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Introduction

People from all communities and from all parts of the country have been through many horrors and ordeals from the time the flames of conflict engulfed this country in July 1983. But seldom has anything been so prolonged and full of constant terror and anxiety as what several thousands of people in Thenmaratchy, the south-eastern sector of the Jaffna peninsula

with Chavakacheri as its main town, endured for three weeks and more. The war, the fortunes of the adversaries, and the underpinning politics tend to be discussed in isolation from the suffering of the people who are most affected by it, and the trials they go through. Their desires, immediate needs and their long term interests have ceased to matter. We, in this bulletin, try to highlight areas neglected in the reporting, and throw light on how the people were perceived by the adversaries - the LTTE and the government forces.

Many may regard the details as no more than a part of war. But these bring out the true plight of the people and their role in the whole process. They also underline the suffering of the LTTE cadre and government soldiers who are war-weary and are trapped in the workings of deadlocked political ideologies. We in this country have become too used to discussing solutions to the problem in the abstract and have not touched the imagination of the people.

Indeed, the extent of indifference to what is happening on the ground is shocking. Here was a situation where thousands of civilians were living for several weeks with shells falling among them and with no authentic information coming out. Both sides have got used to twisting individual incidents of civilian tragedy to their advantage in their propaganda, and little verification is possible. The shelling of the Elders' Home in Kaithady is a case in the point.

The disregard for reality is also evident in the political process and in how it is reflected by editorial writers and columnists. Political leaders and opinion makers on both sides have shown themselves incapable of breaking the vicious cycle of violence. Recent events in Parliament and outside it saw the forces of reaction coming together in a dance of death to ensure that this country would continue to bleed. In general the foreign and local media represented the withdrawal of the constitutional proposals presented by President Kumaratunge as a humiliation for the Government. But the fact that even these diluted proposals could not be passed by Parliament is an ignominy inflicted on all the people of Sri Lanka rather than on a particular party or leader.

The pettiness which runs through all walks of life, in religious orders, in political discourse, and among many who are thought to be members of intellectual think-tanks and radical activists, evinces a pathology in this country's social and political life. The lack of originality and creativity it entails, breeds a vicious politics that carries us towards the precipice. Recent events in Thenmaratchy which followed the fall of Elephant Pass showed the system close to breaking point. [\[Top\]](#)

The Unseen Ordeal

In the three days from 18th May, the LTTE advanced from Kaithady in the west towards Chavakacheri without any resistance. Tens of thousands of people found themselves under LTTE control overnight. They were mainly in the areas of Navatkuli, Kaithady, Nunavil, Mattuvil and Chavakacheri West.

The Army regrouped at Sarasalai and resisted. There was a heavy rain of shells into the areas overrun by the LTTE and the LTTE then attempted to move the civilians into the Vanni mainland. Knowing the consequences of this, an overwhelming bulk of the civilians resisted this in varying contexts. A large number of men and women who never sought to do anything remarkable in life, performed feats of endurance.

About 21st May when the LTTE tried to push the Army back from Sarasalai in the Chavakacheri area, the area was saturated with shell-fire and the LTTE advance was stalled. But the harrowing experience of civilians in the area has gone unrecorded. Here is the account of Dharshi, a young lady:

“We took refuge in an Amman Temple. Shells were falling all round. Krishna, Varathan and Jeevan were in a sea of blood. We all screamed and cried. We then ran to the Sivan Temple. In view of a similar situation prevailing there, we thought we would stay the night and leave at dawn. However, when we were all asleep, several shells struck the Sivan Kovil one after the other, shrouding us in acrid smoke. Having nowhere to run, we all went into the inner sanctum of the temple. In the morning we left behind the belongings that we had brought along, and went on foot to Mattuvil with D Annai’s family. Further, Ramanan, Mohan and Ruban had gone with some injured persons, to leave them somewhere safer. They did not return, and we do not know what became of them.

“At Mattuvil, we took shelter with Busman Gnanam. While we were there, Punitha and the eldest daughter of the Ambal Pharmacy owner were brought and left at the house opposite. They both passed away. Father and D Annai took them in a bullock cart and cremated them in an empty field. Deciding that it was not safe there, we moved [west] to Kaithady-Nunavil, dug ourselves a huge bunker under a tree and covered it with 26 slices of coconut stem. We stayed there while shells fell here and there around us. We could only plead with the Almighty.

“Then my ‘akka’ (elder sister) who was expecting started having labour pains. There is nowhere father and D Annai did not go looking for a midwife. No one agreed to come. We waited in prayer. Two married ‘akkas’ agreed to come. At mid-night when shells were falling everywhere, I went and asked them to come. In spite of my pleading they refused. I cannot blame them for refusing to move from their bunker when shells were falling.

“When my sister was expecting, I had taken some lessons at the ‘union’ and had a blade with me. We all cried and prayed. It struck me forcefully that we must trust God rather than man. The baby came out. I felt my courage return. I cut the umbilical chord. Immediately my mother and Chellamma-akka wiped the babe. The babe opened its eyes and it was beautiful. But, my poor sister, although the babe was born at 12.32 AM on 27th May, the placenta had not fallen by 6.00 AM.

“My poor father went hither and thither with shells falling about him and came back with a young LTTE medic. By then many had seen my sister and said that she would not survive. But my prayers were answered. The medic put on his gloves and promptly extracted the placenta from my sister. He administered her saline in the bunker itself and went away. On the same day we travelled to the Vanni with only the clothes we were wearing and the babe swaddled in old clothes. It was the medic who offered to take us to the Vanni.

“I keep looking at the papers for news about Uncle. I had asked him to come. I feel very sad. Aputhakka’s mother and Kili died when a shell fell on Sivan Kovil. Suppiah’s two daughters and niece too died. The entire family at Mangala Stores in Thanankilappu were killed. So many have died....”

This young lady’s family moved to the Vanni and lead a life of privation, relying on meagre charity handouts. Without their bicycles or transport, they cannot even move about. They do

not even have slippers to walk, which they left behind when they fled Amman Kovil. Overnight their world had collapsed and they were rendered helpless destitutes. Having on hand an infant and a mother who narrowly escaped death and needed medical care, which only an institution could provide - and there were only one - the family had no choice but to go to the Vanni. But the vast majority tried to avoid this.

One group of families in Nunavail got together at a place of worship and constructed trenches. One set was for living, another for cooking and another for their ablutions. They lived in this manner for nearly 3 weeks with shells falling around. The greatest risk was when going from one trench to another.

All this time the LTTE was offering them transport and trying to inveigle them to move to the Vanni. They were deterred from moving elsewhere. On 10th June again the shelling became unbearably heavy. The LTTE allowed them to leave and the entire group went to the 'tharavai' and crossed the mostly dry lagoon bed to Neervely and the army-controlled area. ('Tharavai' refers to land that is saline and uncultivable and in this case refers to the part of Kaithady North, facing Valikamam.)

Again for many who resisted going to the Vanni and later crossed no-man's land into the army-controlled area, it had been a harrowing experience. Some had seen the person next to them being killed, and often people in the neighbouring house being killed. In such instances, they had to perform the last rites as best as they could. It was many weeks later, after the survivors had trekked into the army-controlled area, that one could get a fair idea of who died and who was alive.

This extra-ordinary catastrophe involving tens of thousands of people raises many questions of a political and humanitarian nature. Some of them do not seem to have been anticipated in international conventions (e.g. Protocol II of the Geneva Conventions pertaining to internal conflicts).

A particularly important question applies to the Sri Lankan Government and Army. The Army was controlling the area and protecting citizens of this country on sovereign territory. But when the Army withdrew from certain parts, it shelled the civilians treating them in effect as part of the enemy on enemy territory. The contingency had neither been thought through nor answers found beforehand. It is notable that in about half a dozen instances, or more, civilians taking refuge in Hindu Temples had been killed by army shelling. Ever since the Government designated temples, schools, and churches as places for refuge at the commencement of Operation Liberation in May 1987, civilians have gone to them in times of crisis.

