

**India's Diplomatic Efforts in Diffusing Sri Lankan Ethnic Crisis:
From 1983 to the Conclusion of Indo-Sri Lanka Accord.**

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CRISIS : FROM 1983 TO THE CONCLUSION OF INDO - SRI LANKA
ACCORD" submitted by Ananta Vijaya Patnaik in partial ful-
filment of the award of the Degree of Master of Philosophy
(M.Phil) in Jawaharlal Nehru University, is a product of the
student's own work, carried out by him under my supervision
and guidance.

It is hereby certified that this work has
not been presented for the award of any other degree or diploma
by any university in or outside India and may be forwarded to
the examiners for evaluation.

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Supervisor

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Preface

The ethnic problem of Sri Lanka, resulting from the discriminatory attitude of the Sri Lankan Governments since independence towards Tamil minority, assumed prominence in 1983 when the ethnic violence caused the killings of many innocent Tamils. This ethnic violence was probably the most brutal and destructive communal riots in the nation's history. Since 1950s the Government of India has been trying to solve the ethnic crisis of Sri Lanka as it has got an adverse impact on the domestic politics of India in view of the cultural linkages between the Tamils of Sri Lanka and that of South Indian State of Tamil Nadu. Despite various efforts, the problem used to elude any political solution for some reason or other. The ethnic problem of Sri Lanka assumed a serious dimension in 1983 when the island nation witnessed widespread riots and killings. Considering the seriousness of the problem the Government of India took the initiative of mediating between the Tamils and the Sri Lankan Government in order to arrive at a political solution. The objective of this study is to examine India's diplomatic efforts in working out a political settlement from 1983 to 1987 and analyse the turn of events during this period. This has been done by specially focussing the attitudes and responses of the principal actors most directly concerned --

the Sri Lankan Government and the Tamils, moderate as well as militant, towards this problem.

During the course of my work I received guidance from my Supervisor, Professor Pushpesh Pant, who helped me in completing my dissertation. I am very grateful to him. I am indebted to the staff of the Jawaharlal Nehru University Library and Sapru House Library, who provided adequate research materials for my work.

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Abbreviations Used in this Dissertation

APC	-	All Parties Conference
CWC	-	Ceylon Workers Congress
ENLF	-	Elam National Liberation Front
EPRLF	-	Elam People's Revolutionary Liberation Front
EROS	-	Elam Revolutionary Organisers
JVP	-	Jatiya Vimukti Peramuna
LTTE	-	Liberation Tigers of Tamil Elam
MEP	-	Mahajana Eksath Peramuna
PLOTE	-	Peoples Liberation Organisation of Tamil Elam
PPC	-	Political Parties Conference
SLFP	-	Sri Lanka Freedom Party
TELO	-	Tamil Elam Liberation Organisation
TULF	-	Tamil United Liberation Front
UNP	-	United National Party
PROTEG	-	Protection of Tamils of Elam from Genocide

Chapter 1

INTRODUCTION

Historical Background of Sri Lankan Ethnic Crisis

Every event in the world is preceded by certain cause or causes. This is an universal truth applicable to all the events that occur. Similarly, same is the case with Sri Lankan ethnic crisis which is not automatic by itself rather the factors responsible for this eruption are rooted in the past history of communal disharmony between the Tamils and the dominant Sinhalese ethnic groups. Ethnically the country's population is composed of 73.98%^{Sinhalese,} 12.6% Tamils, 5.56% Indian Tamils and 7.12% Sri Lankan Moors.¹ Sri Lanka, known as the "Tear Drop Island", attracted the International notice when anti-Tamil riots rocked Colombo in July 1983. The bloody clashes between the Tamils and the Sinhalese tended to generate tension between India and Sri Lanka and even threatened to disrupt the cordial relationship between the two countries. No immediate factors can be attributed to the recent clashes. When we unravel the truth, we find that the seed of discord is rooted in the past.

An analysis of the background of present demand of the ethnic Tamils will provide credence to the justification

1. See, Strategic Digest, vol. XIV, no. 12, December 1984, p. 1452.

of Tamil grievances. The struggle for dominance by the Tamils and the Sinhalas over the years provides the background to the present conflict. This struggle for dominance has been interpreted differently by the Sinhalese and the Tamils in order to support their claim over the land. The Sinhalas' contention is that the north Indian King, named Vijaya came to Sri Lanka 2,500 years ago and established his supremacy over the southern part of the land. This invasion marked the beginning of the Sinhala race. But the Tamils give a different view of history. They claim to be the original inhabitants of the island since South India is much closer to Sri Lanka. According to the Tamils, the ancient name of Sri Lanka was 'Elam'.² So, both Tamils and the Sinhalese blame each other as an aggressor.

These two different viewpoints with regard to the claim of dominance over the island raise questions as to whose claim is correct? It seems the Sinhalese have no right to claim the island as their's alone. Their 'Mahavamsa'³ admits that their history in the island begins only after the arrival of Prince Vijaya in 500 B.C. from an upper kingdom in the overhanging subcontinent via the Indian Ocean. As a matter of fact the Sri Lankan Government

2. 'Elam' means State. In order to ensure their survival and progress, the Tamils in 1976 decided to demand a separate 'Tamil Elam'.

3. S. Arasaratnam, Ceylon, New Jersey, 1964, p. 100.

issued a commemorative stamp which depicted the scene of the arrival of King Vijaya. Prior to the arrival of King Vijaya the actual inhabitants of the land were the Tamil natives. Vijaya married the Tamil princess, Kuveni and later subjugated the Tamils and established Sinhala rule. President Jayewardene was, therefore, not telling the truth when he announced over the national radio and the T.V. in the island in the wake of the July genocide of the Tamils that "it was really the Sinhalese who were the true historical victims of Tamil arrogance and treachery".⁴

If Jayewardene thinks on the line of Ronnie de Mel, Sri Lanka's finance Minister and Lalith Athulathmudali, National Security and Defence Minister, then it is a misconception on the part of him to say like that. According to Ronnie de Mel, "the Tamils feel they are a minority in Sri Lanka, but the Sinhalese feel that they are a minority in South Asian context where they are only 12 million people, against total of 60 million people living in the South India State of Tamil Nadu and in Sri Lanka". Similar statement was also made by Lalith Athulathmudali. Well stretching the Indian historical background of the conflict the political parties in northern India could have sided with the Sinhalese since they reached the island, 2,500 years ago from northeast

4. M.V.M. Alagappan, ed., Tears in Tear Drop Island, 1985, p. 19.

India. But the entire Indian nation sympathises with Sri Lanka's Tamil community.

In 1614 A.D. the subjugation of ethnic Tamils in the island took place by the Portuguese. The Dutch and the British followed the Portuguese. Of all the three colonial powers, the British could be able to conquer, colonise and control the entire island which till then was shared by the Tamils and the Sinhalese with their clearly demarcated sovereign territories ruled by their respective Kings. The British tried to streamline the separate administrative and judicial systems for the Tamils and the Sinhalese and to strengthen their hold over the land by integrating politically divided territories. Ceylon became a single political state on 18th February 1833 when the British crown issued a Charter⁵ to render justice in the island of Ceylon. This is how the Sinhalese got their country.⁶

The ethnic eruption in Sri Lanka can be traced back to 1931, when Buddhism was given a higher pedestal in the

5. In 1829 the British crown appointed the Colebrook Commission to "examine the ways to implement in Ceylon the political philosophy and the administrative system of the British". The Commission submitted the report in 1832, it was decided to adopt the British administrative methods. The issue of the Charter is nothing but the recommendations of the Commission which had been made law.

6. n. 4, p. 20.

socio-religious life of Sri Lanka through an Act protecting Buddhist movements. In 1936 the British tried to accommodate the nationalist sentiments as they had been forced to do in the Indian sub-continent. The result was the formation of Sinhalese Ministry under J. Jayathilake, who declared that Ceylon belongs to the Sinhalese only, thus reducing the Tamils to the status of secondary citizens. The British left Sri Lanka in 1948. In this background, independent Sri Lanka passed some legislative measures which denied the citizenship or voting rights to the majority of its Indian migrants. So the Sinhalese once established in power, stripped the Indian Tamils, who were taken by the British as plantation labourers and who were responsible for Sri Lanka's prosperity, of their basic citizenship through the Citizenship Act of 1948 and thus reduced more than 15 lakh Tamils to the status of stateless.⁷

The Citizenship Act of 1948 and the Indian and Pakistani Residents Act of 1949 restricted citizenship claim to those who could prove their eligibility through descent or continuous residence since 1939. Voting right depended on this factor. India's constitution did provide for citizenship rights to emigrants of Indian origin. However, the majority of such emigrants in Sri Lanka clearly

7. Ibid., p. 15.

wished to remain on the island.⁸

Since 1944 the Sinhalese were induced to settle in various places under the settlement schemes, particularly in areas like Ambarai, Kalloya, Trincomalee, Vavunia, Mattakalappu, and the lands once cultivated by the Tamils now gradually went to the hands of the Sinhalese. Likewise, Fishermen Rehabilitation Schemes concentrated on the settling of the Sinhalese in the areas like Mullai Theevu, Mattakalappu and Trincomalee with the sole aim of depriving the Tamils of their traditional occupation.

The introduction of the Sinhala language bill in 1956 by the Bandaranaike Government, declaring Sinhalese as the national and official language was also responsible for the deterioration of the social and the economic life of the Tamils, who lost employment opportunities in the Government. Civilian officers were compelled to take Sinhala language examinations for their promotion. In 1958, Sinhala fanaticism pervaded the normal social life by compelling car owners to use Sinhala SRI on their number plates. This resulted in a riot, where in, the Sinhalese

8. Within two years of the period set for the applications. Since the Indian and Pakistani Residents Act of 1949, over 237,000 applications involving some 825,000 persons claiming Sri Lankan citizenship had been filed. By 1953, hardly 7,000 applications involving 25,000 persons had been accepted. See, V. Coelho, Across the Palk Straits : Indo-Sri Lanka Relations, Dehradun, 1976, pp. 126-27.

mercilessly killed many Tamils. There was also the nationalisation of the tea gardens in 1972 and 1975 for the benefit of the Sinhalese. During this process many Tamils were killed. The year 1978 saw the wiping out of an entire village called Neelapulai, near Moothoor, where many Tamil families had been resettled after the 1977 riots. The Sinhalese efforts to squeeze the Tamils were extended to cover more areas after the assumption of power by J.R. Jayewardene. Tamils were known for their excellent cultivation in onion, chillies, potato and tobacco. The Sinhalese Government took the initiative in annihilating these areas of production by allowing large-scale import of these by Sinhalese.⁹

Thus, it can be said that the Tamil unrest in Sri Lanka resulted not in a vacuum but in an atmosphere where the Sinhalese politics, society and religion play a major role. Political rivalry between the Sinhalese leaders in which the success depended on the extent to which one was able to carry the majority of the Sinhalese people, made them blind to the need to keep the Tamil people content by giving them equal rights with respect to their language, religion and other vital matters. Such an atmosphere is good enough to justify the reasons for Tamil unrest in Sri Lanka.

9. n. 4, p. 17.

Earlier Indian Efforts in Settling
the Tamil Problem of Sri Lanka

Although, there is little disagreement between India and Sri Lanka in international affairs, their bilateral relations were dominated by the protracted problem presented by the people of Indian origin in Sri Lanka.¹⁰ The years 1953 and 1954 witnessed the serious efforts that were made at the highest level, between the Prime Ministers of both the countries to come to terms on the problem. An agreement was reached on 18 January 1954 providing some guidelines of action.¹¹ Sri Lanka agreed to expedite the registration of those applying for citizenship under the 1949 Indian and Pakistani Residents Act. Those not registered as citizens of Sri Lanka, either by choice or rejection, were free to register as Indian citizens according to the provisions of the Indian constitution.

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10. Estimated to be nearly 1 million out of a total population of about 8 million at the time of Sri Lankan independence, some 800,000 population were believed to be employed in the tea and rubber plantations and the rest believed to be employed in business and commerce, and clerical work. In Sri Lanka, they were known as 'Indian Tamils', as distinct from "Ceylon Tamils", Sri Lanka citizens of Indian origin who had migrated to Sri Lanka some centuries ago.
11. Keesings Contemporary Archives, vol. IX, 27 February-6 March, 1954, p. 13441.

