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that they would comply with the suggestions of the Court and the Amendment was passed. As a result the T.U.L.F. party has, in fact, been proscribed.

Many people have expressed concern at this disenfranchisement of the Tamil party. Mr. A. Bandaranaike (member of the S.L.F.P.) had this to say in Parliament on August 4th,

"Take the Tamil United Liberation Front for example. I hope they swear in on the 9th with the rest of us. But if they decide not to for some reason or the other, then the entirety of the North, 10 per cent of our population, will be unrepresented in this House for the first time since adult franchise since 1934; for the first time the Northern Tamil community of this country will be unrepresented in the legislature. I am not arguing the merits of their keeping out. I am not saying it is good or bad, but if for some reason of their own if they decide to keep out, you remove from the body politic the most important minority of this country, you remove them from the body politic. And what do you do with them thereafter or what will they do themselves? They will become prisoners in the hands of the terrorists and extremists in the North. Well, I concede the fact that terrorism and the 'tigers' were nurtured by the T.U.L.F. There is no doubt about that. But there are moderates in that party...But, Sir, if you remove this volatile minority from this House and you put them into the hands of the terrorists the extremists, let us consider - I am not making any political declarations here in the House - the consequences of that Act..."

He was followed by Mr A. Moonesinghe (S.L.F.P.) who said,

"The situation is not as simple as the government portrays it to be. You may be able to tell the T.U.L.F. to give up their demand for a separate state of Eelam and to come and sit here but they will find it very difficult to do that unless you are able, at the same time, to show them a way out of this situation. I feel that as far as this Amendment is concerned, you are not leaving room for the T.U.L.F. to manoeuvre. You are going to deprive them of the right to own property, of the right to have resort to trade or to practise their profession. What are you really trying to do? We

must leave them room to manoeuvre, to develop into a democratic opposition, a democratic system and for a democratic party to emerge in the North.

You can bring in all the laws and you have all the powers to do that but you do not have the power to win over the Tamil community. You must leave an avenue open for the democratic element in the North to come up. They have to give up their cry for Eelam -(Interruption). I do not think the Hon. Minister understood the point I was trying to make. The T.U.L.F. themselves became victims of the political realities of the North."

Theories explaining the behaviour of the security forces

An observation made by many people, both Tamil and Sinhalese, about the security forces was that many of the soldiers are very young, that the army is small (the estimate General Artigallah gave was nine thousand men in the regular force, with another two thousand five hundred in the Navy and Airforce) and that the forces are somewhat inexperienced, never having fought in a war. As a result it was said that their members treat any deaths as a source of resentment and cause for revenge. I was told that their only experience of combat was their action in bringing under control the violence and insurgency which had erupted in 1971.

In an interview with General Artigallah, Secretary of the Ministry of Defence, and Mr. Weerapittia, a former Deputy Inspector General of Police and now the Deputy Minister of Defence, I asked what the instructions to the security forces had been during the week of violence and was told that the instructions to both the armed forces and the police had been

very clear - that they were to maintain law and order and to use maximum force where this was necessary.

Since these instructions appear not to have been obeyed, particularly early in the week, I asked if disciplinary measures were being taken against those members of the security forces who had failed to carry out their orders. I was told that they were not, but that, however, inquiries were being held to find out the reasons and that inquiries into incidents of injury or theft are always held.

General Artigallah said that disciplinary proceedings had been taken after the violence which had occurred in Jaffna, in May 1983, in which members of the armed forces had gone on a rampage, and that, following the proceedings, seventy-four soldiers had been dismissed. Also over a hundred members of the navy who had shortly afterwards caused destruction in Trincomalee were said to have been disciplined. From questions asked in subsequent interviews it became clear that the general public is not always aware that disciplinary measures such as these have been taken.

Both General Artigallah and Mr. Weerapittia stressed that the background had to be borne in mind: that thirteen soldiers had just been ambushed and killed, and that there had been very many brutal murders both of the members of the armed forces and of democratic politicians in the north by Tamil terrorists, that the soldiers received no co-operation from the people in the north when they were endeavouring to find the leaders, that they were unable to get evidence or any assistance, and that they were being killed in cold blood. It was further stated that this was

not the time to proceed with inquiries because the government has to use to the same troops, but that the troops have been told that if they had failed to take action this was not right and that they should not repeat this behaviour.

The public servants whom I asked whether the security forces would be disciplined for their complicity in the violence said that there had been complicity, but the government was unable to take steps to discipline the army or the police at the moment as the security forces were needed to maintain law and order, and that in any case it was very difficult to allocate responsibility for what had happened.

An Editorial in The Times of India, of August 10th, carried the following report:

".....Asked by a BBC correspondent why government troops drawn from the Sinhalese population had not fired on rioters attacking Tamils and destroying their homes and business [President Jayewardene] has said: "I think there was a big anti-Tamil feeling among the forces. They also felt that shooting the Sinhalese, who were rioting, would have been anti-Sinhalese, and actually in some places we saw them encouraging (rioters)".

Many people, lawyers, members of citizens' and religious groups, aid organisations, foreign diplomats, university staff, said they felt that the government had lost control of the security forces during the first few days. In consequence there is a great feeling of insecurity amongst the Tamil population in particular, and a feeling that the government will not be able in the future to guarantee their safety any more than it was able to do so in July 1983.

One of the matters which would seem to be contributing to the problem here is the fact that so few Tamils are employed in either the police force or the armed forces. We were unable to obtain official figures, and the estimates given varied, but were between 80% and 95% Sinhalese in the police force, and up to 99% Sinhalese personnel in the army, 95-99% in the Navy, and approximately 80% Sinhalese in the Air Force.

In view of the high percentage of Sinhalese in the security forces I asked General Artigallah and Mr. Weerapittia if the hiring policy was a discriminatory one. They said not, that all advertisements for jobs were public advertisements, and that the positions were open to Tamils, but that very few Tamils applied.

It was further stressed that a disproportionate number of top positions in the police force were held by Tamils. We were told by General Artigallah and Mr. Weerapittia that, of ten top positions, five were held by Tamils. We were also told that 70% of the police force in Jaffna was composed of Tamil policemen. Other estimates given to us were that 40% - 50% of the police force in Jaffna were composed of Tamil policemen but that there were exceedingly few Tamil policemen elsewhere. The relations between the police and the civilian population in Jaffna were reported to have improved greatly since the number of Tamil personnel there had been increased. As already noted the army in the northern province still has a very hostile relationship with the rest of the community.

In contrast to this viewpoint, all of the Tamils to whom I spoke about recruitment for the armed forces were of the opinion that the hiring policy was discriminatory, and that it was very

were hidden and protected by the civilian population, thus adding to the frustrations of the soldiers in the north.

Further allegations are that the citizens of Jaffna refuse to co-operate with the soldiers in any way, so that they are not able even to buy produce, growers refusing to sell it to them. Consequently if they need food they have to take it forcibly.

On the other hand we were told by several Tamil lawyers, students and citizens in Jaffna that there was no truth in this last assertion, that the soldiers just took anything they wanted, goats, chickens, etc. and that the civilians did not dare to complain to the police for if they did there would be reprisals. In addition we were told that in order to avoid deprivations of produce by the soldiers small farmers would, for example, harvest their onion crops in the middle of the night. However, this activity also had its dangers, as people out at night were often shot at by military personnel. We were unable to substantiate either of these sets of assertions.

According to many of the people interviewed in Jaffna the armed forces continually harass the civilian population in and around the city. Examples were given of soldiers travelling along in army vehicles and striking with heavy bars, or throwing sharp stones at, cyclists and pedestrians on the roadside. We spoke to people who had witnessed many such incidents. One agricultural worker was reported to have lost an eye as a result of a sharp stone being hurled at him from a passing army jeep. We were also told that soldiers frequently performed such acts as stopping a youngster on a bicycle, beating him up and then running an army truck over the bicycle.

Rapes by soldiers of local girls and women were said to be not uncommon. Reasons given were the hostility between the military and civilian populations, the lack of social life for the soldiers, and their feelings of estrangement from the local people so that their conduct was not tempered by any feelings of restraint. Since most of the soldiers are Sinhalese and speak only this language, and the population in the north is predominantly Tamil, and speaks Tamil, communication between the two groups is difficult in any event. The armed forces in Jaffna were described as having the attitude of an army in occupation. Families of girls raped are reluctant to report these incidents or to give evidence - partly because the Tamil society in the northern province is a protective one and parents are inhibited by a reluctance to let others know that their daughters have been raped, but also because there is fear of the reprisals which are said to frequently follow any complaint.

As the relationship between the armed forces and the civilian population in Jaffna is so distrustful and uneasy, it seemed unlikely that there would be co-operation with the soldiers in their attempts to deal with the terrorists. Further, informers have been killed by the guerillas. The people in the north are in fear, both of the armed forces, and of the terrorists.

In any altercation between civilians and soldiers the soldiers are armed and so have the advantage. Under the emergency regulations possession of a firearm by a civilian is an offence punishable by death (Regulation 36). By the time we were in Sri Lanka, in late August, the army had been withdrawn

from the barracks near the centre of the town of Jaffna to other barracks further away, and the tension in the town had eased considerably as a consequence.

Theories as to the reasons for the violence

The feeling commonly expressed was that the tensions had been built up and the organisers of the violence had capitalised on these feelings for their own ends. There was a consensus of opinion that there was organisation behind what happened, but many differing theories as to where the responsibility for this organisation lay.

There were many accounts of people being transported by lorries (sometimes it was said that state vehicles and army lorries had been used) to different areas, and that the mobs so transported then initiated violence in those areas, inciting others to follow their example. It was alleged by very many people, some eye-witnesses and some repeating information which they believed to be firmly authenticated, that persons known to be active supporters of the U.N.P. (the United National Party which won the 1977 elections and has been in power ever since) were on many occasions leaders in the gangs perpetrating violence.

Throughout, the destruction of Tamil property was the apparent primary aim. The fact that very little looting took place in the very early stages tended to confirm the conviction about the level of organisation involved. It was observed that many of the people in the gangs were extremely poor so that the

temptation for them to loot must have been very great, yet, on the whole, this temptation was resisted in the beginning. Also, it was stressed that the order which was apparent in the big gangs indicated that there was considerable organisation behind their activities.

Because the initial perpetrators of the violence were not involved in theft, and because eye-witnesses in many cases are too terrified to make reports, or have been injured or killed, or have fled to other parts, the apprehension and conviction of the instigators is necessarily rendered more difficult.

A coincidence which caused comment was the fact that the violence broke out precisely six years after the government came to power. Under the 1978 Constitution Parliament and the President hold office for a six year period. Before this period had expired the President had been re-elected, and a referendum, instead of the usual general election, had been held. At the referendum the electorate had approved an extension of the normal six year term of Parliament to a twelve year term. (This is covered in more detail in Section III). Many people in Sri Lanka had objected strongly to the holding of this referendum in the place of a general election, protesting that democracy, so highly valued in this country, was being eroded thereby.

