners on July 25 is used as evidence by the Tamils to convey the state of lawlessness in Sri Lanka.

At least 40,000 Jaffna Tamils have fled Sri Lanka after the July riots, and the Tamils of Indian origin, both those who recently got Sri Lankan citizenship and the stateless ones, are having second thoughts about remaining in Sri Lanka. The Sinhala leaders have started thinking in terms of making alternative arrangements if these Tamils decide to leave, though the

2. James Manor, "Sri Lanka: Explaining the Disaster", *The World Today* (London), November 1983, pp. 450-459; Dissanayaka admits that ".....Sri Lanka Light Infantry had gone on the rampage to avenge the 13 deaths" (p. 74) and "one of the tragic features that day was the role of the Army. They were of passive deportment and merely looked on nonchalantly" (p. 81). In Trincomalee, "These rumours incensed the Navy and over 80 sailors broke barracks and went on the rampage. They accounted for 170 acts of arson before returning to their barracks" (p. 84). The eye-witness accounts of riots which I gathered both from the Sinhala and the Tamil sources are far more critical of the Army. See also, Amirthalingam's interview in the *Hindu* (August 25, 1983) where he states ".....it (the riot) has been planned by somebody in authority who could have combined the action of armed forces along with that of groups of civilians who were acting in a very organised way". He further says, "In Jaffna the army personnel shot and killed at least 51 civilians on July 24 and 25".



Government has recently promised to grant citizenship to more than 90,000 Indian Tamils.

The Tamil businessman in Colombo are equally apprehensive of the Government's policy. Though most of the Tamil shops have bounced back to business, the large industrial units are still being rebuilt. Many industrialists were complaining of Government harassment. They do not in fact want to invest their money in Sri Lanka again. They were asked by the Labour Minister to pay wages to their Sinhala workers, though their factories were burnt. They were asked to re-employ the very workers who had taken part in burning their establishments. The riots have affected the morale of industry in general. The fragile economy of Sri Lanka suffered a grievous blow from the July riots.

The riots, apart, from being unprecedented in their ferocity, betrayed the deeper malaise afflicting the Sri Lankan body public. Though the immediate provocation for the riots was the killing of 13 Sinhala soldiers on the Palali-Jaffna road by explosives planted by the Tamil terrorists on July 23, 1983, the Government blamed the leftist parties for inciting the riots with a view to overthrow the government. These leftist parties—the Communist Party and Nav Lanka Sama Samaja Party along with the Jatika Vimukthi Peramuna—were banned and the Sinhala language newspaper of the Sri Lanka, Freedom Party, was closed. The Soviet Union and an East European country were also named in certain quarters as fishing in the troubled waters.

But the Government in Colombo did not care to bolster its assertion with unassailable facts. Rather, it tendered very tenuous explanations for its jitteriness. The two leftist parties who drew a blank in the 1977 elections were too weak to influence the Army and the 1971 uprising had already disabled the JVP from launching another adventurous salvo at the Government. Moreover, the JVP is a rural-based organisation while the July riots were mostly an urban affair.

Indeed, the July riots exposed the bitter infighting in the ruling United National Party which is facing the problem of succession to 78 years' old Jayewardene. With the eclipse of the opposition parties in the 1977 elections, even the adversarial role in Sri Lanka politics is being played within the

ruling party itself. Each party in the past, while in opposition, played with Sinhala sentiments and called for anti-Tamil movements so as to seek power. The two major factions in the UNP now, one led by the Prime Minister R. Premadasa, and the other by the Minister of Industries Cyril Mathew, are locked in the battle of succession and have been playing on the anti-Tamil or anti-India themes. Hence the invasion bogey was raised time and again by Premadasa.

Cyril Mathew, who is a comparatively less known figure in India has always wielded an acid tongue against the Tamils. Representing the ultra-rightist forces who have deep connections with the Buddhist lobby, he is favourably inclined towards the Western powers. He had earlier threatened the Tamils with an impending bloodbath, using the classical language of Mahavamsa and Pujavali and in fact he organised the July 1983 riots. His Assistant Secretaries were hobnobbing with the local Army and Police personnel in Trincomalee at the height of the troubles. There is ample evidence that the riots in the rest of the country were ignited by the officials and the urban thugs at the instance of a particular Ministry employing the Government machinery.

The factional agents were so active before the riots that on July 24, Prime Minister Premadasa was forcibly prevented from attending the last rites of the soldiers killed on the Palali-Jaffna road when he arrived at the General Cemetery in Colombo. The riots, which rocked Colombo a few hours later were organised by this anti-Premadasa faction. A hapless Premadasa later condemned this faction as vociferously as the Tamil politicians.

The handling of the July riots is a telling commentary upon the efficacy of the Jayewardene regime. President Jayewardene is on record as having told Amirthalingam in the wake of the July riots that the "Sri Lanka Army was not carrying out his orders. The mutinous troops necessitated special military protection to the President who was scared of being overturned by the junior officers." In an interview with the Japanese newspaper, *Asahi Shimbun*, Jayewardene himself admitted that "there was no problem with the senior officers but there were army code violations among the lesser ranks. Some will be



court-martialled." In other words, the Head of State lost control of both the political as well as military apparatus of Sri Lanka.

The Tamil region in the North has generated a sense of alienation, shame and inadequacy in the Sri Lankan soldiers, 99 per cent of whom are Sinhalese. For them, the North is like a battlefield. Posting in the Tamil districts of the North is rewarded with a special allowance. A Sinhala soldier in the North behaves as if he were an instrument of an occupation army in an alien land, and the people of the region too view him so. The army of modern Sri Lanka, which is a composite country, unfortunately behaves like the partisan army of Dutthagamani. Yet, its atrocities have not cowed down the northerners, and the Army takes out its frustration and shame on the helpless Tamils living in the Sinhalese areas of Colombo, Kandy and Trincomalee.

In these areas the army men in plainclothes mixed with the Sinhalese thugs in wreaking violence, while in the North, where the Sinhalese presence is like the salt in the dough, the Army openly took on the job of burning the famous library, shooting at the church and desecrating the statues of the Tamil heroes in the bazars of Jaffna, as well as shooting and torturing the people under the cover of combing for the terrorists. And since the promotion policy is based on political patronage, those who are unable to climb the ladder take it out on the civilians in a crisis situation, for this not only helps to give vent to their pent-up feelings but also serves to besmirch the name of the regime.

A non-political and secular Army could be the reliable instrument of the democratic system in Sri Lanka but its very composition, character and the odds against which it has to work have made it a threat to the system first in 1971 when the JVP uprising took place and now during the riots of July 1983. The politicians and Army both have failed the people of Sri Lanka. Instead of uniting the ethnically torn peoples in to a strong and viable nation-state, they have aggravated the division bequeathed to Sri Lanka by history.

## 3

## Politics of collusion and collision

How did Sri Lanka, one of the oldest democracies in South Asia come to this sorry pass? Perhaps both the Sinhala and the Tamil leaders are responsible for it. Despite the advent of freedom and the departure of the British from Sri Lanka the Tamils tried to hang on to all the advantages that had accrued to them under the colonial dispensation of divide and rule; while the Sinhalese fostered the illusion that independence was an exclusive gift to the Sinhala-Buddhists by the colonial masters and henceforth they were the sole arbiters of the fate of the nation. With these extreme positions, the Sinhalese and the Tamils resorted to the politics of collusion one day and collision the next.

The British period was a period of Sinhala-Tamil amity. The colonial elite steeped in English education and the Western way of life relegated ethnic differences to the background. They worked together for the constitutional reforms. A Tamil won 'the educated Ceylonese seat' in 1922 over a Sinhala. When Sinhala-Muslim riots broke out in 1915, the Tamils expressed their solidarity with the Sinhalese. The Muslims, by and large, are Tamil-speaking but their economic interests clashed with the Tamil bourgeoisie.<sup>1</sup> The Sinhalese and Tamils closely co-operated to build up the Ceylon National Congress during 1917-19. They elected not a Sinhala but a Tamil, Sir

1. Kumari Jayawardene, "Diversionsary Movements against Christians and Muslims", *Lanka Guardian*, vol. 6, no. 23 and 24, pp. 8-9,



Ponnambalam Arunachalam as their first President. The Goyigamas among the Sinhalese and the Vellals among the Tamils, both higher castes, found each other good company for many decades.

However, differences arose between these two communities on the question of ratios in communal representation and the granting of a separate electorate for the Sri Lanka Tamils in the Western province. The Sinhala leadership resented the principle of a 50:50 ratio in the Legislative Council between them and the minorities. The Donoughmore communal basis and the principles of adult franchise and territorial representation were followed from 1931.<sup>2</sup> The new electoral system was a clearcut setback to the Tamils who considered themselves at par with the Sinhalese as a major community of Sri Lanka, quite high in status compared to the minorities such as the Muslims, Burghers and Malays.

The Tamils kept up their demand for 50 per cent reservation for the minorities in the legislature and the cabinet when the Soulbury Commission was formulating new constitutional reforms just before independence was granted. The communal demand was rejected outright but D.S. Senanayake immediately after the pre-independence elections of 1947 co-opted several members from the minorities in his cabinet, although he had a comfortable majority with the support of other allies to run the Government. Two Tamils, including G.G. Ponnambalam, the leader of the Tamil Congress, were appointed as cabinet ministers.

This was a clear example of collusion between the Sinhala and the Tamil leaders. The Tamils in the North and East were directly benefited by projects like the Kankesanthurai Cement Factory, the Paranthan Chemical Factory, the Valachchenai Paper Factory and the fishing harbours in Kankesanthurai and Batticaloa, but the Indian Tamils, who generally belong to the low castes, suffered a mortal blow politically. They were disenfranchised by the D. S. Senanayake regime and the leaders of the Tamil Congress simply caved in. In-

fact, Ponnambalam played the game of the Kandyan Sinhalese who were jealous of the Indian settlers in their upcountry tea plantations. The Kandyans were afraid of being uprooted from their own ancestral lands because of the swarming hordes of Indian Tamils occupying the sprawling tea estates. The Indian Tamil population, nearing a million was perceived as posing a cultural and linguistic threat to the Kandyan Sinhalese.

These threat perceptions were spurred by the 1947 elections in which out of seven candidates who won in the Kandyan region, six were of Indian origin. The Kandyans conjured up hallucinations of being politically blackmailed and swamped by the Indian Tamils and struck at the root of the latter's political existence. They asked for the disenfranchisement of those whom they described as illiterate labourers who were basically birds of passage, uninterested in the affairs of Sri Lanka. This demand suited the ruling United National Party nicely, for by disenfranchising the Indian Tamils it could not only corner the Marxists in the upcountry who sympathised with the labourers but could also extend its influence among the Kandyan Sinhalese. This led to the infamous Citizenship Act No. 18 of 1948 and the Indian and Pakistani Residents (Citizenship) Act No. 3 of 1949 which made the procedure of acquiring citizenship so cumbersome that an ordinary estate worker rather chose to forgo his political rights.<sup>3</sup> Those who could not obtain citizenship automatically lost their right to vote in accordance with the Ceylon (Parliamentary Elections) Amendment Act, no. 48 of 1949.

For the Sinhala politicians this was a Machiavellian achievement indeed, for without much trouble they had managed to divide the Tamils into two groups—the Sri Lanka Tamils and the Indian Tamils.

The formal division really did take place when the Citizenship bill was opposed by S.J.V. Chelvanayakam and two of his colleagues, one each in the Lower House and the Senate. The Tamil Congress split and the Federal Party was born in 1949

2. See, A. Jeyaratnam Wilson, *Politicians in Sri Lanka 1947-1973* (London, 1974), pp. 47-49.

3. For detailed discussion, see W. Howard Wiggins *Ceylon: Dilemmas of a New Nation* (Princeton, 1960), pp. 212-228.



under the dynamic leadership of Chelvanayakam who claimed to represent all the Tamils living in Sri Lanka. However, the self-centred Tamils of the North and East gave a thumping majority to the Tamil Congress in the elections of 1952 and even Chelvanayakam could not be re-elected to Parliament. The Sri Lanka Tamils forgot their Tamil brethren in the estates and preferred a party which promised them official patronage though with the status of a junior partner of the Sinhala. However, this honeymoon did not last long and the UNP-Tamil Congress alliance came under severe strain in 1953 when Ponnambalam resigned from the Cabinet.

Just as the Federal Party posed a challenge to the Tamil Congress, so the Sri Lanka Freedom Party, a breakaway faction under the leadership of S.W.R.D. Bandaranaike in 1951, shook the United National Party. Though they were trounced in the 1952 elections, both these new parties who picked up the gauntlet against their parent parties emerged as the main contenders for power as soon as the movement for 'Sinhala Only' was started.

The slogan of 'Sinhala only in 24 hours' was first raised in the 1952 elections by the S.L.F.P. which really meant change-over from English to Sinhala. Although the official position of the Party was to give near parity to Tamil. The demand started picking up real momentum in 1954. This was the year when preparations for celebration of the 25th centenary of Buddha Jayanti were in full swing. The Sinhala-Buddhist resurgence was at its zenith. The Buddhist monks under the aegis of the 'Eksath Bhikkhu Peramuna' and the Sinhala enthusiasts who were active in organisations like the 'Sinhala Jatika Sangamaya', 'Bhasa Peramuna' and 'All-Ceylon Buddhist Congress' influenced public opinion to such an extent by the end of 1955 that the SLFP had to amend its constitution and reformulate its position on the language problem by promising to make Sinhala the sole official language with 'due recognition for Tamil in legislation, administration and education'.<sup>4</sup> The original view of the SLFP regarding Tamil was almost of parity with Sinhala. The parity position advocated in the first annual

4 For details, see Urmila Phadnis, *Religion and Politics in Sri Lanka* (New Delhi, 1976), pp. 262-272.

conference of the SLFP in December 1952 persisted even as late as April 1954 when Bandaranaike, speaking at Kalmunai, promised that both Sinhala and Tamil would be accorded the status of official and national languages.<sup>5</sup> Thus the arrow of 'Swabhasha', which had initially been aimed at English, found Tamil as its ultimate target.

The Tamil reaction to the 'Swabhasha' movement was as harsh as could be. The Tamils under the leadership of the Federal Party raised the banner of 'Tamil Only'. They pleaded for the total boycott of Sinhala in the Tamil areas and asked for full official status for their language. They had no sympathy for the Sinhala argument for doing away with English and replacing it with Sinhala as the sole official language.

The language question became the focal point in the 1956 elections. The SLFP had adopted the 'Sinhala Only' resolution in December 1955. The UNP followed suit in February 1956; reversing its earlier resolutions it passed a more stringent resolution than that of the SLFP which 'no longer included any reference whatsoever to give a due place to Tamil'.<sup>6</sup> Owing to this radical about-turn of the UNP on the delicate question of language, the Prime Minister called for an immediate dissolution of Parliament and for a general election.

The results of the 1956 elections were a clear indication of the cleavage between the two communities, the Sinhala and the Tamils. The Sinhala voted for the party which appeared to champion the cause of Sinhala, Sinhala and Buddhism. Bandaranaike's caveats on these issues were obviously overlooked by the people. The rabble-rouser bhikkhus brought a windfall of votes for the SLFP. The SLFP won 51 seats out of the 60 it fought under the banner of the Mahajana Eksath Peramuna. The UNP fought 76 seats but won only 8. The Nava Lanka Sama Samaja Party and the Communist Party also gained more seats in this election than before, perhaps due to the electoral understandings with the MEP. However, the 1956 elections roused the aspirations of the Sinhala on a grand scale.

Similarly, with the landslide victory of the Federal Party, the Tamils announced their intention to fight for a federal

5. *Ibid.*, p. 263; See, also Wriggins, *l. n.* 3, pp. 252-258, 6. See, Wriggins, *Ibid.*, p. 258.



system and their rejection of all kinds of possible domination by the Sinhalese. The Tamil Congress did not dare to put up more than one candidate, who, in fact, won the election, but the Federal Party won 10 seats out of the 14 it fought. The patron of the Tamil Congress, the UNP, was not able to put up a single candidate in the 7 constituencies of the Eastern Province. The Federal Party won 4 seats out of 7 in the Eastern Province gaining 42 per cent of votes, whereas in 1952 it had got just 2 per cent votes.

Armed with this massive popular backing, the Federal Party at its convention at Trincomalee in August 1956 made four specific demands on the Bandaranaike Government: (i) replacement of the Soulbury Constitution by one which guaranteed the federal system; (ii) parity in status between the Sinhala and Tamil languages; (iii) restoration of citizenship to the Indian Tamils; and (iv) immediate cessation of the colonisation of the traditional Tamil homeland with Sinhalese. The Trincomalee convention threatened to launch direct action by non-violent means if the above demands were not met within a year.<sup>7</sup>

The Government was threatened with direct action because the protestations and even riots in the months of May and June 1956 had not persuaded it to withdraw or tone down the 'Sinhala Only' Act. Fulfilling its election promise the Bandaranaike Government enacted the Official Language Act, No. 33 of 1956, on July 7, 1956. The text read, "The Sinhala language shall be the one official language of Ceylon"<sup>8</sup>. Bandaranaike was in favour of enshrining some definite guarantees for the official use of Tamil in the Act itself, but so far as the Tamil language was concerned Sinhala-Buddhist pressure forced him to abandon well thoughtout provisions in favour of a short and ambiguous Act. The Bill was supported by all the MEP, UNP and appointed legislators except the Tamil and the leftist members. Here again, except the leftists, most of the politicians voted on the ethnic lines.

The Tamil leaders not only served their ultimatum on the

7. See, Wilson, f.n. 2, p. 165.

8. For the text, see Wriggins, f. n. 3, pp. 261-262.

Government but also asked Tamils not to learn or speak Sinhala and to use only Tamil, or English if necessary. The linguistic feud reinforced by the racial myth thus further divided the Sinhalese and Tamils. Both peoples started boycotting the other's language. The tendency towards mutual boycott created greater bitterness in those areas where the populations were mixed. The riots of 1956 in Gal Oya Valley and Batticaloa had already spread the communal virus all over the country.

After passing the 'Sinhala Only' Act the Government tried to implement it with great speed. This was necessary to appease the racial and religious elements who had been the backbone of the SLFP victory in the elections. English was hurriedly replaced by Sinhala in government business. Parliament had never previously witnessed so many speeches made in Sinhala and for Sinhala. The Minister of Education pleaded for the abolition of the English-medium schools by 1958 and admission to a teacher training college was restricted to Sinhala teachers only. This exclusivist attitude, however, was not adopted in the case of 500 recently established scholarships, which were allotted in the ratio of six to one for Sinhalese and Tamils; to the Tamils, however, it appeared as if the government was adding insult to injury. To the Federal Party it seemed as if the Sinhalese had started to throw crumbs to the hungry Tamils. Moreover, the Tamils and the English-speaking minorities perceived a dire threat to their privileged position in the government services, in which, thenceforth, an elementary knowledge of Sinhala would be a prerequisite for recruitment.

Then the Minister of Transport and Works, under the influence of the 'Sangamaya', issued an order making it compulsory to inscribe the word 'Sri' (a Sinhala auspicious word) on the number plate of all vehicles, whether owned by Sinhalese or Tamils. This provoked an anti-'Sri' campaign in the North. Some government vehicles with the 'Sri' inscribed were burnt in Jaffna. The Tamils retaliated against the Government order by putting their own Tamil character on the number plates. The anti-'Sri' campaign was interpreted by the Bhikkhus as a threat to the Sinhala nation itself.

To diffuse the ethnic tension; Prime Minister Bandaranaike



and the Federal Party leader Chelvanayakam signed a pact on July 26, 1957. Although B-C Pact (Bandaranaike-Chelvanayakam pact) was not accepted as the final solution by the Tamils, who rather viewed it as a temporary 'adjustment', it nonetheless granted many concessions to the Tamils.<sup>9</sup> The Prime Minister, though he expressed his inability "to discuss the setting up of a federal constitution or regional autonomy or any step which would abrogate the Official Language Act", agreed to the "recognition of Tamil as the language of a national minority of Ceylon" and that Tamil be made "the language of administration in the Northern and Eastern provinces". He assured the Federal Party of "early consideration" of the question pertaining to the Citizenship Act regarding the "people of Indian descent". The Prime Minister conceded the demand for establishing regional councils in the North and East which would have "powers over specified subjects including agriculture, co-operatives, lands and development colonisation, education, health, industries and fisheries, housing and social services, electricity, water schemes and roads". The power of taxation was also to be devolved to the proposed regional councils. The most remarkable feature of this agreement was over the colonisation schemes. "It was agreed that in the matter of colonisation schemes the powers of the regional councils should include the power to select allottees to whom lands within their area of authority shall be alienated and also power to select personnel to be employed for work on such schemes".<sup>10</sup>

Had this pact been turned into an Act of Parliament, the story of Sinhala-Tamil relations would have been altogether different. However, the right-wing Sinhala politicians and the Tamil extremists quered the pitch to settle their own scores. The UNP under the leadership of J.R. Jayewardene organised a march from Colombo to Kandy to protest against the B-C Pact. The Bandaranaike Government foiled this march without much difficulty but it succumbed to the pressures brought by the 'Bhasa Peramuna', 'Sangamaya' and the Maha Nayakas of

9. For the text of the B-C Pact, please see Appendix.

10. *Ibid.*

Malwatta and Asgiri sects. The leaders of these influential organisations termed this pact as "an act of treachery against the Sinhala nation" and the "first step towards setting up of a separate state".<sup>11</sup>

Like the UNP politicians, many Tamil leaders who had been mauled by the electorate in the 1956 elections pounced on the Federal Party for "surrendering to the Sinhalese". The Tamil leaders who had spent a lifetime collaborating with the Sinhalese now jumped on the bandwagon of federalism and autonomy. However, the Federal Party called off its plans to agitate. A comparative calm was visible on the Tamil front but the Sinhalese resorted to direct action. A crowd of Sinhalese, including several Bhikkhus, staged a sit-in demonstration in front of the Prime Minister's house on April 9, 1958. Bandaranaike, who was already facing tremendous pressure from his Cabinet colleagues, ultimately abrogated the pact unilaterally and got rid of the demonstrators. An ethnic riot followed this breach of agreement in May 1958. The Sinhala colonists of the Minneriya irrigation project attacked the workers of the Federal Party who were travelling in a train from Batticaloa to Vavunia to attend the Annual Conference of the party. The Tamils in Batticaloa retaliated against the Sinhalese with equal vehemence. Arson, rape and murders on both sides forced the Government to declare a state of emergency on May 27, 1958. The riots were quelled in less than a week and the Sinhala extremists and some Federal Party leaders were both put under house arrest from June to September.

The Government under the cover of Emergency passed an Act in September 1958—

"which legalised the reasonable use of Tamil for prescribed purposes. These included the right of Tamil pupils to be instructed in the Tamil language at all levels of education, the right of those educated in the Tamil language to take public service examinations in that language, provided that they had a sufficient knowledge of the official language of Sri Lanka, or that such knowledge was acquired within a specified time after admission into service, the right of any

11. For details see, Urmila Phadnis, *l. n.* 4, pp. 270-271.



Tamil to correspond with any government official in Tamil, or of any local authority in the Northern and Eastern provinces to do the same with any official in his official capacity and the right for Tamil to be used in these provinces for prescribed administrative purposes without prejudice to the use of the official language in respect of these prescribed purposes."<sup>12</sup>

These concessions were no doubt substantial but the Bill was passed when the Tamil Members of Parliament were absent. So the Act did not carry an air of legitimacy. Moreover, to implement the Act it was necessary for the Prime Minister to promulgate regulations. The Act without these regulations, was only a bundle of hollow words. It took more than seven years to promulgate the required regulations, to which we shall come later on. So far as the 1958 Act was concerned the Tamils also complained that it very cleverly sidetracked the major issues of forming regional councils and the stopping of Sinhala colonisation of the Tamil areas.<sup>13</sup>

In the last phase of the MEP regime, from early 1959 to September of that year when Prime Minister Bandaranaike was assassinated by a Bhikkhu, the ascendancy of the rightist forces in the SLFP under the factional leadership of W. Dahanayake coupled with the extraordinary emergency powers recently acquired by the Government meant that it was not difficult for the Bandaranaike regime to pursue its avowed policies on the ethnic question.<sup>14</sup> However, it paid heavily for its oscillation. After the shortlived Dahanayake phase and the minority government of Senanayake which came to power in the elections of early 1960, the SLFP again rode to power in July 1960 by winning the second election of that year.

After coming to power in July 1960, Mrs. Sirimavo Bandaranaike carried forward the policies of Solomon Bandaranaike on the ethnic question with greater vigour. Mrs. Bandaranaike

12. S. U. Kodikara, "The Separatist Belam Movement in Sri Lanka: An Overview," *India Quarterly*, v. 37, no. 2, April-June 1981, p. 197.

13. See, Wriggins, *l. n.* 3, p. 269.

14. See also, K. M. De Silva, *A History of Sri Lanka* (Bombay, 1981), pp. 510-524.

as Prime Minister could not implement her assurance to the Federal Party with regard to the status of the Tamil language on the basis of which the Federal Party had supported the SLFP in defeating the UNP Government on the floor of Parliament in April 1960. An understanding had also been reached between the SLFP and the Federal Party during the July election but it was flouted by the Government insisting that it was making 'Sinhala' as the sole official language from 1 January 1961 as it was envisaged in the 'Sinhala Only' Act.

Mrs. Bandaranaike nationalised most of the schools in the teeth of Christian opposition; the switch over to Sinhala from English was also swift. This evoked strong reactions among the Christians and Tamils. Even the rightist forces tacitly supported the disgruntled elements. The civil disobedience movement started by the Federal Party was so intense and widespread that the military was dispatched on a permanent basis to Jaffna in 1961. Right from the day of taking charge of Jaffna, the military cracked down on the Tamils with full force and this alienated them further from Colombo. Many Tamils who could visualise the coming danger, in fact, started leaving Sri Lanka in search of better pastures at this time. Some scholars believe that the policies of the Bandaranaiques spelled disaster for the future amicable relationship between the Sinhalese and the Tamils. In the words of a Sinhala diplomat and author:

"During the S.W.R.D. Bandaranaike Administration not only was the Official Language Act of 1956 enacted and implemented but all manner of discriminations were directed at the Tamil people. Many public servants were deprived of their promotions and many more were discriminated against in the process of recruitment. In the Sirimavo Bandaranaike Administration which followed, such discrimination was even more pronounced. This resulted in the Tamil community suffering from an acute sense of insecurity and made to feel unwanted in the land of their birth. The human reaction to the naked discrimination directed against the Tamil people was indeed tragic from the viewpoint of Sri Lanka."<sup>15</sup>

15. See, T. D. S. A. Dissanayake, *The Agony of Sri Lanka*, (Colombo, 1984), p. 9.



This view may be contested by some other Sinhala scholars,<sup>16</sup> but it is a fact that for the first time in independent Sri Lanka's history there was no Tamil representation in the Cabinet from 1956 to 1964. The practice of sharing of political power by the Sinhala and the Tamils gave way to the confrontational style of politics.

With the defeat of the SLFP in 1965 elections and the emergence of the UNP as the largest party but without an absolute majority Sinhala-Tamil co-operation was back in the picture. The UNP could not form the Government even with the support of its allies like the Sri Lanka Freedom Socialist Party, Mahajana Eksath Peramuna and Jatika Vimukthi Peramuna. It had to entice the independents to get a clear majority. The Federal Party had won 14 seats which made it the third largest party after the UNP (66 seats) and SLFP (41 seats). So the leader of the UNP, Dudley Senanayake, struck an agreement to form a coalition government with the Federal Party.

The Federal Party too, like the Tamil Congress in 1948, collaborated with the Sinhala Government. However, the new collaboration had its own justifications. First of all, the Federal Party was the enemy of the enemy of the UNP. Its tough opposition to the SLFP for almost a decade brought it nearer to the UNP. Moreover, everybody knew that the UNP's anti-Tamil stand was not an autonomous attitude, but had sprang up to offset the popularity of SLFP among the Sinhala voters. So it was expected of the UNP, while in power, that it would resolve the Tamil problem in a more sympathetic way. The dialogue between the UNP and the Federal Party was going on even before the elections. Immediately after the election

16. Prof. Kodikara has argued that "Mrs. Bandaranaike's administration (1960-65) favoured District Councils rather than the provincially based Regional Councils and seriously considered draft legislation for their establishment; again Sinhalese interest groups objected to the idea partly because their establishment prior to the solution of the citizenship status of persons of recent Indian origin in Sri Lanka was thought to lay open the midland parts of the island, in addition to the North and East, to the domination of Tamils". See, Kodikara, f. n. 12, p. 199.

results were declared a pact between Senanayake and Chelvanayakam was signed. Ironically, the basis of this pact was provided by the earlier B-C Pact<sup>17</sup>.

The S-C Pact was another landmark in the history of Sinhala-Tamil relations. The pact was signed on March 24, 1965, a day before D. S. Senanayake was sworn in as Prime Minister. Though the pact omitted any reference to provincial or regional councils, it did assure the Tamils about the formation of the District Councils, giving concrete shape to the Tamil Language Special Provisions Act and restricting the colonisation of Tamil areas by Sinhala. In no way did the S-C Pact challenge the basis of the 'Sinhala Only' Act of 1958. Still, the SLFP denounced it and led a demonstration when in January 1966 legislation was introduced to implement the assurances on the use of the Tamil language in official business. The Communist Party and the Lanka Sama Samaja Party joined the SLFP in launching a virulent ethnic campaign against the Tamils.

However, the Government of Senanayake took enough precautions to pre-empt a possible bloodbath and passed the regulations to grant special status to Tamil on January 11, 1966. The Federal Party welcomed the regulations and for the first time in ten years celebrated the Independence Day of Sri Lanka on the February 4, 1966. The only complaint of Chelvanayakam was that those regulations did not "confer on the Tamil-speaking people in the seven (Sinhala) provinces their full language rights". The continuing tension between Sinhala and Tamils was apparently easing.

The 1966 regulations made Tamil virtually the Official Language of the Northern and Eastern provinces. According to the 1966 regulations, without prejudice to the 'Sinhala Only' Act, the Tamil language would also be used:

1. In the Northern and Eastern provinces for the transaction of all government and public business and the maintenance of public records, whether such business is conducted in or by a department or institution of the government, a public corporation, or a statutory institution;

17. For the text of the pact, see the Appendix.



2. For all correspondence between persons, other than officials in their official capacity, educated through the medium of the Tamil language, and any official in his official capacity, or between any local authority in the Northern and Eastern provinces which conducts its business in the Tamil language and any official in his official capacity.<sup>18</sup>

Apart from conferring this special status on Tamil in the above two provinces, the regulations provided on the entire island basis that "all Ordinances and Acts, and all orders, proclamations, rules, bye-laws, regulations and notifications made or issued under any written law; the government Gazette and all other official publications, circulars and forms issued by the Government, public corporations or statutory institutions, shall be translated and published in the Tamil language also."<sup>19</sup>

Whether these regulations departed from what was being given by Solomon Bandaranaike to the Tamils has been a debatable question. One school of scholars interpret them as a reasonable solution of the language problem which did not show the seeds of separatism or compromise the pre-eminent position of the Sinhala language. The SLFP protest was viewed by such writers as just a political ploy of a defeated party.<sup>20</sup> The contrary view is that the regulations in question "undoubtedly entailed significant modifications of the Sinhala Only principle". The 'Sinhala Only' Act had provided for the voluntary use of Tamil for the prescribed purposes but the 'regulations' made it mandatory in nature so far as the transaction of Government business within itself and outside in the northern and eastern provinces was concerned. Now any Tamil letter from any corner of the island if received by the Government had to be answered in Tamil, though Sinhala was still the sole official language of Sri Lanka.<sup>21</sup> However,

18. For the text of the Regulations, see Appendix.

19. *Ibid.*

20. See, Urmila Phadnis, f. n. 4, p. 273; also see, K. M. De Silva, f. n. 14, pp. 530-531.

21. S. U. Kodikara, f. n. 12, p. 198

the Tamil demand for education in Tamil for all the Tamil children living in any part of the island on a compulsory basis was not conceded by the government.<sup>22</sup>

The Dudley Senanayake Government appeared to be keen to implement its assurance regarding devolution of powers to the District Councils. Senanayake did not go as far as Solomon Bandaranaike in conceding Provincial and Regional Councils. His proposed District Councils were to operate under the direct control and supervision of the Central Government. Their powers were also quite limited but the Prime Minister was unable to persuade the Sinhala chauvinist elements in his Cabinet and party to support his move. The main opposition came from the religious elements who considered the District Councils a precursor of federalism and separatism. Finally, when an influential section of his party raised the banner of revolt, Senanayake gave up his pact with Chelvanayakam in July 1968. Refusing to be browbeaten like Bandaranaike by the extremists among the Sinhala and fed up with the manouvring in his own party Senanayake declared his intention to resign. But instead, the Federal Party Minister resigned in September 1968 and the Federal Party pulled out of the coalition in April 1969 though it continued to support it from outside. Despite the formal breaking of links between the Sinhala and Tamil collaborative politics, the overall atmosphere of goodwill and ethnic relaxation was too evident to be overlooked.

22. See, A.J. Wilson, f. n. 2, p. 51



## Bandaranaike and the Tamils

The 1970 elections, which brought the SLFP and its leftist allies to power, did not revolve around the ethnic question, unlike in 1956. In fact, the Sinhala Mahajana Pakshaya, which pleaded for Sinhala chauvinism could muster only 0.4 per cent of the votes. The SLFP, by putting up several candidates for the first time in the Northern Tamil constituencies, signalled its desire to patch up with the different minorities. A Tamil intellectual, Senator C. Kumarasuriar, was also given a berth in the new cabinet.

The 1966 regulations on the use of Tamil in official business had removed a major irritant from Sinhala-Tamil relations and "Sinhala was installed and scarcely challenged as the sole official language, and considerable progress had been registered in promoting the use of Sinhala in government administration and in education".<sup>1</sup> The Tamils were in a genuinely conciliatory mood. The slogan of Tamil Eelam, which is now rending the air in Sri Lanka had not yet been heard. In fact, both the Federal Party and the Tamil Congress had voted in favour of the SLFP's plan for a Constituent Assembly to evolve a new Constitution,<sup>2</sup> and they expected the proposed Constitution to benefit their constituency. The Tamils were represented by three members on the Steering and

1. See, Robert N. Kearney, *The Politics of Ceylon (Sri Lanka)*, (London, 1973), p. 167.

2. See, Saul Rose, "Sri Lanka at the Turning Point: The Future of Parliamentary Democracy", *Round Table*, no. 256, October 1974, p. 412.

Subjects Committee of the Constituent Assembly. Though they co-operated at first they found to their chagrin that the SLFP was determined to incorporate in the Republican Constitution many measures that were meant to take away from Tamils even the rights they already had, rights that they had won through mass struggle. Moreover, the Indian Tamils had no representation in the Constituent Assembly, a political anomaly that was protested against by the Ceylon Workers Congress, the main organisation of the upcountry plantation Tamil workers.<sup>3</sup>

The members of the Federal Party in opposing the proposed clauses regarding the Official Language and the State Religion moved amendments to the draft Constitution. These amendments were based on the nine points agreed between the various Tamil parties which had been brought together in 1971 at the initiative of the Federal Party to secure the rights of both the Sri Lanka Tamils and the Indian Tamils.<sup>4</sup> The Tamil organisations demanded that (i) Tamil should be recognised by the Constitution as an Official Language along with Sinhala; (ii) Buddhism should not be declared as the sole State Religion, and that Sri Lanka should be a secular state; (iii) there should be a specific provision in the Constitution to outlaw the caste-system; and (iv) that the traditionally maintained distinction between the Sri Lanka Tamils and the plantation Tamils of Indian origin should be dispensed with.<sup>5</sup>

The 1972 Constitution, disregarding these Tamil demands, provided that:

"The official language of Sri Lanka shall be Sinhala as provided by the Official Language Act of 1956; that the use of the Tamil language shall be in accordance with Tamil Language (Special Provisions) Act of 1958; that all laws shall be made or enacted in Sinhala; that there shall be a Tamil translation of every law so enacted or made and that the language of the courts and tribunals shall be in Sinhala throughout Sri Lanka and accordingly, their records,

3. A. J. Wilson, *Politics in Sri Lanka 1947-1973*, (London, 1974), p. 238.

4. See the interview of A. Anurathalingam with the author in the Appendix.  
5. *Ibid.*



pleadings, proceedings, judgments, orders and so on shall be in Sinhala provided that the National State Assembly does not provide otherwise under its own law in the Northern and Eastern Provinces.<sup>6</sup>

The Federal Party again insisted on parity of status between Sinhala and Tamil in the courts and in legal procedures. It had its doubts about the discretionary powers accorded to the National State Assembly, since 'other than Sinhala' might well mean the English language. This doubt was cleared by an assurance from the spokesman of the Government that the National State Assembly after coming into being would "give the topmost priority to the introduction of legislation to make Tamil a language of administration in the original courts in the northern and eastern provinces".<sup>7</sup> The UNP did not oppose the move but the Federal Party declared that it could hardly rely on the words of the leaders of the Sinhala people. The Tamil fears were based on their earlier experiences of the breach of agreements by Prime Ministers Bandaranaike and Senanayake.

However, the Federal Party spokesman on June 25, 1971 hinted at compromise by swapping the demand for parity of languages for the inclusion of the provisions of the Bandaranaike-Chelvanayakam Pact of 1957 into the new Constitution. If Tamil was to be declared as the language of administration for the northern and eastern provinces and if all the Tamils living even outside these two provinces were also to be provided the right to use Tamil for transacting their official business, the Federal Party would not object to Sinhala being the additional Official Language in the Tamil areas of the North and East. When all these alternative proposals were rejected, the Federal Party members along with some other Tamil Congress MPs walked out of the Constituent Assembly on 14 May 1972. The new Constitution was adopted on May 22, 1972. The UNP and two independent MPs voted against it. The Federal Party absented itself because of the boycott but two

6. See S.U. Kodikara, "The Separatist Eelam Movement in Sri Lanka: An Overview", *India Quarterly*, v. 37, no. 2, April/June 1981 p. 201.

7. Quoted by A. J. Wilson, f. n. 3, p. 240.

Tamil Congress MPs along with an independent Tamil MP voted in favour.

Opposition to the new Constitution provided a common platform on which all the Tamil parties could unite for the first time since the break-up of the Tamil Congress in 1949. The Federal Party, the Tamil Congress, the Ceylon Workers Congress and the United Front of Eelam Tamils formed a Tamil United Front (TUF) to fight for "the freedom, dignity and rights of the Tamil people". While the Sinhalese celebrated May 22, 1972 as the country's Republic Day, the Tamils observed it as a day of mourning. The seeds of discord were again sown between the Sinhalese and Tamils.

The Constitution of 1972 introduced a new and jarring religious factor to widen the already existing linguistic schism. The Constitution stated that "The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the state to protect and foster Buddhism while assuring to all religions the rights secured by Section 18 (i) (d)". Though the fundamental right to freedom of thought, conscience and religion was not denied and the state of Sri Lanka was not declared a theocratic state like some of the countries in West Asia, it "ceased to be a secular state pure and simple".

The Tamils saw the new constitutional provisions as decrees to turn them into second class citizens in their own land. Hinduism, which is another common factor uniting the Indian and indigenous Tamils was thought to have been relegated to second place in Sri Lanka. The Tamils of Indian origin were especially sour about the way they were sidetracked in the matter of protecting their citizenship rights by a stipulation in section 67 which makes a subtle distinction between citizens by descent and citizens by registration. By declaring that no law of the National State Assembly should deprive a citizen by descent of the status of citizen of Sri Lanka the 1972 Constitution cast a shadow on all those Indian Tamils who had or were trying to acquire citizenship by registration.

The new Constitution also omitted the special provision to protect the minorities which was enshrined in section 29 of the Soulbury Constitution. In fact the new provision regarding



Buddhism was adopted in total contravention of this old guarantee to the minorities.<sup>8</sup> The minorities in Sri Lanka, including the Tamils, could not however, bring enough pressure on the Government to make it change its mind over all the controversial constitutional measures which were alienating them.