Soon after the Agreement new differences cropped up. India held that the Agreement took cognizance of the third category persons who were neither Sri Lankan citizens nor Indian citizens -- but who were "stateless". And those persons, permanently domiciled in Sri Lanka, who could not obtain the Sri Lankan citizenship either by choice or rejection, did not automatically become Indian citizens, unless they held Indian passports or were registered according to the provisions of the Indian constitution. They were the responsibility of the Sri Lankan Government. Sri Lanka's contention, on the other hand, was that all persons of Indian origin who had not secured or could not secure citizenship rights were Indian citizens and India's responsibility. Such a situation led to another meeting in New Delhi in October 1954 between Prime Minister Nehru and Kotelawala where both agreed to expedite and facilitate the processes of registration.¹² However, in reality things could not be put into practice. Things remained in stalemate until 1962 when the negotiations were reopened on the question, culminating in an Agreement reached by Prime Ministers Lal Bahadur Shastri and Sirimavo Bandaranaike in October 1964.

The Agreement provided for the settlement of 875,000 persons -- 300,000 to be granted Sri Lankan citizenship and

12. Ibid., 30 October-6 November, 1954, p. 13868.

525,000 to be repatriated to India within a period of 15 years, on whom the Indian Government would confer citizenship. The status and the future of the remaining 150,000 would be settled under separate agreement. Sri Lankan Government agreed not to discriminate against those leaving and the same facilities would be accorded to them as other citizens until the time of their actual departure.¹³

However, things got stuck up because of the re-election of UNP (United National Party) to power. The Indo-Sri Lankan Agreement Bill was finally passed by the Sri Lankan Parliament in June 1967. The main features of the Act represented a departure from the 1964 Agreement. Premier D. Senanayake explained that the grant of Sri Lankan citizenship should be tied to the grant of Indian citizenship so that the problem of statelessness could be disposed of earlier than 15 years by not having to depend upon the repatriation of a proportionate number to India. During Mrs. Gandhi's 'goodwill visit'¹⁴ to Sri Lanka in 1967, it was agreed that the case of residual number of 150,000 persons would be taken up after a major part of the 1964 Agreement had been implemented.¹⁵ A two year period was

13. Ceylon Treaty Series, no. 5, 1964, Colombo, 1964.

14. The Hindu, 17 September 1967.

15. Asian Recorder, 5-11 November 1967, p. 8000.

fixed for the receipt of applications for Sri Lankan citizenship, beginning from 1 May 1968. Simultaneously, a notification was issued by the Indian Mission in Colombo calling for application for Indian citizenship.¹⁶ But due to the slow progress in processing cases during the years, a backlog of persons to be repatriated had also accumulated. A settlement was reached in 1973 during Mrs. Gandhi's visit to Sri Lanka. It was agreed that an increase of 10% each year over the initial figure of 35,000 mentioned in the 1964 Agreement would be made. In 1974 Mrs. Gandhi made an agreement with Mrs. Bandaranaike whereby both the countries agreed to accept half of the remaining 150,000 for their respective citizenship. The entire process was expected to be completed by October 1981. Although, the Sirimavo-Shastri pact lapsed on October 31, it failed to fulfil its lofty objectives. Even after 20 years of the pact the problem of stateless Indians still remained unresolved. As per the two agreements, a total of 6 lakh persons were to be repatriated to India; with natural increase, the final figure was at 7.5 lakh. Though Sri Lanka had earmarked only 4 lakh for Sri Lankan citizenship, the applications numbered 6.25 lakh. On the other hand, only 4 lakh people applied for Indian citizenship, though the number to be repatriated

16. n. 8, p. 132.

was 6 lakh. According to the data given by the Sri Lankan High Commission in Madras, as on 31st May, 1984, India had conferred citizenship on 4,17,718, while Sri Lanka conferred citizenship on 1,94,899.

India's Stakes in the Recent Sri Lankan Ethnic Eruption

Although the ethnic problem was purely an indigenous question, the communal riots in Sri Lanka in 1983 and the emotional feelings aroused amongst the Indian people and the flow of refugees from Sri Lanka that swarmed into Tamil Nadu, made India a concerned party. With the influx of 40,000 refugees into Tamil Nadu, following the 1983 carnage, the Government of India has, again understandably, voiced its concern, time and again, on the repercussions which such an influx would have in Tamil Nadu not only in terms of the administrative problems it poses but more in sharpening the public opinion in Tamil Nadu for India to intervene effectively in a situation where there is an emotional bond of ethnic identity between the Tamils of Sri Lanka and those of Tamil Nadu. It was quite clear, therefore, that India could not have remained either indifferent or insensitive to the developments in Sri Lanka. It has a domestic dimension which no government can ignore or make secondary to other considerations.

Thus, there are domestic factors that would make for India's continuing stakes in the resolution of the ethnic crisis in Sri Lanka. The widespread sympathy in Tamil Nadu for the Sri Lankan Tamils and the subsequent pressure emanating from it -- covering all forms of bandhs, immolations, appeal to the UN on humanitarian grounds and even demand for more active Indian role -- even if viewed largely a function of electoral politics, can not be completely ignored by the Central Government despite its repeated counsel for restraint.¹⁷

Apart from these domestic and emotional considerations, there comes the most important concern, e.g., the strategic concern. The disturbed internal condition of Sri Lanka and interplay and involvement of foreign forces in Sri Lanka posed a larger threat to the peace and stability of the region. Sri Lanka's overtures to China, Britain, US and Israel for support in the management of its ethnic problem had added urgency for India. Although such an occurrence was there earlier in 1971 -- when Mrs. Bandaranaike sought the help in her action against J.V.P. from UK, Yugoslavia, India, Pakistan and the US -- the current move assumes significance for two reasons - India is conspicuous by its

17. Any consequent Tamil separatist movement or aspirations -- presently beyond the ken of reasonable conjecture -- while having disastrous consequences on Sri Lankan integrity, would have far reaching implications for India itself taking the case of Punjab into prime consideration.

absence from the list of countries approached for help, directly or indirectly, and Sri Lanka's growing pro-West orientation, particularly in the context of reports of re-activation of the Anglo-Sri Lanka defence agreement, and the VOA agreement and the Trincomalee oil tanks deals against the background of US quest for naval bases in the strategic Indian Ocean area.¹⁸

Sri Lanka has renewed its agreement with the Voice of America in December 1983 extending to it significant facilities. This agreement permits US Government to install six transmitters of 250 KW capacity each at a receiving and transmitting centre to be set up on a huge 1000 acre plot of land at Mutturajwela, in addition to the 1951 agreement with the VOA.¹⁹ Significantly enough, the new agreement has given the sole responsibility in practically all the areas connected with the management, operation, construction, maintenance and technical improvement of the VOA station to US nationals. When fully operational this station will be a strategically important communication base for the US in the Indian Ocean. Moreover, this will also help the US Government to develop Diego Garcia into a fully equipped

18. Urmila Phadnis and others, ed., Domestic Conflicts in South Asia: Political Dimensions, vol. I, New Delhi, 1986, p. 77.

19. The 1951 agreement with the VOA permitted it to install three transmitters of 50 KW short wave capacity.

military base.

Sri Lanka's Defence Agreement with Britain in 1947 was reactivated by the Jayewardene regime in 1981. The agreement, ostensibly aimed at "security of territories" and "defence against external aggression" enables Sri Lanka to grant "necessary facilities"²⁰ to the UK for military use. It was perhaps under the provisions of this agreement that the Government of Sri Lanka sought security help from Britain during the July 1983 ethnic violence and engaged the Special Air Service (SAS) of Britain for training Sri Lanka's paramilitary forces for counter insurgency. There was also the recruitment of British commandos and the Israeli intelligence agency Mossad to strengthen the operational efficiency of its security forces against the Tamil militants. This was in total defiance of the opposition to the Israeli involvement within Sri Lanka (from Muslims and the Leftists in particular) as also from India and the Arab countries.²¹ The National Security Minister Lalith Athulathmudali in a Press Statement on August 10, openly admitted the Israeli and the British involvement.

20. The "necessary facilities" include the use of naval and air bases and ports and military establishments and the use of telecommunication facilities.

21. S.D. Muni, "Sri Lanka's Ethnic Convulsions", Mainstream, 22 Annual Number, 1984.

The presence of external forces in Sri Lanka is not a good sign for India from the strategic and the security point of view. So it was in this framework that India was involved in the ethnic problem of Sri Lanka. It is also important to have a clear picture as to what India's objectives are, and the basic and essential elements of any political solution. Sri Lanka is a multi-racial, multi-lingual and multi-cultural society. It is also a small island, non-aligned and strategically located in the Indian Ocean. India can not ignore the principles that it had always upheld, the respect for the unity and territorial integrity of nations, non-interference in their internal affairs and the promotion of relations on the basis of equality and mutual benefit. At the same time India can not ignore its own national interests and regional concerns. Any solution, therefore, had to be within the framework of Sri Lanka's unity and territorial integrity. So any political solution would also have to be acceptable to all parties concerned. Any forced solution would not endure. It would lead to continuing instability. This in turn would work against the non-aligned character of Sri Lanka by inviting the involvement, interference and even the presence of outside powers.

Chapter II

THE SEARCH FOR A SOLUTION

The ethnic eruption in Sri Lanka in 1983 put the Indian diplomacy to a severe test. Although, India is strict about its adherence to the principles of non-interference in the internal matters of other countries, it can not overlook the unprecedented violence not only affecting the Tamil minority in Sri Lanka but also a sizeable number of Tamils of Indian origin who are yet to be given Sri Lankan citizenship.

A major handicap of Indian diplomacy in dealing with her smaller neighbours is their sensitivities vis-a-vis a country of continental size having sinews of power.¹ Such a nation was accentuated by India's action in 1971 in helping Bangladesh attain statehood. As a result, these small neighbouring countries tend to turn towards one or another major power with established proclivities for intervention every now and then.² What was termed as the "restructuring of the subcontinent" by some scholars after the emergence of Bangladesh, has made the task of Indian diplomacy in dealing with the neighbouring countries a little more difficult.³

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1. Brij Mohan Kaushik, "India and the Crisis in Sri Lanka", Strategic Analysis, September 1983, vol. VII/6, p. 439.
 2. Ibid.
 3. Ibid.

Another major obstacle before Indian diplomacy was the pro-Western attitude of Sri Lanka which gave rise to suspicions regarding the possibility of direct outside interference in the strategically located island. "If only a warship of a country favourable to Sri Lanka were anchored off Trincomalee during the July/August ethnic bloodshed", it would foil India's bid to "impose its influence on smaller countries of the region", wistfully reflected a commentator in the Colombo based daily, *Island*.⁴ So there appeared to have been little overt jostling by outside powers to capitalise on the unrest and grab a toehold in the strategically located island. However, there is little evidence of gun boat diplomacy or even any appreciable increase in the number of ships calling in at the Lankan Ports.⁵

Thus, images of mutual perception play a major role in determining the attitudes of countries towards each other. True, India can neither avoid its overwhelmingness of its size and population nor halt its development which contributes to its power which is a natural phenomenon.⁶ So the neighbouring countries should understand this simple fact. But the projection of power on the part of India should be the

4. Patriot, September 20, 1983.

5. Rita Manchanda, "Sri Lanka Crisis : Conflict and Intervention", Strategic Analysis, August 1986, vol. X, no. 5, p. 571.

6. n. 1, p. 440.

last resort and effective diplomacy should as far as possible obviate the need for such projection. The aim should be to project the image of a gentle-helpful and non-aggressive giant.⁷

In the given situation of ethnic turmoil in Sri Lanka, India has the legitimate duty to protect the life and property of Indians in Sri Lanka as well as the stateless people of Indian origin. Since they are directly affected by the recurrent ethnic violence in Sri Lanka, India is equally justified in seeking a permanent solution to the problem. Thus, the question arises as to what are the diplomatic options available to India in a situation where it has to respect its commitment to the principle of non-interference as well as safeguarding the interests of the Tamils in Sri Lanka. To quote Indira Gandhi, "India does not interfere in the internal affairs of other countries. However, because of historical, cultural and such other close ties between the people of the two countries, particularly between the Tamil community of Sri Lanka and us, India can not remain unaffected by such events there".

