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The Tamil Secessionist Movement in Sri Lanka (Ceylon):

A Case of Secession by Default?

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1. Introduction[1]

The first part of the chapter will give a sketch of the historical and contextual setting. The final three sections will then go on to relate this to the ongoing discussion on secessionism in general and about international mechanisms aimed at giving realisation to self-determination in the context of democracy and Human Rights.

In July 1983 President Jayawardene of Sri Lanka and his government were implicated in the worst bout of communal violence against the Tamils,which was followed by India covertly backing the Tamil militancy. Arbitrary violence by the almost exclusively Sinhalese government forces led to a mounting toll of massacres and disappearances of Tamil civilians running into the thousands[2]. As a means of territorially marginalising the Tamils, the government also took the first steps towards militarily-imposed settlements of marginalised Sinhalese in predominantly Tamil areas,such as Manal Aru (Weli Oya), along the lines of the trans-migration policies of the militarised regime in Indonesia[3]. The regime in Colombo enjoyed very little sympathy abroad and large sections of the Sinhalese watched with alarm as democratic freedoms were trodden under and the country plunged headlong into militarisation of its polity. By 1985 the legitimacy of the Tamil separatist cause stood at its peak.

On the other hand Indian sponsorship of the militant movement had raised a small guerilla force to an army of several battalions commanded by rival war-lords, whom Indian state agencies hoped to play against one another. Any accountability to the people largely disappeared. By early 1985 stories of widespread torture and elimination of dissenters within the different militant groups began to circulate widely. Although it was dissidents within the PLOTE(Peoples' Liberation Organisation of Tamil Eelam) who went public by issuing a book, the problem was endemic to other groups as well, notably TELO(Tamil Eelam Liberation Organisation) and the LTTE(Liberation Tigers of Tamil Eelam). In May 1985, immediately following the massacre by the Sri Lankan Army of about 70 Tamil civilians in the northern coastal town of Valvettithurai, the LTTE leader's birth-place, the LTTE carried out a massacre of over 150 mainly Buddhist pilgrims in the sacred city of Anuradhapura[4].

Although many Tamils rationalised this sensational act of murder of Sinhalese civilians as an act of self-defence, an important threshold had been crossed. A year later, in May 1986, the LTTE

took advantage of a split in the leadership of the fellow Tamil militant group TELO to launch an all-out attack on it. The tactics employed were similar to those used in the Anuradhapura massacre - swift and brutal - with no quarter given and no distinctions made. By the end of 1986, the LTTE had made itself the sole militant group in the struggle,through a combination of terror,cunning and murder.All other groups were then banned.

It had enhanced its prestige by appealing to the authoritarian nationalism of the Tamil middle class and representing itself as the only force that stood between the Tamils and an oppressive Sri Lankan state. But its own history carried with it some debilitating liabilities. Having lost the moral high-ground, many Tamils themselves became disillusioned, questioning a liberation struggle that had modelled its actions on the chief oppressor - the Sri Lankan Forces.

Despite its prestige, the fear of public accountability that would accompany any moves towards democratisation and a fear of its marginalisation in a political arena ,have continued to be key elements in the conduct of the LTTE. The LTTE felt impelled to represent any political settlement short of a separate Tamil state as a betrayal of nationalist aspirations, and all contrary opinion as treachery. Internal repression, attacks on free expression in matters of conscience, any mobilisation of alternative opinion, on dissent in general and on human rights activity that was non-sectarian, became in an important sense more fundamental to the LTTE's struggle than its armed confrontations with the Indian and Sri Lankan forces.

Indeed the LTTE's armed struggle became conditional upon the complete paralysis of civil society and the silencing, if not the complicity, of institutions such as churches and centres of learning. The Tamils are a relatively small community that is disillusioned. That is to say, they see little prospect of the conflict coming to an end even if they do not always blame it on the LTTE. The more privileged sections are all the time drifting towards the West as immigrants or refugees. To sustain its armed struggle against a casualty rate of around one to one the LTTE needs to aim its recruitment drive at the most vulnerable sections of the populace using increasingly dubious methods[5]. This means that a large section of the recruits are children and young women from the poorer sections. It is only in a society that has been rendered inert through terror, where nationalist bravado has obliterated the conscience, that such matters can go unchallenged.

Through the development of some powerful external ramifications such as support mechanisms in the Tamil emigrant diaspora and links with the global underworld of narcotics and arms, the LTTE aquired a staying power to which the consent of the people was marginal. But the demands of its brand of politics and violence imposed on Tamil society a destructive burden. Among the most reprehensible and damaging to the Tamils are the massacres particularly by the LTTE of Muslim and Sinhalese civilians, most of them poor, living in the North-East. It made it almost unthinkable for the Muslims and Sinhalese to live in a Tamil dominated autonomous region unless the Tamils could demonstrate having made a complete overhaul of their virulent legacy.

The unruly rejection by the LTTE of fairly promising attempts at political resolution in 1987, 1990 and 1994, and several of its other actions, are a clear demonstration of its inability to find a niche within the existing regional order in which it could stabilise itself. Among these are the use of suicide assassins strapped with explosives to kill Rajiv Gandhi, a prime minister of India, in 1991, followed by killings of several leading political figures in Ceylon. In so raising the stakes the prospects for the survival of the Tamils as a people, who are now virtual

prisoners in their home territory, were correspondingly diminished. The relative ease with which the LTTE could mobilise a significant section of the Tamil youth to perform suicidal acts of sacrifice for the Leader, also symbolised the suicidal desperation into which Tamil society had been cornered - a society distinguished by widespread character break-down and mental trauma[6].

In turn ,the Sri Lankan state brutalised by its own chauvinism and violence through much of the 80s, found it almost beyond its capacity to deal with the phenomenon it had spawned. Its own paranoia and violence further alienated the Tamils, giving substance to the LTTE's image as their saviour. The resulting confusion was such that while the workings of the tragedy defied comprehension, they continue to provide scope for shortlived attempts at conflict - resolution. But for the peoples of Ceylon, there lies only uncertainity ahead.