The Tamil United Front challenged the new Constitution from outside and made six demands on the Government on 30, June 1972. These related to the status of Tamil, secularism citizenship for the Indians, guarantee of fundamental rights, abolition of caste system and democratic decentralisation. The TUF gave three months' notice to the Government to consider the demands but the Sirimavo Bandaranaike government did not even acknowledge the letter sent to her on behalf of all the Tamils of Sri Lanka. The leader of the TUF, Chelvanayakam resigned his seat from Kankesanthurai on October 2, 1972 (Gandhi's birthday) and challenged the Government to hold a by-election to prove whether the new Constitution enjoyed popular support. The Government although elected with a landslide vote, prevaricated for almost three years. When the election was ultimately held in 1975, the Communist Party candidate, V. Ponnambalam, a Tamil who was supported to the hilt by the Government, was trounced by a landslide vote in favour of Chelvanayakam. The Tamil leader on re-entering Parliament again tried to table a bill asking for the right of self-determination for the Tamils but the Government did not allow it. Parliament, as a genuine forum to voice dissent was becoming irrelevant for the Tamils. They were not only forced to look for non-Parliamentary means to realise their goal but they also ventured to pass a resolution for a separate Tamil

8. Section 23 of the Soulbury Constitution reads as follows:

No such law shall:

- (a) prohibit or restrict the free exercise of any religion;
- (b) make persons of any community or religion liable to disabilities or restrictions to which persons of other communities or religions are not made liable; or
- (c) confer on persons of any community or religion any privilege or advantage which is not conferred on persons of other communities or religions.

Quoted by T.D.S.A. Dissanayaka, *The Agony of Sri Lanka*, (Colombo, 1954), p. 12.

State on May 14, 1976 at the Vaddukodai Conference of the Tamil United Front, which declared:

"We are hereby committed to the restoration and reconstitution of the free, sovereign, secular socialist state of Tamil Eelam based on the right of self-determination inherent to every nation. This has become inevitable to safeguard the very existence of the Tamil people in Sri Lanka."

With the passing of this resolution the Tamil United Front turned into the Tamil United Liberation Front. Tamil liberation was to be achieved from Sinhalese Sri Lanka through peaceful means or direct action and struggle. The Tamil Eelam was to be carved out in the northern and eastern provinces together with a part of Puttalam district. The demand for a separate nation enjoyed popular support in the North and East but almost a million plantation workers, represented by the CWC, were hardly interested in it. The CWC, therefore, dissociated itself from the TULF. However, the traditional rivals—Federal Party and Tamil Congress—joined hands to fight for Eelam.<sup>9</sup> The proud Tamils of Jaffna, who had considered themselves as the most authentic repository of Tamil culture for several centuries, now started looking to their northern brothers in Tamilnadu for sympathy and help. The Eelam resolution imparted an international dimension to the Tamil problem in Sri Lanka.

The idea of a separate state for Tamils had not entered into the minds of the Tamil leaders until the Kankasanthurai by-election. It was during the emotive election campaign itself that the audiences raised the question of a separate state.<sup>10</sup>

9. Who could be a citizen of the proposed Tamil Eelam was explained in the manifesto of the TULF for the General Election of 1977 as below:

- (a) all those people now living in the territory of Tamil Eelam.
- (b) Tamil-speaking persons from any part of Sri Lanka seeking citizenship in the State of Tamil Eelam.
- (c) Tamil-speaking people of Ceylonese descent living in any part of the world and seeking citizenship in the State of Tamil Eelam.

10. See the interview of A. Amirthalingam with the author in the Appendix.



Though C. Suntheralingam had been advocating the cause of Eelam since 1956, his party was too inconsequential to attract the people's attention to this slogan. But when the people themselves raised the cry for Eelam, the TULF leadership had to articulate it into a resolution.

The strategy of peaceful collision and collusion pursued by the Tamil leadership seemed to have paid little dividend to the Tamils in concrete terms. The Tamils not only had to face the wrath of the Sinhala mobs but also the increasing state terrorism. The government policy of restrictive admission to the university, discrimination in recruitment to government jobs and Sinhala colonisation of Tamil areas has created an army of unemployed and frustrated Tamil young men.<sup>11</sup> Disillusioned with the non-violent parliamentary approach of their middle class leaders who generally belonged to the high castes, the Tamil youth chose to blaze their own trail by resorting to open violence.

"The political violence of the youth which began to explode on the Tamil political scene in the early seventies and took organised forms of revolutionary resistance in the later stages became frightening political reality to both the peace-loving conservative Tamil leadership and to the oppressive Sinhala regimes."<sup>12</sup>

There is no way, such as elections, to measure the popularity of the violent activities of the Tamil youth but it was not hidden from anybody that their stock had been rising meteorically in the eyes of the average Tamil. The TULF could not condemn them outright despite its declared faith in Gandhian ways. In fact it had to bow to the pressure of public opinion in expressing its sympathy with the 'boys' who used to be killed in the police action. The police and the military received the strongest possible condemnation from the TULF

11. "Plunged into the despair of unemployed existence, frustrated without the possibility of higher education, angered by the imposition of an alien language, the Tamil youth realised that the redemption to their plight lay in revolutionary politics.....". See, A.S. Balasingham, *Liberation Tigers and Tamil Eelam Freedom Struggle*, (Madras, 1983), p. 23.

12. *Ibid.*

platforms.

The Tamil terrorists had started making attempts on the lives of some pro-government politicians from June 1972, and on January 10, 1973, they tried to assassinate C. Kumarasuriar, the SLFP Minister. When a terrorist, Ponnadurai Sivakumaran, committed suicide after being arrested by the police in June 1974, the city of Jaffna gave an unprecedented ovation to him. His body was given a public funeral in the presence of TUF leaders like Amirthalingam where the members of the TUF youth league cut their fingers and applied blood-tilak to their foreheads, and took the oath to sacrifice everything to make Tamils independent of Sinhala domination.<sup>13</sup>

The demand for Eelam was taking shape at various levels with the popular support. As the police swooped down mercilessly on the terrorists and their supposed supporters, the people's anger against the government and the Sri Lankan system as a whole grew stronger day-by-day. With the killing of eight young men from the large audience attending the Fourth International Conference of Tamil Research in Jaffna on 10 January 1974 the police brutality helped electrify public opinion and embolden those elements who regarded a separate Tamil State as the only solution to the ethnic problem. By the mid seventies, the Tamil guerilla movements started taking formal shape. On May 5, 1976, Velupillai Prabhakaran's organisation gave itself the name of the 'Liberation Tigers of Tamil Eelam'. The adoration of the Tamil terrorists, who are affectionately called 'boys', in the northern area left no option for the Tamil political parties but to adopt a resolution for establishing the Tamil Eelam. They could ignore public opinion only at their peril.

Moreover, while passing the resolution of Tamil Eelam, the Tamil parties knew pretty well that they were extremely isolated in the political arena of Sri Lanka. Even the Communist Party and the Lanka Sama Samaja Party have betrayed the Tamils by reversing their traditional Leninist approach to the

13. The oath read: "In the name of Sivakumaran, in the name of his soul and body, we undertake to continue the struggle to gain Independence for the Tamil people. We shall not rest or retreat till then". See, Dissanayaka, f. n. 8, p. 18.



country's minority problem. The Mahajana Eksath Peramuna along with these progressive parties did not hesitate to ride the bandwagon of the 'Sinhala Only' campaign. The Jathika Vimukthi Peramuna, which was supposed to be a sort of New Left in Sri Lanka, also supported the traditional Sinhalese view of the Tamils. The well known five lectures of Wijeweera poured out venom against the Indian Tamils and India in no uncertain terms.

As to the UNP and SLFP, the Tamil leaders by now had come to realise the limits of co-operation with them. They were no longer in a position, as they were in 1965, to tilt the political balance, especially after the landslide victory of the SLFP in 1970. In fact their own resounding victory faded into the background in the face of the two-thirds majority obtained by the Left Front under the aegis of Mrs. Bandaranaike. The steam-roller majority of the Sinhala parties in Parliament could with impunity ignore the Tamil members in pushing through any legislation they chose. By the early seventies the fact was also established that the Sinhalese and the Tamils had been voting on an ethnic basis. So the Tamil parties could not formulate their policies in a way what would appear to appease the Sinhala opinion to the annoyance of the Tamils. That was why even a party like the Tamil Congress, supported the demand for Eelam. On the other hand, the Sinhala parties knew well that they were not going to get the Tamil votes in any case.

An atmosphere of extremism and intolerance had also intruded into Sri Lankan politics in the early years of the seventh decade, after the JVP uprising and the harsh reaction of the Bandaranaike regime to it. Like the Sinhala youth of the JVP, the Tamil youth also took recourse to violence and the Government believed it could tackle the Tamil violence as swiftly as it had the Sinhala violence. If thousands of Sinhala youth could be butchered for their armed rebellion, why not the Tamils?

The Bandaranaike government took over the Lake House group of Newspapers, closed down the Independent group of newspapers and controlled the press in general by enacting the Press Council Law. Restrictions were imposed on the holding

of public meetings and demonstrations by the opposition parties. The TUF suffered the same political encroachments as the rest of the opposition parties besides the additional presence of the repressive police and army in the Tamil regions. The Tamils had been expressing their disenchantment with the 1972 Constitution by holding huge demonstrations, observing *hartals* and even by burning government property but the stringent attitude of the Government after 1974 towards the expression of dissent in general choked the safety valve so far as the Tamils were concerned. The TUF was further debilitated as a political force in the Tamil areas. It had to make way for those who were groping for non-parliamentary means to realise their demands.<sup>14</sup> Moreover, section 18 of the new Constitution had qualified the fundamental rights and freedoms in such a way that any Government in Colombo could almost annihilate the voice of dissent without violating the Constitution.<sup>15</sup> The Tamils have been the main dissenters in Sri Lanka politics. So the idea of a separate state struck to many Tamils as a ray of hope beyond the dark tunnel of ethnic conflict.



14. See, Saul Rose, f. n. 2, pp. 416-418.

15. The qualification reads as below:

The exercise and operation of the fundamental rights and freedoms provided in this Chapter shall be subject to such restrictions as the law prescribes in the interests of national unity and integrity, national security, national economy, public safety, public order, the protection of public health or morals or the protection of rights and freedoms of others or giving effect to the Principles of State Policy set out in Section 16.



## Jayewardene and the Tamils

The 1977 election and its results reinforced the 'idea of Tamil Eelam. The TULF manifesto sought a mandate from the northern and eastern provinces to set up "an independent sovereign State of Tamil Eelam". It contested in all the 14 constituencies in the Northern Province and in eight out of ten constituencies in the Eastern Province. The TULF won all the 14 seats in the North and four in the East. In the Eastern Province, Tamils are in a majority in five constituencies. Only one of these was lost, by hardly 500 votes,<sup>1</sup> to a UNP candidate who was himself a Tamil. In the North, every UNP candidate was trounced by the TULF. Two of the successful candidates, however, defected to the UNP later on.

The TULF emerged as the largest party in opposition, the SLFP having won only eight seats and the leftist parties having drawn a blank. The UNP won 140 seats out of 168, giving it an unprecedentedly clear majority. The UNP netted 50.9 per cent of the votes while it captured 83.3 per cent of seats in Parliament. The SLFP got 29.7 per cent of votes but won only 4.8 per cent of the total seats.<sup>2</sup> The mantle of the leader of opposi-

1. See, interview with A. Amirthalingam in the *Appendix*;

Sinhala authors interpret the election results in a different way. There is a slight discrepancy in the description of facts apart from their view that the claim regarding the mandate was of "dubious validity". See S. U. Kodikara, "The Separatist Eelam Movement in Sri Lanka: An Overview", *India Quarterly*, v. 37, no. 2, April-June 1981, p. 204.

2. See, *Report of the Select Committee on the Revision of the Constitution*, (Colombo, 1978), p. 90.

tion fell on A. Amirthalingam since the founder of the Federal party and the TULF, Chelvanayakam, Party had passed away in April 1977. A. Amirthalingam interpreted the election results as a clear-cut mandate for Tamil Eelam.

The legitimacy of the mandate for Tamil Eelam, however, is disputed by the Jayewardene government. A recent publication by the Ministry of Information<sup>3</sup> argues that:

"Only 48 per cent of voters in the Northern and Eastern Provinces pledged support to the TULF in its call for a separate State. Considering that the total population of the Northern and Eastern Provinces is a little more than 2 million, the above percentage suggests that not more than 1 million of the inhabitants of the Northern and Eastern Provinces favour a separate State."<sup>4</sup>

Further,

"Tamils constitute 41 per cent of the population of this (Eastern) Province but the TULF received only 26 per cent of the votes cast in the province. One infers, therefore, that in the Eastern Province a very large number of Tamils themselves have rejected the idea of a separate state."<sup>5</sup>

But the pamphlet contradicts itself in propounding its thesis. On page two it tells us that Tamils in seven districts of the North and East number 1.36 million out of the total population of 2.09 million,<sup>6</sup> and on page three it admits that almost a million people voted for Tamil Eelam. Who would vote for the TULF candidate except a Tamil? Out of 1.36 million Tamils, if one million voted for the TULF one would think it was indeed a clear mandate for Tamil Eelam. It is altogether a different matter whether the result of the 1977 election in the North and East should be considered as a plebiscite by all the inhabitants of the region and whether the Eelam is politically, demographically and economically a viable proposition.

3. *Sri Lanka: Who wants A Separate State*, Overseas Information Series No. 9, Department of Information, Sri Lanka (Colombo, 1983).

4. *Ibid.*, p. 3.

5. *Ibid.*,

6. *Ibid.*, p. 2.



Despite the overwhelming Tamil vote for a separate state, the TULF did not precipitate the struggle to attain its declared objective. Neither did it form a Provisional Government nor promulgate a parallel Constitution.<sup>7</sup> My discussions with several Tamil leaders and the youth leaders in Jaffna and Madras have convinced me that the Sri Lanka Tamils are not fighting for Eelam in the same way as the Muslim League was fighting for Pakistan; Amirthalingam is no Jinnah. Mouthng the slogan for Eelam is one thing and striving for it is another. In fact, the TULF has been using the resolution of Tamil Eelam as a starting point in the prolonged negotiations with the Sinhalese. It was also meant to serve another purpose, that is, to blunt the criticism from the Tamil terrorists.<sup>8</sup>

This ambivalent attitude of the Tamil leadership was very well read by the shrewd politician, Jayewardene, who tried his best to co-opt the Tamils into a broad Sinhala-Buddhist system. The Bandaranaike government during its last phase had also tried to assuage the TULF by initiating serious discussions for mutual cooperation with Chelvanayakam but the entire exercise proved to be barren.<sup>9</sup> With Chelvanayakam's demise and the SLFP's defeat in the elections, a new opportunity beckoned to the UNP to pick up the old threads. Tamil antipathy towards the UNP was quite restrained in comparison to its hostile relationship with the SLFP. With its newly acquired status of largest opposition party, the TULF appeared to have realised the need for a sagacious attitude towards the Jayewardene govern-

7. The manifesto of the TULF had promised:

The Tamil speaking representatives who get elected through these votes, while being member of the National State Assembly of Ceylon will also form themselves into the National Assembly of Tamil Eelam, which will draft a constitution for the State of Tamil Eelam and to establish the independence of the Tamil Eelam by bringing that constitution into operation either by peaceful means or by direct action or struggle.

8. The Tamil terrorists had started calling the TULF leadership "impotent" and "deceitful". See, A. S. Balasingham, *Liberation, Tiger and Tamil Eelam Freedom Struggle*, Madras (1983), p. 29.

9. For details, see, K. M. De Silva, *A History of Sri Lanka*, (Bombay 1981), pp. 555.

ment and through it towards the Sinhalese. Rather than invite its followers to start non-co-operation with government, the TULF leadership in December 1977 expressed its willingness to discuss with the Jayewardene government the questions relating to language, employment and educational opportunities and the devolution of power. The TULF's ambivalence was best expressed in the formal rejection of a demand made by its youth organisation for appointing a national assembly to draft the Constitution for Tamil Eelam in July 1978, and its dissociation from the call given by the youth front to boycott the schools in the Tamil region in February 1979.<sup>10</sup>

The TULF's ambivalence survived even the gruesome riots of August 1977 when almost a hundred Tamils were killed and more than 40,000 Tamil refugees were evacuated to the camps in Colombo and Kandy. The backdrop to the riots was provided by the inflammatory speeches made by the Tamil leaders during the election campaign. What mattered most with the Sinhala people was the distorted version of the speeches made by the TULF leaders rather than what was actually said or meant.<sup>11</sup> The 1977 riots were provoked by a clash in Jaffna between students attending a school carnival and the police. Four Tamils were shot dead by the police and a policeman was injured by the mob. Later on two policemen were shot dead by Tamil youths. The rumour mill

10. See, W.I. Siriweera, "Recent Developments in Sinhala-Tamil Relations", *Asian Survey*, September 1980, p. 906.

11. A few examples of such speeches have been quoted by Dissanayaka as below:

A. Yogeswaran, the TULF candidate from Jaffna said, "we cannot help it, if there is chaos". "We foresee recurring communal disturbances, defiance of the Sinhala Government, chaos, jails filled with Tamils and near anarchy in the North and the East because we will make it impossible for the Sinhala Government to rule us".

The Youth leaders declared: "We will swim in the blood of the Sinhala people". "We will wear shoes made out of the skins of the Sinhala people and drink their blood". "We will walk over the dead bodies of the Sinhala people to form our Tamil Eelam". Some of these remarks were attributed to the wife of A. Amirthalingam by rumour-mongers. See, T.D.S.A. Dissanayaka, *Agony of Sri Lanka*, (Colombo, 1984), p.21.



began working. The Sinhalese reacted by attacking Tamil travellers at Anuradhapura railway station on the night of August 17, 1977. Rape, arson and looting spread to the far-flung areas even in the upcountry, where the Indian Tamils suffered the most. Buddhist Viharas were burnt and Sinhalese were killed in the North. The UNP and the SLFP blamed each other for inciting the riots. The government appointed a one-man commission to inquire into the circumstances which had sparked off the riots.<sup>12</sup> The report of the Commission took three years to materialise. The leaders of the TULF meanwhile concluded in the aftermath of the riots that Tamils had no other way but to exercise the right to self-determination to solve their problems.<sup>13</sup>

Apart from making these brave declarations, however, the TULF leaders did little in concrete terms to attain their objective except boycotting the ten-member Select Committee, appointed on 3 November, 1977 to revise the 1972 Constitution as they had kept aloof from supporting the momentous Second Amendment. Despite the fact that the TULF was the second largest Party in Parliament after the UNP, the Tamil leaders really could not wield enough power to influence the political process in Sri Lanka. Instead, they tried to internationalise the Tamil issue. Amirthalingam while visiting India in March 1979, made an open appeal to the Government of India and to the people of Tamilnadu to support the TULF demand for Tamil Eelam.

India was not alone among those countries who were approached for help. Some of the 'boys' with letters of introduction and recommendation from Amirthalingam made requests to various European embassies for asylum and assistance.<sup>14</sup> Thr-

12. Justice M.C. Sansoni, a retired Chief Justice of Sri Lanka and ethnically a Dutch Burgher, was appointed as a Special Commissioner in 1978 and presented his report on the August riots in July 1980. Justice Sansoni's observations, wherein he blames the TULF and its youth leaders for inciting the violence, were recently published selectively by the Government. See, *Sri Lanka: Not an Indictment-Facts*; Overseas Information Series No. 3, (Colombo, n.d.)

13. See, Siriweera, f.n. 10, p. 905.

14. *Ibid.* pp. 906-907.

ough the efforts of M. Sivasittamparam during a visit to the United States, the House of Representatives of Massachusetts passed a resolution on 9 May, 1979 urging "the President and the Congress of the United States to protest and to utilize the considerable influence and power of their offices to rectify the gross injustices which have been inhumanly inflicted on the Tamils of Sri Lanka . . ." <sup>15</sup> TULF volunteers distributed Eelam literature to the delegates of the non-aligned movement who came to attend the meeting of the bureau in Colombo in June 1979. The TULF sympathisers residing abroad organised themselves into vocal lobbies to advocate the cause of the Sri Lanka Tamils.

The Jayewardene government meanwhile embarked upon a three-pronged strategy to face the Tamil challenge. First, whatever concessions it could bestow upon the Tamils, it tried to enshrine them partly in the Constitution and a part of them were granted through parliamentary resolutions and executive orders without bothering to seek the support of the TULF. Secondly, a wedge was successfully introduced between the Sri Lanka Tamils and the Indian Tamils; and thirdly, state terror was unleashed on the Tamil terrorists.

Among the concessions granted to the Tamils were some on language. Article 19 of the 1978 Constitution under chapter four, 'Language', reads: "The National Language of Sri Lanka shall be Sinhala and Tamil," <sup>16</sup> though "the Official Language of Sri Lanka shall be Sinhala" (Art. 18). <sup>17</sup> To understand the broad sweep with which Tamil has been promoted one has to read chapter four word by word. The provisions regarding the status and official use of Tamil in the present Constitution surpass all the concessions conferred on it since 1948.

In the northern and eastern provinces, Tamil has in no way a lesser official status than Sinhala. Right from "the maintenance of public records and transaction of all business by public institutions" to "exercising original jurisdiction" in the courts and maintenance of "their records and proceedings" in the

15. See, Dissanayake, f. n. 11, pp. 115-116.

16. For the text of the chapter 4, see *Appendix*.

17. *Ibid.*



northern and eastern provinces, "shall be in the Tamil language".<sup>18</sup> Even outside these two Tamil majority provinces, a citizen cannot be discriminated against on the basis of language. It is made obligatory for the Government to receive and send communications in either language as desired by the citizen concerned.<sup>19</sup> Students have been granted the right to choose their own medium of instruction at the university level in accordance with their medium in the earlier classes. The medium of instruction cannot be imposed whether on Sinhalese or Tamils. But if the medium of a particular institution is other than either of the national languages, the principle of parity will not apply.<sup>20</sup> No citizen shall suffer any disadvantage in entering into the government services owing to the choice of either language as the medium of examination.<sup>21</sup> However, this parity is "subject to the condition that he may be required to acquire a sufficient knowledge of the Official Language within a reasonable time after admission to any such service... where such knowledge is reasonably necessary for the discharge of his duties."<sup>22</sup> This rider might appear repugnant to the Tamil public servants but nobody can deny its pragmatic value in running the national administration. While it is possible that Sinhala may be imposed on the Tamils in a few cases—while no Sinhala is under any constitutional obligation to learn Tamil—can any Sinhala officer appointed in the Tamil region function successfully without a knowledge of Tamil, especially when the people have been conferred the right to use their own language in dealing with the government?

In any case Tamil enjoys a much higher constitutional status in Sri Lanka than it has anywhere else in the world. In fact, not much has been heard of the language problem in Sri Lanka after the enactment of the 1978 Constitution, though doubts are still raised about the intentions of the Sinhala peo-

18. See, articles 22 and 24, *Ibid.*,

19. See, article 22, section 2 a, b, c.

20. See, article 21 (I) and (II)

21. See, article 22 (5)

22. *Ibid.*,

ple to implement the guarantees offered on paper.<sup>23</sup>

The second important innovation introduced by the Jayewardene dispensation concerned the law of citizenship. Chapter five of the 1978 Constitution has abolished the distinction between the citizenship acquired by descent and by virtue of registration. There shall be one status of citizenship known as "the status of a citizen of Sri Lanka".<sup>24</sup> The provisions eliminated citizenship by registration, a cumbersome and cunning process established by the Citizenship Act of 1948 but the leaders of the Indian Tamils "felt that no attempt had been made to eradicate the inequalities in the existing citizenship laws".<sup>25</sup> However, in some circles these provisions were interpreted as "major concessions" to the Indian Tamils, especially to those who have been 'stateless'. "In response to these measures, the leader of the Tamil Estate Workers' Party and their only representative in Parliament (S. Thondaman) accepted a post in the Cabinet in September 1978.<sup>26</sup> Thondaman's parting of ways with the TULF and his joining the UNP Cabinet was a singular success for the master-politician, Junius Jayewardene.<sup>27</sup> By extracting the Ceylon Workers Congress from the TULF, Jayewardene dealt a severe blow to the demand for Eelam. The Indian Tamils, under the aegis of Thondaman have rejected the idea of a separate Tamil state.<sup>28</sup> On the contrary, the CWC and the

23. "The Government has failed to implement the Tamil language provision and your ministers are busy finding excuses for their non-implementation over the last five years. Even elementary rights like correspondence in Tamil are not observed". A. Amirathalingam in a letter to J.R. Jayewardene, 10 Aug. 1983. See, *Genocide in Sri Lanka: Open Letters to the President of Sri Lanka* (London, n.d.), p. 2

24. For the text of the chapter 5 of the Constitution, see *Appendix*.

25. See, W.A. Wiswa Warnapala, "Sri Lanka's New Constitution", *Asian Survey*, September 1980, p. 925.

26. See, James Manor. "A New Political Order for Sri Lanka," *World Today*, September 1979, p. 378.

27. K.M. De Silva, "Political and Constitutional Change in Sri Lanka: the UNP consolidates its position", *Round Table*, January 1979, p. 53,

28. For the views of S. Thondaman, see his interview with the author in *Appendix*.



UNP's Plantation Workers Union decided to merge into one body to work for "common objectives."<sup>29</sup> The UNP gave another jolt to the TULF by successfully engineering the defection of C. Rajadurai, the TULF M. P. from Batticaloa and also a Senior Vice-President of the TULF in March 1979. The Government amended the Constitution to facilitate his defection.

Jayewardene took two further steps to take the wind out of the sails of TULF. The UNP Government changed the earlier scheme of standardisation and introduced a district quota system for admission to the university. This had been one of the main grievances of the Tamil youth. The history and politics of these schemes will be discussed later on but the UNP regime did improve upon what the SLFP regime had left behind. The other major step was taken in the direction of setting up District Development Councils. The DDCs provided an alternative to the dreaded word decentralisation. Since decentralisation tended to stir up the Sinhala, the Act regarding the DDCs was not made a part of the Constitution. Instead it was enacted by Parliament and was implemented in 1981.<sup>30</sup> The theory and practice of DDCs will be discussed in detail later on but this proved to be a clever device by the UNP regime to solicit the co-operation of the TULF which was pledged to work for a separate state. In fact the TULF's participation in the elections to the DDCs in June 1981 and its running the administration of those captured in the elections up to 1983 exposed its credentials as a party struggling to carve out a separate state in Sri Lanka. Jayewardene was able first to divide the TULF and then to besmirch its authenticity.

At the same time, however, terrorism in the northern and eastern provinces was growing at a fast pace. The terrorists primarily attacked three kinds of people, namely, leaders of the ruling party and Tamil leaders who sided with the ruling party in opposing their demands; army and police personnel;

29. W.I. Siriweera, f.n.10, p. 910.

30. See, Radhika Coomaraswamy, *Sri Lanka: The Crisis of the Anglo-American Constitutional Traditions in a Developing Society*, (New Delhi: 1984), pp. 52-53.

and informers. Most of the victims were Tamils, since the terrorists mainly operated in the Tamil region.

The Mayor of Jaffna, Alfred Duraiappah was assassinated on 27 July 1975 at the third attempt. Duraiappah was an SLFP leader and of Tamil origin. Another leader of similar background, the Minister of Post and Communications in the SLFP government, survived two attempts on his life. The TULF MP M. Canaga Ratnam who had defected to the UNP in December 1977, was shot at point blank range in January 1978, but survived with serious chest injuries. The police inspector, Bastianpillai, who was investigating the case was murdered on 7 April 1978 along with three colleagues. A few more policemen and their informants were liquidated by the terrorists. The terrorists, who called themselves the Soldiers of the Liberation Tiger Movement of Eelam, on 25 April 1978 claimed for the first time responsibility for all the murders.<sup>31</sup> Government investigations revealed that the Tamil terrorists had been trained abroad by the IRA, Baader-Meinhof group of West Germany and the PLO. The government banished the Liberation Tiger Movement of Eelam by Order No. 16 of 1978.<sup>32</sup> The Minister of Justice informed Parliament in July 1978 that during the seven years, since the suppression of JVP uprising 57 crimes had been committed by the terrorists. The following year, after the proscription of the Tigers, the rate of crime increased to 54 in a year.<sup>33</sup>

With the growing tough attitude of the government, the incidents of terrorism were increasing. The terrorists celebrated the New Constitution Day, 7 September 1978, by blowing up an Air Ceylon aircraft at Ratmalana airport. The incident attracted international publicity. A few informants were also killed by the 'Tigers' who also robbed banks, post offices and schools.

The relations of the Army and police with the people in the Jaffna peninsula deteriorated to such an extent that even for daylight murders and robberies in the crowded bazars no witnesses were to be found. In such a situation, the Government enacted the Prevention of Terrorism Act in July 1979.

31. A.S. Balasingham f.n. 8, p. 29; Virakesary, 3 May 1978.

32. W.I. Siriweera, n. 10, p. 907.

33. *Ibid.*



The Act was on the pattern of the South African Act and was more stringent than the British Act meant to prevent IRA terrorism. This Act denied trial by jury, enabled the detention of suspects for a period of 18 months, allowed confessions extracted under torture to be admissible in evidence and made it a criminal offence to be aware of the activities of the terrorists and not to report them to the police. The possibilities of innocent people being tortured increased due to this Act. The Act was condemned by the TULF and even by non-political elements like the Christian missionaries in Jaffna.<sup>34</sup> In the wake of sharp public reaction to the Act and mounting tension the Government declared a state of emergency from midnight of 12 July 1979 in Jaffna. The potential riots were averted by the joint efforts of the TULF and the Government. However, on 14 July 1979, Brigadier T. I. Weeratunge, Chief of Staff of the Sri Lanka Army, was appointed army commander in Jaffna and special mandate was given to him by President Jayewardene, which said:

It will be your duty to eliminate, in accordance with the laws of this land, the menace of terrorism in all its forms from the island and more specifically from the Jaffna District. I will place at your disposal all resources of the State. I earnestly request all law abiding citizens to give their co-operation to you. This task has to be performed by you and completed before 31 December 1979.<sup>35</sup>

As the military repression increased, the Tamil terrorist organisations started functioning from across the Gulf of Mannar. The terrorists lay a little low in the year 1980 but the unarmed people in Jaffna had to face a ruthless Army. Armed with the PTA, the Army arrested many Tamil youths indiscriminately, interrogated and tortured them and their dead bodies were disposed of without an inquest. Many innocent young men lost their lives at the hands of the Army. Even politically non-active people were harassed in the course of

34. See the interview of the Bishop of Jaffna with the author, *Times of India*, 29 June 1984.

35. *Sunday Observer*, 15 July 1979.

interrogation. The hostility of the Tamil people towards the Government increased with the unrestrained use of the powers to search, detain and interrogate. The atrocities committed by the army and police have been investigated by the representatives of Amnesty International and the International Commission of Jurists and have been criticised severely.<sup>36</sup>

The activities of the terrorists were resumed by the end of 1980 and the beginning of 1981. By this time they appeared to be well-trained and better organised though instead of one broad front almost half a dozen separate organisations had sprung up. The Liberation Tigers of Tamil Eelam (LTTE) was led by V. Prabhakaran; the Peoples' Liberation Organisation of Tamil Eelam (PLOTE) by Uma Maheshwaran; the Tamil Eelam Liberation Organisation (TELO) by Thangadorai and Kuttimani; the Eelam Revolutionary Organisation of Students (EROS) by Eliathamby Ratnasabhapathy; the Eelam People's Revolutionary Liberation Front (EPRLF) by K. Padmanabha under the overall leadership of General Union of Eelam Students (GUES).

These organisations vied with each other in undertaking daring missions to avenge the humiliations suffered by the Tamil people. The UNP leader from Kilinochchi, R. Balasundaram, was killed by the boys of PLOTE at the end of 1980. They then shot the UNP candidate for the DDC elections and a former Tamil Congress MP, A. Thiagarajah, on 25 May 1981. The election campaign for the District Development Councils had picked up momentum despite the boycott call given by the Tigers. On 31 May, a day before the elections, four policemen were shot of whom two died. The infuriated policemen, without bothering about the delicate task of providing election security, went on a rampage in Jaffna. The first week of June witnessed unprecedented rowdiness by the army and police who burnt the famous Public Library of Jaffna with its more than 90,000 books, set on fire in the bazars

36. Virginia A. Leary, *Ethnic Conflict and Violence in Sri Lanka: Report of a Mission to Sri Lanka in July-August 1981 on behalf of the International Commission of Jurists; Report of an Amnesty International Mission to Sri Lanka—31 January-9 February 1982*



of Jaffna, the house of a Tamil MP and the printing press of the only regional newspaper. Despite a dusk to dawn curfew, the statues of Mahatma Gandhi, Thiruvalluvar and Awarar were desecrated.

The Tamil Tigers blamed the government in Colombo for this outrage which was "master-minded by two Cabinet ministers (Cyril Mathew and Gamini Dissanyake), who were in Jaffna during the riots and were supervising the orgy of police violence."<sup>37</sup> The Government-controlled Press in Colombo refrained from objective reporting of the happenings in Jaffna. Except the Communist Party daily *Aththa*, no Sinhala or English newspaper reported the burning of the Jaffna library.<sup>38</sup> The Jayewardene government instead of expressing regret over the incidents in Jaffna permitted a motion of no-confidence to be discussed against the Leader of the Opposition, A. Amirthalingam. Making a mockery of parliamentary traditions, this motion was debated with the most outrageous statements emanating from the treasury benches. A member of the ruling party even suggested the public whipping of the Leader of Opposition and dumping of his dead body in the sea.<sup>39</sup>

The bitter and irresponsible utterances in Parliament provided new vigour to the rioters who in August let loose a reign of terror against the Tamil citizens of Amparai and Sabaragamuwa. The Indian Tamils settled in the eastern province had mostly to bear the brunt. Seven people died, 200 cases of arson were reported and thousands had to flee to save their lives. The Sinhala conscience appeared to be stirred by these events and Jayewardene was so enraged that he scolded his partymen and offered to resign. Disciplinary action was taken against some partymen and the controversial minister, Cyril Mathew, went abroad on a pretext.<sup>40</sup>

37. A.S. Balasingham, f. n. 8, p. 31.

38. "Sri Lanka where the state is at war with Tamils," Tamil Eelam Information Unit (Madras, 1983), p. 8.

39. See, *Hansard*, 24 July 1981; S. Thondaman opposed the motion vehemently.

40. W. Howard Wriggins, "Sri Lanka in 1981; Year of Austerity. Development Councils, and Communal Disorders", *Asian Survey* February 1982, p. 172.

The 1981 riots proved to be a cementing force between the Jaffna Tamils and the plantation Tamils. The Sinhala mobs made no distinction between them while unleashing the reign of terror. The National Council of the CWC issued a long statement condemning the atrocities perpetrated on the helpless workers in the plantations. Its statement on 29 August 1981 recorded:

"The very fact that the plantation workers innocent of any crime, were singled out for murders and mayhem, created a feeling among the people that the thousands of hooligans covertly enjoy the patronage of powerful personalities, and that the incidents were planned and orchestrated by unseen hands."<sup>41</sup>

On the whole, the militaristic approach to subduing the Tamils backfired. The regime was alienated from the people, the army and police became a focal point of hatred, the Tamil militants gained enormous public sympathy, the popularity of the TULF nose-dived, a new emotional link was forged between the Jaffna Tamils and the Indian Tamils, an international campaign against Sri Lanka gained currency and the overall credibility of the Jayewardene regime was shaken.

Yet the Government continued to speak the language of terror. A Minister: "Terrorism cannot be stopped by means of law. Terrorism has been stopped by terrorism.... Terrorists are like mad dogs...." The net result of state terrorism was best summarised by a Sinhala commentator who wrote that after the May incidents, "Almost every Tamil interviewed during my second visit (to Jaffna)...said, 'he saw no alternative to separation'".<sup>42</sup>

Immediately after the 1981 riots, Jayewardene did initiate a dialogue with the Tamils to resolve the ethnic conflict. Though it bore no concrete results, the attitude of the TULF towards the militants, hardened. The militants, totally disillusioned with the TULF politics, mounted ferocious attacks in the following months on those Tamil leaders who collaborated with

41. *Ceylon Workers Congress: Reports of Activities, 1979-1981* (Colombo, 1982), p. 35.

42. For details see, Radhika Coomaraswamy, "Sri Lanka's Ethnic Conflict and Mutually Conflicting Perceptions," An unpublished paper (Colombo, 1984), p. 24.



the Government, looted and burnt the Government properties and disrupted the May 1983 local elections. The UNP candidates and politicians were attacked and murdered. All the UNP candidates then withdrew from the elections and many other Tamils quit the UNP. The Tamil voters seem to have responded wholeheartedly to the call for boycotting the elections. The extremely low percentage of voting was a slap in the face of the TULF which had participated in the local elections despite the total failure of its earlier venture of experimenting with the DDC elections.<sup>43</sup>

With the growing attacks of the militants, state terrorism assumed even more pernicious dimensions. By mid-1983, the Army had wiped out some of the dreaded militants but cracked down even on those who, in its view, "aided and abetted terrorism". An institution called the Gandhian Society was made the main target of attack in early 1983. This Society was charged with sheltering the militants and inciting the Tamils of Vavunia and Batticaloa to attack the Sinhala colonies. Two Catholic priests and a lecturer of Jaffna University and his wife were also arrested on charges of helping the militants. The powers conferred by the Prevention of Terrorism Act were used liberally by the Army to harass the ordinary people. The recurring misuse of the PTA by the officials encouraged the jawans to indulge in criminal activities with impunity.<sup>44</sup> The July 1983 holocaust, which was provoked by the killing of 13 soldiers in an explosion set off by the militants, also seemed to have had its origin in the lawlessness of the Army jawans: hardly a week earlier, jawans in mufti were said to have raped three Tamil girls in Jaffna who while returning home after attending a private teaching institute got into the minibus of the jawans by mistake, and the murder of the soldiers was a reprisal by the militants.<sup>45</sup>

43. For details see, T.D.S.A. Dissanayaka, *l.n.* 11, pp. 53-56; also A.S. Balasingham, *l.n.* 8, p. 33.

44. Several examples of loot, rape, arson and murder by the jawans have been cited by the authors. See, A. Amirthalingam, *n.* 23; *Sri Lanka: Where State is at War with Tamils*, pp. 9-10.

45. This incident does not find place in the account presented by Amirthalingam, Dissanayaka, Balasingham and James Manor of the immediate antecedents of the July 1983 riots.

The happenings after this incident have been narrated at length earlier. What is most frightening is the total breakdown of the political dialogue between the Sinhala and Tamil people of Sri Lanka. The July 1983 riots marred whatever faint hopes had been raised in early July for a Round Table Conference to discuss the problem of terrorism.<sup>46</sup> The SLFP MEP and CP rejected outright the offer extended by Jayewardene<sup>47</sup> and the TULF asked for a discussion on a wide range of problems including the implementation of the DDC Act of 1980 and the constitutional provisions regarding the Tamil language, and questions pertaining to education, employment, terrorism, the PTA, the role of armed forces and land policy.<sup>48</sup> When the riots broke out on 23 July, the TULF ruled out the possibility of its participation in the all party conference instead, the TULF convention in Mannar decided that the party's 16 MPs should resign from Parliament so as to translate into reality their previous protest against the extension of the same Parliament for a second term.<sup>49</sup> Before the TULF could implement its resolve, Jayewardene in the wake of the riots announced his Government's intention to bring forward legislation under which those who were advocating secession would forfeit their civic rights<sup>50</sup> and if they were civil servants or Members of Parliament, would lose their office or their seat for seven years. The bill, in the form of the sixth amendment was passed on 5 August 1983 by a unanimous vote. Apart from all the members of the UNP, six members of the SLFP and the lone member of the MEP voted in favour. The Communist Party also supported the bill though its member in Parliament did not participate in voting.<sup>51</sup> The TULF members boycotted the session and refused to take the oath of allegiance. This resulted in the forfeiture of their seats in Parliament.

The process of dialogue between the Sinhala and Tamils

46. *The Hindu*, 14 July 1983.

47. *The Statesman* (New Delhi), 19 July 1983.

48. Dissanayaka, *l.n.* 11, pp. 68-69.

49. *Times of India*, 25 July 1983.

50. *Ibid.*, 29 July 1983.