Thus, the most effective diplomatic option that was open to India was that of the role of a mediator. So, being a third party mediator, India's first job is to offer its

7. Ibid.

"good offices" in settling the ethnic problem. The role of a mediator is to obtain the trust of all parties concerned. This is not an end in itself, but a means towards longer objectives. Mediators win trust principally by carefully demonstrating by both obvious and subtle behaviour that they are truly neutral.⁸

India's Offer of "Good Offices"

The graphically gory details emanating from Sri Lanka, with reports of the Tamil minority being massacred and their homes and establishments being burnt down by Sinhala mobs aided and abetted by troops, naturally created a sense of outrage in India. The opposition parties being under no compulsion to mince their words, demanded a strong response a call which found a sympathetic echo among most sections of the Indian public.⁹ Moreover, the State of Tamil Nadu exerted pressure on the Central Government to seek a settlement to the Tamil problem in Sri Lanka. So in mid-July New Delhi expressed concern through the diplomatic channels over some aspects of security operations in the North. But Colombo resented Delhi's action, and the Sri Lankan Press accused India of interfering in the internal affairs of Sri Lanka.

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8. Dennis J.D. Sandole and Ingrid Sandole Staroste, ed., Conflict Management and Problem Solving: Interpersonal to International Implications, Oxford, London, 1987, p. 93.
9. Hindustan Times, 31 July, 1983.

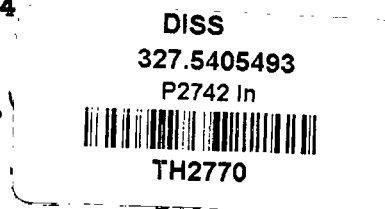
Nevertheless the Prime Minister Indira Gandhi of India was a definite moderating influence over the more strident Tamil Nadu politicians. Indira Gandhi's concern over the ethnic issue in Sri Lanka went beyond the parochial considerations of Tamil Nadu politics.¹⁰ First, she expressed the possible influx of refugees from Sri Lanka to India. Second, she was concerned for the safety of about 175,000 Tamil state workers who having qualified for Indian citizenship, were still in Sri Lanka. Third, Mrs. Gandhi believes that political instability in Sri Lanka could lead to "outside interference" or military presence in the country, and is a threat to India.¹¹ For all these reasons and because the TULF took up the position that it was willing to talk with Colombo only through Delhi, Indira Gandhi, while declaring India's policy of "non-interference"¹² in the affairs of other nations and its belief in the territorial integrity of Sri Lanka, offered India's "good offices" to bring about a settlement.¹³ Disclosing the details of her talks with President Jayewardene's special emissary, H.W. Jayewardene, the Prime Minister Indira Gandhi, told the two House of Parliament that she had told him that Sri Lanka should urgently initiate the process to find a permanent solution to satisfy the legitimate aspirations

10. S.W.R. de A. Samarasinghe, "Sri Lanka in 1983: Ethnic Conflict and the Search for the Solution", Asian Survey, February 1984, p. 254.

11. Ibid.

12. n. 9.

13. n. 10.



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of the Tamil minority.¹⁴ While indicating to the special emissary, H.W. Jayewardene, that the 'proposals'¹⁵ the Sri Lanka President intended to place before a round table conference may not meet the aspirations of the Tamil people, Indira Gandhi told him that a dialogue between the Sri Lanka Government and the Tamil community on a broader basis would be useful. It was in this context she had offered India's "good offices" in whatever manner they may be needed, to help reduce the tension, restore confidence and bring about a lasting settlement of the Tamil problem.¹⁶

Role of G. Parthasarathy

During the last week of July, Indira Gandhi sent Foreign Minister, P.V. Narasimha Rao, to visit Sri Lanka. Thereafter negotiations were conducted by her personal envoy, Gopalswamy Parthasarathy. On his arrival in Colombo on 25th August, Parthasarathy told the newsmen that he had come here in pursuance of the discussions Indira Gandhi had with President Jayewardene to give effect to India's offer of 'good offices'.¹⁷

The focus of India's mediatory effort is on creating first some degree of understanding between the leaders of

14. Indian Express, 13 August 1983.

15. See The Hindu, 13 August 1983.

16. Ibid.

17. Statesman (New Delhi), 26 August 1983.

the two communities about the need for lasting political settlement, before they can be brought round to discussing the constitutional provisions for meeting the legitimate demands of the Tamils within the framework of a single state.¹⁸ Thus, Parthasarathy's mission was basically to create the conditions in which it would be possible to get the reluctant Sinhalese leaders to initiate the negotiation with the Tamil leadership in a suspicion-free atmosphere in order to find out a permanent political solution to the ethnic problem within the framework of a united Sri Lanka.¹⁹

G. Parthasarathy's visit, lasting nine days from August 25, yielded dividends in the form of a meeting between the President, J.R. Jayewardene and the Tamil United Liberation Front (TULF) General Secretary, A. Amirthalingam.²⁰ He also succeeded to some extent in dispelling fears of Indian intervention under the guise of lending a helping hand in bringing about a lasting political settlement.²¹ So the special envoy of Indira Gandhi, G. Parthasarathy, succeeded in breaking the ice and creating a conciliatory atmosphere all round. This is a testimony to the sagacity and the tact for which this urban diplomat earned the distinction.²² Parthasarathy's

18. Tribune (Colombo), November 12 1983, p. 3.

19. "Sri Lanka: Signs of a Thaw", Mainstream, September 10, 1983, p. 5.

20. Times of India, 6 September 1983.

21. n. 18.

22. n. 19.

mission was a delicate one being the special envoy of Indira Gandhi in an atmosphere where the Sri Lankan authorities are campaigning against India's role being that of an interference one in the island Republic of Sri Lanka. Yet within a week of the strenuous and quiet diplomacy, G. Parthasarathy could be able to bring together the President and other leaders of UNP, the leaders of the TULF and the leaders of SLFP, specifically, Sirimavo Bandaranaike in the efforts towards finding the ways for negotiations with regard to the solution of the concerning ethnic problem. Thus, the first mission of G. Parthasarathy succeeded to some extent in convincing the Sri Lankan Government that the Tamil extremists campaigning for separate Eelam are not being encouraged and that, on the contrary the moderate TULF leaders who will settle for some sort of local autonomy to safeguard the Tamil interests are being advised to seek a reasonable settlement.²³

G. Parthasarathy's second visit to Colombo took place after an interval of nearly two months. His second visit was essentially a continuation of a dialogue between the leaders of the two communities. It is the continuation of an already established dialogue meant to create a conducive climate for talks between the Tamil leaders and the Lankan

23. n. 18.

Government.²⁴ So, Parthasarathy's first few visits were directed towards familiarising himself with the key political actors on the Sinhala side as well as the Tamil side. He briefed himself on the background of the senior and most influential cabinet ministers, and opposition leaders. He listened to their perceptions, fears, anxieties and obsessions. His consultation covers the widest cross-section of Sinhala opinion, including Gamini Iriyagolle, the President of the Buddhist Theosophical Society, and the venerable Walpola Rahula, the scholar monk, who was the Secretary-General of the Supreme Council of the Maha Sangha. He found their views to be emotionally changed. He also met the leaders of the different militant organisations. Here his role was to advise and admonish the militants to explore and recognise the limits of their political options. Struggle and negotiate was his response to those who obstinately adopted fundamentalist positions on even the process of negotiation.²⁵

G. Parthasarathy's relation with TULF was in the sphere where he engaged them intellectually, while remaining emotionally detached. He questioned the conceptual underpinnings of their political demands. Concepts such as "self-determination" and "traditional homelands" were probed

24. *ibid.*, p. 2.

25. Neelan Tiruchelvun, "Sri Lanka Negotiations ; A Pioneer's Role", Mainstream, August 15, 1987, p. 25.

in depth so that they could clarify and refine their own thoughts.²⁶ He pointed to the contradictions between an approach which emphasized autonomous regions for national minorities (as contained in the Ceylon Workers Congress proposals before the All Party Conference in 1984) and that which sought federal or anti-federal forms of devolution within a democratic polity. Here each arrangement presupposed distinct constitutional models, which were not easily reconcilable. He counselled that the Tamil negotiating position should be guided by internally consistent principles, and not on the expediency of the moment.

G. Parthasarathy's role as mediator is highly commendable. His diplomatic manoeuvre reflects his pragmatic approach to things and rationalisation of events to its best possible effect. Parthasarathy's substantive contribution was in negotiating the set of proposals for devolution of power to regional councils, more popularly known as Annexure 'C'. He brought to bear all the skills of a consummate negotiator in mediating between the Tamil political leadership and the Jayewardene Government.²⁷ He asked the TULF to formulate a scheme of devolution which would fall short of the ultimate demand of a separate State.

26. Ibid.

27. Ibid.

G. Parthasarathy's approach in solving the Sri Lankan ethnic crisis can be viewed from an inter-disciplinary angle. The initial draft of TULF envisaged a Union of States, an overtly federal arrangement with major areas of socio-economic development, education and cultural policy and land settlement and law and order being devolved to the States. Parthasarathy reasoned that the substance of Tamil demands would need to be woven into a scheme without the emotive content or the terminology which could trigger Sinhala resistance. The scheme was reformulated and presented as one, which would acknowledge the unity, sovereignty and territorial integrity of Sri Lanka. The Union of 'States' was altered to a Union of regions. Apart from this sharing of power between the Centre and the regions, provision was made to ensure that Tamils enjoyed an adequate, if not proportionate, share in the recruitment to the armed forces, the police and the public service. However, all these exercises were done in four months from August 1983 to December 1983 keeping in view the forthcoming All Party Conference which was decided to be held in January 1984.

All Party Conference (APC)

The urgency for finding a political solution to the ethnic problem of Sri Lanka necessitated the convening of an All Party Conference (APC). So the need for All Party

Conference must be viewed in the backdrop of the developments in Sri Lanka. Following the mediatory role offered by New Delhi and the acceptance of Annexure 'C' as the basis of negotiation, hopes arose as to a workable solution to the ethnic problem that would emerge out of the Conference. It was anticipated that Annexure 'C' would form the basis of the APC to be held on January 10, 1984 and that the Conference would provide the opportunity to forge a consensus around the proposals. The official announcement of an All Party Conference to evolve a political solution to the tragic ethnic divide came after a preliminary meeting of 'eight approved parties'²⁸ and was in consonance with India's advice to both sides to abandon rigid postures and settle the problem through direct talks.²⁹ It was due to New Delhi's good offices that the TULF was persuaded to come to the negotiating table, though the party decided in the Mannor Convention in July 1983 not to have any more talks with the Sri Lanka government. From their mandate of an independent State the party had scaled down its demand to a Union of States within the framework of United Sri Lanka.

28. The parties were All Ceylon Tamil Congress, Ceylon Workers Congress, Democratic Workers Congress, Communist Party of Sri Lanka, Illankai Tamil Arasu Kadchi, Sri Lanka Freedom Party, Tamil United Liberation Front, United National Party.

29. Indian Express, 23 December 1983.

The APC itself ceased to be a conference of all recognised political parties with a number of them walking in and out at their convenience and numerous other groups brought in as and when it suited the government.³⁰

In the APC, the kernel of TULF proposals was the formation of regional councils by merging the District Development Councils into provinces, especially in the North and the East, without the necessity of the proposal being endorsed by national referendum. The party hoped that APC would result in the creation of a Tamil linguistic region consisting of the Northern and Eastern provinces, with developed legislature and executive powers over specified listed subjects including the maintenance of law and order in the region, the administration of justice, social and economic development, cultural matters and land policy. But to their disappointment the functioning of APC did not invoke much confidence. The Sri Lankan Freedom Party (SLFP), the major opposition party in Sri Lanka, with its minuscule minority in Parliament, has grown so much in strength that it succeeded in killing the Annexure 'C', the document prepared jointly by Jayewardene, A. Amirthalingam of TULF

30. V. Suryanarayan, "Ethnic Conflicts in Sri Lanka; Emerging Trends", paper presented to Seminar on "Domestic Conflicts in South Asian States; Emerging Trends", 18-20 October, 1984; organised by Centre for South, South-East and Central Asian Studies, JNU, New Delhi.

and G. Parthasarathy of India to resolve the questions concerning provincial and regional autonomy. The SLFP labeled the document 'made in foreign', which label stuck very hard, the Sinhala Buddhist lobby too supporting the SLFP interpretation of the document. The SLFP went all out to embarrass the UNP Government on various other points. Mrs. Bandaranaike went to the extent of supporting a negotiated settlement of the Tamil problem by inviting even the Tamil terrorists to the APC. She even did some loud thinking about granting the regional councils to Tamils. However, these were meant to confuse the Jayewardene Government. This was primarily to exploit the Jayewardene regime's discomfiture for her own political gains.