2.The People of Ceylon

It is almost futile to draw connections between present ethnic distributions and those of ancient times. The same also applies to the linguistic map. The earliest Iron Age urban centres in the whole of South India came into existence about the southern tip of the Indian peninsula from about 900 BC, suggesting a link with East-West trade. These centres were Anuradhapura ,which later emerged as the capital of Ceylon ,and Madhurai in South India ,which emerged as the capital of Pandya. The Iron Age people, perhaps the Nagas of the chronicles of Ancient Ceylon who were spread out in several small kingdoms, are also associated with types of Iron Age urn burials discovered in South India and Ceylon[1]. The historical period beginning about 600 BC is associated with a stage of North Indian influence where dynasties with northern antecedents were becoming influential in the South. This is exemplified by various forms of the Vijaya myth in Ceylon and by the journey to South India of Pandava Arjuna contained in the Mahabharatha legend [2]. It was from this time that several major religious and cultural influences came to southern India and Ceylon from the north in the form of Hinduism, Buddhism and Jainism along with their sacred languages Sanskrit (for Hinduism, Jainism and Mahayana Buddhism) and Pali (for Theravadha Buddhism)[3]. The Nagas were among the early converts to Buddhism. The other important element in population were the Veddahs - the microlithic aboriginal people of Ceylon and India[4.]

These were roughly the antecedents of the people of Ceylon who evolved over more than two millennia during which there had been a constant flow of people and influences across the Palk Straits between South India and Ceylon. There was much that remained common to her peoples. The old lived alongside the new. Along with Buddhism and Brahminical rites there were also thriving cults connected with the pre-historic territorial gods of South India and Ceylon - eg. Kumara and Uppalavanna of the Sinhalese - connected with the 'Tinais' of Sangam Tamil literature.(Tinais are types of region characterised as forest, coastal, desert etc.)[5].

As for the ancient linguistic map, little could be said with certainty. The ancient inscriptions of Ceylon, like those in South India, used for the most part the Brahmi script and were based on North Indian languages (eg. Pali and Sanskrit) in which new religious and cultural influences were being communicated. There were also in the inscriptions influences that were distinctly southern. Inscriptions in Sinhalese, which had a larger North Indian vocabulary than contemporary Tamil, began making their appearance about the last quarter of the first millennium AD. There are no known Tamil inscriptions in Ceylon dated before about the 10th century AD [6]. But among the anthologies of Sangam Tamil verse compiled about the 1st or 2nd century AD are listed compositions by poets who were almost certainly from Ceylon, and

whose names suggest that they belonged to the group referred to in the chronicles as the Nagas [7]. Written records are therefore not a good guide to the vernaculars in use at that time. Linguistic, cultural and religious pluralism has very much been the norm throughout history [8]. The polity was largely decentralised with Anuradhapura enjoying 'ritual sovereignty' over the regional kingdoms [9].

There was particularly from about the 6th century AD a rising infusion of South Indian mercenaries into Ceylon, often in support of rival claimants to power. At the same time trade and cultural exchanges with South India also flourished . The capitals of Ceylon, first Anuradhapura and later in the middle ages Polonnaruwa, became cosmopolitan centres.

The Middle Ages saw the rise of the Imperial Cholas of South India who directly ruled much of Ceylon for a time and Ceylon getting further enmeshed in dynastic alliances encompassing both sides of the Palk Straits. This period culminated in the rule of Parakramabahu I (1153-86 AD) whose attempt to centralise power was as grandiose as it was repressive. The resulting strain was a major cause of the collapse of Ceylon's famed hydraulic civilisation, given its final blow by the South Indian adventurer Kalinga Magha in 1215 AD[10].

It was after this event that the country underwent a gradual separation into largely but not exclusively Tamil and Sinhalese speaking regions. The former came to be comprised of the kingdom of Jaffna and a series of kingdoms or chieftaincies known as Wanniates, ruled by Wanniars. Many among the latter may have originally come from the ranks of South Indian mercenary chieftains. Some Wanniates were small. But others like Panamkamam, Thampalakamam and Cottiar were rich and influential[11].

During Dutch colonial rule of the maritime regions, it divided its possessions into three regions for the purpose of the administration of justice. The three regions were broadly linguistic, two comprising the mid-west and south-east where the chief vernacular was Sinhalese, and the other comprising the north & east where the chief vernacular was Tamil[12]. The latter was composed of a number of Wanniates and the former kingdom of Jaffna. The British replaced the Dutch as the colonial power in 1798 and by 1815 had brought the whole island under their control. In the British Administration's Census of 1827 much of the Tamil speaking judicial region demarcated by the Dutch, with Puttalam District excluded, appeared under the category of 'Malabar (Tamil) Districts'. Eventually slight variations of this territory emerged as the Northern and Eastern Provinces. To the British who introduced a highly centralised administration, the boundaries of these provinces, though having some historical significance as pertaining to the Wanniates, were largely administrative conveniences.

But as grievances began to take shape in post-independence Ceylon, these boundaries also served to delimit emerging identities. This is true of the North as well as of the Sinhalese South. History, however tenuous, was also brought into support these distinctions. For, few, if any, in this country could vouch for the distribution of their ancestors a thousand years ago, except to say that a large section of them would have been spread across South India. With the ethnic polarisation of post-independence politics, the experience by the Tamils of discrimination, communal violence and the resulting alienation from the state, its machinery and its forces, the Northern and Eastern provinces assumed a particular significance for their identity, and its political articulation. **[Population of Ceylon - see Note 13]**

3.The politics of division: crossing the threshold

The development of the colonial economy resulted in several tensions which should have been resolved by a unifying, forward looking and healthier politics as happened to a more stable degree in India. But such a political movement did not take shape in Ceylon.

It is well to recollect at this point that there was no ethinic consciousness until quite late in the 19th century. The British Administration's census of 1827 categorised people primarily under caste labels and there was no overt reference to language. The population of Batticaloa District for instance was divided into 23 caste groups. This was a continuation of Dutch practice and was largely in keeping with the prevailing sense of identity[1]. Kingship in Kandy for example had a crucial caste qualification. For this reason the last few kings of Kandy, for a recent example, had to be brought from South India along with their entourages. Following their enthronement these Hindus had no trouble in also becoming protectors of the Buddhist religion. The term 'Sinhalese kings' is a misnomer perpetuated by modern history writing. It was in the census reports from 1871 that the 'nationality of inhabitants' referred in part to language. Caste, though important, had ceased to be an official category.

