The Tamil Factor and India's Relations With Sri Lanka Since 1985

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CERTIFICATE

Certified that this dissertation entitled THE TAMIL FACTOR AND INDIA'S RELATIONS WITH SRI LANKA SINCE 1985, submitted by Mr. GOVIND MANISH in fulfilment of nine credits out of twenty four credits for the award of the degree of MASTER OF PHILOSOPHY (M.Phil.) of this University, is his original work and may be placed before examiners for evaluation.

This dissertation has not been submitted for the award of any other degree of this university or of any other university to the best of our knowledge.

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PREFACE

The aim of this study is to analyse the Tamil Factor in India's relations with Sri Lanka. The Indo-Sri Lankan affair has been influenced by many coordinates. But, the Tamil Factor, i.e., the role the Tamils in India have played in Indo-Sri Lankan affair, has been neglected.

Sri Lanka, throughout the period immediately after independence till date, has witnessed an ethnic tension, between two of its major communities-Sinhalas and Tamils. The various legislations passed during this period against the minority-the Tamils-only deepened the divide and contributed in allowing the crisis take a serious turn. Starting from parity, the Tamil movement in Sri Lanka now demands secession.

Indian envolvement in Sri Lankan crisis began with the question of 'statelessness' of Tamils of Indian origin. With the passage of time, the Indo-Sri Lankan relations saw many negotiations, many treaties, including the Peace Accord of 1987; and the military intervention.

India, from the very begining, has supported the Tamil cause in Sri Lanka. Apart from the other coordinates working on the Indian attitude and policies towards Sri Lanka, India has always given due consideration to the Tamils living in India, who, in turn, have tended to influence the Governments in an attempt to help their cousins across the Palk Strait. This dissertation tries to look into this dimension as to how and to what extent 'the Tamil Factor' has been able to influence the governmental decisions.

This has not been an easy task, primarily for two reasons. Firstly, there are not enough sources available on this aspect complelling one to rely on interviews, press clipping, etc. and the inferences drawn from them, making room for hypotheses to enter. Secondly, whenever one feels that one has made sense out of the situation, some other force emerges to scatter a carefully constructed logic. This happens as a result of fast breaking nature of events and the complexity of the situation. Yet, an attempt has been made.

I would like to express my deep respect and gratitude to my supervisor, Prof. Sushil Kumar. He has always extended his support, whenever and whatever I needed. And without his guidance, throughout my work, I would not have been able to complete my M.Phil.

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I must acknowledge the help of the staffs of the Jawaharlal Nehru University Library, the Institute of Defence Studies and Analysis Library, the Nehru Museum and Library, the Indian Council of World Affairs Library, and the American Centre Library.

Thanks are due to two of my cousins, Sanjeev and Amit, who have always been very helpful. My brothers, Ashish and Abhishek, have contributed in their own way. My greatest gratitude goes to my parents, to whom I owe so much. My grandmother, who passed away last November, was very keen to see the completion of my work. I deeply feel her absence but I know she is up there to share my happiness.

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(GOVIND MANISH)

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ABBREVIATIONS

AIADMK - All India Anna Dravida Munnetra Kazhagam

DMK - Dravida Munnetra Kazhagam

DK - Dravida Kazhagam

IPKF - Indian Peace Keeping Force

JVP - Jathika Vimukthi Peramura

LSSP - Lanka Sama Samaj Party

LTTE - Liberation Tigers of Tamil Eelam

RAW - Research and Analysis Wing

SAARC - South Asian Association for Regional

Cooperation

SLFP - Sri Lanka Freedom Party

TELO - Tamil Eelam Liberation Organisation

TULF - Tamil United Liberation Front

UNP - United National Party

CHAPTER 1

THE EVOLUTION OF THE TAMIL PROBLEM

Introduction

Sri Lanka can be described as a land of diverse faiths. It is a land which is holy to many. Adam's peak in eastern SriLanka is one of the lovliest landfalls and the world's most sacred mountain because of the famous footprint on it that many faiths revere. Muslims believe that Adam landed here after his fall from paradise. The Chinese connect the mountain with the father of the human race. Hindus link the country's upland with the mythology of Vishnu's incarnation. Christian missionaries ascribe the mysterious footprints to St. Thomas, the Apostle. The Buddha is believed to have come to this island many times and left traces of his footsteps. 1

These kinds of faiths are connected with the small island, Sri Lanka. Apart from these faiths, Sri Lanka can also be described as a land of racial diversity. This diversity can be seen in the frequency of eyes-coloured from brown to blue, crinkly and smooth hair, flat and hooked noses. That is to say that all the racial stocks have experienced mixture with one another. These races,

^{1.} Mohan Ram, Srilanka: The Fractured Island, India, 1989, p. 31

even after undergoing the phenomena of mixing up with each other, claim some kind of a particular identity, to which they attach certain beliefs and faiths. However, they had been living together in peace for the last so many years. There were minor tussles and on some occasions, major ones too. But, somehow, the tranquility and the racial amity was there. This was, however, completely destroyed in 1983.

However, this was not a sudden incident. Sri Lanka divided over race, language and culture, was on the brink of an explosion by mid 1983. All it needed was a spark, which was provided by abduction and rape of three Tamil girls and the killing of two secessionist guerillas of the LTTE in Jaffna peninsula by Sri Lankan soldiers. In retaliation, the Tamil guerillas drew a Sri Lankan army patrol out of its fortified camp in Palay around midnight of 23 July. A fake tip off over the telephone did the trick. The patrol was ambushed and thirteen soldiers were killed. News of ambush reached Colombo the next day and set off an anti-Tamil pogrom, the worst in the island's history, in the Sinhala majority areas.

Shops, banks, offices and restaurants in the capital's crowded city centre and main streets being burnt, while the police look on. Thousands of houses ransacked and burnt, sometimes with women and children inside. Goon squads battering passengers to death in trains and on stations'

platforms; and without hinderance, publicly burning men and women to death on the streets. Remand prisoners and political detainees in the country's top prison being massacred. The armed forces joining in and sometimes organising this program against members of Sri Lankan minority community. The nation's President and top ranking Cabinet members publicly justifying this pogrom. Millions Sri Lankans who live happily in peace with the neighbours and love their country would at one time, have dismissed all this as a sick fantasy or a horrible nightmare. They would have regarded reports of this kind as a gross slander against their country. But in July 1983, they were forced to realise that someone in the country had assumed or been given the authority and freedom to make these unbelievable things very real. For within three or four days, they themselves, or their colleagues, friends and relatives had been driven from their homes and workplaces, and become part of a 200,000 population; 130,000 of them in refugee camps, vulnerable to further attacks.²

The Ethnic Conflict : Myths & Believes

The rise of the ethnic conflict between the two major

^{2.} L. Piyadasa, Sri Lanka: The Holocaust and After, London, 1984, P.1.

communities of Sri Lanka - Sinhalas and Tamils - can be traced back in the history of the island. One has to keep in mind the fact that this history does not include only what has been proved archaeologically and by other sources but also the beliefs, the myths and the tales that surround them.

According to the Buddhist legend and mythology, the Sinhala race was founded by Vijaya, the grandson of the union between a petty north Indian king and a lioness. Banished by his father for isconduct, Vijaya is believed to have arrived in the Island in 500 B.C. in the band of 700 fair-skinned Aryans. The Sinhalas say that the name of the race is derived from the legend of the lioness. Mythology also emphasizes that Vijaya's arrival coincided with Gautam Buddha's nirvana.4 It is claimed that the Buddha had visited the island thrice and this legend is the basis of Sinhala claim that as Aryans from north India, they have inherited much older culture and civilisation than the Tamils who are descendants of Dravidian settlers from peninsular India. The early epics of Sri Lanka, like the Dipavamsa and Mahavamsa, have different versions

^{3.} Sinha, in Sanskrit, means lion.

^{4.} The final release from the cycle of reincarnation, attained by the extinction of all desires and individual existence culminating in absolute blessedness.

Vijaya's story, and one of them talks of Vijaya's marriage with a South Indian princess. But, disregarding all these details, an ordinary Sinhala believes in his racial purity and considers himself superior to any non-Sinhala or non-Buddhist residing in Sri Lanka. "Rather as the old Testament builds up the concept of Israel as a specially chosen people in a way that has had a profound influence on Jews ever since; so does the Mahavamsa build up the concept of special destiny of Sinhalese kings, the Sinhalese people, and the island of Sri Lanka in relation to Buddhism; and the result has been equally profound."

This racial myth assumed significant dimensions owing to the common belief in the story of a war between the Aryan king Dutthagamani and the Tamil king, Elara. Elara ruled in the north and Dutthagamani in the south. Dutthagamani, as the story goes, waged a war to protect Buddhism from the 'unbelievers' in the north. Five Hundred Bhikkus, according to the Mahavamsa, accompanied Dutthagamani's crusading army to conquer Anuradhapura. Having defeated Elara and unified the entire country into one kingdom, Dutthagami, a true Buddhist, lamented like Ashoka the killing of countless human beings. The Buddhists monks consoled him by saying that those who lost their

^{5.} B.H. Farmer, Ceylon: A Divided Nation, London, 1963, P.8

lives fighting against him were "unbelievers and men of evil life not to be esteemed any more than beasts."

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

This exclusivist line is perpetuated by most of the current academic and popular writing on the history of Sri Lanka. A team of experts who analysed the School text-books to find out their communal content came to startling conclusions. The study covered mainly text-books published by the Government's Educational Publications Department. The books were in Sinhala, Tamil and English, most of them prescribed until 1981.

The Sinhala medium books upto grade two did not mention the existence of any non-Sinhala culture, language or people. The Sinhala-Buddhist mono-culture was projected in these text even to the exclusion of the Sinhala-

^{6.} Quoted by V.P. Vaidik, Ethnic crisis in SriLanka: India's options, New Delhi, 1986, P. 3.

christian. The corresponding three readers in Tamil did not have this exclusivist approach. The Tamil children, unlike the Sinhalas, are thought to be tolerant through being informed of the Sinhala, Muslim and even christian ways of life, prevalent in Sri Lanka.

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

The corresponding Tamil medium books were full of Sinhala-Buddhist reference as well as depicting the Muslim and christian traditions in Sri Lanka. They portrayed the festivals of all the four religions of Sri Lanka along with the indigenous New Year Day, which is shown as the Day of both the Sinhalas and Tamils. Even the Sinhala heroes were praised in these Tamil books unlike the monothematic sinhala medium books. The analysis found just one reference, after examining ten Sinhala text books, which laid stress on the commonality of the Sinhala and Tamil cultures.

The English-medium books, which were meant for all the

children, tended to project the Sinhala-Buddhist tradition in the hegemonic fashion while giving token representation to other traditions.

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

By flogging the Elara episode, the Sinhala not only denigrate the Tamils, but stretch it to create imaginary fears about India. They feel that Sinhala people have no other place to go except Sri Lanka while the Tamils, with their 12.6 per cent of the Sri Lankan population, who appear to be in minority; are really a dominant community if one takes into account the 50 million people of Tamil Nadu just 20 miles away, with whom they have special relationship and on whom they can fall back in an hour of crisis. History, as perceived by the Sinhalese, has helped breed a minority complex in them though they are the

^{7.} Translated from 'Sinhalayage Adisi Hatura (The unseen enemy of the Sinhalese) by Kumari Jayawardene, "Ethnic Consciousness in Sri Lanka: Continuity and Change" Lanka Guardian, Vol. 6, No. 22, March 15, 1984, P. 11.

overwhelming majority in Sri Lanka with 74 per cent of the total population.

The Tamils, on the other hand, view history in an entirely different perspective. They believe that North India being far away from Sri Lanka, the inflow of peoples, as the Sinhalese claim, from places like Bengal, Orissa and even Madhya Pradesh to Sri Lanka would have been extremely cumbersome apart from the fast that it could not have taken place in one go. It would have been easier and more natural for the South Indian to cross over to the island just 20 miles away. They were the first to inhabit Sri Lanka, and King Vijaya and the so-called Sinhalas comes much later. The Tamil name for Sri Lanka, 'Eelam', is mentioned even in the pre-christian era Tamil classics. The Tamils in Sri Lanka are mostly Hindus and they argue that the majority of civilised people in pre-Buddhists Ceylon were followers of Hinduism in one form or the other. Even the Sinhala classics like the Mahavamsa and Sri Lankan archeology bear testimony to the fact of Saivite and Brahmanical practices being followed by the people in all corners of Sri Lanka. Eelam, the name of the homelands the Tamils claim, derived from the name of Elara, the last Tamil king.

The absence of continuous recorded history makes it difficult to know about the Tamils after Elara's defeat in 101 B.C. by Dutthagamani. Pali chronicles speak only of the

struggles between Sinhala kings and the Tamil invaders. But, as history suggests, a Tamil kingdom did emerge around 1215 A.D. in Jaffna in the north. According to Sinhalas, the kingdom was only a peripheral one, a result of the national dissension and chaos at the time. Tamils, however, consider it as a golden age which came to an end when western powers colonised the kingdom.

The first ones to come from the west were Portugese in 1505. They found three sovereign kingdoms - one of the Sinhalas, one based in the present day Kandy and a Tamil kingdom based in Jaffna. The Sinhala and the Tamil areas had distinctive social formations, languages and cultures and to all intents and purposes were distinctive nations. The Portugese brought Sinhala and later the Tamil kingdom under them but ruled them as separate entities. The Kandyan kingdom defied the Portugese (1505-1658) and the Dutch who followed them (1658-1796). The British who expelled the Dutch in 1796, could annex Kandy only in 1815 and thus bringing the island under a unified structure and a centralised administration.

The British introduced a system of representation on the basis of religion and ethnicity on the plea that it would help democratic institutions in a country with racial and religious differences. By 1920s, separate and distinctive political demands by various political groups, each designed to safeguard and promote sectarian interests, all under the plea of national interest, became the trend.

After universal adult franchise was introduced in 1931, the legislative council was so constituted that its non-official (elected membership) had distinct categories - Burghers (the descendants of the Europeans), Sinhalas, Tamils and Europeans. This began the trend of leaders of social groups assuming distinct postures in politics. The Muslims were to get representation in the Council later, separating Tamil speaking Muslims from other Tamils. Thus the people were divided on ethnic lines and again along lines of religion, for example, as Tamils and Muslims.

From the Crown rule under a Governor, the island evolved through a limited franchise representative government with limited powers, to a semi-responsible government under an adult franchise system, responsibility and independence in 1948. But Ceylon's attaining of independence had none of the excitement of a struggle-violent or non-violent. It lacked drama. In fact, it was the by-product of India's freedom struggle and the British decision to quit the South-Asian subcontinent after the Second World War. The freedom movement in Ceylon began as late as 1915 when the Ceylon National comprising both Sinhalas and Tamils was formed. The British had begun preparing the Crown colony for freedom, longer

than any other colony. In 1944, they sent the Lord Soulbury Commission to replace the 1931 constitution (which introduced Universal Adult Franchise, recommended by the Donoughmore Commission) Lord Soulbury drafted the constitution on the basis of the following guiding principles:

- a) Ceylon was a multi-racial democracy and its commitment should be to the liberal concept of a secular state where the line between state power and religion should be clearly drawn, and
- b) the legislature should be barred from the laws that discriminated against minorities.

The Soulbury constitution survived the uneventful transfer of power until it was replaced by the republican constitution in 1972. Ceylon became Sri Lanka in the same year. Thus Sri Lanka continued for almost two decades with a constitution which did not have a Bill of Rights and lacked effective checks against discrimination. Lord Soulbury was to say in 1963, in the light of later happenings, "I now think it is a pity that the soulbury Commission did not recommend the entrenchment in the Constitution, of guarantees of fundamental rights on the lines enacted in the constitutions of India, Pakistan,

Malaya, Nigeria and elsewhere."8

The first major conflict that arose in the newly independent nation was over the residents of Indian origin. It will be instructive to have a quick survey of the people of Indian origin in Sri Lanka and then the vicissitudes of political attitudes towards the Indian Tamils in Sri Lanka.

The most enduring aspect of British rule in Sri the plantation economy. Involved Lanka plantations are the Indian Tamils for over 150 years. The Indian Tamils are therefore, a permanent part of the political economy of Sri Lanka. But the successive governments in Sri Lanka have shown ambivalent attitudes towards the plantations and the people who work in them. The Sri Lankan Governments' attitudes and policies towards the plantation Tamils has been the principal component of Indo-Sri Lanka relations for over a century. It has always had emotive overtones and has seldom been considered purely from a human rights angle. To this day the rightful role of the Indian Tamil community remains a contentious unsettled issue.

Tamils of Indian Origin

In the pre-independence phase, the landless hordes

^{8.} Quoted by Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, P. 35.

from the plains of South India migrated to the plantations of Sri Lanka from 1830 onwards as indentured labour under some of the most inhuman conditions. The term 'indentured labour' is nothing more than a euphemism for slavery. The treatment received by the indentured workers was no different to that received by old slaves. Coffee being a seasonal crop required only seasonal labour. During the 'Coffee Period' (1830-1890) a large percentage of workers travelled freely between their villages in India and their estates in Sri Lanka. Nevertheless, ever during this period there was a significant number (around 20,000 per year) making Sri Lanka their permanent home.

The coffee period was also the worst period for immigrant labour. They suffered the cruelest treatment that any immigrant labour could have suffered. It was a period of death and starvation for the workers. According to an estimate during 1841-1848 about 70,000 people had died. Before we pass on to the 'Tea Era', the sufferings of the coffee workers in the words of Donovan Moldrich: "Even the nature was cruel to the coffee workers. Death rode in the frail craft in which they faced hazards of the 'Black Water'. Death was only a step behind the workers on the weary 150 mile walk from the hot and arid plains of the North-Western province of Ceylon to the cold and wet hillsides of the coffee estates. Death stuck in the shape

of a slithering snake on the undergrowth, or through the claws and jaws of a man-eating leopard"9

The 'Tea Era' dawned around 1870 in Sri Lanka. The migration form South India Tamil Community into tea plantations of Sri Lanka increased to match the vast extension of plantations and the increased demand for labour. Upto the time of independence the plantation labour in Sri Lanka was 665,000 and other non-estate Tamil migrants exceeded 160,000. Of this people, according to Soulbury Commission, over 80 percent had permanently settled in Sri Lanka. The Indian Tamil population in Sri Lanka, at the time of independence, was ten approximately 10 per cent of the total population of the country. In the initial period there was no agreement between the Government of India and the Government of Ceylon in the recruitment of migrant workers. From about 1930, migration came to be regularised by both the governments.

Since the plantation industry was entirely dependent on Indian labour for its development, the planters made every attempt to maintain a constant flow of labour from South India. But this was opposed by the Ceylonese leaders. As early as 1933, Dr. Wickremesinghe, moved for a total

^{9.} Quoted in R.R. Alagappan (ed), Tears in Teardrop Island, New Delhi, 1985, p. 49.

prohibition of migration into Ceylon. But D.S. Senanayake opposed and stated that he would not be a party to the undermining of the economy of Ceylon by prohibiting Indian labour.

The Indian Government permitted immigration of workers to Ceylon only on the assurance by the Government of Ceylon that the Indian workers will be given legal and political rights equal to that of the rest of the population. It was this promise that the Government of Ceylon failed to keep. Discrimination against the Indian Tamils dawned with the appointment of the Donnoughmore Commission in 1928. The Sinhalese leaders were keen to reduce the status of Indians to an inferior position. The argument was advanced that the Indian population was migratory in character and that they maintained their social relationship with India and hence they had no abiding interest in Ceylon. Also, fears were expressed that the Indian plantation population would swamp the Kandyan peasantry politically.