However hazardous the security situation, measures taken for the safety of civilians should have been raised in Parliament and defence officials made answerable, so as to reaffirm these measures. This does not happen in the Sri Lankan Parliament and it is partly the fault of the Tamil representatives. We will first sketch the developments from the beginning. [\[Top\]](#)

Early Preparations

During December 1999 in the run up to the presidential election, the LTTE shelled several areas along the south of the peninsula from across the lagoon, including Chavakacheri and the eastern suburbs of Jaffna town. A part of the aim was to influence the voters whom it urged to

vote UNP. Also where the shells fell was carefully monitored by infiltrators, so as to determine gun settings for different locations.

During the same month the LTTE took some strategic locations on the east coast near Elephant Pass and also much of the sparsely populated Kerativu and Ariyalai salients, which were separated from Pooneryn by a short stretch of the lagoon, and were dangerously close to Jaffna town. These gains were left uncontested. The gap between Sangupiddy and Pooneryn was formerly covered by a ferry service, and the logistics would have posed no problem for the LTTE.

Following the fall of Elephant Pass, the LTTE's progress towards Jaffna from the south-east was decisively blocked after a battle at Kilaly on 5th May. Abandoning this route, on 10th May, the LTTE attempted to advance on Jaffna via the Thanankilappu-Kerativu and Ariyalai salients. The Army withdrew from Navatkuli junction, leaving a stretch of the A9 in LTTE hands.[\[Top\]](#)

The Advance towards Jaffna

Just afterwards the LTTE attacked the eastern defences of Jaffna about 3 miles east of the city going southwards from the Bo-Tree junction in Chemmani. Fighting was heavy with the LTTE using cannon. The LTTE tried to make up for smaller numbers by making effective use of cannon - two of which were in use. The Army pulled back to a new line in Colombagam. How heavily the LTTE had committed itself in this offensive is revealed by the fact that it lost 55 cadre on the very first day.

The LTTE's attempt to breach Jaffna's defences went on for three days before it was abandoned. Despite having the resources, the Army made no concerted attempt to retake Navatkuli and push the LTTE back across the salient. It was a bad period just after the fall of Elephant Pass and the Army appears to have been thinking of preventing the LTTE from landing and making new inroads elsewhere. An attempt to advance from Nagarkovil to Pt. Pedro was a distinct possibility. But from a logistical point of view the Kerativu salient was very convenient.[\[Top\]](#)

The Advance on Chavakacheri

During the three days when the LTTE tried to move towards Jaffna, it had free use of the two salients to induct fighters and materials. The LTTE had staked a lot on taking Jaffna town and its overseas propaganda even announced its capture. Despite heavy casualties the event did not materialise. Having failed to take Jaffna town, the LTTE turned its attention in an easterly direction. Its first target was Navatkuli followed by Kaithady junction, a strategic location held by the Army. The resources and concentration the LTTE put into this operation can be judged from the fact that it was directed by the LTTE's leading military commanders:- viz. Colonels Banu, Sornam, Karuna, Jim Kelly Thattha and Theepan; and Lt.Col. Vidusa, a woman.

Among the commanders in the field were Lawrence, Mahendi, Robert, Parani, Pushpan, Senkolan, Illampirai, Thamayanthy, Kapilan, Gnanatheepan, Arul, Umaran, Suman, Anbu, Mervyn, Illanthirai, Kuhan and Dinesh. Among the women leaders were Keerthana, Priya,

Kantha, Latha and Thilaha. The attempt to overrun Jaffna was led by Lawrence and Mahendi who were from Jaffna. 1500 cadre or more appear to have been involved in the operation.

According to LTTE sources (e.g. Tamil Net and its journal Erimalai (Volcano)), the Army withdrew from Kaithady on 17th May after an engagement lasting 12 hours. From the point of defending Thenmaratchy, this was a major setback for the Army.

Testimony received from civilian sources said that the LTTE shelled the Kaithady area and advanced from the west (along A9) and from the south (i.e. the Thanankilappu area). They reached Kaithady junction late in the night on the 17th. The army personnel who were west of the junction in the Elders' Home and Nuffield School area, moved on to the Kopay road, north-west of the junction. They withdrew from Kaithady North to Kopay during the 18th morning. The remaining army positions were east of the junction towards Chavakacheri. At Kaithady itself the Army offered very little resistance. This is of some importance for the incident taken up below.

According to other civilian sources from near Chavakacheri, they saw truckloads of soldiers being dispatched towards Kaithady. Some time later they saw soldiers running back in disarray, having discarded some of their accoutrements. It would follow from this that despite the Army's manpower, Kaithady was lost because a section of the soldiery did not want to fight. This was a major problem faced by the Army at that time. There was also another reason in Thenmaratchy.

Curfew was imposed on 10th May soon after Navatkuli came under attack. On the 12th curfew was lifted for 3 hours. Owners of commercial establishments in Chavakacheri brought lorries into town to remove their goods. The Army prevented them saying that they would not quit Chavakacheri and some of those who came to remove their goods were assaulted. A large number of their lorries were commandeered. This had an adverse effect on the morale of the soldiers, which was already low. They got it into their head that the Army command had decided on total withdrawal.

This is evident from the fact that soldiers started stopping civilians and commandeering push cycles and motor cycles. Civilians tried to avoid riding on the streets or if necessary took a woman passenger along. Once running away was uppermost in the minds of the soldiers, they lost interest in fighting. The result was disastrous both for themselves and the civilians.

From Kaithady the LTTE advanced towards Chavakacheri in two columns. Jim Kelly Thattha led the column along the Mattuvil road from Kaithady North and Theepan (a native of Vanni) moved along the A9 trunk road. The column that went to Mattuvil was able to fire mortar shells at Army positions on A9 to the south from the interior. The Army abandoned camps on the A9 and pulled back towards Chavakacheri without offering resistance.

The abandonment of Kaithady was to prove a great setback to the Army by leaving the interior areas exposed. Kaithady was by contrast situated in open space that was easy to defend. Advancing east through Mattuvil from Kaithady North, the LTTE was able to surprise the Army at Pandiththalachchi on the Kanagampuliyady-Puttur Road on the 19th morning. An army convoy of several trucks carrying injured soldiers was followed by two armoured vehicles. The Army had not expected the LTTE so soon. The LTTE let the trucks pass and attacked the two armoured vehicles, killing 13 soldiers. Kanagampuliyady is a strategic junction of five roads north of Chavakacheri.

The Army fought for the bodies of the soldiers and heavy fighting erupted. There was heavy shelling of the civilian areas of Mattuvil, Kerudavil and Kalvayal from which the Army had already withdrawn. By losing Kaithady, further to losing the Jaffna (Kandy) Road, the Army lost two other important link roads to Palaly and Valikamam. These were the Kaithady-Kopay Road and the Chavakacheri-Puttur Road. The Army is now solely dependent on the Kodikamam-Nelliady Road leading to Vadamaratchy.

By 20th May, civilians in Nunavil, Mattuvil and Chavakacheri West suddenly found themselves under LTTE control. In one part of Mattuvil, LTTE women came to civilian homes at dawn and asked for mammotties and baskets to build trenches. In general civilians were confidently told to dig trenches and manage for two days, after which the fighting would have shifted eastwards and they would be safe. Others were advised to move to Manthuvil and Varany and come back in two days.

In the meantime the Army too had been planning its new defence line. From Kanagampuliyady, Sarasalai, the Army withdrew south to Chavakacheri Ladies College on the 19th and redeployed themselves in the former area the next day. Under Jim Kelly Thattha the LTTE massed to attack Sarasalai. The area was then saturated with shells fired from Palaly (Achchelu). 68 LTTE cadre were killed. (15 of the bodies are said to have been taken to Jaffna Hospital, of which 11 belonged to women.) This effectively halted the LTTE advance.