The case of the Muslims who spoke Tamil remained a contentious issue. Sir Ponnampalam Ramanathan , the Tamil representative on the Legislative Council, maintained in the late 19th century that they were mainly Tamils in their origins. This was strongly opposed by the articulate Moor commercial class in Colombo. The latter had no links with the numerically large Muslim community in the Eastern Province who were by local custom and even clan ties socially integrated among the Tamils. The debate was partly about representation,that was then by appointment and was communally based[2]. Again for this very reason (i.e. communal representation) the Tamils had no sense of being a minority at that time and this continued for some years even after the introduction of universal adult franchise in 1931.

The census reports of 1901 and 1911 brought further refinements to the categories of nationality. The Tamils were divided into Ceylon Tamils and Indian Tamils, the latter being mainly plantation labour of recent Indian origin. The Sinhalese were divided into Kandyan and Low-Country. One might sense that a mixture of British administrative practices, the politics of power and therefore of representation, led to new perceptions of identity for which no precedents existed in history. Some of these categories had a historical foundation. The Kandyan Sinhalese for instance had maintained their independence until 1815, and external elations with South India had been crucial to the survival of the Kandyan Kingdom. The Kingdom of Jaffna, which had close ties with Kandy, served as an outlet for Kandyan trade and an inlet for Indian mercenaries. It was mainly with a view to breaking this that the Portugese in 1619 took control of Jaffna[3]. The Kandyans thus had reasons to feel some affinity to the Tamils of the North-East as compared with the commercially ascendent Low-Country Sinhalese elite by whom they felt threatened.

Until the second half of the 19th century was a time when language was not a significant source of identity, Tamil having moreover been important in view of the external relations crucial to the survival of the landlocked Kandyan Kingdom. Moreover at popular level, the distinction between Hinduism and Buddhism is very much blurred. Today's ethnic divisions would have been very alien to people at that time.

Older generations of some Tamil speaking communities in the East regarded the Kandyan king as their benefactor and had no memory of traditional links with Jaffna. The effect of 20th century nationalist politics was to destroy the older spirit of pluralism with numerous local

identities, and put in its place two or three new identities in conflict, with numerous unresolved tensions within each.

Official categorisation also forced many to adopt identities that were never part of their consciousness. For just one instance, the large Roman Catholic Karawe caste community on the west coast north of Colombo were mainly Tamil speaking and those who were literate were generally literate in Tamil. But from the 19th century they have appeared as Sinhalese in census reports[4].

The Kandyan Kingdom which had held out against colonial rule was conquered by the British in 1815. This was followed by the rebellion of 1817-18. The Kandyan chiefs who supported the British were rewarded and the others went into oblivion[5]. The descendants of the former became in time a largely westernised elite to whom fell the political leadership of the Kandyan Sinhalese in the 20th century. With the demands of populist election politics from the 1930s, their own outlook attained a nationalist and patriotic veneer.

From the 1830s the British opened up large tracts of the Kandyan hill country to coffee and later to tea plantations. To accomplish this they imported South Indian labour along with elements of their social hierarchy to facilitate control. Their conditions were such that large numbers of them died of disease during transportation. After clearing the forest they formed the regimented labour living on the plantations, separated from the native Kandyan Sinhalese. The latter lived in villages, having lost some of their traditional commons to the estates, both marginalised and neglected. Even when they were from the service castes of not too distant Indian origins, and perhaps socially not very different from the Tamil estate workers nearby, the developing political milieu worked towards antagonism between them[6].

The colonial economic expansion also gave rise to a new class of Low-Country Sinhalese entrepreneur. The latter, hailing from the maritime regions, and considerably Westernised through 300 years of colonial rule under the Portuguese and Dutch who preceded the British, were well placed to take advantage of opportunities opened up to local capitalists by the plantation economy. Lacking previous experience of colonial rule, the Kandyan land owning class were no match for them. Those Kandyans who spent beyond their means and found themselves becoming indebted to the new Low-Country Sinhalese capitalists, also started losing their mortgaged property to them. At the end of the 19th century the resentment of the Kandyan elite was directed very much towards the Low-Country Sinhalese rather than towards plantation Tamils[7]. The Kandyan elite also formed an easy rapport with high caste Northern Tamils. Their sense of linguistic identity was weak, as compared with caste identity.

By the end of the 19th century the Low-Country Sinhalese entrepreneurial class which had spearheaded the Buddhist revival and had become a major voice in politics, was becoming increasingly concerned about commercial rivalry, mainly from the Indian & Moor merchant class, which had no connection with plantation labour. It had aquired its wealth chiefly through liquor renting, graphite mining and plantations, but was largely cut out from the import-export trade in Colombo which was dominated by Europeans & Indians. This rivalry found expression by invoking the supposed historical mission of Sinhalese of the 'Aryan race' to preserve this land sacred to Buddhism. The two elements in this supposition owed to selective readings of colonial scholarship. One was the discovery of the Buddhist, Pali chronicle, the Mahavamsa, by Turnour, a British civil servant, and its translation by him into English in the 1830s, and the other, a section of linguistic scholars identifying Sinhalese as an Aryan language, akin to the north Indian family as distinct from Tamil[8].

Even at the outset this nationalism had developed a tendency to turn against the minorities in general, who were said to be interlopers making this land impure. Anagarika Dharmapala, an early 20th century 'Buddhist reformer' and a son of H.Don Carolis, a furniture merchant in Colombo's commercial district, took objection to the Indian labour as representing the lowest stratum of Indian society[9]. Rather than criticise the British and the colonial order, the suppressed resentment was directed against the victims of that order, who also became convenient scape goats.

There was one side to Dharmapala's career that was reformist and helped to mobilise anti-colonial sentiment. Yet the prejudices that were a reflection of the vested interests of his class vitiated the implanting of a broadly national spirit that could stand up to the colonial order. The direction of his politics became thus anti-minority rather than anti-colonial. Although influential and vocal, the main economic and social concerns of the Sinhalese elite were concentrated around a few urban centres. They accumulated a good deal of property in rural areas. But their politics was such that little was done for the upliftment of the Sinhalese masses.