51. *Statesman*, 6 Aug. 1983.



was reopened due to the mediatory role played by India through the special representative of its Prime Minister, G. Parthasarathi, who visited Sri Lanka in the months of August and November.<sup>52</sup> The leaders of the TULF started saying by November 1983 that they were ready to negotiate with the Government if it promised to provide at least two fundamental guarantees, one to secure "the safety of the lives and properties of Tamils in the island", the other to maintain "the integrity of our territory".<sup>53</sup> On the other hand, Jayewardene presented his own framework to solve the Tamil problem by asking the TULF to renounce their demand for Eelam and assuring it in turn of further devolution of power to zonal councils which were to be constituted by the merger of the District Development Councils into the Provincial Councils. He suggested that this scheme be applied to the entire island after a referendum. Trincomalee was to be administered by the Centre.<sup>54</sup>

During the Commonwealth Conference in November 1983, Jayewardene met Indira Gandhi twice, revised his earlier proposals and expressed his willingness to invite the TULF to the All Party Conference.<sup>55</sup> The TULF leader, Amirthalingam appreciated the mediatory role played by India and the acceptance of the good offices of India by the Government of Sri Lanka. It was because of the India factor, which had "brought about a fundamental change in the whole situation", he said that the TULF had decided to enter into negotiations with the Colombo Government.<sup>56</sup> With Parthasarathi's third visit the remaining obstacles were cleared at the beginning of January 1984.<sup>57</sup> Almost all the major political parties, including the SLFP and the representatives of the Buddhist Mahasangha, Hindus, Christians and Muslims, attended the All Party Conference in Colombo on 10 January 1984.<sup>58</sup>

52. *Times of India*, 6 September 1983.

53. *Indian Express*, 25 November 1983.

54. *Hindustan Times*, 11 November 1983.

55. *Hindu*, 1 December 1983.

56. *Ibid.*, 3 December 1983.

57. *Times of India*, 6 January 1984.

58. *Statesman*, 13 January 1984.

Much before the Conference, however, anti-Tamil propaganda was mounted with unusual ferocity by the Sinhala chauvinist and Buddhist elements who threatened the Government with dire consequences if it conceded anything more than the District Councils. The five Mahanayakas, in a letter to Jayewardene, had already rejected the idea of regional councils.<sup>59</sup> During the first meeting of the APC itself a wordy duel ensued between the representatives of the TULF and the Mahasangha. Before the APC could discuss matters on the basis of Annexure C,<sup>60</sup> a document the Jayewardene Government had produced after consultation between Jayewardene, Amirthalingam and Parthasarathi, the Mahajana Eksath Peramune walked out of the APC and was followed by the SLFP on 6 February 1984. The SLFP denounced Annexure C as a "foreign-based formula" through which the TULF was trying to "invite South Indian intervention in the internal affairs of our country". The UNP Government was castigated for thrusting a ready-made solution on Sri Lanka. The APC meeting in January, February and March bore no results except that they discussed the modalities for conducting the discussions.

By the time a long recess for the APC to 9 May was announced, an anti-India tirade got into full swing. The good offices of India were called "odious Indian intervention" by an influential daily of Colombo.<sup>61</sup> Prime Minister Ranasinghe Premadasa on 22 March alleged in Parliament that India had a hand in training the "Tamil terrorists". He also said: "We will stand up to any challenge. We won't let India bully us. I make this statement on behalf of the Government of Sri Lanka".<sup>62</sup> The frequent shuttling of Amirthalingam from Colombo to Madras and New Delhi for consultation aroused the suspicions of the Sinhala lobbies and the attack on the Jaffna Tamils on 9 and 10 April by the armed forces resurrected the spectre of a holocaust among the Tamils. The 9 May meeting of the APC, which was held without enough home-

59. *Ibid.*, 10 December 1984.

60. For the text of Annexure C, see the Appendix.

61. *Times of India*, 7 February 1984.

62. *Island* (Colombo), 21 March 1984.

63. *Statesman*, 24 March 1984.



work being done by the Government, also resulted in a deadlock because the TULF decided to boycott two experts panels proposed by Jayewardene to look into the devolution of powers and measures for the redressal of grievances of the minorities respectively.<sup>64</sup>

However, the dialogue did not break down completely because the TULF continued to be associated with the APC. The visits of National Security Minister, Lalith Athulathamudali, in April and of Jayewardene in June-July to New Delhi paved the way for new proposals which replaced the discredited Annexure C with an offer for the institution of a second chamber in Parliament. This proposed offer was discussed at length with Indira Gandhi by Jayewardene during his stay in New Delhi but he abstained from revealing the same to the press because it was "still at a formative stage and had to be discussed at the all-party round table conference".<sup>65</sup> However, a national Hindi daily<sup>66</sup> had already publicised the details of the proposal.

Jayewardene's visit to New Delhi, instead of bringing any reconciliation between the Sinhala and Tamil opinions gave a mild jolt to Indo-Sri Lanka relations. In his press conference, Jayewardene said that the "Tamil problem is not a problem, it is a national disaster as you have in India of Kashmir, of Punjab and of Ulster in Britain. We will have to live with it for the decades to come"<sup>67</sup> and "the scope for further Indian initiative is limited".<sup>68</sup>

Jayewardene presented his proposal for a second chamber to the meeting of APC held on 23 July 1984, despite the protest lodged by the TULF against convening it on the anniversary of the July riots. The second chamber, according to Jayewardene, was a compromise between two contradictory and apparently inflexible positions. The proposal mainly called for

64. *Times of India*, 10 May 1984.

65. *Ibid.*, 3 July 1984.

66. See, the interview of Athulathamudali with the author, *Nav Bharat Times*, 2 July 1984.

67. See, V.P. Vaidik, "Sri Lanka: Travails of a Divided Nation", *Strategic Analysis*, August 1984, p. 417.

68. *Times of India*, 3 July 1984.

the creation of a second chamber consisting of members representing the 25 districts but its functions, powers and composition would be decided by the APC. The nomination of the Cabinet Ministers from the proposed chamber would be done by the President. Each district would send two members and 25 members would be nominated by the President. Regarding the powers of the proposed chamber, it was made clear that "there should be a definite exclusion of powers in relation to constitutional amendment, money bills, public security, foreign relations and any other sensitive areas". The second chamber would not be able to kill bills but only delay them.<sup>69</sup>

Like Annexure C, the proposal for a second chamber was also rejected by the Opposition. Among the political parties only the CWC, a partner in the UNP government, was inclined to consider it.<sup>70</sup> But disregarding the view of the Opposition Jayewardene claimed to have had private discussions with all concerned and to have found consensus. He also made it clear that those who did not care for his proposal could choose their own way; he would go ahead to establish the second chamber.<sup>71</sup>

The TULF and the Tamil Congress denounced the canard of consensus and the latter refused to participate in the APC. While rejecting the idea of a second chamber, the TULF agreed later on to participate in the APC largely due to the persuasion of the Government of India.<sup>72</sup> The TULF was reluctant to participate in the APC on account of the merciless bombing of village Velvetiturai and the district of Mannar in the first and second weeks of August. The anti-terrorist campaign of the Government, also as a measure of retaliation for the explosion at the airport in Madras, in which several Sinhala passengers lost their lives, took the lives of several hundred Tamils in the northern districts and created terror for the Tamils all over the country.<sup>73</sup>

69. *Ibid.*, 24 July 1984.

70. *Patriot* (New Delhi), 14 August 1984.

71. *Times of India*, 19 August 1984.

72. *Indian Express*, 22 August 1984.

73. See, V.P. Vaidik, "Jayewardene's Lanka is Burning", *Caravan* (New Delhi), 1 September 1984.



Meanwhile, Sirimavo Bandaranaike, the leader of the SLFP, came out in support of establishing provincial councils,<sup>74</sup> which provoked Jayewardene to declare, though obliquely, his support to the idea of the gradual establishment of the provincial councils.<sup>75</sup> The meeting of the APC, held in August-September 1984, could not arrive at any concrete suggestions though it was attended by the TULF. Rather, it provoked Amirthalingam to declare that the TULF was not asking for any council, regional or provincial; what it was looking for was a viable alternative to the mandate for a separate state at the 1977 elections. It was the responsibility of the Government and the Sinhala leadership to discuss this alternative seriously. He warned of a Cyprus-like situation if the talks dragged on indefinitely.<sup>76</sup>

While the talks between the Government and the TULF have been dragging on endlessly, the TULF's popularity and political standing has steadily declined, with the militant organisations like the EPRLF (Eelam People's Revolutionary Liberation Front) denouncing its negative stand towards the demand for Eelam. The TULF leaders were harassed and compelled to retreat by the militants when they undertook a fast to observe the first anniversary of the July riots in Jaffna. The militants charged that the TULF leaders were leading a comfortable life as guests of the Government of Tamilnadu while the people of Jaffna were left to be killed by the Occupation Army of the Sinhalese.

When they abducted the American couple, the Allens, in May 1984, the Tamil militants detained them in Jaffna, and not in Madras as the Government in Colombo alleged; and by releasing them unharmed the militants not only gained international publicity but put the Government of Sri Lanka in an extremely embarrassing position.<sup>77</sup> They broke open the jails to get their sympathisers out, attacked the police stations, looted

74. *Times of India*, 19 August 1984.

75. *Indian Express*, 24 August 1984.

76. *Times of India*, 31 August 1984.

77. *Ibid.*, 19 May 1984.

the banks and blew up many army convoys.<sup>78</sup>

The Government of Sri Lanka complained of military training being imparted to the militants in Tamilnadu by some retired officers of the Indian Army. A restricted zone was also created in the territorial waters of Sri Lanka in April 1984 to keep a strict vigil on the militant's movements from across the Gulf of Mannar. Almost two dozen ships were deployed to cover the 140 miles of the zone of surveillance.<sup>79</sup> The Government recruited through the Americans, agents of the Israeli intelligence agency, Mossad, to train the Sri Lankans to combat the militants.<sup>80</sup> The Army also hired mercenaries from the British commando organisation, the SAS, to tackle the 'Tigers'.<sup>81</sup>

By the middle of 1984, the militants had become a political force to be reckoned with. Though they were not associated with any Sinhala-Tamil negotiations, they were in a position to decide the fate of any solution from outside. As a government publication put it:

"Their militant methods have cost scores of lives and millions of rupees. It almost seems that their role is to block any settlement of the island's major problems than to assist in their solution, and to perpetuation (*sic*) of disputes than in their settlement. The movement's very existence as a favoured ally of the TULF puts every Tamil offer or posture of peace in doubt, under suspicion".

How the problem of terrorism has affected the Sinhala-Tamil relationship as a whole has been described by the National Security Minister, Lalith Athulathmudali, who added an implicit warning. While reporting to Parliament on his visit to India, he said:

78. For a detailed government version of the activities of the militants, see, *Tamil Terrorists: A Record of Murder and Robbery and Mission of Violence* (both pamphlets published by the Ministry of State, publication undated).

79. *Statesman*, 27 April, 1984.

80. *Times of India*, 16 June 1984.

81. *Ibid.*, 25 June 1984.



"In dealing with a security problem created in Jaffna, we must not forget the Tamil people, who live elsewhere. The terrorist would like this to be forgotten and his course of action is in total disregard of the fate of those Tamils who live amongst us".<sup>82</sup>

Even Prime Minister Premadasa considered the militants more honest than the TULF leaders<sup>83</sup> and Sirimavo Bandaranaike went to the extent of proposing to bring the "Tamil terrorists" to the negotiating table (though in her view they were as misguided as the JVP youth who raised the banner of revolt against her in 1971),<sup>84</sup> but out of almost a dozen militant groups, not one had any kind of political formula that could be negotiated with the Sinhala—except the idea of 'Eelam' or 'Tamil Eelam'.<sup>85</sup>

The newly acquired Israeli connection by Sri Lanka has given a new dimension to the already tangled Tamil problem. The Moors of Sri Lanka, Muslim by religion and Tamil by tongue, are incensed by the Government's hobnobbing with Israel. Traditionally, they vote for the UNP but they have come out on the streets against the Government's decision to open an Israeli interests section in the American embassy in Colombo. The police had to open fire on angry mobs in the Eastern Province on 8 June 1984.<sup>86</sup> These incidents provided a basis for building bridges between the Sri Lanka Tamils and the Moors. This recent phenomenon would complicate matters for the Sinhala, whose strategy has been to utilise the divisions between the various Tamil-speaking peoples of Sri Lanka.

Since the July 1983 riots, all unofficial efforts to bring the Sinhala and Tamil viewpoints closer to each other have also gone awry. The initiatives taken by the Sarvodaya leader Dr. A. T. Ariyaratne in October 1983 and by a Christian priest, Balasuriya, in June 1984, to start a dialogue between the com-

82. See, Lalith Athulathmudali, *My Recent Visit to India* (Colombo, 1984), p. 9.

83. See, interview with author, in the *Appendix*.

84. See, interview with author, in the *Appendix*.

85. The difference between 'Eelam' and 'Tamil Eelam' is explained by Amirthalingam in an interview with the author, see *Appendix*.

86. *Times of India*, 9 June 1984.

munities are not making much headway. The seminar held under the auspices of the *Lanka Guardian* did come out with bold suggestions like the withdrawal of the 'Prevention of Terrorism Act', removal of the armed forces from the Tamil areas, an amnesty for members of the Tamil political undergrounds and the setting up of a special tribunal to inquire into human rights violations. Many Sinhala intellectuals lent their support to these suggestions in disregard of the anti-Tamil wave sweeping the Sinhala-Buddhist opinion in Sri Lanka. This courageous initiative, too, unfortunately did not evoke any response in the ethnically-torn island.

The All-Party Conference is working only in name. The major opposition parties have boycotted it. The discussants in the APC do not have any frame of reference to work on. Annexure C, which was prepared after mutual discussions between President Jayewardene, A. Amirthalingam and G. Parthasarathi, was disowned by the Sri Lanka Government itself. The *volte face* of the Jayewardene government is no less complete than those of Bandaranaike in 1958 and Senanayake in 1965. Despite more than a three-fourths majority in Parliament and the powers of a President, Jayewardene finds himself helpless in negotiating peace with the Tamils in the face of Sinhala and Buddhist opposition. Words like autonomy, federalism and regional council signify only treason in the eyes of the Buddhist monks. They have threatened another bloodbath if the Government goes beyond giving anything more to the Tamils than the present DDC. The UNP government's worst fears arise from the possibility of its Sinhala support being undermined by the SLFP through propaganda that it had extended concessions to the Tamils due to 'foreign pressure'. The support lent by Sirimavo Bandaranaike to the idea of Provincial Councils and negotiations with the terrorists is a silver lining to the dark clouds of political rivalry but who knows if this too is not another tactic to gain leverage over a UNP government hopelessly enmeshed in the Tamil imbroglio.



## Issues That Divide

The historic and cultural cleavages between the Sinhala and the Tamils, which were depicted earlier, acquired sharper edges owing to the two groups' conflicting perceptions about the distribution of benefits and opportunities in at least five fields: language, education, employment, distribution of land and land settlement, and devolution of power.

The question of language, its role in the ethnic politics and its changing constitutional status, has been discussed earlier. To recapitulate the main points, it may be briefly stated that after the enactment of the 1978 Constitution Tamil attained the legal status of a national language along with Sinhala, but due to some inadequacies in its official status, it is far from becoming a national language in reality. However, it has been gradually acquiring an official status as a language of administration, the judiciary and public relations in the Tamil region. So far as the citizens of the Tamil districts are concerned, the language problem does not bother them in the same way as it creates practical difficulties for the Tamil living in the Sinhala-majority areas. A Marga Institute publication has put the whole situation in a correct perspective by stating: "... the Tamil community residents in the Sinhala-speaking areas are often reduced to the condition of the illiterate when they receive communications in the official language."<sup>1</sup> Despite the legal provisions, the Tamil minorities in the Sinhala

1. *Inter-Racial Equity and National Unity in Sri Lanka*, Marga Institute (Colombo, n.d.), p. 16.

districts do not receive Government communications in their own language, mainly because every Government department does not have a sufficient number of bilingual personnel. Moreover, except in a few non-Tamil districts the Tamils are spread thinly all over the country, and it becomes difficult to cater to their linguistic needs everywhere. The lack of motivation to implement the constitutional provisions also cannot be denied. Otherwise, at least the Central Government would have carried out the bilingual policy in sending communications to the Tamils.

The root of the problem lies with the new class of government personnel which has emerged in the 1960s and 1970s. These employees due to the 'Sinhala Only' policy have picked up only Sinhala or Tamil in their schools and English, which used to be a common language, has been neglected. The decline of English in modern Sri Lanka was natural but the new system failed to replace it with another indigenous link language. Ethnic considerations discouraged each group from learning the other's language. The Sinhala ask why, if one-fourth of the population does not learn the language of three-fourths, should three-fourths be forced to learn the language of one-fourth? They resent the special status of Tamil in Sri Lanka. They argue that:

"Far from Tamils being humiliated for the use of their language, Tamil now enjoys a status in Sri Lanka which is unparalleled in other parts of the Tamil-speaking world. Tamil, a regional language in India, is a national language in Sri Lanka, and its free use in the Sri Lankan National Parliament, in the Northern and Eastern Provinces, in all public records, on radio and television, on postage stamps, currency notes, in public correspondence initiated by Tamils in the Tamil language, and as a medium of instruction at all levels of education is an established fact".<sup>2</sup>

The Tamils, on the other hand, say that if they learn Sinhala it will ultimately destroy their cultural identity.

2. S.U. Kodikara, "The Separatist Eelam Movement in Sri Lanka: An Overview", *India Quarterly*, v. 37, no. 2, Apr. - June 1981, p. 208.



They contrast the Sri Lankan situation with that of India and argue that Hindi is not the language of the majority in India. So learning Hindi does not imply the possibility of destruction of the regional languages and cultures, while learning Sinhala in Sri Lanka, with the steam-roller majority of the Sinhala people, will definitely spell disaster for the Tamils. Moreover, the Indian political system is more decentralised than the Sri Lankan. Tamil rights are more well-secured in India where Tamil is a regional language than in Sri Lanka where the national status is accorded to it only on paper. It is true that a permanent solution to the language problem in Sri Lanka lies not in bringing English back but rather in making at least the elite bilingual, but for this a correct political climate is the prerequisite. The Jayewardene Government instead has put the cart before the horse.

The language policy coupled with the restrictive policy of admission to the universities further soured ethnic relations. The number of Tamil students in the universities had always been much higher in terms of the population ratio. The SLFP Government in 1970 embarked upon a programme of so-called equitable distribution of educational opportunities so that the Sinhala students and those who hailed from backward districts were not discriminated against. To redress the old 'imbalance', inverse discrimination was introduced by the policy of standardisation. In the beginning, candidates from the underdeveloped districts were given preference over those who came from the advanced districts, like Jaffna and Colombo. The students from the backward districts without ethnic consideration required fewer marks to find berths in the university. Many poor but deserving students from the advanced provinces were left in the lurch because of the seat reservations. Owing to their heavy stakes in education, the Tamils suffered the most, though the new policy was applied to all the communities equally. The policy of area weightage was added in 1972 by a new measure which called for special markings subject-wise and media-wise. Within half a decade, the number of Tamil candidates in the universities went down considerably. As the statistics show, the percentage of Tamil students in 1971 at the university level was 40.7, 40.8 and 31.1 in the faculties of engineering, medicine and science respectively. It was

reduced to 14.1, 17.4 and 21 per cent respectively in 1975. While the percentage of the Sinhala candidates in the same period rose from 55.9 to 83.4 in engineering, 53.7 to 78.9 in medicine and 65.3 to 76 in science.<sup>3</sup>

The whole process of special markings invited allegations of malpractices from both sides. The very institution of impartial examination lost its authenticity. Regardless of the charge of favouritism in examinations a huge number of Tamil candidates were declared ineligible for admissions because of the standardised marks, though they were eligible for admission on the basis of their original marks. A statistical analysis of admissions in 1975 proved that standardisation is quite inimical to the order of merit. A hypothetical selection on the basis of merit from Jaffna would have been 61 but the actual selection on the basis of standardisation was reduced to 29 while in Galle it rose from 18 to 29.<sup>4</sup> This created frustration in the Tamil youth and deep resentment among their parents. The denial of admission to the university was a bar to suitable employment in the future.

The UNP Government realised the threat arising out of the new admission policy and came out with its own quota system to replace the policy of standardisation. According to the new scheme 30 per cent of the available seats in each course of study were filled according to the order of merit determined on an all-island basis without any kind of standardisation. Fifty five per cent of seats were allocated to the 24 administrative districts in proportion to the ratio that the population of each district bears to the total population of the country, and were filled according to the order of merit determined within each district. The rest of the 15 per cent seats were reserved for the 13 districts which were deemed to be educationally under-privileged, also in proportion to the ratio that the population of each district (in this groups of 13) bore to the total population of the 13 districts, and were filled according to the order of merit determined within each such district.

Even this form of quota system, proved to be instrumental

3. Sec. T.D.S.A. Dissanayaka, *The Agony of Sri Lanka* (Colombo, 1984), p. 44.

4. Marga Institute, n. 1, p. 24.



in excluding a segment of Tamil candidates, specially in Jaffna, from entering the universities owing to the restriction of 55 per cent seats. After Colombo, Jaffna produces the highest number of students in the science subjects. The Jaffna district accounts for just 5.5 per cent of the total population of Sri Lanka but in 1980 it accounted for 13.5 per cent of the total number of science students in Sri Lanka at the level of grade 12.<sup>5</sup>

The number of Sinhala students in the Arts subjects is usually double than in the Science subject while with the Tamils it is the other way round. The quota system did provide new opportunities to the Tamil-medium students from backward districts such as Amparai, Batticaloa, Mannar and Mullaitivu, but they were mostly Arts students, whose degrees were rated low in the employment market. It is this section of frustrated and disgruntled students which was attracted to the Tamil militant movement.

The quota system was supposed to be an improvement upon the standardisation scheme but the net results of the admission policies in the early eighties as indicated in the Table 1 do not satisfy the Tamils. The number of admissions of Tamil candidates to the universities in the early '80s do not match even the numbers of the early '70s, let alone the preponderant position of the Tamils in the field of higher education during the earlier decades before and after the independence of Sri Lanka.

TABLE 1  
Admission figures for the early 1980s

1981	Sinhala %	Tamils %	Other
Arts	82.8	13.3	3.9
Physical Sciences	63.5	31.8	4.7
Biological Sciences	72.5	24.3	3.2
Engineering	67.2	28.1	4.7
Medicine	72.7	23.1	4.3
Law	73.0	16.2	10.0
Total	76.4	19.2	4.4

5. Marga Institute, n. 1, p. 22.

1982			
Arts	79.4	16.3	4.3
Physical Sciences	61.1	33.5	5.5
Biological Sciences	71.7	21.1	2.2
Engineering	66.9	28.5	4.5
Medicine	72.4	25.3	2.3
Law	68.8	24.0	7.3
Total	74.3	22.0	3.9
1983			
Arts	77.1	14.4	6.6
Physical Sciences	73.4	23.1	3.6
Biological Sciences	70.3	23.1	3.6
Engineering	66.4	28.1	5.5
Medicine	72.8	22.1	5.1
Law	78.5	11.5	10.0
Total	75.0	19.3	5.7

(Source: UGG Research Division)

The Sinhala community argues that even when Table 1 is analysed the Tamils would be found at a greater advantage than the Sinhala. The share of Sri Lanka Tamils in the total population is about 12.5 per cent while in university admissions, they were never less than 19.2 per cent in any year. Even if the population of the Indian Tamils (5.5 per cent), whose interest in education is extremely peripheral, is added to the population of the Sri Lanka Tamils, it comes to 18 per cent of the total population, which, again, is a lesser percentage in comparison to the percentage of total Tamil admissions to the universities.

Moreover, the education system in Sri Lanka is like a pyramid with fewer opportunities as one climbs up. The number of students eligible for admission to the universities in 1980 was 29,698 but only 4,857 were admitted. The Sinhala argue that if the Tamils try to gobble up even this already shrunken cake, what would remain for the 73 per cent Sinhala people?

By contrast, the Tamils community lays stress on the fact that the use of population on figures and the quota system based on it to allocate seats in the university is a completely misleading



exercise. Not all the 73.98 per cent Sinhalese, for example, are interested in education. Their main preoccupation is agriculture. So the competition for university admissions is not between the total population of the Sinhalese and the total population of the Tamils, it is between the minority of the Sinhalese and the overwhelming majority of the Tamils. In other words, the ratio of 73 per cent and 12 per cent does not hold water. The ratio of Tamils in the university admissions has to be much higher than their share in the total population.

The Tamils argue that they are persecuted by the governments in Colombo through the neglect of higher education which is their main source of livelihood. Only 12 per cent of the total educational budget was apportioned to higher education in 1981, which was less than 1 per cent of the total national budget. This is a curious situation in a country like Sri Lanka which claims one of the highest rates of literacy in Asia and which has a low number of drop outs at the primary and secondary levels of education. Instead of expanding and strengthening the tertiary education to accommodate Tamil aspirations, the ethno-centric governments have provided ammunition for the militants by reducing the job opportunities of the Tamil youth.

The problem of employment has been a serious cause of friction between the Sinhalese and Tamils. Both sides have levelled allegations against each other of aggrandisement in the field of employment.

There are at least three sectors in which comparisons are made, namely, the public sector, professional jobs, and trade and industry.

The Tamils did have a ratio-wise edge over the Sinhalese in government jobs before and after independence. In 1947, year before independence, the ethnic distribution of some top jobs was as given in Table 2:

TABLE 2  
*Ethnic Distribution in Some Senior Posts in 1947*

	Sinhala	Tamil
Permanent Secretaries	4	2
Ceylon Civil Service	52	21
Police	13	4
Medical Services	142	69
Inland Revenue	13	14
Irrigation Department	11	24
Public works Department	34	29
Ceylon Government Railways	6	8

(Source: *The Civil List of 1947*)

It is clear from Table 2 that in certain jobs the Tamil exceeded the Sinhalese. But the picture changed rapidly with the spread of education among the Sinhalese and their rising aspirations for benefits from the government establishment which had paid little attention to them during the colonial period. The recruitment policies of the government during the last three and a half-decades have been such that now the Tamils have not only lost their preponderant position in several fields but they have also been relegated to a position where they hold less than one-fifth of government jobs in general and in some departments their ratio of employment is much less than their ratio in the total population. Table 3, concerning Senior Administrative Professional and Technical Personnel, is illustrative of the ever reducing employment opportunities for the Tamils.

TABLE 3  
*Ethnic Distribution in Some Senior Government Posts*

	Sinhala		Tamils	
	No.	Per cent	No.	Per cent
Secretaries to Ministries	39	95.12	2	4.88
Heads of Departments	224	79.15	46	16.25
Additional Secretaries	25	83.33	4	13.33
Assistants	892	81.24	171	15.57
Other Secretaries	107	89.17	9	7.50
Chairmen of Corporations	86	88.66	6	6.19
Deputies	394	76.06	100	19.31
All other senior grades	2232	76.57	559	19.13
Total	3999	78.38	897	17.58

(Source: *Sri Lanka Official Telephone Directory, 1982*)



The ratio of Tamils in the corporate sector is still lower as is shown in Table 4.

TABLE 4  
*Ethnic Distribution in the Corporate Sector*

	Sinhala		Tamil	
	No.	Per cent	No.	Per cent
1. Professional, technical and related workers	8155	75.5	2304	21.33
2. Administrative and managerial workers	4539	83.31	682	12.51
3. Clerical workers	62526	86.55	7175	9.92
4. Sales workers	892	87.28	85	8.32
5. Service workers	11602	87.6	1111	8.39
6. Agricultural, animal husbandry & forestry workers, fisherman and hunters	4541	60.88	2671	35.81
7. Production and related workers, transport equipment operators and labourers	101884	88.0	9687	8.36
8. Workers not classified by occupation.	1746	69.72	658	26.27
Total	195,955	85.7	24,373	10.66

(Source: *Census of Public and Corporation Sector Employment 1980, Sri Lanka*.)

Here the ratio of employment for the Tamils is much lower than their ratio in the total population. What makes the situation pernicious is the fact that even wherever the ratio of employment is commensurate with the ratio of population, the loss in terms of real jobs for the Tamils is staggering. Between 1972 and 1980, 45,131 new government jobs were created out of which the Tamils got only 966.<sup>6</sup> According to another figure the Tamils could secure just 1000 jobs out of 140,000 new jobs in the total employment market during the UNP regime.<sup>7</sup>

6. Marga Institute, n. 1, p. 36.

7. See, Urmila Phadnis, "Sri Lanka: Stresses and Strains of a Small State, (An unpublished paper, 1984), p. 22.

The Sinhala lobby is hardly concerned about the decline of Tamil employment in government jobs. It is rather, vocal about the "unduly high proportion of Tamil professionals of higher grade" in such departments as the Telecommunications, Health and Irrigation. They also have complaints about the usual tendency of Tamil officers to practise nepotism in recruitment and promotion. If the Tamils, they argue, are not recruited on the old pattern for jobs such as those of teachers, postmen, service clerks, etc., it is because of the changing nature of the government. A government which wants to reach the ordinary people through their own language cannot afford to employ people who are not ready to learn the language of those among whom they have to work. Knowledge of only Tamil and English is not enough for a postal clerk serving in Galle. What rankles with the Sinhala psyche most is the fact that the Tamils have an international market of employment open for them. Their kith and kin are already well entrenched in the international bureaucracy and they have ample opportunities in countries like India, Malaysia, Singapore and Mauritius.

The Sinhala chauvinists deride the Tamil complaint of inadequate employment by citing the figures of their attainments in professional fields. According to one figure, the Tamils are 47.28 per cent among registered medical practitioners, 48.15 per cent among water engineers, 46.28 per cent among accountants and auditors, 38.24 per cent among civil engineers, 27.97 per cent among attorneys-at-law and 22.22 per cent among university staff.<sup>8</sup> In bandying about these figures, it is forgotten that, first of all, these professional attainments are based on sheer merit. Secondly, they require a long gestation period for which the earlier generation had to make sacrifices. And thirdly, the professional work force has made its own contribution in the overall process of nation-building. The brain drain is no doubt a drag on the economy but most of it is compensated by heavy remittances from abroad.

Similarly, the arguments of the spokesmen of the Sinhala community regarding the disproportionate gains by Tamils in

8. See, *Ferguson's Directory, 1919-1981*.



the fields of industry, trade and commerce also seem to be exaggerated. It is true that in certain commodities, especially those which are produced in the north, the Tamils have a dominant position, but there are innumerable areas such as cinnamon, the fibre industry, rice-milling, the rubber trade, desiccated coconut production, spare parts, wholesale trade in fish and vegetables, where the Sinhala community enjoys near monopoly. However, the Tamil shops in Pettah in the city of Colombo and in several streets in Kandy have a high visibility which attracts the charge of intrusion into the Sinhala domain of economic activity. The newly organised super markets and recently established industries by some Tamil houses have caused a lot of heart-burning among the Sinhala business community, which was given free expression during the July 1983 riots.

The Sinhala people are also annoyed at the growing Tamil business population in the south. The Tamils are not only making quick money but are rapidly acquiring property in the Sinhala areas. The Sinhala spokesmen tend to compare the lack of socio-economic hindrances for the Tamils in the Sinhala area with the incalculable hardships faced by the Sinhala who have migrated to the Tamil areas of the north. The complaining Sinhala forget that business is not like a government job which can be artificially manipulated. It has to be mutually beneficial in order to survive and grow. Hardly ten per cent of the total industry and business is in the hands of the Tamils, and if it has been growing despite the lack of political patronage, it is because of its acceptability to the local population. As to the Sinhala industry and business in Tamil areas, this Sinhala entrepreneur has always been reluctant to invest his money in the north. There are no legal hurdles in his way except the will to risk his investments in the area which is, of course, not very hospitable for a non-Tamil entrepreneur. The Sinhala community has shown little enthusiasm in this field compared to its crusading zeal in the colonisation of Tamil areas by Sinhala peasants.

The policy of colonisation of Tamil areas by Sinhala peasants has been a focal point of ethnic tension in Sri Lanka. The Sinhala call it simply a policy of distribution of

land and land settlement while the Tamils smell a conspiracy in it to swamp their homeland with Sinhala settlers and to reduce them ultimately into a minority in their own homeland.

The policy of colonisation was initiated during the British Raj with a view to increase food production by utilising the uncultivated lands in the dry zone and surplus manpower available in the wet zone. The then Minister of Agriculture and Lands, D.S. Senanayake, exhibited extraordinary enthusiasm in implementing the colonisation schemes by evoking the memories of great Sinhala kings like Parakramabahu, who were responsible for building large reservoirs, dams and irrigational canals. By 1947, 3000 peasants were settled in 12 major dry zone colonies established at a cost of over Rs. 30 million. Even by spending ten thousand rupees per settler the results in food production were not encouraging but the subsequent UNP Governments of independent Sri Lanka, spared no efforts to implement the policy of colonisation. The Gal Oye multi-purpose project was started in 1949 and by 1966, 12,000 families were settled at the cost of Rs. 910 million. This grandiose project again proved to be a singular disappointment. Never in any year did the total harvested area exceed 4000 acres and the sugar production 5000 tons—while according to original estimates the figures should have been 10,000 acres and 32,000 tons respectively. The report of the Evaluation Committee (1970) has thoroughly exposed the motives and the working of this kind of colonisation schemes by clearly stating that:

".....the selection of individual colonists ... proceeded in the paternalistic manner that has governed all selection for decades. As a result, the colonist population is an amalgam of landless peasants, people rendered homeless by natural disasters, fisherfolk in search of a new life, the odd undesirable exiled from his village and more diverse types. No attempt was made to judge the agricultural skills or other aptitudes of the applicants which are necessary to establish a viable community."<sup>9</sup>

9. Quoted by Sachi Poonambalam, *Dependent Capitalism in Crisis: The Sri Lankan Economy 1948-1980* (London, 1981), p. 22.



The Tamil intellectuals argue that the real motives behind the colonisation schemes and the colossal investment in them were being concealed under the veneer of slogans such as the creation of a class of peasants 'owning eight acres and a cow'. Instead of helping such a class of peasants to emerge, the colonisation schemes created *focos* in the Tamil territories, a constant source of ethnic tension. The Tamils also believe that the Sinhala settlements in the Tamil districts not only ensure *en bloc* voting for the UNP but also serve the vicious purpose of intimidating the unarmed Tamil population around them. The Sinhala peasants in these areas are followed by the Buddhist monks and the Sinhala army. These two institutions instead of bringing integration and harmony between the Tamils and the Sinhalese create an 'alien ethos' among the settlers. The settlers are seen to be a civil arm of the Sinhala military engaged in hunting the 'Tamil Tigers'. The Tamils look down upon the settler colonies as dens of espionage and conspiracy against them. State patronage for the settlers sets them apart from the local surroundings and makes them an object of hate and suspicion. This phenomenon found ample expression in 1958 when ethnic riots broke out around these settlements.

The Tamils do not look upon the policy of colonisation as an attempt to solve the problem of landless labour; rather they dread it as a systematic subversion of their 'sovereignty'. The best way to counter the demand for a Tamil Eelam, they think, is to change the demographic map of the Tamil homeland. Once a considerable percentage of Sinhala population is settled in the Tamil districts, the Tamil fear is that the demand for Eelam would lose its weight automatically. They argue that the Sinhala population in Trincomalee and Amparai was around 5 per cent before 1946 but by 1983 it has risen to almost 35 and 40 per cent respectively. The same process is going on surreptitiously in other Tamil districts.

The Sinhala view of colonisation is quite different from the Tamil. The Sinhala community argues that the Tamil districts of north and east occupy about 25 per cent of the total land area while the Tamils residing there (including the Indian Tamils and the Muslims) account for only 11.4 per cent of the total population of the country, the Sri Lanka Tamils being

just 8 per cent. If the forest lands are reclaimed and the peasants are settled there even with obvious government patronage, the economy of the dry zone will pick up and would also attract government investment with the assurance that the total number of Sinhala settlers will not go beyond 25 per cent of the Tamil population in a decade or so in the districts like Mullaitivu, Mannar and Vavunia. A Marga Institute publication states: "In none of the districts in the North has the share of the Tamil population declined in the period between 1963 and 1981"<sup>10</sup>

The drop in the Tamil population in the eastern districts, according to it, is "insignificant". In Batticaloa it dropped from 71.08 to 70.8 per cent, in Trincomalee from 36.6 to 33.7 per cent and in Amparai from 23 to 20 per cent in nearly two decades. "There has been a rapid increase in the Indian Tamil population in most of these districts. For example, in the districts of Vavunia and Mullaitivu, the proportion of Sri Lankan and Indian Tamils combined has increased from 74.7 per cent to 82.3 per cent"<sup>11</sup>.

The Tamils pick several holes in these statistics. Why do the Sinhalese talk only of the last two decades? Why do they not come out with the statistics of the 1940s and 1950s when the Tamils were not awakened and their lands were parcelled out to the Sinhalese on a large scale? By the 1960s the Tamil opinion had become strong enough to resist the onslaught on their lands. If the Sinhala settlements are not growing by leaps and bounds in recent times in the northern districts, it is not because of the lack of government machinations but due to the Eelam awareness. The Sinhala peasants, of late, have been showing little interest in colonisation despite government enticements. They are scared away by the Tamil stirrings. In fact due to the July 1983 riots and later events, even the minuscule minority of Sinhalese in the northern province is trying its best to migrate to the south.

Similarly, the so-called increase in the population of Indian Tamils in the northern and eastern provinces is explained by

<sup>10</sup> Marga Institute, n. 1, p. 45.

<sup>11</sup> *Ibid.*



the growing insecurity in the plantation region and the towns of the south. This trend does not seem likely to dwindle in the foreseeable future.

The target of settling the Sinhalese to the extent of 25 per cent of the local population in some Tamil districts is perceived as another frightening calculation. Is it not strange that the Tamils in not one Sinhalese-majority district exceed 10 per cent<sup>12</sup> of the population, they ask, while the Sinhalese are to be made 25 per cent of the population in the three northern Tamil districts? The Sinhalese already have 16.55, 33.62 and 37.65 per cent of the population respectively in the Tamil districts of Vavunia, Trincomalee and Amparai. This one-sided colonisation is likely to increase the ethnic imbalance. Together with the official hurdles that the Tamils face in acquiring jobs in the Sinhalese region, this imbalance has given them cause to impute motives to the scheme of colonisation.

The edge of the Tamil problems regarding language, university admissions, employment and colonisation could have been blunted if successive governments in Colombo had genuinely worked for the devolution of power. The journey from the B-C Pact of 1957 to the District Development Councils of the 1980s is a story of broken promises, prevarications and constitutional deceptions, as has been described earlier.

The DDC Act itself was an exercise in deception. The structure, powers and functions of the DDCs and their financial viability were framed in such a way that decentralisation turned out to be a mere facade. The DDCs have been puppets in the hands of the President.

The District Councils are elected bodies including also the elected members of Parliament from the same districts; the Chairman is elected by the Council itself but he cannot be the head of the Executive Committee, which is like a district cabinet. This latter is headed by a District Minister, who is nominated by the President in Colombo. It is not necessary that the District Minister should hail from the same district and have been elected by the people. He may belong to a party which is not in majority in the District Council and

12. See *Appendix* for the district-wise ethnic distribution.

he might come from any other district or province. The District Minister appoints the Executive Committee (District Cabinet) consisting of three members, including the Chairman. Though the Chairman is consulted by the District Minister in the appointment of the Executive Committee, the final choice lies with the District Minister, who is thus virtually elevated to the level of an Indian Chief Minister and the Chairman is reduced to a speaker of the State Assembly.

The District Minister and his Executive Committee cannot be removed by the District Council. They are responsible only to the President in Colombo. The President or the Central Minister or Local Government have a right to dismiss the Executive Council and remove all or any of the elected members of the Council.