Before withdrawing a short distance to the north from Chavakacheri on the 19th night, the Army had looted the shops in Chavakacheri town, from which it had earlier prevented most of the owners from removing their goods. They also removed fuel stocks from the MPCPS. Among the establishments said to have been looted by the Army are Sri Vigneswara Stores and RMS (Rasam Mills Stores). What remained was looted by the LTTE after they entered Chavakacheri town on 20th May. In Chavakacheri Base Hospital, a single doctor, Gnanasuthan, was attending to the patients, several of them with shell injuries. A shell fired by the Army fell in the hospital. Everyone who could move scattered. That was the end of the civilian presence in Chavakacheri.

The Army line was now protected by a bund some distance along the Vannatthipalam road towards Puttur to the north-west, through Sarasalai and then by-passing Chavakacheri Hindu College, crossing the Kandy Road at Sangathanai just east of Chavakacheri and then south to Allarai. Despite a few advances by the Army, the lines have not changed much since then. Realising that its advance was checked, the LTTE launched the next option - evacuating the civilians to the Vanni. We will return to this after looking at an incident that also tells us how each side manipulated the news. [\[Top\]](#)

The Singular Fate of Kaithady Elders' Home

Apart from the tragedy itself, the particular relevance of this incident is that it is an illustration of the deplorable attitude of both sides towards the safety of civilians. On 17th May, the LTTE organ Tamil Net, announced the capture of Kaithady and the Government was charged with malicious propaganda for claiming that the LTTE had been shelling populated areas in Jaffna.

On 21st May, both the Tamil Net as well as the Government media reported the shelling of the Old People's (Elders') Home at Kaithady. The Government's 6.00 PM SLBC Tamil News accused the LTTE of using civilians as shields and said that the military were taking special measures to protect places of worship and charitable institutions such as orphanages. Although nothing specific was said, there was a strong hint that its forces had hit a sensitive civilian target. However 165 minutes later, the 8.45 PM SLBC English news said that the LTTE had hit the Old People's Home killing 15 elders and injuring 24. The Colombo Press reported it the next day saying that the shelling of the Home by the LTTE took place on the 20th. It was not generally known in Colombo that from the 18th the Home was under LTTE control.

By contrast the Tamil Net's handling of the incident was very professional. It quoted '*aid agency sources in the north*' as saying that artillery shells had hit the Old People's Home on Friday 19th May and that 15 elders were killed and 31 injured. It added that the Sri Lankan Army had been shelling the general area of Kaithady heavily after the LTTE overran its positions around this junction town on 17th May.

It was a perfect report. But those who had been following Tamil Net with a critical eye would have noticed that the TN had lost no time in announcing the LTTE's capture of Kaithady. But it took apparently two days for it to report the shelling of the Elders' Home and the LTTE is never slow in exploiting an event of propaganda value. There were no 'aid agencies' there to report the incident. The LTTE which feeds the Tamil Net were the only agency there. The ICRC got there more than two months later. We shall see that there was some truth in the claims of both the Government and the LTTE and both were suppressing much. It is seldom in a war of this intensity that the world is so blind to what is going on.

We received persistent reports from responsible persons that the Old People's Home was shelled by the LTTE. This seemed at variance with what was reported by both sides. What seemed a straightforward inquiry about dates of shelling and casualty figures elicited what were at first sight contradictory responses. An attendant who was at the Home said that on 17th May the Kaithady area was shelled from the general direction of Maravanpulavu (i.e. from behind LTTE lines) and shells were falling everywhere. About noon, one shell fell on the Home, and he knew for a fact that four elder women were killed. The staff then fled the Home, after which the elders were on their own. He had heard subsequently that the Army had shelled the Home on the 19th, killing about 19 elders.

Another inquiry from some elders, now at Moolai, Valikamam North, while not contradicting the attendant's testimony, also reported, puzzlingly, that the elders generally blamed the LTTE for what happened.

In a further inquiry by other persons who went to Moolai, they got talking to a relatively young and steady elder, who told them that 17 elders were killed when the LTTE shelled the Home on the 17th and three were killed when the Army shelled the Home on the 20th. He sent away another elder who came to listen saying that he was talking something private. He had been in Kaithady throughout and come to Valikamam in July. Interestingly, no one was trying to deliberately mislead. What is given below was largely pieced together painstakingly by a dedicated social worker.

17th May: The Army had pulled back from the surrounding areas and were in the area of Kaithady at Nuffield School, the Faculty of Ayurvedic Medicine and the Elders' Home. At

11.00 AM a shell coming from the general direction of Maravanpulavu (behind LTTE lines to the west) fell on the Elders' Home, killing several elders. The Army who were in the area advised the shifting of the inmates. Nearly all the staff quit the place. Four deaths of women were witnessed. The LTTE entered the Home after the Army left, and going by the testimony of an elder, they apparently removed the dead and badly injured.

18th May: In the morning Mrs. E. Thurairatnam who was in charge of the Home, hired a car and went to Jaffna to inform the civil authorities of the state of things. The Army withdrew from Kaithady North towards Kopay later in the day.

18th-22nd May: After the Army quit on 18th May, the Kaithady area was subject to shelling by the Army. Several elders witnessed LTTE cadre in the premises apparently also firing at army lines to the north. Several shells fired by the Army, some possibly retaliatory, fell in the compound. Since no staff were present, numbers and what happened when are unclear.

A staff member, who ran away on the 17th and went back later, learnt that 3 elders were killed by shelling on 20th May. About this there is general consensus. Apart from the 4 women whose death on the 17th was witnessed and the 3 who died on the 20th, it was found that 11 other elders had died during 17th-22nd May. There is no definite information about what happened to them. One of the 11 is said to have died on the 17th.

14th July: 64 of the elders who wished to go to the army controlled zone were dropped by the LTTE at the Kaithady end of the lagoon bed ('tharavai') which they had to cross on foot. 58 made it. 3 died of exhaustion. 3 gave up and sheltered under bushes.

15th July: The LTTE brought another batch of elders to the crossing point. The 3 who had sheltered in bushes explained the difficulties. All were taken back by the LTTE.

22nd July: After negotiations, the ICRC was enabled to cross no-man's land, and collect the elders from a school near Kaithady.

The following is the picture that emerges:

Number of original inmates of the Kaithady Home	189
Present number of original inmates at Moolai	134
Number now in Vanni	22
Number who went to relatives	3
Number surviving	159
Number dead	30

The dead are accounted for in the [Appendix](#).

According to the relatively young and steady elder referred to earlier, 10 women and 4 men accepted the LTTE's offer to take them to the Vanni, and two others were taken because they were ill. The difference may be accounted for by persons taken earlier for reasons of illness or

injury. The elders in Jaffna are in very deprived conditions after their ordeal in which some died.

However the number of elders killed by each party is not the issue. Both shelled without concern for institutions protected even in conditions of war. The Appendix also gives the names of several others killed in the Kaithady area during 17th to 22nd May when the area experienced a '*shell malei*' (rain of shells) particularly from the Army. The shelling seems to have stopped after the matter received publicity on 21st May. Most inmates of the Home are clueless about where the shells were coming from and who was firing them. A great deal however remains to be explained. Why was no meaningful action taken to relieve the elders during those crucial five days?[\[Top\]](#)

The Thenmaratchy Exodus

The initial shelling into civilian areas was by the LTTE. They had used shelling as during a conventional military advance allowing the civilians to fend for themselves. Among those killed by shelling during the LTTE advance were a son and a daughter of District Land Officer Vellupillai of Mattuvil South. Two others were killed in the house in front of his. At this time the Army was in the area.