The advocacy of millenarian Sinhalese-Buddhist ideology and a politics based on it became an easy means for this class to bury tensions and contradictions among the Sinhalese and keep their hold on political power. With the Donoughmore reforms which in 1931 allowed Ceylon a large measure of self-government under universal adult franchise, the populist appeal of this ideology gathered momentum, and it tended to become increasingly communal. At this point the emerging Left remained the only hope for leading the country out of the mire of communal politics.

An important event in the history of the Tamils was the almost fortuitous arrival of American missionaries from New England in Jaffna, in the year 1812. Although they had originally hoped to work in Galle in the South, the security considerations of the British, who were then at war with France, would only countenance their presence in out-of-the-way Jaffna. The northern soil was soon deemed fruitful for missionary work. Among the fruit of their labour was what emerged as Jaffna College, an institution of tertiary education unique in its time, supported by a network of schools. Along with this was the contribution to education by other missions (eg. Anglican and Methodist) who also had similar institutions in other parts of the Island[10]. The dry-zone environment in Jaffna also provided little opportunity for large capital ventures and unlike the South, Jaffna did not produce a comparable entrepreneurial class. Instead, education was pursued all-the-more assiduously, and advancement sought in the teaching service, the professions and in the clerical services, much of which counted as government service. The demand therefore grew and the impetus given to education by American missionaries bore fruit far beyond their area of concern, and indeed beyond Jaffna itself as teachers from Jaffna spread to all parts of the country. It must be emphasised that the direct beneficiaries of education were a small section of Jaffna society, where farming and related trades continued to be the main economic activity. Except for the urban centres of Batticaloa and Trincomalee, the whole of the East and the rural North continued very backward to this day.

The outcome of this was that the Tamils in the North-East and the Muslims who formed large concentrations in parts of this territory looked to Tamils in Jaffna for leadership. But their economic interests largely rested with improvements to agriculture and not with government jobs. In an earlier phase in the 1920s and 30s the politics of the educated Jaffna youth as represented by the Youth Congress was inspired by the Indian freedom struggle.It was forward looking in its ideals and left behind a benign legacy.It had been the first political movement to demand independence from Britain.The Youth Congress strongly held to the

ideal of a united Ceylon.This was most natural to an educated Jaffna man whose skills were then sought after in all parts of the country.But as communalism gained in the South, this was echoed by the formation of the Tamil Congress in the early 30s, whose appeal again was populist and aimed at gaining power without a serious programme.

We had noted above that until the coming of universal franchise in 1931 the Tamils had not seen themselves as a minority, but as one of the two main communities in the Island. This perception explains in part why the pre-independence Tamil Congress demand of 50-50 (or 50% representation for the minorities) did not appear to it as being unreasonable.

Just after independence in 1948, the Anglophile United National Party government led by D.S. Senanayake moved to deprive the plantation Tamils of their citizenship and then the vote. Although the Left opposed it and many Sinhalese parliamentarians were uneasy, the Tamil Congress leadership was bought over to support the exercise. The minorities then comprised about 30% of the population. By depriving more than a third of them of the vote, the door was opened for the worst forms of majoritarian populism[11].

This danger was seen by the dissenting section of the Tamil Congress led by S.J.V.Chelvanayakam, who opposed the bills and went on to form the Federal Party. The ease with which a government could legally deprive a section of the minority of the vote was frightening. The Federal Party saw the protection of the people of the North-East as lying in the creation of an autonomous Tamil speaking region comprising the Northern and Eastern Provinces. Among the first issues it raised was colonisation under the Gal Oya scheme, apart from legally contesting the citizenship acts.

There had been from the 1940s a general consensus that Tamil and Sinhalese should jointly replace English as official languages. In 1956 S.W.R.D.Bandaranayake's Sri Lanka Freedom Party captured power on the populist slogan of making Sinhalese the sole official language within 24 hours. The Federal Party's original fears seemed well-founded.

4. The Road to Secessionism

The first attempt at apolitical resolution took the form of a pact negotiated between Prime Minister Mr.Bandaranayake and Federal Party leader S.J.V. Chelvanayakam. It envisaged Regional Councils where people of the North-East enjoyed considerable autonomy, particularly in the matter of land settlement (colonisation). A pledge was also given to look afresh at the question of Hill Country Tamils rendered stateless by act of parliament in 1949. The pact was abrogated when J.R.Jayawardene of the defeated UNP mounted an agitation by arousing Sinhalese fears.

This was followed by the widespread communal violence of 1958 (the first in the series having broken out in 1956 after Bandaranayake came to power) where the Government for a time appeared unwilling to take strong measures to protect the Tamils.

An arrangement similar to the Bandaranayake-Chelvanayakam pact agreed to between the Federal Party and the UNP government of 1965-70 led by Dudley Senanayake was dropped by the latter without its being presented to parliament. It had been campaigned against by Mrs.Bandaranayake's SLFP opposition and its Left allies recently turned communal. The new 1972 republican constitution introduced by Mrs.Bandaranayake's Left-alliance government of 1970-77 made no gesture towards the Tamils. This had followed standardisation of university

entrance marks introduced the previous year. In response to an abusive campaign mounted by sections of the Sinhalese elite, the government unilaterally raised the entrance marks for applicants answering the examination in Tamil, particularly to the science based courses[1]. The blow was mainly psychological, particularly to Tamils in Jaffna, who were not more privileged than the Sinhalese elite in Colombo, the prime movers and principal beneficiaries of language based preference. It also drove home the message that the state was anti-minority in its workings and could wield arbitrary power against them with impunity - a message rubbed in again and again by bouts of communal violence where state complicity was only too evident.

An important event at this point was the birth of Bangaladesh in 1971 with the aid of Indian arms. Until this time the Tamils had not seriously entertained the notion of seperation. Tamil secessionism was then very much a fringe movement lead by figures such as Professor Suntheralingam, a minister in the first post independece government which disenfranchised Tamils of Indian origin, and Navaratnam, a former Federal Party MP. The mainstream Federal Party had until the 70s ridiculed the idea. Bangaladesh breached a consensus that was part of the post-war world-order, at least after the Indian partition. A former colony had been split and the UN had accepted the fait accompli. Ceylon had also been caught on the wrong footing vis a vis India by providing landing and refuelling facilities for Pakistani air traffic between its then distinct halves. But this caused no permanent stain owing to good personal relations between prime ministers Mrs.Bandaranayake and Mrs.Gandhi, and their general concurrence on external policy. But, for the Federal Party that was being largely disregarded and ridiculed by the United Front Government then going through the motions of enacting a new republican constitution, it was too good an opportunity to be missed in rallying the ebbing spirits of its constituency.