The theories put forward by government spokesmen as to the identity of those behind the July outbreak of violence attributed responsibility to the three leftist parties, and to a "foreign hand". In interviews with government officials we were told that members of the three leftist parties, the J.V.P., (Janata Vimukthi Peramuna), the N.S.S.P. (Nava Sama Samaja Party) and the

Communist Party had made many statements to the effect that they would not allow the government to carry on for a second term. The President in an address to the nation which he made on August 22nd had this to say on the matter,

"You are aware that this Government came into office on July 23, 1977. The elections were on July 21st. The results were on July 22nd, and myself and the members of my Cabinet took their oaths on July 23, 1977. We had the Presidential election last year and the people decided at a Referendum that General Elections which were due in August 1983, will not be held but be postponed for six years. Since the results of the Referendum there have been various speeches and actions by members of certain political parties that they would not let this Government function after August 1983.

I draw your attention particularly to a statement made by Mr. Vasudeva Nanayakkara who was a candidate for one of the by-elections in May 1983 to the Eheliyagoda seat. He had said quite specifically there that if he is elected he would use his powers as a Member of Parliament for extra-Parliamentary activity, joining hands with the terrorists in the North for this purpose for achieving their objects. He has further stated that he does not stand for democratic elections, but is prepared to join in what he calls "ARAGALAYA", that is riot or a disturbance or a violent movement for the purpose of seeing that elections are held in August 1983, and this Government does not function after that. It is obvious, therefore, on the statements of the Nava Samasamaja Party leader, Mr. Vasudeva Nanayakkara, that from August 1983, they were preparing for some form of violence or disturbances.

We have evidence that, soon after the referendum or during the referendum, a certain group that were called the Naxalite group, were preparing, by inflaming the people's minds, making them violent-minded against the Government, against the President, that they would take some action, in case they returned to office, to destroy the United National Party and others who thought democratically, including those in the Sri Lanka Freedom Party, who were democratically-minded. We have also the conduct of the JVP which is a party which took to arms in 1971, fought the Government of the day, tried to destroy it, took over the Police Stations and almost succeeded in bringing

down a lawfully elected Government. I remember I was the Leader of the Opposition at that time in Parliament. I gave the full support of myself and my Party to Mrs. Bandaranaike to defeat any insurrection which sought to overthrow a legally elected Government.

The JVP also made statements and made it clear after they lost the Referendum, they did not even contest some of the by-elections. They made it clear that they are giving up their parliamentary tactics and that they should take to non-parliamentary tactics in order to defeat a Government, which by a referendum extended its period by more than six years. We have therefore reviewed certain political parties in this country - the Communist Party, the Party of Vasudeva Nanayakkara called the Nava Sarrasamaja Party, the Party of Rohana Wijeweera, the JVP - as dedicated not to the democratic way of life, but to a violent way of forming a Government and maintaining it by violence. We have, on the other hand, the United National Party, the Sri Lanka Freedom Party, which are democratic parties."

The President made similar statements in the interview which he granted to this delegation on August 30th.

On the 30th July these three parties, the J.V.P., N.S.S.P. and the Sri Lanka Communist Party, were proscribed under the emergency regulations for having committed or being likely to commit, acts "prejudicial to public safety, the maintenance of public order or the maintenance of essential services". Amongst these parties, only the Communist Party had a seat in Parliament. That party held just one seat.

Following the announcement of the proscription of the parties on July 30, arrests were made under the emergency regulations of a number of their leaders and members. At first these people were reported as being held incommunicado without being given access to either lawyers, or to their relatives. Later reports indicate that some at least of them have been allowed visits by relatives, but that they have still not been

given access to lawyers. On 3rd August, it was reported in the international media that the government had arrested eighteen people connected with these three parties, accusing them of involvement in the rioting, and that another thirteen were being sought and, if found, would face indefinite detention without trial under the emergency regulations.

Also at this time, government statements indicated that the violence had arisen from a foreign inspired plot to overthrow, or at least to seriously undermine, the government's authority. Hinted at was the involvement of a foreign power which was said to be using the Soviet affiliated Communist Party to destroy Sri Lanka's economic developments. (See speeches of government members in Appendix VIII.)

By the time of our departure from Sri Lanka (September 1st) no evidence had been made public to substantiate these allegations of the involvement of either the leftist parties or a foreign power in the July violence.

Many non-governmental people who were interviewed, including several lawyers both Sinhalese and Tamil, were of the opinion that, far from being anti-Tamil, the N.S.S.P. has been very positive in its attitude towards the Tamils. The leader was said to be pro-Tamil and very many people said that they considered it most unlikely that the N.S.S.P. would have done anything which would have caused detriment to the Tamils. Further we were told that both this party and the J.V.P. have, as part of their manifestos, the proposition that the Tamils should have the right of self-determination.

The Communist Party was said to have no stated position on

the issue. Mr. Savath Muttetuwegama, a member of this party, in a speech made in Parliament on August 4th, described the Communist party approach as follows, "While we concede to the Tamils the right to determine their future, we ourselves do not advocate a separate state in this small country. It is not feasible." (Hansard, August 4th pp.1338, 1339).

Mr Amirthalingam, the leader of the T.U.L.F. (the Tamil party and the major opposition party), in his letter to the President of August 10 (attached in Appendix X) expressed the following opinion on the identity of the instigators of the violence:

"The Tamil people do not believe that the left parties had any hand in the attack on the Tamil people...This is, in their view, only an attempt to draw a "red" herring across the trail. The attack on the Tamil people is pure ethnic violence planned well ahead and executed with ruthlessness by forces close to the Government - the same forces that attacked the strikers in July, 1980; attacked Professor Saratchandra and others at the meeting at the Buddhist congress hall and demonstrated before the houses of the judges. These forces include the armed forces for whom Mr Cyril Mathew always holds a brief in Parliament."

(Mr. Cyril Mathew is the Minister of Industries and Scientific Affairs.)

Asked what, in their opinion, was the main cause behind the outbreak of communal riots in July, many people, university staff and students, social workers, members of civil rights movements, lawyers, members of citizens' groups and womens' groups, expressed the view that violence had been used as a means of dealing with problems for several years, and markedly so since the present government came to power. Instances of outbreaks of violence since July 1977 have been listed by the Civil Rights

Movement and are reproduced in Appendix XI. We were told during interviews that peaceful picketing is frequently disrupted by gangs, which are not brought to account for their actions. A government sponsored trade union, (the JSS, whose president, Mr. Cyril Mathew is a government minister,) was said to have organised strike-breaking violence to disrupt meetings and strikes, and many other meetings were said to have been broken up by hooligans. Complaints to the police about activities such as these have been ineffective.

Some people said that the armed forces were influenced in their failure to protect the Tamil people during the July violence by the knowledge that powerful sections of the government would condone this behaviour, and that no disciplinary action would be taken.

Many people interviewed said they were of the opinion that increasing resort to violence as a resolution to problems was becoming an accepted behaviour pattern in Sri Lankan life.

Further, there were said to have been many incidents of racial propaganda and inflammatory speeches made even at the very top levels of government. Concern was frequently expressed about anti-Tamil, pro-Sinhalese and pro-Buddhist statements being made by members of the government. Many felt that these statements had caused a great deal of the racial tension which had built up by the time of the disturbances.

Statements of government ministers made during the month after the disturbances have indicated a clear determination to find and punish the instigators behind the week of violence, no matter who they are. For instance, in Parliament on August 4th,

Mr. Gamini Disسانayake, the Minister of Lands and Land Development and Minister of Mahaweli Development, said:

"...investigations are now proceeding. A lot of missing elements are falling into place. When matters like this happen, it is difficult to get the necessary evidence, but have no fear. This Government is going to reveal to this country the entire truth, warts and all even if it means that a part of the blame or the whole blame should come on the Government".

In accordance with this stated determination to discover and punish those responsible many people have been imprisoned. The Sri Lanka News Review on August 18th reported that Mr C.T. Jansz, Deputy Commissioner of Prisons, had stated that over four thousand persons remanded for riot related offences were now in prison custody. However, despite the number so detained, fears were being expressed that most of these persons would never be charged and that, of those who were, very few would be convicted. The feeling seemed to be that violence and injustice had been condoned in the past and there was no reason to expect that this practice would be changed on this occasion.

In view of these apprehensions it would seem to be very desirable that the government does seriously pursue its determination to discover those responsible for the instigation of the violence, to punish them, and to let the general public know that this has been done.

II. THE CIRCUMSTANCES OF DISPLACED PERSONS AND THEIR TREATMENT AND SITUATION

The displaced persons' camps

During the course of the violence many people fled in terror to schools, police stations, Hindu temples, churches and welfare centres. This was a spontaneous reaction. The government then set about organising facilities, and established displaced persons' camps in many of the locations to which the people had fled. Eighteen camps were set up in Colombo, mainly in school buildings. At the time it was the school vacation. Other camps were set up in outlying districts. A list of these camps is attached as Appendix XII.

"By the 1st of August there were almost 125,000 displaced or affected persons in ... 50 relief camps. In the Relief Camps sited in Colombo there were about 85,000 persons [almost one third of the city's Tamil population] and the balance of 40,000 sought shelter in the camps outside Colombo."
(Relief and Rehabilitation of Displaced Persons, A Humanitarian Effort in Sri Lanka p.3)

Under the emergency regulations the post of Commissioner General for Essential Services was created. The function of this office was to ensure the maintenance of essential services and their co-ordination. Mr. Bradman Weerakoon was appointed to the position. In this capacity Mr. Weerakoon was given wide powers over the requisitioning of property, vehicles and personal services (Regulation 10A and Regulations 8, 9 and 10).

A second function also was assigned to Mr. Weerakoon - that of the co-ordination of the measures to be taken for the care and rehabilitation of persons affected by the disturbances. The powers he enjoyed as Commissioner General for Essential Services made it possible for Mr. Weerakoon to carry out this second function, and it was in this capacity that he and his department became responsible for the situation of those displaced by the July disturbances. Mr. Weerakoon's evident efficiency, organisational ability, integrity and compassion for the victims of the violence set the tone of the organisation of the government's relief and rehabilitation programme.

To deal with the task before him Mr. Weerakoon set up a system which is depicted in a chart issued by his office and included here as Appendix XIII.

Mr. Weerakoon told us that the population in each of eighteen hastily arranged Colombo camps ranged from ten thousand down to two thousand and five hundred persons. The camps established in the outstations provided refuge for smaller numbers of people.

The organisation of these camps was under Mr. Weerakoon's overall control. He described this organisation as Phase I. To achieve it he appointed an ad hoc team of five Secretaries to Ministries. Meetings were held each morning between this Committee and representatives of organisations such as the Sri Lankan Red Cross, Sarvodaya, religious groups of all denominations, citizens' groups and international agencies such as WHO, UNICEF and Redd Barna. At these meetings activities were planned and co-ordinated. People from government departments,

such as the Social Services Department and the Health Department were made available to assist with the work in the camps.

Security was organised for the protection of the displaced persons. This involved the provision of lighting, guards for sentry duty and co-operation with the armed forces and the police. Trade Unions provided loud-speaker equipment to facilitate general communication.