Once the LTTE advance was halted, these same areas were shelled heavily by the Army. The LTTE announced a cease fire for the 27th. LTTE vehicles fitted with loudspeakers roamed the area and told the people that they cannot find safety by escaping to some other part of the Jaffna peninsula because the entire peninsula was going to become a war zone. The Vanni, they were told, was the only safe place for them. The people were asked to proceed to a school in Kaithady from where they would be given transport to the Vanni.

This campaign was articulated by Paapa and Parani from the LTTE who belonged to that area. By this time the LTTE well knew that their operations were at a standstill. A few panicked and set off on foot and on bicycles to Kaithady and Maravanpulavu on the Kerativu road. But most people reacted differently. Those who could avoid the LTTE and move to the army-controlled area did so. Some dug bunkers and stayed put. Still others sought temples and churches for refuge.

Then instead of directly asking the people to go to the Vanni, the LTTE urged them to move to Maravanpulavu for temporary refuge, promising them relief. They evidently calculated that once people had taken that step, it would be easy to move them to the Vanni. A particular experience is of interest.

In order to avoid the shelling a number of people in Nunavil went south crossing the old railroad into the rice fields and took refuge in Kollankirai Pillaiyar Temple. Some LTTE cadre brought a mortar nearby and fired shells towards army lines. The Army fired back. The people were left with no alternative but to move west to Maravanpulavu. Such conduct on the part of the LTTE has been long known to the people (see '*the Broken Palmyrah*' for instances in 1987 and also [Bulletin No.21](#) for a similar instance in the Mannar District on 29.6.99 where the LTTE was trying to force about 3000 refugees in Vidatthal Thivu into the LTTE-controlled area).

While the people were at Maravanpulavu, an Air Force Kfir dropped bombs and two persons were killed. 18 others were injured. This was on 26th May and the 27th was the first day that the LTTE moved civilians to the Vanni. About 550 people went on the first day including the injured persons and their families, and they were taken in about 24 tractor loads. The Air Force attacked several times, but the one above was the only sortie that caused civilian casualties.

The bulk of the people at Maravanpulavu were unwilling to go and there were heated protests. The LTTE (Regi, Parani and Pushpan were among those in charge) then let them do as they pleased. Even as the Army was firing shells, these people began a trek to Kaithady and then to the 'tharavai', before crossing the lagoon bed to the army line at Neervely in Valikamam. Many others who got into the army line in Thenmaratchy, used the Kodikamam-Varany-Pt. Pedro road to get into Vadamaratchy. Several of these people were able to use road transport and take some of their essential goods along. Several vehicles moving from the 'tharavai' to Neervely ran into marshy patches and had to be abandoned.

After that first day when the LTTE transported 550 people to the Vanni, those accepting their offer dwindled to a trickle. 1000 is about the total number who took this offer. Once people had been brought to Maravanpulavu, the LTTE's offer of transport appeared safe and tempting. The alternative was a relatively dangerous trek. The LTTE claimed that 5000 people had gone to the Vanni. But internally, the number mentioned by some cadre was 1200. The ICRC has said in a statement (Sunday Island 3.9.00) that more than 3000 civilians crossed into the Vanni. We learn that this is based on the figures of GA, Killinochchi.

The Council of NGOs in Jaffna has given a figure of 47,000 displaced families from the recent disturbances now registered in the army controlled zone, the bulk of them being from Thenmaratchy. Of the estimated 100,000 persons who fled Thenmaratchy, we may say that several tens of thousands left their areas after the LTTE had come into control of them. [\[Top\]](#)

The Destruction of Chavakacheri Town

Chavakacheri town was the second largest town in the Jaffna peninsula. It had a major base hospital, government offices, schools, including Dreiburgh College, one of the oldest schools in Jaffna, several places of worship and its sprawling bazaar. Following the forced exodus from Valikamam in October 1995, it was for some months the administrative centre of Jaffna. We now learn that a good part of the town has been badly damaged and is now no man's land.

The LTTE first shelled the town and the Army and civilians pulled back. A civilian who approached the town through Dutch Road was turned back by the Army, indicating that the two sides were facing each other in the town area. The extent of the destruction can also be gauged from two civilian experiences of the shelling in this area given in this bulletin.

It may be recalled that on 10th May the LTTE had asked the civilian population to pull out of Jaffna town and later some shells fell in Passayoor and Gurunagar. However several doctors at Jaffna Hospital decided to stay put and this time the ICRC stayed with them. The ICRC was evidently prevented from declaring the Hospital a protected area because of the presence of the Army's Brigade HQ just behind. Had the LTTE not been turned back from Jaffna town, it may have once again suffered the same fate as Chavakacheri. Having in advance decided to withdraw from the peninsula, the LTTE fought the Indian Army in 1987 and the Sri Lankan

Army in 1995, withdrawing into Jaffna City, and vanishing after causing maximum damage to the city. [\[Top\]](#)

Civilian Experiences

Many of those suddenly caught up in these disturbances had to go through the additional agony of not knowing the whereabouts of their near ones from whom they were separated. They had to get hold of a few things and follow their neighbours. We begin with the experience of a young father, Kumar, from Chavakacheri, who is now in the Vanni:

“It rained shells [about 21st May]. We had no opportunity to collect any of our belongings. We fled taking along our goat and her two new-born kids. Sivankovilady (the precincts of Sivan Temple) is as desolate as a graveyard. Vaiththy had died. Chavakacheri, Kalvayal and Mattuvil have been flattened. One cannot bear to look at Sivankovilady. The houses of many people have been flattened. Many have also been killed. All their bodies have been buried in their front gardens and along roadsides. An unbearable stretch of death... Finally, [before leaving for the Vanni,] I untied our mother goat and her two kids at Kaithady, in the hope that they would fend for themselves.”

Mrs. S was among a group of 20 people who had taken refuge in a house at Sarasalai. An army patrol came there and took all of them to a camp and screened them. All were released except two young boys, one of whom was a psychiatric patient. Their fate remains unknown. The others were escorted to a safe area.

The wife of a school principal in that group, who did not want to go, gave the others the slip. The principal went in search of her and was shot and injured by an army ambush party. He was later sent to Pt. Pedro hospital in a critical condition.

L was with her brother and son. They came to Mattuvil from Kaithady and joined a group of refugees at the Kalvayal (Sella) Pillaiyar Temple. On 8th June, her son was lying down on the floor next to the temple priest's son, when a shell fired by the Army fell there. She went to her son and found him covered with pieces of flesh and blood. The flesh and blood came from the priest's son who was mangled. 9 including the priest were killed in the incident. They crossed into Neervely on 10th June when shelling became heavy owing to an operation. The people felt that they could not stay on and the LTTE too did not then interfere with their going.

Earlier many of those trying to leave were harassed by the LTTE and in some cases people were assaulted. In one incident a group of 50 persons was crossing into the army controlled zone. Three LTTE cadre blocked them, held the bicycle of the leading person and asked angrily, “Are you going to go and get beggar's food from the Army?” The younger boys in the group argued back, “We had been in the Vanni and returned, we know what it is like there. We will never go there again.” Because they were a large group they pushed the LTTE cadre and moved on. Others have said that until 10th June the LTTE had prevented them from leaving, as they were angry over the very poor response to their call to move to the Vanni.

Most of those left behind moved into the army-controlled zone on the 10th June. In some cases the LTTE had asked people to leave saying that they were going to mine the area and the approaches to it. There was a huge crowd waiting to cross the final stretch to the army check-point on the northern bank of the lagoon bed. They had to wait in the sun as the soldiers

summoned them in small groups of about 50. The checking was slow, then followed by registration before they were sent to a camp or to friends as they wished.

Owing to the large crowd waiting to cross on 10th June, some had to go back and come the next day. There were also reports that some of those who went back were killed or injured by shelling. A number of persons with elderly or disabled relatives did not attempt to move at all and remained where they were.