It held a rousing commemoration of the birth of Bangaladesh in the Jaffna town hall. People began to dream of India carving out a new Tamil nation in Ceylon. The nationalist youth turning to militancy thought on the basis that like the Mukhti Bahini in East Pakistan, they would start a rebellion and set the scene for Indian intervention. This remained part of their thinking into the mid-80s. There were however Left groups who argued that inviting India into this would be disastrous, and advocated instead alliances with like-mineded political groups in the South.

During the mid-70s the Federal Party merged with smaller nationalist parties to form the Tamil United Liberation Front.In 1976 the TULF passed its resolution to separate and establish the state of Eelam comprising the Northern and Eastern provinces, which were regarded as forming the Tamil 'Homeland'. The TULF as events unfolded, regarded this mainly as a vote-catching slogan among Tamils, and, with the government, a bargaining position. With the death of S.J.V.Chelvanayakam in March 1977, the leadership of the TULF passed onto A.Amirthalingam.

The impact of these developments on the Sinhalese psyche must also be understood. Although being a majority in Ceylon, Sinhalese nationalist ideology gave them the self-perception of a beleaguered minority - a people of the Aryan race with a historic obligation to preserve this land sacred to Buddhism, threatened, as it were, by a Tamil fifth column in this land and hordes of Dravidian and Hindu Tamils not only in South India but also worldwide. This prception did not allow them to deal with the minority question rationally. The drive to use the state machinery to marginalise, outmanoeuvre and terrritorially outflank the minorities was a natural outcome of this ideology. On both sides elite politics was characterised by a strong element of destructive self-pity. Matters were hardly helped by the rhetoric and bravado of Tamil-nationalist politics.

The UNP led by J.R.Jayawardene won a landslide victory at the 1977 elections. During the 1977 communal violence which followed the UNP's election victory, many among the

instigators were UNP figures.Movements sprang up encouraging Tamil victims of the 1977 communal violence to settle in the North-East and secure the 'Tamil Homeland' against attempts by the state to break it up through establishing colonies of Sinhalese poor. The small militant movement began to make its presence felt through bank robberies, bombing of a local passenger aircraft and selective assassinations, including of politicians opposed to the TULF.

Though the UNP had acknowledged Tamil grievances in its 1977 election manifesto, its executive presidency introduced in 1978 further centralised power. Its introduction of the Open Economy, with high inflation, blatant corruption and labour unrest, led it to take refuge increasingly in populist communalism and repressive measures.Among these were the proscription of the Liberation Tigers law of May 1978 extended for a further year in May 1979, and the Prevention of Terrorism Act of July 1979 and, later, the new Emergency Regulations of June 1983 permitting the secret disposal of bodies[2]. Tim Moore of the ICJ reported in June 1983 that from July 1979 until then 23 Tamils had died in Army or Police custody. This was a mere rivulet that was soon to become a flood. The repressive laws were framed ostensibly for use in Tamil areas, but with an eye to their future use in the restive South[3].

One who very much symbolised the lawlessness and anarchy of the UNP era under Jayewardene was Cyril Mathew, a powerful member of the cabinet. He was notorious for his anti-Tamil rhetoric and brashly placed himself in the vanguard of championing the Sinhalisation of the Eastern Province through encroachments sponsored by his Ministry of Industries and Scientific Affairs, ostensibly claiming to protect historic Buddhist sites. Other means used were the introduction into Trincomalee in the East of industries like Prima Flour Mills and state corporations where it was ensured that around 80% of those employed were Sinhalese[4]. JSS, the UNP trade union Cyril Mathew built up had been identified with anti-Tamil violence in July 1983, and earlier with goon squad activity against other older trade unions. It is perhaps a matter for little surprise that Mathew came from the Salagama caste, one that is self-conscious of its fairly recent South Indian origin. Prime Minister S.W.R.D.Bandaranayake and President Jayewardene, both one time champions of Sinhalese ideology, are also credited with not so distant South Indian antecedents[5].These are also examples of how tensions and myths underlying the Sinhalese identity contributed obliquely to the violence through a drive for over-determination of identity.

The communal violence of July 1983 was qualitatively uprecedented, not just in its severity, but also because the state was all-too-obviously and shamefully involved. Among the events of that saga was the planned murder of 53 Tamil detainees in Colombo's Welikade prison. Separation came to be seen by the Tamils not as just necessary, but as also inevitable. India which had been looking askance at the Jayawardene government's pro-Western stance became a major player and began training the flood of recruits to several militant groups. The Jayawardene government did not help matters when an Act proscribing secessionism threw the TULF out of parliament and when ,later in 1983 ,the government went back on the Indian brokered Annexure C proposals intended at bringing about a political resolution. Instead the government went ahead with massive military preparations with the creation of units whose speciality was terror. What followed has been sketched out at the beginning[6].

A word must also be said here about the role of the Church. Under the British Administration Protestant Christians had been privileged, and the churches as a whole were influential. The non-Christian elite were largely products of mission schools and, in 1959, over 60% of the university admissions were from Grant-in-Aid Christian mission schools. Partly as a result of pressure from

the Buddhist establishment the bulk of these schools were taken over by the government in 1961, through the stoppage of government funds and making the charging of fees illegal.

The Roman Catholic Church which has the largest number of Christians had fought a strong rearguard action. The churches had to face a new reality in which they had lost some of their prestige, but remained disproportionatly influential. The following year there was a failed coup attempt against the government of Mrs. Sirimavo Bandaranayake. The bulk of the armed forces top brass implicated turned out to be Christians.

A strong tendency which then took shape within the Church was to identify the Church as authentically nationalist and to outwardly move away from colonial associations. An effect of this was that many Sinhalese Christians identified with mainstream Sinhalese nationalism, which was also then ideologically anti-Tamil. The result was polarisation within the church, which increased as Tamil secessionism gained in momentum.