Moreover, the 'Second Chamber' proposal put forth by Jayewardene had been disapproved by many important components of APC including TULF and the All Ceylon Tamil Congress.³¹ Jayewardene warned on 23 July that in the absence of any consensus in APC the government would take its own decisions. The Government refused to budge an inch from its stand that the unit of devolution should be District Council and no more. The proposal only permitted inter-district co-ordination and collaboration in defined sphere of activity. There was no provision to devolve any legislative

31. S.D. Muni, "Sri Lanka; The August Outrage", Strategic Analysis, September 1984, vol. VIII, no. 6, p. 508.

and executive power to this co-ordinating unit. There was no indication that this unit will be a legal person. The members of this unit are not to be directly elected by the people. The attempt to link devolution to the Second Chamber was only a calculated move to defeat the objectives of devolution. As the TULF President Sivasithambaram remarked, "The Second Chamber concept does not touch the fringes of the ethnic problem".³² Thus, the draft proposals presented by President Jayewardene fell short of the Tamil community's expectations. The proposed legislation did not go far enough in providing the Northern and Eastern provinces with even a semblance, not to talk of local autonomy for giving the grouped district councils the necessary administrative and legislative powers within the framework of a United Sri Lanka.³³ Although Jayewardene told the US special envoy, General Vernon Walters that his new proposals were more or less in conformity with Annexure 'C' spelling out the scope of devolution, but a close scrutiny of the draft legislation sent to the leaders of various parties, including TULF before reconvening the APC on 14th December, 1984, showed that it continued to harp on the district councils as basic units with some sort of self-government from the rural level built into it.³⁴ So, viewing all

32. n. 30.

33. The Hindu, 15 December 1984.

34. Ibid.

these shortcomings of Jayewardene's package proposals for a constitutional settlement intended to resolve Sri Lanka's tragic ethnic tangle, TULF rejected it thus putting paid to the effort. This had also been repudiated by SLFP and one of the President's own colleagues, Cyril Mathew, the Industrial Minister who had long been known to be among the hardline Sinhalese. In a sweeping denunciation, Cyril Mathew criticised the powers proposed to be vested in the district councils, the language policy, the idea of Second Chamber and the position of Buddhism under the new arrangement and said that what had been conceded "very nearly grants (the Tamils) the desired Elam".³⁵ The TULF leaders described the bill as "totally unacceptable" and far short of the minimum regional autonomy sought as an alternative to a separate Tamil State. Mrs. Bandaranaike saw the proposals as a "legislative give away devoid of results" and unrelated to the Tamil terrorism in the North and the East.

This impasse made President Jayewardene to withdraw the draft proposal and the APC was terminated on 21 December 1984 without giving any indication that a political solution was being sought.³⁶ The TULF Secretary-General, A. Amirthalingam asked the Government of India to take a fresh

35. Indian Express, 25 December 1984.

36. Statesman, 23 January 1985.

initiative to resolve the ethnic problem in Sri Lanka, in the light of abrupt ending of APC and the withdrawal of the draft proposals placed before the APC.³⁷ He denied the Sri Lankan Government charges that TULF was responsible for the impasse and made it clear that at no time had it stated that no useful purpose would be served by discussing the draft proposals further, as claimed by the Sri Lanka Government spokesman. He said that the withdrawal of the proposals could be attributed to the fact that the Sri Lanka Government was bowing to the pressures from the Maha Sangha and Sinhala chauvinistic forces inside and outside Government.³⁸

From the above developments it could be summarised that the offer of India's good offices was accepted by the Jayewardene Government with some reservations only in the expectation that it could be persuaded to exert a moderating influence on the Tamil extremists so that TULF leaders could be prevailed upon to agree to a compromise free from undue political pressures. It became apparent when it was found that Jayewardene was playing for time by engaging in protracted discussions with Prime Minister's special envoy, G. Parthasarathy on what could be a fair and equitable basis for finding a lasting political settlement. He quietly went back on all that he had earlier agreed but when he

37. The Hindu, 28 December 1984.

38. Ibid.

came out with his proposals for participatory democracy at different levels, from villages and divisions to districts and provinces, it made a complete mockery of the very concept of regional autonomy to meet the Tamil aspirations.

Chapter III

THE TRANSITION

State Terrorism

After the failure of talks at the All Parties Conference Sri Lanka was caught in an uninterrupted violence that caused the killings of many innocent Tamils as well as Sinhalese. The failure of APC and the indiscriminate killings of Tamils by Sri Lankan armed forces made observers to believe that the Jayewardene Government has opted for a military solution to the island's ethnic problem, thus dropping all pretence of evolving a political settlement.¹ This was evident from the reports which said that the Sri Lankan forces were conducting a harsh and remorseless campaign of intimidation among the island's Tamil minority. By means of random murder, indiscriminate shooting, beating, torture and plunder, ill-disciplined and trigger-happy soldiers kept the Tamils in the North in a state of constant fear.² The North was in a state of chaos and tension with the civil power's hold over the situation virtually ineffecting. Tamil guerrillas also ran a terror campaign against the authorities and the security forces by mining roads, blowing up police stations, robbing banks, murdering and kidnapping

1. Deccan Herald, 12 January 1985.

2. Statesman, 8 January 1985.

policemen.³ The army hit back with massive round-ups and interrogation of youths. Troops used to loot and burn houses. It seemed that to the army every Tamil was a terrorist. The TULF President, Sivasithamparam, said that with the collapse of negotiations, the Sri Lanka Government had introduced a series of measures calculated to beat down the Tamil people and the security regulations had brought in an emergency on the whole island, particularly in the North and the East.⁴ Sri Lanka's poor human rights record and army atrocities against Tamil civilians prompted the American Administration to turn down a request by Sri Lanka for \$ 100 million in military assistance.⁵ In the name of combating Tamil terrorism, barbaric atrocities were being permitted against innocent Tamil men, women and even children. Thus, the worst conceivable humiliation was being heaped on the innocent people. The American magazine, Newsweek, quoted a Western diplomat saying that the Sri Lankan troops were among the most indisciplined in the world. "Their reaction to taking casualties is to go on the rampage and shoot anyone in sight", the diplomat said.⁶

3. Ibid.

4. The Hindu, 22 January 1985.

5. Sunday Time, 3 February 1985.

6. Deccan Herald, 18 January 1985.

Alongside the brute repression of Tamil population, the Sri Lankan Government devised a plan to alter the ethnic composition in the predominantly Tamil areas in the North. The plan which was unveiled by the National Security Minister, Lalith Athulathmudali, at a conference of District Ministers in January, 1985, aimed at settling 30,000 Sinhalese families in the Tamil North with the ultimate object of creating 'parity' between the two communities. According to Lalith Athulathmudali, creating 'parity' between the two communities was the only way of rooting out terrorism.⁷ This scheme clearly owes its inspirations to the Israeli policy of creating Jewish settlement on the West Bank. Since the Tamils form nearly 20% of the 15 million population of the island, the plan would involve the resettlement of nearly 3 million Sinhalese in the North. With regard to the plan President Jayewardene said, "we consider Sri Lanka as one land belonging to all citizens, consisting of 75% Sinhalese and 25% of other races, as such we will settle Sri Lankans in this proportion throughout the island on state land".⁸

All these developments showed no sign of Sri Lankan ruling class' desire to arrive at a peaceful solution. That was clear not only from the way it had escalated the operations against the agitationists after the half-hearted

7. n. 1.

8. Banladesh Observer, 23 January, 1985.

talks at APC, but also from the measures that were adopted to drive out the Tamil population from the North region by a massive resettlement of Sinhalese there.

Although, Colombo gave the impression that it was keen to find a political solution to the ethnic conflict in the country through its emissary carrying 'personal messages' to the Prime Minister in Delhi of late as evidence that Sri Lanka was seeking the co-operation of India in solving the problem, yet there were some snags in this manifestation of Colombo's genuineness. It was not certain whether the Government of Sri Lanka wanted India to help it in its negotiations with the minority in that country or only to concur with the Colombo view that the Eelam agitationists were getting their arms and other help from Tamil Nadu.⁹ This was certainly a strange way of seeking co-operation and help to solve the problem by asking India to plead guilty that it was abetting the insurrection in their country.

The reign of terror and mass killings of mostly innocent Tamils in the North in the name of 'anti-terrorism'¹⁰ was something India was not expected to give support. Jayewardene and others should realise that there could be

9. News Time, 23 January, 1985.

10. The Anti-Terrorist Act of 1979 permitted the disposal of dead bodies without autopsy.

no solution to the problem in State terrorism. And if they were sincerely seeking India's co-operation then the Sri Lankan Government should also realise that ethnic issue was not just a problem of insurrection to be suppressed by bayonets, and secondly, arrogance and provocations were not the desirable way to seek a neighbour's good offices in such a situation.

Tamil Militancy

The demand for a separate Tamil State had its extreme manifestation through various militant groups whose emergence can be attributed to the developments discussed in Chapter I. The increasing Tamil militancy was a reaction to those discriminatory policies of the Sri Lankan Government. It was a revolutionary response of a proud community who had been cut off from the mainstream of Sri Lanka's political life. The lack of legitimate share in the political, social and economic processes had embittered and sharpened their resistance. So, when the hopes and aspirations of Tamils were never fulfilled by the Sinhalese dominated Government, frustrations became tense, demands became more radical and finally culminated in the demand for a separate State of Tamil Elam in Vaddukkodai in 1976.¹¹

11. Kalim Bahadur, ed., South Asia in Transition: Conflicts and Tensions, New Delhi, 1986, p. 264.

The politics of Tamil opposition can not be traced to any particular period. It was a continuous process. It started with the demand for balanced representation and responsive co-operation which spanned the period of 1947-56, the demand progressed to a federal State and non-cooperation during 1957-72; escalated to separatist slogan during 1973-76, and culminated in a demand for separate State in 1976. From 1979 onwards Tamil militancy began to creep up in Tamil politics in a big way and emerged in great proportions to the extent which could be emphatically said that there could not be any resolution to the ethnic conflict without the militant groups being a party to the solution.¹² Thus, the emergence of Tamil militants was, on the one hand, due to the effects of discrimination on language, education and employment and Government indifference to State violence, and on the other hand, to the growing disillusionment towards TULF leadership and their forms of parliamentary struggle. By rejecting the draft bill at APC without outlining any other via-media, the TULF leadership seemed to be in danger of emasculating itself for it could not compete with the radical Eelam groups in armed militancy.¹³

After some sporadic incidents of violence in the early 1970s, the Tamil militant groups came together under

12. Ibid.

13. Indian Express, 25 December 1984.

the banner of Liberation Tigers of Tamil Eelam (LTTE) with the objective of attaining independence through armed struggle. Gradually schism started with regard to strategy and tactics as a result the LTTE got splintered thus giving rise to various other militant groups.¹⁴ Regarding their militancy, Uma Maheswaran, the Chairman of the Peoples Liberation Organisation for Tamil Eelam (PLOTE) had stated that their movement was the result of the failure of all democratic means to restore their just rights to Tamils. In a letter addressed to Premadasa, Prime Minister of Sri Lanka, V. Prabhakaran, Chairman of the LTTE stated, "the guerrilla warfare, the form of the popular struggle we are committed to, is not borne out of blind militancy or adventurism, but arose out of historical necessity; out of concrete conditions of intolerable national oppression".¹⁵

These militant groups were alleged to have committed a series of murders, bank robberies, killing of policemen, ambushing security personnel and assassinating security forces.