Apart from all this, the funds to run the local administration and the development plans were also to descend from the Centre. The Council as such had only an approving authority over the development plans presented by the Executive Council. The plans presented by the Council could be rejected by the District Minister. Whatever development plans to be executed are totally dependent on the mercy of the Centre because the Councils cannot even raise public loans and levy taxes, duties, fees and rates without the permission of the Central Government. The Councils enjoyed no autonomy in investing the development funds. For every major expenditure it was supposed to seek the permission of the Centre. The Councils were rendered much weaker than the Municipalities, which could at least spend the money they collected.<sup>13</sup>

The three years of actual functioning of the DDCs have disillusioned even the doves among the Tamil leaders who were keener to reach a negotiated settlement with the Jayewardene Government than to harp upon a Tamil Belam. Their fears have come true. The elected Chairman of the Jaffna DDC, Subramaniam Nadarajah (June 1981-July 1983), narrated to me the travails of running the Council for two years. The funds were meagre, the local government officials indifferent to the DDC,

13. See, G. G. Poonambalam (Jr.), "Development Councils Act," *Lanka Guardian*, 1 October 1980.



and the Chairman of the Executive Committee (Vijekoon) hailed from the South, visited Jaffna only occasionally and was unable to understand the people in Jaffna and their language. Nadarajah was unable to convene meetings of the local officials to discuss the development plans concerning the 15 subjects supposed to be under the jurisdiction of the DDC. The officials were instructed by the Central Education Minister not to attend the meetings called by the Chairman. The much-awaited project of building a general hospital in Jaffna had to be abandoned owing to the discouragement of the Centre. The frustrated and disillusioned Nadarajah resigned from his post in July 1983. Even otherwise the DDCs in the North have been revoked in June 1984 by an Ordinance because they were not functioning since August 1983 after the TULF boycott of the Bill of Oath.

The inadequacy of the DDCs as a means of devolving power was realised even by the Jayewardene Government. That is why it has now come out with the proposal for the second chamber.

The scheme for the proposed second chamber is extremely vague. It appears to be another dumb-doll like the DDCs. The government is not clear about its composition, powers and functions. The proposed second chamber, in fact, defeats the very purpose supposed to be served by any second chamber or Upper House in the modern world. It cannot be compared with the second chambers of the US, West Germany, Canada or Australia. Let alone the Indian Rajya Sabha, the proposed second chamber is more nebulous than the anachronistic House of Lords. Jayewardene's second chamber is like a lion without teeth and with claws meant only to eat grass. It does not open up any possibilities of judicious treatment for the Tamils in regard to the questions of language, university admissions, employment, colonisation and devolution. It offers no hope to the terrorised people in the north. It builds no bridges between the ethnically-torn Sinbala and Tamil peoples.

Nobody knows, at the present juncture, in what direction Sri Lanka is moving. Is it going to follow the course that United Kingdom, Cyprus and Pakistan followed and be prepared to

break up the island into two parts or would it like to adopt the wise ways of the leaders of Canada and Sudan who saved their countries from being partitioned and turned civil strife into a civil consensus which it still surviving the strains and stresses of a multi-ethnic society?





7

## The Westward Tilt

The Sinhala-Tamil confrontation and the unending deadlock in the APC have had their repercussions on the otherwise friendly relations between India and Sri Lanka. Both neighbours are members of the Commonwealth and the Non-Aligned Movement. Both have resolutely kept themselves away from becoming a member of any super power camp.

Sri Lanka had granted bases to the United Kingdom in 1948 which were dismantled in 1957 by Solomon Bandaranaike's government. Although Sri Lankan attitudes on various major international issues in the past such as 'Communist colonialism', the Sino-Indian border dispute, the problem of Kashmir, the rise of Bangladesh and more recently the proposal for a nuclear-free zone in the South Asia Kampuchea, Afghanistan and attitudes towards the super powers have been at variance with those of India, the two countries were able to solve their bilateral problems without much recrimination. After the Nehru-Kotalawela Pact of 1954 regarding the Indian Tamils, two more pacts, in 1964 and 1974, were signed between the Prime Ministers of the two countries. The questions of maritime boundary were amicably solved in 1974 and 1976. The 1974 agreement, which demarcated the maritime boundary in the Palk Strait, automatically solved the problem of Kachchathivu, an island whose sovereignty had been in dispute between the two neighbours. There were hardly any problems between India and Sri Lanka — excepting of course the question of granting citizenship to the Indian Tamils and the repatriation of a specific number of them to India. The

solution to this problem required protracted negotiations to the necessity of which both parties were almost reconciled without creating much fuss or furor. India's relations with Sri Lanka in comparison to its other South Asian neighbours were thus on a different footing.

India remained well-nigh aloof from domestic developments in Sri Lanka. Many ethnic riots have taken place between the Sinhala and the Tamils since 1956; though at times even the Indian Tamils and some Indian passport holders suffered in the riots, India did not go beyond issuing a customary statement expressing its concern. The Sinhala-Tamil battle in Sri Lanka was being fought out for the last three and a half decades without India being directly dragged into it. In fact, Prime Minister Morarji Desai had openly snubbed those who were asking for a separate state for the Tamils.<sup>1</sup>

Nineteen eighty three was the first time since independence that the Sinhala-Tamil question was discussed between India and Sri Lanka. The issue is essentially a domestic affair of Sri Lanka, unlike the problem of Indian Tamils, which has international dimensions. India became involved in the Sinhala-Tamil controversy because of the July 1983 riots which brought the Sinhala wrath on Sri Lanka Tamils and Indian Tamils alike. The Indian Tamils living in the slums of Colombo, some of whom also held Indian passports, were seriously affected by the July riots. The Prime Minister of India expressed her concern over the riots, talked to President Jayewardene and sent Foreign Minister P. V. Narasimha Rao to Colombo on 28 July, 1983. Mutual goodwill and friendliness prevailed. Narasimha Rao stayed in the President's House as his personal guest but he was advised against visiting the refugee camp. The President and the Foreign Minister, A.C.S. Hameed, had discussions with Rao.

On the Foreign Minister's return to India, Indira Gandhi apprised the Indian Parliament of her Government's assessment of the situation in Sri Lanka. She also told Jayewardene that

1. For details regarding Indo-Sri Lanka relations, see, V. P. Vaidik, *Bharatiya Videsh Niti: Naye Disha-Sanket*, (New Delhi, 1980), pp. 33-35.



the problem of the Tamils in Sri Lanka was a matter in which India could not be treated as "just any country". It was a matter of concern for both India and Sri Lanka.<sup>2</sup> She regretted the unfortunate and tragic incidents in Sri Lanka, but she made it clear that India supported the territorial integrity of its southern neighbour and believed in the policy of non-interference in its domestic affairs.<sup>3</sup> She extended a generous offer of humanitarian assistance to the Jayewardene government for handling the refugee problem and within a few days plane-loads of rations, medicines and clothes reached Colombo from Madras and New Delhi. The refugees were shifted from Colombo to Jaffna in ships provided by India. Indira Gandhi also pleaded for circumspection from Tamil Nadu politicians.

President Jayewardene sent his younger brother Hector Jayewardene to New Delhi as his special emissary in August 1983. This visit was followed by three visits from G. Parthasarathi, the emissary of the Indian Prime Minister, to Colombo. President Jayewardene had two sessions with Indira Gandhi in India when he came to attend the Non-Aligned Conference. The Minister of National Security, Lalith Athulathmudali, paid a visit to New Delhi in April 1984 and President Jayewardene, accompanied by Athulathmudali, visited New Delhi again in June-July 1984.

The good offices of India to resolve the Sinhala-Tamil conflict ceased to function with Parthasarathi's last visit in January 1984 to Colombo. But two things were clear. The good offices of India were accepted by Sri Lanka voluntarily; and it was due to the well-meaning diplomacy of Parthasarathi's mission that the TULF and the Government in Colombo could be persuaded to come to the table. If the Jayewardene government agreed to invite the TULF to the APC despite its

2. Inaugurating the Foreign Ministers Conference of SARC on August 1, Indira Gandhi without naming Sri Lanka said: 'Most of our countries are multi-racial and multi-religious. It would be idle to pretend that we are not affected by what happens elsewhere. Even as we meet, there are disturbing and tragic developments in our neighbourhood'. *Hindu*, 2 August 1983.
3. *Times of India*, 6 August 1983.

boycott of the Bill of Oath, the TULF shelved its demand for Tamil Eelam for the time being.<sup>4</sup>

The Sri Lankans generally accept the voluntary character of Indian good offices,<sup>5</sup> but an active and vocal lobby in the Colombo establishment has gone all out to malign India for its mediatory role. Highly placed persons like Prime Minister R. Premadasa and Cyril Mathew, the Minister of Industries, have launched a regular campaign of calumny against India. Even a suave man like Lalith Athulathmudali issued a harsh statement immediately after Parthasarathi's first visit to Colombo, asking India to desist from interfering in the internal affairs of Sri Lanka and to leave the island's people alone to settle their disputes.<sup>6</sup> A motion to sign an Indo-Sri Lanka friendship treaty proposed by Anura Bandaranaike, the leader of the Opposition in Parliament was defeated in April 1984 by 126 to 10 votes.<sup>7</sup>

Despite the best efforts of India, the anti-India campaign became a favourite pastime for the top UNP politicians. President Jayewardene himself while addressing a UNP rally said, no outside force, not even a "hundred Indians can subjugate the Sri Lankans". He exhorted his audience to "spread the message that Sri Lankans are a race that cannot be subdued".<sup>8</sup> In an interview to an Indian journalist, Jayewardene also said: "The worst that India can do is to invade us. If they invade us, that is the end of the Tamils in this country".<sup>9</sup> Taking their cue from the supreme leader other stalwarts of the UNP went on record accusing India of wanting to occupy Sri Lanka. They unleashed a vituperative campaign against Indira Gandhi

4. *Indian Express*, 11 August 1983.

5. "... it is useful to secure the good offices of Mrs. Gandhi to break the deadlock". Mrs. Sirimavo Bandaranaike further said: "It is our problem... nevertheless one cannot expect India not to be concerned". *Times of India*, 11 October 1983.

6. *Ibid.*, 21 September 1983.

7. *Ibid.*, 7 April 1983; the response of the Government of India to a possible Indo-Sri Lanka Friendship Treaty is revealed by Lalith Athulathmudali in an interview with the author, see, *Appendix*.

8. *Ibid.*, 11 April 1984.

9. *Ibid.*, 16 April 1984.



personally. They blamed India for granting asylum to the Tamil Tigers and training them in guerilla warfare.<sup>10</sup> India was held responsible for igniting the racial disaster in Sri Lanka.

The Sri Lankan politicians and even ordinary people have their own misgivings about the Tamil refugees, now numbering more than 90,000. For them, the refugees and the militants are all the same. Many object to the granting of refuge to the "traitors". They do not realise that as a liberal democratic country India has never shut its doors on refugees from the neighbouring countries. Not only from Bangladesh but also from Nepal, Burma, Tibet, Afghanistan and even Pakistan the refugees have been coming over to India. Allowing the refugees to stay on and imparting military training to the militants are two different things.

So much anti-India venom has entered the propaganda channels in Sri Lanka that an average Sinhala citizen has come to believe in the Indian eagerness to pounce on Sri Lanka on behalf of the Tamils. It has now become almost impossible for the Government of Sri Lanka to disabuse the minds of the people of this nation. The anti-India reflexes have become strong enough among the masses to shut off any voice of reason raised to restore mutual confidence between the neighbours. Prime Minister Premadasa even called Anura Bandaranaike a traitor for advocating caution to the UNP leaders when they poured venom on India.<sup>11</sup> The atmosphere in Sri Lanka is much more anti-Indian than it is in Pakistan today. Despite the innate warmth in the Sinhala heart for someone from North India and the absence of any physical discomfort in moving about in Sri Lanka, it is hard to be insensitive to the subtle indifference shown to you everywhere.

The people and politicians in Sri Lanka seem to think as if

10. The Prime Minister in an interview with the author, see *Appendix*.

11. The National Security Minister in an interview with the author, see *Appendix*.

12. An interesting exchange of allegations took place on the floor of Parliament on 21 June 1984 between Premadasa and Anura Bandaranaike. see, *Statesman*, 23 June 1984.

Jaffna is their Punjab. They are quick to equate the Tamil terrorists with the Sikh terrorists and Indira Gandhi's action in the Golden Temple with what Jayewardene is trying to do in the North with the Tamils. They pointedly asked me to explain the 'double standards' India follows in this regard. They hardly bother to delve into the details of these two vastly different phenomena. They are ignorant of the overall prosperity of Punjab unlike the Tamil regions in Sri Lanka, and its disproportionate share of jobs in the Indian army unlike the Tamils in the Sri Lankan army. They have an extremely hazy idea about the kinship of the Hindus and Sikhs in Punjab.

They are also not aware that the Sikh terrorists never hesitated in killing innocent and unarmed citizens while the Tamil militants have mostly concentrated their attacks on government properties and personnel. Both acts are despicable, but the difference between them cannot be overlooked.

The attitude of the Government of India towards the terrorists in Punjab has been extremely cautious. It tried its best during 'Operation Blue Star' not only to save precious human lives but also lifeless buildings in the Golden Temple. The Indian Army unlike the Sri Lankan Army never lined up innocent and unarmed people in the bazars to be shot dead. Neither did it ever bombard the towns and villages in Punjab in the guise of chasing terrorists. The Government of India never treated Punjab as an enemy territory and the Sikhs as enemies. Even the rebels in Nagaland and Mizoram were treated in a different manner from the treatment meted out by the Jayewardene Government to the Tamils in Sri Lanka. State terrorism was never unleashed in India to meet the challenges posed by a few hundred terrorists.

However, the political and academic circles in Sri Lanka are keen to use the Punjab situation to prove India's so-called "double-faced policy" without paying any heed to the claims of New Delhi regarding its opposition to all kinds of separatism and terrorism. They seem to believe seriously that the "hegemonistic element" in the foreign policy thinking of India can manage to encourage terrorism in a neighbouring country



while putting it down ruthlessly in its own territory. The stark facts of the Allen case and the explosion at Madras airport where the Government of India showed full indulgence to Sri Lankan susceptibilities and played a judicious and firm role, are not remembered while making wild charges against India.

The worst nightmares are created in the Sinhala mind by mixing up the all-India attitudes with those of the state of Tamilnadu towards them. The average Sinhala mind perceives India through the prism of Tamilnadu. The National Security Minister, Lalith Athulathmudali, once said that Sri Lanka's Golden Temple is in Tamilnadu. If a few politicians in Tamilnadu organise a symbolic march to reach Sri Lanka, the Sinhala people think that the whole of India is going to invade them. They also tend to overlook the party politics, factional opportunism and leadership rivalries in Tamilnadu which give rise to chauvinistic demands such as for the invasion of Sri Lanka.

So far as the Government of India and the Government of Tamilnadu are concerned, the demand for a Tamil Eelam has never received their blessings. Rather, the then Union Defence Minister, R. Venkataraman while visiting Tamilnadu in October 1983 upbraided the 'Eelamists' and said that the demand for sending troops to Sri Lanka was "sheer nonsense and idiotic" (The Tamil expression he used was '*muttal thanam*'). He discounted any possibility of India's military intervention in Sri Lanka, as had been demanded by DMK leader Karunanidhi.<sup>13</sup>

Similarly, M.G. Ramchandran, the Chief Minister of Tamilnadu, completely dissociated himself from the demand for Eelam as far back as 1981 when during the fifth Tamil Language Research Conference held in Madurai the TULF leaders were trying to seek endorsement of the Tamil 'Eelam' among the delegates. Ramchandran not only decried the very idea of separatism but also made it clear that the state of Tamilnadu would like to maintain good relations with the governments and peoples of other countries.<sup>14</sup> The Govern-

ment of Tamilnadu while echoing the emotions of the people of Tamilnadu in the aftermath of the riots of 1981 in Sri Lanka did ask the Central Government to impress upon the Government in Colombo the need to protect the Tamils in Sri Lanka from the Sinhala racial onslaught. The ruling AIADMK and other parties organised protest meetings and a strike and requested the Government of India to raise the Tamil question in the UN, but Ramchandran again made it clear that UN had no jurisdiction to act in this matter because of its international character.<sup>15</sup>

The Government of Tamilnadu has been following this line even after the July 19-3 riots, which evoked the strongest response from the people of Tamilnadu. The Government and the ruling party gave a call for a *bandh*, which was total, and thousands of people observed a day's fast. An 18-year-old boy tried to immolate himself. It was a historic demonstration of solidarity, reminiscent of the days of freedom struggle.<sup>16</sup> The solidarity of the people of Tamilnadu with the Tamils of Sri Lanka has been complete and is being expressed in a number of ways, from asking the Government of India to liberate the "Tamil territories" of Sri Lanka, bring pressure on Colombo, raise the issue in the UN, and submit a petition signed by millions of people to the UN, to extending all facilities to the Tamil refugees and internationalising the Tamil problem of Sri Lanka.

The opposition in Tamilnadu led by the DMK has adopted extremist postures on the Tamil problem. It does not spare even the Central Government and Congress (I) in its criticism. A few members of the AIADMK too are extremely vocal on the invasion theme, embarrassing both the State and the Central Governments.

The ruling party at the Centre is also not unaware of the electoral value of the issue in the South. As the general election approached, the pressure on the Centre increased to keep the voters in the South in good humour. Indira Gandhi issued

13. *Amrita Bazar Patrika*, 4 October 1983.

14. *Hindu*, 9 January 1981.

15. *Hindu*, 11 June 1981.

16. *Ibid.*, 3 August 1983.



innumerable statements in Parliament and outside to assuage the Tamil feelings on Sri Lanka. In her Independence Day address on 15 August 1984 from the ramparts of the Red Fort she devoted considerable time to the Tamil problem in Sri Lanka. The pressure from the South is so genuine and forceful that the Government of India had to write to some of the Western leaders to consider the Tamil problem sympathetically. One of the important factors that the Government of India cannot possibly ignore is the heavy presence of Tamil officers in its bureaucracy. Their sympathy for the Tamils in Sri Lanka is but natural. The Tamils have a privileged position in the international bureaucracy too. A democratic government like that of India has to take into consideration all these factors in its decision-making. The Sinhala leaders in Sri Lanka are not unaware of these constraints on Indian foreign policy but they have their own compulsions owing to which they have to adopt anti-Indian postures. Prime Minister Premadasa is on record as having admitted that the anti-India fulminations of the UNP leaders would ultimately help them to strengthen their Sinhala mass base.<sup>17</sup>

Since the July 1983 riots, Sri Lankan foreign policy has been taking a stance which is far from friendly to India. Thus, within three days of the visit of the Indian Foreign Minister to Colombo the news about the Sri Lankan request to the USA, the UK, Pakistan and Bangladesh for military assistance was exposed by a visiting UPI correspondent. The correspondent was expelled and the news was controverted as "completely baseless and untrue".<sup>18</sup> Foreign Minister Hameed, who was in New Delhi in connection with a meeting of South Asian Regional Cooperation, glossed over the report and said that "if Sri Lanka asked for any help from the international community we would ask India also".<sup>19</sup>

The Jayewardene regime took<sup>20</sup> hours to issue the rebuttal of the UPI report and the Foreign Minister of India had to tell

17. See, the interview with the author in the *Appendix*.

18. *Indian Express*, 3 August 1983

19. *Ibid.*

Parliament that "there is substance in the report".<sup>20</sup> Though the foreign ministers of Pakistan and Bangladesh, who were present in New Delhi, denied that any request had been received from Colombo, the Foreign Office in London confirmed that it had received a request from Colombo.<sup>21</sup> The duplicity, not diplomacy, of the Government in Colombo showed its political bankruptcy, and it embittered India towards Sri Lanka. India asserted that no outside power should meddle with Sri Lanka. Prime Minister Indira Gandhi went to the extent of telling the Tamilnadu leaders that "several options are open to us", but "we have to think of what option is appropriate" and what should be "its timing". "All options are being considered by the Government. It is not possible to take a decision now as that may complicate matters".<sup>22</sup>

India has not decided on any concrete option so far despite the mounting pressures from Tamilnadu, especially after the bombing of Velvattithurai and Mannar.

The recent Sri Lankan foreign policy postures directly impinge upon the security environment of South Asia in general and India in particular. The revival of the Defence Agreement of 1947 with Great Britain, the Trincomalee Tank Farm Deal, an agreement to expand the scope of VOA in Sri Lanka, collaboration with the Mossad and the SAS and galloping defence expenditure are some of the major steps and trends which have been creating disharmony between the Indian and Sri Lankan perspectives on the security of South Asia.

India has been earnestly advocating the cause of making the Indian Ocean a zone of peace. Sri Lanka has been playing a leading role in this movement. But to the chagrin of the littoral states during the Non-Aligned Conference in March 1983, Sri Lanka pleaded very fervently to delink the proposal for the restoration of Diego Garcia to Mauritius from the demand to demilitarise the Indian Ocean.<sup>23</sup> The soft corner Sri Lanka showed for the American base in the vicinity of India was

20. *Times of India*, 3 August 1983.

21. *Ibid.*

22. *Ibid.*

23. *Indian Express*, 6 March 1983.



directly opposed to the Indian view of it.<sup>24</sup>

The unscheduled visit of the US Defence Secretary, Caspar Weinberger to Colombo in September 1983 caused many misgivings in Indian policy-making circles. The Indian High Commissioner in Colombo came to know about it only through the teleprinter. Weinberger was the first foreign dignitary to visit Sri Lanka after the July-August ethnic riots. The visit of the US Defence Secretary was described only as courtesy call but several Sri Lankan newspapers interpreted it as a "mission of reassurance that the US is well behind its allies, come what may".<sup>25</sup>

Weinberger's visit came in the wake of Jayewardene's refusal to attend the New York summit proposed by Indira Gandhi in her capacity as Chairperson of the Non-Aligned Movement and amidst his vacillation in continuing the Parthasarathi mission. The visit might have been planned a few weeks earlier, but it was the heavy shroud of secrecy that surrounded it that was unsettling to New Delhi. The authorities in India were wondering whether Weinberger had also visited the Diego Garcia base before flying to Pakistan.<sup>26</sup> Weinberger's tea party in Colombo was followed by the visit of President Reagan's ambassador-at-large, General Vernon Walters, in November 1983. General Walters denied seeking any "military bases or facilities" in Sri Lanka but he admitted to having talked to Jayewardene on "matters of mutual interest and the international situation". He also appreciated Sri Lanka's policy of "genuine non-alignment".<sup>27</sup> The request by the Jayewardene government for military aid was conceded by the US Government in the form of an announcement made in Colombo by Joseph Addabbo, Chairman of the Defence Appropriations Committee, that his delegation would on its return recommend that "a sum of \$350,000 be immediately released to Sri Lanka for defence purposes".<sup>28</sup> Addabbo also said that his delegation's visit was "specially aimed at assuring the Sri Lanka

24. *Nav Bharat Times*, 12 March 1983.

25. *Times of India*, 4 October 1983.

26. *Hindu*, 2 October 1983.

27. *Times of India*, 10 November 1983.

28. *Statesman*, 18 January 1984.

Government of the US support for democracy in the Island".<sup>29</sup>

Jayewardene's visit to the USA in June 1984 would not have attracted much attention but for the fact that the deal for the Trincomalee Oil Tank Farm had just been concluded and he was thought to have promised "base facilities" to US warships. This was also the first official visit of any Sri Lankan Head of State to Washington. Sirimavo Bandaranaike's visit to Washington had been semi-official.<sup>30</sup> Had there been no ethnic unrest in Sri Lanka, Jayewardene's visit perhaps would not have taken place at all.

Before leaving for Washington, Jayewardene denied the rumours regarding his striking a defence pact with the US or granting a base or base facilities to the US.<sup>31</sup> However, with reference to the criticism levelled by the Indian press regarding the Trincomalee deal, Jayewardene retorted in reply to a question, "Supposing the US was involved, what then? It is our job, our business".<sup>32</sup> The Indian policy-makers were watching Jayewardene's visit to Washington with keen interest.

In Washington, the US officials asserted: "We are not interested in developing security relations with the Sri Lanka Government".<sup>33</sup> They also made it clear that the US had "no designs" on Trincomalee. It seems that Jayewardene sought President Reagan's support in curbing terrorism and got it wholeheartedly, but Reagan pleaded for a peaceful solution and appreciated India's efforts in this regard.<sup>34</sup>

The Reagan-Jayewardene meeting, which appeared to be innocuous from the strategic point of view, could not however offset the ripples set off by the Trincomalee Tank Farm deal along with the agreement to expand the facilities of the Voice of America in Sri Lanka.

29. *Times of India*, 16 January 1984.

30. Mrs. Bandaranaike was vocal about the lavish welcome accorded to Jayewardene in Washington. See, interview with the author, Appendix.

31. *Times of India*, 15 June 1984.

32. *Ibid.*

33. *Hindu*, 17 June 1984.

34. *Ibid.*, 19 June 1984; *Statesman*, 17 June 1984.



The Trincomalee Tank Farm Development Project was leased to an international consortium on 23 February 1984 by the Ceylon Petroleum Corporation. Normally it is none of any country's business to question an international deal like this, but the TTFDP agreement had many inbuilt quirks apart from the dubious circumstance in which it was concluded.

First of all, the consortium consisted of three firms—Oroleum (Pvt.) Ltd., Singapore; Oil Tanking, West Germany; and Tradinaft of Switzerland. All these firms are controlled by Western interests, and the last one is said to have major shares of a Pakistani business house. It is noteworthy that this consortium was floated only in 1982 with a view to getting the Trincomalee deal. The manager of Coastal Corporation of Singapore, which is an affiliate of Coastal Corporation, Bermuda, was the person responsible for setting up Oroleum Ltd. Coastal Corporation Bermuda, in fact, had nearly got the contract in 1981 but due to its contractual obligations with the US navy it drew the strongest opposition from the Sri Lankan Parliament. The deal was dropped. In order to provide a cover to coastal areas Oroleum (Pvt.) Ltd., appeared on the scene and outwitted the other seven firms which had submitted fresh tenders. Oroleum jumped into the fray after the deadline had passed, but it still won the contract. The tenders submitted by British, Indian and Soviet firms were rejected, though commercially the Indian proposal was much more profitable to Sri Lanka.<sup>35</sup> Oroleum made up its lack of professional competence by joining hands with Oil Tanking and Tradinaft. The authorities in Sri Lanka admit that the agreement was concluded more on the political basis than on merit.<sup>36</sup>

The strategic importance of the harbour of Trincomalee and the promiscuous provisions of the agreement put together present an awful scenario so far as the security of South Asia is concerned. The most spacious and naturally protected harbour

35. For details, see, Sreedhar, "More Than a Business Deal", *The Week*, 10-16 June 1984, pp. 32-33; S.D. Muni, "Sri Lanka's Strategic Connection", *Patriot*, 7 June 1984.

36. Lalith Athulathmudali, the National Security Minister, admitted this to the author in an interview, see *Appendix*.

in the Indian Ocean, Trincomalee can shelter the largest fleets of global powers. During World War II, the Trincomalee naval base served an extremely useful purpose for the British and they retained it till 1957 under a defence agreement with Sri Lanka. The British admiralty had constructed 101 oil storage tanks during 1927-32. Each tank has a storage capacity of 10,000 tonnes of oil. The ownership of this tank farm was transferred to Ceylon Petroleum Corporation in 1957. Most of the tanks had been lying disused since then.

The Jayewardene government embarked upon a project to revive the tank farm in 1981 so that by extending refuelling facilities to foreign ships passing through the Indian Ocean Sri Lanka might make good money. The proposed agreement with Coastal Corporation Bermuda in October 1981 was supposed to fetch a ground rent of 36,000 dollars a year.<sup>37</sup>

The Jayewardene Government in 1981 had also lifted the nine-year-old ban on foreign warships using the facilities at Trincomalee harbour. The US navy was swift to send a number of warships to Trincomalee in 1981 on various missions.<sup>38</sup> The leader of the SLFP, Sirimavo Bandaranaike, had warned the Government against turning Trincomalee into a US naval base clandestinely.<sup>39</sup> The Opposition in Sri Lanka was exercised by many disturbing assertions emanating from American sources, for example, the Pentagon project report for 1980-81 which allegedly argued for developing Trincomalee as a naval base and the opinion of the *Washington Post* that Sri Lanka would make an ideal stopping place for US ships in the Indian Ocean.<sup>40</sup> Members of the Indian Parliament also raised a hue and cry against the possibility of Trincomalee turning into a US base. The Minister for External Affairs, Narasimha Rao, expressed the concern of the Government of India in guarded terms by saying that it considered the existence of any foreign military or naval base in the region "as a threat to the peace and tranquillity" and would have

37. *Times of India*, 13 October 1981.

38. *Ibid.*, 6 May 1981.

39. *Ibid.*, 13 October 1981.

40. *Ibid.*, 5 January 1981.



"adverse consequences on our security environment".<sup>41</sup>

In contrast to the provisions of the draft agreement of 1981, the clauses of the present contract with Oroleum Ltd., do not make it obligatory for the lessee company to seek the permission of Sri Lanka Government before supplying petroleum products to foreign warships. It only states in clause 23(1): "...the foreign investor shall take steps reasonably within its powers to ensure that it does not rent or hire or service or supply bunkers to any customer, naval vessel or aircraft who or which may store or use such oil for military purposes." The words "reasonably within its powers" confer enormous manipulative discretion to the lessee company. In any hour of crisis Oroleum Ltd., can lend all the facilities at the Trincomalee Tank Farm to a power unfriendly to India without even informing the Government in Colombo, because according to the same clause "the foreign investor shall have the power and authority to select own customers...."<sup>42</sup> In fact, the large area of the TTFDP would be an autonomous region for all practical purposes. The Sri Lanka Government would be completely dependent on Oroleum Ltd., for management of the Tank Farm area and its use. An extremely feeble caveat on its military use by the lessee puts the Trincomalee harbour back almost in the same position as it was during 1948-1957.

The new agreement regarding the expansion of the existing broadcasting facilities of the Voice of America in Sri Lanka established under an agreement signed in 1951, was entered into on 10 December 1983.<sup>43</sup> In contrast to the 1951 agreement, the present agreement excludes the jurisdiction of the Government of Sri Lanka over the administration, operation and maintenance of the facilities covered by the agreement. According to the new agreement six short wave transmitters will be installed, four of 500 kw each and two of 250 kw each. The US Government will have the right to instal associated communication and operation facilities to support the main station. The Government of Sri Lanka earlier

41. *Statesman*, 28 November 1981.

42. See, Sreedhar, f. n. 35, p. 33.

43. *Times of India*, 12 December 1983.

had the right to evaluate the VOA transcripts before they were broadcast. This crucial right has now been abandoned in favour of an assurance from the US that it will "use its best endeavours" not to broadcast any programmes detrimental to the national interest of Sri Lanka. Under the 1951 agreement only one US resident engineer was stationed in Sri Lanka in an advisory role; the new agreement provides for no limits on the American staff. In all, with the new powerful transmitters, broadcast will be beamed to the whole of Asia, and VOA in Sri Lanka may have links with the American satellites too, which may ultimately be used for acquiring and disseminating strategic information and military communications.

The revival of the Defence Agreement of 1947 with the UK, when coupled with the above developments, presents a formidable scenario. The UR-Ceylon agreement of 1947 did not lapse as such in 1957, at which point the Bandaranaike government only got the naval base of Trincomalee and the Royal Air Force station at Katunayake formally transferred to Sri Lanka.<sup>44</sup> The provisions of the original Defence Agreement, providing "to each other such military assistance for the security of their territories, for defence against external aggression and for the protection of essential communications" and for "training and development of Ceylonese armed forces",<sup>45</sup> remained intact, though the agreement itself went into oblivion for a number of years due to the political imperatives in Sri Lanka.

No formal request was made by the Jayewardene government with the UK to revive this agreement, but the way in which British military assistance was sought by Sri Lanka in July 1983 made its intentions clear. These were announced in April 1984 when President Jayewardene declared, in the presence of the British High Commissioner on the occasion of the opening of the Victoria dam, that the UK-Ceylon Defence pact was still valid.<sup>46</sup>

44. See, the text of the agreement in Lucy M. Jacob, *Sri Lanka: From Dominion to Republic* (New Delhi, 1973), pp. 200-203.

45. *Ibid.*, pp. 195-196.

46. *Times of India*, 9 April 1984.



The arrangement to bring in the agents of Mossad, the intelligence agency of Israel, to train the Sri Lankan soldiers added a new dimension to the already Western-oriented foreign policy of Sri Lanka. Confirming the report of the Israeli connection a spokesman of the US Embassy in Colombo said on May 23, 1984 that "this matter had been under discussion for some time between the Sri Lankan Government and Israel. Both the governments had asked us to serve as a protecting power in Sri Lanka and we agreed". An Israeli-interest section was opened in the US embassy Colombo though Sri Lanka had broken off its diplomatic relations with Israel in 1970 and opposed its policies during the past 14 years.<sup>47</sup> The PLO ambassador in Sri Lanka alleged that 50 members of Mossad were already there to train the anti-guerrilla forces.<sup>48</sup> Foreign Minister Hameed admitted that the Americans helped them arrange the Mossad deal.<sup>49</sup>

According to the *Sunday Times* of London, the Jayewardene government had also hired mercenaries from the British commando organisation, Special Air Service (SAS) after its request to the CIA and MIS (British Intelligence Agency) was turned down by the respective governments. The SAS mercenaries arrived in Sri Lanka from the Sultanate of Oman to begin a year's training programme to combat the Tamil Tigers.<sup>50</sup>

The Sri Lankan Government is no doubt shaken by the activities of the Tamil militants and its efforts at seeking foreign assistance to meet the challenge appear to be natural; but its galloping defence expenditure is quite disproportionate to the threat posed by the Tamil militants. The Government is on record as having admitted in the middle of 1984 that the number of Tamil militants is not more than a few hundreds. Why then the almost 600 per cent increase in the defence budget during the last five years from Rs. 411 million in 1979<sup>51</sup>

47. *Statesman*, 24 May 1984.

48. *Times of India*, 1 June 1984.

49. *Ibid.*, 16 June 1984.

50. *Ibid.*, 25 June 1984.

51. See, *The Military Balance*, 1980-81 (London, 1980), p. 75.

to Rs. 566 million in 1981<sup>52</sup> and Rs. 847 million in 1982<sup>53</sup> to Rs. 2500 million in 1983-84<sup>54</sup>. The Sri Lankan Army is tapping all possible sources for arms. Several helicopters, aircraft and armoured cars have been bought recently. The navy is trying to acquire 'Shanghai' class patrol craft from China. The Gulf states have also been contacted to sell their older ships. The Jayewardene government has been in touch with various private firms in the US, UK, Belgium, South Korea, West Germany and Singapore about buying assault rifles and light machine guns. Israel seems to have become the major supplier of arms such as Westwind Seascan reconnaissance aircraft, Dacur-class patrol craft equipped with 22 mm guns, .50 calibre machine guns, Galil 5.56 mm assault rifles, Uzi-sub-machine guns, hand grenades, anti-personnel mines and an electronic surveillance system.<sup>55</sup> That the Israeli-interest section in the American Embassy in Colombo has been working on high profits was shown by the visit to Israel in August 1984 of Douglas Liyanage, Secretary in the Ministry of State in August. He was said to be there on an arms buying mission, although this was officially denied. However, Liyanage was forced to resign his job in September 1984 in view of the sharp public reaction to his statement published by the *Jerusalem Post* in which he had advocated establishing an Israeli embassy in Colombo.<sup>57</sup>

After the July 1983 riots, the Jayewardene government has approached several countries including China and Pakistan to assist in training the Sri Lankan Army. A delegation of Chinese Air Force officers paid a visit to Colombo in July 1984 and the Sri Lankan Naval Chief and the Foreign Minister have already visited Pakistan. The Pakistan Foreign Minister made brief stopover in Sri Lanka while returning from the SARC Conference in the Maldives. The US has taken the responsibility of charting the seas around Sri Lanka.<sup>58</sup>

52. See, *The Military Balance*, 1982-83 (London, 1982), p. 93.

53. See, *The Military Balance*, 1983-84 (London, 1983), p. 99.

54. *Hindustan Times*, 3 September 1984.

55. *Times of India*, 22 June 1984.

56. *Indian Express*, 29 August, 1984.

57. *Hindustan Times*, 5 September 1984.

58. *Times of India*, 10 July 1984.



This westward tilt in Sri Lankan foreign policy began to show up right from the beginning of the *laissez faire* economic policy adopted by the Jayewardene government in 1977 itself, but it acquired new impetus from the over-estimation of threats posed by the Tamil militants since the early 1980s. As the military might of the Sri Lankan Army grows the Jayewardene Government is laying more stress on a military solution to the Tamil problem.

## 8

India's Options

With the convolutions in Sri Lanka, the security environment in South Asia is beset with new stresses and strains. What are the options open to India?

Indian options can perhaps be divided into three broad categories, namely, military intervention; pressures; and prolonged diplomacy.

Military Intervention

As a military operation, the invasion of Sri Lanka by the Indian armed forces would not in itself be difficult. An ill-trained island army of about 15,000 with weaponry of Second World War vintage meant only for keeping law and order and which has had no battle experience would fall like nine pins in the face of an Indian military intervention. Yet this option needs to be ruled out, for at least five relevant reasons.

First, although it might be easy to occupy Sri Lanka it would be extremely difficult to retain it. To control a hostile population of, say, at least 12 million out of 15 million would be as difficult for India as it is in Afghanistan for the Soviet Union. In fact it might be more difficult, as Sri Lanka is an island open from all sides unlike Afghanistan which is landlocked. Unless an effective naval blockade is imposed on the entire coast of Sri Lanka, the insurrectionary elements would enjoy greater freedom to pump in arms and ammunition to harass the occupation armies. External military assistance



from the high seas would be far more easily available to the Sinhala guerillas than what is available to the Afghan rebels through Pakistani channels or to the Kampuchean guerillas through Thai intermediation.

Sri Lankan nationalism overlaid by the Sinhala-Buddhist ethos would be a highly motivating factor to the people at large and to the anti-occupation forces to fight to the last. The three and a half decades of independence and democracy have turned Sri Lanka into a vastly different country from the one that had surrendered its sovereignty without much fight to the Portuguese, to the Dutch and to the British. Even Sinhala sympathetic to the Tamils and having friendly feelings for India would be outraged by the occupation.

Secondly, it would be well-nigh impossible to find men like Babrak Karmal and Heng Samrin in Sri Lanka to keep the foreign banner aloft. India has not been able to make any ideological inroads into the dominant parties of the neighbouring countries. Even though Bandaranaike's SLFP always claimed to have very special relations with the Nehru family and with India, it never budged from serving its own national interests even when it dismayed India. Sirimavo Bandaranaike did not support the Indian case *vis-a-vis* the Chinese in 1962 and provided refuelling facilities to the Pakistani planes during the Bangladesh crisis. In fact the so-called friends of India in Sri Lanka are more stubborn than the ostensibly unfriendly people.

Barring a stray statement made by A. Amirathalingam, none of the Tamils and the Tamil parties in Sri Lanka have even issued a formal invitation to the Indian forces. They, in fact, do not enjoy a legal right to do that owing to the fact that they neither have any partnership in the government nor in the ruling party. None of their leaders could rally the entire nation behind himself in the case of an Indian invasion. The Sinhala already harbour enormous doubts about the integrity of the Tamil leadership. The Marxist 'Eelamists' can easily be ruled out as a dependable factor in any holding operation in Sri Lanka because they have a narrower base even among the Tamils, let alone the Sinhala in whose eyes they are traitors pure and simple.

Thirdly, the planners of an invasion would have to first of all decide whether the Indian armies should halt at Jaffna or should march up to Colombo and occupy the entire island. If the Indian Army occupies only the so-called Tamil homeland, it could sit pretty there, because resistance would be minimal and the Sri Lankan army would not be capable of snatching it back. But the worst nightmares would then follow for the more than half million Jaffna Tamils living in the Sinhala areas, and the nearly one million plantation Tamils surrounded by the Sinhala population would face a grave danger to their lives. After all, it was the killing of only 13 soldiers near Jaffna that provoked the kind of riots that July 1983 witnessed.

Even if the Indian army occupies the entire island, the lives of the Tamils could not be safeguarded. The very purpose of the invasion would thus be defeated, though by holding the Sinhala population living in Tamil areas as hostages, the fear mentioned above can be mitigated to an extent.