Food had to be organised. Some camps had cooking facilities, and some had none. The arrangements made for the provision of food had to take account of such factors. The internal organisation of the camps was carried out by the displaced people themselves. They were responsible for such matters as the organisation of sleeping arrangements, the cutting of firewood, and the cooking where this was possible.

Water was a big problem. School sanitary facilities were inadequate. New latrines were constructed, and water supplies had to be provided.

We were able to visit one camp in Colombo, at Thurstan College. This is a large school. At the time of our visit in late August, there were over three thousand displaced persons there. We were told that 68% of these people were of Indian Tamil origin. Most of the more wealthy and middle-class people had left the camps by this stage.

As the camps had been established in the context of a national emergency, conditions were, of course, far from ideal. For instance, we saw several classrooms which were being used as a dormitory for forty-five people in each. However, the camp was well organised. Each person had a sleeping mat, three meals a

day were provided, and a cup of tea in mid-morning and mid-afternoon. The camp was extremely clean. There were no flies and there was no smell. Temporary toilets had been erected, additional water supplies brought in and security provided.

I was told by Tamil people that Thurstan College was one of the better camps, and that in some camps no water had been provided. As a result terrible stench was reported and cleanliness was said to be impossible to achieve. According to these reports the only food said to have been provided in some of the camps was tea in the morning and one quarter of a pound of bread for lunch. Time precluded visits to more of the Colombo camps so that we were unable to see for ourselves what the true position was in these places.

We did visit one other camp. This was in the city of Jaffna. The displaced persons there were in a camp which had formerly been occupied by the army. The army at this stage had been withdrawn to two large army camps outside the city. The accommodation in this former army camp was much more spacious and comfortable than that in Thurstan College. Again, most of the people here were of Indian Tamil origin. Those to whom we spoke were too frightened to return to the places from which they had fled.

We were told of other camps forty miles or so from Jaffna, where the conditions were said to be extremely poor, and the facilities totally inadequate. Unfortunately, because of the strictures of time, we were unable to visit these camps. These reports, however, which we heard mainly from eye-witnesses, were consistent and, as far as it was possible to establish their

accuracy without making a visit, the reports seemed to have been justified.

All the persons seeking shelter in the camps were Tamils. Many more Tamil people were driven out of their homes but did not flee to the camps. They were instead sheltered by relatives and friends. Many of these friends were Sinhalese families. We heard of no instances of Sinhalese people fleeing to the camps, although many did require shelter with relatives and friends.

Transportation facilities

By August 5th the numbers in the displaced persons' camps began to fall. Some of those who were able to do so began returning to their homes. Families were encouraged to do this, and were given a few small provisions to assist them when they left the camps.

Many of the people in the camps, however, did not feel safe to return to the Sinhalese dominated areas from which they had fled. By the end of August many people who remained in the camps had returned to their jobs. They were working during the day but returning to the safety of the camps at night. Of the eight hundred families living in Thurstan College, four hundred men were going to work each day and returning at night. The other four hundred bread-winners in the camp had been self-employed and it was not so easy for them to start again.

Other displaced people wished to leave the camps and go to Tamil areas to stay with relatives, at least for a time. The

government offered to provide transport for this purpose. Mr. Weerakoon described this as Phase II of the government programme.

Free passage was provided in boats, buses and trains. Many people left the camps by these means for the Tamil dominated areas in the north and east. Those who wished to travel by air were charged half the cost. The government subsidised the rest of the fare. In the Sri Lanka News Review of August 18th it was reported that twenty two thousand persons had been transported to Jaffna, Batticaloa, Trincomalee and Badulla. Mr. Weerakoon said that by late August fifty two thousand and five hundred people had been provided with transport through governmental arrangements.

These people mainly left the camps to stay with relatives. Since the relatives could not support them unaided for long periods, arrangements were made for the displaced persons to be met on arrival at their destinations by government agents. Provision was made for them to have a meal and to be given access to washing facilities. Each family should then have received two weeks' rations. Tents and roofing sheets were made available so that temporary extensions could be made to houses to provide the necessary additional accommodation.

Arrangements were made to give to the government employees who had left their jobs as a consequence of the disturbances, a three month salary advance. This commenced from the day on which they left. Pensioners who wished to leave Colombo were also given their pension payments in advance. Private sector employers were asked to do likewise and to make similar advance payments to their employees.

Success of the measures taken both in the camps and regarding transportation

The measures taken by the government to ameliorate the immediate plight of the displaced persons were very impressive. The organisation set up to deal with the problems was well planned and it was obvious that a great deal of effort had gone into the streamlining of procedures.

People from the government and public service, the voluntary organisations and international agencies whom we met had clearly done a great amount of work to alleviate the problems of the people in the camps. We were able to interview representatives of Redd Barna (Norwegian Save The Children), an international relief organisation, as well as representatives from several local organisations such as the Women's Bureau, which were involved in providing assistance in the camps. All of those to whom we spoke confirmed the above impression which we had received as to the nature of the measures taken.

The experiences of some of the beneficiaries of the assistance, however, testified to the fact that the efforts being made were not always entirely successful. The magnitude, sudden eruption and nature of the problem made it unlikely that it would have been otherwise. There were reports of international aid not reaching camps, that some camps in the northern province were receiving little government aid and being run entirely by the local citizens, that camps were inadequate for the need, and that in many cases the facilities were hopelessly poor.

Further, the conditions of some of the boats used in the transportation operation were said to have been quite inadequate. I was told that on some of the boats the toilet facilities were almost non-existent, and that hardly any food or water was provided.

Rehabilitation

Mr. Weerakoon described the rehabilitation of people as Phase III of the programme. Re-establishing the displaced people either in their former homes and jobs, or helping them create a new lifestyle is, of course, the vital aspect now. To overcome the feelings of insecurity which made people reluctant to return to their earlier places of residence from which they had fled, Mr. Weerakoon's department sought to develop, in the neighbourhoods to which these people would be returning, groups of people willing to become involved with helping them to re-establish themselves and to feel safe. Committees were formed from people in the neighbourhood, and from members of non-governmental organisations, particularly religious groups. These people volunteered to take neighbours from the camps back to their neighbourhood and they assumed responsibility for watching over them.

Many people, of course, had no homes to which they could return. Their places of residence had been destroyed during the disturbances, or the places which they had rented were no longer available to them. After the disturbances many Sinhalese property owners were unwilling to rent accommodation to Tamil

people. The wealthier people were able to obtain bank loans to repair or rebuild their properties. REPIA (an organisation set up by the government and described later) was able to assist with the arrangement of long term loans with low interest repayments. For some there was access to a scheme under which, in normal circumstances, a small social service payment is available to anyone who loses his house. Mr. Weerakoon was endeavouring both to obtain an increase to that amount, and also to encourage non-governmental organisations to help these people with grants and practical assistance.

People without secure jobs, and those who had been self-employed, generally needed to be able to return to the neighbourhoods from which they had come in order to re-establish themselves. They were being encouraged to pay a visit to their areas so that they could at least look around and see for themselves that normal life was in fact being re-established.

Those who had left for the Tamil dominated areas of the country felt more secure. However they had different problems. Generally these people have gone into areas which do not offer the same opportunities for employment and business as were present in the areas from which they had fled. They are unable to stay with relatives indefinitely. Further, great strain is put on the existing facilities in these places. Some of these people will eventually settle on the land in the north, so that settlement schemes will need to be established. The Ministry of Lands has been given responsibility for this.

However, many of the people who have left their original places of residence are not farmers, and do have jobs in Colombo

and other centres. It is expected that most of these persons will choose eventually to return to their jobs. Of course some jobs formerly held by Tamils who fled from their original abodes have, in their absence, been given to other people. Consequently, unemployment faces these particular people whether they choose to remain in the north or return to their original place of residence.

The seriousness, and the continuing nature, of the problems of many of the displaced Tamils is illustrated by the following article which appeared in The Tamil Times in December 1983, several months after the interviews conducted by the delegation:

"Though several months have elapsed since ethnic violence erupted in Sri Lanka, about 25,000 refugees are still languishing in the 39 state-run camps and an equal number in the unofficial 'welfare centres' scattered throughout the island.

They are too terrified to accept the Rs 3,000 a family package, offered by the government to help them to return to their homes. 'I went back to my house yesterday. The thugs (goondas) threatened me,' complained an elderly labourer, Alagappan, who moved to the camp with his six-member family after an unruly mob attacked him with iron bars.

Alagappan's family, like many others, occupies a little tent it has pitched in the Bambalapitiya Hindu College grounds, the biggest of the four state-run camps in Colombo, which accommodates 6,500 men, women and children.

"We are too frightened to return to our homes," explained Alagappan's daughter Nagamma. 'We want to go to India,' she said. A group of about 25 people who gathered around repeated her proposition in a chorus.

Karuppiah, a barber who escaped death because a Sinhalese gentleman sheltered him from an angry mob, explained his predicament thus: 'I have very high regard for the Sinhalese people. But the thugs are instigated by powerful forces to attack the Tamils. I love this country but I cannot hope to live here. How can we live in the camps for ever? Outside it is not safe,' he said. 'We

cannot go back, they are chasing us,' the middle-aged Pandiyan said. 'The landowner has given my vegetable plot to the Sinhalese.'

His wife Lakshmi refuted the charge that they were not leaving the camps because they wanted to enjoy the regular supply of food and clothing. 'What are they giving us? One-third of a loaf of bread and tea in the morning, rice with pumpkin and cabbage for lunch and one-third of a loaf of bread and vegetables for dinner. Can you eat this daily?' she asked. 'We are willing to go back to our plots if they are returned and safety assured,' she said.

Most of the inmates in the camps are stateless persons. They have no place to go. But there are also a few Lankan nationals, especially in the camps in the North and East, the predominantly Tamil areas. They are the refugees who fled from Colombo and other Sinhala areas. They have no house or relatives in the Tamil provinces to accommodate them. Many of them say that their houses in the Sinhala areas were burnt. Sinhala owners are not willing to rent out their houses to them.

'Those whose houses were damaged are reluctant to invest money on repairs and those whose houses were completely gutted are in a predicament. They are promised low interest long-term loans. 'It will take months to process the papers. The loan offered is too little, it is not sufficient to build even a hut,' said a dejected Colombo resident who lost his house."

Missing persons

A further problem was that, in the confusion and panic, many families had become separated. Attempts were made to trace missing persons. Registers of people were compiled in all the camps, and notes made of those reported missing. These records were then circulated. However, particularly in the early stages, some people were too frightened to give the names and addresses of their missing relatives and friends. They feared that this information might get into the hands of those who had been

involved in the earlier acts of violence, and that the information might be used to supplement the lists already used by the attackers. By the end of August the attempts made to trace missing persons had not met with much success. At that point a representative of the tracing agency of the Red Cross arrived in Sri Lanka to assist with the problem.

The Rehabilitation of Property and Industries Authority

An organisation called REPIA (the Rehabilitation of Property and Industries Authority) was set up by the government under the emergency regulations, (Emergency (Rehabilitation of Affected Property, Business or Industries) Regulations, No. 2 of 1983).