The Donoughmore constitution of 1931 gave universal adult franchise to the people of Ceylon. The Commission recommended five years' residence as qualification to be entitled to vote. This test was to show that a voter had an abiding interest in the country. But problems cropped up when the Governor drastically modified the recommendation. According to the new law, a person's domicile was the

criterion for qualification to vote. A voter should have a Ceylon domicile either by origin or by choice. Also, a voter should be literate with property or income qualification. The second condition had the effect of excluding the plantation people but they could vote, if they produce a certificate of permanent settlement. The condition to produce a certificate of permanent settlement was introduced to place administrative hurdles in the way of obtaining such a certificate. A person seeking such certificate was to renounce all claims of protection by any Government than that of Ceylon. Consequently, many of the plantation workers failed to appear before the registrating officers who were authorised to issue the certificate of permanent settlement. In spite of these difficulties, 225,000 persons of Indian origin were registered as voters by 1939 under the 1931 Order-in-Council, most of them by virtue of their domicide in Ceylon.

The Sinhalese Ministers were alarmed by this and complained to the Governor against the large-scale registration of Indians. The Governor was compelled to tighten up the procedure for registration and consequently the number of voters came to 168,000 in 1943 showing a decline of 57,000 voters since 1939.

During the period 1930-1939, 9000 government employees, mostly Indians, were retrenched. In 1939, the

Government dismissed all daily paid Indian workers employed in government departments. Severe restrictions were also imposed on the employment of Indians. Ceylonisation of employment was the principal demand.

These attempts at Ceylonisation by force brought quick response from India. The Indian Government imposed a ban on immigration of unskilled labour to Ceylon in 1939.

Apart from discrimination against Indians in employment, the State Council of Ceylon passed further discriminating legislation. The Land Development Ordinance No. 19 of 1935 excluded Indians from qualifying for land settlements under Crown grant. The Fisheries Ordinance No. 24 of 1940, required non-Ceylonese to obtain licenses to fish in the Ceylonese waters. The Omnibus Service Licensing Ordinance No. 47 of 1942 gave preference to Ceylonese in the grant of Omnibus Licenses.

The plantation interest of Ceylon did not apply the principle of Ceylonisation in the recruitment of labour. They were considerably agitated over the ban of emigration of unskilled workers from India and due to their pressures, the Governor of Ceylon sent a delegation to India in 1940 to request the Government to revoke the ban. D.S. Senanayake and S.W.R.D. Bandaranaike, the future Prime Ministers of Ceylon, were also part of the delegation;

these two personalities were the leading architects of legislation affecting the plantation people and were the policy makers of the country particularly in regard to rights of the plantation people. S.W.R.D. Bandaranaike was the leader of the Sinhala Maha Sabha, who espoused the cause of the Sinhalese people, and D.S. Senanayake was the founder of the United National Party, which passed the citizenship laws of Ceylon. The attitudes of both these leaders on the question of Indian plantation workers, though not identical, were not dissimilar. The point of departure was that while Senanayake was not averse to plantation workers remaining in Ceylon without franchise rights, Bandaranaike wanted an 'absolute quantum' to be accepted as citizens and all others sent back to India. These basic approaches have characterised the policy of the Ceylon Government under both the United National Party and the break-away Sri Lankan Freedom Party, under the leadership of S.W.R.D. Bandaranaike and Ms. Sirimavo Bandaranaike. In order to understand subsequent development regarding the rights of plantation workers it is necessary to bear in mind this background.

Ironically enough, these leaders along with others, came to New Delhi in November 1940 to request the Government of India to relax the ban on immigration of unskilled workers. This was the first serious attempt to

understand the viewpoints of both the Governments. At this conference, the position of ceylon, regarding the plantation people was summarised as follows:

'We shall throw them out and ask them to look after themselves when we do not want them'.

While the Ceylon delegation maintained its position that the number of Indians must be reduced and rest sent back to India, the Indian delegation insisted on certain qualifications for grant of full citizenship. The Indian delegation proposed that 'full citizenship should be conferred on all Indians in Ceylon who could prove (a) 5 years residence, (b) a permanent interest in Ceylon, both tests to be satisfied by set of easily ascertainable facts'. The Indian proposals were unacceptable to the Ceylon delegation and talks ended in failure.

Subsequently, a draft Bill for the control of immigration was introduced in the State Council of Ceylon and the proposals contained in the Bill created a controversy. The Ceylon Government invited India in August 1941 to have informal discussions on controversial matters between the two countries. The discussions resulted in what is known as the Bajpai-Senarayake Agreement, the forerunner of subsequent agreements in September 1941. Among the agreed conclusions were the following:

It was agreed that those Indians who could not claim domicile of origin, of choice, of a literary and property qualification, could vote only if they possessed certificate of permanent settlement which would be granted on following conditions:

- (a) Declaration that applicant has the intention of remaining in Ceylon indefinitely;
- (b) Proof of means of livelihood;
- (c) If married, proof that wife and minor children, if any, ordinarily reside with the applicant; and
- (d) Possession of a qualification of past residence in Ceylon of seven years for married, ten years for unmarried persons, the period of residence to be completed within four years from the date of agreement.

These agreement were not ratified by the Indian Legislative Assembly and were finally repudiated in January, 1943. At the same time, India submitted for Ceylon's consideration a draft statement embodying new principles which should cover the issue of the settlement of rights and status of Indians in Ceylon. Due to the intervention of war, no major developments took place towards achieving agreement on this vexed problem.

The negotiations between the Governments of India and





Ceylon in the 1940s, arising as a result of discriminatory legislation between 1931 and 1940 and the various attempts at Ceylonisation of employment, meaning the exclusion and dismissal of Indians in the government service, ended abortively due to fundamental disagreements and due to the intervention of war.

At the end of the war, both India and Ceylon were engaged in putting finishing touches to the process of becoming free and independent countries. The newly-won sovereignty gave Ceylon the freedom to carry out its intention to disfranchise the Indian voters, a culmination of two decades of discrimination against the Indian Tamils and abortive negotiations between the two countries.

The Issues that Divide

Among the early enactments of the multi-ethnic, but Sinhala-dominated UNP Government was an act to deprive most residents of the Indian origin of their right to citizenship (by rendering them stateless) and franchise [The UNP Government had come to power following the 1947 elections. It was led by D.S. Senanayake]

The Ceylon citizenship Act of 1948, together with the Indian and Pakistani Residents (Citizenship) Act of 1949, provided that the citizenship would be determined either by descent or by stringent condition of registration. There

was no provision of citizenship by birth or by virtue of the country's membership of the British Commonwealth.

Citizenship by descent was contingent on proof of three generations of paternal ancestry in the island. The registration of birth began in Sri Lanka only in 1985. Therefore it was impossible for an applicant to prove the birth of the paternal grandfather and of the paternal great grandfather. Most plantation workers did not have their own or their parent's certificates of birth. Although the law applied to all those who lived in the island, only the Tamils of the Indian origin were called upon to establish their claims of citizenship. Most of the applications i.e. 90 percent of them, requesting citizenship were rejected because they were not backed by evidence of date of birth or because they failed to establish that the applicants were residents for the requisite period or did not prove that they had an assured income of reasonable amount. Many applications were rejected on the flimsy grounds such as the illegibility of the signature of the Justice of Peace attesting them. Citizenship by descent was conferred automatically on the ethnic Ceylonese. While an unemployed Ceylonese could get his citizenship without questions; an Indian who met all the conditions had to prove his income possess property. In addition to all this, the Senanayake Government disenfranchised the 'stateless'

immigrants. An amendment to the electoral law in late 1949, restricted voting rights to citizens. Thus, the plantation labourers who had voted in every election, could not vote now as they were declared non-citizens.

There was nothing denying the fact that these measures were racist in nature. The aim was to restrict the Tamil representation in the Parliament as it was conceived that it would lead to the swamping of Sinhalese in Tamil majority areas. This was proved by what Dr. N.M. Perara of the Lanka Sama Samaj Party said, "I thought racialism of this type ended with Adolf Hitler". 10

The attack on immigrant Tamils was over citizenship and voting rights. The Ceylon Tamils, though uneffected, feared that it would extend to them in some other form.

S.J.M. Chelvanayakam, leader of Tamil Congress (founded in 1944 to represent the ethnic Tamils) said, "Today justice is being denied to the Indian Tamils. Some day in the future, when language becomes the issue, the same would befall the Ceylon Tamils." His words were prophetic.

S.W.R.D. Bandaranaike, a christian, became a Buddhist out of political expediency. He quit the UNP and formed the

^{10.} Quoted by Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p. 37

^{11.} Ibid, p. 73

Sri Lanka Freedom Party (SLFP) in 1951. His party directed its appeal to the new emerging classes who were aspiring for a share in the political power - the rural elite, school teachers, Buddhist monks etc. It also tried to make language the issue in 1952 elections though it could not succeed, primarily because it was in its nascent stage. However, there was already a demand in Sri Lanka for the replacement of English by Swabhasha. The issue got complicated when the Prime Minister John Kotelawala sparked a controversy by promising the parity of Sinhala and Tamil.

The demand for the replacement of English acceptable to all. The bone of contention was the parity issue. This was a more sensitive aspect with political outcome. Thus, the SLFP which was initially advocating the parity, was demanding the primacy of Sinhala by 1955 as the sole official language. The UNP and the left parties, however, were in favour of the parity. The Tamil Congress leaders announced a united front to defend the Tamil language and culture and to carry on a struggle for Tamil State which would offer to federate with the Sinhala State on terms of complete equality, if acceptable to both the nations, failing which it would elect to become independent. This was inchoate Tamil secessionism.

The 1956 elections proved to be a water shade not only in terms of the political development of the country but

also the preparation of the ethnic issue that would give a different shape to the country in the future. The Mahajana Eksath Peramuna, a coalition of the SLFP and Viplavakari Lanka Samaj Party, won 51 of the 95 seats at elections. Soon after assuming power, the Government passed a 'Sinhala only' Bill in the year of the Buddha Jayanti, the 2500th anniversary of the Buddha's nirvana. This year long celebrations was marked by the tension over the issue of language. Tamils considered this bill to be illegal. Their party - the Federal Party reiterated its objective of an 'Autonomous Tamil Linguistic State' in a federal set up to protect the cultural freedom and identity of the Tamil speaking people. It called upon all the Tamils to continue using the Tamil or the English language and not to learn Sinhala. The Sinhalas obviously did not like the idea and it resulted in Sinhala mob attacks on Tamils. The government added to the tension by insisting on the use of the Sinhala character 'Sri' on the number plates of all the vehicles. The Tamils defied this order and instead used the Tamil letter 'Sri'.

In April, Bandaranaike announced that Tamil would be given a just place in official business. Tamils, not quite sure if this would be implemented, decided to launch a civil disobedience movement in August. Bandaranaike was compelled to enter into a negotiation with Chelvanayakam

and their agreement in July next year provided for Tamil as languages. 12 Not national only this. of the one Bandaranaike even agreed to reconsider the disenfranchisement of Indian Tamils achieved through the laws passed in 1948-49.

Sinhalas, led by the UNP, set the pace for a movement against the concessions to Tamils. They were of the opinion that Bandaranaike - Chelvanayakam Accord spelt the disruption of Ceylon's unity. Several Buddhist organisation demanded that the agreement be scrapped by October 1, failing which they threatened a Civil Disobedience Movement. This did not materialise. However, one UNP leader, J.R. Jayewardene, led a Buddhist march to Kandy to invoke the blessings of the gods for his campaign against this agreement. This march was intercepted by the Government.

The pact continued to remain alive. The Prime Minister commended it to his Party's Annual Conference as an "honourable" solution. But the promised legislation to implement the various measures contained in the accord had not yet occurred and there measures contained in the accord had not yet occurred and there was an agitation in the Tamil areas, led by Federal Party, over the delay. The

^{12.} Appendix II

Sinhala mobs in Colombo and outside, led by the UNP, reacted to the demonstration by defacing the lettering and the signs on Tamil shops and attacking them.

Bandaranaike felt obliged to assure the parliament that he would not allow the Tamil agitation and the counter agitation by Sinhalas to stand in the way of justice to the minorities. But he was to be cowed down within twentyfour hours of his brave statement. What made the Prime Minister retreat was a procession by Buddhist monks, led by one of his ministers, Wimala Wijawardene, to his residence. The monks squatted in front of the house and refused to leave until the pact was abrogated in writing. Bandaranaike met their demand after hurried consultations with ministers. Same night he went on the air critising the "illegal" act of the Federal Party in defacing the Sinhala lettering on state owned buses. He cited the agitation by the Tamils as the reason why he was repudiating the accord.

The Tamils could express their resentment only through the Federal Party, which had no option but to continue with the extra-constitutional but peaceful agitation. Sinhalas turned very violent in the reaction to the continued agitation. Tamils did not remain quiet and set off riots in the north and the eastern provinces. The ghastly climax to the disturbances came at Panadura near Colombo, where the official priest of a Tamil Hindu Temple was doused with

petrol and burnt.¹³ Finally, the government clamped an emergency on the country in May 1958 at India's instance. When Parliament met for an Emergency Session in June, the Prime Minister blamed the violent on the Tamil leadership. He saw in the agitation a movement against the Government and the State.

Dr. Colvin R. deSilva, academic, theoretician and legal luminary of the LSSP had warned the parliament in 1956, when the 'Sinhala only' Bill was being debated that two little bleeding nations could arise out of the tine island, as a result of the Bill. His party colleague, Leslie Goonawardane, was more precise in the prophecy. He said that the Tamils might secede if grave injustice was done to them. And the injustice that were done to the Tamils were not minor. Initially, Tamils of Indian origin only were disenfranchised. Later, all Tamils were deprived of their language rights. The agony was summed up by Chelvanayakam when he said that the Tamils made a mistake by not demanding a separate state for themselves when the British left the island in 1948. Parity of the Tamil language with Sinhala would have held the nation together. Bandaranaike-Chelvanayakam Pact might have saved the island from the disaster the followed. J.R. Jayewardene, who had

^{13.} Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p. 41.

opposed the pact did realise though too late, that it was a mistake - a mistake that would shake the nation.

Inter-Ethnic Collusion and Collision

The Government under the cover of Emergency passed an Act in September 1958, which legalised the reasonable use of Tamil for prescribed purposes. These included the right of Tamil pupils to be instructed in Tamil language at all levels of education, the right of those educated in the Tamil language to take public service examinations in that language, provided that they had a sufficient knowledge of the official language of Sri Lanka, or that such knowledge was acquired within a specified time after admission into service, the right of any Tamil to correspond with any Government official in Tamil, or of any local authority in the Northern and Eastern provinces to do the same with any official in his official capacity and the right for Tamil to be used in these provinces for prescribed administrative purposes without prejudice to the use of the official language in respect of these prescribed purposes.

These concessions were no doubt substantial but the Bill was passed when the Tamil member of Parliament were absent. So the Act did not carry an air of legitimacy. Moreover, to implement the Act it was necessary for the Prime Minister to promulgate regulations. The Act without

these regulations, was nothing more than hollow words. It took more than seven years to promulgate the required regulations. The Tamils also complained that it very cleverly sidetracked the major issues of forming regional councils and "the stopping of Sinhala Colonisation of the Tamil areas" 14

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

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

^{14.} For the additional discussion, see W. Howard Wriggins, Ceylon: Dilemmas of a New Nation, Princeton, 1960, pp. 212-228.

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

In 1965 elections, the UNP emerged victorious. The Senanayake-Chelvanayakam Pact was a landmark in the history of Sinhala-Tamil relations. 15 The pact was signed on March 24, 1965, a day before D.S. Sinanayake was sworn in as Prime Minister. Though the pact omitted any reference to Provincial or Regional Councils, it did assure the Tamils about the formation of District Councils. In no way did the pact challenge the basis of 'Sinhala Only' Act of 1958. Still, the other Sinhalas parties denounced it. However, the Government of Senanayake took enough precautions to pre-empt a possible bloodbath and passed the regulations to grant special status to Tamil on January 11, 1966. The Federal Party welcomed the regulations and for the first time in ten years celebrated the Independence Day of Ceylon

^{15.} Appendix - III

on the February 4, 1966. The 1966 regulations made Tamil virtually the Official Language of the northern and eastern provinces. Without prejudice to the 'Sinhala Only' Act, the Tamil language was to be used.

Whether there regulations departed from what was being given by S. Bandaranaike to the Tamils has been a debatable question. One School of Scholars interpret them as a reasonable solution of the language problem. The SLFP protest was viewed by such writers as just a political ploy of a defeated party. 16 The contrary view is that the regulations in question undoubtedly entailed significant modification of the Sinhala only principle. The 'Sinhala Only' Act had provided for the voluntary use of Tamil for the prescribed purposes but the 'regulations' made it mandatory in nature so far as the transactions of the Government business with itself and outside in the northern and eastern provinces were concerned. Now any Tamil letter from any corner of the island if received by the Government was to be answered in Tamil, though Sinhala was still the sole official language. However, the Tamil demand for education in Tamil for all the Tamil children in any part of the island on a compulsory basis was not conceded by the government. 17

^{16.} Urmila Phadnis, Religion and Politics in Sri Lanka, New Delhi, 1976, p. 273.

^{17.} A.J. Wilson, *Politicians in Sri Lanka 1947-1973*, London, 1974, p. 51.

Senanayake appeared to be keen to implement his assurance regarding devolution of powers to the District Councils. He did not go as far as S. Bandaranaike in conceding Provincial and Regional Councils. His proposed District Councils were to operate under the direct control and supervision of the Central Government. Their powers were also guite limited but their Prime Minister was unable to persuade the Sinhala chaurvinist elements in his cabinet and party to support his move. The main opposition came from the regilious elements who considered the District Councils a precursor of federalism and separatism. Finally, when an influential section of his party raised the banner of revolt, Senanayake gave up his pact with Chelvanayakam in July 1968. Refusing to browbeated like Bandaranaike and fed up with the manoeuvering in his own party, he declared his intention to resign. But instead, the Federal Party Minister resigned in September 1968 and the Federal Party pulled out of the coalition in April 1969, though it continued to support the Government from outside. Despite the formal breaking of links between the Sinhala and Tamil Collaborative politics, the overall atmosphere of good will and ethnic relaxation was too evident to be overlooked. 18

^{18.} V.P. Vaidik, Ethnic Crisis in Sri Lanka: India's Options, New Delhi, 1986, p. 33.

CHAPTER 2

GROWTH OF TAMIL NATIONALISM

Demand For a Separate Nation:

In 1981, a major wave of ethnic guerilla struggle started rising in Sri Lanka. There were widespread riots also. It was just ten years after the youthful Jathika Vimukthi Peramuna (JVP) insurrection shattered forever the peaceful image of an island which had achieved its independence without any major mass struggles at all. The new struggle demanded not an immediate social revolution, but centred around the question of national liberation of the Tamil minority. As economic crisis, social clashes, and political repression intensified, over thirty years of discrimination and riots by the majority Sinhalese Buddhists against the Tamil Hindus resulted in a growing movement for a separațe Tamil nation of "Eelam" in the northern part of the island.

The demand for Eelam was first made by Tamil United Liberation Front (TULF) convention in 1976. The demand was in response to the Sinhala-Buddhist drive for hegemony which culminated in the 1972 constitution marking pluralistic Ceylon's transformation to an ethnocentric Sri Lanka. The republican constitution made Sinhala the sole official language and Buddhism as the only religion

securing state support. And it was based on the unitary principle, forestalling federal accommodation of Tamil demands.