Fourthly, an invasion would be politically indefensible for India in the international forums. If nations can condone the atrocities perpetuated by Pol Pot in Kampuchea and Hafizullah Amin in Afghanistan and oppose the Vietnamese and the Soviet occupations respectively, why would they not ignore the state terrorism unleashed by consecutive Sinhala governments on the Tamils and condemn the Indian action? Leave alone the Western powers, which had grilled India at the time of the takeover of Goa, even the non-aligned countries would not countenance the Indian action. The chairmanship of the non-aligned movement would be under a cloud. The neighbouring countries would raise a hue and cry and SARC would be in total disarray.

Fifthly, what would be the gains? Invasion cannot solve the Tamil problem; it might instead complicate it further. The economic gains from Sri Lanka would be marginal compared to the costs of supporting an occupation army which would run into millions of rupees every day and nobody would know for how many days.

Despite all these considerations, there are still scenarios



which might bring the Indian policy-makers to the brink of invading Sri Lanka, whatever the consequences.

First, if unlike in the July 1983 riots, the Indian Tamils, primarily living in the tea plantations, are directly attacked, India would be duty-bound to intervene. There are several hundreds of thousands of Tamils who hold Indian passports, and are legally Indian citizens apart from those who are stateless and potential citizens of India. It would be the responsibility of the Government of India to protect their lives and property even though they are in an alien land. If the Government of India abdicated its responsibility, it would have to face the wrath of the whole of South India, apart from losing its credibility in relation to millions of other Indian citizens working abroad. If the US can invade Grenada on the pretext of protecting a thousand of its citizens in a country situated 700 kilometres away from its coasts, why should India not intervene in the face of a genuine threat to a million of its people just 35 kilometres away?

Secondly, if there is an attempt at staging a military coup in Sri Lanka, and if one of the factions extends an invitation to India to send armed forces, the policy-makers in New Delhi will have to face an extremely excruciating dilemma—whether to send the forces, and in whose favour?

The possibility of a coup attempt is not merely a vain hypothesis, for the Jayewardene government itself fears this possibility. During the July 1983 riots President Jayewardene shifted his residence to the military headquarters, fearing a coup. The younger officers in the army could have done anything in that crucial week. Though Jayewardene blamed the leftists for organising an unsuccessful coup later on, the reality is that the Sri Lankan army has many other elements whose continuation could result in a successful coup. The first known attempt at staging a coup was made in 1962 by some Christian officers during Sirimavo Bandaranaike's first term in office. The second known attempt was made in 1966 during Dudley Senanayake's regime. Both attempts failed and many top army officers and bureaucrats were arrested. During the 1971 JVP uprising too, rumours about a possible coup were quite thick.

Though the present character of the Sri Lankan army, the nexus between the top army brass and the political elite, and the extraordinary privileges recently conferred on the army by the regime are unlikely to lead to a situation in which an autonomous attempt at a coup by the army might be provoked, there are at least two situations in which a coup might be attempted. First, President Jayewardene is nearing 80 years and he has not made it clear who will succeed him, unlike D. S. Senanayake who had already spoken to the then Governor General to bring in his son Dudley as his successor. A power game in the UNP is already on. Previously two factions, one headed by Prime Minister Premadasa and the other by Minister of Industry, Cyril Mathew, were at loggerheads but a new centre of power has emerged recently with the rise of Lalith Athulathmudali as Minister of National Security. The factional rivalry does not pose an immediate danger of a coup; rather, it provides a kind of equilibrium in the Cabinet through the interplay of countervailing forces. Nevertheless, every faction gives the appearance of being in an indecent hurry. In case Jayewardene is physically incapacitated before the succession issue is really settled, the warring factions are sure to crack down on each other. If normal political processes are found to be too inconvenient, they might resort to a coup with help from military officers who are related to the political leaders in a variety of ways.

Even if Jayewardene remains fit and tries to muddle through the present crisis, the possibility of a coup is not to be ruled out. The Sinhala-Buddhist lobby, thriving on an anti-Tamil wave, seems to be quite irked with the Jayewardene regime, which once tried to concede provincial and regional councils to the Tamils "under the Indian pressure" and had been negotiating to create a second chamber in Parliament to "appease" the Tamils. These politically embittered elements could join hands with the jingoist elements in the army which is even otherwise getting weary of the day-to-day fighting with the Tamil militants in the North and East. Moreover, the recently raised Task Force, equipped with modern weapons and manned primarily by younger officers appointed in great haste seems to be a potential instrument for staging a coup.



If such an extreme right coup is in the offing and Jayewardene himself calls on India for help, what would be our response? The option here is very clear and easy to implement; but in the case of a factional fight as took place in 1979 in Afghanistan, the policy-makers in New Delhi would have to be extremely circumspect in arriving at a decision.

Thirdly, there is still another scenario that might call for direct action by India. The speed with which the Jayewardene regime is bringing the western military-economic component into the Sri Lankan system might assume alarming proportions so far as the security of India is concerned. If the Soviet nuclear missiles can call for an American blockade of Cuba in 1962 and if Hafizullah Amin's hobnobbing with the West and its stooges in the neighbourhood can bring the Soviet forces into Kabul, how could India be restrained from walking into Sri Lanka if Trincomalee and Katunayake were to be turned into full-fledged military bases for the use of unfriendly powers?

Such possibilities, including the fears expressed in some Tamil quarters regarding the sellout of Sri Lanka by Jayewardene to the West, should be discounted at the outset. Jayewardene is a patriot to the core and was elected by an unprecedented popular vote. He would never consciously do what is suspected of him; but the way perceptions of the Tamil threat have been blown up out of all proportion by the Jayewardene regime and its frantic and panicky response in seeking western military and intelligence assistance does not augur well for the future of Sri Lanka. The slow-spreading tentacles of the West might one day turn the Jayewardene regime into a helpless observer of the Sri Lankan scene while outsiders begin to call the shots. Would India not like to preempt this eventuality?

Fourthly, deteriorating economic conditions might spell chaos in Sri Lanka in the foreseeable future. With inflation at 18 per cent a year, the real value of the Sri Lankan rupee is eroding fast. Goods needed for daily consumption like fish, onions, chillies, vegetables, etc., do not reach the south regularly. The traffic from Jaffna to Colombo is fraught with innumerable risks. There is a slump in the wholesale markets for textiles and electronic goods in the Jaffna peninsula.

The bazars are open just for a few hours since there is always fear of skirmishes between the army and the militants. Foreign investment is fighting shy of coming in despite the attractive concessions and incentives offered by the Jayewardene regime. The atmosphere of siege is telling on Government revenues.

The deficit in the budget of 1984 was estimated at Rs. 20 billion, income being Rs. 30 billion and expenditure Rs. 50 billion. The picture for 1985-86 seems to be even grimmer. Expenditure is expected to rise into about Rs. 70 billion while revenue is supposed to remain static. The Sri Lankan economy can be saved in the short term only by a massive dose of foreign grants and loans, since the local sources of income are drying up in the tense political atmosphere.

The price of tea, which used to be the biggest source of foreign exchange, has come down by almost 25 per cent in the international markets. Similarly, the tourist traffic to Sri Lanka has dwindled after the July 1983 riots, seriously affecting the airlines and the hotel industry. Newly opened hotels cannot even afford to repay the loans from the government.

If this trend continues for some years, as it did in war-torn Lebanon, urban discontent will also spread to the rural areas of Sri Lanka. The economic consequences of the ethnic turmoil would help radicalise the politics of Sri Lanka. The unemployed Sinhala youth would affect the stability of the state of Sri Lanka. To this would be added the work force returning from the Gulf, since Sri Lankans are being boycotted in the Muslim countries on account of Colombo's newly established ties with Israel. Not only would the remittance of foreign exchange worth Rs. 260 million be affected but also the generous economic aid from the Arab countries. Saudi Arabia and Kuwait have already suspended their loans for the Mahaveli irrigation project, which is a potential 'Kamadhenu' for Sri Lanka. Iraq has withdrawn its ambassador and downgraded its embassy in Colombo.

The total impact of all these developments may lead to the kind of anarchy that usually precedes a coup. If such a hopeless situation at all befell Sri Lanka, will India behave like a bystander?



The main burden of the policy-makers in New Delhi would be not how and when to enter Sri Lanka but how they would come out of the *Chakravyuha* once they are in it.

Most policy-makers in the South Block do not seriously seem to visualize military intervention as a viable option. They are, at the same time, not sure of using other military methods, short of direct intervention to convey the real message to the authorities in Colombo. If, by force of circumstance, India had to enter Sri Lanka, it might turn out to be a helpless *Abhimanyu*.

#### Pressures

If an invasion of Sri Lanka does not occur for various reasons, why can India not apply pressures on the Jayewardene government? A counter-question would be: what kind of pressures? Pressures range from extremely crude and illegitimate to sophisticated and legitimate. It depends on the world view and inclinations of the policy-makers in South Block, whether they choose the former course or the latter.

A lobby in New Delhi wants India to engineer a coup in Colombo much before anybody else does it. In their view, an Indian attempt would be easily blessed by a super power, and with help from the leftist forces of Sri Lanka the coup could be legitimised and stabilised.

This, however, is a view that is highly simplistic and born out of ignorance of the Sri Lankan scene. Such coup lobbyists should know that a change of government in Sri Lanka offers no promise of a solution to the ethnic problem. Any non-Tamil regime in Colombo is bound to take an anti-Tamil posture. Even the leftists, who once fought for the rights of Indian plantation Tamils and minorities have, of late, rallied round the anti-Tamil-Sinhala consensus. If they are brought to power with Indian help, whatever legitimacy they may have with the Sinhala would also be lost. No ethnic solution can be imposed on an unwilling people by the force of arms. However, if any legitimate political alternative to the Jayewardene regime is building up on its own, there is no point in thwarting it. Who knows if it might not successfully

negotiate a deal with the recalcitrant Tamils.

The second pressure that could be mounted on the Jayewardene regime is by supplying arms and training to the Tamil militants. This is indeed the most dreaded pressure. Prime Minister Premadasa has already accused India of such subversive activities, but Jayewardene and Lalith Athulathmudali are on record that they have no evidence that the Government of India is involved in supplying arms and training to the militants. The Government of India on its part has denied any such allegations. However, it can continue to ignore the pleadings of Colombo for the deportation and arrest of the Sri Lankan Tamil youths living in Tamilnadu as long as a genuine gesture of political compromise is not forthcoming from the Jayewardene regime.

The third kind of pressure that can be applied on Sri Lanka is economic. However, Indian economic clout in Sri Lanka is not very effective. India ranks ninth among the trade partners of Sri Lanka. Out of Sri Lanka's total trade, India's share was just 4.2 per cent in 1981. If India tries to apply trade restrictions on Sri Lanka as the US did against Poland, it will prove to be totally counter-productive for at least two reasons. First, Sri Lanka could easily diversify its trade to other countries. Commodities like onion and garlic can be imported from countries like Brazil. Secondly, by imposing trade restrictions on Sri Lanka, India is going to hurt most the poor and the underprivileged of Sri Lanka. Non-availability of things like onion will affect the Tamil pockets much more than anyone else. These pinpricks will earn India a bad name even among the Tamils.

The other suggested pinprick is the deepening of the channels in the Palk Straits, so that Indian and foreign ships do not have to travel around Sri Lanka to reach Paradip from Cochin, thus depriving Sri Lanka of port revenues. No one can deny the necessity of making the Palk Strait navigable for large ships; but to take up the project at this juncture would cast a slur upon the fair name of India, apart from raising a new international controversy between India and Sri Lanka. The political climate for ethnic reconciliation can never be created by imposing hardships through direct



economic sanctions by India on the people of Sri Lanka.

However, India can try to persuade the Western benefactors of the Jayewardene regime to bring pressure on it to resolve the ethnic conflict. It would be easy for the Jayewardene regime to extract political capital out of Indian economic sanctions but it would have no option other than to be persuaded in the face of Western pressures. The Arab countries are applying pressure against Sri Lanka for their own reasons and this will definitely tell upon the economy of the island. Internationalising the Tamil issue is, perhaps, the best way of bringing pressure on the Jayewardene regime.

#### *Diplomatic Efforts*

Short of military intervention and pressure tactics is the path of diplomatic efforts. India's mediatory role has been accepted by the major contending parties in Sri Lanka, but readymade formulae, however reasonable, will not cut much ice in Sri Lanka. They will fall prey to political rivalries between the UNP and the SLFP as well as being rejected by the most powerful opinion-building forces in Sri Lanka. What is more important is to talk to the Mahanayakes of the various Buddhist sects. If the monks can first be persuaded to agree to certain proposals, the rest would be much easier. My own long discussions with the various groups of venerable monks have convinced me of two things. First, most of them are really not aware of the true meaning of federalism, regional autonomy or devolution of power. For them, as the propaganda goes, all these words signify only secession. Secondly, once you talk to them on the basis of facts and figures, the monks seem to be quite amenable to reason.

The Indian diplomatic efforts at ethnic reconciliation were apparently, confined to political circles, which did result in an important document called Annexure C, but the spirit of this document could not percolate to the non-political religious-social levels which really call the tune in Sri Lanka. The most serious constraint on Indian diplomacy in Sri Lanka has been the fact that it was Indian and, to boot, conducted by a well-known Tamil, G. Parthasarathi. Annexure C was a brilliant achievement of Indo-Sri Lankan diplomatic Inter-

action but it failed to carry conviction with the Sinhala people and it aroused deep suspicions among them.

To make a success of the negotiations, state terrorism and Tamil terrorism must be stopped simultaneously. Nothing is being done in this direction. A government has no face to negotiate peace while its armed forces are waging brutal war against unarmed people. Similarly, no government worth the name can hold back in the face of terrorist attacks on its personnel and property. This vicious circle can be broken by the diplomatic efforts of India. While the negotiations are going on, a truce for a definite period should be declared and strictly observed. The gun-wielding militants should be asked to join the negotiations with concrete proposals. Unfortunately the militants have so far no positive proposal except their entirely unrealistic slogan of a separate state.

The proposal of a separate state cannot form the basis of negotiations to resolve the Sinhala-Tamil conflict in Sri Lanka. What is likely to untie the ethnic knot of Sri Lanka would be a proposal on the lines of B-C Pact or Annexure C. Such a proposal even if it is revived with Indian support cannot be implemented without the backing of Tamil militants and the Buddhist-Sinhala organisations.



## Appendices



APPENDIX-1

LET INDIA INVADE SRI LANKA

[ *An Interview with R. Premadasa, Prime Minister  
of Sri Lanka* ]

(While inaugurating the Unagam Conference at Anuradhapura on June 23, Mr. Premadasa had made two friendly references about India and had shown fairly good amount of courtesy to me when I was introduced to him at the Mahabodhi Vihara on the morning of June 23 and at the cultural function in the evening where he invited me to sit beside him.)

Q. I was wondering if you really issue anti-India statements or whether the Indian newspapers distort your statements ?

A. I just don't care how the Indian newspapers publish my statements. I am too busy to read them. I have no time to spend on them.

Q. You are the Prime Minister of Sri Lanka and in this capacity whatever you speak here has its repercussions in India. So far, your statements have not created any understanding for Sri Lanka in India. They have rather created a lot of misunderstanding.

A. How does it matter to me? How does it matter to Sri Lanka? What is more important is the people of Sri Lanka. They think good of us. We are supposed to serve them and not any foreign power. We are a free country. We are not



anybody's slave. We cannot be pressurised. We are not afraid of anybody.

- Q. Who is frightening you? Do you have any evidence to prove that the Government of India has ever threatened your government or tried to pressurise your country?
- A. What evidence do you want? Giving asylum to these bloody terrorists is a threat to Sri Lanka or not? What would you call it? Tell me, whether these murderers, terrorists are attacking us or not? Who is responsible for encouraging them? Why does the Government of India not hand over these terrorists to us? They are being sheltered by India, the Government of India. If they are handed over to us, we can set them right in two minutes. These criminals are hiding in India and they come over to Sri Lanka crossing just 20 miles of sea, commit murders, indulge in arson and loot and run away to India. Is it not a threat to our nation? Is it not a direct attack on our sovereignty? Is India not responsible for it?
- Q. Why do you equate India with Tamilnadu? As you know there is special affinity between the people of Tamilnadu and your Sri Lanka Tamils. The Government of India has never encouraged terrorism. How can it support terrorism in the South when she is fighting terrorism in the North?
- A. Tell me, if Tamilnadu is not in India? Is it not a part of India? The government in New Delhi cannot say that its writ does not run in Madras. Why can't it force Ramachandran to throw away these 30,000 Tamils back to Sri Lanka? These Tamils are creating problems for us and you are sheltering them. They are making propaganda against Sri Lanka all over the world. They are the villains of the peace.
- Q. But they are not terrorists. They are refugees. The 30,000 people have run from Sri Lanka out of fear. They have sought refuge in India like the Nepalese, the Tibetans and the Bangladeshis once had. India never refused asylum to people in distress. Why should it single out the Sri Lanka Tamils?

- A. Because these people want to break up our country! They should be handed over to us.
- Q. Is it not your internal problem? You know better how to handle it but so far as India is concerned, as I understand, there are several reasons why she cannot hand over the Tamils to you. First of all, the question of human rights is involved. Secondly, the government in New Delhi cannot ignore the feelings of Tamilnadu and thirdly, we don't have an Extradition Treaty to repatriate even the terrorists or criminals. Please tell me, what can the Government of India do in such a situation?
- A. Treaty or no treaty. I don't understand these legal niceties. If you have good intentions, you can do anything. The real reason why Indira Gandhi is not saying a word to Tamilnadu is known to us. We know why she is keeping quiet. She is afraid if she speaks a word against the terrorists, the people in the South will not vote for her. She wants to win the South Indian votes. But it does not mean that she should break Sri Lanka just to win the elections in the South. It is a very serious game. We will fight back. We are not afraid of anybody. Nobody could enslave us.
- Q. Is it not correct, on the contrary that you have an eye on your elections and in order to outsmart the SLFP you have to make anti-Tamil and anti-India noises? Knowledgeable people in your country tell me that you are trying to be a racial 'Hero' of the Sinhalese?
- (The Prime Minister was taken aback. He appeared to be distraught and started looking at the watch. Then he said stridently.)
- A. This is not a question of the Sinhalese alone. It is a matter of life and death for the entire Sri Lanka. Why does Mrs. Gandhi not let us live in peace? Why is she attacking us from the back door? She wants to use these terrorists as advance guards to attack us. Why does she not occupy Sri Lanka directly? Why does she not finish us, this government? Our headache also will be removed. We have to govern these poor, unemployed people. She can come here,



She can feed everybody. She can make Sri Lanka a colony of India.

- Q. I am sorry, your Excellency, you seem to be hurt by my questions. I do not want to offend you in any way. Rather I felt drawn towards you owing to your kind references to India and your warm treatment at Udagam ceremony. I am, however, unable to understand why are you so touchy about Mrs. Gandhi and ultimately about India.
- A. It is because of her double-faced policy. Have you not seen recently, she went into the temple (Gurudwara) to kill the Sikh terrorists but while talking of the Tamil terrorists she brings up the question of human rights. We are not asking her to kill the Tamil terrorists. We only want them to be back in Sri Lanka. But she does not help. Tell me, what will happen if we support the Sikh terrorists and they launch an attack on India from our soil?
- Q. I am sure, your Excellency, your government is too wise to indulge in such a venture. However, even though the Tamil terrorists are handed over to you, how would it solve your problems? Is it not basically a political problem and terrorism is its offshoot? How would you change the Tamil hearts overnight by killing or as you say tackling the terrorists? Why don't you invent the political solution first?
- A. So long as the terrorists are active, the only solution to this problem is military solution.
- Q. If that is so, why is Mr. Jayawardene going to Delhi for talks? What purpose will his visit serve?
- A. He is going, let him go. What will happen? Nothing will come out of it. If the APC (The All Party Conference) has failed completely, how can the Delhi talks succeed? You decide anything in the talks, the terrorists will not let you implement anything. The terrorists have kicked out the TULF leaders. Now they are the heroes in Jaffna. They are better than the TULF fellows. These TULF leaders have two tongues. You don't know what they want. They talk of separatism and they are also ready to talk with us. The ter-

rists are more honest. They are fighting for their cause. They are brave at least, though they are misguided. They have chosen a wrong path. They have immobilised our political processes. The administration in the districts has been put out of gear by them. Unless we kill every one of them, all talks are useless.

- Q. If you think that the terrorists are so powerful . . .
- A. Who said powerful?
- Q. Let us say popular. If they are popular among the Tamils, why don't you invite them to Delhi talks? After all, they are Sri Lankans, they are your citizens. You can invite Mr. Ramachandran (the Chief Minister, Tamilnadu) at the same time and the whole thing can be sorted out if you have some sound political proposal. Is that not correct?
- A. You see, this fellow, Ramachandran was born here in Sri Lanka. Now how does he behave? And these terrorists, who should talk to them? Why should any body talk to them? They have no faith in talks. They believe in bullets. Have you seen their writings? There is one Dr. Balsingham. He is a Marxist. He says the terrorist will establish a Marxist state in Sri Lanka. Bloody fools! They want violence, we will give them violence. We will set them right by force. What we want is the neutrality of India. If India does not encourage them, we can take care of these Marxists. But India is helping them. We will not talk to them, so long as they have weapons.
- Q. Excuse me, Your Excellency! Your attitude does not seem to be realistic. I can give you several examples of governments talking to their terrorists to resolve the political crisis. The Government of India talked to the Nagas and the Mizos, the Shah of Iran talked to the Kurds, the Americans talked to the North Vietnamese, the racial regime in Rhodesia talked to the guerrilla organisations. I don't understand your severe reservation in talking to the Tamil Tigers?
- A. I am not a scholar of international politics. I can't give you so many examples. I don't need them. They don't apply to



us. Sri Lanka is a small country. We can't afford to let it break. We can't talk to those who are bent upon breaking our country with the help of foreigners. Talking to such people will serve no purpose.

- Q. On the one hand you tell me that all the political processes have come to a naught and on the other you will not talk to the terrorists. Does it mean that the Army is going to stay in the Tamil areas for ever?
- A. Why not? So long as we don't get rid of the terrorists, the Army will stay there. It is very easy to solve the problem once the terrorists are finished. The Tamils of this country are a wise people. They will find their own solution provided there is no outside provocation.

#### APPENDIX-2

#### JAFFNA TAMILS WANT TO DOMINATE

[An Interview with Lalith Athulathmudali, the National Security Minister of Sri Lanka]

Q. As a Minister of National Security, you are also handling the Indo-Sri Lanka relations. Would you please tell me if you had proposed an India-Sri Lanka friendship treaty to the Government of India and a plan for joint inspection of the so-called Tamil terrorist camps during your last visit to New Delhi? If so, what was the response of the Government of India?

A. Well, in the first place I am officially not incharge of Indo-Sri Lanka affairs but *de facto* I got involved in many aspects of it. Officially it is a matter for the Ministry of Foreign Affairs. During my last visit to Delhi, we discussed many things among which those two matters were also there which you mentioned. I can't say the response from Delhi was negative, neither can I say that it was all that positive. The general feeling was that there is enough friendship and goodwill. So it may not be necessary to have a treaty. But a treaty may help if these things come under strain.

About the joint inspection of the terrorist camps in Tamilnadu, the present view of the Government of India is that there are no such terrorist camps there. Whether you call them terrorist or not is a matter of terminology but according to our information and the information of several Indian people the Tamil-speaking people of



Sri Lanka are being trained in India, in the state of Tamilnadu.

Q. Trained by whom?

A. They are trained by the retired Indian Army officers and they are trained by their own people. The avowed purpose of these people is to launch an attack on the people of Sri Lanka. So we are at variance on facts on this matter and the Government of India should make more inquiries. They would know the truth.

Q. As you know, Mr. Lalith, the Government of India itself is facing a worse kind of terrorism and it is almost unthinkable that it would encourage terrorism anywhere, especially a terrorism which is based on our territory. I think, it is a firm policy of the Government of India in words as well as in deed. And as you know we have a rule of law in our country. Unless we have an Extradition Treaty, how can a person supposed to be a terrorist or a criminal be repatriated to Sri Lanka? Is there anything the Government of India can do legally?

A. It can do many things. First of all it should investigate and find out the facts. If they have any doubts, they are removed by the recent Allen affair. The Tamilnadu police arrested the committee of the EPRLF and told the committee to release the Allens. The committee had to do their bidding. It proved that the criminal acts are planned and controlled from the territory of Tamilnadu. In such a situation the Government of India can make use of two things to tackle the situation. One is the Passport Act and the other is the Deportation Law.

Q. But do we have an Extradition Treaty?

A. That is true but I am not talking of extradition. I am talking of deportation. They have this power and they have used it in 1973 and 1974 to deal with two terrorist groups to deport them to Sri Lanka. Even according to the common practice of international law there is an obligation not to allow one's territory to be used against a friendly

nation and the Non-Aligned Conference has also passed a resolution to this effect. Please look at the Indo-Bangladesh Joint Communique in this regard. Deportation is an executive process and extradition is a judicial process. Extradition required several legal processes.

Q. Would you like to sign an Extradition Treaty?

A. Why not? Tomorrow!

Q. Would you like to propose it to the Government of India in your forthcoming visit to New Delhi?

A. Who am I to do it? It is the President who can do it. He is visiting New Delhi. I am only assisting him.

But legally, I believe, we have a kind of Extradition Treaty. We are both bound by the Law of the Commonwealth. As a lawyer, I think, the extradition process is available to India and Sri Lanka without any further document. Simple thing, deportation is there.

Q. You seem to insist on deportation of the so-called terrorists, presuming that if they are back all the problems in Jaffna will be solved.

A. Yes, they will be solved because the present obstacle to all the political process is the activity of the terrorists. For example, we are talking about the All Party Conference. Suppose it succeeds in arriving at certain decisions, but the terrorists would say we will not let you implement them; we don't accept any compromise.

Q. Do you mean to say the terrorists are more popular and powerful than the TULF leadership in Jaffna?

A. About popularity, I don't know. But the terrorists surely have fire power other than the Army. They can stop the implementation of any plan.

Q. It means, you are admitting that the terrorists are powerful and they are an important factor. Why then don't you talk to them directly?

A. But the TULF are a democratic leadership based on elections. We must give credence to them. It is a different



thing that to-day the terrorists may get more votes but they don't have faith in votes. Anyway, we are ready to grant amnesty to the terrorists.

Q. Your offer for amnesty is all right. But the people concerned ask me if you cannot protect your prisoners in jail, how can you guarantee the safety of life for the so-called terrorists if they come back?

A. There happened two very unfortunate incidents in July 1983, and on that basis it is wrongly propagated by the terrorists and their sympathisers that our jails are terribly unsafe. This is not correct. How does then one explain that Nirmala Nityanandan ran away and Father Singaraya is still there? And at the Welikada jail there are more than 20 Tamil terrorists. We have learnt lessons from the July incidents and have made arrangements so that such incidents do not recur. But the terrorist sympathisers would go on talking about this matter for the next five years so that they are not brought to justice.

Q. Suppose they come back after your amnesty and you put them in jail. Would you like to negotiate with them?

A. Once they lay down their arms and say that they believe in peaceful solution of the problem, there is no difficulty in talking to them. But so long as they are carrying arms, there is no point in talking to them. The Government of India has set up an example for us in this regard while dealing with the Sikhs.

Q. You are right. But there are innumerable examples available to prove that governments had been talking to the guerilla forces and the terrorists before they laid down their arms. The Americans were talking to the Vietnamese and there is always the possibility of a dialogue between the Kampuchean factions. The Shah of Iran talked to the Kurds. The government and the rebel leaders sat together in Zimbabwe and solved their problems. Even the Government of India has been talking, off and on, to the Naga and Mizo rebels. Why should you close your doors on a negotiated settlement, I don't understand?

A. Vietnam and Kampuchea are no examples. Two governments were fighting in Vietnam and in Kampuchea. There is a civil war situation in Kampuchea. We don't have such a situation here.

Q. This makes my point stronger. It means you are not facing a very grave danger. Your enemy, whom you call terrorists, is not invincible. They are not equal to you in fire power. So it gives an added reason for you to talk to them.

A. It will not serve any purpose to say that we are ready to talk to them. We have said so earlier but got no response from them. They believe in arms. They think they can win. They believe India will help them. They think they can defeat us, though this is absurd. They consider themselves stronger than us. If they really lay down their arms or if there is a clear cut message to them from India, a message not that I understand but to them which they should understand clearly that there would be no help from you in whatever situation. Only then talking to them might be useful. Only then your formulation on negotiated settlement can be tried. Otherwise, an offer at this juncture would be self-defeating.

Q. It is your job to handle the terrorists, but I am afraid, Mr. Lalith, you are just exaggerating their strength. They are not winning.

A. I don't say that they are winning but they think they are winning and India would come to help them. Mr. Thondaman told them very clearly that the Indian armies are not going to invade Sri Lanka for them. They have the best opportunity to settle their dispute so long Mr. Jayewardene is there. But I would like you to probe, Doctor, whether or not the average man in Jaffna believes that the terrorists will win and win with Indian assistance.

Q. May I tell you that many Jaffna Tamils told me that the terrorists cannot really settle the issue finally but at the same time the TULF leadership, in their view, has lost its moorings and now the people in the North have an



ambivalent mood. They think there is total breakdown of the political processes. I tend to agree with these observations and I believe some bold and new initiative should come up from your side. The role of India, I believe, in this matter would be minimal because even though India forces the terrorists to go back to Sri Lanka, it would hardly solve your problem. The root of your problem lies with the people of Jaffna. Unless the Tamil people in the North and the East are persuaded to reach some agreement no problem can be solved.

- A. You have used the correct word. The word is ambivalence. I agree that in July the Jaffna people were greatly hurt in soul and body, they were badly humiliated. They have a deep seated grievance about it. I understand that. They think that these 'boys' are the only people who stood against that humiliation. They saved their honour. I understand this natural human feeling but what is perturbing is their faith that these boys will win. When I ask them how shall they win? They say the Indian Army will come to their help. This is the general belief in Jaffna. That is why the role of India is important. You are correct that the Indian role in the actual political settlement might be minimal. Its role may be minimal also in determining the attitude of the Sri Lankan government towards the Jaffna Tamils and vice-versa but India's role is not minimal in curbing the violence, which is the first requirement for any political dialogue. India can encourage the forces of moderation by curbing the violence.

Q. Tell me, if you took some initiatives to ease the situation recently.

- A. Some new ideas have been brought in. Regulation 15A has been done away with. That is judicial enquiry for inquest. Now I have worked out a formula according to which the parents of the arrested persons would be informed within 48 hours of their arrest. I am talking to the Jaffna Citizens Committee in this regard. We are also removing the restrictions on the fishermen because they were complaining

of difficulties owing to the surveillance patrolling. The surveillance will continue but I want India to conduct strict surveillance on its side. The Indian newspapers should stop writing that there are no maritime boundaries between India and Sri Lanka. India can really help us in curbing the terrorism by surveillance on its side.

Q. Suppose I agree with you that the Government of India give a red signal to the terrorists and they return to Sri Lanka, what concrete proposals do you have to solve the Tamil problem?

A. You mean political?

Q. Yes.

- A. In the APC (All Party Conference) there are two kinds of things. One is the devolution of power and the other is equalisation of opportunities in education, in jobs and in language. The TULF is not participating in these committees. So Jaffna is represented only by the Hindus. The SLFP is also not taking part in APC and the CP (Communist Party) also is away from it. This is unfortunate.

The main dispute is about the level at which devolution is to be done. Whether it should be at the district level or at the level of provinces or regions? My own view is that we should take into account the reality. The TULF demand for regional council is unrealistic for the simple reason that the East is not like the North. You are a scholar, why don't you investigate the truth yourself?

So far as the provincial councils are concerned, take the case of the North and you will find vast differences in the districts there. Jaffna is a heavily populated district with highly educated people. There are 97 per cent Tamils, 84 per cent Hindus in Jaffna. Is it the same as Mannar, which has 45 per cent Catholics and 28 per cent Muslims, is sparsely populated, poorly educated, agriculturally oriented? Is Jaffna like Vavuniya which has 50 per cent Tamil, 20 per cent Sinhala and 20 per cent Indian Tamils, agriculturists, and is sparsely populated? Does it represent the balance? No. It is an incongruous province.



If you apply the provincial formula to these districts, as the Jaffna Tamils want us to do, the other districts and even the Indian Tamils will suffer greater disadvantages. The Indian Tamils are dominant in the Nurelia district and they will continue to dominate in the present district system but if you have a province, they will be relegated to a secondary place in Kandy Province. It does not represent the reality. If you go by impartial academic analysis you will go in for the district system. There may be some provincial connections in certain matters but it has to be a district system basically.

Q. I have gone through all your earlier agreements like Bandaranaike-Chelvanayakam and Senanayake-Chelvanayakam agreements and my view is that the district plan does not devolve the power in reality. It does not have any substantial inner content.

A. Well, that is a different issue. Once you accept the district as a reality then things can be discussed further. (A) what are the powers that you want to give to the districts and (B) how would you grant those powers to the districts-- what changes are necessary in the present structure. One problem is that of maintaining law and order. There are some other questions too.

I ask my TULF friends, why is it that you want one Canton, when you have five Cantons? In fact the Jaffna Tamils want to dominate the people of other districts.

Q. That was the feeling of Mr. Thondaman too.

A. That is the crux. The Indian Tamils are far apart from the Jaffna Tamils but this very word 'Tamil' creates confusion. We are working hard to see that the Indian Tamils evolve their separate identity.

Q. Tell me, if you really believe that there is a serious danger of separatism to Sri Lanka?

A. That's what your guests in Tamilnadu, Prabhakaran and Uma Maheshwaran say. All the Eelam operators active abroad say they are going to get it soon by expelling the Sri Lanka Army.

Q. But the Jaffna Tamils don't believe it seriously. They don't want to divide Sri Lanka.

A. I hope so.

Q. They only want full recognition of their legitimate rights and nothing more. But when I talked to many of your venerable Bhikkhus, I found that for them any demand is separatism if it has a word like federalism, autonomy, devolution of power to the districts. Why don't you educate them on these points?

A. To be fair to the Bhikkhus, I must say that they do not consider devolution as separatism especially when it is done within the present structure of the districts. The Bhikkhus in the APC have been supporting the districts councils.

Q. But it is the Bhikkhus who have attacked Annexure C in the APC.

A. But Annexure C is about the provincial and the regional council.

Q. If Annexure C is so useless, why did you, your government agree with it?

A. I never agreed with it.

Q. But your government agreed with it?

A. No, no. It was only the tentative arrangement between G. P. (G. Parthasarathi), the President and Amirthalingam. The original idea was to introduce it quietly in the APC. But the TULF insisted that Annexure C should be made a part of the Conference Documents. Without this they were not ready to participate in the Conference. The President said all right, make it so. This came to light before the conference started. Immediately the SLFP of Mrs. Bandaranaike attacked it, every body else attacked it. They called it an Indian solution, an India-based solution. They rejected it and now they ask why the President did not own it. But the President would have gone down with Annexure C had he pleaded for it.

Q. This proves that words like federalism, autonomy and de-



centralisation have acquired a dirty meaning and even a person like you who is a scholar and jurist can not disabuse the minds of the Sinhala people.

A. This is a difficulty, but we can use better words like "pluralism."

Q. I am aware of this formulation of Harold Laski, but how does it help in decentralisation of powers? The Sinhala are dead against any devolution.

A. No, no. Once the Tamils, TULF and the terrorists openly give up the demand of separatism, there would be a sea-change in the situation here. The Sinhala would be far more agreeable to give concessions to the Tamils. The Sinhala are ready to give citizenship to 93,000 Tamils of Mr. Thondaman. Why? Because he does not talk of separatism.

Q. Thank you for this interview and I hope to see you in New Delhi. Do you want to say anything else on Indo-Sri Lanka relations?

A. Yes, there is enormous goodwill for India in this country.

Q. I am sorry, I don't see that. Especially when we read the provocative statements of your Prime Minister. He attacks India and our Prime Minister without any rhyme or reason. This earns you a lot of bitterness in India.

A. But I tell you a different thing. The Sinhala are of Indian origin. If the Tamils have come from the South, the Sinhala have come from the Hindi heartland. You know the story of King Vijaya. I don't want India to throw away that advantage by cornering the Sinhala.

Q. We always consider the people of Sri Lanka as our own. The Lord Buddha is our lord too. I don't see any difference.

A. But the Sinhala in Sri Lanka have a minority complex. I believe there are two minorities in Sri Lanka. The Sinhala and the Tamils. The Sinhala say we have no other place to go to while the Tamils have some place to go. The Tamils say we are Sri Lankans, where can we go? This deep-seated psychology must be understood.

Q. The Government of India seems to appreciate these undercurrents of the Sri Lankan society. That is why its reaction despite grave provocations from here has been mild, restrained and balanced. But I was just unable to understand, why your government asked many extra-regional powers for help in July rather than India? This created misunderstanding in India right in the beginning.

A. There was no other way out. With the terrorists sitting in India, asking for Indian help would have brought down the government here. People here are quite annoyed with the fact that the terrorists are being permitted to operate from India. In 1971, when there were no Sri Lankan terrorists in India, India was the first country to be asked for help.

Q. Or is it because of the so-called personal misunderstanding between your President and our Prime Minister?

A. No, no. Not at all. It is much better now. Jayewardene belongs to the Gandhi-Nehru generation and she is younger. So the generation gap is there.

Q. But even now you are seeking the help of outsiders like Israelis and the Britishers?

A. Yes, we have asked a British private company SAS to train our operational forces. We have such training facility from other countries too. And the Israelis are here only to help us on intelligence. They are not in operation.

Q. How many Israelis are here with your intelligence set up?

A. One or two.

Q. Just one or two? I was told they are around 50 in number.

A. But you can record and write 50. That will scare the terrorists (Laughs).

Q. These Israelis and the British, along with your Trincomalee Tank Farm Deal, betrays the bias of your foreign policy. The Tank Farm Deal is not strictly commercial. Had you signed it with India, it would have been more beneficial commercially to Sri Lanka?



A. May be, but it could not be signed with India because the terrorists are there. If there was no Sri Lankan terrorist in Madras you had a good chance of pulling off that deal.

My only plea is that please curb these terrorists. If you do that the normal friendly relations with India will be restored.



#### APPENDIX-3

#### NON-VIOLENT MOVEMENT IS THE ANSWER

*[An Interview with A. Amirthalingam, the Secretary-General of the TULF]*

Q. What is the difference between the demand of 'Eelam' and 'Tamil Eelam'?

A. The literal meaning of the word 'Eelam' is Sri Lanka. It is a Tamil word for Sri Lanka. This was also used in the Tamil classics.

But our party (The TULF and formerly the Federal Party) does not support Eelam. Only 'Eelam' means you are asking for converting the entire Sri Lanka into a Tamil state. Total Tamil dominance on Sri Lanka is the hallmark of this concept. The Marxists support it. They want to establish a Tamil state in Sri Lanka through a bloody revolution. We talk of 'Tamil Eelam' and not 'Eelam'.

Q. What does it mean?

A. We only want to carve out a Tamil State in those regions of Sri Lanka where the Tamils are in majority. We are not concerned with the Sinhala areas of Sri Lanka.

Q. What are the areas that you want to include in the proposed 'Tamilistan' that is your Tamil Eelam?

A. There are two provinces, the North and the East. Two million Tamils are living there and they are in a majority. This, in fact, is a Tamil Homeland.



Q. How did the demand for a separate Tamilistan arise? What were the actual reasons behind it?

A. If you trace the demand historically, it goes back to 1956 when the veteran Tamil leader N.C. Suntheralingam raised it. He asked for a separate Tamil State when the 'Sinhala Only' policy was introduced by S.W.R.D. Bandaranaike. Nobody paid much attention to Suntherlingam's view at that time and his own party also was not powerful enough to carry forward his slogan.

Q. When did this demand assume formidable shape?

A. The formal resolution for the Tamil Eelam was adopted in 1976 but the demand acquired momentum since 1971.

Q. How?

A. Mrs. Bandaranaike proposed to replace the Soulbury Constitution in 1971. A Constituent Assembly was convened to which we proposed a nine-point plan of amendments. The amendments were proposed by all the Tamil parties of Sri Lanka.