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14. The Tamil militants are divided into five major groups - (1) LTTE under V. Prabhakaran, (2) PLOTE under Uma Maheswaran, (3) Eelam People's Revolutionary Liberation Front (EPRLF) under Padmanabha, (4) Eelam Revolutionary Organisers (EROS) under Balakumar, and (5) Tamil Eelam Liberation Organisation (TELO) under Sri Sabaratnam. See, Kalim Bahadur, n. 11, p. 265.
15. M.S. Venkatachalam, Genocide in Sri Lanka, Delhi, 1987, p. 68.

Till February 1985 about 250 Sri Lankan soldiers and policemen had been killed by these militants since the violence began in July 1983. But compared to this figure around 2,000 Tamils had been massacred by the rampaging army and Sinhala hoodlum during this period. An estimated 40,000 Tamils sought refuge in India in the wake of the dreadful carnage.¹⁶ The killings of Sinhalese civilians in Anuradhapura in May 1985 was a calculated risk which shook the Sinhalese psyche and paved the way for ceasefire.¹⁷ Thus, Sri Lanka made its first move since the failure of APC to solving the intractable ethnic problem on 19th June with an agreement between the Sri Lankan Government and the five major Tamil militant groups on a "cessation of hostile acts" for 18 weeks.¹⁸ This was essentially an interregnum of uneasy peace, with the two sides watching each other with suspicion and circumspection, but the people sorely needed this break from 8 years of insensate violence, murder and hatred.

The Options before India after
the failure of APC

The new government under Rajiv Gandhi, before it had any opportunity to pay an indepth attention to the foreign

16. The Hindu, 24 February 1985.

17. n. 11, p. 265.

18. The Tribune, 20 June 1985.

policy issues, was caught up in fresh entanglements immediately after its formation -- only at the level of polemics -- with Sri Lanka. In the wake of certain serious developments like the merciless killings of Tamils by Sri Lankan armed forces and their mass exodus to India, it became clear that New Delhi's diplomacy was put on a more challenging test.¹⁹

With the failure of APC, the avenues for Tamil leadership of direct negotiations with President Jayewardene was blocked. As a result the TULF leaders, in turn, tended to leave the entire responsibility of finding a reasonable solution to India, hoping that New Delhi would be able to coax and compel Jayewardene to share power with them. The Tamil militants who considered TULF's moderation as nothing short of defeatism, imagined that if they succeeded in stepping up their insurgency to the point of creating a serious crisis in Sri Lanka, India would be obliged to intervene at some stage.²⁰ But their feelings were let down when it was explained that India could not do anything more than exercising its friendly persuasion to nudge Jayewardene to strive for a lasting political settlement without thinking in terms of a military solution which was not possible in this particular situation. But this persuasion was not quite easy as it seemed to be. The

19. n. 6.

20. n. 16.

absence of any unity between the TULF leaders and the Tamil militant groups made India's task all the more difficult in inducing Jayewardene to resume the dialogue before feelings hardened further on both sides. Here the question arises as to what could New Delhi be expected to do against such a depressing scenario? Athulathmudali told a provincial rally in the early 1985 that his Government did not need "foreign guidance or assistance" for settling the Tamil issue. This was, perhaps, his way of telling New Delhi that good offices of India through G. Parthasarathy were no more welcome. Besides, President Jayewardene and his advisers were imagining a better rapport with Prime Minister Rajiv Gandhi, if only he could be persuaded to entrust the task of talking to them to a non-Tamilian who would be having no emotional attachment in the ethnic problem. So, a sly attempt was made to bypass Parthasarathy and talk to some body else in New Delhi.

Considering the Sri Lanka's reluctance to accept Parthasarathy's mission again, it was decided to send foreign secretary, Ramesh Bhandari to Sri Lanka to explore the possibilities of a resumption of the interrupted dialogue with Tamil leaders to settle the ethnic problem in March 1985. The purpose of his visit was to help create the right atmosphere for diffusing the tension, since he did not go to Colombo to engage in any substantive discussions

on the nature and scope of the proposed settlement. He also did not go into the modalities of the new dialogue.²¹ Ramesh Bhandari had a comprehensive exchange of views with the Sri Lankan President and his colleagues on all aspects of Tamil problem including the influx of refugees to India, the attacks on fishermen, and the fate of the stateless Tamils of Indian origin. His visit brought an end to the stalemate in which both Sri Lanka's ethnic problem and Indo-Sri Lanka relations had been locked since the breakdown of the APC. Both the countries agreed on the urgency of creating an atmosphere conducive to the search for a political settlement, and on the "cessation of all acts of violence" as the first step towards this objective.

However, Ramesh Bhandari's visit did not effect any immediate steps for political negotiations between the Sri Lanka Government and the Tamil leaders. It was in the wake of Anuradhapura killings in May which shook Jayewardene to declare ceasefire which was the result of the realisation that the entire country might get caught in a civil war.²³ The hesitant step for a ceasefire agreement on the part of Tamil militants needed the guidance of Indian diplomacy as Sri Lanka's belligerent Minister for National Security, Lalith Athulathmudali admitted. He said that neither the

21. The Hindu, 29 March 1985.

22. Times of India, 30 March 1985.

23. Indian Express, 3 July 1985.

Government could spell out what exactly was the useful role played by India in arriving at the agreement, but it was more than clear that such organised militant groups as the Liberation Tigers would not have agreed to cease hostilities without persuasion from the Indian leadership.²⁴ So, once again a breakthrough was effected through New Delhi's good offices in the middle of 1985, where an agreement on cessation of hostilities was arranged. The ceasefire finally gave way to subsequent negotiations at Thimpu.

Thimpu Talks

The talks at Thimpu in a way represented an advance over the All Party Conference for the five militant groups who were hitherto engaged in an armed conflict with Colombo for the creation of an independent Tamil Eelam were persuaded and pressurised by New Delhi to agree to discuss the possibilities of an honourable political settlement within a United Sri Lanka. The talks at Thimpu truly represented one of the significant diplomatic initiatives undertaken by Prime Minister Rajiv Gandhi. And whether the talks at Thimpu would succeed in breaking the deadlock or not, the fact that the talks were held at all was a tribute to the quiet but active brand of Rajiv diplomacy.²⁵ It was here, for the first time that there was a dialogue between the Sri

24. The Tribune, 20 June 1985.

25. Hindustan Times, 10 July 1985.

Lankan Government and the militant Tamil groups.

The first phase of secret talks at Thimpu, Bhutan, from 6th to 13th July, did not give any impression as to the settlement of the ethnic problem. There remained a very considerable gap between the Sri Lankan delegation and the Tamil delegations. But the prospects of negotiations were kept open with an agreement to reconvene the meeting on August 12.

India's good offices at this stage was aimed at preventing the process from collapsing. And this was achieved to an extent when the leader of the Sri Lankan delegation, H.W. Jayewardene, promised to return to phase II of the talks after a detailed consultation in Colombo with fresh or modified proposals. The Tamil organisations ENLF²⁶, PLOTE and TULF jointly rejected the proposal brought by H.W. Jayewardene during the phase I talks, a virtual repetition of the package placed before APC in December, 1984, as totally unacceptable. On the concluding day of phase I talks, the Tamil organisations presented the "basic principles" for a political settlement within the framework of a United Sri Lanka. By putting emphasis on the four basic principles, namely, (1) recognition of

26. ENLF (Eelam National Liberation Front) was a United Front of four Tamil militant groups ; LTTE, TELO, EPRLF and EROS.

the separate national identity of the Tamil, (2) respect for the integrity of traditional Tamil homeland, (3) recognition of the right to self-determination, and (4) citizenship rights for all Tamils who have chosen Sri Lanka as their homeland, the Tamil organisations asked the Sri Lankan delegation to come back with fresh and good enough proposals that they could accept.²⁷

The second phase of talks at Thimpu began with Colombo's rejection of the four principles put forward by the Tamil groups and presentation of a new set of proposals revolving around District and Provincial Councils with weak executive and legislative powers and highly dependent upon the President. The proposals offered by Colombo during the phase II talks did not provide for an institutional framework which can resolve the ethnic conflict. As a result a wide gap remained between what Sri Lanka was willing to give and the Tamils would be ready to settle for.²⁸ The proposals made it clear that Colombo would never agree to the creation of Tamil linguistic region comprising the Northern and Eastern provinces. The proposal provided for the establishment of Provincial Councils but at the same time the District Councils were given the right to opt out of the Provincial Councils. Moreover, the proposal did not

27. The Hindu, 14 July 1985.

28. "Substantive Gap Remains", Frontline, 2-15 November, 1985, pp. 17-18.

contain any mechanism that could prevent the Sinhalese colonisation of Tamil areas, for it did not lay down any criterion for the selection of settlers in a manner as not to disturb the ethnic balance. Overriding powers were given to the Centre in the matters of recruitment, promotion, transfer and the operational aspect of police which made meaningless that the law and order were the matters of Provincial Councils. Wide powers were given to the President in matters of appointment of the Chief Executive to the Provincial Councils at his discretion, making Provincial Council members who were the members of the Parliament accountable to him and the powers given to the President to dissolve the Provincial Councils etc. made the Provincial Councils easy targets of Presidential manipulation. Besides, the powers - executive and legislative - earmarked for the Provincial Councils were also limited to the extent that would not lead to any meaningful devolution. In a federal constitution, there is division of powers between the Centre and the federal units and parliament can not tamper with this provision. But according to the Draft Framework proposed by Colombo at Thimpu, Parliament was at liberty to alter or withdraw the devolved powers. Secondly, while there is division of powers between the Centre and the Federal units, the Draft Framework provided for the division of powers between the President and the Provincial execu-

tives.²⁹

Looking at the shortcomings in the proposed draft by the Sri Lankan delegation, H.W. Jayewardene, Tilakar of LTTE presented a statement of rejection, on behalf of the six Tamil organisations, of the new proposals tabled by H.W. Jayewardene. The joint statement observed;

The proposals did not devolve power from the Centre. They reinforced the power of the Centre to manage the districts. The proposals constituted evidence of the Sri Lankan State to manage and control the Tamil people even in the relatively insignificant functional areas where the district councils were given some jurisdiction. (30)

The second phase of Thimpu talks finally collapsed dramatically with the entire Tamil side walking out after charging ; "As we have talked here at Thimpu, the genocide intent of the Sri Lankan State has manifested itself in the continued killings of Tamils in their homeland". The reference was made to the massacre of a large number of innocent Tamils by the Sri Lankan security forces.

Vasudeva of PLOTE presented the statement explaining the circumstances under which the Tamil side found it impossible to continue its participation in the Thimpu talks. "In the

29. A. Jeyaratnam Wilson, "Sri Lanka's Draft Framework for Devolution", The Tamil Times, London, October 1985, pp. 4-5.

30. The Hindu, 18 August 1985.

most recent incidents which have occurred during the past few days, more than 200 innocent Tamil civilians including young children -- innocent of any crime other than being Tamils -- have been killed by the Sri Lankan armed forces running amok in Vavunia and elsewhere. These events signify proof of the intention of the Sri Lankan Government to seek a military solution to the Tamil national question. It is farcical to continue peace talks at Thimpu when there is no peace and no security for the Tamil people in their homeland. We do not seek to terminate the talks at Thimpu but our participation in the talks has now been rendered impossible by the conduct of the Sri Lankan State which has acted in violation of the ceasefire agreement which constitutes the fundamental basis for the Thimpu talks".

Thus, the total inadequacy of the Sri Lankan proposals coming on the top of the bloody incidents on the island formed the wholesome background to Thimpu II. The upshot was a dramatic walk out from the talks by all the Tamil groups, both militant and moderate, thus rendering the negotiating process adjourned indefinitely.

Chapter IV

THE BREAKTHROUGH

Post-Thimpu II Efforts of India in Settling Sri Lankan Ethnic Crisis

The phase II talks at Thimpu collapsed following the Vavunia tragedy which was a calculated violation of the ceasefire agreement by the Sri Lankan armed forces, whose strict maintenance was an essential precondition for sustaining the Thimpu dialogue, initiated through the good offices of India. Moreover, the proposals at Thimpu II talks envisaged a complex system of Provincial Councils, District Councils and Pradesiya Sabhas, designed to deny effective authority while giving the impression of devolution of power.¹ The provision for more than one Provincial Council was intended indirectly to keep the Tamil divided. Although the Provincial Councils were offered subordinate legislative power, a Presidential veto could thwart the exercise of the limited authority that was promised. Again, the right of the districts to opt out of the Provincial Council and to form a separate Provincial Council were some of the provision would ultimately leave the Provincial Council in permanent state of uncertainty. All these shortcomings of the draft proposal, presented by the Sri Lankan delegation, H.W. Jayewardene, at Thimpu II talks, made it totally unacceptable

1. Deccan Herald, 20 August, 1985.

to the Tamil groups.