Phases in Tamil Politics and Nationalism:

Tamil politics has gone through four district phases since Ceylon's independence. The first until 1956, was one of the responsive cooperation. The Tamil Congress had participated in the Government since 1947 (i.e. before independence). The Citizenship and Disenfranchisement laws of 1948-49 which made an overwhelming population of the Tamils of Indian origin stateless and deprived them of their voting rights, split the Tamil Congress, the breakaway section forming the Federal Party.

The second phase, of the Tamil non-violent non-cooperation, alternating with participation in the Government in the hope of securing their demands, began in 1956 after the Sri Lankan Freedom Party (SLFP) won the elections riding a wave of Sinhala-Buddhist nationalism. At this time, the Federal Party through a pact between its leader S.J.V. Chelvanayakam and Prime Minister S.W.R.D. Bandaranaike in 1957, tried to win some of its demands. But Bandranaike had to succumb to Sinhala pressure and was

^{1.} Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p. 42.

forced to renege it.

The anti-Tamil riots, in response to the opposition to Sinhala as the sole official language, polarized the country into Sinhala and Tamil groups. The Federal Party launched a peaceful agitation over the language issue in the Tamil majority northern and eastern provinces. It was a mass civil disobedience movement which was of course non-violent but at the same time aimed at defying the authority openly by court imprisonment. This marked the beginning of the third phase. Federal Party launched even its own postal service in 1961 and was rumoured to be planning its own police force and a take-over of crown lands for distribution to the poor when the government proclaimed an Emergency and troops moved into Jaffna to crack down on non-violent agitators. After a lull, during the two-year Emergency, the Federal Party announced plans for a new movement, if the imposition of Sinhala was not ended. But the movement, planned to begin on 10th Oct., 1963, did not take off.

Ceylon had elections in March 1965. The result was a hung parliament. Neither the UNP with sixty six seats nor the outgoing alliance with fifty one commanding a house majority, which is seventy six, the Federal Party with fourteen held the balance and announced its support to the UNP which formed the government. A pact, then unpublicized,

between the Federal Party leader S.J.V. chelvanayakam and the Prime Minister Dudley Senanayake provided the following.²

- * Tamil would be made the language of administration and of record in the northern and the eastern provinces.
- * Court proceedings in these provinces would be conducted and recorded in Tamil.
- * Administration throughout the entire country would be decentralized through District Councils.
- * There would be a reasonable restriction on the colonization of the Tamil provinces by the Sinhalas.

The Pact, however, did not end the conflict. When the Government moved bills in the Parliament in early 1966, to implement concessions to the Tamils over the official language issue, there was bloodshed. Outside Parliament, 3000 demonstrators, led by Buddhist monks, agitated against the proposed reforms and in the ensuing police firing, one demonstrator was killed. Another state of Emergency was declared, the third since 1958.

Came the next election in 1970, and Sirimavo Bandaranaike was back in power, to usher in an era of populist left-of-centre politics and roused the expectations of the people. For the first time, Ceylon had

^{2.} Appendix - III.

a Government that could command a two-Third majority in the Parliament and think of giving the country a new constitution. But the government's constitution-making efforts ran into difficulty over crucial issues affecting the Tamils. The Tamil parties demanded that Tamil should have constitutional recognition as an official language, which meant parity with Sinhala. They were opposed to the demands already voiced for Buddhism as the sole state religion. In addition, they demanded an end to the distinction between Ceylon's Tamils and plantation Tamils of Indian origin.

But the constitution that eventually found passage did not represent a consensus. The plantation Tamils of Indian origin were not represented in the Constituent Assembly. The Federal Party, the main representative of the Ceylon's Tamils, dissociated itself from the whole process after initial participation and the UNP voted against it. However, the SLFP and its allies took the massive majority they held in the parliament proof enough that they were trusted by the people to make their laws and the constitution for them.

The 1972 Constitution made Ceylon, or Sri Lanka as it now was, a Republic, perhaps the only aspect of the document that declared intentions of all the parties. But it also entrenched the unitary state structure ignoring the

Federal Party's demand for Tamil autonomy. It gave constitutional status to Sinhala as the sole official language, as enacted in 1956. The new constitution institutionalised the disadvantageous position of the Tamils in the rest of the country. Sinhala was to be the language of the Courts and Tribunals throughout the island. The constitution stopped short of proclaiming Buddhism the state religion or declaring Sri Lanka a theocratic state. But it conferred special status on Buddhism and made it the state's duty to 'protect and foster' this religion.

It is a given that pluralism does not permit the dominance of any group over the rest. This was not taken into consideration. And wherever accommodation was called for, the Sinhalas opted for the perceptions of the majority, that is themselves, in terms of language and religion. It was obvious to the Tamils now that with the new constitution setting the seal on their marginalisation by the Sinhalas, the "era of cosy power adjustments and gentlemanly agreements"3 was over. Now it was self-sealing system. Even if the Federal Party won every seat in the parliament from the two Tamil provinces, it would be nowhere near political power.

If three had been some concessions by the Sinhalas

^{3.} Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p.45.

that could in turn have given a certain legitimacy to the old Tamil leadership, which still had illusions of a negotiated solution to the problem through non-violent forms of protest, there might still have been some hope of solving the crisis that obtains in Sri Lanka today. But the Sinhalas were adamant and a new youthful generation of Tamils saw little use in the methods of the old guard. The rebellious militant and impatient Tamil youth, who traced their economic and other kinds of deprivation to ethnic discrimination, were to make a decisive impact on the situation, disfiguring the once placid face of Sri Lanka forever.

The Tamil dominated northern and eastern provinces in Sri Lanka have always been poor in resources, affording little scope of economic development. The Tamils of the densely populated Jaffna peninsula have therefore looked to education as the means of economic advancement. Entry into the profession was a means of social mobility. To the Jaffna Tamils, upward mobility also meant outward mobility. Jaffna exported manpower for white collor jobs and other professions in the rest of the island. However, the presence of discrimination in favour of the Sinhalas added to the pressure of competition at the higher level. The Tamils needed to look to higher and more specialised professional education to stay ahead in the competition.

The result was a disproportionately large number of science graduates aspiring to enter the specialised professions. The introduction of the 'Standardization system' made the whole situation all the more complicated. It weighted the marks of the Tamil applicants downwards which meant that they had to score more than the Sinhalas to compete with them for access to higher education. The Tamils quite naturally thought this was blatant discrimination.

In 1969, the Tamil secured 50 per cent of the admissions to the medical faculty and 48.3 per cent to engineering. After the 1971 standardization formula, their share dropped to 28 and 19 per cent respectively, in 1977. The formula was scrapped in 1978 but was reintroduced in a modified form to placate Sinhala opinion and the discrimination against the Tamils continued.

The disadvantages in the matter of access to higher education were now speaking on the terms of job opportunities. The time when Tamils used to dominate the civil services started changing. In 1980, Sinhalas who were about 70 per cent of the population, held 85 per cent of all the jobs in the state sector, 82 per cent in the professional and technical categories and 83 per cent in the administrative and managerial services. The Tamils (Sri

^{4.} Ibid, p.47.

Lankans and those of the Indian origin, who together constituted 19 per cent of the population) had only 11 per cent of the public sector jobs, 13 per cent of the technical and professional post, and 14 per cent of the administrative and managerial positions. The Tamils constituted 5 per cent of the civil services in 1970. In Tamil gained entry to it.5 Employment no opportunity, in terms of exact population ratio is somewhat an impossibility. But here in case of Tamils, this takes a serious turn, as the Tamils are quite capable of entering into various jobs on their own merit, if not discriminated against. Further, this discrimination made the ethnic problem all the more complicated. The Tamils have a low unemployment rate (10.9 per cent against 13.9 per cent for Kandyan Sinhalas and 18.5 per cent for low country Sinhalas, 6) the high incidence of unemployment among the educated Tamils is significant. In 1983, the unemployment rate among young Tamil males who had passed the A level examination was 41 per cent while among the Sinhalas it was 29 per cent.7

^{5.} Ibid, p.47.

^{6.} Bryan Pfaffenberger, "Fourth World Colonialism, Indigenous Minorities and Tamil Separation in Sri Lanka", Bulletin of Concerned Asian Scholars, Jan - Mar 84; p.18.

^{7.} V.P. Vaidik, Ethnic crisis in Sri Lanka: India's options, New Delhi, 1986, p.72.

The conservative Tamil political leadership, dominated by the Colombo based Jaffna elite could not articulate the aspirations of the restive youth. The frustration and restlessness that the Tamil youth was facing gave rise to militancy. This marked the beginning of the fourth phase where the demand for secession took a violent turn and this demand was to be met by guerilla warfare on part of the Tamils and violent repression on part of the Sir Lankan Government.

Rise of the LTTE

The Federal Party, the Tamil Congress and the Ceylon's Workers Congress, representing the plantation Tamils of the Indian origin had formed the TULF in 1972, but as the Tamil youth perceived it, the party was founded on 'bourgeois ideology'. It was evident that there had to be some more dynamic and forceful group to appeal to the youth. The youth had no faith in the parliamentary system which had brought them no gains whatsoever. Velupillai Prabhakaran, then 18, formed the Tamil New Tigers in 1972.8 The organisation became Liberation Tigers of Tamil Eelam (LTTE) four years later. The 'Tiger emblem' has deep roots in Tamil political history, and symbolizes the group's mode of

^{8.} Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p. 47.

struggle - querilla warfare. The Tigers are believed to have begun their terrorist activities after concluding that the aging Tamil leadership could not solve Tamil problems. appears to have emerged out of youth The group organizations composed primarily of educated graduates; mostly Vellalars, who had reached intolerable levels of frustration owing to unemployment. By the mid-1970s, few Jaffna Tamil youths had employment of any kind. The virtual expulsion of Ceylon Tamils from public service after 1956 had shut off a traditional professional career avenue that the Jaffna Tamils had long preferred to pursue. A desperate situation of land scarcity in Jaffna itself was combined with the Colombo's Government's clear favouritism for Sinhalese in settling newly cleared land to the south of Jaffna. Ethic quotas in university admissions resulted in dramatic declines in Tamil University attendance Rigid currency controls and bureaucratic barriers to emigration made foreign work difficult to obtain. 9 Adding to already intolerable levels of frustration was the inability of most Jaffna youths to console themselves with the highly desired satisfactions of family life, for the mechanics of the Jaffna dowry and inheritance system, coupled with increased parental and grandparental longivity, resulted in dramatic

^{9.} Bryan Pfaffenberger, "Fourth World Colonialism, Indigenous Minorities and Tamil Separation in Sri Lanka; Bulletin of Concerned Asian Scholars, Jan-Mar 84, p.20.

increases in the age of first marriage for both men and women. 10 Jaffna youth felt, in short, trapped - derived what they felt was owing to them by the Colombo Government, they could not place their confidence in Tamil leaders whose policies had accomplished little in twenty years of rhetoric.

The Tigers appear to have had their origins, in part, in groups of disgruntled youths. Some observers believe that the Liberation Tigers, as they were to be called, emerged from an organization known as the Unemployed Graduates' Union, a Tamil youth group composed disgruntled university and secondary school graduates. 11 Another potential source of converts to the querilla movement was a youth political organisation, which was harassed by the predominantly Sinhalase police force during the early 1970s. Veteran Tamil political leaders had complained that the youths of Jaffna were getting impatient with their elders' policies, and expressed fear that violence would occur. Following a wave of bombing, shootings, and robberies in the beginning years of the 1970s, the predominantly Sinhalase police force detained,

^{10.} For proper discussion see, C. Stephen Baldwin, "Policies and Realities of Delayed Marriage: The cases of Tunisia, Sri Lanka, Malaysia and Bangladesh," Population Reference Bulletin, 3(1977), pp. 6-7.

^{11.} Anita Pratap, "Sri Lanka Tigers Trapped," Sunday, June 20-26, 1982.

without charging them with any crime, between forty and fifty members of the youth organisation of the Tamil United Front (TUF), the TULF's predecessor.

The LTTE and its Policies

As has been already discussed, the LTTE, right from the beginning was not in favour of a solution which was to come through negotiation. It did not trust the Colombo Government and it did not have faith in the old leadership. It chose a path of guerilla warfare for getting its demands accepted - the demand for a separate Tamil state - Eelam. The radicalization of Tamil youth groups was followed, in the early 1970s, by the onset of patterns of violence that have plaqued the peninsula. The violence turned deadly in 1975 when gunmen believed to belong to the Tiger movement of its predecessor, shot the Mayor of Jaffna, Alfred Duryappah, a Tamil who after his election switched his party affiliation to that of the Government then in power in Colombo, the SLFP. Since then, gunmen have attacked several other political leaders of the Tamil community whose allegiance to the separatist platform has wavered, and assassinated policemen and other security personnels. This attitude was giving clear indication that the Tigers were not ready to spare anyone who did not support their

demand for secession. The majority Tamil populace was supporting them. And those who dared to oppose them were silenced at the gunpoint or were killed. Having been sure of the Tamil support, the Tigers looked towards their opposition. They targetted the security personnels first and with the passage of time attempted and at times even succeeded in killing politicians, bureaucrats or whoever was opposing their ideas. Tigers were even ready of sever their ties with India, which had supported them in times of crises. Rajiv Gandhi, the Indian Prime Minister, who had forced them many times to came to the negotating table and who had concluded the Indo-Sri Lankan Peace Accord of 1987 with J.R. Jayewardene, the then Sri Lankan President, was killed in May 1991. Though the LTTE categorically denied its involvement in his assassination, it left little scope doubt that it was actually the LTTE which was instrumental in his brutal killing. The second and equally brutal killing was that of R. Premadasa, the Sri Lankan Presient. The method applied in both the killings was the same-suicide bombing. The Sri Lankan Police pointed out that the modus operandi was almost identical to the November 1992 suicide bombing in which Lankan naval commander, Clarence Fernando and three of his aides lost their lives. 12 Initially, the Tigers used to keep mum

^{12.} Sunday Observer, May 2-8, 1993.

about all the killings that took place in Sri Lanka. But by the early 1980s, they had begun either to claim responsibility, via letters to newspapers or to assert that they had played no part in a particular assassination.

The Conflict Within LTTE

The Tiger's origin among predominately high caste youth - the Vellalars in particular - does not augur well for minority rights in an independent state, in case they One chief motive for the succeed in creating one. insurrection appears to have been unemployment, so it follows that, once partition occurs, these youths will believe themselves entitled to public service positions, which they could monopolize. There are, furthermore, indications of strong caste rivalries in the LTTE. The movement was dealt a severe blow when two of its main leaders, Prabhakaran (a Karaiyar) and Uma Maheshwaran (a Vellalar) were arrested in Madras following a shootout in a busy road. The shootout followed a period of rivalry in which both published pamphlets accusing the other of acts incommensurate with respectable caste structure. 13

The participation of Prabhakaran, a Karaiyar, Suggests link between Vellalar terrorists and Karaiyar smugglers who

^{13.} Anita Pratap, "Sri Lanka Tigers Trapped", Sunday, June 20-26, 1982.

have long maintained resource bases in Southern India. Among the Kariyars, a high-ranking ocean-going caste that dwells along Jaffna's north coast, are communities that have virtually specialized smuggling contraband across the Palk Strait. This occupation has long bred a disrespect for the law and, of course, a familiarity with firearms. The Vellalar terrorists are widely regarded in Jaffna to have Jaffna's close connections with criminal smuggling elements, and it is even conceivable - as speculated in Jaffna - that one of their motives is to rid the peninsula of the Colombo Government's efforts to control smuggling. 14

Now this aspect gives altogether a different picture of the LTTE. The Tamils, under these sets of coordinates, cannot foresee a very bright future for themselves under the leadership of the LTTE. These contradictions within the LTTE, and their actual motives, if the various reports are to be believed, would create a state where there would be further demand of secessionism.

Demand for a Separate State: A Tamilian View

The Tamil resent descriptions of their demand for a

^{14.} For a detailed study see Bryan Pfaffenberger, "Fourth World Colonialism, Indigenous Minorities and Tamil Separatism is Sri Lanka", Bulletin of concerned Asian Scholars, Jan-Mar 84, p.15.

separate Tamil sovereign state as 'secessionist". They insist that they were a nation in the past and that the kingdom of Jaffna was an independent state until the Portuguese conquered it in 1619. In other words, they say they are only demanding the 'restoration reconstitution' of their homeland. The Tamil Eelam demand assumes that Sri Lanka is an island with two nations within one geographical entity and state. It also assumes that Tamils are not a minority but part of an integral whole. The Tamils, proud of their distinctive culture and language , also say that they cannot be classified as a cultural sub-group living outside the country of their origin, i.e. India. Thus they claim that they are different from all other Tamils - both Indian as well as Tamils living at other places, for example Malaysia. They inhabit a well defined territorial area and therefore have a territorial enclave which is the most crucial element in the claim for a national identity.

Most quoted in the context of Tamil demand for a separate state is the report of Sir Hugh Cleghorn, a British administrator to the colonial office in 1799, 15 "Two different nations, from the very ancient period, have divided the island. First the Sinhalase, with the Southern

^{15.} Quoted by Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p. 49.

and Western parts and secondly, the Malabars in the northern and eastern districts...." The Malabars referred to are the Tamils. Aside from the compulsion of geography, the Tamil national identity is unique in itself in terms of language and culture. The Tamils speak a common language and have common cultural traits though they profess different faiths. The majority of the Sri Lankan Tamils are Hindu though there are Tamil speaking Muslims and Christians. And all of them have certain cultural traits that cut across religion.

The Crystallization of the Demand

The TULF fought the 1977 elections with a manifesto that sought a Tamil Eelam State. It was to comprise of all the areas that the Tamils regarded as their traditional homeland. The party's manifesto pledged that those elected on the Front's nomination, while being members of Sri Lanka's parliament, would also constitute themselves into a 'National Assembly' of Eelam to draft a constitution for a new state to be achieved 'by peaceful means or by direct action or struggle'. A point that must be noted here is the fact that the advent of the LTTE, pressures from the militant youth and the growing call for secessionism by the Tamils in general had galvanized the Tamil United Front to call a convention at Vaddukkodai in 1976, where the demand

for a separate state was made for the first time. The boundary was not defined. The 1977 election manifesto too did not attempt to do so, but the TULF decided to contest all the fourteen seats in the northern province and eight in the eastern province. The TULF won all the fourteen seats in the northern province. The performance was less impressive in the eastern province where it could win only four seats, the UNP winning the rest. While the Front claimed it had got a mandate for Eelam, an Official Sri Lankan assessment stated that only 48 per cent of the voters in the northern and eastern provinces favoured the TULF and thus its demands. There was not way of gauging the minds of the Tamils outside the two provinces.

The 1977 elections were significant for yet another reason. The UNP routed in 1970, had been voted back to power with a five- sixth majority and a regional ethnic party, the TULF with eighteen seats emerged the main opposition. The SLFP was a third rumer. Yet the second largest group in the parliament was not the real alternative to the ruling party. Since 1970, Sri Lanka had been going through a political polarization at two levels. At the centre, this had occurred between the SLFP and the UNP, the irony being that the cause for the polarization was the effort each party made, to be more pro-Sinhala than the other. As a result of this, there was polarization at

another level-between the Tamil majority provinces and the rest of the country. The pattern for the future was nearly formed. Also, until 1970, the Governments were by and large coalitional. Neither of the core parties was strong enough to be able to do without the smaller parties. But the leverage of the smaller parties ended when SLFP won over two-thirds of the seats in 1970, and the UNP over five-sixths in 1977.