The purposes to be fulfilled by REPIA were described as follows by Mr R.G. de Mel, Minister of Finance and Planning:

"(a) the repair and restoration of affected property,

(b) the rehabilitation of affected industries and businesses.

The objectives of REPIA are:

To protect tenants displaced by the riots,

To protect house owners from being exploited by unscrupulous tenants or by others,

To take responsibility for restoring tenancy rights.

To intervene where house owners may be pressurised to sell their properties at depressed prices.

To give permission for repairs by owners of owner occupied dwellings subject to normal planning regulations.

Where industrialists required financial support, the government would consider the need to acquire shares in such enterprises."

(Daily News, Friday August 26th, p. 8.)

In order that it might be able to discharge its functions REPIA was given very wide powers of acquisition of property, wide powers enabling it to organise clearance and redevelopment, to enter into contracts, powers to control and to manage, and powers to requisition property, vehicles and services (Regulation 5 of the REPIA regulations).

Every property affected by the violence, be it private home or business premises, was automatically vested absolutely in the State free from all encumbrances, Regulation 9(1). "Affected property" was defined in Regulation 19 to mean "any immovable property damaged or destroyed on or after July 24th, 1983, by riot or civil commotion and includes any immovable property used for the purpose of an affected business or industry". Under Regulation 9(2) of the REPIA regulations, the decision as to whether or not a property were to be considered to be "affected" was to be made by REPIA. The REPIA decision was to be final and conclusive and not to be called into question.

REPIA has the power, under Regulation 14 of the REPIA Regulations, to divest such property, industry or business should it see fit to do so.

Fears were expressed that some Tamils whose property had been vested in the State under the emergency regulations, would find themselves permanently deprived of their property. This fear seemed particularly prevalent in relation to the smaller Tamil enterprises, and seemed to have been much more widely felt immediately after the regulations establishing REPIA were brought into effect than was the case at a later date. Tamil confidence that the property would be restored seemed to increase as time went on.

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'MACABRE RITUAL' BEFORE BUDDHA STATUE

EYE WITNESS ACCOUNT OF PRISON MASSACRE

After the killings of the Tamil political detainees in the maximum security prison in Colombo on July 25, the blood soaked bodies were piled up in front of a statue of the Buddha in the jail court yard and, in a macabre ritual, the assailants offered the blood of the Tamil victims and the gouged eyes of Kuttimani and Jegan, two leaders of a Tamil Liberation Group, to the statue of Buddha, said K. Devanandan, one of the escapees from the Batticaloa Prison.

Mr. Devanandan, who along with others had made way to freedom, was speaking to some news reporters from an unknown location in South India when he gave an eye witness account of the details of the prison massacre of Tamil political detainees on July 25 and 27 in which 52 Tamils were brutally murdered within their prison cells.

He said that he was one of those who survived the prison massacre and flown to the Batticaloa prison during the height of the July anti-Tamil violence.

According to Devanandan, when his comrades broke open the Batticaloa jail on September 23 and freed the Tamil political detainees, Dr. S. A. Tharmalingam and Mr. Kovai Mahesan of the Tamil Eelam Liberation Front decided not to join the rest as they were too ill to undertake the long arduous journey to freedom. Mrs. Nirmala Nithianandan could not be rescued in the confusion created by the escape of non-political prisoners in the jail, though her husband, University lecturer Nithianandan made it to safety. Rev. Fr. Singaraver opted to stay back to attend on the sick in the jail. Giving the first eye-witness account of the Welikade massacres of July 25 and 27, Mr. Devanandan said that but for the intervention of a Muslim army commander, none of the Tamil political prisoners would have survived. The July 25 massacre was conducted at 2.30 p.m. When Colombo was under total curfew. Air force helicopters hovered over the jail when the killings took place inside, under the supervision of the deputy jail superintendent, aided and abetted by the army and security

guards. The July 27 killings were led by Sepala Ekanaike, undergoing life imprisonment for hijacking an Alitalia plane on its flight from Delhi to Bangkok in July last year. Sinhalese prisoners convicted on murder, rape and burglary charges were handpicked by the warders for the attack, after plying them with liquor, Mr. Devanandan said. They came out from their cells shouting "Kottiya Maranda Ona" (kill the tigers).

Another escaped detainee, Mr. S. Yogaraja, hardly 20, said the mob who went on the killing spree, hit him on the head with an iron rod. He fell unconscious. The marauders took him to be dead and moved on. He not only survived to be transferred to

the Batticaloa jail, but was among the escapees to reach the Tamil Nadu coast. He showed deep scars on his head. Ganapathipillai, one of the teenage prisoners in Welikade, was hidden by other prisoners in a cell. But a jailor dragged him out and chopped off his head, Mr. Yogaraja said sobbing.

After the killings ceased inside Welikade prison, the blood-soaked bodies were piled up in front of a statue of the Buddha in the jail court yard and, in a macabre ritual, the marauders offered the blood of the Tamil victims and the gouged eyes of the liberation tiger leaders Kuttimani and Jagan to the statue of the Prince of Ahimsa.

AN HISTORICAL BACKGROUND

Any systematic approach to the present social chaos in Sri Lanka, (the Paradise Island fraught with a hellish storm), makes an historical perusal of the situation indispensable. So here is a survey - in four separate sections:-

1. A perspective of human history
2. An historical outline of Sri Lanka
3. A chronology of some historically important events with emphasis on ethnic interrelationships and the status of human rights
4. Conflicting demands in retrospect

SECTION ONE: Development of an Historical Perspective

"Everything, animate or inanimate, has jiva (life force or soul) ... The worst things a human being can do is to take jiva"¹

"There can be no doubt that the total and absolute denial of any person's Human Rights occurs when another takes that person's life."²

As a matter of common-sense, human's past actions are consequential to his present and future standing; and hence the proverb: "We reap what we have sown". Using this notion by analogy on the "clustering of individuals or groups" will be just another way of restating the theory of historical determinism.

To analyse the Sri Lankan social processes from the above perspective attests to the general theory that present painful tensions between the Sinhalese (majority) and Tamils (minority) have deep roots in the socio-political history of the island, reinforcing the impression that the on-going tragic human drama is but the replay of what had happened in the past. Put another way, those historical variables rendering social-animosity in the past are still shaping the present, and might determine the future course of events as well (God forbid that!).

1. Mahivira, the founder of Jainism (or Jain-Buddhism) quoted in Khaswant Singh's View of India (India Book House, Pvt. Ltd. Bombay, 1979), p.54.
2. T.J. Moore, "Ethnic and Communal Violence: The Independence of the Judiciary: Protection of Fundamental Rights, and the Rule of Law in Sri Lanka - Fragile Freedoms", I.C.J. Reports (Sydney, August, 1983), p.3.

Such an understanding of history, in my view, will lead us to the "dead-end" - with full implications that: "the dead rule the living". This is virtually "historical-fatalism" and nothing more, under whatever slogans it is stated.

Nevertheless, there are some better ways of explaining the predicament in Sri Lanka and elsewhere: what I prefer to call the Celestial outlook of the human phenomenon! From this perspective, humans are God-designated managers of the Earthly Affairs - imbued with the capacity to improve things on behalf of the Almighty - our Creator, and responsible for our actions to Him, to our Fellow Humans and to our own Conscience. According to this version, humans as the noblest beings on the earth, don't have to blindly follow the so-called "forces of history, nor to repeat the wrongs of our predecessors".³ Here one is reminded of the incidence of the Creation as revealed in many a holy book - the advent of Adam's "Khelafat or succession" to manage world governance within the bounds of "Celestial Justice", but armed with knowledge, the Holy Angel's objections notwithstanding.⁴ Such a vision of humanity, I think, has its roots not only in the divine Judo-Christian-Islamic ethos, but seems to be in harmony with the spirit of other religions as well. Hence, man's mastery over nature and his superiority in conquering the forces of evil! And hopefully, in the "continuous struggle from one generation to the other between good and evil, the fratricidal feud between Cain and Abel, the battle between the forces of light and the forces of darkness" - victory belongs to the forces of "goodness". On these issues, the divine Buddhist teachings; the holy Gita, the Vedas and the Upanishads; and great Confucian tenets all display sameness as well as the Middle-Eastern Celestial heritage.⁵

3. On the Human's mission and potentials to better perform the Earth's mangement, Dr M. Iqbal, the learned Islamic poet and philosopher recites:
"Adam is the music in a "loving" universe,
He is a mystery and the key to open it;
The Almighty the Creator created the world, but Adam improved it;
Wonder, if Adam is not sharing power with God!"
4. According to the Angels cited in the holy Qu ran Adam (His children - i.e. all of us included), are bound to make blood-shed, and corrupt (or pollute) the earth. So humans did not deserve this mission in the first place. (This version corresponds to Judo-Christian holy versions as well!)
5. For a detailed portrayal of the Buddhistic - Vedic theology and the sanctity of life, see "Hinduism", "Jainism and Buddhism" in Khuswant Singh, ibid, pp:13-51; and pp:52-65.

Likewise, such an outlook is totally supportive of "democratic-humanistic" values of the present day intellectualism embodied in the Universal Declaration of Human Rights, etc. With such a view, my understanding of the social chaos in Sri Lanka being: that it is reformable, though very difficult it may seem in the beginning. Evidence is the great concern, so markedly visible when visiting peoples from almost all walks of life, for a peaceful solution to the dilemma.

Be reminded, in the Holy traditions, that: "... hatred does not cease by hatred, but hatred ceases by love".

So: "Inculcate love!" And as to poverty - the root cause of violence and hatred, discerned by many conscientious observers of the Sri Lanka scene, may I remind you once again that: "Poverty is not from God; but is made and can be unmade by man."

SECTION TWO: An Historical Outline

"History and historiography have created an emotive climate of ethnic animosity which often results in violence, preventing compromise and a negotiated settlement of ethnic differences".⁶

According to some observers, "Sri Lankan politics is best understood against a background of consistent Western penetration into a feudal agricultural society, having an ancient civilization, itself previously disrupted by invaders from the equally ancient culture of Tamil South India. The Island's recorded history begins with the invasion of Vijaya and his North Indian band over two thousand five hundred years ago. Constant interaction with the Tamils forms the basis of current fears of Sinhala isolation in a Dravidian sea. Knowledge of the great civilizations of Anuradhapura and later Polonnaruwa strengthen the belief that Sri Lanka was a major culture while the British were still primitive farmers. These cities, too, were destroyed by Tamil invasion, heightening the sense of continuous conflict."⁷

6. Coomaraswamy, R. "Ethnic Conflict in Sri Lanka" (Marga Institute, Colombo, 1981) cited in Professor Virginia A. Leary, "Ethnic Conflict and Violence in Sri Lanka", ICJ Report (July-August, 1981), p9.