With the collapse of the Thimpu II talks, the new policy makers in Delhi, who had been giving the benefit of doubt to the Sri Lankan President, hoping that he could be persuaded or placated to adopt a more helpful attitude towards the Tamil problem, were dismayed and badly let down by him. They realised, much to their embarrassment, that the wily old President of Sri Lanka who had promised to give the Tamils the substance of autonomy, has started toying once again with his totally unacceptable scheme for token devolution.² It was India's assessment that the talks had to be adjourned because of "resurgence of violence in the island nation" and also because of "some gap" between the expectations of the Tamil delegations about a solution and what was offered by the Sri Lankan Government.³

The Jayewardene Government's incapacity to work out a modus-vivendi for the governance of the country dogged by Tamil-Sinhalese ethnic conflict, made the Indian policy makers to intensify their efforts to bring the two belligerent parties to the negotiating table in order to prevent a complete breakdown of Thimpu talks and keep some sort of dialogue going on between the Sri Lankan Government and

2. The Hindu, 19 August 1985.

3. Blitz, 31 August 1985.

the Tamil leaders, if only to avoid the danger of renewed violence. Thus, the immediate Indian policy on Sri Lanka, after the collapse of Thimpu II talks, was aimed at exerting all possible political pressures on Jayewardene Government to come forward with a worthwhile and viable package of concessions, and prodding the Tamil militant groups at the same time to agree to a reasonable settlement of the ethnic problem. The Sri Lankan Government was told quite clearly that unless strong steps were taken to stop the senseless killings of innocent Tamils by its armed forces, there was very little that India could do to make the leaders of the Tamil militant groups resume the dialogue with it.⁴ At the same time, the Government of India also started applying pressures on the Tamil militants to drive home the point that, if they were not prepared to heed its advice to seek a negotiated settlement, they should not expect India to continue to let them carry on, from its soil, an armed struggle against a neighbouring sovereign state, whatever the provocation might be.⁵

It was in this context that Prime Minister, Rajiv Gandhi had offered Indian mediation between the Sri Lankan Government and Tamil militant leaders through the "shuttle diplomacy" of Foreign Secretary, Ramesh Bhandari, to evolve

4. The Hindu, 25 August 1985.

5. Ibid.

a new package of proposals to resolve the island's ethnic conflict.⁶ It was with this objective in view that the Foreign Secretary was asked to find some way out of this tangled situation to enable the Tamil leaders to come to the negotiating table.

Besides, New Delhi's decision to deport two Tamil ultra-militants, A.S. Balasingham, official spokesman of LTTE, and S.C. Chandrahasan, Convenor of the Organisation for Protection of Tamils of Eelam from Genocide (PROTEG), although a very unpopular decision yet unavoidable if the prospects of reopening the stalled talks were to be kept alive. Moreover, the statement made by the Indian Prime Minister on 25th August, 1985, missed no words in impressing upon the visiting Colombo delegation, H.W. Jayewardene, that ceasefire violations should immediately stop lest the situation in the Northern and Eastern Provinces reverts to the horror of the recent past.⁷

There was undoubtedly a change in India's Sri Lankan policy, it was a change for the better, in the sense that it has already led to greater clarity of its basic objectives. The new policy placed the primary emphasis upon what was possible, so that negotiations could concentrate more on evolving an equitable settlement acceptable to both sides,

6. Times of India, 22 August 1985.

7. The Tribune (Chandigarh), 26 August, 1985.

reflecting the existing realities of the situation.

The task that was entrusted by the Government of India to the Foreign Secretary, Ramesh Bhandari, became partially successful. Although, Bhandari failed in his persuasion of the Tamil groups to come to the negotiating table at Thimpu, played a key role in evolving an agreed constitutional framework in the form of a draft accord that could form the basis for a resumed dialogue between the Sri Lankan Government and the Tamil leaders. After a week long vacillation towards the end of August, 1985, H.W. Jayewardene agreed to initial the final draft of the 'working paper' with a set of Annexures providing a broad framework for negotiations with the Tamils.⁸ But, despite evolving a new draft proposal, things remained as it was before. Sri Lankan Government's denial to concede to the Tamil demand of merging Northern and Eastern Provinces and Tamil's adherence to the four basic principles did not show any prospect for the resumption of talks between the Sri Lankan Government and the Tamil groups. The best efforts of Prime Minister Rajiv Gandhi and that of Ramesh Bhandari to keep the talks going at Thimpu failed in the face of Tamil militant's inflexibility.⁹ And just when Sri Lanka and Indian negotiators had initialled a 'Working Paper' on devolution of power in the

8. The Hindu, 30 August 1985.

9. Telegraph (Calcutta), 5 September 1985.

island Republic, fresh violence broke out, thus straining further any possibility of talks. In addition, the kidnapping and killing of two former members of Parliament, belonging to TULF, V. Dharmalingam and M. Alalasuandaram, by an unidentified group believed to be that of LTTE, added further complication to the already existing complicated situation.

In such an atmosphere, the very first thing that the Government of India wanted to do, before embarking on the next phase of its mediatory moves to settle the ethnic conflict of Sri Lanka, was to get the ceasefire extended which was supposed to end on 17th September for at least another three months with binding assurance from both sides to desist from violations.¹⁰ The priority to ceasefire was so given, since it would otherwise be impossible to resume the stalled dialogue, when innocent Tamils were being slaughtered almost everyday by the Sri Lankan armed forces with the backing of some hot-heads in Colombo who were bent upon sabotaging the peace efforts. After the collapse of the Thimpu talks, Indian diplomatic efforts were directed exclusively towards the formulation of a working paper to serve the basis for the resumed talks, although extension of the ceasefire should have received priority.¹¹ As a result incidents of violence occurred almost daily, the unruly Sri Lankan

10. The Hindu, 16 September, 1985.

11. Deccan Herald, 12 October, 1985.

forces accounting for most of them. The insistence of Tamil militants that any extension of the Truce should be accompanied by the creation of an important monitoring agency compelled the Indian officials to turn their attention to this vital matter.¹² The informal three-month cessation of hostilities which went into effect in mid-July, 1985, was flawed in that it did not provide for a machinery to ensure its effective implementation. This impasse, however, was overcome after "hopping" diplomatic efforts of Indian Foreign Secretary, Ramesh Bhandari, who could be able to succeed in getting a broad agreement on the composition and powers of the Monitoring Committee, an impartial body to keep an watch on effective implementation of the ceasefire agreement on both sides. An interregnum free of blood letting emerged as the best guarantee for lasting peace. The Indian Foreign Secretary seemed to have accomplished this against heavy odds. However, the hopes and expectations that a way has been cleared for negotiations on the draft proposals, were shattered with the massacre of 32 Sinhalese in November, 1985, at Nalwatha village by the Tamil militants and the retaliatory air strikes on guerrilla bases in Trincomalee, thus ending officially Sri Lanka's second ceasefire.¹³

12. Ibid.

13. Statesman, 15 November 1985.

The whole exercise of Rajiv Gandhi's 'conciliatory diplomacy' after the collapse of Thimpu II talks went futile as it could not bring the two warring groups to a point where his diplomacy could work. However, there was nothing wrong in Rajiv Gandhi's conciliation diplomacy. In fact, it not only helped in evolving a 'working paper' for the settlement of the ethnic crisis in Sri Lanka but also made possible the extension of the ceasefire agreement on sounder lines. Unfortunately, it was the inflexibility of Tamils as well as Sri Lankan Government which made it ineffective. While the Tamil militants negotiated from the premise that the Tamils of the North are a separate nation entitled to an autonomous, if not independent homeland, the Sri Lankan Government's response fell far short of the substance of local autonomy. So, despite its lack of apparent success, Rajiv Gandhi's Sri Lankan policy should not be faulted for being too simplistic to exert any pressure on Sri Lankan Government and the Tamil groups to resume the stalled talks. It, indeed, played the role of an honest broker in search of a dignified solution. Moreover, India's conciliatory approach through the 'shuttle diplomacy' of India's Foreign Secretary, Ramesh Bhandari, was also commendable. Ramesh Bhandari attempted most of the likely strategic combinations of diplomatic manoeuvres and also achieved the entrusted task, though it did not materialise to serve the purpose, because of the intransigence of Tamil groups as well as the

Sri Lankan Government.

P. Chidambaram's Mission to
Sri Lanka

The Government of India's decision to send Union Minister of State for Personnel, P. Chidambaram, to start fresh initiatives in persuading President Jayewardene to offer a workable formula which would become the basis for the resumption of the negotiations, could be seen against the background of a continuing impasse between the Sri Lankan Government and the Tamil groups. Besides, the dilemma of decision making by the Jayewardene Administration, which failed to decide on an option between a military and a political solution, and the pronounced element of adventurist military offensive against the Tamils of North urged the Indian Government to send Chidambaram in May, 1986.

Since last three years Jayewardene administration was passing through a schizophrenic phase in decision making, unable to decide on an option between a military and political solution.¹⁴ Being a political realist Jayewardene knew it well that unless he would negotiate from a position of strength, he could not strike an acceptable bargain with the Tamil militants. The year 1985 witnessed his main objective of beefing up the army while conducting negotiations

14. News Time, 7 June 1986.

with Tamil groups by making use of Rajiv Gandhi's conciliatory diplomacy. He alternated between commitments to political and military solutions, while simultaneously egging India in to persist with its good offices to bring the representatives of the Sri Lankan Government and the leaders of the Tamil militants to the negotiating table. While India succeeded in the past in arranging a face-to-face meeting of the two groups, Sri Lanka wilfully sabotaged the negotiating process by remaining intransigent and cussed.¹⁵ The element of adventurism that had crept into Sri Lanka's approach and attitude towards the settlement of the ethnic crisis was quite evident from the very beginning of 1986 itself. The military offensive against the Tamil militants as well as the civilians was consequent upon Jayewardene's objective of reducing the main guerrilla forces by the end of 1986 and then getting the moderate Tamils to a political accord which he could sell to the Sinhala population. He had, therefore, no intention to yield more autonomy permitting a linkage between the Northern and Eastern Provinces.¹⁶

So, it was in such an atmosphere and the growing domestic pressures from Tamil Nadu as well as other political parties, the Government of India decided to make one more attempt by sending the Chidambaram mission to Sri Lanka.

15. Ibid.

16. News Time, 9 March 1986.

The Chidambaram delegation worked out "detailed formulations", rather than proposals, on land settlement and law and order.¹⁷ There was no movement on the more contentious issues of merger of Northern and Eastern provinces and a federal structure which the TULF had indicated during talks it had in New Delhi before the Indian delegation left for Colombo, were central to the solution. Sri Lanka opposed both these demands and indicated to make concessions only within the unitary set up and without the merger of Northern and Eastern Provinces. The resumed Indian initiative under P. Chidambaram, stalled as the Lankan authorities failed to provide certain "clarifications" that the Indian side felt necessary as part of the package of proposals that was otherwise found to be an advance on the earlier position.¹⁸ These clarifications were sought in order to fill the gaps in the formulations which the Chidambaram delegation managed to work out in Colombo. These gaps were related to the evolution of a workable arrangement, in respect of devolution of power to the Provincial Councils, functional autonomy in respect of law and order and undoing the wrongs perpetrated by the enforcement of the Partisan Land Settlement Policy.

The formulations were worked out by the Chidambaram delegation on the understanding that New Delhi would place

17. Deccan Herald, 9 May 1986.

18. Indian Express, 7 June 1986.

them before the Tamil militant leaders as the reasonably viable basis on which negotiations could restart. The official Lanka view was that such clarification could be furnished at the negotiating table and that it would be imprudent for President Jayewardene to reveal all his cards without the assurance that the other side would be prepared to negotiate.¹⁹ It was then, when Jayewardene Administration's perfidy stood exposed before world public opinion, Colombo was pleading that a final package of proposals could be worked out only during the negotiation. The strategy clearly was to duplicate its performance in the two round of direct talks at Thimpu which admitted nothing, conceded nothing, yielded not an inch, but could buy time while giving the impression of readiness to negotiate.²⁰ Thus, it was clear that the statement which was ensued after the visit of Chidambaram delegation was nothing but deliberate.