While the LTTE was moving in from Kaithady, D loaded his motorbike with household items and was moving towards Chavakacheri. His family was away in a safe area. An LTTE shell fell into the area and a soldier sustained an injury on his forehead. His companions asked for the motorcycle promising to bring it back after taking the injured man to the nearest first aid post. D waited two hours with shells falling around him, but his motorcycle did not come back. He later stopped some cyclists and managed to get away with his things. He has since not been able to trace his vehicle.

J lived in Chavakacheri with his wife and child and despite shelling by the LTTE decided to stay on. On the morning of 12th May someone pointed out to him that his back wall was missing. He found that it had been demolished by a shell blast and that a young woman in the house behind had been killed and her father injured. Badly shaken he spoke to some soldiers nearby. They told him with a note of uncertainty that they would stay on, but advised him to move about one & a half miles northward where it would be safe.

J took his family and some necessities and moved with a group of about three dozen people to a house in Periyamavady. This is a short distance east of Chavakacheri and then south towards the lagoon. on 22nd May, J's wife looked into the field through a window and saw a soldier on the ground pointing a gun at the window. She quickly moved away when about 4 bullets came crashing in. After a silence the soldiers shouted at the inmates to come out. Two ladies who could speak Sinhalese went out and identified themselves as civilians.

The soldiers then came forward. The officer scolded them that they should never have come to the area which is dangerous and that whenever they see a suspicious movement they radio for artillery support. He gave them ten minutes to pack their things and get ready to be escorted out. J dug a hole and buried some of his valuables.

The party left half an hour later and went to Puttur Junction, Meesalai. Discovering that he had left behind some of his child's necessities, J went back to Periyamavady the next day. On the way he ran into a sentry. A soldier asked him what he wanted. Then he asked J for a description of the place where the things were kept. The soldier then asked him to come there the same time the next day and that he will have the stuff. J went at the appointed time and the soldier fetched the goods from behind a tree and told him that the house was now in no-man's land and it is risky to go there. J thanked the soldier and left. On 25th May the party left for Vadamaratchy. On the 27th, the day the LTTE declared a cease-fire, J returned again and told an army captain that he would like to retrieve the valuables he had buried.

The captain obligingly radioed some of his men to help J and warned J to keep right behind the men. J carefully followed three soldiers, and dug his things out. He learnt that the place was booby-trapped. Those who got to their houses found doors and even gates missing. Inside everything was poured out, with the chinaware smashed.

There are still a number of people left in Thenmaratchy. For example, 3 old people are living in Navapuram, Kaithady. About 60 refugees are living close to Navatkuli High School. The Hindu priest at the temple along Kandy Road in Kaithady, is still reported to be there. The LTTE is already said to have carried away from Pooneryn several tens of lorry loads of goods which belong to the people, and has not yet finished. Unlike the people who returned to Valikamam in 1996, those who return to Thenmaratchy would hardly have any houses to live in. [\[Top\]](#)

The Army

Except for what has been mentioned earlier, particularly the shelling, and despite the tense situation, major complaints about the Army's conduct towards the civilians were few. One pertained to 10th July when the Army sustained 19 killed in an operation in Ariyalai. Some misbehaviour and rudeness towards civilians on Palaly road in the Tinnevely area was reported. In Ariyalai too civilians who had fled the area in May and had just returned faced assault by the Army.

One reason for what happened was that the Army had suffered more than a hundred injured apart from those killed. They had, according to local sources, crossed Chemmany bridge and gone into Navatkuli. A large number of ambulances were carrying casualties, and owing to a shortage of ambulances, injured soldiers were seen being driven in pick-ups with fellow soldiers holding up bottles of saline. At Tinnevely junction there was traffic blocking the ambulances. Some soldiers began beating up civilians.

Some civilians crossing into Neervely complained that they were being detained after checking until the next batch was called, for the protection of the soldiers. Others have also said that they were well received, and were happy about the Army serving them refreshments after registration at a local school.

A particular factor that has helped army-civilian relations is a general perception by the former that they and the Jaffna civilians are on the same side - or at least neither want's the LTTE to win. This came to the surface during the darker days following the 10th May when the LTTE tried to move into Jaffna City. Demoralisation among troops returning from the front was evident, and mutiny seemed a real possibility.

Soldiers from the front stopped in a house in Chundikuli and asked for water. After refreshing themselves they said, *"We are going back and cannot fight anymore. You come to some deal with the Tigers and live with them."* On Stanley Road, soldiers went house by house in the neighbourhood and said that they were going home. Here was a clear message, *"We are tired. The Tigers are now your problem."*

These were trying times when the people already traumatized by earlier experiences of displacement were not sure about their fate. The Government was in a panic and was trying several foreign sources for help. Finally a change of command which placed Generals Janaka Perera and Sarath Fonseka in charge, together with the induction of new weaponry, slowly restored morale and the security forces began to fight back.

However, on the military front there has been a stalemate, in spite of the LTTE having relatively few cadre and auxiliaries on the ground. This owes to the fact that the Army moves

out in numbers and theoretically it takes just one LTTE observer with a walkie-talkie who can spot places and direct shellfire accurately to harass them effectively. [\[Top\]](#)

The LTTE

The LTTE had, despite all the blunders of the Army, miscalculated their ability to take Jaffna relying on fire power and were caught up in a stalemate they had not bargained for. It was facing the problems of a conventional army that had over-extended its cadre who were also human. Fighters committed to the field for a given duration have to be relieved. Once the Army started fighting back, the cadre too were made to fight without a break suffering hundreds of their mates killed. Civilians in the area also received reports of the LTTE's border force personnel, whose duty was extended, deserting to return home.

Although people outside the battle zone tended to overestimate the LTTE's capacity to take Jaffna, those who were among them saw cadre who were tired and fatigued. After listening to propaganda speeches, the LTTE cadre had come there expecting the people to be grateful for being liberated. It came as a shock to them to find that the people were trying all available ruses to get away from them, and this then turned to anger. Their subsequent offensive operations too were costly. About 40 women cadre were killed in Nagar Kovil in early July. As reported in the last bulletin, the LTTE is preparing for another concerted attack in Jaffna. Considering that the new recruits have been subjected to a greater degree of coercion, the risks are also heavy. [\[Top\]](#)

Civilian Reactions

A notable feature of the presidential election in the Chavakacheri electorate was an unprecedented victory by the UNP candidate, with the PA a poor second. There is also a very mundane reason for it. LTTE infiltration in Thenmaratchy was considerable and the people were afraid to discuss the LTTE. A particular reflection of this is the 11 murders of civilians by the LTTE from June 1997 to March 1998, in the Thenmaratchy Division (our Special Report No. 10). This incidence of executions by the LTTE was significantly higher than in other divisions. When the LTTE put it about in the area that it wanted them to vote for the UNP candidate Wickremasinghe, many of them did so passively. Local observers have attributed the high UNP vote to areas where LTTE infiltration was high.

But today after being displaced to Valikamam and Vadamaratchy, they are much more free in talking about the LTTE and their opinions are frequently scathing. What many people experienced as they left Thenmaratchy were taunts from LTTE cadre, *"So you are running away? We will come there as well!"*

Things had come to a pass where there was no love lost between the people and the LTTE and both knew it. For people in Jaffna in general, keeping away from the LTTE had become the main priority, while the compulsions of the LTTE were to impose themselves on the people.

Although the LTTE did use leaders from Jaffna in trying to recapture their areas, the rank and file are conscious that it is cadre from other areas, particularly the East, who have died by the hundreds in an attempt to recapture Jaffna. This has resulted in simmering tensions that can be eased only by creating conditions for enforced recruitment from Jaffna. Paapaa, the

commander of the LTTE's Border Force had told people during late May that the LTTE's original plan had been to train 2000 civilians and leave them in charge of defending Thenmaratchy. Observing the civilians fleeing towards the army lines, he said bitterly, "We have been deceived."