Q. What were the amendments broadly?

A. We asked for official status for Tamil language along with Sinhala. We opposed the move to make Buddhism a state religion. We asked for a secular and anti-caste constitution but all our amendments were thrown in the dust-bin by Mrs. Bandaranaike. We had no option except to boycott the Constitution. We declared 22 May 1972 as a 'Black Day'. This was the day when the Constitution was adopted.

Q. By that time the question of Eelam had not come up?

A. Yes, it was not raised by that time. We used to think that we could seek justice for the Tamils in the contemporary Sri Lankan structure itself. That was why we again came up with a six-point demand. It was the joint front of the Federal Party, Ceylon Workers Congress and Tamil Congress. Our demands were backed by all the Tamil peoples of Sri Lanka.

Q. What were those six points?

A. Broadly speaking we demanded the official status for Tamil, a secular Sri Lanka, citizenship for the Indian Tamils, guarantee to fundamental rights, banning of the caste system and decentralisation of power.

Q. These demands appear to be quite reasonable. These too were rejected by the Bandaranaike government?

A. Definitely. Not only she rejected them, she even did not acknowledge our letter. We gave her three months time to respond to our demands but she just didn't bother. So our leader, Chelvanayakam, resigned his seat in Parliament on 2 October 1972. It was the birthday of Gandhiji. He challenged the government to hold a by-election in his constituency and find out whether her constitution enjoyed any support of the people. The government played cool for almost two years and when the election was held in 1975, the ruling party candidate was defeated by a huge margin. The Tamil people sent their leader, Chelvanayakam, back to Parliament with greater enthusiasm.

It was this election campaign which threw up the idea of Tamil Eelam. While electioneering in the constituency of Kankasanturai, we found our audience demanding a separate state for the Tamils. Our audiences used to ask us amidst our speeches why we were begging for our legitimate rights, why we did not establish our own state for the Tamil people.

After getting elected to Parliament, Chelvanayakam raised the question of self-determination for the Tamils of Sri Lanka. His hands were strengthened by the electorate and the government had lost its face in Kankasanturai. But Chelvanayakam's resolution for self-determination was not even permitted to be discussed in Parliament.

Q. Then, how did the demand for Eelam come up?

A. It came up in 1976 when the Tamil United Liberation Front held its conference in Voddukodai, which is my village. A new word, 'liberation', was added to the name of our organisation. The Voddukodai Conference asked specifically and formally for a 'Tamil Eelam'.



Q. Did this resolution enjoy the backing of the Tamil people? On what basis do you say that the Tamil people support it fully?

A. They supported the resolution of Tamil Eelam whole-heartedly. There are several indicators. We fought the 1977 election only on the basis of 'Tamil Eelam'. The people gave us a thumping majority. It was, in fact the people's mandate for the 'Tamil Eelam'. We wrested all the 14 seats in the North. Every candidate put by the UNP was trounced. In the East, we won four seats out of five Tamil-majority seats. Only one seat went to the UNP candidate. That too with a margin of only 500 votes. This candidate was a Tamil and not a Sinhala. Two of our candidates later on defected to the UNP.

Q. Did your voters pressurise you to work for the 'Tamil Eelam' after you won the elections?

A. Certainly. By now their aspirations were aroused and we started working in the direction of 'Tamil Eelam'. That was why we fought the 1981 elections, which brought the District Development Councils. We swept the polls again.

Q. How does the DDC fulfil the objective of Tamil Eelam? Do you think they are better than the provincial and regional councils once promised by Bandaranaike and Senanayake to Chelvanayakam and rescinded later on?

A. No. They are not. They have got no legislative or real executive powers. They were supposed to implement some developmental plans handed over by the Central Government.

Q. Then why did you accept the plan of DDC?

A. We thought it to be a step, however small, in the direction of autonomy.

Q. What was your actual experience regarding the DDCs? Did you really find any element of autonomy in the functioning of the DDCs?

A. No. Not at all. The DDCs were just hollow. They proved to be a bad joke on us. They did not work. There was no free flow of money for the developmental work. Their

elected chairman of DDC had no real powers. The District Minister nominated by the President had the most powers but he is an outsider and not responsible to the Council. The experiment is a total failure. The government has recently dispersed the DDCs by issuing an ordinance.

Q. I think these are the reasons behind the erosion of your party's popularity in the Tamil areas. Many people in Jaffna told me that your leadership has been soft on the issue of Tamil Eelam. You have been collaborating with the Jayewardene government and have been enjoying the perks of being in Parliament as the leader of the opposition party rather than fighting for the Tamil cause. The government, on the other hand, found you to be very suitable opposition, a convenient leadership. They gave you a lot of importance but it brought down your credibility with the Tamils of Jaffna. It was because of this political vacuum that the desperate Tamil youth lost faith in the TULF and joined the ranks of the terrorists.

A. You have been misinformed by some interested people in Jaffna. I don't know whom you met in Jaffna.

Q. Well, I met politicians, administrators, educationists, journalists, the religious leaders and ordinary shopkeepers and pedestrians. I had my Tamil and Sinhala interpreters with me.

A. Anyway, it is true that 'boys' have, of late, gained enormous sympathy from the people. They have become the heroes in Jaffna. We also respect them but it is wrong to say that we have lost appeal with the masses. The TULF today is as popular as it was in 1977. I was in Jaffna on 7 June. There was not a single vacant seat in the hall, where we held our meeting. I went to some interior villages too. We held dialogue with the people. They were quite enthusiastic.

Q. But my impression of what I saw in Jaffna is just the contrary. The feeling among the Tamils of Sri Lanka is that you are living a comfortable and soft life as a guest of the Tamilnadu government in Madras.



- A. This is a baseless assertion. How could we abandon the talks going on between the Government of India and Mr. Jayewardene? It was necessary for us to participate in it. How could we really start a mass movement in Jaffna along with these talks? How could then two things go together?
- Q. Well, Mr. Amrithalingam, I can cite several instances where negotiations and fighting have been going hand in hand since the time of *Mahabharata*, but it is beside the point here. What is more important is that your image is being sullied day by day among your own people. Your people tell me in Jaffna that a Party which promised us a separate nation is now hobnobbing with the racist government of Jayewardene and haggling for old hat like provincial and regional councils. What is your reaction?
- A. This is not true at all. We have not abandoned our demand for the 'Tamil Eelam'. It is very much there. But if any arrangement short of it is arrived at between us and the Jayewardene government, we would like to present it to the Tamil people and if they approve it, only then we will accept it. We are very optimistic about this kind of solution. It is for the first time a third party is involved in the dispute of the Tamils with the Government of Sri Lanka. This third party is the Government of India. Colombo has accepted the good offices of the Government of India. It is because of this factor we have been attending the APC. We, in fact, wanted to boycott it.
- Q. But the APC has proved barren so far. It goes on talking without producing any concrete results. The APC has rejected your Annexure C. Now APC itself has become redundant. It has no frame of reference. Annexure C was disowned even by the Government of Sri Lanka, which was a party to formulate it.
- A. No, no. How can they disown it? They were a party to it. They played the key role in preparing all the three documents, the last being Annexure C (Mrs. Amrithalingam showed me the file containing all the documents received by him having consent of the government.)

- Q. Tell me, what was so objectionable in this Annexure C or the Third Document that the Bhikkhus took a hostile stand on it? Why did they threaten that rivers of blood would flow in Sri Lanka?
- A. In my view, Annexure C is quite harmless. It retains the present framework of Sri Lanka broadly except that it grants us the provincial and regional councils, which does not, in any way mean a partition of Sri Lanka or creation of a separate state. But the Bhikkhus are brainwashed. They consider regional council as the sure mark of separatism. It is well-nigh impossible to convince them.
- Q. In other words, you are on the horns of a dilemma. The Tamils are against you because you are not fighting for 'Tamil Eelam' and the Sinhalese are against you because you are asking for decentralisation which amounts to separatism in their eyes. In such a situation, why should the government in Colombo not talk to the terrorists directly? At least, the Tamil people are with them?
- A. We have no objection, but the 'boys' cannot go to Colombo for talks.
- Q. So what? They can go to New Delhi or Male, if Colombo is agreeable. Even Mrs. Bandaranaike has said there is no harm in talking to the terrorists.
- A. I am surprised that Mrs. Bandaranaike has said so. This augurs well if this is so.
- Q. How are your relations with the terrorist organisations here?
- A. From our side they are good. We admire them. They may say anything about us.
- Q. Do they meet you? Are you in touch with them?
- A. Why should I refuse? Yes, they do meet me, consult me, whenever it is necessary. Prabhakaran and Uma Maheswaran are in touch with me.
- Q. Are you trying to unite these half a dozen terrorist organisations?



- A. We are trying, but some of them have very basic differences.
- Q. Why don't you go to Jaffna and start a peaceful and non-violent movement? How is it that the terrorists are active and the TULF is quiet?
- A. We are active in our own way. We, in fact, want to mobilise the people in Jaffna. We really want to start a non-cooperation movement.
- Q. Why have you not started it as yet? Haven't you already lost much time?
- A. No. The time is not ripe as yet. The Tamil people were so deeply shocked of the July 1983 riots that they were not in a position to challenge the government on a mass scale. Most people are bothered of their own personal well-being. Even our elected members of Parliament are not risking to stay in Jaffna. They are trying to come to Madras clandestinely. If the leaders are afraid of staying among the people, how can they lead them? Moreover, the government is determined to crush anything that is opposed to it. Had we started the mass movement, they would have butchered the people. I did not want my people to receive another shock without adequate preparation.
- Q. I am sorry. Mr. Amirthalingam permit me to say that all these reasons advanced by you are simple and weak pretexts. You call yourself a follower of Gandhi but Gandhi never had such pretexts. He awakened the people and taught them to fight injustice. Does a true leader wait indefinitely? He has to act and I am sure if you start a mass movement, even Mr. Jayewardene will have to listen to the voice of the Tamils more carefully, because he claims to be a Gandhian himself and even the international community will take more charitable view of the Tamil demands, if they are realised through a non-violent movement. Don't you think that even the so-called terrorists would be compelled to join you if you lead a popular mass movement?
- A. You are right. I feel inspired. I am sure that the 'boys' will also join us if we start a movement.

- Q. If you do that, some Sinhala organisations may also take a liberal view of your demands. You can also inspire the Indian Tamils to make common cause with you. Even a man like Thondaman will be forced to support you and then you will hardly require any Indian mediation or support. You will be politically self-dependent. Your dependence on India, I believe, is your greatest weakness.
- A. But that is a reality.
- Q. It is a sad reality. It is because of this fact that the Sinhalese have turned against you completely. The dependence of Tamils on India lends credibility to the fears of separatism so far as the Sinhalese are concerned. And may I tell you, frankly, that no country fights a war for others. You may be ultimately disillusioned of India. The Palestinians, the Kurds, the Afghans know from experience that they have to fight their own war. If the real aggrieved party is not ready to pick up the cudgels, how can an outsider risk a war for them?
- A. Yes, I do see the truth of this point. There is no other way except launching a non-violent mass movement. Soon after the Indira - J. R. talks in New Delhi, I will go to Jaffna and do something about it.



#### APPENDIX-4

### NO HARM IN TALKING TO THE 'BOYS'

[An Interview with Mrs. Sirimavo Bandaranaike]

- Q. Madame, you asked Mrs. Indira Gandhi for help in 1971 and she responded immediately but I was wondering why Mr. Jayewardene asked countries like USA, UK, Pakistan and Bangladesh for help and not India? Is your Army so weak that it was unable to handle the racial riots in July 1983?
- A. You are right. He (Jayewardene) is not sure of his army. In fact, we were also short of army but we increased its strength.
- Q. He too has increased the strength of the army. The defence budget is going up very fast in Sri Lanka.
- A. They are increasing both army and police. But that does not solve any problem.
- Q. Can the army really solve the Sinhala-Tamil problem?
- A. By putting down terrorists you can't solve a political problem. If you kill a hundred, another hundred will replace them. They are frustrated young people. It is because of frustration that they have chosen the path of terrorism.
- Q. If this view is correct then I must presume that the role of APC (All Party Conference) was useful. Madame, why did your Party boycott the APC?
- A. We knew that the APC would not bear any fruits.
- Q. Was it due to Annexure C that you withdrew?
- A. No, no. We withdrew much earlier.

#### Appendix-4

147

- Q. But you opposed Annexure C openly while we expected that since that document was prepared with the help of the Government of India, you would support it. What were the exact reasons for opposing Annexure C?
- A. Right from the beginning we were asking them, please tell us what are your proposals or plans to solve the problem? They would never tell us of what they were discussing among themselves. Suddenly they came up with Annexure C and wanted us to support it. They asked us to give them the proposals, the reaction to their proposal. They wanted to paste their proposal on our forehead. They wanted to malign us among the Sinhala voters. Do you think, I am going to stake my political future by getting into the trap of J. R.?
- Q. This is the curse of your country. People here play factional politics much more than national politics. No leader in Sri Lanka is ready to speak as a national leader irrespective of the Sinhala-Tamil consideration. From a high person like yourself, who has been a Prime Minister of this nation for many years and who is well known even to the outside world, we expect an appeal for national reconciliation, which can really heal the wounds here!
- A. It can be done if somebody is in power. We don't have media, we don't have television, we don't have radio, we don't have newspapers. It is one-sided media. Even if somebody expressed his opinion, how will it reach the people?
- Q. That may be a genuine difficulty but does it mean that you don't have any views at all on the major national problems? Would you please tell me what do you after all think of the District Development Councils? Are you against the devolution of power? Do you also think that federalism and decentralisation is a danger to the integrity of Sri Lanka? I would like to know your views on these problems.
- A. Right from the beginning we opposed the plan of DDC. The people realise the truth now. We knew it was going to be useless.
- Q. What made you think so?



Q. Did you meet Premadasa ? Where ?

A. I met him at Anuradhapura. He tried his best to avoid me. I followed him for three days in Anuradhapura. Ultimately he gave in. He was extremely polite to me on a personal level. I was impressed by his warmth. I presumed that, perhaps, he is changing his views about India but while answering my questions during the interview he simply blasted me. Your Prime Minister was almost vituperative of India and Mrs. Gandhi.

'Your Prime Minister' ! What Prime Minister ? He is not an elected Prime Minister as I was. He is just a nominated one. He knows that Mrs. Gandhi is my friend. Both of them, Premadasa and J. R. are against her because she is my friend. And this friendship is not new. It goes back to the days of Pandit Nehru and my husband. They can't stand it. They abused her during the 1977 elections too. They try to provoke her even now. And suppose she is really provoked? What will happen to these fellows ? Where shall they find a place to run away ?

#### APPENDIX-5

#### WE DON'T SUPPORT THE EELAM

[An Interview with S. Thondaman, the Leader of the CWC]

- Q. What is the membership of your Party, Mr Thondaman, and do you claim to represent all the Tamils of Sri Lanka?
- A. We have 300,000 members in our Party, CWC (Ceylon Workers Congress). It is both a trade union and a political party. We represent all the Indian Tamils, though our membership is just 300,000. I am the Chairman of CWC and we decide every thing about the Indian people in the plantations. We take care of their political interests, elections and so on. We are the real spokesmen of the Indian Tamils.
- Q. Do you think that you also represent the Jaffna Tamils and the Tamils in the East?
- A. No. They are represented by the TULF (Tamil United Liberation Front). You see, when the three Tamil parties came together, we had a six-point programme. It did not ask for any separate state. But Mrs. Bandaranaike even refused to meet us. Then came 1976. A resolution for separate 'Eelam' was passed. We dissociated ourselves from that. We told them that the separation demand relates only to those who live in the Tamil area but most of the Tamils live out of it, so-called Eelam area. We can only agree to the six-point programme which was good for all the Tamils but you, now, want to solve only our problem. The demand for the



'Tamil Eelam' does not solve the problem of those who live outside it. It does not solve our problem.

Q. Would you please elaborate upon the role of the Jaffna Tamils in 1948 when the Indian Tamils were disfranchised? Why did G. G. Poonambalam not support the cause of Indian Tamils in the Cabinet?

A. No, he did not support us. The Northern Tamils did not think us as a part of their community. They thought that we are tea plantation workers and we are different from them. But now the TULF is cooperative. Now, they recognise us. Now they feel it was not wise on their part to ignore us.

Q. Is it correct that the Sinhalese have different opinions about the Jaffna Tamils and the Indian Tamils?

A. Of late, yes. They know that despite all disadvantages we are cooperating with them, we are in the Government. Our position is intermediate between the Jaffna Tamils and the Sinhalese.

Q. Is it correct that during the July riots, the Indian Tamils were not harmed?

A. No, no. They were harmed more. The estate workers were not harmed. But the children of these wretched workers, who have come up in life through hard work and who have opened shops and offices here and there were looted and killed in the riots.

Q. In other words, the July riots were not only racial in character, they had an economic factor too, behind them. Was it not owing to jealousy that the Tamil shops were burnt?

A. You are right! Jealousy played an important part in the July riots. The organised gangs of the Sinhala shopkeepers attacked the Tamil shops selectively. They tried to destroy their rivals in business.

Q. Don't you see any solution to this Sinhala-Tamil problem?

A. It is not so simple. It is a very difficult problem. Now the Government of India has offered its good offices to solve this problem but unfortunately it is not appreciated by many

people here. It is due to India's good offices for the first time, that TULF has stopped insisting on a Tamil Eelam and has started talking of some viable alternative.

Q. That is why, it is all the more surprising that the Indian mediation is being opposed here. What is the real reason behind it?

A. They (Sinhalese) think we can solve our own problem. But India is taking the side of the TULF. That is why the Sinhalese are not amenable to any settlement.

Q. But, as you know, the Government of India, Mrs. Gandhi and Mr. Narasimha Rao have made it amply clear that they do not support any Eelam. They always called it your internal problem and they have also made it clear that you have to solve it yourself.

A. Yes, they say it, but they go on supporting the Tamils, that is the complaint of the Sinhalese. That will not solve any problem.

Q. Why can the Jayewardene Government not decentralise powers a little more?

A. That is all agreed. Mr. Parthasarathi has been working for that. Some solutions were evolved but even those are not acceptable to the political parties here. The minority problem is not peculiar to Sri Lanka. Countries like India and Canada also have them. They have solved them in their own way. The USSR has also solved it. But here the Sinhalese feel that Sri Lanka is a small country. If a portion of this country is given to the Tamils, they will go with India.

Q. This is simply a flight of imagination. It is baseless. India is not interested in expansion. It has enough land. It only wanted peace with Sri Lanka.

A. I agree, but that is how the Sinhalese feel.

Q. I was wondering why your government did not ask New Delhi for support or assistance when riots broke out in July?

A. Because now the government is Sinhala majority-based. It



was not a riot but an organised attack on Tamils. The Tamils were attacked selectively. Had we asked the Government of India for help, the Sinhalas would have opposed us.

Q. How was it that in 1971 Mrs. Bandaranaike sought India's support against the JVP uprising?

A. The help in 1971 was sought to protect the Sinhala people while in 1983 the Army was against the Tamil people. It was not acting (to save them). Had we called India for support, the Army would have revolted.

Q. Do you see any possibility of the Sri Lankan Army playing a political role? Can it evolve itself into a political force?

A. No, no. I don't think so. There was an attempt in 1962 but at present there is no likelihood of that. But then, anything is possible in this world.

Q. What is the progress in the All Party Conference?

A. We are not able to implement what we have already agreed to in the APC. Now, what is the point of discussing things in the APC and taking decisions there?

Q. Mr. Thondaman, you are the leader of Indian Tamils and a member of this government. Why don't you, in this capacity, go to Jaffna and persuade the 'boys' (the young Tamil terrorists) to come to the negotiating table and renounce terrorism?

A. The terrorism is only made use of. The TULF and the other parties have got nothing to do with terrorism. Only the youth are terrorists.

Q. But these youth are extremely popular in the North. Are they not powerful there?

A. It is through fear only. If an overall solution comes about and the things are peaceful they will disappear. Terrorism will disappear. But unfortunately the Sinhala people don't listen, they are not prepared to do anything. In March I had gone to India, talked to Indira Gandhi but the Sinhalas don't want to implement what was decided.

Q. What should India do or undo which will please the Sinhalas?

A. It is very difficult to say. Our President is meeting Mrs. Gandhi on 30 June. I hope they will do something about it. Both are experienced statesmen. They will discuss various possibilities. Our President has been talking to the Western leaders about controlling international terrorism.

Q. What do you think of the Mossad connection? Will it not hurt your Muslim population?

A. No, no. Now they are understanding it.

Q. But it may hurt you in terms of trade and also political relations with the Arab countries?

A. No. Even Morocco and Egypt have relations with Israel. And this government does what is good for this country. As far as political relations are concerned our stand on the Arab issues has always been clear.

Q. How are your people in the tea estates doing now? What facilities are you, your government providing them?

A. Their salary has been increased recently. Now they are getting Rs. 23 a day. They are being provided better accommodation, educational and health facilities. A lot more still has to be done. You cannot implement the example of any other country overnight.

You see, my enthusiasm for the workers is great and in this matter our President has been very liberal with me. When I did not agree with him on the labour question I went on strike in April.

Q. Mr. Thondaman, I appreciate the strike, your role in it and Mr. Jayewardene's government in conceding certain facilities to the workers. I have been to some tea estates myself and have talked to the workers. I would like to know if your government spends enough for these poor people who have earned Rs. 20 billion this year in tea for Sri Lanka?

A. This year was really good for tea trade. But while allocating money to various areas the government takes into account



the needs of the entire country. There are developed areas from where you get revenues . . .

- Q. The Indian Tamils don't have jobs in the administration or the universities or big private firms. They are no match to the educated Tamils from the North. Unless you make special allocations for them, how will you do justice to them?
- A. I raised this matter in the Cabinet only two weeks ago. From 1985, a few more projects will start for them. Previously they were not treated as a part of the national labour force. They were treated like private workers. They were not even citizens of Sri Lanka.
- Q. What is the progress in granting citizenship to these Indian Tamils?
- A. Yes, yes. There is a lot of progress. You see, Nehruji used to tell us that even if all the workers wanted to come back, he would take them but Prime Minister Shastri thought he was dealing with some commodity and not human beings. He said he would accept six lakh people even without consulting people like me. I was a member of Parliament but I was not allowed to meet him. He decided to take six lakh people without our consent. They said it would be done in 15 years. Fifteen years have passed but half the problem is not solved. The Indian people applied to go back. Five lakhs applied. But they have not been accepted by India while the Government here has recently declared its intention to grant citizenship to, say, 90 thousand people.
- Q. Suppose the tension between the Sinhala and the Tamils continues and the Indian Tamils decide to go back to India *en masse*, what will happen to the Sri Lankan economy? Has your government thought of any alternatives? Will it be possible to induce the Sinhala labour to go to the estates?
- A. One million workers cannot go away in a night. By the time they go away alternative work force can be developed by them. Even those who are going, what are they getting in India? They are like beggars.

- Q. What have you done in your Ministry which is helpful for the rural people and the Indian Tamils particularly?
- A. I am the Minister of Rural Industrial Development. I want to make villages self-sufficient within 10 years. We are seeking cooperation from India in this regard.
- Q. What is the exact character of the relationship between the Jaffna Tamils and your Tamils? Do they inter-marry?
- A. Very exceptionally. It is not common. It is like asking whether Rajasthanis and Gujaratis inter-marry with Tamils of Tamilnadu. We don't have much interaction with the northern Tamils except when some of our people meet them while seeking employment.
- Q. Do Tamils and Sinhala inter-marry?
- A. This is the real mixing of blood and also, perhaps, a guarantee against the shedding of blood in the course of time?
- Q. But during my stay in Sri Lanka, I visited some Buddhist Viharas, which had the idols of Vishnu, Ishwara, Skand and Muruga. These idols were paid obeisance even by the Buddhists while I saw many Hindus kneeling before the statue of Lord Buddha. This shows the essential religious harmony between Sinhala and Tamils. Moreover, some Bhikkhus told that they provided shelter to Tamils during the riots. How is it that despite all this, the distrust between both communities is so deep?
- A. You are right. The people in Sri Lanka generally have respect for each other's religion. During the riots people sheltered each other.
- Q. Bhikkhus also sheltered Tamils?
- A. No, no. They are the worst kind of rascals. They are the people who organised the riots. The ordinary Sinhala and Tamils helped each other. But Bhikkhus did not do anything except inciting the people. I am personally not against Buddhism. For a Hindu like me Lord Buddha is an '*Avatara*'. Both religions are close. There is not much difference.



Q. Is it correct that Indian Tamils are usually voting for the UNP? Are you a firm ally of the UNP?

A. No, no. It is the UNP who disenfranchised our people. We fought against them. But the present leadership of Mr. Jayewardene is liberal. In fact only yesterday I said in a speech that it was only Jayewardene who could really solve the Sinhala-Tamil problem. He is a democrat. Even as his minister, I organised the strike.

Q. I appreciate his kind gesture to you but how do you explain his asking for undated resignation letters from all the ministers and members of his Party who belong to the Parliament?

A. It was because he wanted to put up the right kind of people in the elections and get rid of dead wood, and dishonest people. He didn't ask me to send the resignation letter.

Q. But the Prevention of Terrorism Act practised in the North is extremely rash. Is it not violative of the democratic spirit?

A. If the situation demands harsh action, you have to take it. What happened in Amritsar? The army had to go into the temple. If you convert a temple into a fortress, you will have to face the situation, governing a country is not an easy job.

Q. I often wonder, how a statesman like Mr. Jayewardene, who claims to be a follower of Gandhi, usually takes a partisan position between the Sinhalas and Tamils. He does not appear to speak as the leader of the whole nation, but of Sinhalas only. After all, he is the President of the country.

A. But he is the leader of the Sinhala-based Party.

Q. We have more communal riots in India, than you have here. But our Prime Ministers never speak as leaders of the Hindus. Even the Chief Ministers belonging to various

parties take a very balanced view of things. How is it that your Sinhala leaders lose patience so easily?

A. The situation in India is different. No body thinks that they are a nation. A Gujarati, a Telugu, a Bengali will not claim it. But unfortunately here, the Sinhalas think that they are the nation. They are 74 per cent in the population but they have this feeling. I may not agree with them.



## APPENDIX-5

## ETHNIC DISTRIBUTION IN SRI LANKA

	Sinhala	%	Sri Lanka Tamil	%	Indian Tamil	%	Sri Lanka Moor	%	Burgher	%	Malay	%	Others	%
SRI LANKA	10,985,665	73.98	1,871,535	12.60	825,233	5.50	1,056,972	7.12	38,236	0.26	43,378	0.29	28,981	0.20
Jaffna	4,615	0.56	792,246	95.32	20,001	2.41	13,757	1.66	350	0.04	46	0.01	97	0.01
Mannar	8,710	8.14	54,106	50.59	14,072	13.16	28,464	26.62	41	0.04	23	0.02	1,524	1.43
Vavuniya	15,876	16.55	54,541	56.87	18,592	19.39	6,640	6.92	21	0.02	31	0.03	203	0.31
Batticaloa	10,646	3.22	234,348	70.82	3,868	1.17	79,317	23.97	2,300	0.30	49	0.01	371	0.11
Mullaitivu	3,948	5.09	58,964	75.99	10,766	13.89	3,777	4.87	93	0.12	17	0.02	07	0.01
Trincomalee	86,341	33.62	86,743	33.78	6,767	2.64	74,403	28.97	1,211	0.47	735	0.29	590	0.23
Colombo	1,322,658	77.88	165,952	9.77	21,504	1.26	140,461	8.27	18,997	1.11	20,041	1.18	8,709	0.51

(Contd.)

## Ethnic Crisis in Sri Lanka

## Appendix-5

Palutara	722,075	87.29	8,601	1.03	33,510	4.05	61,706	7.45	330	0.03	712	0.08	255	0.03
Kandy	844,325	74.96	55,675	4.94	104,840	9.90	112,032	9.94	2,402	0.21	2,648	0.23	4,354	0.38
Matale	285,514	79.88	20,936	5.86	24,084	6.74	25,836	7.23	250	0.07	514	0.14	307	0.09
Nuwara Eliya	187,280	35.86	70,471	13.49	247,131	47.32	14,668	2.81	602	0.12	1,113	0.21	954	0.18
Galle	768,928	94.40	6,093	0.75	11,069	1.36	25,896	3.18	216	0.03	158	0.02	2,219	0.27
Matara	609,367	94.59	3,918	0.61	13,931	2.16	16,457	2.55	254	0.04	61	0.01	243	0.04
Hambantota	412,965	97.37	1,533	0.37	308	0.07	4,732	1.12	63	0.01	4,380	1.03	101	0.02
Kurunegala	1,128,548	93.06	13,438	1.11	6,427	0.53	61,342	5.06	605	0.05	1,201	0.10	1,194	0.10
Puttalam	407,453	82.59	33,218	6.73	2,964	0.60	47,959	9.72	444	0.09	882	0.18	424	0.09
Anuradhapura	536,899	91.34	7,113	1.21	785	0.13	41,813	7.12	280	0.05	266	0.05	646	0.11
Polonnaruwa	238,803	90.88	5,875	2.24	205	0.08	17,091	6.50	57	0.02	132	0.05	590	0.22
Badulla	440,243	68.48	36,585	5.69	135,795	21.12	26,808	4.17	641	0.10	1,300	0.20	1,519	0.24
Moneragala	259,825	92.88	5,023	1.80	9,164	3.28	5,322	1.90	80	0.03	152	0.05	177	0.06
Amparai	146,371	37.65	78,315	20.14	1,410	0.36	161,481	41.53	643	0.17	179	0.05	387	0.10
Ratnapura	674,657	84.71	17,979	2.26	88,429	11.10	13,531	1.70	450	0.06	410	0.05	1,012	0.13
Kegalle	588,673	86.26	14,095	2.07	43,879	6.43	34,832	5.10	164	0.02	251	0.04	515	0.08
Gampaha	1,280,942	92.19	45,807	3.30	5,732	0.41	38,607	2.78	7,742	0.56	8,077	0.58	2,583	0.19



APPENDIX-7  
UNIVERSITY ADMISSIONS 1975  
Distribution of Students by their Districts of Origin

Ethnic Crisis in Sri Lanka

Appendix-7

District	Population Percentage	Medicine & Dental Surgery		Engineering and Sciences	
		Actual selection on District basis	Hypothetical selection according to merit	Actual selection on District basis	Hypothetical selection according to order of merit
Colombo	21.03	110	132	70	129
Kalutara	5.76	15	11	20	16
Kandy	9.34	24	17	31	11
Matale	2.49	08	03	08	03
Nuwara Eliya	3.57	02	02	06	=
Galle	5.80	29	18	20	24
Matara	4.63	08	05	15	20
Hambantota	2.68	01	—	08	—
Jaffna	5.54	29	61	20	56
Mannar	0.61	01	01	01	—
(Contd.)					
Vavuniya	0.75	—	—	—	—
Batticaloa	2.03	06	04	07	02
Amparai	2.14	—	—	01	01
Trincomalee	1.51	03	01	05	05
Kuruncgala	8.09	12	03	26	09
Puttalam	2.99	03	02	10	02
Anuradhapura	3.06	02	01	04	01
Polonnaruwa	1.29	01	—	01	—
Badulla	4.84	02	01	07	02
Moneragala	1.51	—	—	02	01
Ratnapura	5.21	11	07	10	05
Kegalle	5.13	08	06	18	03
	100.00	275	275	290	290

Source: Planning & Research Unit, University of Sri Lanka.



## APPENDIX-8

PERCENTAGE DISTRIBUTION OF UNDERGRADUATE ENTRANTS  
BY ACADEMIC STREAMS AND ETHNICITY FOR  
THE ACADEMIC YEARS 1977-78, 1978-79 & 1979/80

Academic Stream : Ethnicity	Arts-oriented Studies 77-78 78-79 79-80	Phy. Sc./Bio. Sc. & Architecture 77-78 78-79 79-80	Medicine & Dentistry 77-78 78-79 79-80	Veterinary Science 77-78 78-79 79-80	Engineering 77-78 78-79 79-80
Sinhala	83.6 NA 81.4	68.4 62.7 65.6	54.7 60.0 55.6	46.7 NA 59.3	60.1 66.1 65.7
Tamil	15.4 NA 13.5	30.1 33.6 30.5	44.9 36.5 42.4	50.0 NA 33.3	37.9 29.6 30.3
Others	4.0 NA 5.1	1.5 3.7 3.9	0.4 3.4 2.0	3.3 NA 7.4	2.0 4.3 4.0

Source : U.G.C. (Research Division)

## APPENDIX-9

PERCENT DISTRIBUTION OF UNDERGRADUATE ENTRANTS BY ACADEMIC STREAM AND  
ETHNICITY FOR THE ACADEMIC YEARS 1980-81, 1981-82 AND 1982-83

Academic Stream : Ethnicity	Arts 80-81 81-82 82-83	Law 80-81 81-82 82-83	Phy. Science 80-81 81-82 82-83	Biological Sc. 80-81 81-82 82-83	Medicine 80-81 81-82 82-83	Engineering 80-81 81-82 82-83
Sinhala	82.8 79.4 77.1	73.0 68.8 78.5	63.5 61.1 73.4	72.5 71.7 70.3	72.7 72.4 73.8	68.2 66.9 66.4
Tamil	13.3 16.3 16.4	16.2 24.0 11.5	31.8 33.5 23.1	24.3 26.1 23.1	23.1 25.3 22.1	28.1 28.5 28.1
Others	3.9 4.3 6.5	10.8 7.2 10.0	4.7 5.4 3.5	3.2 2.2 6.6	4.2 2.3 5.1	4.7 4.6 5.5

Source : U. G. C. (Research Division)



**SUMMARY OF ANALYSIS OF THE ETHNIC DISTRIBUTION OF PROFESSIONALS  
IN THE FERGUSON'S DIRECTORY 1979-1981**

Profession	Sinhala	Sri Lanka Tamil	Moors	Others	Total	Tamil %	Sinhala %	Moors %
1. Attorney-at-Law	1,883	857	238	86	3,064	27.97	61.46	7.76
2. Medical Practitioners	2,734	1,950	149	221	5,054	38.58	46.97	2.93
3. Dentists & Dental Surgeons	320	247	15	26	608	40.63	52.63	2.46
4. Registered Medical Practitioners	414	408	18	23	863	47.28	47.97	2.09
5. Ophthalmic Surgeons	3	12	0	2	17	70.59	17.64	0.00
6. Members of Sri Lanka Institute of Architects	67	21	1	8	97	21.65	69.07	1.03
7. Persons with Annual Licences in Surveying only	47	9	4	5	65	13.84	72.30	6.15
8. Persons with Annual Licences in Surveying and Levelling	219	80	5	9	313	25.56	69.97	1.59
9. Total of (7) and (8)	265	89	9	14	377	23.61	70.29	2.36
10. Veterinary Surgeons & Practitioners	175	142	9	12	338	42.01	51.78	2.66
11. Accountants & Auditors	72	80	17	2	171	46.78	42.11	9.94
12. Civil Engineers	410	273	15	16	714	38.24	57.42	2.10

(Contd.)

## Ethnic Crisis in Sri Lanka

## Appendix-10

13. Mechanical Engineers	130	30	2	10	172	17.44	75.58	1.16
14. Electrical Engineers	106	31	3	6	166	30.72	63.85	1.80
15. Water Engineers	12	13	2	0	27	48.15	44.44	7.41
16. Structural Engineers	9	4	0	1	14	28.57	64.29	0.00
17. Chemical Engineers	4	3	1	0	8	37.50	50.00	12.50
18. Metallurgical Engineers	2	0	0	0	2	0.00	100.00	0.00
19. Agricultural Engineers	0	1	0	0	1	100.00	0.00	0.00
20. Other Corporate Members of allied professions (Engineering)	30	17	3	9	59	28.81	50.85	50.8
21. Total Engineering Nos. 12 to 20	703	398	26	42	1,169	34.45	6.14	2.22
22. University Staff up to Library Assistants	1,645	490	28	42	2,205	22.22	74.60	1.26
Share of total (1 to 22)	1,282	4,623	510	478	100.00	33.0	59.3	3.6

Note: Indian Tamils are almost wholly the estate population. They are 8,25,233 (or 5.56% of the total population of 14,850,001 at the 1981 Census of population. The Indian Tamil population has historically been isolated in the Estates and deprived of higher education.



APPENDIX-11  
CORPORATIONS SECTOR EMPLOYEES BY MAJOR OCCUPATIONAL GROUPS AND RACE—1980

	Sinhalese %	Tamils %	Moors %	Malays %	Burghers %	Others %	Total
Total	195,955 85.7	24,373 10.66	5,847 2.55	1,031 0.45	1,081 0.47	244 0.1	228,431
Professional, Technical and Related Workers	8,155 75.5	2,304 21.33	202 1.87	64 0.59	48 0.44	28 0.25	10,801
Administrative and Managerial Workers	4,519 83.31	682 12.51	127 2.33	56 1.02	28 0.51	16 0.29	5,448
Clerical and Related Workers	62,596 86.55	7,175 9.92	1,678 2.32	412 0.56	399 0.55	63 0.08	72,323
Sales Workers	892 87.28	85 8.32	22 2.15	10 0.98	12 1.17	1 0.1	1,022
Service Workers	11,602 87.6	1,111 8.39	389 2.93	51 0.38	71 0.53	16 0.12	13,240
Agricultural, Animal Husbandry & Forestry Workers, Fishermen and Hunters	4,541 60.88	2,671 35.81	86 1.15	84 1.12	58 0.77	18 0.24	7,458
Production & Related Workers, Transport Equipment Operators and Labourers	101,884 88.0	9,687 8.36	3,278 2.83	327 0.39	452 0.39	97 0.19	2,504
Workers not classified by Occupation	1,746 69.72	658 26.27	65 2.51	17 0.67	13 0.51	5 0.19	2,504

Source: Census of Public and Corporation Sector Employment 1980, Sri Lanka.

APPENDIX-12  
ETHNIC DISTRIBUTION OF SENIOR ADMINISTRATIVE  
PROFESSIONAL AND TECHNICAL PERSONNEL

	Sinhala		Tamil		Others	
	No.	%	No.	%	No.	%
Secretaries to Ministries	39	95.12	2	4.88	—	—
Heads of Departments (Directors and Commissioners only)	224	79.15	46	16.25	13	4.59
Additional Secretaries	25	83.33	4	13.33	1	3.33
Assistants (all personnel designated Assistants)	892	81.24	171	15.57	35	3.19
Other Secretaries	107	89.17	9	7.50	4	3.33
Chairmen of Corporations	86	88.66	6	6.19	5	5.15
Deputies (only)	394	76.06	100	19.31	24	4.63
All other senior grades (Anyone who does not fall into the above categories is mentioned here)	2,232	76.57	559	19.18	124	4.25
Total of all	3,999	78.38	897	17.58	206	4.04

Source: The data in this table have been extracted from "SRI LANKA OFFICIAL TELEPHONE DIRECTORY 1982" and is subject to further verification. This excludes District Officials such as Government Agents.



## APPENDIX-13

**DEFENCE AGREEMENT BETWEEN HIS MAJESTY'S  
GOVERNMENT IN THE UNITED KINGDOM  
AND THE GOVERNMENT OF CEYLON**

Whereas Ceylon has reached the stage in Constitutional development at which she is ready to assume the status of a fully responsible member of the British Commonwealth of Nations, in no way subordinate in any aspect of domestic or external affairs, freely associated and united by common allegiance to the Crown,

And whereas it is in the mutual interest of Ceylon and the United Kingdom of Great Britain and Northern Ireland that the necessary measures should be taken for the effectual protection and defence of the territories of both and that the necessary facilities should be afforded for this purpose.

Therefore, the Government of the United Kingdom and the Government of Ceylon have agreed as follows :

(1) The Government of the United Kingdom and the Government of Ceylon will give to each other such military assistance for the security of their territories, for defence against external aggression and for the mutual protection of essential communication as it may be in their mutual interest to provide. The Government of the United Kingdom may base such naval and air forces and maintain such land forces in Ceylon as may be required for these purposes, and as may be mutually agreed.

(2) The Government of Ceylon will grant to the Government of the United Kingdom all the necessary facilities for the objects mentioned in Article I as may be mutually agreed. These facilities will include the use of naval and air bases and ports and military establishments and the use of telecommuni-

cation facilities, and the right of service courts and authorities to exercise such control and jurisdiction over members of the said Forces as they exercise at present.