7. James Jupp, "Politics and Society", Sri Lanka - Third World Democracy (Frank Press, New Jersey, 1978), p27.

So in terms of history, the present racial disturbances involving Sinhalese and Tamil populations have deep roots in the past. According to Sinhalese tradition, the landing of Vijaya, the exiled prince from northern India, "coincided with the Buddha's death and attainment of Nirvana. As recorded in Ceylon's ancient chronicle, the Mahavamsa, the Buddha informed the god Saka (Indra) of Vija's arrival in Ceylon and declared: In Lanka, O Lord of gods, will my religion be established, therefore carefully protect him with his followers and Lanka." In about the fifth century B.C., Aryan-speaking peoples from northern India settled on the Island, probably intermingling with earlier inhabitants and assimilating migrants of Dravidian-speaking peoples from South India, to form the Sinhalese people. In the third century, B.C., the Sinhalese were converted to Buddhism, according to Sinhalese tradition by Mahindra, son of the Indian Emperor Asoka.⁸ The successive few centuries evidenced the blossoming of a civilization centered in the city of Anuradhapura considered as the "golden age of Sinhalese history". The emergence of an advanced system of irrigation in the north-central dry zone is the main basis of this civilization - consisting of reservoirs and canals displaying a high level of technology as well as a considerable degree of administrative and organisational capacity. Literary and artistic works have also been produced. And in terms of communication, interlinkages existed with Rome, Egypt and China, in addition to political/commercial regular contacts with South India.

Historians agree that in the course of the seventh century, the Sinhalese were "increasingly drawn" into the wars resulting from the rise of the Pandaya and Chola empires in South India. The capital was transferred to Polonnaruwa in the eleventh century - concomitant with the adoption of "political decentralisation" in varying degrees.⁹ Three territories of Ceylon were regarded as "Provinces of a United Kingdom" and on occasions as "independent" kindgoms - Rajarata or the Royal Country, Ruhuna, and Dakshinapaya or the Southland. However, the concept of a "politically unified Ceylon" headed by a single monarch "under one umbrella" was sustained vis-a-vis the weak control exercised by the Rajarata. Some major features of this era being: the interwinding of religion and the political authority; subservience to the rule of law (i.e. the Buddhist doctrine: an early suggestion of constitutionalism); and the existence of a rigid social stratification.

8. Robert N. Kearney "Ceylon Society and History" The Politics of Ceylon (Sri Lanka), (Cornell University Press, 1973), p.21

9. ibid, p22

It is the 13th Century that the once-flourishing Sinhalese civilization comes to an end as the result of dynastic conflicts and under pressure of the south Indian invasions.

With regard to Tamils, R.N. Kearney observes that: "From early times Tamil-speaking people had drifted to the island from South India. Many were presumably assimilated into the Sinhalese population. After the tenth century, their numbers increased and they began to form a distinct and sizeable separate group, by the thirteenth century establishing an independent kingdom in the north, around the Jaffna Peninsula. By the fifteenth century, the island contained three kingdoms, one in the southwest with its Capital at Katte near the present city of Colombo, one in the highlands with its capital at Kandy and the northern Tamil Kingdom.¹⁰ Contacts with India dominated the sphere of international relations until the 16th century. However, since "Ceylon lies on the maritime highway linking Europe and the Middle East with the Far East and South East Asia", ultimately the European powers became dominant. With the shift of the Sinhalese to the wet zone production of spices, cinnamon in particular, increased that attracted many Arab, Indian and European traders. The Portuguese seeking spices and converting to Christianity reached Ceylon in 1505 - only to obtain political control of the coastal areas. But gradually they assumed the sovereignty of the three kingdoms - some with ease and some with difficulty.

With time the Dutch, attracted by the cinnamon trade, managed to seize the coastal territories from the Portuguese in 1658 - thus remaining on the island for 170 years. The Dutch were expelled in 1796 by the British forces. "After a brief period of administration by the East India Company, the British possessions in Ceylon were placed under the Colonial Office in 1801, separating Ceylon from India and allowing the island to follow an independent path of development over the century and a half of British rule."¹¹

The impacts of three centuries of Portuguese and Dutch rule on the island society were "marginal" and "localized" but "far-reaching reforms in 1883 undermined the feudal system of service obligations and land tenures ended caste and communal inequality in law, and promoted education in the English language. Indirect rule of the Kandyan areas was terminated and the island was brought under a uniform and centralised system of administration."¹² Meantime, the British brought Indian Tamils to work on the plantations (tea and rubber) thus introducing a new ethnic community into the population.

10. ibid. pp22-23

11. op.cit.

12. op.cit.

With the spread of education, "the erosion of the feudal basis of society", and "industrialisation" vis-a-vis the international currents, social reform movements came into being - chief among them being the Buddhist revival whose many spokesmen were members of the middle class, educated in missionary schools. Parallel to the Buddhist revival, other movements for social welfare, and the "temperance movement" that became a vehicle for nationalist and anti-colonial sentiment - had been growing as well. The Sinhalese press were noted for their anti-colonial tone. And at about the same time, the labor movement became an organised political force of the day - engaged in local and general strikes time and again.

Voices were raised for constitutional reforms - and the agitation for self-government gained momentum. Consequently, it was in 1912 that the first non-European elected members were admitted to the Legislative Council.

In 1915 an outbreak of riots between Sinhalese Buddhists and Muslims took place. The government's reaction, as judged by public opinion, was "severe" and "inappropriately ... directed against innocent persons". Martial law was imposed, a number of persons were summarily executed, and many prominent Sinhalese, particularly leaders of the temperance movement, were imprisoned. These riots, as some academicians observe, were "an early witness to the growth of communalism, Sinhalese Buddhist revivalism, labor unrest and the rise of a mildly but unmistakably nationalist group."¹³ Soon afterwards, the "Ceylon Reform League" was organised seeking increasing control of the government and ultimately aiming at winning national independence. This movement in 1919 was merged with the Ceylon National Association, thus forming the Ceylon National Congress devoted to "secure for the people a responsible Government and the status of a self-governing member of the British Empire."¹⁴

Subsequent years witnessed rapid constitutional revisions such as the inclusion of an unofficial majority in the Legislative Council in 1921, and a "further shift toward election and non-communal representation." However, the adoption of what is known as the Donoughmore Constitution was a major evolution - consisting of the intention "to transfer to the elected representatives of the people complete control over the internal affairs of the island ..." In accordance

13. James Jupp, *ibid*, p3

14. "Constitution of the Ceylon National Congress" cited in Professor Robert N. Kearney, *op.cit.* p29.

with this Constitution, a State Council was created, "election triumphed over nomination" and largely communal representation was abandoned. These developments grew until they shaped the "framework for a modern political process based on broad popular participation and competitive elections."¹⁵

Chief among these changes being: the Constitutional Amendments in 1947; and foremost of course, the regaining and proclamation of Independence on 4th February, 1948. On this achievement, Professor Kearney writes "Because independence came without arduous struggle and with little drama, the independence movement contributed directly little to creating mass political consciousness or to disturbing social and political relationships. Nonetheless, the cumulative effect of the perennial debates on constitutional revision, the agitation of small but vocal bands of radicals, and particularly the introduction of universal suffrage and election campaigns had already stimulated political awareness in the towns and cities, and had laid the ground work for the seepage of political consciousness down to the village masses."¹⁶

As the history of social and political processes of Sri Lanka displays, even the independence movement was fraught with a political clash between the so called "radicals" and the "moderate constitutional reformers". To get a better picture of such shapings, Table (A) "Formation of Extant Political Parties" has been added here.¹⁷ However, of tragically vital consequence is the "second political cleavage" or the division involving the Sinhalese and Tamils - although Sri Lanka has its Christian and Muslim communities as well. Contemporary studies reveal that "the Sri Lankan society consists of two major ethnic divisions, Indi-Aryan and the Dravidian. Whereas "its tiny aboriginal Veddah group is probably of Australoid type These officially acknowledged communities are Low Country Sinhalese (4,470,000 in 1963 or 42.2%), Kandayan Sinhalese (3,043,000:28%), Ceylon Tamils (1,165,000:11%) Indian Tamils (1,123,000:10.6%), Ceylon Moors (627,000:5.9%), Indian Moors (55,000:0.5%) Burghers and Eurasians (76,000:0.5%). The last category includes Europeans and Chinese."¹⁸

15. Ibid, p.31 and 33

16. Op.cit.

17. Reproduced from R.N. Kearney, "Political Parties", ibid. p91.

18. James Jupp, ibid, p30. See also Table (2) reproduced from Kearney, ibid. "Table 1, Ethnic Communities of Ceylon, 1963", p7.

It is worth remembering that: the Sri Lankan Moors are Muslims resident in the Island for several centuries "who claim Arabic ancestry ...", and the Indian Moors composed of Muslims, originated from India, and the Burghers are Portuguese or Dutch or mixed European-Ceylonese extraction - largely Christian and English speaking.¹⁹

On the religion question, Buddhism comes first (66.3%), Hindus (18.5%), Catholics 6.8%), Muslims (6.7%) and Protestants (1.6%). With the exception of Protestants these have all been established for over four hundred years and embrace many local communities."²⁰ As well, Table (No. 3) and (No. 4) reproduced from Professor Kearney's works will provide a clearer view of the issue.²¹

Kearney also discerns that: "After independence, the official language question became the central issue of communal rivalry, producing a serious rupture of communal relations and posing a threat to the unity of Ceylon. The language controversy was related to the modernizing social, political and ideological changes occasioning on the island. The demand for an exclusive status for the Sinhalese language was a consequence of the growth of a political process based on mass participation."²² Or majoritarianism, as some critics view it!

In the ensuing pages, the "Chronology of Events in the Modern Sri Lanka History" shall be presented. This presentation is made available from Dr James Jupp's work (pp.xv-xxi) i.e., 1505 to October 1977. Historical events following that date to be compiled from other sources up to 22nd July, 1983, by me.

19. op.cit. pp4-5

20. James Jupp "Religion" ibid. p35

21. Kearney, ibid (Table 24: Religious Affiliations, 1963) and (Table 25: Religion of Ethnic Communities, 1946), p159

22. _____, Communalism and Language in the Politics of Ceylon, (Duke University Press, N.Carolina, 1967), p138. See also Table (5) adapted from (Table 2: Languages spoken by persons three years of age and over) op.cit., p6.