The Tamil section of the Church which was proportionately larger among Tamils moved closer to Tamil nationalism especially from the 70s. Today, influential sections of the mainline Tamil Church in the North have ignored the moral questions and publicly support the LTTE. Public positions taken are also not unmindful of the competition for foreign funds for projects and relief in the war zone.

Consequently, the Church's legacy and the demands of realpolitik have taken away from its potential healing role, towards one, which, particularly on the Tamil side, has exacerbated conflict.

5. Colonisation, the Tamil Homeland Controversy and the Neglect of the South

Among the most intractable problems one encounters in resolving the conflict in the North-East is the question of the political status of land subject to extensive demographic change through government policy. The problem is closely linked to the one of clarifying the notions of 'Tamil Nation' and 'Tamil Homeland'. These concepts came into political discourse as a reaction to state oppression of the minorities and a commonly felt need to preserve identity.

They drew further strength in response to communal violence where the role of the state was far from creditable. Following every bout of violence from 1958 Tamil refugees flocked to the Northern and Eastern provinces in search of safety. This made state sponsored settlements of Sinhalese an even more contentious issue.

The present North-East is largely a conglomeration of the former Kingdom of Jaffna and several semi-independent Wanniates or chiefdoms that were mostly Tamil speaking. These reached their height of fame and prosperity between the collapse of the hydraulic civilisation in the Middle Ages and about the early part of the 16th century.

A deterioration of conditions is the Wanniates concomitant with a declining population is a part of the backdrop to today's problems. One cause is connected with the difficulty of sustaining a population in the dry-zone, of which the North-East is part, when the necessary social organization for it had broken down, and the higher orders became merely exploitative while life became close to unbearable for those at the bottom. This appears to have been the fate of the Wanniates, as with the earlier hydraulic civilisaion. We have records of the former prosperity of some of the Wanniates. Dutch colonial officials Van Senden and Tornbauer have given us a

graphic picture of their decline[1]. The passage of colonial armies in the course of military expeditions also had their destabilising effect.

By the early 19th century their population was a shadow of what it would have been at the time of their prosperity. Census reports bear testimony to the relative decline of the Tamil population in the North-East. In the British Administration's 1827 census the Tamil population of the North-East formed 17 to 20 %of the total Ceylon population [2]. This had declined to 14% by 1901 (after accounting for emigration and the addition of an India-born population to the Ceylon population). This trend is further confirmed by a comparison of rates of natural increase in the wet and dry zones in the early decades of this century[3]. In 1981 the Tamil population in the North-East was 8.6% of the Ceylon population (although Tamils of North-East origin formed 12.5%).

The upshot of this was that at the time of independence the Ceylon Tamils had cultural and religious associations with much of the North-East, several areas of which had, although, become sparsely populated. Under a unitary system of government elected by one man - one vote universal franchise, the Tamils were neither allowed the organisation nor the means to have a voice in the development of the North-East.

From the 1940s the government pursued with vigour the policy of restoring or constructing irrigation works in the wet-zone and the planned migration of principally Sinhalese poor from the more populous wet-zone districts into the dry-zone. This was ostensibly meant to relieve landlessness among peasantry in the former. Enormous subsidies were given at state expense. In the main the Gal Oya, Kanthalai and Allai schemes had the effect of increasing the Sinhalese population in the Eastern Province from about 5% in 1901 to 25% in 1981, the balance being 42% Tamil and 32% Muslim. During bouts of communal violence the Tamils in colony areas were among the most vulnerable, and were progressively pushed out from 1956. During the 80s ,particularly in Trincomalee District, the almost totally Sinhalese armed forces brazenly went about destroying property and depopulating several Tamil villages. Trincomalee is the northernmost district of the Eastern Province and shares a border with the Northern Province. The state machinery in general used all possible means to boost the Sinhalese population in the East[4].

Whatever the original motivations had been for colonisation, by 1984 it had little to do with economic development or social upliftment. The Weli Oya scheme was begun on the border of the Northern and Eastern provinces after driving out the Tamil inhabitants in an undisguised act of state-terror. If there was any doubt about the agenda earlier, it had now been made very clear. This course was marked by a series of massacres of Tamils by government forces and counter-massacres of Sinhalese, principally by the LTTE, in the border regions[5].

To understand graphically what colonisation in the East was all about, the Sinhalese population in the Trincomalee District had increased from 4.3% in 1901 to 33.6 in 1981, while the Tamil population over this period dropped from 60% to 36.4%. The population density of Trincomalee District was 285 persons per square mile in 1981 with ,56.6% of farming areas under irrigation. In the neighbouring Sinhalese Districts of Polonnaruwa and Anuradhapura (whose combined area is 4,008 sq. miles as against 1,048 in Trincomalee)the population density was about 235 while the farming area under irrigation was over 90%. By comparison the Kandyan Sinhalese District of Moneragala (2,719 sq. miles) with a density of about 140 remained neglected. One of its main water resources, the Gal Oya river, had been designated almost entirely for a huge colonisation scheme downstream in the Eastern Province[6].

The 1994 parliamentary polls demonstrated that the combination of colonisation and the electoral system could easily result in a scenario where the Tamils may lose their representation in the critical Eastern districts of Trincomalee and Amparai[7].

Under a healthier political dispensation where the state was non-sectarian and there was adequate representation of regional interests, the mobility of populations would have been natural and unobjectionable. But colonisation as it was practised acquired an ideological thrust, where besides marginalisation of the Tamils, associations with cultural and religious significance for them were being obliterated overnight. What these policies have contributed to the intractable nature of the current war could hardly be exaggerated. The stark contrast between the long held belief in the Tamil character of the East, and the actual position of the Tamils following colonisation and violent demographic manipulation by the state, acted as the driving force behind Tamil secessionism in the East. It was a reaction to despair.

As for the impact of colonisation on the problems that it was meant to ameliorate, we quote De Vroey and Shanmugaratnam ":...as Sri Lanka approaches the extensive margin of land for resettlement, the problem remains as intractable as ever...The causes of rural poverty and landlessness are to be found in the basically untransformed structures that have perpetuated underdevelopment...The primary cause of the problem lies in the inability of Sri Lanka's economy to generate a capitalist dynamic of industrial transformation. The strategy of land settlement is not only a product but a victim of this incapacity which is the final result of the political and economic actions of the class/classes which wield power."