(3) The Government of the United Kingdom will furnish the Government of Ceylon with such military assistance as may from time to time be required towards the training and development of Ceylonese armed force.

(4) The two Governments will establish such administrative machinery as they may agree to be desirable for the purpose of cooperation in regard to defence matters, and to coordinate and determine the defence requirements of both Governments.

(5) This Agreement will take effect on the day when the constitutional measures necessary for conferring on Ceylon fully responsible status within the British Commonwealth of Nations shall come into force.

DONE in duplicate, at Colombo, this 11th day of November, 1947.

Signed on behalf of the Government of the  
United Kingdom of Great Britain and  
Northern Ireland :

Sgd : Henry Moore

Signed on behalf of the Government of  
Ceylon :

Sgd : D. S. Senanayake



#### APPENDIX-14

#### THE OFFICIAL LANGUAGE ACT, NO. 33 OF 1956\*

*An Act to prescribe the Sinhala Language as the One Official Language of Ceylon and to enable certain transitory provisions to be made.*

(Date of Assent : July 7, 1956)

Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows :

##### *Short Title*

1. This Act may be cited as the Official Language Act, No. 33 of 1956.

##### *Sinhala language to be the one official language*

2. The Sinhala language shall be the one official language of Ceylon :

Provided that where the Minister considers it impracticable to commence the use of only the Sinhala language for any official purpose immediately on the coming into force of this Act, the language or languages hitherto used for that purpose may be continued to be so used until the necessary change is effected as early as possible before the expiry of the thirtyfirst of

\*Text from Ceylon, Department of Information, The Official Language and the Reasonable Use of Tamil (Colombo : Government Press n. d.), pp. 39-40.

December, 1960, and, if such change cannot be effected by administrative order, regulations may be made under this Act to effect such change.

##### *Regulations*

3. (1) The Minister may make regulations in respect of all matters for which regulations are authorized by this Act to be made and generally for the purpose of giving effect to the principles and provisions of this Act.

(2) No regulation made under sub-section (1) shall have effect until it is approved by the Senate and the House of Representatives and notification of such approval is published in the Gazette.



APPENDIX-15  
BANDARNAIKE-CHELVANAYAKAM  
FACT-1957

PART—A

"Representatives of the Federal Party have had a series of discussions with the Prime Minister in an effort to resolve the differences of opinion that had been growing and creating tension.

"At an early stage of these conversations it became evident that it was not possible for the Prime Minister to accede to some of the demands of the Federal Party.

"The Prime Minister stated that, from the point of view of the Government, he was not in a position to discuss the setting up of a Federal Constitution, or regional autonomy, or take any step that would abrogate the Official Language Act.

"The question then arose whether it was possible to explore the possibility of an adjustment without the Federal Party abandoning or surrendering any of its fundamental principles or objectives.

"At this stage the Prime Minister suggested an examination of the Government's Draft Regional Councils Bill to see whether provision could be made under it to meet, reasonably, some of the matters in this regard which the Federal Party had in view.

"The agreements so reached are embodied in a separate document.

"Regarding the language issue, the Federal Party reiterated its stand for parity, but in view of the position of the Prime Minister in this matter they came to an agreement by way of

Appendix-15

177

adjustment. They pointed out that it was important for them that there should be a recognition of Tamil as a national language, and that the administrative work of the Northern and Eastern Provinces should be done in Tamil.

"The Prime Minister stated that as mentioned by him earlier it was not possible for him to take any steps that would abrogate the Official Language Act.

"After discussion, it was agreed that the proposed legislation should contain recognition of Tamil as the language of a national minority of Ceylon, and that the four points mentioned by the Prime Minister should include provision that, without infringing on the position of the Official language as such, the language of administration of the Northern and Eastern Provinces be Tamil, and that any necessary provision be made for the non-Tamil speaking minorities in the Northern and Eastern Provinces.

"Regarding the question of Ceylon citizenship for people of Indian descent and the revision of the Citizenship Act, the representatives of the Federal Party put forward their views to the Prime Minister and pressed for an early settlement.

"The Prime Minister indicated that the problem would receive early consideration.

"In view of these conclusions the Federal Party stated that they were withdrawing their proposed satyagraha".

PART—B

1. Regional areas to be defined in the Bill itself by embodying them in a schedule thereto.

2. THAT the Northern Province is to form one regional area whilst the Eastern Province is to be divided into two or more regional areas.

3. Provision is to be made in the Bill to enable two or more regions to amalgamate even beyond provincial limit; and for one region to divide itself subject to ratification by Parliament. Further provision is to be made in the bill for two or more regions to collaborate for specific purposes of common interests.

4. Provision is to be made for direct election of regional councillors. Provision is to be made for a delimitation



commission or commissions for carving out electorates. The question of M. P.s representing districts falling within regional areas to be eligible to function as chairmen is to be considered. The question of Government Agents being regional commissioners is to be considered. The question of supervisory functions over larger towns, strategic towns and municipalities is to be looked into.

5. Parliament is to delegate powers and to specify them in the Act. It was agreed that regional councils should have powers over specified subjects including agriculture, co-operatives, lands and land development, colonisation, education, health, industries, and fisheries, housing, and social services, electricity, water schemes and roads. Requisite definition of powers will be made in the Bill.

6. It was agreed that in the matter of colonisation schemes the powers of the regional councils shall include the power to select allottees to whom lands within their area of authority shall be alienated and also power to select personnel to be employed for work on such schemes. The position regarding the area at present administered by the Gal Oya Board in this matter requires consideration.

7. The powers in regard to the regional council vested in the Minister of Local Government in the draft bill to be revised with a view to vesting control in Parliament wherever necessary.

8. The Central Government will provide block grants to the regional councils. The principles on which the grants will be computed will be gone into. The regional councils shall have powers of taxation and borrowing.

## APPENDIX-16

TAMIL DEMANDS ACCEPTED PARTIALLY  
BY S.L.F.P. IN 1960

*A statement containing the minimum demands submitted to the Leaders of the U. N. P., and the S. L. F. P. on 30-3-1960 by Mr. S. J. V. Chelvanayakam on behalf of the Ilankai Tamil Arasu Kadchi when both the above parties failed to get an absolute majority in Parliament after the 1960 March General Election and sought the support of the Party to form a Government.*

The results of the General Election have demonstrated emphatically that the Tamil-speaking peoples of Ceylon have endorsed in overwhelming numbers their acceptance of the policy and objectives of my Party, which can be briefly stated as follows:—

- (1) The replacement of the present unitary Constitution by a Federal Constitution which recognizes the autonomy of the Tamil-speaking areas.
- (2) The restoration of the Tamil language to its rightful place-enjoying parity with Sinhala as an official language of the country.
- (3) The granting of Citizenship rights to Tamil persons of Indian origin who are settled in Ceylon.
- (4) The cessation of planned colonization of the traditionally Tamil areas with Sinhalese people.

However, since we have been asked for an indication of the minimum points on which agreement can be effected between ourselves with a view to my Parliamentary Group supporting your Party to form the Government we are setting down briefly four points which I think should be acceptable, but my



making these suggestions we should not be understood to be surrendering or abandoning any of our fundamental objectives.

Acceptance of the matters on which agreement is effected between ourselves should be indicated by reference in the Throne Speech and thereafter implemented by legislative action which should be completed within a period of three months.

- (1) Granting of regional autonomy for the Northern and Eastern Provinces by the creation of one regional body for the Northern Province and one or more regional bodies for the Eastern Province with the right of these bodies amalgamate. Powers to be delegated or conferred on such regional bodies for specific subjects including agriculture, co-operatives, land and land development, land alienation and colonization, irrigation, education, health, industries and fisheries, housing and social service, electricity, water schemes and roads. Pending the establishment of the regional bodies state aided colonization referred to above is to be suspended.
- (2) Tamil to be recognized statutorily and administratively as the national language of the Tamil-speaking peoples in Ceylon. Tamil is to be made the language of administration and of the Courts of Law in the Northern and Eastern Provinces, necessary provision, however, to be made for the non-Tamil speaking minorities in these areas. The right of the Tamil-speaking peoples throughout Ceylon to be educated in the Tamil language in all stages up to and including the University and the right to entry into the public services by competitive examinations in Tamil to be statutorily recognized. Every Tamil person should be entitled in law to transact business and correspondence with the Government in all parts of Ceylon in Tamil. All legislation, Gazette notifications, Governmental publications, notices and forms should be in Tamil also.
- (3) The Ceylon Citizenship Act No. 18 of 1948 to be amended by deleting the words "before the appointed day" in Section 4 (1) of the Act and deleting of Section 5 (1) of the Act and by making such consequential amendments as may be necessary.

- (4) Till such time as the question of Citizenship and the Franchise for the Estate Tamil population is settled representation in Parliament for these people to be provided by way of nomination to 4 out of the 6 appointed seats in Parliament and that a convention be created whereby the persons nominated will be the nominees of the political body which represents that population, namely, the Ceylon Democratic Congress.

Details and other points not covered by the foregoing paragraphs will be settled by negotiation between the Government and the party.



## APPENDIX-17

DUDLEY SENANAYAKE-CHELVANAYAKAM  
PACT, 1965

Mr. Dudley Senanayake and Mr. S. J. V. Chelvanayakam met on the 24.3.1965 and discussed matters relating to some problems over which the Tamil-speaking people were concerned, and Mr. Senanayake agreed that action on the following lines would be taken by him to ensure a stable Government:

- (1) Action will be taken early under the Tamil Language Special Provisions Act to make provision of the Tamil language of administration and of record in the Northern and Eastern Provinces.

Mr. Senanayake also explained that it was the policy of his Party that a Tamil-speaking person should be entitled to transact business in Tamil throughout the Island.

- (2) Mr. Senanayake stated that it was the policy of his Party to amend the Language of the Courts Act to provide for legal proceedings in the Northern and Eastern Provinces to be conducted and recorded in Tamil.
- (3) Action will be taken to establish District Councils in Ceylon vested with powers over subjects to be mutually agreed upon between the two leaders. It was agreed, however, that the Government should have power under the law to give directions to such Councils in the national interest.
- (4) The Land Development Ordinance will be amended to provide that citizens of Ceylon be entitled to the

allotment of land under the Ordinance. Mr. Senanayake further agreed that in the granting of land under colonisation schemes the following priorities be observed in the Northern and Eastern Provinces.

- (a) Land in the Northern and Eastern Provinces should in the first instance be granted to landless persons in the District;
- (b) Secondly—to Tamil-speaking persons resident in the Northern and Eastern Provinces; and
- (c) Thirdly—to other citizens in Ceylon, preference being given to Tamil citizens in the rest of the Island.

Sgd./Dudley Senanayake  
24-3-1965

Sgd./S. J. V. Chelvanayakam  
24-3-1965



APPENDIX-18

TAMIL LANGUAGE (SPECIAL PROVISIONS)  
REGULATIONS, 1966\*

1. These regulations may be cited as the Tamil Language (Special Provisions) Regulations, 1966.

2. Without prejudice to the operation of the Official Language Act No. 33 of 1956, which declared the Sinhala language to be the one official language of Ceylon, the Tamil language shall also be used—

(a) In the Northern and Eastern Provinces for the transaction of all Government and public business and the maintenance of public records whether such business is conducted in or by a department or institution of the Government, a public corporation or a statutory institution; and

(b) for all correspondence between persons other than officials in their official capacity, educated through the medium of the Tamil language and any official in his official capacity, or between any local authority in the Northern and Eastern Provinces which conducts its business in the Tamil language and any official in his official capacity.

3. For the purpose of giving full force and effect to the principles and provisions of the Tamil Language (Special Provisions) Act, No. 28 of 1956, and these regulations all Ordinances and Acts, and all Orders, Proclamation[s], rules, by-laws, regulations and notifications made or issued under any written law, the Government Gazette and all other official publications, circulars and forms issued or used by the Government, public corporations or statutory institutions, shall be translated and published in the Tamil language also.

\*Text from the Department of Information publication *Sri Bapaka*, Feb. 1, 1966, p. 4.



APPENDIX-19

DRAFT OF THE FEDERAL CONSTITUTION—1971  
CONSTITUENT ASSEMBLY

Memorandum

Ceylon has been the home of the Sinhalese and the Tamils from times immemorial. It is futile to enter into any argument as to who were in this country first by reference to the Ravana and Vijaya Legends or to other historical data. The Muslims, the Malays and the Burghers who have lived in this country for centuries are also entitled to be considered as the indigenous peoples of this country entitled to equal rights and privileges with the Sinhalese and the Tamils.

The historical development and way of life of the people of this country were rudely shaken by the advent of the European Colonial Powers in to Ceylon. At the time the Portuguese conquered the Maritime Areas of Ceylon the Tamils had an independent Kingdom and a state of their own in the North of Ceylon. The Tamil Kingdom was overthrown in war by the superior arms of the Portuguese and subjugated.

The Dutch who succeeded the Portuguese and the British who followed the Dutch had no other right to rule over the Territories of the Tamil Kingdom except the right of conquest. Now that the last vestige of colonial rule is being removed by making Ceylon a Republic it is quite legitimate for the Tamils to demand the restoration of the sovereignty which they lost to the Portuguese in war about 3½ centuries back. The fact that the British Rulers joined, for administrative convenience, the territories of the Tamil Kingdom with the territories of the Sinhalese Kingdom similarly subjugated does not take away the



rights of the Tamils to demand that the *status quo ante* foreign conquest should be restored. There seems to be an unwarranted presumption today that the act of the British in merging the Tamil territories with the Sinhalese territories has destroyed Tamil sovereignty and the Sinhalese as the majority community have stepped into the shoes of the British as the Rulers of the Tamils. This presumption must be totally rejected if an era of unity and progress through socialism is to be ushered into Ceylon.

Though the Tamils are entitled to demand the restoration of their independent sovereign Tamil State, they have democratically signified their resolve to unite, on a basis of absolute equality, with the Sinhalese and other Peoples of Ceylon but in a Federal Union of Ceylon. If the return of the United Front in overwhelming numbers in the last General Election is to be interpreted as a mandate by the Sinhalese people for a radical change of the Constitution, the Tamil people also have given a mandate to their representatives in Parliament to reject the present unitary form of Government and to unite with the rest of the country on the basis of a federal form of government. The determination of the Tamil people to preserve their integrity by the establishment of a Tamil state within a Federal Union has been demonstrated by the results of the five successive General Elections since 1956. The minimum that the Tamil people can accept is the restoration of their autonomy under a federal Constitution as a compromise alternative to the *status quo ante* foreign conquest, i.e., the full independent sovereignty of the Tamil people.

The basis of socialism in all socialist countries of the world has been the recognition of the right of self-determination of the smaller nationalities and the establishment of federal forms of government. Otherwise, Socialism will degenerate into national socialism of the Nazi pattern and state capitalism.

The Draft Constitution which is annexed to this Memorandum is only intended as a model to be considered in drafting a Federal Constitution for Ceylon. The Northern Province and the Trincomalee and Batticaloa Districts of the Eastern Province will form one Unit. This will be a Tamil majority State.

The Amparai District will form a Muslim majority State.

The suggestion to establish in the rest of Ceylon three states is made on historical and economic grounds and is calculated to enable the fruits of Democratic Decentralization to be enjoyed by all sections of the people. The predominantly Rice and Coconut growing North-Central and North-Western Provinces which are the Key Territories of the ancient Rajarata is to be one Unit. The predominantly Tea and Rubber growing Uva, Sabaragamuwa and Central Provinces with the common traditions, and travails of the Kandyan Sinhalese are to be one Unit. The economically and politically advanced South and West to be one Unit. The City of Colombo and the suburbs as the Capital of the Republic will be administered by the Central Government following the precedents of New Delhi and Canberra. We wish to state that this is only a tentative suggestion for the consideration of the representatives of the Sinhalese people who are free to establish their State or States, other than the Muslim and Tamil states, on any other basis.

If the country is to progress on socialist lines it is also absolutely necessary that the question of citizenship and language should be settled finally. There can be no Stateless Persons or second class citizens in a socialist country. Similarly the stamp of inferiority that is placed on the Tamil people by denying the legitimate position of their language should be removed. In furtherance of the socialist way of life all inequalities and particularly caste distinctions should be abolished. Our Chapter on Economic Objectives will show the manner in which a fully socialist society should be established.

The Memorandum and the Draft Constitution annexed hereto are submitted in the genuine desire to establish unity and to effect the integration of the various nationalities inhabiting this country while at the same time preserving the cultural and linguistic identity of each group. Any attempt to assimilate and thereby destroy the separate existence of the minorities will only lead to a division of the country. We appeal particularly to the Socialists in Parliament to set aside all narrow prejudices and preconceptions, to eschew suspicion and distrust and set about the task of formulating a Constitution in the spirit of true socialism.



## MAIN PROVISIONS

## Model Constitution

## PREAMBLE :

We, the People of Ceylon, having solemnly resolved to constitute Ceylon into a Free, Sovereign and an Independent Republic, pledged to realize the objectives of a Socialist Democracy, and proceeding from the proposition that all racial linguistic and religious groups, irrespective of their past and present position, irrespective of their strength or weakness, enjoy equal rights in all spheres of the economic, social, political and cultural life of our society, in our Constituent Assembly, do hereby adopt, enact and give unto ourselves this Constitution with the intent of strengthening the bonds of Friendship and Fraternity amongst the peoples and of maintaining and furthering the unity, strength and honour of our Nation and of creating a Socialist Society in the Federal Republic of Ceylon.

## PART I

## Political Structure

1. The Federal Republic of Ceylon consists of :
  - (a) The State consisting of the Southern and Western Regions of the Republic.
  - (b) The State consisting of the North-Central and the North-Western Regions of the Republic.
  - (c) The State consisting of the Central Regions of the Republic.
  - (d) The State consisting of the Northern and North-Eastern Regions of the Republic.
  - (e) The State consisting of the South-Eastern Regions of the Republic.
  - (f) The City of Colombo and the suburbs (being the Capital of the Republic shall be administered by the Central Government).
2. A Boundaries Commission shall demarcate the boundaries of these States and of the city of Colombo and

the suburbs. In demarcating the boundaries, the Commission shall take into consideration the traditions of past history, geographical, cultural, linguistic and social environments, population concentration and other similar factors.

3. The States shall have full authority in the administration of their Territories in regard to the subjects entrusted to them.
4. The Legislative Authority of the States shall be vested in the State Assemblies which shall have power to make laws operative within the territorial limits of each State subject to the provisions of this Constitution.
5. The Constitutions of the States shall provide, among other things, for a State Assembly elected by the people on a population-cum-territorial basis.
6. The Members of each State Assembly at their first meeting after each General Election shall divide themselves into Committees and each Committee shall elect a Chairman.
7. The executive functions of the States shall vest in the Chairman and their Committees.
8. The States may conclude agreements amongst themselves in regard to matters of mutual interest, provided they bring such agreements to the notice of the Central Government which is entitled to prevent their execution if they contain anything contrary to the Rights and Interests of the Republic or to the Rights and Interests of the other States.
9. No communications between the States and any foreign Government or their Representatives shall take place except through the Agency of the Central Government.
10. All disputes amongst the States shall be referred to the Central Government for arbitration and settlement. The ruling of the Central Government on these disputes shall be final. No State shall take any unilateral action against another State.
11. All disputes between the States and the Central Government shall be referred for adjudication to the Constitutional Court set up under this Constitution.



12. The Republic shall give all help to the States to exercise their authority in full.
13. The Central Government shall take appropriate measures against the States which fail to fulfil their duties and functions under the law.
14. The territory of the Republic of Ceylon is indivisible and consists of the territories of the States.
15. Each State shall exercise full authority in respect of all other matters except those provided for in Article 16.
16. The jurisdiction of the Republic of Ceylon as represented by its highest organs of State authority and organs of Government covers :
  - (i) Representation of the Republic in International relations, conclusion and ratification of Treaties with foreign states and with International bodies.
  - (ii) Questions of War and Peace.
  - (iii) Organization of the Defence of the Republic and direction of all Armed Forces safeguarding the security of the Republic.
  - (iv) Maintenance of Law and Order in the Territory of the Republic.
  - (v) Maintenance and direction of the Police Force.
  - (vi) Citizenship laws and laws relating to the rights of non-citizens and foreigners resident in the country.
  - (vii) Administration of Immigration and Emigration.
  - (viii) Administration of Customs, Import, Export, Stamps and Estate Duties.
  - (ix) The establishment of the basic principles in the spheres of general, technical and higher education. Establishment of Universities of a national character containing Sinhala and Tamil streams for technical, professional and higher education. (The States shall also have authority to establish State Universities.)
  - (x) The establishment of the basic principle of labour legislation.
  - (xi) The establishment of the basic principles in the sphere of public health.

- (xii) The establishment of the basic principles in the sphere of Co-operation and Collectivisation.
- (xiii) Apportioning of taxes, revenues and resources to the states on the recommendation of a Finance Commission consisting of members from the Republic and from each of the States and appointed from time to time by the President. Power to make any grant in advance pending the Finance Commissions Report and other procedure. Power to approve taxes created by the States.
- (xiv) Direction of the Monetary and Credit Systems.
- (xv) Raising of loans and the granting of loans subsidies without prejudice to the Rights of the States to raise loans within the Republic.
- (xvi) Organization and administration of Banks, Industrial Plantation, Agricultural and Trading Enterprises of an all Island nature.
- (xvii) Administration of Postal and Tele-communication Services.
- (xviii) Control and exploitation of Water Power, Rivers and natural deposits.
- (xix) Administration of Sea Ports, Air Ports, Sea Transport, Air Transport and Rail Transport.
- (xx) Legislation to protect surface and underground water against pollution and wastage in consultation with the States.
- (xxi) Generation and transmission of Hydro-Electric Power.
- (xxii) Construction and maintenance of Inter-State and Trunk Highways.
- (xxiii) Construction and maintenance of major irrigation projects.
- (xxiv) Acquisition, conservation and preservation of historical sites and monuments of national importance.
- (xxv) Manufacture and sale of explosives, arms and ammunitions.
- (xxvi) Legislation to protect animal, sea and vegetable life.
- (xxvii) Organization and administration of a uniform system of economic and social statistics.
- (xxviii) Determination of weights and measures.
- (xxix) Any other subjects in agreement with the States.



## PART II

## Citizenship

17. A single Republican Citizenship is established for all citizens of the Federal Republic of Ceylon.
18. The status of all citizens for all purposes shall be equal.
19. No citizen shall possess dual citizenship.
20. Citizens of the Federal Republic of Ceylon include :
  - (a) Every person born in Ceylon provided his father was born in Ceylon, or in the case of illegitimate children if the mother was born in Ceylon.
  - (b) Every person who has and will have the status of a citizen of Ceylon by descent under Part I of the Ceylon Citizenship Act No. 18 of 1948.
  - (c) Every person who has been registered and who may be registered as a citizen of Ceylon under Part II of the Ceylon Citizenship Act No. 18 of 1948.
  - (d) Every person who had been granted the status of a citizen of Ceylon by registration under the Indian and Pakistani Residents (Citizenship) Act No. 3 of 1949.
  - (e) Every person to whom the Indo-Ceylon Agreement (Implementation) Act No. 14 of 1967 applies, provided he has not applied for citizenship of India and provided he establishes the fact that he was resident in this country before the Immigrants and Emigrants Act No. 20 of 1948 came into operation.
  - (f) Every person who will acquire citizenship under any other law enacted or to be enacted by the Federal Republic of Ceylon.
21. No citizen of the Federal Republic of Ceylon shall be deprived of his citizenship or be deported.
22. A citizen will lose his citizenship when he renounces it or when he becomes a resident of any other country of his own free will and if by operation of law of that country he becomes a citizen of that country.

## PART III

## Fundamental Rights

23. In the Federal Republic of Ceylon no citizen shall enjoy any privilege by virtue of his place, birth, person or family subject to the provisions of Article 24.
24. All castes are abolished and caste observance in any form shall be an offence punishable by law; subject to the provisions that persons who are subjected to caste disabilities shall be granted concessions in land alienation, employment, housing and educational facilities and representation in local bodies and in the State and Central Legislature for a stipulated period.
25. Subject to the provisions in Article 24 equality of Rights of the Citizens of Ceylon, irrespective of the race, language or religion in all spheres of economic, state, cultural, social and political life is indefeasible law.
26. Subject to the provisions in Article 24 any direct or indirect restrictions of the rights or conversely, any establishment of direct or indirect privileges for citizens on account of their race, religion or language shall be punished under law.
27. Every citizen is guaranteed :
  - (a) The right to freedom of speech and expression, including the freedom of the press.
  - (b) The right to assemble peaceably and without arms.
  - (c) The right to form associations, unions and political parties.
  - (d) The right to take part in the Governments of the State and of the Republic, directly or through freely chosen representatives under the law.
  - (e) The right of equal access to the service of the States and of the Republic.
  - (f) The right to move freely throughout the Territory of the Republic; and the right to leave and to return to the Republic.
  - (g) The right to reside and settle in any part of the Republic.



- (h) The right to acquire, hold and dispose property within the limits prescribed by law in any part of the Republic.
  - (i) The right to inherit property, provided the inherited property does not exceed the limits prescribed by law.
  - (j) The right to reasonable compensation for any property, owned under the provisions of Article 59, and compulsorily acquired for a public purpose by the Government of the Republic or of the States.
  - (k) The right to practise any profession or carry on any occupation, trade or business, without prejudice to any of the provisions of this Constitution, in any part of the Republic.
27. (i) The freedom and rights guaranteed under Article 27 may be curtailed by central legislation in an emergency so as to prevent the use of such freedoms in any manner that will endanger peace, order and good Government.
  28. Every person has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
  29. (a) Every worker, without discrimination, has the right to equal pay for equal work.
  - (b) Every worker has the right to just and favourable remuneration insuring for himself and his family and existence worthy of human dignity, and supplemented, if necessary, by other social protection.
  - (c) Every worker has the right to form and to join Trade Unions for the protection of his interests.
  - (d) Every worker has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.
  30. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock shall enjoy the same social protection.
  31. The Federal Republic of Ceylon, whilst guaranteeing religious freedom to all citizens, shall be a secular

State and shall be separated from all religious institutions and from institutions that promote any religion or religious activity.

32. No person shall be subjected to arbitrary interference with his privacy, family, home, correspondence or communication, nor to attack upon his honour and reputation. Every one has a right to protection of the law against such interference or attacks.
33. All persons are equal before the law and are entitled without discrimination to equal protection of the law.
34. All persons are entitled in full equality to a fair and public hearing by an independent and an impartial Tribunal in the determination of the rights and obligations and of any criminal charge against him.
35. No person shall be convicted of any offence except for violation of law in force at the time of the commission of the act charged as an offence.
36. No person shall be prosecuted and punished for the same offence twice.
37. No person shall be deprived of his life or personal liberty or property except according to procedure established by law.
38. No person who is arrested shall be detained in custody without being informed of the grounds of such arrest, nor shall he be denied the right to consult and to be defended by a Legal Practitioner of his choice.
39. No one shall be presumed to be guilty of an offence until so proved by a final judgement of a Court of Law.
40. Every person has the right to an effective remedy by a competent Court for acts violating the freedoms and rights guaranteed him by this Constitution or by any other law of the Republic or of the States.

#### PART IV

##### *Language*

41. Sinhala and Tamil shall be the National Languages of Ceylon.
42. Every person in Ceylon shall have the right to transact business with every Department of the Government



of the Republic and of the States and with every Corporation and every Institution established under any Law or Regulation of the Republic or of the States in the Language in which he received his education viz. his mother-tongue.

43. The Language of Administration and of Records in the two States consisting of the Northern and the North-Eastern Regions and of the South-Eastern Regions shall be the Tamil Language subject to the provisions in Article 42.
44. The Language of Administration and of Records in all the other three States shall be the Sinhala Language subject to the provisions in Article 42.
45. The Language of Administration and of Records of the Central Government shall be Sinhala and Tamil.
46. The right of every candidate, who appears for any public examination or for any *vive voce* test for recruitment to the Central or State service or to service of any Corporation or Institution established under any Central or State law or regulation or for promotion in such service or for award of any scholarship or educational facility, to use the language in which he received his education viz., the mother-tongue, is guaranteed.
47. The Central Government and State Governments shall safeguard the rights of every minority to conserve its own language, script and culture.

#### PART V

##### Education

48. The right to education of every child is guaranteed :
  - (a) By compulsory education upto the child's 14th year.
  - (b) By Education, including higher, professional, and technical education, being free of charge and being made available and equally accessible to all on the basis of merit, subject to the provisions of Article 24.
  - (c) By Instruction in schools, colleges and Universities being conducted in the mother-tongue of the child.

49. (a) Sinhala shall be the medium of instruction for every Sinhala child in every educational institution.
- (b) Tamil shall be the medium of instruction for every Tamil child in every educational institution.
- (c) Sinhala or Tamil shall be the medium of instruction for children of mixed percentage or of Muslim parents or of others.
50. Notwithstanding anything in Article 31 every child shall be taught his or her religion upto the age of 14 by teachers professing that religion in all schools.

#### PART VI

##### Economic Objectives

51. The systems and laws in regard to the economy of the Republic and of the States shall give positive direction to :
  - (a) The abolition of exploitation of man by man.
  - (b) The abolition of capitalistic exploitation and monopolies.
  - (c) The acquisition and control of the means and instruments of production, distribution and transport by the Government of the Republic or of the States or by co-operative and collective institutions, provided that within limits prescribed by law private enterprises in these branches may be allowed.
  - (d) The constant development of the productive forces of the country.
  - (e) The continuous raising of the standards of the living of the people.
52. The economic activity and life of the Republic, of the States and of the permitted private enterprises shall be determined by a national economic plan drawn up from time to time by a commission consisting of representatives from the Central Government, from every State Government and from the Chamber of the permitted private enterprises appointed by the President.
53. The plan when approved, with or without amendments, by the two Chambers of the Central Legislature at a



joint meeting held under Article 86 shall have the force of law.

54. The National Economic Plan shall aim at increasing the national wealth and improving the material standards of the people and shall be prepared by taking into consideration the employment potentialities of the State, economic backwardness and economic development needs of the States, availability of raw materials and resources, communication and transport facilities etc., etc.
55. The authorities of the Republic and of the States shall take all necessary steps to enforce the fulfilment of the plan through their agencies.
56. Policy in regard to agriculture shall be directed to encourage the formation and establishment of co-operative and collective enterprises by giving these enterprises special consideration and concessions in regard to land acquisition and alienation and allocation, loans, equipment facilities, manure subsidies etc., etc.
57. Policy in regard to State owned enterprises shall be directed to bring the workers in the enterprises more and more into the management of the enterprises with the ultimate objectives of handing over the management to the workers or to bodies of management elected by them.
58. Policy in regard to Internal and External Trade shall be directed to the abolition of monopolies by encouraging and assisting co-operative institutions to take the place of private Trading Institutions.
59. Limits of ownership of private property and limits of income per person shall be defined by law.

## PART VII

### International Affairs

60. In International Affairs the Federal Republic of Ceylon shall promote peaceful co-operation and co-existence amongst the nations of the world and also follow a policy of nonalignment as a positive force for the maintenance of world peace.

## APPENDIX-20

### LANGUAGE

1. The Official Language of Sri Lanka shall be Sinhala.
2. The National Languages of Sri Lanka shall be Sinhala and Tamil.

A Member of Parliament or a member of a local authority shall be entitled to perform his duties and discharge his functions in Parliament or in such local authority in either of the National Languages.

3. (1) A person shall be entitled to be educated through the medium of either of the National Languages :

Provided that the provisions of this paragraph shall not apply to an institution of higher education where the medium of instruction is a language other than a National Language.

- (2) Where one National Language is a medium of instruction for or in any course, department or faculty of any University directly or indirectly financed by the State, the other National Language shall also be made a medium of instruction for or in such course, department or faculty for students who prior to their admission to such University, were educated through the medium of such other National Language :

Provided that compliance with the preceding provisions of this paragraph shall not be obligatory if such other National Language is the medium of instruction for or in any like course, department or faculty either at any other campus or branch of such University or of any other like University.

- (3) In this Article "University" includes any institution of higher education.

4. (1). The Official Language shall be the language of administration throughout Sri Lanka:



Provided that the Tamil Language shall also be used as the language of administration for the maintenance of public records and the transaction of all business by public institutions in the Northern and Eastern Provinces.

(2) A person, other than an official acting in his official capacity shall be entitled—

- (a) to receive communications from, and to communicate and transact business with, any official in his official capacity in either of the National Languages;
- (b) if the law recognizes his right to inspect or to obtain copies of or extracts from any official register, record, publication or other document, to obtain a copy of, or an extract from such register, record, publication or other document or a translation thereof, as the case may be, in either of the National Languages; and
- (c) where a document is executed by any official for the purpose of being issued to him, to obtain such document or a translation thereof, in either of the National Languages.

(3) A local authority in the Northern or Eastern Province which conducts its business in either of the National Languages shall be entitled to receive communications from, and to communicate and transact business with, any official in his official capacity, in such National Language.

(4) All Orders, Proclamations, rules, by-laws regulations and notifications made or issued under any written law, the *Gazette*, and all other official documents including circulars and forms issued or used by any public institution or local authority, shall be published in both National Languages.

(5) A person shall be entitled to be examined through the medium of the National Languages at any examination for the admission of persons to the Public Service, Judicial Service, Local Government Service, a public corporation or statutory institution, subject to the condition that he may be required to acquire a sufficient knowledge of the Official Language within a reasonable time after admission to any such Service, public corporation or statutory institution where such knowledge is reasonable necessary for the discharge of his duties :

Provided that a person may be required to have a sufficient

knowledge of the Official Language as a condition for admission to any such service, public corporation or statutory institution where no function of the office or employment for which he is recruited can be discharged otherwise than with a sufficient knowledge of the Official Language.

(6) In this Article—

“Official” means the President, any Minister, Deputy Minister, or any officer of a public institution or local authority; and “public institution” means a department or institution of the Government, a public corporation or a statutory institution.

5. (1) All laws and subordinate legislation shall be enacted or made, and published, in both National Languages together with a translation in the English Language. In the event of any inconsistency between any two texts, the text in the Official Language shall prevail.

(2) All laws and sub-ordinate legislation in force immediately prior to the commencement of the Constitution, shall be published in the *Gazette* in both National Languages as expeditiously as possible.

(3) The law published in Sinhala under the provisions of paragraph (2) of this Article, shall, as from the date of such publication, be deemed to be the law and supersede the corresponding law in English.

6. (1) The Official Language shall be the language of the courts throughout Sri Lanka and accordingly their records and proceedings shall be in the Official Language :

Provided that the language of the court exercising original jurisdiction in the Northern and Eastern Provinces shall also be Tamil and their records and proceedings shall be in the Tamil Language. In event of an appeal from any such court, records in both National Languages shall be prepared for the use of the court hearing such appeal :

Provided further that—

- (a) the Minister in charge of the subject of Justice may, with the concurrence of the Cabinet of Ministers, direct that the record of any such court shall also be maintained and proceedings conducted in the Official Language; and
- (b) the record of any particular proceeding in such court shall also be maintained in the Official Language if so required



by the judge of such court, or by any party or applicant or any person legally entitled to represent such party or applicant in such proceeding, where such judge, party, applicant or person is not conversant with the Tamil Language.

(2) Any party or applicant or any person legally entitled to represent such party or applicant may initiate proceedings, and submit to court pleadings and other documents, and participate in the proceedings in court, in either of the National Languages.

(3) Any judge, juror, party or applicant or any person legally entitled to represent such party or applicant, who is not conversant with the language used in a court, shall be entitled to interpretation and to translation into the appropriate National Language, provided by the State, to enable him to understand and participate in the proceedings before such court, and shall also be entitled to either of the National Languages, any such part of the record or a translation thereof, as the case may be, as he may be entitled to obtain according to law.

(4) The Minister in charge of the subject of Justice may, with the concurrence of the Cabinet of Ministers, issue directions permitting the use of a language other than a National Language in or in relation to the records and proceedings in any court for all purposes or for such purposes as may be specified therein. Every judge shall be bound to implement such directions.

(5) In this Article—

“court” means any court or tribunal created and established for the administration of justice including the adjudication and settlement of industrial and other disputes, or any other tribunal or institution exercising judicial or quasi-judicial functions or any tribunal or institution created and established for the conciliation and settlement of disputes;

“judge” includes the President, Chairman, presiding officer and member of any court; and

“record” includes pleadings, judgments, orders and other judicial and ministerial acts.

7. The State shall provide adequate facilities for the use of the languages provided for in this Chapter.

## APPENDIX-21

### CITIZENSHIP

1. There shall be one status of citizenship known as “the status of a citizen of Sri Lanka”.

2. A citizen of Sri Lanka shall for all purposes be described only as a citizen of Sri Lanka, whether such person became entitled to citizenship by descent or by virtue of registration in accordance with the law relating to citizenship.

3. No distinction shall be drawn between citizens of Sri Lanka for any purpose by reference to the mode of acquisition of such status, as to whether acquired by descent or by virtue of registration.

4. No citizen of Sri Lanka shall be deprived of his status of a citizen of Sri Lanka, except under and by virtue of the provisions of sections 19, 20, 21 and 22 of the Citizenship Act:

Provided that the provisions of section 23 and 24 of that Act shall also be applicable to a person who became entitled to the status of a citizen of Sri Lanka by virtue of registration under the provisions of section 11, 12 or 13 of that Act.

5. Every person who immediately prior to the commencement of the Constitution was a citizen of Sri Lanka, whether by descent or by virtue of registration in accordance with any law relating to citizenship, shall be entitled to the status and to the right of a citizen of Sri Lanka as provided in the preceding provisions of this Article.

6. The provisions of all existing written laws relating to citizenship and all other existing written laws wherein reference is made to citizenship shall be read subject to the preceding provisions of this Article.



## DISTRICT DEVELOPMENT COUNCILS— PRESENT STRUCTURE

### Structure

1. Territorial Unit: District.
2. Composition: Elected Members and members of parliament.
3. Chairman: Elected by Council
4. Executive Committee: Headed by District Minister Consisting of Chairman and two members appointed by District Minister.

### Powers of Council and Executive Committee

1. The Council approves the District Annual Plan.
2. The Council approves the District Annual Budget.
3. The Council has power to pass bylaws with the concurrence of the Minister of Local Government.
4. The Council has the power to levy taxes and other charges with the approval of the Minister of Local Government and concurrence of the Minister of Finance.
5. The Council has power to borrow from Government Bank or other financial institution with the sanction of the Minister and concurrence of the Minister of Finance.

### Areas of Authority

1. Subject assigned to the District Development Council
  - (i) Agrarian Services
  - (ii) Agriculture
  - (iii) Animal Husbandry
  - (iv) Cooperative Development
  - (v) Cultural Affairs

- (vi) Education
- (vii) Employment
- (viii) Fisheries
- (ix) Food
- (x) Health Services
- (xi) Housing
- (xii) Irrigation Works (which are not of an inter-district character)
- (xiii) Land use and Land settlement
- (xiv) Rural Development
- (xv) Small and medium scale industries
2. With these subjects the areas of authority assigned to the DDC will be determined by the Annual Development plan.
3. The Annual Development plan will consist of the proposals prepared by the appropriate Central Government Minister in charge of the subject.
4. The scope and content of the Annual Development Plan will be determined by the finances available to the Development Councils through the District Development Councils.
5. The DDC will also undertake work outside the subjects assigned to it when such work is assigned by the appropriate Minister with the concurrence of the Minister of Local Government to the Development Council. At present, only a very small part of Government activities come under the Council.

### Powers of the District Minister

1. The District Minister will be the head of the Executive Committee.
2. He selects two Executive Committee members in consultation with the Chairman.
3. He assigns functions to Executive Committee members with the concurrence of the president.
4. In the event of the Executive Committee being dissolved, he assumes the functions the new committee until the new committee is appointed.



**Powers of the Central Government**

1. The president appoints the District Minister.
2. The president exercises the power of dissolution of the Executive Committee and/or removal of its members.
3. The Minister of Local Government functions as the Minister in charge of the District Development Councils. He has the power to remove any or all members of the Council after a judicial inquiry.
4. The Minister of local Government exercises financial and administrative controls as the Minister in charge.
5. The appropriate Minister of the Central Government are the final decision-making authorities in regard to the subjects assigned to the District Development Council. They make the proposal for the Annual Development Plan and approve any new proposals made by the Council.