SECTION THREE: On the Chronology of Events of Significance in Sri Lankan History

Sub-Section (A): (1505-1977)

From 1505 to October 1977 will be reproduced, as organised and compiled by Dr J. Jupp in his work titled: Sri Lanka - Third World Democracy, published by Frank Press in 1978. As the editors point out, "Mr Jupp's study of Sri Lanka is very representative of the intention behind ... (Studies in Commonwealth Politics and History). It examines the complicated interplay of political forces during successive changes of government in the former island of Ceylon - now Sri Lanka. Always seemingly at risk, yet never fully subdued, democratic forms in Sri Lanka have survived during the post-colonial years since independence (February 1948). Their survival has run parallel with the indigenisation of political life under a variety of local pressures, a process which Mr Jupp has traced with scholarly precision and a wealth of interesting detail. The volume is likely to stand as a definitive study of politics in the unusual setting of a third world democracy."²³

1505-1656	Portuguese occupation of coastal areas
1656-1796	Dutch occupation of coastal areas
1796-1802	Dutch possessions administered by British East India Company
1802	British Crown Colony established in coastal areas
1815	Kandyan convention establishes united Ceylon under British rule
1818	Rebellion of Kandyan chiefs
1833	Colebrooke-Cameron reforms create Legislative Council with local nominees
1840	Land Ordinance enables expansion of coffee plantations
1848	Last Kandyan revolt
1869	State education system begins
1897	Land Ordinance completes expansion of tea plantations
1911	Legislative Council includes elected "unofficials"
1915	Communal rioting and arrest of leading Ceylonese
1917	Ceylon Reform League established
1919	Ceylon National Congress created from Reform League

23. J. Jupp, ibid. p.ii

- 1921 Twenty-three 'unofficials' in the Legislative Council
- 1924 Further expansion of the elective principle for the Legislative Council
- 1928-9 Donoughmore Constitutional Commission
- 1931 State Council elected by universal suffrage - 59% vote
- 1934-5 Malaria epidemic and founding of the Suriya Mal movement
- 1935 Trade Union Ordinance
December: Lanka Samasamaja Party (LSSP) founded
- 1936 Elections to State Board - two LSSP members returned
'All-Sinhalese' Council of Ministers set up
- 1937 Sinhala Mahasabha founded by S.W.R.D. Bandaranaike
- 1940 Arrest of LSSP leaders for opposition to the war
- 1942 Rice ration scheme introduced
- 1943 Ceylon Communist Party formed
- 1944 Universal free education introduced. Tamil Congress formed
- 1944-5 Soulbury Constitutional Commission
- 1945 March: State Council passes 'Free Lanka Bill'
- 1946 June-September: United National Party (UNP) formed
- 1947 Ceylon Independence Act gives effect to Ceylon (Constitution) Order in Council of 1946. General elections to the House of Representatives return the UNP led by D.S. Senanayake
- 1948 February 4: Independence Day
Ceylon Citizenship Act passed, determining status of Indian Tamils
- 1949 Federal Party founded by S.J.V. Chelvanayakam
- 1951 July: S.W.R.D. Bandaranaike resigns from UNP and founds Sri Lanka Freedom Party (SLFP)
- 1952 D.S. Senanayake dies and is replaced as Prime Minister by Dudley Senanayake
May: General Elections return the UNP with an enlarged majority
- 1953 August: Hartal against rice ration cuts. Dudley Senanayake resigns as Prime Minister and is replaced by Sir John Kotelawala
Revolt in the Temple published
Rice-rubber agreement signed with China
- 1955 SLFP adopts policy of 'Sinhala Only'
- 1956 February: Kelaniya sessions of UNP adopt 'Sinhala Only'

- Mahajana Eksath Peramuna (MEP) formed
- Betrayal of Buddhism published. Buddha Jayanti begins in May
- April: Election returns MEP coalition headed by S.W.R.D. Bandaranaike
- July: Official Language Act passed. Communal rioting
- 1957 March: Buddha Sasana Commission set up
- July: Pact between Bandaranaike and Chelvanayakam to protect Tamil interests (copy attached)
- October: J.R. Mayawardena marches to Kandy against the B-C Pact
- British leave Trincomalee and Katunayake bases
- Select Committee on the Constitution set up
- 1958 April: B-C Pact abrogated after organised protests by Bhikkhus
- May: Race riots. Emergency powers operate until March 1959
- Paddy Lands Act passed to secure tenure of rice farmers
- October: LSSP withdraws its support from Bandaranaike's government
- 1959 Ceylon Constitution (Amendment) Act increases constituencies to 151
- June: Philip Gunawardena and P.H. William de Silva excluded from Cabinet
- September 25: Bandaranaike assassinated. Dahanayake forms government
- December: Parliament dissolved. Dahanayake forms Lanka Prajathantrawadi Pakshaya and is expelled from SLFP. C.P. de Silva becomes SLFP president
- 1960 January 2: First working day in 'Sinhala Only'.
- Federal Party calls a hartal
- March: General election return UNP as largest party but without an overall majority. Dudley Senanayake forms government
- 1960 April: Government defeated in parliament. Representatives dissolved and elections called. Mrs Bandaranaike assumes presidency of SLFP
- May: Electoral agreement between the SLFP and the LSSP
- July: General election returns the SLFP. Mrs Bandaranaike nominated to the Senate and forms government

- Catholic parents occupy Church schools, protesting against
nationalisation
- 1961 February: Federal Party satyagraha causes military occupation
of Jaffna
- April: Federal Party 'postal service' leads to arrest of
Tamil M.P.'s
- Village headman system abolished
- 1962 January: Strike leads to military takeover of Colombo harbour
- Discovery of planned coup by officers of the army and police
force
- Sir Oliver Goonetilleke replaced as Governor-General by W.
Gopallawa
- July: Trials of alleged plotters held under the Criminal Law
(Special Provisions) Act. LSSP conference votes to withdraw
support from government
- August: Opposition to rice ration cuts leads to resignation
of Felix Dias Bandaranaike as Finance Minister
- 1963 February: US aid cancelled after nationalisation of oil installations
- August: United Left Front launched by LSSP, CP and MEP
- September: Press Commission set up
- Maoist split begins in the Ceylon Communist Party
- 1964 March: Parliament prorogued by Mrs Bandaranaike who
begins negotiations with Philip Gunawardena and N.M. Perera
- 1964 June: LSSP special conference votes to enter coalition with
SLFP and splits. LSSP expelled from Trotskyist Fourth
International
- December: SLFP-LSSP Coalition government defeated in
parliament by 75 votes to 73 after defection of C.P. de
Silva and others
- 1965 March: General election leads to return of the UNP-led
'National Government' of Dudley Senanayake
- July: US aid restored after compensation is paid to oil companies
- December: Privy Council quashes sentences on 1962 coup
defendants and declares the law under which they were tried
to be invalid
- Janatha Vimukthi Peramuna (JVP) secretly established as a
faction of the Maoist Communist Party

- 1966 January 8: Regulations for 'reasonable use of Tamil' introduced, causing Opposition demonstrations
February: Discovery of a planned coup by Army N.C.Os. leads to arrest of Ven. Henpitededara Gnanaseeha and Army commander Richard Udugama
- 1967 June: Indo-Ceylon Agreement Act settles status of Indian Tamils
November: Rupee devalued by 20% following British devaluation
- 1968 June: Proposals to establish District Councils published. R.G. Senanayake forms the Sinhala Mahajana Peramuna
July: District Council proposals abandoned by the government
- 1969 April: Federal Party withdraws support from the government
September: Release of Gnanaseeha and Udugama
- 1970 April-May: Police investigate activities of the JVP 'Guevarists'. Rohan Wijeweera of the JVP arrested but released in July
- 1970 May 27: General elections return the Coalition of the SLFP, the LSSP and the Communists under Mrs Bandaranaike
July: Parliament becomes a Constituent Assembly
August: Police Insurgent Unit set up to investigate the JVP
- 1971 March: US embassy attacked and state of emergency declared. Rohan Wijeweera and many others arrested
April 5: JVP revolt breaks out with attacks on police stations. Fighting continues into May and incidents into August
September: Senate abolished. Peoples Committees established
December: Draft constitution for Sri Lanka laid before parliament
- 1972 April: Ceiling established on disposable incomes. Criminal Justice Commission established to deal with insurgency and currency offences
May: Tamil United Front formed
May 22: Republic of Sri Lanka established under new constitution
June: Trials of JVP leaders before the Criminal Justice Commission begin
August: Land Reform Act passed
- 1973 April: Death of UNP leader Dudley Senanayake
July: Public ownership of 'Lake House' newspapers

- 1974 January: Completion of final citizenship agreement with India
August: Completion of land reform under the Act of 1972
December: Judgement in the trial of JVP leaders
- 1975 May: UNP civil disobedience campaign to protest delay of elections until 1977
September: LSSP Ministers forced out of the Coalition government
October: Nationalisation of plantations completed
- 1976 February: Sir Oliver Goonetilleke sentenced in absentia for currency offences
March: Plantation management transferred to state corporations
May: Tamil Liberation Front, pledged to separation, replaced Tamil United Front
July: Conference of Non-aligned Nations held in Colombo
- 1977 February: Communists expelled from the Coalition
July 21: General elections return the UNP, led by J.R. Jayawardene, in a landslide victory
October: Constitution amended to create an executive president

Sub-Section B: 1977-July, 1983

From 1977 to July, 1983 set out below is a selected chronology of events in the history of the Sri Lankan Society - with emphasis on those events affecting the communal interrelationships between the Tamils and the Sinhalese. General use has been made of information compiled by; Amnesty International's Mission to Sri Lanka (31st January - 9th February, 1982); "Ethnic Conflict and Violence in Sri Lanka", by Professor Virginia Leary (July-August, 1981); "Ethnic and Communal Violence: the Independence of Judiciary: Protection of 'Fundamental Rights' and the Rule of Law in Sri Lanka - Fragile Freedoms" by Mr Tim Moore; and "Communal Violence - July 1983" by the Civil Rights Movement of Sri Lanka; and many other sources that became available during the fact-finding mission in Sri Lanka and after.

In addition to what has been produced from Professor J. Jupp's work, the following should be added:

- . 12th October, 1952 - Adoption of the International Convention on the Prevention and Punishment of Genocide

1977

- . United National Party (UNP's) election manifesto demanding an All Party Conference to seriously search for a political solution to the ethnic problems.
- . July - Release of political prisoners by the UNP Government;
- . 13th August - Resurgence of ethnic-communal disturbances

1978:

- . 4th February - Adoption of the new Constitution still in force
- . Adoption of an Act called: "Proscribing of Liberation Tigers of Tamil Eelam and Other Similar Organisations Law"

1979:

- . Adoption of the Prevention of Terrorism (Temporary Provisions) Act.
- . Emergency Regulation No. 14, allowing security forces to dispose of dead bodies without inquisition.
- . 11th July - Imposition of the State of Emergency

1980:

- . Ratification of the International Covenants on Civil and Political Rights.
- . 16th July - Emergency imposed for a brief period banning strikes in "essential services".
- . Depriving Mrs Sirimavo Bandaranaike of her civic rights by a Parliamentary action.

1981:

- . 25th March - Bank robbery in Neerville followed by a wave of arrests
- . May - Political violence, shooting of two policemen resulting in the killing of several Tamils by security forces (3rd-4th June).
- . 2nd June - Declaration of the State of Emergency following the violence in Jaffna accompanying the district council elections. It was extended later, reimposed, and prevailed throughout the country from 17th August, 1981 to 16th January, 1982.

- . October - attack on Chavakari Police station.