Many people in Thenmaratchy, who visited their homes after taking refuge in churches and temples, found them looted. When they complained to the LTTE, they blamed it on their Border Force. But in reality, the LTTE had been loading movables and livestock into tractors and sending them to the Vanni. There was also a parallel operation in the army-controlled or marginal areas. Here thieves with the connivance of elements in the Army had stolen livestock and items like colour television sets, which were then sold for much lower prices.

The looting in the LTTE-controlled area, which was the policy of an institution, angered people even more. A sarcastic remark now heard among the refugees is that the LTTE got their '*Thani Nadu*' in Thenmaratchy. The expression could mean a separate state as well as bare land. It is also notable that in several instances LTTE cadre advised civilians who had helped them not to go to the Vanni.

Another incident of interest concerned the Saivite Children's Home in Kaithady, where a number of orphans and children without means were looked after. The LTTE were keen on transporting the whole lot of them to the Vanni and Paapaa, the commander of the Border Force, went there. K.V. Tharmarajadurai who was in charge, knew what it would mean and firmly resisted it. It is also learnt that the LTTE complained about this to their leaders. Tharmarajadurai led the children away to Valikamam and they are now housed in Mallakam.

When the refugees reached Vadamaratchy and Valikamam, several community organisations came forward to offer them food and refreshment, but the government machinery is said to have been slow in providing relief in adequate quantities. The education authorities are said to have been quite good in making arrangements for the schooling of those displaced. The NGOs too have helped. The Nuffield School for the Deaf and Blind at Kaithady has been moved to Vaddukkottai. Despite some early anxiety, the children made it to the army-controlled area before 17th May. [\[Top\]](#)

Civilian Casualties

Initial reports of civilian casualties placed the number dead at 500 or much higher. But now that the dust has settled, we can have a better idea. The appendix gives a list accounting for of about 100 of those killed. Most of the names that came to us were collected by a few political activists who know the people and the places intimately. We also note that judging by two testimonies in this bulletin, our knowledge about the civilian casualties in the environs of Chavakacheri is quite incomplete. An allowance must also be made for the injured who died in the Vanni. It will thus not be amiss to take a working figure of 150 to 200 for the civilian dead in the peninsula. Many more have been permanently impaired by injuries.

Shelling by the Army was heaviest from the 18th to about 23rd May, but as seen from the appendix, regular shelling into civilian areas continued. A significant number also died as the result of shelling by the LTTE. (See Appendix.)

Among designated places of refuge shelled by the Army resulting in civilian deaths are :- Kaithady Kayitaviddy Kandasamy Kovil (18th May), Chavakacheri Amman Kovil, Chavakacheri Sivan Kovil, Mattuvil Sivan Kovil and Kalvayal Sella Pillayar Kovil (8th June). The Kaithady Old People's Home had been shelled by both the LTTE and the Army.

A large number of the dead civilians would have survived if they had received proper guidance from the Government and the Army. The Army was facing uncertainties within and the controlled media reports were intended mainly to pacify the South, and no one was then talking about civilians in the battle zone. The civilians were told by the Army that they would not quit Chavakacheri. Then under curfew the Army withdrew and started shelling the area. Civilians trying to escape the shelling had also to contend with the curfew and on the balance many decided to stay put.

A group of civilians moved north from Chavakacheri towards Kanagampuliyady. They approached Ladies' College with trepidation because they knew that the Army had camped there, and there was curfew on. To their surprise they found that the Army had pulled out.

Equally, the LTTE showed no concern for the civilians, and the LTTE media which played to an expatriate audience, concentrated on a triumphalistic coverage of the military events. The LTTE journal '*Erimalai*' (Volcano) published in Paris, listed its military successes and stopped significantly on 20th May. Hardly a word was said about what the civilians had been through. Apart from the 15 who were said to have been killed at the Old People's Home, the Tamil Net mentioned only about 9 other civilian dead from Thenmaratchy during May.

The nature of the politics of the LTTE is that it would highlight civilian casualties by the hundreds when there is a fairly clear case for putting the blame on the State and gaining some advantage. Thus in May 1987 when an Army advance into Jaffna was imminent, the LTTE propaganda spoke of hundreds of civilians killed in carpet bombing by the SLAF.

But if the LTTE were to give the true picture of the calamity that overtook the civilians in Thenmaratchy, it would raise questions about the LTTE's approach to the whole problem, and why its insistence on taking Jaffna, imposing conditions of total war on the people, when the whole world wants it to negotiate. Moreover, the people were living peacefully enough and were trying to keep life going and improve it. They were not looking to being liberated by the LTTE in this manner.

With total ruin heaped on them, and with the destruction of records and everything of cultural, historical and educational value, the folk of Thenmaratchy have been rendered a people without a past and without a future.

Thus the LTTE's coverage was carefully crafted to stir the nationalistic vanity of the Tamil expatriate community by keeping attention away from the extent of civilian suffering and destruction, and by feeding their desire for vicarious triumph. When the content of reporting is scanty, even those who have a concern for the people tend to reassure themselves that things are not so bad, so as to keep their own sanity. This has, to some extent, happened in the rest of Jaffna.

An important reason for the calamity is the disarray evident in the Army, and its lack of will even to anticipate obvious dangers and take timely action. This problem is partly to do with the inability of the Southern polity to put in place a viable political strategy.

It is a frightening thought that the increasingly sophisticated weaponry that is being acquired by the two sides who have shown scant concern for civilians, may once again be unleashed on them without notice in a more terrible orgy of destruction.

It is also notable that no international agency or the media got into the area when it mattered. Both combatants had succeeded in keeping it that way. Understandably the ICRC requires the consent of both sides to go into the area and it did so briefly only on 22nd July to transport some of the elders. That again signifies the lack of interest in the civilians by both combatants. One wonders at how the record of such an extended ordeal for the civilians can become so shrouded in this era of mass communication. [\[Top\]](#)

The Fate of Persons Taken to the Vanni

With the screws being progressively tightened in the Vanni, the fate of people who had been taken there is one of unmitigated misery. Several of them have said that they are barely managing with rice porridge and are badly in need of cash. They find it impossible to manage unless they join the Border Force or the Auxiliary Force by going for military training, which will enable them to obtain provisions at a controlled price. It not they have to pay black market prices.

From the 67 families who were forcibly taken from Iyakachci to the Vanni last December, 7 persons were detained for allegedly being close to the Army. According to our sources, one was later released.

The screws are also being tightened on evangelical and pentecostal church groups in the Vanni who feel called by their faith to remain pacifists. They and their ministers are being refused visas by the LTTE to leave Vanni. We learn that only clergy from three mainline churches are being issued visas. We reliably understand that the current action against certain churches was put into effect after an assembly of evangelical and pentecostal ministers in the Mullaitivu District addressed a letter to the LTTE hierarchy, expressing their inability to co-operate in military training that is now compulsory.

Nothing could better illustrate the plight of Thenmaratchy refugees in the Vanni than their own words. We give testimonies from two persons who have featured earlier:

Dharshi: "I have been unable to find a church. The nearest is 10 to 15 miles away. I have no bicycle and even my slippers I left behind when I fled... Food is the main problem here. Parthiban and Thanga sit in the front compound and feed the children Suvanya and Lavanya. I feel unbearably dejected. There is no employment. When we will get to go home I cannot say. I feel gloomy when I look at myself in the mirror. I have become so thin. Prices of goods are so high here that we could hardly buy anything. We constantly eat 'kanji' (rice porridge), and sometimes we do not get even that. I still don't know where 'thamby' (younger brother) is."

Kumar: "To whom can I pour out my sorrows? We wander as orphans in the Vanni. We have no one here. Moreover my little girl fell from a school bench and broke her hand. We took her to Akkarayan Hospital where it was set in plaster-of-paris. My mother had an enormous flow of blood from her stomach. We hospitalised her and she came back only today. We had no means of taking her to hospital and finally I had to appeal to the 'Iyakkam' (Movement - the

LTTE). She is now well. Having no job I am a quandary. There is no possibility of employment here. If I think of everything my heart will break. We eat on most days 'kanji' in the mornings and rice and sambol for lunch. Things are so expensive. All that I saved and purchased through living abstemiously are gone. I simply cannot bear the sight of my children suffering. How are we to live? Even a panadol tablet costs Rs. 6/=. May God have mercy."