Dry zone land-settlement was to put it differently inspired by the class interest of policy makers as a form of 'alternative land reform' which could be used to 'avoid or postpone radical land reform' in wet-zone areas. Sinhalese ideology was conveniently around as a serviceable means, and contributed its own momentum to developments.

A reflection of the 'structures perpetuating underdevelopment' is to be found in the number of schools by centre in 1959 preparing candidates for science based courses at the University of Ceylon[9] : Colombo:54, Jaffna:29, Kandy:15, Galle:4. The last represents the deep South that played a key role in the revival of Sinhalese culture from the 19th century. After nearly 30 years of elected self-government (from 1931) this was the sorry position of the South where huge resources had been spent in turning people into dry-zone colonists. This region became the heartland of the JVP-led Sinhalese youth rebellions of 1971 and 1987-89. The colonies were not surprisingly places where the JVP recruited heavily [10]. A further irony is that whenever the Sri Lankan Army advertises times and locations for walk-in interviews to meet the demands of fighting the Tamil insurgency, the colony areas feature prominently.

Although there had been revival activity led by the Sinhalese elite from the beginning of this century, of which the Temperence Movement was part, the values promoted were essentially those of an ordered society harking back to a reconstructed past. The conception of Sinhalese society was mainly of an idyllic,rural and agrarian community, managed benignly by their elite. The latter's political thinking was thus constrained by existing colonial structures and consequently there was little interest in motivating the Sinhalese towards a modern education. Post independence developments are in part a crisis in this vision for Sinhalese society that was stubbornly translated into colonisation schemes[11].

It was thus to be expected that candidates from Colombo and Jaffna would secure a disproportionate share of university places for science-based courses according to merit. When

'standardisation' was introduced in 1971 to curb Tamil entrants (who were mostly from Jaffna) by raising their entry mark, it was too much to expect the ruling elite to admit their distorted vision of development as being the main cause of blame. They instead resorted to vilifying the Tamils as having acquired a privileged position by becoming tools of the supposed British policy of 'divide et impera'. The fact that the American missionaries who came to Jaffna in 1812 could hardly be regarded as advocates of pax Britannica had ceased to matter.

In its final effects the much vaunted colonisation schemes were yet another grand gesture of populist nationalism that exacerbated conflict in several directions[12].

6.The Quagmire of Tamil Nationalism

The main weakness of Tamil nationalism stemmed from the fact that it was based on the narrow interests of the educated middle class and was very much geared towards preserving the influence it had acquired, chiefly in the professions and in the public sector. It was when these were threatened that federalism and secession came to be advocated. This was election politics with no active party organisation to campaign on issues and mobilise people at grass-roots level. It was literally conducted out of lawyers' chambers. The Federal Party for instance could at best reach gentlemen's agreements with governments in power through its Tamil elite representatives in Colombo. But it could not, or would not, mobilise the people to mount a sustained protest to hold governments to their promises. Tamil Congress, the pioneer nationalist party, hardly had a base in the East which was largely rural. When the constitution for independent Ceylon was being prepared by the British in 1945, the Congress did not ask for federalism, but put forward the unreasonable demand of 50% representation for the minorities who were then about 30% of the population. By 1949, in return for cabinet office for its leader, it capitulated and went along with disenfranchising Tamil labour of Indian origin.

The Federal Party which replaced the Congress as the leading Tamil Party projected at the beginning a greater sense of purpose, but carried the same structural weaknesses as the Congress. Both its origins and articulation centred around Tamil rights and Tamil consciousness. Its 'Satyagraha' protest of 1961 turned out to be a flash-in-the pan which it could not have sustained beyond a few months. Its characteristic class perception underrated the masses as an intelligent force, which if mobilised could sustain a long drawn-out struggle on issues like colonisation. Likewise,the same class regarded the Sinhalese masses with a mixture of contempt and arrogance, generally failing to identify with their legitimate concerns or even to talk to them. The Sinhalese ruling class was thus given a free hand in manipulating Sinhalese fears.

By July 1983 the politics of the Federal Party/TULF stood largely discredited. It too had shown itself to be capitulatory. Having done handsomely in the North-East at the 1977 elections on a separatist platform, the TULF in 1981 agreed with President Jayawardene on District Development Councils as a 'viable alternative to separation'. The DDC elections in June 1981 were marked by a brazen attempt at vote rigging by the government and by its armed forces burning the Jaffna Public Library. In practice it turned out that DDCs were allowed no more than municipal council powers. The TULF as it transpired had no strength at its command beyond its misplaced trust in Jayewardene.

This weakness was already in evidence from the 60s and the party was vulnerable to rational questioning as well as electorally. This weakness was countered by taking refuge in Tamil nationalist symbolism drawing on the supposed ancient martial glories of the Tamils and going for stunts like signatures in blood. It was maintained that the Tamils were weak because

they were divided. By 1972, from Federal Party platforms its parliamentary rivals (i.e. other Tamil politicians) were castigated as traitors requiring dire punishment. Instead of examining its failures rationally, a general mood was created where the ordinary Sinhalese masses were vilified and the Sinhalese leaders represented uniformly as persons who make deals when it is convenient only to break them. Nationalist politics had thus imbued the Tamil people with a sense of powerlessness, an inability to see the potential among ordinary people, and with a fatalistic sense that no non-violent protest could succeed against the 'Sinhalese State'.

Two concepts introduced into the political vocabulary by the Federal Party are 'Tamil Homeland' and The Nation of Tamil Speaking Peoples'. There was at least in intention a positive side to it. The Federal Party tried also to bring the Muslims, an important segment of the population, particularly in the Eastern Province, under the same umbrella. The move received significant support from the Muslims who also shared Tamil concerns regarding the use of the Tamil language and also state sponsored colonisation. But the Federal Party lacked the mass mobilisation necessary for nation building,so as to motivate people to accept differences, remove communal friction and yet bring a sense of common identity. Once the Federal Party started taking refuge behind Tamil nationalist symbolism and became increasingly intolerant of differences, one could hardly blame the Muslims for not wanting to be a part of this movement.