Colombo's Bid for an
All Party Conference

Colombo's decision to hold an All Party Conference was against realisation of its futile military offensive against the Tamils. In May 1986, Colombo started a massive military offensive to crush the Tamil militants with the

19. Ibid.

20. n. 14.

catch word 'fight to finish'. Although Sri Lanka was initially confident of victory, it soon realised its position when the Jaffna offensive reached a stalemate. The militants proved themselves to be more than a match to the security forces. It had become apparent that a long drawn-out confrontation would ultimately go in favour of the separatists.

President Jayewardene's decision to hold a conference of recognised political parties, including TULF, on 25th June was being seen as a move to demonstrate the world that his Government was not sparing any effort to settle the issue through a dialogue and to disprove contentions of various Sri Lankan Tamils as well as India that Colombo was not seriously interested in a peaceful solution.²¹ But, it was incidentally the Sri Lanka aid consortium meeting which was already due in Paris motivated the Sri Lankan Government to look for a political and peaceful solution. Otherwise Sri Lanka could not convince the donors for aid in an atmosphere of its already waning economy.

The extent of Sri Lanka ambivalence and double standards was reflected in the all-too-casual manner remark in which Lalith Athulathmudali mooted the idea of a Commonwealth intervention as potentially likely to succeed where the Indian efforts failed. However, Atulathmudali's

21. Patriot, 14 June, 1986.

"loud thinking" met with a lukewarm response from the Commonwealth leadership. Thus, the stalemate over the Jaffna offensive, the deteriorating Sri Lankan economy, the lukewarm response from the Commonwealth leadership and the gentle advice by Washington to persist with Indian good offices, all seemed to have contributed to the birth of second thoughts in Colombo as to hold a conference of the recognised political parties of Sri Lanka.

The proposition for a conference of all recognised political parties to discuss Sri Lankan ethnic conflict, made by the Mahajana Eksath Peramuna (MEP), was accepted by President Jayewardene on June 3, 1986, and was subsequently endorsed by the working committee of the ruling UNP.²² There seemed to be a silver lining in the dark cloud that had been casting a shadow over Sri Lanka. On 25th June, 1986, Sri Lankan President unveiled his "peace package" in Colombo, before the 24 delegates representing "eight political parties"²³ at the Political Parties Conference (PPC).

Among the Jayewardene's proposals were - (1) a bill amending the constitution to create Provincial Councils with substantial executive and legislative powers, and (2) an act of Parliament to prescribe the procedures for the

22. Keesings Record of World Events, vol. XXXIII, 1987, p. 34875.

23. TULF and SLFP boycotted the June 25 Political Parties Conference.

formation of the provincial councils through elections, as well as for appointments and financial arrangements.²⁴ The unitary character of Sri Lankan constitution was guaranteed under the plan, which failed to provide for the merger of northern and eastern provinces into one Tamil linguistic unit, this being the basic demand of the various Tamil organisations including TULF. On law and order the plan provided for Provincial Councils to recruit police officers up to the rank of Assistant Superintendent. It was proposed to establish a National Land Commission for the specific purpose of evolving a National Land Policy on the basis of the national ethnic ratio. Provincial Councils would have power to levy taxes, but would have to receive sanction of the Central Government for foreign loans and grants. These proposals for the first time marked directly the formation of autonomous Provincial Councils in the northern and eastern provinces.

However, to the disappointment of TULF, it found a number of 'discrepancies' in the proposals. The discrepancies were noted when the proposals were handed over to the Indian Government to be forwarded to the Tamils were compared with the proposals tabled by Jayewardene at the PPC. In the former, the stress was on 'devolution' while in the latter, it was 'delegation' which was unacceptable to the Tamils because

24. n. 22.

it would reinforce the power of the President who could then make a mockery of the devolution of power envisaged in the Provincial Council. In paragraph 1 in the note on Provincial Councils delineated in the document to be sent to India, it was stated that "a provincial council shall be established in each province. Law making, executive (including financial) powers shall be devolved upon the Provincial Council by suitable constitutional amendments without resort to a referendum. However, paragraph 10(A) of the document placed before the PPC stated, "executive power shall be delegated to the Governor shall be exercised by him directly or through an officer subordinate to him". As the Governor was to be delegated power by the President, the Tamils were naturally filled with misgivings. However, despite all these misgivings, TULF's general stand on this proposal, as described by A. Amirthalingam, was "neutral".

Later on, TULF had two rounds of talks with the Sri Lankan Government in July and August respectively. Following the end of second round of talks Amirthalingam, General Secretary of TULF, told newsmen that differences had been narrowed down on important subjects like law and order, and the Provincial Governor's power.²⁵ But, impasse prevailed over the question of merger of northern and eastern provinces on linguistic lines. TULF reportedly made it clear that

25. Deccan Herald, 1 September 1986.

there could be no piecemeal agreement, only a package that should include the merger.²⁶ The Sri Lankan Government was told that the merger was key to the solution. By rejecting the TULF demand of merger, the Sri Lankan Government suggested a referendum on the issue or in the alternative it could be referred to a boundary commission. Taking the stand of TULF, it had no objection to a referendum as such provided the Sinhala majority Amparai electorate was excluded from it.

The rejection of the package proposals for the devolution of powers in Sri Lanka by the Tamil militant groups was almost total.²⁷ It was unfortunate, for the package represented the result of extended discussions between the Indian Government on the one hand and first the Sri Lankan Government and later the moderate TULF on the other. Although, the proposals marked a progress on the devolution of powers for Provincial Councils, sharp differences persisted over the question of merger of northern and eastern provinces. Colombo was opposed to the merger for two reasons ; one was that the northern and eastern provinces were a potential Elam and a source of future trouble; and the other was that the strategic port of Trincomalee would be under the Tamils. India on its part had accepted the view that a merger of the two provinces was not feasible but it wanted a common arrangement between the two provinces

26. n. 5.

27. Deccan Herald, 5 November 1986.

providing for sharing of facilities by the Tamil speaking people. It was in this context that the 'December 19' proposals worked out during the talks Natwar Singh, the Union Minister of State for External Affairs, and P. Chidambaram, Union Minister of State for Home, had with President Jayewardene

In the third week of December, it became apparent that a political settlement was at hand. On December 19, the tortuous process of negotiation finally produced a framework for peace which both TULF and Colombo had agreed.²⁸ It looked as if India's mediatory role would finally succeed. The proposal seemed to have taken account the need for a face saving formula for Colombo while ensuring at the same time the legitimate aspirations of the Tamil people. The question of devolution of power and that of territorial adjustment was conceived within these parameters.

The issue of devolution consisted of power sharing arrangements that would give elected assemblies considerable autonomy from the Centre, and decisive authority over the question of law and order. The second and perhaps the most difficult part of the power sharing arrangements envisaged in the plan had to do with the formula linking the northern and eastern provinces. The Tamil demand for a homeland had been based on the concept where the entire two provinces

28. Hindustan Times, 12 January 1987.

would have to be merged. It was obvious that Jaffna alone was neither economically viable nor would it make for a stable political future for the Tamils. The Sri Lankan Government's objection to the idea stemmed precisely from this. It believed that the merging of the two provinces would create a viable territorial base for a future separate state of Tamil Eelam.

The December 19 agreement proposed the detaching of the Sinhala majority areas of Trincomalee and Amparai thus giving Tamils a 46% majority against the 37% Muslims and 14% Sinhala in the remaining areas of the eastern province. Thus, evolving an acceptable territorial formula was the most important achievement on the part of the Indian mediators. But, what seemed possible on December 19 was no longer so on four days later. Unmindful of the consequences, Colombo abandoned the agreement and embarked once again on the path of coercion was any guide, it could not succeed.

After abandoning the "December 19 Proposals", 1986, the Sri Lankan Government directed its attention towards a military solution of the ethnic problem. The most likely reason for the shift towards coercion was, in fact, rooted in domestic politics and in the personal rivalry between the political successors of Jayewardene.²⁹ If Prime Minister

29. Hindustan Times, 12 January 1987.

Premadasa had grassroot support and popular appeal, his rival, the National Security Minister, Lalith Athulathmudali had the security forces and other politically hawkish elements. Colombo's response to India's efforts and to the Tamil demands were shaped by these factors. Swayed by such factors like the personal ambitions of politicians, religious fervour of Buddhist clergy, Sinhala chauvinism and the gut fear of India, if a settlement was to be signed, these elements that stood to gain from the Sri Lankan militarisation were bound to lose ground. The objections to the December 19 proposals should, therefore, be seen against this background.

In the early January, 1987 LTTE claimed to have taken over some branches of civil administration. On finding that Tamil militants have taken over control of northern Jaffna, virtually nullifying Colombo's authority, the Sri Lankan authorities imposed an economic blockade of the area. India strongly protested against the action through its High Commissioner, J.N. Dixit. But, Jayewardene did not commit himself as to what his Government should do to alleviate the civilian population's hardships. Lalith Athulathmudali, who was directly supervising the economic blockade, contended that it had been done in retaliation to the LTTE's action of collecting taxes in the peninsula, which was interpreted as a gradual move to universal declaration of independence, even though LTTE denied such intention. On February 9, 1987, J.N. Dixit, the Indian High Commissioner to Sri Lanka,

officially informed the Sri Lankan Government that India was suspending its role as a mediator since it had opted for a military solution to the problem.³⁰

Defying all appeals for sanity, President Jayewardene launched the biggest military offensive, codenamed "operation liberation", against the Tamils on May 27, 1987. On May 28, 1987, Prime Minister Rajiv Gandhi in his statement said, "while India was patiently and painstakingly working towards a political solution, it is apparent now that the Sri Lankan Government was buying time for pursuing a military option. The present offensive is the part of the plan".³¹

Regarding "operation liberation" President Jayewardene described it as "fight to the finish" and declared that the massive operation would continue until victory was achieved. The objective for the Sri Lankan forces was to occupy Jaffna town, the main centre of Tamil militants, who offered a "life and death resistance" in an atmosphere where all the escape routes were cut off along with a repeated air force bombing of the Jaffna peninsula. Commenting on the situation K. Natwar Singh, Union Minister of State for External Affairs, said, "it is difficult to appreciate how the misguided actions by a few can justify the importance of harsh economic and communication blockade and large-scale military action in

30. n. 22.

31. Foreign Affairs Record, Vol. XXXIII, No. 5, May 1987, p. 190.

the eastern and northern provinces lasting for several months and causing widespread suffering, death and destruction to innocent civilians. It has been said that the economic blockade was aimed at the militants and applicable only to fuel supplies, but the fact is that it has affected the availability of food-stuffs and medicines and has disrupted normal life and caused hardships to civilians throughout Jaffna. What is most regrettable is that these actions came at a time when there was a chance of making some progress towards a negotiated settlement on the basis of the December 19 proposals. Such actions and widespread suffering caused to civilians produce their inevitable reaction in India".³²

Driven to a corner, where a blind eye could no longer be turned to the plight of the Tamils in Sri Lanka nor humanitarian aid rendered because of the Sri Lankan Government's refusal to accept it, India opted for dispatching a consignment of urgently needed relief supplies by air, to be paradropped over Jaffna. The mission was carried out by five AN 32 transport planes of the Indian Air Force escorted by four Mirage 2000 fighter aircrafts. This operation was conducted on June 4, 1987 following Sri Lanka's refusal to allow the 19 Indian unarmed and unescorted boats carrying humanitarian supplies to get through to Jaffna on June 3, 1987. Although, the Indian act was a 'naked violation

32. n. 31, p. 192.

of Sri Lanka's sovereignty" yet such action was justified on humanitarian ground. The economic blockade and the killings of innocent Tamils by Sri Lankan armed forces made the state of Tamil Nadu obviously restive. Rajiv Gandhi's stern warnings and polite messages through Dinesh Singh in March, 1987, failed to desist Colombo from its aggressive course. That was why, as S.D. Muni has said, India felt free to undertake such an operation.³³ Besides, the fact that India's mediatory role went aground in part because of Jayewardene surreptitiously sought Israeli and Pakistani help to deal with the Tamil militants, India could not possibly view with equanimity such a development where encouragement was being given by Colombo to external forces, inimical to Indian interests to acquire a foothold just across its own shores. Such a situation, as it was evolving in Sri Lanka, forced India to send the relief operation.