1982:

- . 16th January - Lapse of Emergency Rule
- . Constitutional Amendment on the Re-election of the President as well as the extension of the Parliament
- . 18th February - Sri Lanka Government acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Supression and Punishment of the Crime of Apartheid.
- . March - An amending Act deleted Section (29) of the Prevention of Terrorism Act which had limited its operation for three years thereby making it a permanent law. "de facto emergency legislation" for good!
- . 20th October - Re-election of President Jayewardene
- . 22nd December - Referendum for the extension of Parliament. According to Civil Rights Movement, "election laws relating to publicity for meetings and the exhibition of symbols were openly flouted by supporters of the ruling party. Specific complaints to the police were disregarded. The campaign and the polling were violated by flagrant acts of abuse; polling observers of opposition parties were intimidated, harassed and prevented from recording the poll; voters were intimidated and prevented from according their votes; polling officials were intimidated; impersonation of voters was carried out on a mass scale."²⁴

1983:

- . 19th January - Mr K.T. Dulendram, UNP organizer from Viviyana electorate shot dead by unknown assailants.
- . 18th February - Police inspector and driver shot dead at Point Pedro.
- . 22nd February - TULF member of Parliament, Mr Alalasunddaram shot (not fatal)(Jaffna District Weavers Co-operative Society Limited - fraud allegations).
- . 28th February - Supporters of the Tigers set fire to two CTB buses in Jaffna

24. Communal Violence: July, 1983 (Published by the civil Rights Movement of Sri Lanka, Colombo, 1983). Please also see Constitutional Amendments dated November 14 and October 23, 1982.

- . 4th March - Five Tigers ambushed two army vehicles at Kilinochchi injuring five soldiers.
- . March - Police superintendent who was found guilty by the Supreme Court to have illegally seized, during the Referendum campaign, leaflets put out by an organisation called Pavidi Handu (Voice of the Clergy) was promoted.
- . 14th March - 16 huts of Tamil refugee settlers at Pankulam (near Trincomalee) burnt by government officials. The settlement is one assisted by Gandhiyam.
- . 6th April - Arrest of Dr Rajasunderam of the Gandhiyam movement, (Secretary)
- . 10th April - Death of Navaratnarajah in police custody.
- . April - assault on University students, the Peradeniya University (CRM Report, July, 1983)
- . 18th May - Local Council Elections, and attack by "tigers" near Jaffna leaving two army personnel dead and approximately 160 houses damaged by fire after the army went on the "rampage".
- . 8th April - Arrest of Mr S.A. David, the President of Gandhiyam.
- . 18th May - State of Emergency Declared in Jaffna at 17:00 hours.
- . 4th June - Mr Thilagan, an organizer of the pro-government JSS Trade Union and a UNP candidate at the May Jaffna municipal elections shot dead.
- . 7th June - Over 40 soldiers from the Rajarata Rifles deserted in protest at the dismissal of four other members of the regiment who were involved in acts of arson and looting in Jaffna on 18th May, 1983, following an official enquiry during which they were found guilty of excesses.
- . 9th June - a sub-inspector, V. Ganeshanthan was promoted 24 hours after a decision of the Supreme Court held that the actions for which he had been especially promoted out of normal seniority had caused a breach of the fundamental constitutional rights of Mrs V. Goonewardena, a former LLSP member of Parliament. This action was reported to ensure that public officers should "follow orders without fear of consequence from adverse Court decisions." It was later understood that the fine was also paid by the government.
- . 10th June - Posters calling upon the people to take up arms against the repression of the State appeared overnight on the walls of Jaffna.

- . 11th June - Disturbances took place in front of the houses of three Supreme Court Judges, protesting against a judgement delivered by them on 8th June in the case where they held that Mrs Goonewardene had been wrongfully arrested by the police. Though claims for responsibility for the incidents were publicly made by an alleged organizer, no action has been forthcoming.
- . 16th June - 22 years old man shot dead by military patrol when he failed to halt when ordered to do so at Nallur. No inquest was held into his death, and a Defence Ministry Certificate was obtained before the body was returned to relatives.
- . 18th June - The Daily News reports "Emergency Extended" in today's issue. According to this paper, "President Jayewardene yesterday issued a proclamation from Rome (Italy), extending the current State of Emergency. A gazette extraordinary published the proclamation as issued in Colombo last night."²⁵
- . 19th June - "The Bar Association of Sri Lanka unanimously pledged support for the appointment of an independent commission of inquiry into last Saturday's (11th June, 1983) demonstration outside the residence of three judges of the Supreme Court".²⁶
- . 20th June - Prime Minister R. Premadasa, assures the nation that "violence has subsided", expressed disbelief "in activating the gun and the bayonet to rule the country. We believe in ruling by persuasion"; intends to visit "places of worship of every religion", believing in the truth of the saying that those who lived by the sword also perished by the sword", thus appealing to the religious leaders of his country to help "strengthen the moral fibre of the people. He contends: "What is important for a country is not guns and swords but the spiritual awakening of the people."²⁷
- . 21st June - "Journalists' Death" The Superintendent of the General Hospital, Colombo, yesterday initiated an inquiry into the death of Mr Stanley Thenuwara, a sub-editor of the Daily News who had allegedly received no treatment at the hospital after admission.²⁸

25. Daily News (Colombo, 18 June, 1983) p.1

26. Ibid, (19 June, 1983) p.1

27. Ibid, (20 June, 1983) p.1

28. Op.cit.

- . 21st June - The Bradman Weerakoon Committee (including the Trade and Shipping Minister Lalith Athulathmudali), a Presidential appointed one, submitted its interim report on ways and means to make the District Councils work more effectively, recommend more powers including: formulation of the District Budget, and the creation of district service.²⁹
- . 27th June - Curfew reinforced in Trinco. According to a press report, "the armed forces assisting police to maintain law and order in Trin Cornale where a fresh outbreak of violence necessitated the re-introduction of a 9-hour curfew..."³⁰
- . 28th June - (Emergency approved): The Sri Lankan Parliament adopted a resolution for the extension of emergency by 123 votes for and 2 votes against at 11.45 p.m. on 28th June. The TULF and SLFP abstained whereas the CP and MEP voted against. The Prime Minister assured that emergency will be lifted as soon as possible.³¹
- . 28th June - Twenty-four hour curfew in Trincomala imposed because of continued violence.³²
- . 29th June - The Daily News reported that: Prime Minister Premadasa winding up the debate on Emergency in Parliament challenged the TULF how they advocate to be leaders of the Tamil people when they were at the mercy of the terrorists (Tigers) who were holding them to ransom and dictating life in the North.³³
- . 30th June - Trinco death toll now nine; President orders crackdown on violence. Nearly 75 arrests made by police, army and navy.³⁴
- . 3rd July - "Jaffna Incidents" The Saturday Review, and Suthanthiran, two newspapers published in Jaffna have been proscribed and the presses have been sealed by the police; allegedly for "grossly distorted news" exacerbating communal feelings. In the same issue, the paper reports an interview with the Premier, Mr Premadasa advocating "to get to the Tamil people and solve their problems and their basic human needs ... over the heads of terrorists and Eelam preachers ..."; and moreover, "Jaffna train fire: Rs60 m loss for CGR" - inflicted by about 20 youths, according to the police.³⁵

29. Op.cit. p.2

30. Ibid. (June 26, 1983) p.1

31. Ibid. (28th June, 1983) P.1

32. Op.cit.

33. Ibid. (29 June, 1983) p.1

34. Ibid. (30 June, 1983) p.1

35. Ibid. (3 July, 1983) p.1

4th July - Daily News gives the following stories: "Select Committee to review 1978 Constitution"; "speculation on a July 23 Reshuffle" of cabinet; and Amir (Opposition Leader) telegraph requesting the release of Dr S.A. Tharmalingam and Mr K. Mohesan with reference to the hartal in Jaffna - a non-violent support of the Prisoners' Fundamental Rights.

Review of the Constitution has been reportedly taken up by the Government to appoint a Parliamentary Select Committee.³⁶

5th July - The eye-catching caption is: "Human Rights Violations Allegations Rejected". i.e. The Sri Lanka Government yesterday rejected a series of human rights violation allegations preferred against it by Amnesty International, affirming its commitment to fully protect the human rights of all persons here and root out terrorism." The paper also cites "Allegations by AI", that is: "Sri Lanka's army and police have tortured political suspects and some have been kept in solitary confinement for more than eight months ... The Human Rights Organisation said it had received evidence that some prisoners were beaten with metal bars, had needles driven under their nails, or were hung upside-down from hooks, ..." ³⁷

9th July - In this issue the following headlines are worth noting: "Overall Civilian Commander for Jaffna" in an effort to help both anti-terrorism campaign as well as the bridge-building..." "Jaffna Train Cancelled: Terrorists attack Chettikulam railway station"; "We Value Human Life Irrespective of Community - PM"; "Bus hijacked" by terrorists etc.³⁸

11th July - "TULF Radicals, Moderates to Battle it Out - Issue: Resignation of MPs - Political observers expect the July 23 annual Conference of the TULF to see a confrontation between party radicals and moderates on the issue of the resignation of TULF MPs." Other headlines: "Terrorists Attacks Can Hamper smooth flow of goods to Jaffna"; "Terrorists Damage Government Office". etc.³⁹

12th July - Headlines such as: "Paradeniya Varsity closed indefinitely", (all students ordered to leave campus: reason - student unrest); President Announces Anti-terrorist crunch: Martial Law in the North", "Dhamana helps make a good ruler"; Mr Jayewardene is quoted in the ceremony to have said, "the qualities of a good ruler were contained in the teachings

36. Sunday Observer (Colombo, 3 July, 1983) p.1

37. Daily News (Colombo, 4 July, 1983) p.1

38. Ibid. (7 July, 1983) p.1

39. Ibid. (9 July, 1983) p.1

of Lord Buddha and helped one to rule in a just and democratic manner."

On the Fundamental Rights case and the story of a police inspector challenging the Supreme Court's order has been reported. As well as, "new buses withdrawn: No buses to ply in Jaffna after 4.00 p.m."⁴⁰

- . 16th July - Paper reports on "At Peradiniya Varsity: Dean taken hostage then released"; "Jaffna DDC head quits: sharp exchange with TULF MP's", "Terrorists shot dead"; "King Fahd to visit Lanka".⁴¹
- . 17th July - "Despit a few terrorists acts ... North won't be deprived of its needs: President", etc.⁴²
- . 18th July - "TULF Declines President's offer": It is reported that: "The TULF has decined President Jayewardene's invitaion to participate at a meeting" to discuss the activities of terrorists in Sri Lanka, and decide admitted course of action to combat them". In his reply to the President, the TULF leader, Mr A. Amir-thalingam has described, "violence in the North and Eastern Provinces by the armed forces and by sections of youths as only symptom of the disease and body politic in the island ... which is the result of deep seated grievances, as the UNP itself accepted in its election manifesto in 1977." The paper also reports that: CP, MEP too say 'no'; "police clear campus, no resistance from students", etc.
- . 18th July - "Emergency Extended" President J.R. Jayewardene yesterday gazetted the extension of the current state of emergency for a further period of one month from today. The emergency was declared on 18th May after polling closed at the parliamentary by-elections and local government elections."⁴³
- . 19th July - In this issue, the ensuing events are heralded: "No nonsense from trouble makers, next varsity strike will mean closure"; "Three parties review round table: Shift in Opposition mood", that is , following the broadening of the round table agenda to include "... the participants at the meeting are at liberty to propose any solution, political or otherwise, to the problem of terrorism...", the TULF and CP and MEP agreed to participate. It also carried a headline on: "TULF nominations to MC's" and "No trains to Jaffna till safety is ensured", etc.⁴⁴

41. Ibid. (12 July, 1983) p.1 & p.2

42. Ibid. (16 July, 1983) p.1

43. Sunday Observer (17 July, 1983) p.1

44. Daily News (Colombo, 18 July, 1983) p.1

- 21st July - "Talks again on Enlarged Agenda". The round table conference was held as scheduled yesterday with representatives of the UNP and the CWS. The SLFP, TULF, CP the MEP though had asked for enlargement of the agenda to include matters concerned with problems of Tamil people, and the President had written back that all aspects of the Tamil problem would be discussed; but they did not attend." The front-page also heralds that "Delhi Expresses concern over Jaffna developments: Colombo reacts angrily to Indian Meddling"; "Indian Envoy Summoned by Foreign Ministry," etc.⁴⁵
- 22nd July - Daily News reports on: "Final Solution to human problem, end to statelessness problem in three months" (CWC head); "Solve Tamil Problem": MCR appeals to President - calls him a 'good man' and "alleged plot to assassinate President" PM present CID report to House." etc.
- 22nd July - (Extension of Emergency approved): The motion to extend the Emergency was approved in Parliament, 133 voting for and two (CP and MEP) against, the three: 2 (TULF) and one (SLFP) abstained - while Mr S.D. Banderanaiké voted with the government.