By 1977, the Sri Lankan political system had achieved a high degree of ethnic centralization in favour of the Sinhala - Buddhist majority. Any accommodation of Tamil ethnic interest was seen as at the cost of the majority. As a result, the Tamils cure politically marginallized, and worse, were shown to be irrelevant to the system. island was rocked by violence in the wake of the 1977 elections. Initially directed against the main loser - the SLFP and its allies - by the winner, the UNP; it took an anti-Tamil turn with widespread killings, assaults, rape and damage to Hindu temples, during August-September. A Presidential commission which inquired into the violence attributed the anti- Tamil flare-up to the killing of two policemen by Tamil youth in the northern province, inflammatory speeches by Tamil leaders, and the vote for Eelam at the elections. But the tamil contention was that the violence by youth in the north was the result of the growing discrimination against the Tamils. The findings of the Presidential Commission were resented by the Tamils for its overtones: if the Tamils persisted in their Eelam demand, they could expect a violent Sinhala backlash.

By 1981, even the neutrality of the armed forces was fact eroding. In the northern province, the LTTE had killed a candidate of the UNP at the district council elections and also a policeman. Men in Khaki (it was difficult to identify their provenance - whether police, paramilitary a military) ran amok in retaliation, burning the famous Jaffna Public Library with its collection of 95,000 rare books, the office of the Eelanadu Tamil daily and the residence of a TULF member of parliament, V. Yogeswaran, believed to be sympathiser of the LTTE.

This was the third anti-Tamil riot since 1958. The second and the third were different from the first in two respects. Firstly, they were not directed merely against the ethnic Tamils but extended to the Tamils of Indian origin living mostly in the plantation district. The reason was that the plantation Tamils, though they did not support the secession demand, had begun making common cause with the Tamils over other issues. This was disturbing the sinhalas. Secondly, for the first time, the Sinhala christians joined the attacks on Tamils, which meant that the country was seeing a racial polarization across the

barrier of religion. (A good proportion of Tamils are Christians) These two aspects did the worst possible things to the Tamils but at the same time played an important role by uniting the various Tamils groups living in Sri Lanka and thus making the movement stronger.

The 1981 riots seemed to be planned, and spontaneous, because, posters on Colombo walls proclaimed: "Aliens, you have danced too much; your destruction is at hand. This is the country of us, Sinhalas". 16 Meanwhile, Tamil querilla activity resumed to become dramatic in 1983an ambush of a military convoy in March and a bomb explosion an hour before a high level conference on attended by military security to be officers, significantly the TULF leaders in April. Alongside the LTTE mounted a political campaign for the boycott of the local Government election in May. The election campaign was marked by the assassination of a Tamil UNP candidate as a warning to 'Tamil traitors'. 17 The TULF which defied the call made little impact at the poll, which meant it had lost the 1977 mandate. This clearly shows the Tamil opinion which was favoring the demand for a separate state and the LTTE.

^{16.} Quoted by Mohan Ram, Ram Lanka, The Fractured Island, India, 1982 p.52.

^{17.} Gail Omvedt, "The Tamil National Question", Bulletin of Concerned Asian Scholars, Jan-Mar 84, p.25.

The turning point come on 23 July, 1983. A Tamil guerilla assault unit had mined the Palay - Jaffna road. A jeep leading the army convoy was blown up. The ambush left thirteen soldiers dead. The anti-Tamil pogrom which followed in Colombo the next day was to be a watershed in the ethnic conflict. Enough evidence point to the fact that there was a well drawn up plan behind the post- ambush riots which began in faraway Colombo and extended to other areas where Tamils were in minority. Sri Lankan troops and police were passive spectators. In some cases they even joined the rioters.

Also, President Jayawardene either failed intentionally to crack down on the rioters of found that he could not assert his authority over the Government forces. He was to admit that the riots showed a serious lack of discipline and a strong anti-tamil feeling among the armed forces. In two instances, one in Jaffna and the other in Trincomalee, the army and the navy had gone about burning houses and attacking Tamils. The gory climax to the vengeful killings of Tamils came in Walikede prison near Colombo where fifty-two political detenus were massacred in what was to be described by the Government as a riot. The riots now took a more violent shape. President Jayewardene, when he spoke for the precious four minutes and thirty seconds after the third day, had no word for condemnation for the

riots or of sympathy for the Tamil victims. Instead, he sought to placate the Sinhala sentiments, "The time has come to accede to the clamour and the natural respect of the Sinhala people" encouraging a more frenzied attack on the Tamils.

A special session of the parliament in early August 1983 amended the constitution to ban political parties advocating secession. Not only the TULF, the premier opposition group in Jayewardene's parliament, banned, but it was also stripped off its representation in parliament because it refused to take the anti-secession oath obligatory in the wake of the ban. Three Tamil newspapers were muzzled. Al riot affected property was brought under state control adding to the deprivation of the victims of the holocaust.

All this amounted practically to a division of the country along ethnic lines. An editorial column said, "The President has, at one stroke, disenfranchised the great mass of the Tamil population and turned them into a race of institutionalised second class semi-citizens." With the Tamils as a race denounced as secessionist and untrustworthy, it was natural and logical that they be

^{18.} V.P. Vaidik, Ethnic Crisis in SriLanka: India's Options, New Delhi, 1986, p.79.

^{19.} The Guardian, 7 August, 1983.

driven out of their homes and occupations and business, just as the Government's new edict had driven them out of the public life and the profession. And the end of it all, the alienation of the Tamil region from Colombo was near complete. But it appeared that Jayewardene was not particularly concerned about regaining popular support for his Government in the Tamil areas, especially in the northern region where the secessionist guerillas were strong, through policies and measures. Wiping the terrorists out was the objective. "you cannot cure an appendix patient until you remove the appendix", 20 he said.

^{20.} Quoted by Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p. 54.

CHAPTER 3

TAMILS IN INDIA: THEIR IMPACT OF POLICY-MAKING

The Background

In 1981, the unguarded, disolate, Ramanathapuram Coast, came alive with armed men, as Sri Lanka Tamil secessionist generillas shifted to India. With the passage of time, the Palk strait seperating India and Sri Lanka, was a site of speed boats as organized gun-running and the training of new recruits began on a large scale aftler 1983.

The second most important group of people in Sri Lanka, after Sinhalese, is Tamils, but they are different in many aspects from the Tamils living in India. Though the language of more than ninety percent of the people in the Jafffna peninsula in Tamil, the people of Jaffna speak a language not readily understood by the fifty million Tamils in India. In their manners, customs, ceremonies and food habits, the Tamils in Sri Lanka have more in common with the Malayali of Kerala, and the Sinhalas who make up over seventy per cent of Sri Lanka's population. This is because the Jaffna Tamils were removed enough from the larger home of Tamil culture to develop a distinctive

^{1.} Mohan Ram Sri Lanka: The Fractured Island, India, 1989 p. 109

culture of their own.

At the political level, India's interaction with the Tamils in Ceylon was with the immigrant plantation Tamils and not with the ethnic Ceylon Tamils.² Yet, the Sri Lankan Tamil secessionest demand evoked sympathy in Tamil Nadu. It compelled Indian involvement which eventually resulted in military intervention. This is not just a result of mere cultural affinity or even geographic proximity. The Indian empathy with Jaffna has its roots in something far deeper and complex-the siege mentality these two communities have acquired as a result of being language 'nationalities' in nation where other languages dominate ³.

It is for this reason, that simplistic arguments over India's involvement-such as the one which holds that the spill-over of Sri Lanka's ethnic conflict into India, in the form of the refugee influx which touched the 100,000 mark after the 1983 flare-up, is why India was forced to intervene-need to be discarded. This can be understood advancing a simple example. India has a long border with China, mostly with its Tibet province. After the unsuccessful Lama revolt in 1959, Dalai Lama, the god-king

^{2.} V.K. Padmanabhan, "Ethnic question in Sri Lanka and the politics of Tamil Nadu" in M.V.M. Alagappuam (ed), Tears in Teardrop Island, India, 1985, p. 79.

^{3.} Mohan Ram, Sri Lanka: the Fractured Island, India, 1989, p. 110

of six million Tibetans fled along with thousands of his followers to India. Yet India treated the Tibetan issue as an internal problem of China, though there are now over 100,000 Tibetan refugees in India. Now if this fact is challanged by the assertion that India has an equal neighbour, if not a greater power in China, in military terms, the second example that can be put forward is Bangladesh. India has again over more than 100,000 Chakma refugees, yet India is trying to solve this problem through negotiations.

India's involvement in Sri Lanks's ethnic conflict should therefore be traced to the cross-national ethnic tensions endemic to a number of colonial Third World Countries. With the coming of an end of the struggle for independence, several Asian and African countries had to face religious and ethnic tensions, strirring up dormant conflicts. India too had to contend with secessionist demand in its north east, then in Kashmir and from the Tamil- Speaking people in the south and later from the Sikhs in Punjab. This existed along with other lesser conflits and tensions. Such situation existed in other Asian countries like Pakistan, Bangladesh, Malaysia and Philipines and in Africa, Keneya, Nigeria and Sudan withnessed fierce ethnic struggles. It is true of course that Sri Lanka's conflict has little in common with these

movements, but it does share some parallels with India's own Tamil Secessionist demand, which now obtains in a shbdued from as a movement that stresses the Tamil identity within the Indian framework. More important is the fact that the Tamil quest for identity in India has had a direct bearing on Sri Lanka-via the immigrants of Indian origin in the island, who are mostly Tamil speaking.

The real reasons for India's involvement had more to do with its domestic political compulsions on one hand and its geo-strategic concerns on the other. Indian Tamil sympathy for the Sri Lankan Tamil secessionist cause was the domestic compulsion.

Tamil Question and the Response of Tamil Nadu

The Congress, which was in power in Tamil Nadu till 1967 under the Chief Ministership of Kamraj and Baktavatsalam successively, generally held the line of Nehru at the centre with regard to Sri Lankan issue. Continuing the argument of Nehru, Kamraj said that the problem of Indian Tamils must be sittled by negotiations between the two Governments⁴. He was more bothered about the issue of Indian Tamils everywhere in Asia than about the Sri Lankan Tamils. In fact, he ignored the Sri Lankan

^{4.} The Indian Express, Jan 27, 1958

question by and large. Baktavatsalam, who came in the Kamraj mould, echoed the line adopted by Mrs. Indira Gandhi, in appreciating the Sirimavo-Shastri Pact of 1964. Thereafter Indira Gandhi changed her line of thinking by cultivating the friendship of the radicals under the banner of Sirimavo, much to curb the state power of the liberals. Since the time of this policy shift till date, the Congress in Tamil Nadu never deviated from the line prescribed by the centre, which perhaps has been more due to the fact that the Congress in Tamil Nadu derives its resources and power more from Delhi than from the local soil.

Of the Dravidian Movement, it was Dravida Kazhagam (DK) Which first expressed its sympathy to Sri Lankan Tamils. Earlier in the 1950s the DK did not distinguish between Indian Tamils and Sri Lankan Tamil so sharply. The slow but the steady settlement of the Indian tamil problems forced the DK to take up increasingly, the cause of the Sri Lankan Tamils too. First it advocated the constitutional dialogue between moderates of Sri Lankan Tamils and the Government of Sri Lanka. The failure of such constitutional course slowly veered the DK movement to finding out radical solutions to the ethnic question. For this, it started upholding the leadership of the LTTE.

The Dravida Munnetra Kazhagam (DMK) which came out of the DK mould, first began advocating the consitutionalist

path for the settlement of the ethnic problem. Annadurai was known to have called the Tamils everywhere in Asia to look forward to Tamil Nadu for fraternal guidance and not for material help to found secessionist movements. Annadurai, in fact counselled the moderates of the Sri Lankan Tamils to settle their problems by proper means of constitutional and limited agitation. Karunanidhi, the successor of Annadurai, befriended Amrithalingam's TULF more closely than anybody did. He pressurised the Central Government to negotiate with the ethnic groups in Sri Lanka and welcomed the Sirimavo-Indira pact of 1974. However, against the unwilling Ms. Bandaranaike, his help to Amrithalingam proved to be a failure.

By the mid 1970s the moderate opinion amongst the Sri Lankan Tamils converged to finding out the means for Eelam. No longer they more going to debate if Eelam was viable. When the Sri Lankan Government turned its hostile face to this demand, thousands of Sri Lankan refugees moved into India. Sri Lankan Tamil and Karunanidhi began to hope for a Bangladesh type of an operation, which was not forthcoming form New Delhi. Morarji's Stiffness with regard to Sri Lankan Tamils issue, Jayewardene's continued suppression of Tamils and the weaknes of the TULF, forced the emergence of militant groups among the Sri Lankan Tamils. The politics between the DMK and the All India Anna

Dravida Munnetra Kazhagam (AIADMK) played a significant role in promoting the rival militant groups. DMK supported Tamil Eelam Liberation Organisation (TELO) under the leadership of Sabarathnam, while M.G. Ramachandran's AIADMK provided all help to the LTTE under the leadership of Velupillai Prabhakaran. The death of MGR, the Indo-Sri Lankan Accord of 1987 and IPKF operation in Sri Lanka have changed the DMK to supporting LTTE operations in Tamil Nadu. But when the National Front Government silently disapproved Karunanidhi's uncharitable comments on Indian army, the relationship between Delhi and Karunanidhi cooled to a considerable extent.

Among all politician in Tamil Nadu, Karunanidhi has been the most capable of comprehending the Indian hole in Sri Lanka in its wider perspective. Ms. Jayalalitha has inclination to review the Sri Lankan scene through a prism of objectivety. But after casting her lot with the Congress (I), for reasons of domestic politics in the state, she was in no position to "look beyond her nose"⁵. Her advocacy for the dismissal of the DMK Government, on the pretext of 'Law and Order' situation caused by the presence of the LTTE in Tamil Nadu was already accomplished by an unwilling and optionless Chandra Shekhar's Government at Delhi. Now she

^{5.} V.K. Padmanabhan, "Ethnic Question in Sri Lanka and the politics of Tamil Nadu" M.V.M. Alagappam (ed)., Tears in Teardrop Island, India, 1985, p. 77.

has severed her ties with the congress (I). This coupled with her demand for security, following the assasination of the Sri Lankan President Premadasa, can bring a shift in her attlitude towards the LTTE in general and the Sri Lankan question in particular.

Basically there is no political congruence between the Congress and the Sinhalese Governments because the former believes in the rational pursuit of national integration taking the individual as the basic political unit. Colombo's ethnic identity cannot so easily bring out cordial relations between the two Governments. The issue is compounded by the political consideration that exist in South Asia. The dilemma for New Delhi in this psychological war was that it would have been accused if it had taken a direct role to create Eelam by the Sinhalese and it would have been branded as a traitor by Sri Lankan Tamils if it followed the line of Colombo. As far as Dravidian Political Parties are concerned, they would have liked to divulge the international dimension out of Sri Lankan Tamil issue and would have like to New Delhi to operate out Eclam out of Sri Lanka. If this could not be possible, they would like New Delhi to close its eyes on the flowering link between political parties of Tamil Nadu and Sri Lankan Tamils.

In the politics of Tamil Nadu, the Congress has not wavered in its approach to Sri Lankan Tamils. It treated

them as a problem of "majority-minority relations" in Sri Lanka till date. The AIADMK in its opposition to DMK, chose to support LTTE but it had also not wavered in its policy till MGR died. Jayalalitha's sympathies for Sri Lankan Tamils are known but her stratagic choices are yet to be made clear. But the DMK had certainly and constantly wavered itself in adjusting to the changing scene in Sri Lanka. It first suppsorted Amrithalingam, then Sabarathnam and lastly is shouldered with Prabhakaran. Other efforts, be that of parties or individuals, have remained inconsequential.

THE SRI LANKAN TAMILS : THEIR INDIAN LINKS

In 1974, the last day session of the world Tamil congress, held in Jaffna was broken up by the police. The first links between the Jaffna Tamils and the Indian Tamils were forged in the wake of this outrage. Seven years later, after the 1981 anti-tamil riots, the guerilla groups found sympathy for the Sri Lankan Tamil cause, building in Tamil Nadu. Chief Minister M.G. Ramachandran of the AIADMK and former Chief Minister M. Karunanidhi of the DMK were among the sympathisers. Soon the militant groups found sanctuary in Tamil Nadu and Madras became the political headquarters of the militant groups. LTTE leaders V. Prabhakaran and Uma Maheswaram exahanged gunfire on the busy Madras street,

proclaiming a split in the organisation⁶. Both were held by the police but were freed soon. Also, the Tamil Nadu Government refused to deport the Tamil offenders, President Jayewardene wanted to try at home. After the July 1983 battle in Sri Lanka, the presence and activities of the guerilla groups was more open in Tamil Nadu. All significant groups functioned from Madras city with the covert and open support of the State Government and the two Dravidian Parties. They had offices, telephone numbers that were not secret and even wireless sets for communication with Jaffna. This was clearly a violation of the Indian law. They carried unlicensed arms, again in violation of the law. They could commute between Tamil Nadu and Jaffna without travel document boats that left the by Ramanathapuram coast and returned eluding Sri Lankan naval survillance. This was easy as the Indian Coast Guard turned a blind eye to the guerillas' boats. Early in 1983 it was reported that there existed querilla training camps in Tamil Nadu, one right in the vicinity of Madras airport. India never admitted to this.

The question arises as to what led the State Government as well as the Central Government to allow the militant groups to operate within India. The Congress (I)

^{6.} Mohan Ram, Sri Lanka: The Fractured Island, India, 1989, p.118

which lost Tamil Nadu in 1967, owned its shrunken survival to the AIADMK which ruled the state. This party, in turn, owed its primacy to the Tamil separatist sentiments. Neither the Government at the centre, nor the one in the state could ignore the fact that the Tamil of India sympathized with the secessionist cause across the Palk Straits. This was the major reason. To survive in Tamil Nadu as a political party it was imperative to respect the popular feeling which was clearly supporting the Tamil cause and the movement in Sri Lanka. This factor was well understood even by the Sri Lankan politicians. In an interview R. Premadasa, the then Prime Minister of Sri Lanka said, "The real reason why Indira Gandhi is not saying a word to Tamuil Nadu is known to us. We know why she is keeping quiet. She is afraid if she speaks a word against the terrorists, the people in the south will not She wants to win the South Indian for her. votes..."7. He went on to extent of equating Tamil Nadu with India and later remarked, "Tell me, if Tamil Nadu is not in India. Is it not a part of India? The Government in New Delhi cannot say that its writ does not run in Madras. Why can't it force Ramachandran to throw away these 30,000 Tamil back to Sri Lanka?...."8.

^{7.} V.P. Vaidik, Ethnic Crisis in Sri Lanka: India's options, New Delhi, 1986, p. 121.

^{8.} *Ibid*, p. 120.