Given this reality, the LTTE's original plan to shift 50,000 to 100,000 people from Thenmaratchy into the Vanni appears in its true light. The people who have gone to the Vanni are today virtual prisoners.[\[Top\]](#)

Early September

With the onset of the campaign for the general elections, the Army launched a multi-pronged operation into the LTTE controlled territory, and reports indicate that it had pushed the LTTE a short distance further east of Jaffna City. Fighting was heavy with both sides reportedly losing more than 100 dead on 3rd and 4th September.

It was also a revelation to the civilians of what their plight would be if the LTTE advances into Valikamam that is densely populated. The sound of the fighting could be heard clearly in the Mannar Island 70 miles south. Residents in the suburb of Chundikuli were also able to observe low-flying helicopters overhead, firing missiles at targets 3 or 4 miles to the east. Several shells believed to have been fired by the LTTE, fell in the area of Roman Catholic cathedral in Gurunagar. An old man sustained injuries in Old Park Road and a young woman was killed in Kopay. Many civilians have shifted to safer areas and all in Jaffna are keeping their fingers crossed.[\[Top\]](#)

Claims & Dilemmas: 25 years After Duraiappah

27th July 2000 was the 25th anniversary of the murder of Jaffna's mayor and former MP, Alferd Duraiappah. He may not have represented any great principle or ideal in politics. But he had one great virtue, he was a killer neither in private life nor in politics. He did not aspire to lead the Tamil people, nor did he care to project himself outside the Jaffna electorate. Inside the electorate his politics was simple. He tried to make everyone feel that he was their family member. He even tried to befriend those who regarded him an enemy and attended their functions uninvited. He knew everyone by name, and he could often be seen in a Muslim tailor's shop near the Jaffna Court where he practised, half-seated on a table, chatting to ordinary people, waving at passersby and inquiring after their affairs. It suited him to have government patronage to pass on and so he aligned himself with the SLFP.

He posed a challenge to the nationalist TULF (Federal Party) in the prestigious Jaffna electorate and nowhere else. It irked the nationalists that this man who was oblivious to nationalist claims and dealt only with jobs, transfers, market buildings, a stadium, public lavatories and lamp posts could be popular with the people. Nationalist sentiment was often secondary and did not always translate into votes. He catered to people who wanted life to go on and the people had that choice by right.

The nebulous and even vicious campaign against Duraiappah as a traitor was articulated by the TULF and there is strong circumstantial evidence of TULF instigation and acquiescence in the murder. One of the assassins became the leader of the LTTE, and the murder marked its stormy eruption. The incipient Tiger Movement were once known as the 'boys' of TULF leaders. Today the horse has all but changed places with the rider, and where do the Tamil people stand after 25 years of this?

Many have been killed, and many children are being offered no brighter future than to carry a gun. Then we have the tragedies of widows, orphans, the maimed, those broken in mind and the social evils of illicit liquor and prostitution. A particular irony is that throughout this crisis people have been quitting this country and establishing themselves abroad to pursue what Duraiappah offered in politics - to carry on the normal business of life - and having made that choice, also then became extreme nationalists. What they saw as impractical at home became abroad, an obsession. There were indeed also many others who went into the liberation struggle with high ideals, became disillusioned and confused and went abroad to live under conditions of alienation. There is heavy pressure on them to drop their ideals and join the mainstream so as to keep their sanity.

The present tragedy of the people of Thenmaratchy should be another eye opener. Many years of war did not do much damage to the area. Most of the people were self-sufficient farmers having their own plot of land, mango, coconut and jak trees, and rice fields. Today they are refugees, a number of them are dead or maimed, and whenever they return home there will be the nightmare of mine fields.

Most of these people rejected Tamil nationalist aspirations as represented by the LTTE, turned their backs on its call to move to the Vanni, and took varying degrees of risk in moving to the army controlled area. Rather than a pro-Army or anti-LTTE choice, it was a choice for the normal business of life to go on. By the same token they would like the Army to throw the LTTE out so that they could go back to their mango trees, jak trees and plantain groves and live without undue interference.

The LTTE's claims have been voiced so loud and received so uncritically that the LTTE would be very slow in coming to terms with the unenviable position in which it has placed itself and the Tamil people. The ordinary LTTE cadre who angrily accused people fleeing towards army lines of begging food from the enemy, did not understand that even in the Vanni they would have lived on government food. The point is that if they are left alone, the people need not beg from anyone.

Even more serious are the consequences of the event for the 'Thimpu Principles' the LTTE ideologues insist upon. The key demand therein for the recognition of the Tamils as a nation is based upon their perceived oppression by the 'Sinhalese Nation'. It had a certain political validity in 1985. But to insist upon it today, the LTTE should at least have been careful not to create a situation where a large section of the Tamil people look to the 'Sinhalese' Army to keep them away from their would-be liberators. This absurdity is the ultimate consequence of a chain of events resulting from the political murder of Alfred Duraiappah, and Prabhakaran has lived to demonstrate that logic.

The TULF has never accepted responsibility for what it procreated, but several of its members, starting with Amirthalingam, have been killed over the years while trying to make

amends. It is overwhelmingly clear today that what the Tamil people want is a political settlement for the business of life to go on in conditions of dignity.

Ideally the Tamils would like a federal solution. But within the constraints of the situation there is a political process going on, and the Tamil representatives have a duty to contribute to it positively. There is greater virtue in contributing to create healthy traditions under which power would be exercised, than to isolate themselves on a maximalist position. The latter course would leave them appealing to the Tamil electorate on a chauvinistic platform and it is the last thing the Tamil people need.

The event also poses problems for governments, peace groups, NGOs and academics who evaluate phenomena and help to make policy. In the Chavakacheri electorate at the last presidential election, the PA polled 3392 and the UNP 7490. This was widely interpreted as overwhelming support for the LTTE, and such interpretations have uncritically featured in evaluating the claims of the LTTE. When such claims are used to disrupt and destroy the lives of local communities, they should be looked at much more critically.

The fact remains that although 7490 persons around Chavakacheri cast a pro-LTTE vote, when it came to choosing between the LTTE and the Army for their immediate survival, the people demonstrated their will very clearly by voting with their feet. Only about 1000 went with the LTTE and again it was often a choice forced on them by circumstances. This aspect has received very little publicity.

In the heat of the crisis where people were trapped amidst shelling, no international agency could intervene successfully. They were able to provide relief only after the people had extricated themselves. In spite of the gravity of the situation, the demand for intervention from the local publicity organisations was non-existent. Individuals, who wanted their relatives brought out of danger rather than being forced to go to the Vanni, could not get public attention. By contrast when 600 civilians around Pallai in the south-east of the peninsula, came within the army-controlled area last April, several organisations in Jaffna, including some university students, accused the Army of using them as human shields and called for intervention to get them out. The UNHCR representative visited the area and contradicted the claim about civilian shields. This is the peculiar nature of the situation. The rest of Jaffna too may face the plight of the people in Thenmaratchy in the coming months. Facing future crises requires a worldwide response and it means frankly facing up to the nature of the LTTE and the viability of its claims.

The humanitarian law is inadequate to evaluate what is going on and may even distract from the key issues. The LTTE shelled civilian areas and then moved into these areas and fought the Army. The Army in turn shelled these areas. Both parties have acted contrary to the Geneva Conventions in not providing for the civilian population so as to protect them from the fighting; and also in destroying Chavakacheri town (Articles 13 (Protection of the civilian population), 16 (Protection of cultural objects and places of worship), and 17 (Prohibition of forced movement of civilians) of Protocol II). But after so many years of war, this becomes almost a side issue.