Other captions include: "India rejects charges of interference"; "Proposal for Amending Presidential Elections Act," etc.⁴⁶

SECTION 4: Conflicting Demands in Retrospect

Man is to fight nature and not his kind. This moral version, by implication, betrays the very derogative and primitive nature of many contemporary institutions, political or otherwise, which perpetuate on human antagonism, in part or in toto. Individual advocates of social animosity, the philosophers included, cannot escape such a curse either! To brutalize one's mode of thinking, it is a legitimate observation that in terms of fighting our own kind, we humans are over-fulfilling. Even our conception of "Right v. Wrong" and "Justice v. Injustice" is blurred.

Let us hear the following:-

45. Ibid. (19 July, 1983) p.1 & p.3

46. Ibid. (21 July, 1983) p.1

"That form is despotism, which uses force or fraud to plunder the goods of others, public or private, sacred or profane, and to do it in a wholesale way. If you are caught committing one of these crimes on a small scale, you are punished and disgraced; they call it sacrilege, kidnapping, burglary, theft or brigandage. But, if besides taking their property, you turn all your countrymen into slaves, you will hear no more of those ugly names; your countrymen themselves call you the happiest of men (HERO - in contemporary terms) and bless your name, and so will everyone who hears of such a complete triumph of injustice; for when people denounce injustice, it is because they are afraid of suffering wrong not of doing it. So true is it, Socrates, that injustice, on a grand enough scale, is superior to justice in strength ..."47

In line with the great teacher Plato's observation, one can contend that in comparison to other animals, wolves and crocodiles included, the human species history presents a bloodier picture. Especially, if for the sake of fairness, the "extent" of bloodshed as well as the waste of scarce resources so vital for the decent survival of our kind are taken into account. This observation underlies the initiation of fratricide between "Cain" and "Abel", as well as between our "Sinhalese" and "Tamils" bretheren - and only God knows who else and for how long!?48

However, such a conflictual view of humankind notwithstanding, rudimentary circumstantial evidence strongly suggests the emergence of an almost universal need for peace and progress although in an awfully retarded manner, viz; the creation of the United Nations; the Universal Declaration of Human Rights; as well as the shaping of some sort of what can be viewed as the basic Principles of International Law consonant with the integral values of "humanity" and "equity" - of use to resolve international tensions. So the hope is advanced that before a cruel decision is made by an "imperial-elite" of the present world, "to destroy jiva (the life soul) from the surface of the earth, chances are that we might have learned before then the art of living in peace by "inventing" institutions to ensure the emergence of an angel-like society once and forever.

47. William Ebnstein, "The Republic" Great Political Thinkers: Plato to Present (Holt, Rinehart and Winston, New York, 1963) p18.

48. Happily, on 11th January, 1984, the Australian has a report captioned "Tamils Open Talks with Sri Lankan Government".

Now let me review with such a painfully pensive attitude, at time ambiguous and a little bit out-of-the-way; the nature of the demands and counter demands by the two warring factions in Sri Lanka. In the Island's contemporary history, the failure to meet these demands are the apparent cause of the conflict. Nonetheless, deep underneath lies the very failure of "we" humans - not to have learned as yet - the art of living in peace with prosperity. Here follows the scenario:-

(1) Tamils Demands:

The following demands can be identified on the Tamil side:-

- (a) The basic human right to safety and secure living. This right has been tragically violated during the disturbances in the black-week of July, 1983 - and stands at the top in terms of priority.
- (b) Protection of the fundamental rights provided in the Constitution of 1978, e.g. right to life, liberty, property and prosperity. These rights, too, have been endangered and encroached upon, the emergency proclamation as well as its repeat extensions notwithstanding.
- (c) Equality before the law. As frequently complained, Tamils complain of being treated as the second-class citizens. And in the aftermath of the July violence (1983); surely they complain of being treated as the warring-enemies, or "POWs" - at times.

In addition to the above immediate grievances, there are some more pressing demands of historical significance. Such as:-

- (d) Demand for a separate state: On this question, Professor Virginia Leary advances the following observation:⁴⁹

"The Tamil demand for a separate state is predicated on the conviction that as an identifiable people with a defined territory, they are entitled to self-determination under international law. They claim that the sovereignty of the Tamil nation which existed in 1621 at the time of the Portuguese conquest reverted to the Tamil community when the legal ties with Great Britain were severed in 1972 and that they are thus asking for restoration of sovereignty.

49. Virginia Leary "Tamil Demand for a Separate State" *ibid*, pp14-16.

Until 1833, the successive colonial powers administered the Tamil territory separately from the rest of the country. In that year, the British, for administrative purposes began administering the island as a common unit. The Tamils maintain that sovereignty passed from the Tamil kingdom to the Portuguese, Dutch and British, and that sovereignty continued to reside in the British crown until 1972 when legal ties with Britain were broken. The Tamils maintain that, in view of the boycott by their members of the Constituent Assembly which drafted the 1972 Constitution, they have never given up their sovereignty and the Sinhala nation has not obtained sovereignty over them either by conquest or consent.

A resolution adopted by the TULF at their first national conference in 1976 was the first clear commitment of a Tamil party to a separate state of Eelam. It listed a variety of actions taken by the Sinhalese majority to the detriment of the Tamils including:-

- deprivation of the Indian Tamils of citizenship and franchise.
- The "Sinhala only" language policy
- State planned colonisation of Tamil areas
- giving Buddhism the foremost place under the Constitution
- denial of equal opportunity to Tamils in employment and education
- the systematic cutting off of Ceylon Tamils from the mainstream of Tamil culture in South India
- permitting and unleashing communal violence against Tamils
- terrorising, torturing and imprisoning Tamil youth
- imposing an unacceptable Constitution on the Tamils

The resolution also referred to the failure of the efforts of various Tamil political parties to win rights through negotiations with successive governments or through entering into pacts with successive Prime Ministers. The resolution ended with the statement that:-

"The Convention resolves that the restoration and reconstitution of the Free, Sovereign, Secular, Socialist State of TAMIL EELAM based on the right of self-determination inherent to every nations has become inevitable in order to safeguard the very existence of the Tamil nation in this country."⁵⁰

Again, as my observations, together with the recent up-dated assessments made by the International Commission of Jurists' mission as well as Amnesty International - and other Island-watchers - dramatise the need for the "rule of law" as the raison detre that legitimizes the very existence of a modern state - with its monopoly of power - becomes of prime significance viz. "equal protection and security of all residents regardless of race", "facilitating humanitarian assistance to the up-rooted and displaced Tamils"; "establishing firm control over elements in the armed forces and elsewhere", etc.⁵¹

(2) Counter-Claims by the Sinhalese:

The Sinhalese view point has been voiced in varying forums, national and international media, etc. On meetings with government people and otherwise, details were emphatically told of the privileges enjoyed by Tamils, to the detriment of the Sinhalese at present and in the past. More often, it was mentioned that Tamils by virtue of missionary education and talented work had won the favours of the colonial rulers, and had enjoyed many a position of power and wealth in the history of the Island. Even today, according to the Sinhalese sources, the Tamils form a privileged community.⁵²

Nevertheless, before closing this section, a word of caution seems in order.

Statistical data, like otherwise evidential facts, are always infested with prejudice. So we had better take them with a grain of salt - on both sides, if you wish! Again, should some members of a group enjoy certain status or privilege under competitive, meriterious conditions, this in no way justifies deprivation of other members of the community to compete in peaceful ways in a democratic setting - let alone a genocidal response or a homicidal initiative vis-a-vis the human's basic right to life and liberty.⁵³

51. Ethnic Violence in Sri Lanka, 1981-83. A report by the staff of ICJ, August, 1983.
52. Hansard's Parliamentary Debates (Colombo, 4 August, 1981), pp1553-1555 and 1557.
52. On Tamil's demands, Dr Amirthalingam's letter dated 10th August, 1983, addressed to Mr Junius Richard Jayewardene, the President of the Socialist Republic of Sri Lanka, is very relevant and informative. Following our interview with him in Colombo, he promised to present us a copy which he kindly did. This letter has been reported in the international press, and is attached as Appendix No 10.

APPENDIX VIII

An address to the Nation by the Prime Minister, Hon.R. Premadasa over Rupavahini (the National Television of Sri Lanka) and Radio on 29th July, 1983 as issued by the Sri Lanka Government Printer:

A rumour has been spread in the country that tigers from the North have broken into the city fired on the armed services and taken over the city. We see that our people who have been misled by such rumours are enraged and frightened. As a result they have been led to violent acts. This falsehood is spreading in a very big way and has caused great destruction. I would like to inform you that I am today addressing you from Colombo. The rumours about tigers is totally unfounded. There was nothing like that happening in Colombo. Our Government has the strength to protect you and the country. We are making every endeavour to maintain peace and harmony amongst you all.

Today a situation has arisen owing to communal feelings and we are attempting to bring about a solution to this. If there has been any doubts in anybody's mind that the country will be divided the Government has now promised you that positive action will be taken to prevent any division. No one needs to have any doubts on this. His Excellency the President in his address to you yesterday cleared all doubts that would arise in your mind. We have now taken a decision to include in the Constitution that even advocating a division of the country is illegal. No one would be able to even talk about it. Such a campaign will be made illegal. We would not only deprive those advocating any division of the country of their civic rights, we would even bring legislation to confiscate their properties. Those advocating any division of the country will not be able to talk about it even in a foreign land. Because we would punish them on their return to Sri Lanka. His Excellency the President yesterday promised you that such actions would be perused by the Government. He said so to dispel any doubts that you may have had in your minds.

But see what has happened today. Today they have spread rumours that tigers have come to Colombo and invaded Colombo. Just imagine the great destruction and the crimes committed based on such wild rumours. Our people not only got aroused but also engaged themselves in violent acts. Some have taken clubs and other weapons and engaged in such violent acts. As a result even our Sinhala and Muslim brethren have been subjected to harrassment. You just imagine what a catastrophe this is.