While for reasons of culture, ethnicity and religion, support for the Sri Lankan Tamils was always strong in Tamil Nadu, it deepened following anti-Tamil riots of 1981 Immediately following the July 1983 riots, the and 1983. people of Tamil Nadu wholeheartedly supported an all-party call for a state-wide bandh to condemn the indiscirmicinate killings of the Tamils and show solidarity with the Tamil sent a liberation struggle. The AIADMK high delegation to New Delhi to request Prime Minister Indira Gandhi to put pressure on the Sri Lankan Government to stop the anti-Tamil violence there. This request was, in fact, a pressure tactic applied on the Central Government. As has been already discussed, the congress (I) could not have afforded to go against the wishes of the AIADMK. went a step ahead and demanded that India should intervene militarily to stop what it called the genocide. Though the centre did not pay heed to the advice then, it clearly understood the mood of Tamil Nadu-that of the people and of the political parties. The Central Government, under Prime Minister Indira Gandhi, welcomed the show of support for the Sri Lankan Tamils in Tamil Nadu. In this connection, Indira Gandhi requested all political parties in India, including those of Tamil Nadu, to support her Government's efforts to tackle the problem in Sri Lanka. In fact, the Central Government was not only ready to sympathize and show solidarity wih the people and politicians of Tamil Nadu on Sri Lankan question but was also ready to undertake an active role against Sri Lanka on a more broad 'national' (Indian) terms in a bid to resolve the anti-Tamil violence in the island⁹.

Apart from this factor which the Tamil political parties applied to pressurise the Central Government, the policy makers in New Delhi were considerably influenced by the political dynamics in Tamil Nadu in dealing with the Sri Lankan ethnic problems. The inflow of thousands of Tamil refugees into India and their tales of attrocities by the Sri Lankan army aganist the island's Tamil population aroused the passions of the Indian Tamils. The Government though rejected the Eelam demand as well as the demand for military action against Sri Lanka, New Delhi refrained from dislodging the Tamil militants from Tamil Nadu, since such action would have further inflamed the tempers of the local Tamils. The militants were allowed to build up arsenals of sophisticated arms, ship them to Sri Lanka, run training camps, set up communication facilities, open 'Eelam Information Centres'. Retired Indian army officers trained the militants in querilla warfare 10

^{9.} Imtiaz Ahmed, State and Foreign Policy: India's Role in South Asia, New Delhi, 1993, p. 282.

^{10.} Wiliam Mc Gowan, only Man is vile: The tragedy of Sri Lanka, London, 1993, p. 9.

Sri Lanka was more than convinced that dispite India's vehement denials, its Tamil Nadu state was harbouring the Tamil gureillas and aiding them. In May 1982, five LTTE activists had been held in Madras after Sri Lanka had produced voluminous evidence in support of its charges against them, of murder and other terrorism related offences. But the Tamil Nadu Government freed them on bail within forty-eight hours. Two jumped bail and the other three were rearrested only to be freed again in short order. This point clearly shows that either the Central Government in India did not have control over the Government in Madras or it was ignoring all the incidents of these kinds. In either way, the powerful grip, the Tamils had, on the issue was clearly visible.

In 1985, India made a bid to find a political solution to the Sri Lankan problem. An Indian delegation was sent to Sri Lanka. It was headed by Mr. P. Chidambaran, the then Minister for Internal Security. Apart from the fact that being the Internal security Minister, he would have understood and posed the problems India was facing as a result of the Sri Lankan problem; it seems that his belonging to Tamil Nadu played important role in his selection. Tamils in India as well as in Sri Lanka were pleased that someone was there who understood their problems well and could advocated their case, in his

negotiation, not just as a representative of the Indian Government, but as a Tamilan as well. This, however, does not undermine the work that Chidambaram undertook and what he accomplished.

Another factor which was responsible for creating a strong Tamil lobby in India favouring the Sri Lankan Tamils and their cause was religion. From the very beginning Sri Lankan society was divided over the questions of religion-Buddhism vs. Hinduism. The Government's policies only polarized the two religion to a greater extent. The South Indians show a great regard for religion. The whole region Hindu dominated area, though the intra-religious rivalries are quite strong. This factor was compelling the Tamils living in Tamil Nadu to pressurize the Central Government through the State Government, to act; act in a way so as to safeguard the Hindu interests in Sri Lanka. K. Subrahmanyam, the Director of Institute for Defence studies and Analysis, highlighted this factor in the Sri Lankan conflict more openly. Accordingly to him: "Sri Lanka has no problem with India as such but has a paramoid attitude towards Tamil Nadu... 11. This religious factor was influencing the Central Government. New Delhi on the other hand, was taking advantage of the situation. Once the

^{11.} Quoted by Imitiaz Ahmed, State and Foreign policy: India's Role in South Asia. New Delhi, 1993, p. 284.

conflit in Sri Lanka was identified in religious terms, it became easy for the Hindu majority of India to identify themselves with the cause of the Sri Lankan Tamils. New Delhi understood it very well that it could mobilize the majority of the Indian people on the side of the Government on the Sri Lankan issue by appealing to their religious affiliation or more tactfully by highlighting the pitiful condition of the Tamil Population in Sri Lanka.

Another factor making the Tamil lobby stronger in their case, apart from the Government's vulnerability, was the interest the Indian Government had in Sri Lanka. The Government was fully aware of the fact that once Sri Lanka was destablized, it would be an easy task to maintain hegemony over it. Thus, the Indian Government waited patiently for a situation which would go so worse that it would find it easy to lend support to the cause of Sri Lankan Tamils in order to bring them to its side. Thus it was allowing the Tamil lobby in India to operate and influence the Government so that a strong Tamil lobby supporting the Indian Government could be created in Sri Lanka. The Central Government used the services of its intelligence agency, the Research and Analysis wing (RAW) for this purpose. Thus, the Indian Government, for its part, provided food and shelter to the Tamil refugees and offered training facilities and military equipment to the

Tamil querillas, under the direct supervision of the having RAW12 stages. Also. in the later increasingly weary of its inability to control the LTTE as firmly as it wanted, India, particularly the faction of intelligence officials within the RAW had been encouraging rival factions of Tamil rebels with convert aid. Thus, the RAW was used for lending a helping hand to support the According to some reports, LTTE was also Indian case. trying to influence the RAW and the Indian bureaucracy 13. This could have been possible only by influencing the Tamil lobby which could have influenced, in turn, the bureacuracy as the Tamil lobby within the bureaucracy has always been stong.

The Tiger received aid from both New Delhi and from the Chief Minister of Tamil Nadu, M.G. Ramachandran, with whom they had a special relationship that allowed them to import guns and stockpile weapons freely. Prabhkaran was also able to set up headquarters in Madras in a hotel usually reserved for state legislators¹⁴. When New Delhi grew cool to Tigers, after realizing that it did not have

^{12.} Ibid, p. 285.

^{13.} Aabha Dixit, "Sri Lanka in the 1990s: A Study of its Ethnic Crisis," Strategic Analysis, 13 (9); December, 1990, p. 1047

^{14.} William M.C. Gowan, Only Man is vil: The Tragedy of Sri Lanka, London, 1993, p. 187.

as much control over them as it had assumed, the Tigers could still rely on M.G. Ramachandran. This is an astonishing fact as one could see here clearly that the strong base and support the LTTE had in Tamil Nadu, forcing the State Government to act in a friendly way even when the Central Government was not in favour of such attitude. Despite this, the support continued and with the passage of time, the Centre realised that it would also have to follow the same policy as neither the state parties nor the party at the centre could afford losing the popular support in Tamil Nadu.

The Present Situation

In early February 1993, the Tamil Nadu Governor, Bishma Narain Singh, in his address to the assembly, declared that the LTTE would not be allowed to gain even a toe-hold in the state. 15 Since then, however, there have been many incidents that point to a perceptible LTTE presence in the state.

Within three weaks of Narain Singh's statement, five LTTE militants are believed to have infiltrated into the state. A 30-foot speed boat, Sea Tiger belonging to the LTTE fleat was found abandoned on the Karaikal coast. The

^{15.} The Hindustan Times, February 7, 1993.

boat was believed to have carried a consignment of weapons. The police have reasons to believe that the boat could have brought into Tamil Nadu the militants strike squad that was responsible for the 'rescue' of kirpan and the two other TADA detenus from police custody.

On February 21, six rockets with propellants, a rocket launcher, a medium machine gun, one AK-47 assault rifle and two grenades were recovered at the instance of a 17-year old LTTE activist, Kannan, who was captured by fishermen off the Nagapattinam coast. And on March 3, the LTTE as a goodwill gesture, announced the release of twelve Nagapattinam fishermen, after holding them for two weeks at Mullaitivu in Sri Lanka. Informed sources reckon that there are fifteen known LTTE men active in the state. They include a senior member of the LTTE polibureau.

In this light, the Prime Minister's call to intensify curb on the LTTE is interpreted as a reflection of the Centre's misgivings about the State Government's performance on this score. One reason why the previous DMK Government got the sack was the Centre's perception of a DMK-LTTE nexus and New Delhi suspicion that sensitive information provided to the then DMK Government found its way to Jaffna. It is said that a central intelligence agency intercepted an LTTE wireless message, confirming the

suspicion. 16

The LTTE message pertained to a proposal by the Chandra Sekhar Government to repatriate to colombo the Sri Lankan Tamil militants rounded up in Tamil Nadu during the Karunanidhi regime. Informed sources said that the man who coveyed the message to Prabhakaran was Kirpan, who was then in charge of the LTTE operations in Tamil Nadu. Kirpan, arrested twice in the last three years, is at large again this time, because of a security botch-up. Kirpan, an assused in the Padmanabha murder case, was initially held in 1990 and realesed on bail. He was rearrested under TADA in February 1991 in a State-wide crackdown on the LTTE, following the dismissal of the Karunanidhi Government. He and two other hardcore LTTE men brocke out of police custody on April 29 near Chengalpet as they were being taken from the Madras Central Jail to Pattukottai for a court appearance. Available reports point to a glaring security lapse on part of the police escort party. The policemen reportdly shared a meal with the militant and then they were attacked by the LTTE rescue squad.

The escape of the militants and their propensity to hold out against a state-wide manhunt launched by the police speak for the support base the LTTE continues to

^{16.} The Times of India, May 9, 1993

have in Tamil Nadu. Besides, it has estabilised that the LTTE is capable of organizing resume operations through strategic infiltration into the state and also that the militants have an effective inteligence network. This whole discussion point to the fact that dispite the efforts of the central Government to curb the activities of the LTTE in Tamil Nadu, it is still quite effective. On one hand it is possible as a result of the support base. This support base, as stated earlier, is bound to affect the government in power in Tamil Nadu. On the other hand, it also points to the fact that the Government in Tamil Nadu or at least a faction has been supporting the LTTE till date. Their support is instrumental in the LTTE having succeded to do many things, including the rescue operations, which, without a covert support would have been impossible. This faction of Government tends to influence the governmental polices which are bound to act as pressure tactics on the Central Government.

The recent separation of the AIADMK-Congress (I) alliance will too, to an extent, give support to the 'lobby' functioning to get support for the Tamil cause. The Congress in Tamil Nadu is guided by different perceptions which the congress at the Centre does not take take into consideration. The congress at the state level, in order to do well in the elections cannot afford to speak against the

public opinion which clearly supports the Tamil cause. The Congress at centre, which has a stake now in Tamil Nadu particularly after its alliance with the AIADMK has come to an end, will have to take a direction in order to please to electrorates. There might thus be a shift in the policy. This, however, remains to be seen and one cannot pass any judgement now.

Recently, the Congress-led oposition alleged the Jayalalitha Government for slackness in dealing with the LTTE. Refuting the allegations, the AIADMK leadership charged the Congress with attempting to tarnish Jayalalitha's image. The State Government, however, sought adequate security cover for the Chief Minister Jayalalitha against possible attack by the LTTE, in an attempt to show that the Government is dealing with the LTTE in a tough manner. May be this is correct. But this refers to another aspect. This means that the Government accepts that the LTTE is still effective in the state. And as long as this aspect is there, it will point to the fact that a Tamil lobby exists, supporting the Tamil cause.

CHAPTER 4

THE TAMIL FACTOR AND

INDIA'S RELATIONS WITH SRILANKA : PATTERN OF INTERACTION

Ethic tensions in any part of South Asia have always been viewed with concern by India. Almost all the States in South Asia were once integral part of a single sociocultural system of which India was the center. Religion, language, ethnicity and of course, a common Colonial experience are the major forces that transcend territorial boundaries of South Asian nations and strongly influence intra-regional relations. As an Indo-Centric region, serious ethnic or racial upheavals in any country which is a part of South Asia, are bound to have a spill over effect on India. Thus, the Tamil people of India, who sympathize with Tamils of Sri Lanka, reacted emotionally when the island was rocked by violent Sinhalese-Tamil ethnic roits in July 1983. Historically and culturally the Tamils of India and that of Sri Lanka have felt close to each other, and the Tamils of the state of Tamil Nadu became agitated over any event in Sri Lanka that affected the interests of their cousins across the Palk Strait.

Sri Lanka's geopolitical location is another important factor that compells India's anxity over any destabilizing development in the island. Often described as the fulcrum

of the Indian-Ocean, Sri Lanka is barely twenty miles from the southern tip of India. The 4000-mile maritime border of the Indian peninsula is largely fringed by the Indian Ocean, and ensuring peace and stability within this region has been a major objective of India's foreign policy. Geopolitics and the socio-cultural composition of the region, therefore, compell India to conceive of itself as the "secutiry manager of South Asia". India's role in Sri Lanka's ethnic conflict needs to be understood in this perspective.

India's role in Sri Lanka can be traced back to 1948. However, the Tamil liberation struggle experienced a qualitative change in the begining of the 1980s with the launching of armed struggle to establish Eelam and from this point India's role and to an extent intervention, came in the forefront. Still, a brief discussion an India's role in the period of 1948-1980 is required to understand its coordinates in the area of a large framework which has witnessed so many ups and downs. This period was marked by the fact that in the begining, India was interested in the welfare of the Tamils of the Indian origin and was not bothered about the Sri Lankan Tamils. All the negotiations upto 1980 in general and during the early phase of this

^{1.} P. Venkatashwar Rao, "Ethnic Confict in Sri Lanka: India's Role and perception", Asian Survey, Vol XXVIII, No 4, April 1988, P. 419.

period in particular sought to correct the problems the Tamils of Indian origin were facing. But with the passage of time, when due to so many factors the Tamil cause, the maovement and the problem became one for the whole of the Tamil populace, in Sri Lanka, a marked change in the India attitude was seen. This became more apparent as the result of the domestic factor that the Indian Government faced.

THE TAMILS OF INDIAN ORIGIN IN SRI LANKA: THEIR PLIGHT AND INDIA'S RESPONSE

Thus the Indian role in Sri Lanka started with the question of Tamils of Indian Origin. The first piece of legislation passed by the first independent parliament of Sri Lanka was to deny the rights of citizenship to all Indian Tamils through carefully drafted legislation called the ceylon Citizenship Act, 1948. This marked a complete breach of understanding between the Government of Ceylon and Government of India. Jawaharlal Nehru, the first Prime Minister of India, was openly critical of the legislative provisions aimed at disenfranchising the Indian Tamils. When Dudley Senanayake became the Prime Minister of Ceylon, he met Nehru in London, taking advantage of his presence at the Commonwealth Countries' Conference. He agreed to grant Ceylon Citizenship to 400,000 persons. Nehru wanted the total number of persons to be given citizenship, while

Senanayake insisted on compulsary repatriation of 300,000 Tamils to India. Senanayake refused to accept Nehru's also because Nehru refused to accept proposal and compulsary repatriation, the talks failed. The matter came up for discussion between the next Prime Minister of Sri Lanka John Kotelawala and India. An agreement was signed between the two Governments on Jan, 1. 1954. unfortunately, this agreement was not implemented in the spirit in which it was signed by the Government of Ceylon. Nehru said during this period, "We go some way understand and meet the difficulties of Ceylon Government and the people but I must confess to a feeling of frustration, what we are willing at is not realised."2

S.W.R.D. Bandaranaike came to power in 1956 and that was a peak period of Sinhala Chauvinism. Bandaranaike stated in 1940 itself that the presence of Indian labour force posed a threat of extermination to the sinhala people. It was only during this period that the Indian community was totally unrepresented in the parliament. The relationship between the Tamils and the Sinhalse reached its lowest nadir during his rule. So there was no question of consideration of the right of the Indian Tamil Community. In the language riots that occured in 1958, the

Quoted by R.R. Sivalingam, "People of Indian Origin in Sri Lanka", V. Suryanarayan (ed)., Sri Lankan Crisis and India's Response, New Delhi, 1991, P. 59.

plantation Tamils also took part and two workers were shot dead in Bogowantalawa. There was a country wide Hartal in which only the Tamils participated. This day could be probably called the day of warning that on emotional issues such as language, the Tamils would unite as one even though several other factors divided them. This must have been one of the most urgent and motivating factor to induce Ms. Bandaranaike, who succeeded her husband, to take up the matter of setting the problem of 'stateless Tamils' which had come up in 1951, with the Government of India. The year 1964 marked a watershed in which Sirimavo-Shastri Pact was signed as to how to bring about an end to statelessness. But unfortunately, that agreement too left out the fate of 150,000 persons out of 975,000 stateless persons.

The question of balance was settled by a subsequent agreement between Mrs. Indira Gandhi and Ms. Sirimavo Bandaranaike in 1974, to share the balance. India agreed to accept 600,000 persons and Sri Lanka agreed to grant citizenship to 375,000 persons. Once again another fifteen years elapsed before the agreement was completely worked out. Once again there was no finality. While the two Governments dithered in the implementation the agreements, the people concerned languished for one generation nearly three decades without any welfare or developement measures by any Government being rendered to the stateless.

Though the agreements came to an end in 1981, the process of repatriation, as was agreed by Mrs. Indira Gandhi, continued upto 1984 when it ceased to operate at the request of Sri Lanka. A further agreement was reached in 1986. It was concluded after understanding the fact that out of 600,000 people India had accepted, only 506,000 had applied for Indian citizenship, the rest applied for the Sri Lankan citizenship. Under this agreement Sri Lanka agreed to accept this 94,000 to its earlier quota of 375,000. Unfortunately, this too did not end the problem. Finally, another law was passed known as the Grant of Citizenship to Stateless Persons (special Provision) Act No. 39 of 1988 which is the current law. However, the process of issuing of certificate of citizenship is being delayed and even now, there continue to exist at least 200,000 people who are waiting the grant of Sri Lankan citizenship. Once again there is a stalemate which fundamentally affects the rights of nearly 400,000 people which is about one third of the total population of Indian origin in Sri Lanka.

INDIA'S ROLE IN SRILANKA:

When the riots broke out between the Tamils and the Sinhalese Communities on July 24-25, 1983, in Sri Lanka; India found itself in a delicate situation. It bore

responsibility for the safety of the Tamils in Sri Lanka. But in ensuring their safety, India had to impress upon the Sri Lankan Government that it had no intention of interfering in the island's internal affairs. Prime Minister Indira Gandhi sent the then External Affairs Minster, P.V. Narsimha Rao to Sri Lanka on July 29 to obtain first had information about the crisis. On returning home, he informed his Prime Minister that the Lankan situation was quite serious. He also confirmed the media reports that the Sri Lankan Government had sought military assistance from the US, Britain, Pakistan and Bangladesh to meet the crisis.