In order to come to terms with what is going on, one needs political criteria. The LTTE claims and enforces what amounts to property rights over the Tamil people, their lives and what belongs to them. Its right to kill dissent has not been seriously questioned. It believes in its right to spurn negotiations, invade the habitations of the people, take over their children, turn

them into destitutes even as their fields converted to minefields, and blast them back to the Middle Ages. This right claimed by the LTTE is the key issue.

The LTTE spokesman Anton Balasingham says it from London that they would take Jaffna, as though Jaffna were their property having nothing to do with its people. It is this aspect that makes political negotiations an anathema to them. Rather than challenge these presumptions the tendency among peace groups has been to accommodate them. The people of Jaffna have in April 1996 and today in Thenmaratchy, eloquently demonstrated that these claims of the LTTE do not have their consent. This is not a force making its bizarre claims from the interior jungles of Cambodia or from the mountain fastness of Afghanistan, but is asserting them from every major Western capital, from the very citadels of the Rule of Law. Not to check it would be a grave affront to civilised norms. These claims too have their origin in the usurpation of the right to Alfred Duraiappah's life 25 years ago. [\[Top\]](#)

Appendix

Deaths (incomplete) in Thenmaratchy due to shelling (SLA & LTTE) & aerial bombing (SLAF)

Date	Place	Number Died	Names Available	Party Responsible
12 May	Pooneryn	5	Included 2 children (<i>Uthayan</i>)	SLAF
12 May	Chavakacheri	1	A young woman killed, her father injured	LTTE
16 May	Gurunagar	5	1.Manuel Pushparajah (40) 2.Jacob Rajkumar 3.Soori Sinnakutty (31) 4.Johnson Sahayar (12) 5.Jeyaseelan Rominius (14)	LTTE
17 May	Kaithady Elders' Home(KEH)	6	1.(F)Leelawathy (Pakkiam?) (80) 2.(F)Selvi (80) 3.(F)Palupillai Poothapillai (70) 4.(F)Meenamma (Colombo) (80) (above four, witnessed) 5.Aiyampillai Vamadevan (65) (died Kaithady 26 May) 6.Velupillai (among 11 with no definite testimony)	LTTE
20 May	KEH	3	1.Selvathurai 2.Rajan Sivasubramaniam (Kokkuvil)	SLA

			3.Chelliah Nallathamby (75) (Manipay)	
14 July	From KEH, died crossing no-man's land	3	1.Thambithura 2.Narayanan 3.P.Arumugam	
17-12 May	KEH, no definite information	10	1.Muttiah Tharmalingam (75) (Karaveddy) 2.Rajan 3.(F)Murugiah Leela (Uthaya?) (80) (Thanankillappu) 4.Arulpillai 5.Muttiah 6.Rajah 7.Mahesan Vaithilingam 8.Sritharan 9.Kanesarasa 10.Alphonse	-
Not Known	From KEH died at Vadaliaddaippu after crossing no-man's land. Fell into well, died later	1	Nagalingam Pandithar (Kandiah Nagalingam) (80) (Alaveddy)	-
Not Known	From KEH, died in Vanni	1	IBC news	-
Not Known	From KEH, died in Vanni of injuries	2	1.Karthigesu 2.Markandu	-
Not Known	KEH, died of injury (not definite)	2	1.(F)Luthammah 2.(F)Sevinnya	-
Not Known	KEH, died of shock (not definite)	2	1.(F)Siddhu 2.Chelliah	-
17 May	Kaithady North	1	Kanthan Nagi (75)	LTTE
17 May	Kaithady South	1	Miss.Sathasivam Krishnamoorthy (26)	Probably LTTE
18 May	Kaithady North	2	1.Kathiran Mathan (62) 2.Rajathurai Sivananthan (51) (English Teacher)	Uncertain Uncertain

18 May	Kaithady	1	Miss.Supper Nagamuthu (68) (Retired Principal)	SLA
18 May	Kaithady South	1	Arumugam Thirupathipillai (80)	ShellShock
18 May	Kaithady	1	Vinasithamby Revathy	Shell Shock
18 May	Kumaratthy Scheme, Kaithady North	3	1.Thambu Subramaniam (Sivaji) (65) 2.Poothathamby Manoranjini (24) 3.Senathirajah Annapillai	Uncertain
18 May	Kaithady, Kayitavidy, Kanthasamy Temple	6	1.Subramaniam Thatchanamoorthy (41) 2.Sarvasakthivel Kokulanathan (17) - A/L Student 3.Subramaniam Saravanabavanathan (29), Cycle Repairer 4.Kandiah Nagarajah (52) (Koilkandy) 5.Mathan Sivathurai (36) Labourer 6.Ponnambalam Subramaniam (67) (Koilkandy)	SLA
18 May	Mattuvil South	4	Son & Daughter of DLO Velupillai & 2 in front house. (Army then present.)	LTTE
19 May	Kaithady	2	1.Sivaji 2.Son of above	SLA
21 May	Mattuvil	4	8 injured (Tamil Net)	SLA
21 May	Chavakacheri	1	Ariyakutti Vadivelu (75) Owner of Kugan Studio	SLA
23 May	Atchuvely	1	Ponnan Sellakandu (55) (Son Ravindran injured)	LTTE
24 May	Chavakacheri	2	1.Krishnakanthan Indrani (36) of Meesalai North 2.Vaithilingam Muthukumar (80) Of Sarasalai North	SLA
26 May	Mattuvil Sivankovilady	2	1.(Mrs) Sivanesan Annaimary (27) 2.Sivanesan Sivaji (6) son of above (of Mangala Stores Thanankilappu)	SLA
26 May	Maravanpulavu	2	1.V.Viswalingam of Maravanpulavu 2.K.Ariyanayagam of Mattuvil South (18 injured, taken to Vanni)	SLAF
3 June	Chavakacheri Environs	4	1.Veerasingam Tharmakulasingam	SLA

			(36) of Nunavil 2.Sritharan Ratnapoopathy (43) of Chavakacheri 3.Sellathurai Tharmaraja of Ilavalai 4.Kokilarani of Maravanpulavu	
8 June	Mattuvil North, Sella Pillayar Temple	9	1.(F)Sivapragasam Shanthini (Nunavil South) 2.Somasundaram Kurunathakurukkal Gopalakumar (Officiating priest) 3.Sangarapillai Sharmini (15) (Sella Pillayar Temple) 4.Thambu Sabaratthinam (45) 5.Thambu Manonmani 6.Sabarattinam Visitha (2) 7.T.Sivasothy (46), Principal of Chandiramoulika School 8.(F) Vasithamy Sivapakiam (70) (7 & 8 died in Sella Pillayar Temple), of the 18 injured: 9.Kanthar Sinnathamby died the following day.	SLA
10 June	Puttur, Sivan Kovil	1	P.Sivakolunthu Rasamma (56)	ProbablyLTTE
11 June	Nunavil Mathavu	1	(F)Sabarathinam Rasamma (74)	SLA
13 June	Chavakacheri Environs	3	1.Satpragasam Shastri (Nunavil South) 2.Somasundarakurukkal Gopalakumar (20) (Mattuvil) 3.Sangarapillai Shalini (15) Sella Pillayar Street	SLA
Not Known	Chavakacheri Environs	4	1.Mrs. Paikiam Rasiah 2.Mr. Arasaratnam (Retired Teacher) 3.Lady Shroff at Chava DS office 4.Mrs. Kathirkamanathan (Old Police Stn, Rd. Chava)	SLA
About 21 st May	Chava Amman Temple	3	Krishna, Jeevan, Varathan	SLA

About 22 nd May	Chava Sivankovilady	2	Atputhakka's Mother & Killi	
About 24 th May	Mattuvil	2	Punitha & eldest daughter of Ambal Pharmacy	SLA
Total (in table)		104		