Following the 'air-drop' operation an agreement was reached between India and Sri Lanka on 15th June on the procedure for despatch of relief supplies from India to the Tamil population on the Jaffna peninsula. By reaching at the agreement, New Delhi and Colombo took a modest but significant step towards restoring the dialogue between them. The joint statement issued by them later, took into account

33. Paper presented by S.D. Muni on "Indo-Sri Lanka Accord: Issues and Prospects", organised by the Centre for South Asian Studies and the National Security Programme, JNU, January, 1988.

India's legitimate concern about the Tamils in Jaffna and the reiteration of India's commitment to respect Sri Lanka's sovereignty and territorial integrity. The agreement, on the whole, paved the way for smooth deliberations between the two countries in arriving at a political solution to the ethnic problem. A letter from Prime Minister Rajiv Gandhi to President Jayewardene dated 1 July, 1987, asked for improvements on the 'December 19' proposals to be put forward and for other 'new ideas' to resolve the ethnic issue.³⁴ Intense discussions followed Rajiv Gandhi's letter, involving for the most part, J.N. Dixit on the one hand and President Jayewardene and L. Gamini Dissanayake, Sri Lankan Minister of lands, Land Development and Mahaveli Development, on the other. On July 16, members of Sri Lankan cabinet met with President Jayewardene and J.N. Dixit and two days later "an improved version" of the December 19 proposals was delivered to New Delhi. On July 22, President Jayewardene received Parliamentary approval for the peace proposal, a condition laid down by Rajiv Gandhi. On 29 July, India and Sri Lanka entered into an agreement for "resolving the ethnic problem of Sri Lanka". The 17 clause agreement along with 6 clause Annexure was signed in Colombo by Prime Minister Rajiv Gandhi of India and President J.R. Jayewardene of Sri Lanka. The agreement was a "landmark" in Indo-Sri Lanka relations which had persistently been strained, at

34. n. 22, p. 35313.

times to a near breaking point, for many years.³⁵

The Accord

The spell of ethnic violence which went on unabated since 1983 for full four years resulted in the killing of nearly 7,000 people and drove more than one lakh Tamils as refugees to India. It was this state of widespread violence and chaos which the Rajiv-Jayewardene Agreement on 29 July, 1987, sought to halt. With regard to the Agreement Rajiv Gandhi said, "we have structured a framework for durable solution to Sri Lanka's ethnic problem. The Agreement meets the basic aspirations which animated the Tamils' struggle, namely, the desire to be recognised as a distinct ethnic entity, political autonomy for managing their political future, and the appropriate devolution of Governmental power to meet this objective, the recognition of the northern and eastern provinces of Sri Lanka as areas of historical habitation of the Tamils and the acknowledgement and designation of Tamil as an official language of the Democratic, Socialist Republic of Sri Lanka. The Agreement constitutes the merger of the eastern and northern provinces of Sri Lanka into one administrative unit with an elected Provincial Council and a Chief Minister. Powers would be devolved to the Provincial

35. S.C. Gangal, "The India-Sri Lanka Agreement", Gandhi Marg, August, 1987, p. 259.

Council within the framework of the proposals finalised between May to December 1986 to ensure a full measure of autonomy to the Provinces in Sri Lanka".³⁶

The Agreement, as such, tries to meet the main Tamil demand for a 'homeland' - albeit in a limited way - by recognising the north-eastern provinces as "areas of Sri Lanka Tamil speaking people who have at all times hitherto lived in this territory" and by creating an autonomous administrative unit consisting of northern and eastern provinces - subject to the condition that the eastern province (where the Tamils are less than 50%) will decide through a referendum (to be held at the end of 1988) whether "it should remain linked with the Northern Province" or "it should constitute a separate administrative unit".³⁷ The Sri Lankan Government, in order to conciliate the Tamils, also granted a general amnesty to the Tamils held under the Prevention of Terrorism Act, including the militants; and it will provide full facilities for the return and rehabilitation of the erstwhile detainees and over one lakh refugees in India. With a view to instill confidence among the Tamils, the Sri Lankan President has undertaken (vide Annexure 1) that "the homeguards will be disbanded and all paramilitary

36. Statement by Rajiv Gandhi in the Parliament on Indo-Sri Lanka Agreement on 31 July, 1987, Foreign Affairs Record, vol. XXXIII, no. 7, July, 1987.

37. n. 35, p. 260.

forces will be withdrawn from the northern and eastern provinces".

Under the accord the Sri Lankan Government agreed to give the official status to Tamil and English language with Sinhalese language, though this provision was so formulated as to give Sinhalese a place of pride as "the official language of Sri Lanka". Another important accommodative gesture made by Sri Lanka was on the question of merging northern and eastern provinces into a single administrative unit. They had earlier been insisting to do this only after a referendum, now they have come round to getting it endorsed by a 'simple majority referendum subsequently' and also inserted an enabling provision that the President, "at his discretion could decide to postpone such a referendum".

The spirit of the Accord is, no doubt, broad since it pledges to safeguard the unity, peace and integrity of Sri Lanka, and the legitimate aspirations of the Tamils in Sri Lanka and finally, take care of regional security concerns of India. However, there remain some structural ambiguities in the Accord. There was no attempt in the Accord to precisely define the package of devolution of power for Tamil areas. Reference in the Accord to "proposals negotiated during 4 May to 19 December 1986" and of "residual matters" left many questions unanswered since there was at no stage any finality about the proposals negotiated between May and

December 1986.³⁸

The Indo-Sri Lanka Agreement seemed to have struck a severe blow to the Chinese and the Pakistani strategic moves towards India in the regional South Asian context.³⁹ Taking the advantage of the tensions in the Indo-Sri Lanka relations, both the countries had been trying to consolidate their strategic presence in the island through the establishment of military training and weapon supplies ties. Under the provisions of the first para of the letters exchanged between Jayewardene and Rajiv Gandhi, India has agreed to provide training facilities and military supplies for Sri Lankan security forces. However, one thing becomes very clear that the implications of the Agreement and India's gains in the reiteration of its regional security doctrine depend a great deal on the success of the complete implementation of the Accord.

38. n. 33.

39. S.D. Muni, "Indo-Sri Lanka Agreement; Regional Implications", Mainstream, August 15, 1987, p. 24.

CONCLUSION

The genesis of the Sri Lankan ethnic crisis can be traced to the evergrowing discrimination under the successive Sri Lankan Governments since independence. The Jayewardene Government's inability to work out a modus-vi-vendi for the governance of a country, torn by Tamil-Sinhalese strife, brought to the fore, in the aftermath of the bloodshed in Colombo in 1983, half-a-dozen groups of Tamil militants who stood for a separate State for the Tamils in the island's Northern and Eastern provinces. Apportionment of blame may be good propaḡanda, but it does not always lead to sensible solutions. It is widely conceded that the Tamils deserve better treatment, but there are differences of opinion over the question as to how they should be treated. When the efforts were made for evolving a political solution with the help of India's "good offices", the two main protagonists, the Sri Lankan Government and the LTTE sought to dictate the solution from a position of strength. As a result most of the Indian efforts failed either due to the adamant attitude of the Sri Lankan Government or Tamil militant's bellicosity.

With the ethnic eruption in Sri Lanka in 1983 India's already delicate position became increasingly difficult in the face of emotionally charged sentimental support from the people of Tamil Nadu to the people of same ethnic stock in

Sri Lanka who had then no other alternative but to flee to India. Situation was such that the only policy option before India was to encourage and assist the concerned parties for a negotiated settlement. Among the major parties involved, India alone displayed a degree of consistency.

The parameters laid down by Mrs. Indira Gandhi remained valid as ever. These imposed an obligation on the Government of India to pursue two fundamental objectives -- first, to secure for Tamils a place of equal status as citizens of Sri Lanka, and second, to preserve the territorial integrity of Sri Lanka. From this followed the Indian efforts, directed towards getting the Sri Lankan Government to redress the legitimate grievances of the Tamils and persuading the Tamils to give up ideas of separate nationhood and accept a political solution within the framework of a united Sri Lanka.

India's relationship with Jayewardene Government during the time of Mrs. Gandhi was obscured by a curtain of distrust. Even when G. Parthasarathy evolved a series of meaningful proposals for devolution of power in Sri Lanka, were brushed aside because of Sinhalese hawkishness. Indeed, in Mrs. Gandhi's life time, Sri Lanka never overcame the fear that India might go for another Bangladesh

in Jaffna. Besides, G. Parthasarathy's Tamil background did not help matters either.

Considering the reluctance of the Sri Lankan Government to talk to G. Parthasarathy, the new Government under Rajiv Gandhi felt it necessary to send Ramesh Bhandari to start fresh talks with the Jayewardene Government. As a result, under Rajiv Gandhi, some of the apprehensions regarding Indian motives were removed, though the feeling persisted that the Government's actions were influenced by the internal political compulsions of Tamil Nadu. But, Tamil Nadu Government, though it was both directly involved and deeply concerned with the ethnic problem, managed to preserve an enigmatic silence. Besides, the fear, which was based on an analogy of Bangladesh that India might intervene in Sri Lanka, subsided as sufficient good sense remained to avoid this dreadful eventuality. The limitations under which the Government of India had to function were quite evident. However, by using successfully its political and diplomatic skills India could be able to bring the Sri Lankan Government to an Agreement on 29th July 1987 for the settlement of the Sri Lankan ethnic crisis.

In addition to Indian diplomatic efforts, the domestic atmosphere of Sri Lanka also played a vital role in compelling President Jayewardene to sign the Agreement. The absence of

external political support and enough military aid considerably strained Sri Lanka's military campaign against the Tamil militants. The disastrous performance of Sri Lankan economy for last few years, the increasing external debt payment and other economic difficulties to sustain the military campaign were some of the economic compulsions which forced Jayewardene to come to terms with India on the ethnic question. The 'air drop' by India made the opposition parties stridently vocal in their criticism of the Government's handling of the ethnic crisis. Moreover, Jatiya Vimukti Peramuna (J.V.P.), the extremist Sinhala youth group became more active in the wake of all these developments. JVP's activities in the South called for a two-front engagement for the Sri Lankan armed forces which the Jayewardene Government was not prepared at all. Again, any compromise with JVP would mean surrender of political authority to these internal political contenders. In the face of all these developments, President Jayewardene considered it prudent to sign the Agreement with India by offering reasonable concessions to the Tamils. On the Indian side, it was the prospects of a JVP-led coup against the Jayewardene Government which compelled the Indian policy makers to get the Sri Lankan Government around a settlement for it would have become impossible for India to deal with a JVP-led set up in Colombo on the Tamil issue.

Admittedly, the Accord was a major diplomatic triumph for Rajiv Gandhi considering India's strategic geopolitical considerations. Sri Lanka agreed for the accommodation towards India's security concerns. It agreed to meet some of India's concerns with regard to "employment of foreign military and intelligence personnel", that "Trincomalee or any other parts of Sri Lanka will not be made available for military use by any country in a manner prejudicial to India's interests"; and that "Sri Lanka's agreements with foreign broadcasting organisations will be reviewed" to ensure that they are used "not for military and intelligence purposes" against India. Sri Lanka also agreed to stop accepting military aid and training from other countries, instead India will provide "training facilities and military supplies for Sri Lankan security forces".

However, India's gains in the reiteration of its regional security environment largely depend upon the successful implementation of the Accord. The presence of several variables in Sri Lanka give a gloomy picture with regard to the successful implementation of the Accord. The hostile criticism from various Sri Lankan quarters including powerful sections of the Sri Lankan ruling party, the military as was evident in the attack on Rajiv Gandhi at the time of Guard of honour in Colombo, the powerful

Buddhist clergy, the opposition party SLFP, and above all LTTE, pose a threat to the complete implementation of the Agreement.. All these may exploit the situation to their advantage. Therefore, a deft handling of the situation should be made both by Sri Lanka and India. Failure on this count will defeat the very purpose of the Agreement as well as all those possible advantages for the regional security environment of India.

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