In a telephone conversation with the Sri Lankan President, J.R. Jayewardene, Indira Gandhi while hoping for an early restoration of normalcy, candidly expressed disapproval of the Lankan move in seeking foreign assistance "profoundly to meet a non-existent Indian intervention." However, following her talks with him, she told the parliament that India was opposed to a separate state for Tamils in Sri Lanka and also that President Jayewardene had expressed willingness to make major concessions to the TULF if it renounced its separatist demands. The TULF leader Appapillai Amrithalingam expressed readiness, after a second meeting with Indira Gandhi, to

^{3.} The Hindu, August 6, 1983.

negotiate with the Sri Lankan government. Having obtained the agreements of both sides sides to talk to each other, the Indian government went ahead to prepare the ground for a negotiated settlement to the ethnic conflict. Entrusted with the task was Gopalaswamy Parthasarthy, who was to play a significant role during the early period of Indian mediation. His shuttle diplomacy and an Indira-Jayewardene summit talk during the Commonwealth Conference in New Delhi in November 1983 achieved two things- abandonment of certain preconditions by Sri Lanka that stood in the way of TULF's participation in the proposed All Party Conference (APC) on the ethnic issue, and agreement on a devolution plan-the "Parthasarthy formula" - which would serve as the bais of talks. 4 The reason, why the Indian Government was pressurising the Tamils in Sri Lanka and their representative, the TULF; was the fact that the Tamils in India were demanding that the Indian Government should do its very best to bring an end to the ethnic crisis.

The Sri Lankan Government was not really enthusiastic about the Indian involvement in its ethnic crisis, and 'Sri Lankan sources revealed that the president was in fact

^{4.} Annexure-C, which was the key provision in the 'formula', envisaged regional councils in the Tamil dominated Northern and Eastern Provinces with jurisdiction over such subjects as law and order, administration of justics, social and economic development, cultural matters and land policy.

worried about an Indian invasion.'⁵ Yet the Sri Lankan Government accepted India's good office. There were various reasons responsible for it.⁶ Firstly, Sri Lanka's exports fell sharply after the riots. Secondly, tourism, the island's major foreign exchange earner, suffered badly. Thirdly, Sri Lanka's international aid donors, the world Bank and the IMF, which in recent years had stepped up aid to Sri Lanka, cautioned against further worsening of the domestic political situation that could damage the country's economy. Finally, and most importantly, the response of the foreign powers, western and South Asian, to Sri Lanka's request for military assistance was quite discouraging.⁷

The APC, in which all the regional parties participated, included the TULF and several Sinhala Buddhist religions, and non-political organisations. It met in three rounds in 1984 without any concrete agreements and was finally dissolved in December 1984. By mid-1985, Indo

^{5.} The Hindu, August 19, 1983

^{6.} P. Venkateshwar Rao, "Ethnic conflict in Sri Lanka: India's Role and perception", Asian Survey, Vol. XXVIII, No.4, April 1988, P. 422.

^{7.} The U.K. and the U.S., two major western powers that Sri Lanka approached, declined its plea for military assistance. President Ershad of Bangladesh cancelled his proposed state visit to the island alleging that Muslims there were being killed. Pakistan's response too, initially, was not encouraging.

Sri Lankan relations deteriorated as Sinhalese leaders, the hardliners in particular, exhibited growing impatience with India. The Sinhalese charged India with harbouring Tamil 'terrorists' in Tamil Nadu. The then Sri Lankan Prime Minister went on the extent of telling that Tamil terrorists could not attack Sri Lanka without New Delhi's complicity. This caused an uproar in India. The Sinhalese were, however, sure that Mrs. Gandhi was acting under pressure from the Indian Tamils. To an extent Mrs. Gandhi supported the militants with a strategy "to harass colombo only to the extent of forcing it to reach an agreement acceptable to New Delhi."8 Also, the militants enjoyed considerable support and sympathy among the Tamil population in India. This was clearly visible through the support, the political parties in Tamil Nadu were providing to the LTTE. The politicians even went to the extent of providing support to the militants even when New Delhi was quite opposed to the idea. The militants also were aware of this fact that they could fall back on Tamil Nadu even if the Central Government in India stopped supporting their cause.

^{8.} K. Manoharan, "Sri Lankan Turmoil", Seminar, No.324, August, 1986, p. 35

INDIA'S ROLE AFTER 1985

After Rajiv Gandhi succeeded his mother as the Prime Minister, Indo-Sri Lankan relations showed definite signs of improvement. A meeting between Rajiv Gandhi and Sri Internal Security, Lalit Lankan Minister for Athulathumudali in February 1985 was described as "most constructive". An important step taken by the Government was to curb Tamil militant activities in India. Rajiv Gandhi having won the parliamentary elections with a thumping majority, was less constrained in moving against the Tamil militants. Thus, on March 29, 1985, the Indian Coast Guard intercepted a boat carrying guns and explosives to Tamil rebels in Sri Lanka.

A summit meeting was arranged between Rajiv Gandhi and J.R. Jayewardene, which took place in June and produced some positive results. Agreement was reached that India should take more effective measures to curb Tamil militant activities on its soil and flow of arms from India to Sri Lanka, while Sri Lanka agreed to keep its army under firm control. According to colombo circles, the summit saw a "change of heart in New Delhi." New Delhi also made it abundantly clear to the militants that it was opposed to an independent Tamil State and a political solution was to be sought.

^{9.} India Today, June 30, 1985

The new round of talks began in utmost secrecy on July 8 in Thimpu, Bhutan. Talks were held on July 8 to 13 and August 12 to 17, with all the Tamil groups, militant and moderates represented. The Indian delegation was present, but it did not participate. The talks were adjourned on August 18, after the Tamil's walked out alleging that the Government's security forces had killed about 400 Tamil civilians.

Worried about the worsening situation, India made another attempt to find a political solution. This time an Indian delegation, in a diplomatic shuttle, led by Minister for Internal Security, P. Chidambaram, who also hailed from Nadu, succeded in committing the Sri Government to the principle of a Provincial Council as the basic unit of devolution. New Delhi was convinced that the provincial council offer could serve as the basis for negotiation and persuaded a skeptical TULF to negotiate with the Sri Lankan Government. The other Tamil groups were not involved this time. The talks held in July and August did make some progress. The Sri Lankan Government however, remained as firmly opposed as ever to a single Tamil linguistic unit. When the Colombo proposals on provincial council were presented to the militant leaders in October,

^{10.} In all six Tamil groups were respresented including moderate TULF. The militant groups represented were : LTTE, PLOTE, EPRLF, EROS and TELO.

all were rejected as 'inadequate'. It is significant to note that in dealing with the Tamil problem, New Delhi had increasingly involved the Tamil Nadu Chief Minister, M.G. Ramachandran, who enjoyed considerable influence over the militants, specially the LTTE. 11

The outright rejection of the colombo proposals very much annoyed the Indian Government. In a coordinated move between the central and Tamil Nadu Governments, the Tamil Nadu Police arrested known militants and their leaders and confiscated their arms and ammunition in a state-wide crack down on November 8, 1986. However, those arrested were released on the same day and their confiscated arms later returned. The immediate reason for the Governments' action against the militants was to create a better climate for the forthcoming Rajiv-Jayewardene meeting at the SAARC Summit to be held in Banglore a week later. 12

A major objective in India's mediation efforts in the aftermath of the SAARC Summit, now led by External Affairs Minister, Natwar Singh and P. Chidambaram, was to seek a middle ground between Tamil insistence on the merger of the Northern and the Eastern Provinces and Sinhalese opposition

^{11.} P. Venkateshwar Rao, "Ethnic confit in Sri Lanka: Inaia's Role and Perception", Asian Survey, Vol. XXVIII, April 1988, P. 429.

^{12.} Ibid, P. 430

to it. This was achieved in the consensus that energed between India and Sri Lanka on the "December 19th proposals" in which Sri Lanka agreed to excise the Sinhalese speaking electorate of Amparai from the eastern province. However, by the dawn of 1987, Sri Lanka's ethnic conflict had deteriorated into a dangerous situation. On January, 1987, the LTTE started carrying out its plan to take over the civil administration in the north, which already was under its military control. Sri Lankan authorities imposed a ban on the supply of fuel and other essential commodities to the Jaffna Peninsula.

In a message delivered to J.R. Jayewardene on February 10, 1987, Prime Minister Rajiv Gandhi said that India was suspending its good offices and demanded that Colombo lift the economic blockade of Jaffna and affirm its commitment to the December 19th Proposals. Sri Lankan Government, however, was compelled to launch the military operation. In the spring of 1987, the series of gruesome bombing attacks launched by the Tigers on the Capital made military intervention unavoidable. The Sinhalese pressure was also mounting and in the words of an officer at the US embassy in Colombo, "The Sinhalese seem quite ready to accept the disintegration of thier country rather than dispense with their pride. It's a terribly self-destructive form of

masochistic nationalism."13 The results was 'Operation Although it Liberation! launched in Mav 1987. successful in driving the Tigers from areas on the Jaffna peninsula where they had been thought invincible, operation Liberation inflicted sizable civilian casualties, which India could not ignore. However, Sri Lanka's refusal to stop the military campaign against the Tamil and lift the economic blockade of Jaffna left India in dilemma. Sri Lanka was severely condenmed by India. Within India the government was under attack for its indecisiveness and inept handling of the Sri Lankan situation. On June 3, India sent relief supplies to the people of Jaffna in a flotilla of nineteen fishing boats flying the red cross flag. Colombo rejected the supply and blocked the Indian flotilla's entry into Sri Lanka territorial waters. Condemning Colombo's act, India once again warned that it would not remain an indifferent spectator "to the plight of the Tamils in Jaffna."14

INDIA'S OPTIONS

With all this happening, India was bound to act. this had become all the more essential as with the convolutions

^{13.} William McGowan, Only Man is Vile: The Tragedy of Sri Lanka, London, 1993, P. 193.

^{14.} The Times of India, June 5, 1987.

in Sri Lanka, the security environment of South Asia was beset with new stresses and strains. India's options were limited and included primarily - military intervention; pressures; and prolonged diplomacy.

Military Intervention:

As a military operation, the invasion of Sri Lanka by the Indian armed forces would not have been difficult. An ill-trained island army of about 15,000 with weaponry of Second World War vintage, meant only for keeping law and order and which had no battle experience was bound to fall in the face of an Indian military intervention. Yet, this option was to be ruled out, for at least five reasons. Firstly, although it might have been easy to occupy Sri Lanka, it would have been extremely difficult to retain it. To control a hostile population would have been difficult for India as it was in Afghanistan for the erstwhile USSR. In fact, it could have been more difficult as unlike Afghanistan, Sri Lanka is an island and unless an effective naval blockade could be imposed on its entire coast, the insurrectionary elements would enjoy greater freedom to pump in arms and ammunition to harass the occupation army. Another aspect was Sri Lankan nationalism overlaid by the Sinhala-Buddhist ethos. This could have led to a war of the nature of fight to finish. Also, even

Sinhalas, sympathetic to the Tamils and having friendly feelings for India were bound to get outraged by the occupation.

Secondly, India had not been able to make any ideological inroads into the dominant parties of the neighbouring island. Even though Bandaranike's SLFP always claimed to have very special relationship with the Nehru family and with India, it never budged from serving its own national interests even when it dismayed India. She did not support the Indian case vis-a-vis the chinese in 1962 and provided refuelling facilities to the Pakistani Planes during the Bangladesh war. Even on the part of Tamils, the Tamils in Sri Lanka never issued a formed invitation to the Indian forces.

Thirdly, the planners of an invasion would have to first decide whether the Indian armies should have halted Jaffna or should have marched upto Colombo and occupy the entire island. There would not have been any resistance in the Tamil areas, had the occupation been of these areas only, but this would have put the lives of Tamils, residing in Sinhala-majority areas, in great danger.

Fourthly, the invasion would have been politically

^{15.} V.P. Vaidik, Ethnic Crisis in Sri Lanka: India's Options, New Delhi, 1986, P. 106.

indefensible for India in the international forums. Leave alone the western powers, even non-aligned countries would not have liked it. There would have been much hue and cry at SAARC.

Fifthly, it was clear to the Indian Government that the invasion was not going to solve the Tamil problem; it might have complicated it further.

Pressures:

Pressures range from extremely crude and illegitimate to sophisticated and legitimate. It depends on the world view and the inclinations of policy makers.

A lobby in New Delhi wanted India to engineer a coup in Colombo. 16 In their view, an Indian attempt would have been blessed at least by the erstwhile USSR and with the help of the leftist forces of Sri Lanka, the coup could have been legitimized and stablished. This view, however, was highly simplistic and born out of ignorance of Sri Lankan scene. A change in Government in Sri Lanka offered no promise of a solution. Any non-Tamil regeime was bound to take an anti-Tamil posutre.

The second pressure that could have been mounted on

^{16.} Ibid, p. 112.

the Jayewardene's regime was by supplying arms and training to the Tamil militants. This was indeed the most dreaded pressure. Prime Minister Premadasa was already accusing India of such subversive activities. India on its part always denied such allegation. Thus India could no longer afford this policy.

The third kind of pressure could have been economic. However, this clout in Sri Lanka was never going to be effective, for out of Sri Lanka's total trade, India's share was just 4.2 per cent in 1981. Sri Lanka, on the other hand, could have easily diversified its trade to other countries. What was more important, by imposing trade restrictions, India was going to hurt the Tamil pockets.

Diplomatic Efforts:

India's mediatory role was accepted by the major contending parties in Sri Lanka, but readymade formullae, however reasonable, could not cut much ice in Sri Lanka. They would have fallen prey to political rivalries. Also, the Indian diplomatic efforts at ethnic reconciliation were apparently confined to political circles. But the spirit could not percolate to the non-political, religious, and social levels. The delegations headed by people from Tamil Nadu aroused deep suspicions among Sinhalas.

THE PEACE ACCORD:

In a drastic move on June 4, five Indian Air Force planes escorted by Mirage 2000 fighter planes entered Sri Lanka's air space and dropped relief supplies in and around Jaffna. Sri Lanka condemned the Indian "Operation Eagle" as a "naked violation of our independence" and an "unwarrented assault on out sovereignty and territorial integrity." However, Colombo lifted the six-month-old embargo on Jaffna and ceased military operations.

Despite official condemnation of the Indian action and the natural Sinhalase reaction ot it. Sri Lanka acted with restraint. Colombo did not demand a Security Council Meeting, nor did it boycott the SAARC Foreign Ministers' Conference in New Delhi in July. Perhaps in a true assessment of the political realities politico-military strength of India, the refusal of any major foreign power to come to its rescue, the Tamil movement and the rise of the Jathiya Vimukthi Peramuna (JVP). Sri Lanka offered to negotiate a political settlement to the Tamil problem on the basis of the December 19th proposals. Following renewed diplomatic activities between India and Sri Lanka, Rajiv Gandhi and J.R. Jayewardene signed an agreement on July 29, 1987 in

^{17.} The Times of India, June 6, 1987.

Colombo, known as Indo-Sri Lankan Peace Accord. principal points were: an immediate ceasefire, effective within fortyeight hours after signing the agreement; surrender of arms by Tamil militants and withdrawl of the Sri Lankan army to its barracks witin seventytwo hours of the ceasefire; combination of the northern and eastern provinces into a single administrative unit with an elected provincial council, one Governor, one Chief Minister, and one board of minsters; a refrendum to be held not later than December 1988 in the eastern province to decide whether it should remain merged with the northern province as a single unit; and elections to be held before December, 1987, under Indian observation, to the northern and eastern provincial councils. The agreement also committed India to assist Sri Lanka militarily if the latter requested such assistance in implementing its provisions. 18

The Accord, and the agreement letters that went along with it, were designed to satisfy most Tamil demands, short of a separate state, in a way that the Sinhalese could accept them. Tamil and English, the former 'link language' of colonial days, were to join Sinhalese as national languages, settling one of the country's thornier issues. Sri Lanka also agreed to make concessions to India in specific matters of foreign affairs, essentially consenting

^{18.} Appendix - V

to Indian hegemony over the region, which had been challanged by increasingly close ties that had developed between Colombo and India's regional rivals Pakistan and China, as well as the US, Israel and other western powers.

The intent of the Accord was multifarious. With the prospect of an outright Indian invasion, it gave President Jayewardene a way to save face internationally, and it also guarenteed his continued rule. For India, it provided control of a situation that had steadily threatened security interests on it southern flank for years and had become a domestic liability. Although India had originally backed the rebels to check Colombo's increasingly westward drift. they had become а little too independent, particularly the LTTE. And apart from self-interests of the signatories, the Accord did provide breathing space, a break in the cycle of violence. Only in a ceasefire could there be a resolution of the Conflict's more complicated issues. From this angle, the Accord heralded a great break through- journalists and Statesmen around the world sung its praises, and international press portrayed the architect of the Accord, the Indian High Commissioner to Sri Lanka, J.N. Dixit, as a great genius. 19 American officials praised the Accord's

^{19.} William McGowan, Only Man in Vile: The Tragedy of Sri Lanka, London, 1993, p. 10.

great courage and US Congressman Stephen Solarz even proposed that Rajiv Gandhi and J. R. Jayewardene be nominated for the Nobel Prize. 20

The Accord did bring peace for a few weeks. Desperate for calm, many Sri Lankans of both communities danced in the streets and travelled to places unvisited for years. Although most had doubts about the Accord, few were immune from euphoria.

However high hopes were that the Accord would hold, there were troubling signs that it was not destined to last. Essentially an agreement between two Governments, the Accord did not adequately account for the objections of either the Sinhala masses, who were enraged by it, or the Tigers, who said it did not answer their aspiration. There was no better symbol of the Sinhalese backlash than an incident that occurred at the Accord signing ceremony. As Rajiv Gandhi was about to leave, he passed a guard of honour, one of whom tried to hit him over the head with the butt end of his rifle, a blow that would have surely killed him, had Rajiv Gandhi not ducked. It landed on his shoulder instead.²¹ President Jayewardene, aghast, claimed that

^{20.} R.R. Premdas and S.W.R. de A. Samarasinghe, "Sri Lanka's Ethnic Conflict: The Indo-Lanka Peace Accord", Asian Survey, Vol. XXVIII, June 1988, p. 683.

^{21.} The Hindustan Times, Aug. 4, 1987.

'the man had merely fainted' and hit the Prime Minister by accident. This was unbelievable. The guard was convicted later, but the incident cast a pall over the Indian bid for peace.

The Accord gave a new lease of life to a shadowy, ultranationalist Sinhalese extremist group — JVP. It had set up an international fund-raising apparatus to buy arms, and was working busily in London among wealthy Sinhalese expatriates, a mirror image of the support network long established by the Tamils. Fears of JVP infiltration were supported when, on the opening day of the parliament, an assassin threw granades inside a chamber of officials, killing two Government ministers and wounding the President. Clearly an inside job, the JVP message was clear: pass the legislation needed to ratify the Accord coustitutionally and you do so at your own poril.

An agreement like the Peace Accord was, viewed from the outside, the only way peace could come about, given the momentum of the conflict. But insecurities shaped by myth and by history, deep antipathy to the idea of Indian-sponsered Tamil autonomy, and broad dissatisfaction with the country's ruling elite created profound emotional resistance among the sinhalese, making fierce opposition to the Accord inevitable. The rhetoric of monks opposed to the Accord struck a deep, resonant chord among most Sinhalese.

"History shows that whenever the Tamils were in power, they destroyed Buddhist places of worship and the Buddhists," thundered one influential Buddhist cleric, and "if we are inactive, soon Buddhism and Buddhist culture will fade from owe land."²²

sinhalese general opposition to the Accord was also a function of demographics. While the Sinhalese were majority on the island, they were minority when fiftyfive million Tamils on the Indian mainland were counted in, and imbalance that filled them with cultural and political insecurity and fuelled what analysts have called "majority with a minority complex." The Sinhalese were also worried that conceding territory would open the door for the island's other disgruntled minority communities. They feared that following this case, even the Muslims, who form eight per cent of the population, might demand a separate state some day.