**The financial base for District autonomy**

1. The District Development Council will have a District Development Fund.
2. The Development Fund will receive allocations from the Government Budget the revenues diverted to the District by the Government and taxes and other revenues raised by the Council.
3. Under the present structure finances available to the Fund are severely limited. They consist mainly of electoral allocations and Government grants representing a small fraction of Government expenditure.

*APPENDIX-23***PRESS RELEASE**

*Visit to Sri Lanka of His Excellency Narasimha Rao,  
Foreign Minister of India—29th July, 1983*

*ANNEXURE "A"—I*

In response to a suggestion made by Shrimati Indira Gandhi, Prime Minister of India, to His Excellency J. R. Jayewardene, President of Sri Lanka, which was accepted by His Excellency Narasimha Rao, Foreign Minister of India, visited Sri Lanka on 28th July.

2. He had cordial discussions with His Excellency the President with whom he exchanged views on the prevailing situation in Sri Lanka. The Indian Foreign Minister conveyed to His Excellency the President of Sri Lanka, Prime Minister Indira Gandhi's readiness to assist Sri Lanka in whatever way the Government of Sri Lanka wished in the present situation. Foreign Minister A. C. S. Hameed was associated with His Excellency the President at the discussions.

His Excellency Narasimha Rao called on the Honourable R. Premadasa, Prime Minister, at Temple Trees.

3. The Indian Foreign Minister also met Honourable S. Thondaman, Minister of Rural Industrial Development, and President, C.W.C., Honourable Gamini Dissanayake, Minister of Land and Land Development and Minister of Mahaweli Development and Secretary General, Lanka Janatha Estate Workers' Union, Honourable C. Rajadurai, Minister of Regional Development and Honourable K. W. Devanayagam, Minister of Home Affairs. His Excellency Narasimha Rao also



met the members of the staff of the Indian High Commission in Colombo and Kandy and their families as well as members of the Indian community.

4. At the conclusion of the visit, the two Foreign Ministers reiterated the desire of their respective countries to maintain their close and traditional ties of friendship.

#### ANNEXURE "A"—2

### INDIA FOR OUR UNITY

The President's Special Envoy to India, Mr. H.W. Jayewardene, who returned yesterday said, in the course of an interview, that India stands for the integrity, independence and unity of Sri Lanka.

He added that those were the main aspects of the statement issued after his talks with Indian Prime Minister Mrs. Indira Gandhi.

The following is the text of the questions and answers given by Mr. Jayewardene :

Q. You went to India as a special emissary of President J. R. Jayewardene to hold discussions with Indian leaders. What was the nature and extent of the discussions you had with them?

A. I went to India primarily to meet Indian Prime Minister Indira Gandhi. I started a round of talks with her shortly after noon on Wednesday and a statement that was issued after a second round of talks on Thursday broadly deals with the matters on which there was agreement between us.

Q. Would you mention some of the main aspects of the statement?

A. India stands for the integrity, independence and unity of Sri Lanka. India did not interfere in the internal affairs of another country. On this basis, the discussions went on and I indicated to Mrs. Gandhi that at the round table conference that turned out to be abortive, the President intended to state that he would take steps to fully implement the laws relating to District Development Councils.

Secondly that the use of Tamil as provided for in the Constitution would be fully implemented. Thirdly, he would

#### Appendix-23

initiate a dialogue on the amnesty on condition the violence would be given.

Fourthly, the discontinuance of the active part the Army played in Jaffna provided again the terrorist violence ends. Finally the removal of the provisions of the Prevention of Terrorism Act on the undertaking that violence would be given up. The plea for secession would also be given up. I also assured Mrs. Gandhi that the Sri Lanka President is prepared in addition to discuss the question of the release of persons kept in detention who are neither convicted prisoners nor awaiting trial on condition that the demand for secession is abandoned.

The President was also prepared to fully implement the proposals contained in the 1977 UNP manifesto. Mrs. Gandhi told me that perhaps this did not go far enough to meet the aspirations of the Tamil community I told her that the President will be prepared to have further discussions of any new proposals provided of course that the unity of Sri Lanka would not in any way be affected. Mrs. Gandhi then offered her good offices to enable a final decision to be reached I expressed my appreciation of that offer. Having communicated with the President. I told Mrs. Gandhi that he welcomed her offer.

Q. I also understand that the President has invited an all party delegation to visit Sri Lanka. How does India view this proposal?

A. That question is to be decided by the Lok Sabha in due course. They are due to discuss a statement made by Indian Prime Minister on Tuesday. I am not in a position to say what views would be expressed on this proposal?

Q. I also understand that a Sri Lanka Fund has been set up by the Indian Prime Minister. Have the Indians rallied round this call?

A. Yes, I think so. We are indeed grateful to the Prime Minister for this generous gesture of hers.

Q. Can you mention about the round table conference? How soon will it be held?

A. That is a matter for the President and for the members of the Tamil community, specially the TULF to decide. The



decision will be taken within the frame-work for a United Lanka where there is no question of secession.

From : 'Sunday Observer' of 19th August, 1983

#### ANNEXURE 'A'—3

#### RELEASE FROM PRESIDENTIAL SECRETARIAT

Mr. G. Parathasarathi, the personal envoy of the Prime Minister of India, Mrs. Indira Gandhi, arrived in Sri Lanka on 25th August. His visit was in pursuance to the telephone conversation the Prime Minister of India had with the President of Sri Lanka. Mr. H. W. Jayewardene had earlier visited India as the special envoy of the President to the Prime Minister of India.

2. Mr. Parathasarathi saw His Excellency the President on three occasions.

3. The President briefed the envoy on the measures that his Government had taken since assuming office in July 1977 to resolve the minority problem and also the background to the recent disturbances. He explained that neither the Government nor the people of Sri Lanka would agree to a division of the country.

4. The President thanked the special envoy for assistance that India had sent Sri Lanka for the displaced persons, by sending ships for transporting some of them from Colombo to Jaffna, and giving food, clothing and medicines.

5. The President also explained to the envoy that he proposed to implement fully the scheme of District Development Councils, so that every district would enjoy a measure of autonomy and the people would be able to participate meaningfully in the administration of the district.

6. Mr. Parathasarathi also met Senior Cabinet Ministers, the Leader of the TULF, Mr. A. Amirthalingam, Mrs. Sirimavo Bandaranaike and Dr. Colvin R. de Silva.

#### ANNEXURE 'A'—4 (1)

#### ISSUED BY THE PRESIDENTIAL SECRETARIAT

His Excellency the President discussed with the Special Envoy of the Indian Prime Minister, Mr. G. Parathasarathi, proposals

regarding amendments to the D.D.C's Law which Mr. Parathasarathi would place before the TULF leaders to enable them to arrive at an acceptable solution to the present problems facing the Tamil Community in Sri Lanka.

Any proposals which are acceptable would be placed before an All-Party Conference in Sri Lanka. The consensus of opinion of the All-Party Conference would itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other Parties as well, before being placed before Parliament for legislative action.

The proposals would include :

- The giving up of the idea of a separate State.
- The merger of D.D.C. within a Province after acceptance by the Council's Members and a Referendum in the District. This proposal is applicable to the whole Island.
- The recognition of the administration of Trincomalee Port as a Central Government function.

His Excellency expressed the hope that if these proposals are implemented violent activity or support for it will wither away.

#### ANNEXURE 'A'—4 (2)

"I have spent three days in Colombo at the invitation of the Sri Lanka Government. As I have mentioned earlier, my visit was part of the continuing process of India's good offices to explore the possibility of reaching a political settlement which would be acceptable to all communities and promote national harmony.

During my last visit in August certain proposals were put forward and these were further considered during this visit.

Intensive discussions were held in a friendly and constructive atmosphere on specific issues of concern. I had five long meetings with His Excellency the President and met the Prime Minister, Foreign Minister and other Cabinet Ministers. I also had discussions with Mr. S. Thondaman, Minister of Rural Industrial Development. I also met several leaders of the Opposition parties.



Positive ideas have emerged in the course of these discussions and tentative proposals have been worked out to provide for greater devolution of powers to the region. These essentially centre on the creation of Regional Councils with appropriate powers within the frame-work of a united Sri Lanka.

The President's statement mentions the procedure to be adopted. Since the leaders of the TULF were not present in Colombo, I will be discussing these proposals with them on my return to India and will communicate their responses to His Excellency the President when he comes to Delhi for the Commonwealth summit. We are looking forward to his visit."

*From: 'Daily News' of Friday 11th November, 1983.*

#### ANNEXURE "A"—5

#### PRESS STATEMENT ISSUED BY HIS EXCELLENCY THE PRESIDENT, J. R. JAYEWARDENE, ON HIS RETURN FROM NEW DELHI ON 1-12-83

On my visit to New Delhi to attend the Meeting of the Commonwealth Heads of Government, I had an opportunity to discuss with Her Excellency Shrimati Indira Gandhi, the Prime Minister of India, the problem of Sri Lanka Tamils in Sri Lanka.

2. Before leaving for New Delhi, I had consultations on this matter with various political leaders in Sri Lanka. The Special Envoy of the Prime Minister of India, Mr. G. Parathasarathi, had also discussed this matter with me during his visits to Sri Lanka and in India.

3. It will be recalled that I had made it clear that I could resume any discussions with the TULF to discuss the possible lines of a solution only if they give up their call for a separate state.

4. I am happy to say that according to available information the TULF is prepared to give up its call for a separate state, if a solution of the Tamil problem that is acceptable to them is worked out.

5. I am also happy to say that the Government of India has stated in clear terms that India is against secession and stands for the independence, integrity and sovereignty of Sri Lanka.

6. Mr. G. Parathasarathi, the Special Envoy of the Prime Minister of India, has had discussions with the Members of the TULF who are in New Delhi and has obtained their response to the proposals that have emerged as a result of the discussions in Colombo in November. I will first consult all political parties in Sri Lanka on the modalities of summoning an all party conference to discuss these proposals. Once the modalities for this conference are settled, I will communicate to all parties the various proposals that have emerged, so that they will have an opportunity of studying them, before participating in the conference. Thereafter, I propose to summon a conference of the political parties at which these proposals will be discussed.

#### ANNEXURE "B"

#### THE FOLLOWING MATTERS HAVE BEEN SUGGESTED FOR THE FORMULATION OF AN AGENDA BY THE PARTY CONFERENCE

1. The giving up of the idea of a separate state.
2. The merger of the District Development Councils within a Province after acceptance by the Councils' members and a Referendum in the District. This proposal would be applicable to the whole Island.
3. Regions that have Regional Councils to establish a convention that the Leader of the Party which commands a majority in a Regional Council would be formally appointed by the President as the Chief Minister of the Region. He will work with a Committee of Members of the Council constituted by him.
4. The President and the Parliament to continue to have overall responsibility for all subjects not transferred to the Region and generally for all other matters relating to the maintenance of the Sovereignty, Integrity, Unity, Security, Progress and Development of the Republic as a whole.
5. The list of subjects to be allocated to the Regions to be worked out in detail. With regard to those subjects the Regional Councils to be empowered to enact laws and exercise executive powers in relation thereto. The



Council to have the power to levy taxes, a cess or fees and to raise loans and also to receive grants and allocations from the Central Government.

6. The recognition of the administration of Trincomalee Port as a Central Government function.
7. High Courts to function in each Region while the Supreme Court of Sri Lanka will exercise separate and constitutional jurisdiction.
8. The constitution of a Regional Service of those serving in the Region and those who will be seconded to the Region.
9. Regional Public Service Commissions to be created for recruitment and disciplinary action.
10. The Public Services of Sri Lanka, the Armed Services to reflect the national ethnic composition.
11. The Police Services for internal security to reflect the ethnic composition of the Regions.
12. A national policy on land settlement to be worked out.
13. The Constitution and other laws dealing with the Official Language, Sinhala, and the National Language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.
14. United opposition to the use of violence (terrorism) to attain political objectives.

#### ANNEXURE "C"

In terms of paragraph six of the President's statement of December 1st, 1983, the following proposals which have emerged as a result of discussions in Colombo and New Delhi are appended for consideration by the All-Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka and will form a basis for formulating the Agenda of the All-Party Conference.

(1) The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree by decisions of the Councils and approved by Referendum in that district.

(2) In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their union within each province to be accepted.

(3) Each Region will have a Regional Council if so decided. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region. The Chief Minister will constitute a Committee of Ministers of the Region.

(4) The President and the Parliament will continue to have overall responsibility over all subjects not transferred to the regions and generally for all other matters relating to the maintenance of the sovereignty, integrity, unity and security and progress and development of the Republic as a whole.

(5) The legislative power of the Region would be vested in the Regional Councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of internal Law and Order in the Region, the Administration of Justice, Social and Economic Development, Cultural matters and Land Policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

(6) The Regional Councils will also have the power to levy taxes, cess or fees and to mobilise resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.

(7) Provision will be made for constituting High Courts in each Region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

(8) Each Region will have a Regional Service consisting of (a) officers and other public servants of the Region and (b) such other officers and public servants who may be seconded to the Region. Each Region will have a Regional Public Service



Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.

(9) The armed forces of Sri Lanka will adequately reflect the national ethnic position. In the Northern and Eastern Regions, the Police forces for internal security will also reflect the ethnic composition of these Regions.

(10) A Port Authority under the Central Government will be set up for administering the Trincomalee Port and Harbour. The area which will come under the administration of the Port Authority as well as the powers to be assigned to it will be further discussed.

(11) A national policy on land settlement and the basis on which the Government will undertake land colonization will have to be worked out. All settlement schemes should be based on ethnic proportions so as not to alter the demographic balance subject to agreement being reached on major projects.

(12) The Constitution and other laws dealing with the official language Sinhala and the national language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.

(13) The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide its Secretariat and necessary legal offices.

(14) The consensus of opinion of the All-Party Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other Parties as well, before being placed before Parliament for legislative action.

#### APPENDIX-24

### SOME POSITIVE PROPOSALS FOR A SUITABLE SOLUTION TO THE PROBLEM OF THE TAMILS IN SRI LANKA

Rt. Rev. Dr. B. Deogupillai  
Bishop of Jaffna

Bishop's House,  
Jaffna,  
22nd June, 1983.

Rt. Hon. R. Premadasa, M.P.,  
Prime Minister of Sri Lanka,  
Prime Minister's Office,  
Colombo 1.

Rt. Honourable Sir,

I wish to present to you for your consideration some positive proposals for a suitable solution to the problem of the Tamils in Sri Lanka.

That the Tamil people had real grievances was clearly accepted by the *United National Party's 1977 Election Manifesto*, where it was stated: "There are numerous problems confronting the Tamil-speaking people. The lack of a solution of their problems has made the Tamil-speaking people to support even a movement for the creation of a separate State. In the interest of National integration and unity, so very necessary for the economic development of the whole Country, the Party feels such problems should be solved without the loss of time and the Party when it comes to power will take all possible steps to remedy their grievances in such fields as education, colonisation, use of the Tamil Language, and employment in the public and semi-public Corporations". "An all-Party Conference" was promised to "solve these problems and implement its decisions".

When the people voted overwhelmingly the UNP to power, they also gave it the mandate to implement this promise, which was given added credence through incorporation into the *Government's first Statement of policy in Parliament*. But this promise, like so many other promises has remained unfulfilled.

"Learning from the experience of other countries, the Government should, even at this very late hour, attempt to seek a settlement with the Tamils. This is to say: Give-in to the legitimate demands of the Tamil



people, and give up the idea that force alone could prevent the division of the Country". Up-to-date the Government has not taken any positive steps to solve the problem of the Tamil people.

Now, I present a few positive steps that could be taken to solve the Tamil Problems :

1. As a first step, let the draconian Prevention of Terrorism Act be repealed forthwith. This would create a better political climate for discussions.
2. The Tamils in the North and East are asking for their right of political self-determination, because before the advent of the Portuguese in the 16th Century A.D., they had an independent Tamil Kingdom with the Capital in Jaffna. Therefore, the Sinhalese have no right to rule over them now. Once this right is recognised, the Tamils of the North and East would be willing to live with the Sinhalese and cooperate with them on terms of equality and justice. They would be willing to accept a Federal type of Government with a Central Government at the top.
3. What the Tamils are asking is nothing but justice and equality before the law and the use of their language for all purposes, equality of opportunity in education, employment and in the political administration of the Country. But, before the Sinhala only Official Language Law, the Tamils are not equal to the Sinhalese. They have been reduced to the status of second-class citizens in Sri Lanka. Therefore, Tamil also must be made an Official Language of the Country.  
The Bishops' Conference of Sri Lanka issued a statement to this effect in December 1981 suggesting also that English could be made a link language. A copy of this statement was sent to the President of the Republic and to the Hon. Ministers of the Government.
4. This year, the Government in its Statement of Policy read in Parliament, announced that English also would be made a National Language. (At present, English has absolutely no recognition in the Constitution of Sri Lanka). Early action must be taken to implement this good proposal.
5. The so-called Indian Tamils must be given full citizenship.
6. In order to make the people participate fully in the political administration of the Country let the old Sinhala Ratas be revived: Raja Rata, Uda Rata, Ruhuna Rata and Maya Rata. Add to these a Northern Rata and an Eastern Rata. Let the Police Force come completely under the control of the Ratas. (The present D. D. Councils are of little use. They are only local Government Bodies fully controlled by the President of the Republic and without any real power. They have been used by the President to divide the Tamils.
7. Finally, the Army of occupation must be removed from the North and the East. The Tamils of the Northern and Eastern Provinces are neither a subject race nor a conquered race.

But, what has happened now is that the President has given to the Armed Forces in the North and East additional powers from the Public Security Act. This is tantamount to a Declaration of War against the Tamils, who are a minority community. In other words: this is political genocide. (The Situation during the 1971 Insurrection was quite different and we know how the Armed Forces behaved during that period).

Mr. A. Amirthalingam, Secretary of the TULF has publicly announced that the M.Ps. of his Party would be willing to resign their seats in Parliament and recontest them calling upon the people to give them a mandate to endorse "any reasonable solution" that could be reached with the Government in respect of the problems of the Tamils. This he has done in spite of the real danger from the Militant youth. He is quite confident that 90 per cent of the people would support the TULF's new move.

This seems to be the best opportunity to take action to recreate the unity and harmony that existed among the different ethnic communities of Sri Lanka.

Yours sincerely,  
Sgd. B. Deegapillai  
(Bishop of Jaffna)



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## Index

- AIADMK, 93  
 Addabbo, Joseph., 96-7  
 Administratives, 171r  
 Afghan rebels, 106  
 Afghanistan.,  
     problem of, 105-06  
 All-Ceylon Buddhist Congress, 22  
 All Party Conference, 60-7, 131  
     Amirthalingam's views about,  
         142-3  
     annexure 'C' and, 133, 214-6  
     Bandaranaike (Mrs.) on, 146-7  
     Thondaman's views about, 157  
 Amirthalingam, A., 45-6, 56, 60-1,  
     67, 106, 133  
     interview with, 137-145  
     visit to India of, 48  
 Amnesty, 128  
 Amparai, 80-2  
 Anti-'Sri' campaign, 25  
 Ariyaratne, A.T., *Dr.*, 14, 66  
 Army, 18, 105, 109, 146  
 Armed forces,  
     role of, 54-9  
     Tamil's faith in, 15  
 Arunachalam, Ponnambalan., 20  
 Asylum,  
     Tamil terrorists to, 120  
 Athulathamudali, Lalith., 62, 65,  
     88-9, 92, 109, 113  
     interview with, 125-36  
 Autonomy,  
     SLFP and, 180  
 Balasubramaniam, R., 8-9  
     killing of, 55  
 Balasuriya, 66  
 Basingham, *Dr.*, 123  
 Bandaranaike, Anura., 89-90  
 Bandaranaike, S.W.R.D., 22-3  
 Bandaranaike, Sirimavo, *Mrs.*, 64,  
     66, 106, 108  
     interview with, 146-52  
     language problem and, 28-9  
     Soulbury constitution and, 138-9  
     Tamils and, 34-43  
     Tamil terrorists and, 143  
     US navy base and, 99  
     visit to USA, 97  
 Bandaranaike-Chelvanayakam Pact  
     of 1957., 26, 36  
     reactions against, 26-7  
     text of, 176-8  
 Bandaranaike, Solomon  
     language problem and, 24-8  
 Bangladesh, 95  
 Bastianpillai., 53  
 Bhasa Peramuna., 22  
 Bhikkhus., 133  
     Amirthalingam's views about., 143  
     July riots and, 159-60  
 Bill of Oath, 84  
 Brain drain, 77  
 British rule., 19-20  
 Buddhism,  
     1972 constitution and, 37-8  
     Sinhala and, 3-6



- Buddhist monks, 114  
 Budget deficit, 111  
 Burgher,  
   population of,  
     district-wise, 162-63  
 Business, 78  
   July riots and, 16  
 Ceylon Citizenship Act No. 18 of 1948,  
   SLFP and, 180-81  
 Ceylon National Congress, 19  
 Ceylon Workers Congress, 35  
   membership of, 153  
   separate Tamil state and, 51-2  
 Chelvanayakam, S.L.V., 21-2, 139  
   resignation of, 38  
 China,  
   military delegation of, 103  
 Christianity,  
   Sinhala and, 11  
 Christian traditions,  
   Tamil-medium books and, 5-6  
 Christians,  
   schools' nationalization and, 29  
 Citizenship, 51, 203  
   B-C Pact and, 177  
   draft federal constitution and, 192  
   Indian Tamils to,  
     Thondaman's views, 158  
   SLFP and, 179-81  
 Citizenship Act No. 18, 21  
 Colombo,  
   anti-Tamil riots in, 13-4  
 Colonisation scheme, 10-11  
   B-C Pact and, 178  
   Tamil areas, 78-82  
   motive behind, 80  
   Sinhala views about, 80-2  
 Communal representation, 20  
 Communal riots, 1, 13-4, 25, 27, 47-8,  
   55-8  
   Amirthalingam on, 144  
   armed forces' role, 150, 54-9  
   Indian attitude on, 87  
   leftist parties and, 16  
   see also Sinhala-Tamil riot.  
 Communist Party, 23, 31, 41  
 Constituent Assembly  
   SLFP's plan for, 34-5  
 Constitution,  
   Tamils and, 8-9  
 Constitution of 1971,  
   draft of the, 185-8  
 Constitution of 1972, 35-8  
 Corporate sector,  
   employment ratio in, 76  
   race-wise, 170  
 Crime rate, 53  
 Culture,  
   heritage of, 9  
   Sinhala, 4-5  
 DMK, 93  
 Dahanayake, W., 28  
 Decentralisation,  
   Thondaman's views on, 155  
 Defence Agreement of 1947,  
   Sri Lanka-UK, 95, 101  
   text of, 175-3  
 Defence budget, 102-3  
 Deogupillai, B.,  
   Tamil problem  
     solution given, 217-9  
 Desai, Morarji, 87  
 Dissanayake, T.D.S.A., 13-4  
 District Development Councils  
   (DDCs), 30n, 31, 33, 52, 82-4  
   amendment proposals in  
     Parthasarathi and, 210  
   AP conference and, 214  
   Bandaranaike (Mrs.) on, 147-8  
   elections for, 58  
   S-C pact on, 182  
   Structure of, 204-6  
   Tamil Eelam and, 140-01  
 District Development Fund, 206  
 District Minister, 83  
   powers of, 205  
   Distrust, 14  
 Duraiappah, Alfred,  
   assassination of, 53  
 Durava caste, 11n  
 Dutthagamani, King, 3-4  
 Economic pressure, 113-4  
 Economy, 110-11  
   federal constitution and, 197-8  
 Education problem, 70-4  
 Educational Right,  
   federal constitution and,  
     draft of the, 196-7  
 Eelam,  
   meaning of, 137  
   see also Tamil Eelam  
 Eelam People's Revolutionary Libe-  
   ration Front (EPRLF), 55, 64  
   committee of,  
     arrest of, 126  
 Eelam Revolutionary Organisation  
   of Students (EROS), 55  
 Eksath Bhikkhu Peramuna, 22  
 Elara, King, 3-4  
 Election of 1956,  
   party position of, 23  
 Employment, 74-8  
   corporations sectors in,  
     groups and race-wise, 170r

- English language, 69  
 Epics, 2-3  
 Evaluation committee,  
   report on colonisation scheme, 79  
 Extradition Treaty,  
   Athulathmudali on, 126-7  
   Premadasa on, 121  
 Factionalism, 109  
 Farmer, B. H., 3  
 Federal constitution,  
   draft of the, 185-98  
   citizenship, 192  
   economic objectives in, 197-8  
   education right in, 196-7  
   foreign policy in, 198  
   fundamental rights, 193-5  
   memorandum, 185-7  
   national language in, 195-6  
   political structure, 188-91  
   preamble, 188  
 Federal Party, 21-2  
   1972 Constitution and, 36  
   agreement with,  
     text of, 176-8  
   collaboration with Sinhala, 30  
   demands of, 24  
   language problem and, 35-6  
   'Tamil only' movement and, 23  
   see also TULF  
 Federal system,  
   demand for, 23-4  
 Fisheries,  
   restrictions on, 130-01  
 Foreign conquest,  
   status quo ante,  
     Tamil's demand of, 186  
 Foreign policy,  
   Bandaranaike (Mrs.) on, 149-50  
   draft federal constitution and, 198  
 Foreign relations,  
   India with, 88-104  
   Muslim countries with, 111  
 Fourth International Conference of  
   Tamil Research  
   killing of Tamils, 41  
 Fundamental Rights,  
   draft federal constitution and,  
     193-5  
   1972 constitution and, 37  
   restrictions on, 42-3  
 Gal Oya Board, 178  
 Gal Oye multi-purpose project, 79  
 Gandhi, Indira, Mrs., 60, 62, 87-8,  
   93-5  
 Jayewardene's meeting with, 208-9  
 Premadasa on, 121-2  
 Gandhian society, 58  
 General Union of Eelam Students  
   (GUES), 55  
 Goyigama caste, 11n  
 Great Britain, 95  
   defence agreement with, 101  
   text of, 172-3  
 Grenada, 108  
 Hameed, A. C. S., 87, 94  
 Hinduism, 13  
 India,  
   foreign relations with, 86-104  
   mediatory role of, 114  
   options before, 105-15  
   role played by,  
     negotiations for, 60-2  
   Tamil Eelam demand and, 48  
 Indian Ocean, 95-6  
   naval base and, 99  
 Indian Tamils, 11, 15, 51-2, 56, 132,  
   108  
   citizenship to, 16  
   Thondaman's views, 158  
   Constituent Assembly and, 35  
   increase in population, 81-2  
   district-wise, 162-3r  
   July riots and, 154  
   Kandyan Sinhala and, 21  
   Nehru-Kotalewela Pact, 80  
   Thondaman's views, 153-4, 158-60  
 Indo-Sri Lanka treaty,  
   Athulathmudali's views, 125  
 Industry,  
   Tamils' dominant, 78  
 Inflation, 110  
 Inter-marriage,  
   Thondaman's views on, 139  
 Israel,  
   military aid by, 103  
 Israeli Intelligence Agency, 103, 107,  
   135  
 Jaffna, 8  
   public library,  
     burning of, 55-6  
   Sinhala's position in, 14  
   students of, 77  
   terrorism in, 54-7  
   violence in 55-8  
   see also Communal riots  
 Jaffna Tamils, 9-10, 15  
   armed forces attack on, 61-2  
   military cracked down on, 29  
 Jails' safety,  
   Athulathmudali on, 128  
 Jathika Vimukthi Peramuna, 42  
   July riots and, 16  
   uprising of, 156



- Jayewardene, Hector., 88  
 Jayewardene, J. R., 26, 87-104, 108-13  
   foreign policy of,  
     Bandaranaike's views about, 149-50  
   interview with,  
     text of, 208-9  
   July riots and, 16-7  
   Tamil and, 44-67  
   visit to India, 211  
   visit to USA, 97  
 Jones, William, *Sir.*, 6  
 Kachchathivu Problem, 86  
 Kampuchea,  
   Athulathmudali on, 129  
   Guerillas of, 106  
 Kandy., 8  
 Kandyan Sinhala,  
   Indian Tamils and, 21  
 Karava caste, 11n  
 Karmal, Babrak., 106  
 Karunanidhi., 92  
 Kotalawela, John F., 12  
 Kotte., 8  
 Kumarasuriar, C., 34, 41  
 Land Development Ordinance,  
   S-C pact and, 182-3  
 Language, 199-202, 215-6  
   *see also* National languages, Official language; Tamil language.  
 Language Problem, 22-37, 49-51, 69-70, 138  
   B-C Pact and, 176-7  
   Federal Party and, 35-6  
   S-C Pact on, 182  
   SLFP and, 180  
   *see also* Official Language Act.  
 Lanka Sama Samaraja Party., 31, 41  
 Leftist parties,  
   ban on, 16  
 Liberation Tiger Movement of Eelam, 41, 53, 55-6  
 Liyanage, Douglas., 103  
 Local administration, 83-4  
 Madras airport,  
   explosion at, 92  
 Mahajana Eksath Peramuna, 23-8, 42  
 Mahavamsa  
   Dutthagamani-Elara episode in, 2-4  
 Maheshwaran, Uma., 55  
 Malay population,  
   district-wise, 162-163r  
 Maritime boundary,  
   problem of, 86  
 Mathew, Cyril., 17, 56, 89, 109  
 Media, 147  
 Medium of instruction,  
   students for, 50  
 Militants *see* Tamil terrorists  
 Military aid, 94-5, 103  
   UK by, 101  
   USA by, 96-7  
 Military bases, 96-7, 110  
   Trincomalee, 98-9  
 Military coup,  
   possibility of, 108-10,  
     Indian reaction, 112  
 Military intervention,  
   India's option as, 105-12  
 Minorities,  
   1972 constitution and, 37-8  
 Mizoram, 91  
 Moors, 66  
   population of,  
     district-wise, 162-3r  
 Mossad., 95, 102  
   American help in, 102  
   Bandaranaike (*Mrs.*) on, 149-50  
   Thondaman's views, 157  
 Muslim countries, 111  
 Muslim traditions,  
   Tamil-medium books and, 5-6  
 Nadarajah, Subramaniam., 83-4  
 Nagaland, 91  
 Narasimha Rao, P.V., 87, 99  
   visit to Sri Lanka,  
     press release, 207-13  
 National languages, 199-202  
   draft federal constitution and, 195-6  
 Nationalism, 106  
 Nava Lanka Sama Samaja Party, 23  
 Naval bases, 101  
   USA's, 99  
 Navalair, Arumuga., 10  
 Navy, 103  
 Nayakkars, 8  
 Negotiations, 59-67  
 Nehru-Kotalawela Pact, 86  
 Official language, 199-201  
 Official Language Act, No. 33 of 1956, 24-9  
   text of, 174-5  
 Padmanabha, K., 55  
 Pakistan, 95  
 Palali-Jaffna road killings, 16-8  
 Palk straits, 113  
 Puranavithana, *Dr.*, 7n  
 Parthasarathi, G., 133  
   visits of, 60, 88, 209-10  
 Peoples' Liberation Organisation of  
   Tamil Eelam (P.L.O.T.E.), 55  
 Ponnambalam, G.G., 20-9, 154  
 Ponnambalam, V., 38  
 Population,  
   ethnic distribution of, 162-3r  
   Tamil,  
     decline of, 81  
 Powers devolution, 131-2  
 Port authority, 215  
 Premadasa, *Prime Minister*, 89-94,  
   17, 90, 109, 113  
   interview with, 119-24  
   views about militants, 66  
 Press, 42  
 Pressures,  
   India's option as, 112-4  
 Prevention of Terrorism Act of 1979,  
   53-4, 58  
   Bandaranaike's (*Mrs.*) views  
     about, 149-50  
   Thondaman's views, 160  
 Professionals, 77, 168-9r  
 Provincial councils, 131-2  
 Public sector,  
   employment opportunities in  
     ratio of, 75-6r  
 Punjab problem,  
   Bandaranaike's views on, 148  
   Tamil problem and, 91  
 Pujavali, 3  
 Rajadurai, C.,  
   defection of, 52  
 Ramachandran, M.G., 92-3, 123  
 Ratnam, M. Canaga.,  
   Attack on, 53  
 Ratnasubharpary, Eliathamby., 55  
 Reagan-Jayewardene meeting, 97  
 Refugees,  
   India and, 90  
 Regional area,  
   B-C Pact on, 177  
 Regional autonomy,  
   SLFP and, 180  
 Regional councils, 212-4  
   B-C pact on, 177-8  
   demand for, 26, 31  
 Religious harmony, 159  
 Religion, 13  
 Riots *see* communal riots  
 Rodiyas, 11n  
 Salagama caste, 11n  
 Samrin, Heng., 105  
 San Soni Commission, 48  
 Second chamber,  
   proposal of, 62-3, 84  
 Self-determination,  
   resolution for, 139  
 Seminar, 67  
 Senanayake, D.S., 12, 20, 31, 79, 109  
 Senanayake, Dudley., 31-3, 108  
 Senanayake-Chelvankam Pact, 31  
   text of, 182-3  
 Seniviretno, *Brigadier.*, 14  
 Separate state *see* Tamil Eelam  
 Sikh terrorists, 91, 122  
 Sinhala demonstrations,  
   B-C Pact against, 27  
 Sinhala guerillas, 106  
 Sinhala Jatika Sangamaya, 22  
 Sinhala language,  
   Tamil's views on, 69-70  
 Sinhala Mahajan Pakshaya, 34  
 'Sinhala Only' Act, 25, 31-2  
 'Sinhala Only' movement, 22-3  
 Sinhala peasants,  
   settlement of,  
     Tamil area in, 79-80  
 Sinhala population,  
   district-wise, 162-3r  
   Tamil districts in, 82  
 Sinhala soldiers, 18  
   killing of, 107  
 Sinhala students, 71  
   admission figures, of, 72-3r  
 Sinhala-Tamil conflict,  
   origin of, 20, 68-85  
 Sinhala-Tamil cooperation, 19-20,  
   30-33  
 Sinhala-Tamil riots, 1, 13-8  
   *see also* Communal riots  
 Sinhala,  
   Buddhism and, 3-6  
   Caste division among, 11  
   employment opportunities for,  
     74-8  
   killing of, 48  
   population of, 7  
   racial myth of, 2  
   separatism and, 134  
 Sivakumaran, Ponnadurai., 41  
 Sivasittamparam, M.,  
   visit to USA by, 49  
 Southbury Commission, 20  
 South Asia,  
   security perspectives,  
     Sri Lankan, 95  
 South Asian Regional Cooperation,  
   107  
 Special Air Service, 102, 135  
 Sri Lanka Federal Party, 22-4, 30, 106  
   anti-Tamil campaign of, 31  
   Constituent Assembly plan of, 34-5  
   education programme of, 70  
   1960 election and, 28  
   1977 election and, 44-5  
   'Sinhala Only' resolution of, 23



- Tamil demands,
  - acceptance of, 179-81
- Sri Lanka vs. A. Amirthalingam*, 9
- State terrorism, 91
- Suntharalingam, C., 40
- Supreme Court, 215
- 'Swabhasha' movement, 23
- Tamil areas,
  - colonisation schemes and, 78-80
- Tamil Congress, 20-4
  - 1972 constitution and, 36-7
- Tamil Eelam, 64
  - areas of, 137
  - demand for, 39-48
    - reasons for, 138-9
  - Indian attitude towards, 92-3, 155
  - meaning of, 137
  - resolution of, 139-40
  - Thondaman's views on, 153-4
- Tamil Eelam Liberation Organisation (TELO), 55
- Tamil Estate Workers' Party, 51
- Tamil guerilla movements, 41
- Tamil labours, 9-11
  - See also Indian Tamils.
- Tamil language, 138, 200-2
  - B-C Pact and, 26
  - 1958 Act and, 27-8
  - 1972 constitution and, 35-6
  - special status for,
    - regulation of, 31-3
  - See also Language problem.
- Tamil Language Research Conference, 92
- Tamil Language (Special Provisions) Act, 31-2
  - text of, 184
- 'Tamil Only' movement, 23
- Tamil Population,
  - decline of, 81
  - district-wise, 162-3r
- Tamil problem,
  - causes of, 63-85
  - India's options, 105-15
  - India's role, 87-95, 154-7
  - Athulathmudali on, 125-36
  - Premadasa on, 119-24
  - proposals for solution, 217-9
  - roots of, 2
  - SLFP and, 179-81
- Tamil refugees, 13, 47, 90, 120
- Tamil Renaissance, 10n
- Tamil sovereignty, 186
- Tamil Students,
  - admission figures of, 72-3r
  - universities in, 70-4
- Tamil terrorists, 52-5

### Ethnic Crisis in Sri Lanka

- activities of, 41
- armed action against, 53-5
- Bandaranaike (*Mrs.*) on, 146
- negotiations with,
  - Athulathmudali's views on, 128-9
  - Bandaranaike's views about, 143, 148-9
- Premadasa on, 120-4
- Surrender of, 149
- TULF Leadership and, 46
- training to, 65, 113
  - Athulathmudali on, 126
- Tamil United Front (TUF),
  - 1972 constitution and, 38-9
  - formation of, 37
  - Vaddukodai conference of, 39
  - See also Tamil United Liberation Front.
- Tamil United Liberation Front (TULF),
  - All Party Conference and, 60-7
  - annexure 'C' and, 133
  - 1977 election and, 44-5
  - popularity of, 141
  - Premadasa's views about, 122
- Tamil Eelam,
  - demand for, 39-48
- terrorists and,
  - Athulathmudali on, 127-8
- terrorists Act and, 54
- Vaddukodai conference of, 139
- Tamil Youth, 47
- Tamilnadu, 92-5, 120
- Tamils,
  - army atrocities on, 55
  - Bandaranaike government and, 34-43
  - Buddhist monks' views about, 14
  - cities' names of, 8
  - communal representation and, 20
  - concessions granted to
    - Jayewardene by, 40-51
  - 1972 constitution,
    - reaction against, 37-8
  - constitutional binding and, 8-9
  - Constituent Assembly
    - representation in, 34-5
  - demands of, 139
  - employment opportunities for, 74-8
  - Industry and business, of, 78
  - Jayewardene and, 40-67
  - N-E provinces in, 45
  - population of, 7
  - pre-Buddhist heritage of, 7n
  - racial myth of, 2-3
  - Sinhala language and, 24-5
  - Swabhasha movement and, 23

### Index

- Tamilnadu of, 10
  - See also Indian Tamils.
- Tank farm, 97-100
- Tea labourers, 157
- Tea price, 111
- Terrorism, 52-8, 63-5
  - Thondaman's views, 156-7
- Terrorists camps, 125-6
  - See also Tamil terrorists.
- Thera, Mayurapada., 3
- Thiagarajah, A., 55
- Thondaman, S., 51
  - Interview with, 153-61
- Tourist traffic, 111
- Trade policy,
  - draft federal constitution in, 198
  - restriction, 113
- Trincomalee, 80-2
  - naval base of, 101
- Trincomalee Oil Tank Farm deal, 95, 97-101, 135-6
- Unemployment,
  - Tamil youth, 40
- United National Party, 22-3, 30, 51-2
  - admission policy of,
    - universities in, 71
  - attitude towards India, 89-90
  - B-C Pact and, 26-7
  - colonisation scheme of, 79
- 1977 election and, 44
- Indian Tamils and, 160
- disenfranchising of, 21
- July riots and, 16-7
- United States of America,
  - invasion of Grenada by, 108
  - military base of, 99
  - Mossad deal and, 102
  - Sri Lanka policy towards, 95-101
  - Tamil Eelam and, 49
- University Admissions, 72-3r, 164-7r
  - problems of, 70-2
- Vavunia, 82
- Venkataraman, R., 7, 92
- Vijaya, King., 2-3, 7
- Voice of America, 95, 97, 100-01
- Violence see Communal riots.
- Voddukodai, Conference, 139
- Vote politics, 148
- Walter's Vernon, General, 96
- Woeratunge, T.L., 54
- Weinberger, Caspar.,
  - visit to Colombo, 96
- Western Countries,
  - military aid by,
    - India's option for, 110
- Yogeshwaran, A., 47