There were objections to Tamil autonomy for economic reasons as well. For nearly ten years the Government had been building a costly series of irrigation dams and hydroelectric power plants in the central and eastern parts

^{22.} Quoted by William McGowan, Only Man is Vile: The Tragedy of Sri Lanka, London, 1993, p. 111

^{23.} For a proper discussion See, Imitaz Ahmed, State and Foreign Policy: India's role in South Asia, New Delhi, 1993.

of the country. The purpose of the project was to expand agricultural production and to provide space to resettle landless Sinhalese peasants from the severely overcrowded southern portions of the island. But nearly sixty per cent of the land were in Tamil areas, which threatened the project entirely or ceded much of it to the Tamils.

The bulk of Sinhalese opposition to the Accord, however, was rooted in a fear of its architect, India, and the perception that the agreement had cost Sri Lanka its sovereignty. According to this analysis, aid to the Tamil rebels had been part of a plot to destabilize the island and make Indian intervention unavoidable. It was widely believed that the Accord laid the basis for an outright annexation. There was also fear that if Jayewardene was to die, whatever promises India had made about Sri Lanka's independence would be broken.

The Economic blockade and the military crackdown by the Sri Lankan Government of Jaffna was much resented by the Tamils living in India. The atmosphere in Tamil Nadu was clearly showing the fact that the Tamils in India were quite concerned about the worsening situation and the attrocities that were being committed against members of their own community, across the Palk Strait. Thus, the Government decision to send relief supplies was appreciated by Tamil Nadu. There were reports that suggested that the

decision to send relief through air under the survillence of the fighter planes was originally conceived by the Tamils and acting as a lobby group, they pressurized the Government to act in the same way. Though there is no concrete evidence to this fact, i.e., the involvement of Tamil lobby; this cannot be ruled out straightaway, though it was also clear that the Government had other ideas as well.

THE ACCORD AND THE IPKF

Meanwhile in the north there were equally troubling signs that the Accord would not hold. Although he had given his consent to the Accord, the leading Tamil rebel commander, V. Prabhakaran of the LTTE, had done so only under pressure, after being flown to Delhi, held under house arrest, threatened with harm, and not even allowed to see a written copy of the agreement. Once he was allowed back into the country, his support for the Accord was tepid; he told an emotional gathering of Tamil rebel supporters in Jaffna that he agreed becuase "we had no choice" and the only lasting solution was a separate Tamil State, which the Tigers would continue to struggle for "by other means". 24

^{24.} Quoted by William McGowan, Only Man is Vile: The Tragedy of Sri Lanka, London 1993, p.12.

By then, the first detachment of Indian troops had been airtifted into the north and east as part of the 'Peackeeping Force'. But the arms surrender required by the Accord was an exercise in going through the motions. While the Indian High Commissioner claimed that eighty per cent of the Tigers weapons had been handed over, the Tigers were only turning over things they did not need and had scattered large caches of weapons in Jaffna's lagoons for an inevitable renewal of hostilities.

The functional role and relevance of the IPKF under the Accord was to [a] cooperate and assist the Sri Lankan Government, [b] to defend the Tamils against aggressive Sinhalas, and [c] to take into custody arms surrendered by Tamil militants.

The Indian High Commissioner and Prabhakaran had worked out what seemed to be final snag in the Accord - a debate over who would have pride of place in the composition of the interim Provincial Council that would preside over the new autonomous Tamil province. Prabhakaran had been given everything he had asked for, much to the dismay of Sri Lankan Government and its Buddhist hardliners. Then, for no apparent reason, the Tigers had reportedly burned thousands of Sinhalese out of their homes in Trincomalee. The IPKF failed to protect them. As a result, whatever momentum the Accord may have gained in Sinhala minds, had come to an end. What Sinhalese feared more was the fact that they found themselves trapped between two alins-Tigers and the IPKF.

The presence of the IPKF was marked by the rise of the LTTE gurilla activities. This was happening because of two reasons, which were in total contrast to each other. Initially, the LTTE thought that with the presence of the IPKF, their position was quite safe and they could do anything they wanted. But with the passage of time, they realised that the assurance of protection given by the Prime Minister Rajiv Gandhi was not working in their favour. This led them to resort to their older tactics. Within no time, Sri Lanka was again burning and this time the suffering lot was Sinhala Community. There was a great pressure on President Jayewardene to let the armed forces out of their barracks, where they had been put under the Accord. To pravent this, and to maintain the legitimacy of its role as the quarantor of the peace agreement, India had to stand up to the Tigers. A few days later, therefore, Indian troops launched an offensive on Jaffna, the rebel bastion of the north. The offensive, Operation Pawan, was expected to last not more than two days.

There was considerable irony in India's action against the Tigers, whom they had once given arms, training and direction. India had also warned Colombo that a military strike against Jaffna would never work and would entail heavy civilian casualties. But there was a certain inevitability to the clash. The Indians may have supported the Tigers, but it was not to establish the separatist homeland. Eelam was a threat to the integrity of India as a nation. The last thing Delhi wanted was an independent Tamil state in the north of Sri Lanka, which would surely fan separatist fires among the fifty-five million Tamils on Indian soil. A showdown was inevitable from the Tigers perspective as well. Although the Tiger leader Prabhakaran had publicly supported the Indian role in the Peace Agreement, he had never really renounced the goal of Eelam. Once India put its foot down and made it clear that it did not want a separate state but, rather autonomy within Sri Lanka, the Tigers began to view the Indians as a force to be circumvented.

Operation Pawan did not end in two days, as was stapulated. It continued for a much longer time and was a scene of direct encounter between the IPKF and the LTTE. The IPKF said that it was close to taking the entire Jaffna, while other reports suggested there were entire sectors they had not even stepped into yet. The LTTE no doubt was suffering but equally high were the rates of civilian casualties. The IPKF vehementally denied it but the attrocities committed against the Tamil populace by the

IPKF remained a fact, To quote V.R.Krishna Iyer, "many cases of rape by Jawans have been reported. In some instances, Jawan have been caught red-handed and taken to court. Shock and shame gush from our patriotic bosoms when we listen to the inhumanity of the IPKF activity condemned by many at a recent London meeting as crimes against humanity. A.P. Venkateshwaran, among others, was there and both of us turned pale at the tales of woe. IPKF today is Force."25 Killing Innocent People for According to another report, "The worst crime committed by the Indian troops was the rape of Tamil women. Hundreds of Tamil women were raped brutally and most of them were done to death after sexual violence. This brutality deeply wounded the sentiments of the people and the hate for the Indian army became widespread."26 The IPKF. door-to-door search for Tamil militants, killed many innocent civilians. Even a hospital was raided, the doctors and the patients were killed and the nurses were raped and later killed. All the bodies were burned within the hospital compound. 27

The arrestees were treated in the worst of manners.

^{25.} V.R. Krishna Iyer, "Tamil Tragedy in Sri Lanka and Contradictory Strategy by India-II," *Economic and Political Weekly*, July 16, 1988, p. 1463-1464.

^{26.} Tamil Voice International, March 15, 1988, p. 12.

^{27.} Ibid, April 1, 1988, P. 16.

Even the cases of electrical shocks, burning of genitals were reported. Thus the IPKF along with killing the Tigers, was inflicting casualties on the civilians. The Tamil civilians were targetted by both the IPKF and the Tigers in case they found or suspect them helping the other parties. This led to a sense of hatred for the IPKF, among the Tamils.

The IPKF was also suffering a lot. Everyday casualties were reported. Many armymen lost their lives. But the fault lied mainly with the IPKF. Primarily, Operation Pawan was intelligence debacle. Dismissing the Tigers low-caste youth whose cyanide caps were a joke, the Indians made little effort to deepen their understanding of the Tigers' military organisation. Indian commanders did not learn for example, that the Tigers had the capacity to intercept their radio transmission, which enabled the Tigers to ambush them. India had also made fundamental logistical errors. Most of the units were understaffed, underequipped, underbriefed and tired after long transits across India. There were tactical mistakes. In their rush to vanquish Jaffna, Indian units blitzed the Tigers instead of moving patiently with the men in the rear covering for the men advancing.

The IPKF was successful at points to literally chase

the LTTE out of certain areas but in the process it also suffered heavily. The confrontation seemed endless. In the meantime, Sri Lanka saw a change in the leadership. R. Premadasa replaced J.R. Jayewardene as the President in 1989. The initial period of Premadasa regime saw the rise of JVP. With the JVP on the rise, Premadasa tried to remove the primary source of Sinhalese national disaffection-the IPKF. He thought that if the IPKF left Sri Lanka, he would be able to pressure the JVP into talks. He tried to embarass the IPKF to the extent that he supplied arms to the LTTE to fight the IPKF.²⁸ The move risked a danger that if the IPKF left, the Tamil groups in league with India would again be easy prey for the LTTE. Rajiv Gandhi categorically rejected the idea.

Premadasa went on the extent to giving an ultimatum that if the IPKF did not leave the island, he would order his troops to wage a war against it. Although it was clear that Sri Lanka would lose big in the fight, Premadasa had made the ultimatum such an issue of national pride that he could not back down. The two countries were on the brink of war. Ultimately, the Sri Lankan military explained the facts of life to him and he sobered down. The showdown did pay some dividents for him. Shortly after, in September

^{28.} William McGowan, Only Man is Vile: The Tragedy of Sri Lanka, London 1993, p. 373

1989, India announced that it would withdraw the IPKF by December. 29 Delays pushed it to the end of March.

As predicted, however, the Indian withdrawl triggered a bloody struggle for supremacy between the other Tamil groups and the LTTE. As soon as the Indians pulled out of an area, the Tigers gained control. As a result, the Tigers were as close as ever to gaining Eelam.

The Tamils both living in Sri Lanka as well as India had welcomed the idea of the presence of the IPKF in Sri Lanka. They thought that the presence of the IPKF would objously benefit the Tamil cause in Sri Lanka. But with the passage of time when they realised that the IPKF was serving other purposes quite inimical to Tamil interests, they started demanding its withdrawl. M. Karananidhi's remarks about the IPKF, it is said, were responsible to an extent of his having restrained relationship with the centre, which finally led to the dismissal of his Government.

Jayalalitha, the Chief Minister of Tamil Nadu, has recently been criticized and accused by the Centre that she was not implementing the Centre's decision to tackle the LTTE rather in a tough way. The Home Minister, S.B. Chavan went on to the extent of alleging that she was planning

^{29.} The Times of India, September 27, 1989

secret negotiations with the LTTE.³⁰ Jayalalitha refused the charges. Whatsoever is the truth, it remains, however, that the LTTE is still a popular force in Tamil Nadu and the Tamil interests are considered more important at times than the national interest.

RAJIV GANDHI'S ASSASSINATION

The Indians left Sri Lanka with a bitter taste. They were deserted not only by the Sri Lankan Government but the LTTE as well. Though the LTTE was suffering as a result of the Indian presence, they themselves were to be blamed for this. They also completely forgot the support India had provided when they badly needed it. Their existence, their demand everything had crystallized because of the Indian support. While India was still trying to recover from the sad experience it was meted with by the LTTE, the tragedy occured. Suicide attacks were used in May 1991 in the daring assassination of Rajiv Gandhi as he was compaigning for the general election to win back the control of the Government, at Siriperumbudur near Madras. The bomb used was a sophisticated device built from the kind of plastic explosives the Tigers had used in the past. It exploded when the woman carrying the bomb, stooped down to touch Gandhi's feet. Reports in India said that the woman was a

^{30.} Frontline, 18 June, 1993

member of the suicide cell of the LTTE, may have been raped by the Indian troops, and had two brothers who were killed by the IPKF in Sri Lanka.³¹

The Special Investigation Team probing the Rajiv Gandhi assassination case concluded that the dastardly killing was an act of revenge on the part of the LTTE against the operations of the IPKF. The LTTE also feared that Rajiv Gandhi would seek to destroy the LTTE once he resumed power.

The Government on May 14, 1992 banned the LTTE with immediate effect saying that its continued presence in India posed a threat to the country's sovereignty and integrity. This ban was supported even by those who had been sympathetic to the Sri Lankan Tamil's cause. M. Karunanidhi, the Chief Minister of Tamil Nadu said, "It appears to be well established that the people who killed Rajiv Gandhi had links with the LTTE... In an ironic volte face, the Indian Government, having rejected ten years ago, the Sri Lankan demand for the extradition of Prabhakaran, made a similar extradition demand to the Sri Lankan Government. The LTTE reaction to the ban came in the

^{31.} William McGowan, Only Man is Vile: The Tragedy of Sri Lanka, London 1993, p. 381

^{32.} The Hindustan Times, May 15, 1992

^{33.} The Sunday Observer, May 2-8, 1993

form of an angry statement accusing New Delhi of trying to crush the struggle of the Sri Lankan Tamils for independence. The Tigers denied any involvement in the assassination of Rajiv Gandhi.

THE PRESENT SITUATION

As soon as the ban was announced, the opposition in Colombo, sensing a way of embarassing the Government, demanded that Sri Lanka do the same. However, more than the pressure from opposition, it is the possibility of pressure from India that was casting a shadow on the Sri Lankan Government. Since the assassination of Rajiv Gandhi, India made it clear to Colombo that it would not like to see the LTTE gaining power in the north and east as a result of peace talks.

The ban coupled with the speed with which India started returning Tamil refugees to Sri Lanka, was welcomed by Sri Lanka as an indication that India was distancing itself from the ethnic conflict in Sri Lanka. Sri Lanka was convinced to an extent that New Delhi would not use the Tamils in general and the LTTE in particular to increase its leverage with Colombo. What, however, caused unease was that while India clearly indicated that it would not support the LTTE, it also brought pressure on Colombo not to talk to the LTTE.

The Indian diplomacy towards Sri Lanka was reaching a potentially sensitive stage as the extradition issue came up. The Colombo Government was in no position to capture and extradite Prabhakaran. However, not withstanding with the Indian demands, Premadasa, an ardent anti-Indian, went ahead with his own policies to try to bring to LTTE to negotiate and bring a peaceful settlement to the problem. He alleged that India was trying to wreck the efforts of a Parliamentary committee to work out a peace package for the north and the east. He said that the LTTE was not participating in the committee as a result of the Indian ban. The reality, however, was that the LTTE said that it was not going to put any proposal before the committee as long as the Government did not do so. Premadasa was trying to make India a convenient scapegoat it there was any breakdown in the peace process. The Indian Government took a strong note of it. But before things could materialize in amicable fashion, LTTE struck again. Ranasinghe Premadasa was assassinated on May 1, 1993 at Colombo when he was leading a May Day rally of the ruling UNP.

The assassination was felt grievly by India for it had experienced the similar tragedy. There was national mourning for three days in India. The whole process of the Indo-Sri Lankan relationship building exercise ceased to operate for a few days. However, the death of Premadasa

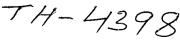
meant a change in the leadership. As against a man with known anti Indian feelings, there is a new leader. India is hoping for a better relationship with Sri Lanka. Sri Lanka also would now be in a better position to understand the real strength of the LTTE and the importance of the Indian role. However, other considerations of the interests these two countries have, are bound to play an important role in the future course of action.

CONCLUSION

The British had left Ceylon with sophisticated political elite, with secular traditions and seemingly strong democratic institutions. There was an extensive infrastructure. The Ceylonese seemed to be doing well with what was left behind, at least at first. Education level increased, and social welfare programmes were implemented. Western observers saw Ceylon becoming the Switzerland of the East. Initial period saw, despite some ethnic tensions, an end to all conflict through parlimentary debates. Elections took place at due time and the Government was a representative one, in the true sense of the term.

In less than two generations' time after Independence, the country became a battlefield as a result of its own internal divisions. The Ceylonese absorbed only the negative side of their experience with the British. As stantly Tambiah of Harward points out, "instead maintaining itself as a model of Third world prosperity and secular pluralism, the country became a paradigm of the troubled former colony."1. What was perceived as moving towards becoming another Switzerland, became another Lebanon. Sri Lanka became a land of intolerance, rivalry, brutal killing; increasingly insular and isolated.

^{1.} Quoted by William McGowan, Only Man is Vile: The Tragedy of Srilanka, London, 1993, p.7





completely betrayed its Buddhist spiritual traditions. As the myth goes, which is deeply cherished by the Sinhalese, the dying Lord Buddha had turned to one of his pupils, pointed across the waters of Bay of Bengal, and said "in Lanka, O Lord of Gods, shall my religion be established and flourish". The Sinhalese believe that the island is the respository of Buddha's teachings. But despite considerable Government patronage and displays of public devotion like the monumental Buddha statues scattered all over the country, Sri Lanka hardly became the island of dharma celebrating the ideals of ahimsa and compassion. Instead, it because a country of routined massacres, rampant human right abuses, a country where the hatreds of race, class, culture had made life almost an impossibility.

As far as the Indian role in Sri Lanka is concerned, it should be seen from the stand point fo two inter-related levels. One, the organization of the relations with respect to the Tamil liberation struggle; and two, the consolidation of a regional peace and cooperation in South Asia. This became more apparent from the time of the Tamil's launching of armed struggle in 1982. The landing of Indian troops in Sri Lanka in 1987 was the time when reached its zenith.

In the context of the Tamil Liberation struggle, India
wa trying to create an opinion among the Sri Lankan Tamils

that India was their supporter trying to solve their problem in a way as to unit their interests. It was in this context that immediately following the July 1983 anti-Tamil riots, high ranking government officials, including Prime Minister Indira Gandhi, Spoke about India's special position in the South Asian region. This sounded like a governmental proclamation of a doctreine of regional security.

It implied that a South Asian country in need of external help should ask for it from a neighbouring country including India. The exclusion of India from such a contingency would be treated as an anti-Indian move on the part of the government concerned.

The image of the Monroe Doctrine is clear here, only reconstructed this time in a qualitatively different historical setting. The Indian Doctrine, however, although referring to all South Asian neighbours of India focussed primarily on Sri Lanka. With the landing of the Indian troops in Sri Lanka, Imdia accomplished a vital task, not only it had warned the hegemonic forces of Sri Lanka but also the Sri Lankan Tamils not to challange India's regional status. Both of them were, in fact, told that India could go either way if it was threatened or challanged in anyway. In this sense, the Indian ruling class had qualitatively transformed the nature of

inter-state relationship in the region, with itself having the power to determine what the relationship ought to be.

As far as the role of the Indian Tamils as a source of influence on governments policy is concerned, nothing very definite can be said about it. Tamils in India obviously do not have an organised political group which acts as a pressure group on the government. This however does not undermine the role that they have played in influencing the governmental policies. They as voters have always put pressure on the government to take into consideration their demands and expectations. Their status as a pressure group within the Indian society was always given due importance by all the governments at the state as well the centre level. What is more important to understand here that they influenced the government not only through their actions and demands, but the government also got influenced by the attitude it anticipated on part of the Tamilians. This anticipated attitude sometimes worked more prominantly than the real pressures the Tamils applied. The Government at times was running ahead the Tamil aspirations creating new avenues of demands.

The most important such aspect was the Government's fear that if it stopped supporting the Tamil cause, the secessionist activity in Tamil Nadu, which had beecome dormant, would again rise. This fear forced the Government

to concede to many demands of the Tamil propulace in India. Further, the Government was even willing to satisfy the Tamilian psyche of its own even when there was no such apparent demand.

How important has been the Tamil factor is deduced from the fact that the Government at Madras risked the favour it enjoyed of New Delhi. Here the case of M. Karunanidhi, the ex-Chief Minister of Tamil Nadu can be sited. He was aware of the fact that his criticism of the IPKF would be taken strong note of by the centre. Yet he went ahead. Primarily to secure support for his continued rule in Tamil Nadu which depended on the voters, who were supporting the Tamil cause.

The Tamil lobby has always been pressursing the governments both at Madras and New Delhi, to induce then to support the ideas what they conceived as right. This has worked many times. But there have been exceptations. For example, Rajiv Gandhi, after winning the 1985 General Election with a thumping majority, could ignore this factor. The result was a state wide crackdown on Tamil militants in Tamil Nadu. Also, he went ahead with his plans even when Tamil nadu was not in favour of them.

The major failure on part of the Tamil lobby has been its incapacity to force the Government to go for direct

military intervention in Sri Lanka-against its forces-an operation of Bangladesh kind. India, throughout its intercourse with Sri Lanka, even under the coordinate of the Tamil influence, asserted a solution of autonomy for Tamils within Sri Lanka and never accepted the demand for separation. New Delhi used the Tamil lobby for its own political gains, which the Tamil lobby either did not understand or was unable to do anything. This was a result of the reliance of Tamil lobby on New Delhi, for a discourse between India and Sri Lanka was possible only on the centre level.

There seems to be some fever in the blood of South Asians, that no social scientist can fully diagonis nor any statesman cure. This appear to be more than true as far as Sri Lanka is concerned. This may explain why an imaginative writer rather than a proper academic, seems to have a better of the dark situation unleashed grasp nationalistic, linguistic and ethnic forces - its impact on the Indo-Sri Lankan relations and the various coordinates influencing it. As Ryszard Kapuscinski observes in a comment on William MaGowan's 'Only Man is Vile', It is "a deep and narrowing potrait of the Asian drama...the world which we may live in if the common sense, rationality, and high human values do not prevail."

APPENDIX - I

THE OFFICIAL LANGUAGE ACT. NO. 33 OF 1956

An act to prescribe the Sibhala Languages as the One Official Language of Ceylon and to enable certain transitory provision to be made.

(Date of Assent: July 7, 1956).

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

Short Title

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

Sinhala language to be the one official language

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

Provided that where the Minister considers it impracticable to commence the use of only the Sinhala language for any official purpose immediately on the coming into force of this Act, the language or languages hitherto used for that purpose may be continued to be so used until the necessay change is effected as early as possible before the expirty of the thirtyfirst of December, 1960, and, if such change cannot be effected by administrative order, regulations may be made under the Act to effect such change.

Regulations

- 3. (1) The Minister may make regulations in respect of all matters for which regulations are authorized by this Act to be made and generally for the purpose of giving effect to the principles and provisions of this Act.
- (2) No regulation made under sub-section (1) shall have effect until it is approved by the Senate and the House of Reprsentatives and notification of such approval is published in the Gazette.

APPENDIX - II

BANDARANAIKE-CHELVANAYAKAM PACT-1957

PART-A

"Representatives of the Federal Party have had a series of discussions with the Prime Minister in an effort to resolve the differences of opinion that had been growing and creating tension.

"At an early stage of these conversations it became evident that it was not possible for the Prime Minister to accede to some of the demands of the Federal Party.

"The Prime Minister stated that, from the point of view of the Government, he was not in a position of discuss the setting up of a Federal Consititution, or regional autonomy or take any step that would abrogate the Official Language Act.

"The question then arose whether it was possbile to explore the possibley of an adjustment without the Federal Party abandoning or surrendering any of its fundamental principles or objectives.

"At this stage the Prime Minister suggested an examination of the Government's Draft Regional councils Bill to see whether provision could be made under it to meet, reasonably, some of the matters in this regard which the Federal Party had in view.

"The agreements so reached are embodied in a separate document.

"Regarding the language issue, the Federal Party reiterated its stand for parity, but in view of the position of the Prime Minister in this matter they came to an agreement by way of adjustment. They pointed out that it was important for them that there should be a recognition of Tamil as a national language, and that the administrative work of the Northern and Eastern Provinces should be done in Tamil.

"The Prime Minister stated that as mentioned by him earlier it was not possible for him to take any steps that would abrogate the Official Language ACt.

"After discussion, it was agreed that the proposed legislation should contain recognition of Tamil as the language of a national minority of Ceylon, and that the four points mentioned by the Prime Minister should include

provision that, without infringing on the position of the Official language as such, the language of administration of the Northern and Eastern Provinces be Tamil, and that any necessary provision be made for the non-tamil speaking minorities in the Northern and Eastern Provinces.

"Regarding the question of Ceylon citizenship for people of Indian descent and the revision of the Citizenship Act, the representatives of the Federal Party put forward their views to the Prime Minster and pressed for an early settlement.

"The Prime Minister indicated that the problem would receive early consideration.

"In view of these conclusion the Federal Party stated that they were withdrawing their proposed satyagraha".

PART-B

- 1. Regional areas to be defined in the Bill itself by embodying them in a schedule thereto.
- 2. THAT the Northern Province is to form one regional area whilst the Eastern Province is to be divided into two or more regional areas.
- 3. Provision is to be made in the Bill to enable two or more regions to amalgamate even beyond provincial limit; and for one region to divide itself subject to ratification by Parliment. Further provision is to be made in the bill for two or more regions to collaborate for specific purposes of common interests.
- 4. Provision is to be made for direct election of regional councillors. Provision is to be made for a delimitation commission or commissions for carving out electroates. The question of M.P.s representing districts falling within regional areas to be eligible to function as chairmen is to be considered. The question of Government Agents being regional commissioners is to be considered. The question of supervisory functions over larger towns, strategic towns and municipalities is to be looked into.
- 5. Parliment is to delegate powers and to specify them in the Act. It was agreed that regional councils should have powers over specified subjects including agriculture, co-operatives, lands and land development, colonisation, education, health, industries, and fisheries, housing and social services, electricity, water schems and roads. Requisite definition of powers will be made in the Bill.

- 6. It was agreed that in the matter of colonisation schemes the powers of the regional councist shall include the power to select allottees to whom lands within their area of authority shall be alienated and also power to select personnel to be employed for work on such shcemes. The position regarding the area at present administered by the Gal Oya Board in this matter requires consideration.
- 7. The Powers in regard to the regional council vested in the Minister of Local Government in the draft bill to be revised with a view to vesting control in Parliament wherever necessary.
- 8. The Central Government will provide block grants to the regional councils. The principles on which the grants will be computed will be gone into. The regional councils shall have powers of taxation and borrowing.

APPENDIX - III

DUDLEY SENANAYAKE-CHELVANAYAKAM PACT, 1965

Mr. Dudley Senanayake and Mr. S.J.V. Chelvanayakam met on the 24.3.1965 and discussed matters relating to some problems over which the Tamil-speaking people were concerned, and Mr. Senanayake agreed that action on the following lines would be taken by him to ensure a stable Government:

- (1) Action will be taken early under the Tamil Language Special Provisions Act to make provision of the Tamil language of administration and of record in the Northern and Eastern Provinces.
- Mr. Senanayake also explained that it was the policy of his Party that Tamil-speaking person should be entitledd to transact business in Tamil throughout the Island.
- (2) Mr. Senanayake stated that it was the policy of his Party to amend the Language of the Courts Act to provide for legal proceedings in the Northern and Eastern Provinces to be conducted and recorded in Tamil.
- (3) Action will be taken to eastblish District Councils in Ceylon vested with powers over subjects to be mutually agreed upon between the two leaders. It was agreed, however, that the Government should have power under the law to give directions to such Councils in the national interest.
- (4) The Land Development Ordinance will be amended to provide that citizens of Ceylon be entitled to the allotment of land under the Ordinance. Mr. Senanayake further agreed that in the granting of land under colonisation schemes the following priorities be observed in the Northern and Eastern Provinces.
- (a) Land in the Northern and Eastern Provinces should in the first instance be granted to landless persons in the District;
- (b) Secondly-to Tamil-speaking persons resident in the Northern and Eastern Provinces; and
- (c) Thirdly-to other citizens in Ceylon, preference being given to Tamil citizens in the rest of the Island.

Sgd./Dudley Senanayake 24-3-1965 Sgd./S.J.V. Chelvanayakam 24-3--1965

APPENDIX - IV

TAMIL LANGUAGE (SPECIAL PROVISIONS) REGULATIONS, 1966

- 1. These regulations may be cited as the Tamil Languages (Special Provisions) Regulations, 1966.
- 2. Without prejudice to the operation of the Official Language ACt No. 33 of 1956, which declared the Sinhala language to be the one official language of Ceylon, the Tamil Language shall also be used -
- (a) In the Northern and Eastern Provinces for the transaction of all Government and public business and the maintenance of public records whether such business is conducted in or by a department or institution of the Government, a public corporation or a statutory institution; and
- (b) for all correspondence between persons other than officals in their official capacity, educated through the medium of the Tamil language and any offical in his offical capacity, or between any local authority in the Northern and Eastern Provinces which conducts its business in the Tamil language and any offical in his offical capacity.
- 3. For the purpose of giving full force and effect to the principles and provision of the Tamil Language (Special Provisions) Act, No. 28 of 1958, and these regulations all Ordinances and Acts, and all Orders, Proclamation[s], rules, by-laws, regulations and nontifications made or issued under any written law, the Government Gazette and all other official publications, circulars and forms issued or used by the Government, public corporations or statutory institutions, shall be translated and published in the Tamil language also.

APPENDIX - V

THE TEXT OF THE ACCORD

Following is the Agreement singned this afternoon between his Excellency the President of Sri Lanka and his Ecxcellency the Prime Minister of India.

INDO-SRI LANKA AGREEMENT

To establish peace and normalcy in Sri Lanka

The President of the Democratic Socialist Republic of Sri Lanka, His Excellency Mr. J.R. Jayewardene, and the Prime MInister of the Republic of India, His Excellency Mr. Rajiv Gandhi, having met at Colombo on 29 July 1987.

Attaching utmost importance to nurturing, intensifying and strengthening the traditional friendship of Sri Lanka and India, and acknowledging the imperative need of resolving the ethnic problems of Sri Lanka, and the consequent violence, and for the safety, well-being and prosperity of people belonging to all communities in Sri Lanka.

Have this day entered into the following agreement to fulfil this objective in this context.

- 1.1 Desiring to preserve the unity, sovereignty and territorial integrity of Sri Lanka:
- 1.2 Acknowledging that Sri Lanka is a multi-ethnic and a multi- lingual plural society consisting, inter alia, of Sinhalease, Tamils, Muslim (Moors) land Burghers:
- 1.3 Recognising that each ethnic group has a distinct cultural and linguistic identity which has to be carefully nurtured:
- 1.4 Aslo recognising that the Northern and the Eastern provinces have been areas of historical habitation of Sri Lankan Tamil speaking peoples, who have at all times hitherto lived together in this territory with other ethnic groups:
- 1.5 Conscious of the necessity of strengthening the forces contributing to the unity, Sovereignty and territorial integrity of Sri Lanka, preserving its character as a multi-ethnic, multi-lingual and multi-religious plural society in which all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations:

2. Resolve that:

- 2.1 Since the Government of Sri Lanka proposes to permit adjoining provinces to join to form one administrative unit and also by a referendum to separate as may be permitted to the Northern and Eastern Provinces as outlined below:
- 2.2 During the period, which shall be considered an interim period (i.e. from the date of the elections to the provincial Council, as specifieed in para. 2.8 to the date of the Referendum as specified in para.2.3), the Northern and Eastern Privinces as now constituted will form one administrative unit, having one elected provincial Council. Such a unit will have one Governor, one Chief Minister and one Board of Ministers.
- 2.3 There will be a Referendum on or before 31 December 1988 to enable the people of Eastern Province to decide whether:
 - (A) The Eastern Province should remain linked with the Northern Province as one administative unit, and continue to be governed together with the Northern Province as specified in para.2.2 or
 - (B) The Eastern Province should constitute a separate administrative unit having its own distinct Provincial Council with a separate Governor, Chief Minister and Board of Ministers.

The President may, at his discretion, decide to postpone such a Referendum.

- 2.4 All persons who have been displaced due to ethnic violence, or other reasons, will have the right to vote in such a Referendum. Necessary conditions to enable them to return to areas from where they were displaced will be created.
- 2.5 The Referendum, when held, will be monitored by a Committee headed by the Chief Justice, a member appointed by the President, nominated by the Government of Sri Lanka, and a member appointed by the President, nominated by the representatives of the Tamil speaking people of the Eastern Province.
- 2.6 A simple majority will be sufficient to determine the result of the Referendum.
- 2.7 Meetings and other forms of propaganda, permissible within the laws of the country, will be allowed

before the Referendum.

- 2.8 Elections to Provincial Councils will be held within the next three months, in any event before 31 December, 1987. Indian observers will be invited for elections to the Provincial Council of the North and the East.
- 2.9 The emergency will be lifted in the Eastern and Northern Provinces by 15 August 1987. A cessation of hostilities will come into effect all over the island within 48 hours of the singning of this agreement. All arms presently held by militant groups will be surrendered in accordance with an agreed procedure to authorities to be designated by the Government of Sri Lanka.

Consequent to the cessation of hostilities and the surrender of arms by militant groups, the army and other security personnel will be confined to barrackes in camps on 25 May, 1987. The process of surrendering of arms and the confining of security personnel moving back to barracks shall be completed within 72 hours of the cessation of hostilities coming into effect.

- 2.10 The Government of Sri Lanka will utilise for the purpose of law enforcement and maintenance of security in the Northern and Eastern Provinces same organisation and mechanism of government as are used in the rest of the country.
- 2.11 The President of Sri Lanka will grant a general amnesty to political and other prisoners now held in custody under the Prevention of Terrorism Act and other emergency laws, and to combatants, as well as to those persons, accused, charged and/or convicted under these laws. The Government of Sri Lanka will make special efforts to rehabilitate militant youth with a view to brining them back into the mainstream of national life. India will co-operate in the process.
- 2.12 The Government of Sri Lanka will accept and abide by the above provision and expect all others to do likewise.
- 2.13 If the framework for the resolutions is accepted, the Government of Sri Lanka will implement the relevant proposals forthwith.
- 2.14 The Government of India will underwrite and guarantee

the resolutions, and co-operate in the implementation of these proposals.

- 2.15 These proposals are conditional to an acceptance of the proposals negotiated from 4 May, 1986 to 19 December, 1986. Redidual matters not finalised during the above negotiations shall be resolved between India and Sri Lanka within a period of six weekd of signing this agreement. These proposals are also conditional to the Government of India co-operating directly with Government of Sri Lanka in their implementation.
- 2.16 These proposals are also conditional to the Government of India taking the following actions if militant groups operating in Sri Lanka do not accept this frame work of proposals for a settlement, namely.
 - (A) India will take all necessary steps to ensure that Indian territory is not used for activities prejudicial to the unity, integrity and security of Sri Lanka.
 - (B) The Indian navy/coast guard will co-operate with the Sri Lanka navy in preventing Tamil militant activities from affecting Sri Lanka.
 - (C) In the event that the Government of Sri Lanka requests the Government of India to afford military assistance to implement these proposals the Government of India will co-operate by giving to the Government of Sri Lanka such military assistance as and when requested.
 - (D) The Government of India will expedite repatriation from Sri Lanka of Indian citizens to India who are resident there, concurrently with the repatriation of Sri Lanka refugees from Tamil Nadu.
 - (E) The Governments of Sri Lanka and India will co-operate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern provinces.
- 2.17 The Government of Sri Lanka shall ensure free, full and fair participation of voters from all communities in the Northrn and Eastern Provinces in electroal processes envisaged in this agreement. The Government of India will extend full co-operation to the Government of Sri Lanka in this regard.

- 2.18 The official language of Sri Lanka shall be Sinhala. Tamil and English will also be official languages.
- This Agreement and the Annexure thereto shall come 3. into force upon signature.

In witness whereof we have set our hands and seals hereunto.

Done in Colombo, Sri Lanka, on this the twenty-ninth day of July of the year one thousand nine hundred and eighty-seven, in duplicate, both texts being equally authentic.

JUNIUS RICHARD JAYEWARDENE President of the Democratic Socialist Republic of Sri Lanka Republic of India

RAJIV GANDHI Prime Minister of the

Annexure to the Agreement

- 1. His Excellency the President of Sri Lanka and the Prime Minister of India agree that Referendum mentioned in paragraph 2 and its sub-paragraphs of the Agreement will be observed by a representative of the election commission of India to be invited by his Excellency the President of Sri Lanka.
- 2. Similarly, both heads of Government agree that the elections to the Provincial Council mentioned in paragraph 2.8 of the Agreement will be observed by a representative of the Government of India to be invited by the President of Sri Lanka.
- 3. His Excellency the President of Sri Lanka agrees that the home guards would be disbanded and all para-military personnel will be withdrawn from the Eastern and Northern provinces with a view to creating conditions conducive to fair elections to the Council.

The President, in his descretion, shall absorb such para-military forces, which came into being due to ethnic violence, into the regular security forces of Sri Lanka.

- 4. The President of Sri Lanka and the Prime Minister of India agree that the Tamil militants shall surrender their arms to authorities agreed upon to be designated by the President of Sri Lanka. The surrender shall take place in the presence of one senior representative each of the Sri Lanka red cross and the Indian red cross.
- The President of Sri Lanka and the Prime Minister of 5. India agree that a joint Indo-Sri Lankan observer group

consisting of qualified representatives of the Government of Sri Lanka and the Government of India would monitor the cessation of hostilities from 31 July 1987.

6. The President of Sri Lanka and the Prime Minister of India also agree that in terms of paragraph 2.14 and paragraph 2.16(C) of the Agreement, an Indian peace keeping contingent may be invited by the President of Sri Lanka to guarantee and enforce the cessation of hostilities, if so required.

EXCHANGE OF LEETTERS Prsident of Sri Lanka

29 July 1987

Excellency,

Please refer to your letter dated 29 July 1987, which read as follows:

Excellency,

- 1. Conscious of the friendship between our two countries stretching over two millenia and more, and recognising the importance of nurturing this traditional friendship, it is imperative that both Sri Lanka and India reaffirm the decision not to allow our respective territories to be used for activities prejudical to each other's unity, territorial integrity and security.
- 2. In this spirit, your had during the course of our discussions, agreed to meet some of India's concerns as follows:
 - I. Your Excellency and myself will reach an early understanding about the relevance and employment of foreign military and intelligence personnel with a view to ensuring that such presences will not prejudice Indo-Sri Lankan relations.
 - II. Trincomalee or any other ports in Sri Lanka will not be made available for military use by any country in manner prejudicial to India's interests.
 - III. The work of restoring and operating the Trincomalee oil tank farm will be undertaken as a joint venture between India and Sri Lanka.
 - IV. Sri Lanka's agreements with foreign broadcasting organisations will be reviewed to ensure that any

facilities set up by them in Sri Lanka are used solely as public broadcasting facilities and not for any military or intelligence purpose.

- 3. In the Same Spirit, India will:
 - I. Deport all Sri Lankan citizens who are found to be engaging in terrorist activities or advocating separatism or secessionism.
 - II. Provide training facilities and military supplies for Sri Lankan security forces.
- 4. India and Sri Lanka have agreed to set up a joint consultation mechanism to continuously review matters of common concern in the light of the objectives stated in para. 1 and specifically to monitor the implementation of other matters contained in the letter.
- 5. Kindly confirm, Excellency, that the above correctly sets out the Agreement reached between us

Please accept, Excellency, the assurances of my hight consideration

Yours Sincerely, (Signed) Rajiv Gandhi

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