From the early 70s the course was set for the rise of a Tamil militant movement.The 70s were also a period of political ferment when ideas were discussed and debated by several political groups, many of them Left leaning and drawing inspiration from liberation struggles elsewhere. A number of them firmly disavowed communalism and tried to link up with likeminded groups in the South.

The political and social climate created over decades by Tamil nationalist politics was most conducive for an extreme nationalist militant group like the LTTE. Its first acts were not surprisingly assassinations of parliamentary politicians opposed to the TULF, whose ideological baggage it inherited. It too used the castigation of its opponents as traitors with deadly effect to impose itself as the sole group. It too lacked a vision of the potential of the people, whom it required only as servants, blind recruits or as victims of the Sri Lankan forces for its propaganda. The LTTE was also capitulationist in a most debilitating sense. Its power ambitions were against the grain of reality. Every one of its actions made the people increasingly powerless. Every time the moment of truth arrived in the form of a cul-de-sac, the LTTE turned on the screws of repression on the Tamil people, isolated them even further to close all openings and forced them into a new and unwanted bout of war, only to postpone the day of reckoning, while bringing nearer the prospect of the total destruction of Tamil society.

To make matters clearer, from 1983 to 1987 the LTTE accepted Indian patronage and trainig and went to the extent of boasting that it had become the means for exercising Indian dominance over Sri Lanka, and had tried to sell itself to the Indian authorities as the most reliable partner in comparison with other Tamil groups under Indian patronage[1]. In June 1987 the Sri Lankan forces were about to overcome the LTTE's last bastion in Jaffna, as had been anticipated after the LTTE destroyed rival groups some months earlier. Instead of supplying the LTTE with sophisticated weapons as the LTTE had wanted, India imposed the Indo-Lanka Accord on both the government of the Jayewardene and the LTTE. India then inducted its troops into the North-East as a peace-keeping force, to the relief of the people. India had thus clearly demonstrated that it was committed to the territorial intergrity of Ceylon and would not countenance Tamil secession .It moreover stood for power sharing by all Tamil parties under elections to be conducted for a newly formed North-East Provincial council. India was not for a totalitarian LTTE regime,for its

own purposes as well as for sound democratic reasons. The LTTE formally accepted all this and even demanded and obtained overwhelming influence in the Interim Council to be formed. But in the meantime it launched attacks on other militant groups, instigated people into provocative actions and engineered a war with the Indian Army. The people suffered much from the wrath of the latter as well as from the LTTE creating situations,such as at Jaffna hospital,where the LTTE provoked and ran away, while the people suffered[2].

In 1989 the LTTE commenced formal talks with President Premadasa, who had succeeded Jayewardene, with a view to bringing about the de-induction of the Indian Army. Premadasa who was fighting the JVP insurrection in the Sinhalese South was trying to ride a populist anti-India platform. During this time the LTTE found common cause with Premadasa,as newly converted Sri Lankan patriots, wanting the foreign army out. The LTTE was also supplied with weapons and logistics by the Sri Lankan forces to attack the Indian Army and Tamil groups aligned to them. In early 1990 LTTE spokesman Balasingham went on record saying that the LTTE would lay down its arms once the last Indian soldier had quit, as happened in March 1990. Premadasa too had meanwhile been talking in earnest about resolving Tamil grievances such as colonisation. But in June 1990 the LTTE resumed the war for spurious reasons. In the Eastern Province the LTTE surrounded the police stations. The Government in the hope of talking matters out, ordered the policemen to surrender without resistance. The LTTE massacred hundreds of the Sinhalese and Muslims among the surrendered policemen and took to the jungles as the Sri Lankan Army was ordered to move in. Over the next few months several thousands of Eastern Tamils exposed to the wrath of the Sri Lankan forces were massacred,or disappeared following detention[3].

This is an extreme form of the capitulationist politics of the TULF. The LTTE tried to get out of every cul-de-sac natural to its politics by throwing in the Tamil people as sacrificial victims used in propaganda, and gaining recruits through the anger and helplessness of the people. The inclusion of Muslims, mostly from the East among the policemen massacred was an unaccountable provocation. It pushed Tamil-Muslim relations to new depths. In the short-term at least it helped the LTTE to gain recruits among the Eastern Tamils. Many of them joined not to fight for liberation,but to take reprisals against Muslims. The expulsion of Muslim residents from the North and massacres of Muslims in the East are, in part at least, the LTTE adopting a populist stance with regard to its Eastern recruits. The Government too had played the game by recruiting Muslim home guards, arming them and thus equipping them for reprisal violence against Tamils.

The LTTE saw no contradiction in boasting themselves India's favourite agents one day and then Sri Lankan patriots some months later, and likewise changing its public sentiments from time to time. Several Tamil nationalists have read into this history of totally unnecessary suffering imposed on the Tamil people,a consistent stand by the LTTE for a separate state of Tamil Eelam. The embitterment of relations with Muslims in particular,who shared the 'Tamil Homeland',is hardly taken cognizance of by Tamil nationalists. Among the casualties of this politics are the Tamil people and the conceptual viability of the Tamil Homeland and Tamil Nation. If one is looking for consistency, there is certainly a ruinous consistency in the methods congenital to this politics.

7. Tamils and the Right to Self-Determination: Theory and Reality

In the light of a large number of secessionist movements springing up in the post colonial world, there is an urgently perceived need to develop theoretical and legal criteria,whereby claims to

secession could be examined in the light of international law, which recognizes the 'right to self-determination of peoples'. The principle of self-determination of peoples first appeared in Articles 1 & 55 of the UN Charter. This was generally interpreted as applying to people in colonial situations. In 1966 the UN General Assembly adopted two Human Rights covenants which were circulated for ratification among member states. Part I of Article I which was common to both covenants - The International Covenant on Civil and Political Rights (ICCPR) & The International Covenant on Economic and Social Rights (ICESR) - stated: "All peoples have the right to self-determination. By virtue of the right they freely determine their political status and freely pursue their economic, social and cultural development". Martin Ennals[1] said in this connection: "The question must also inevitably be raised as to why only people who are under colonial domination should be entitled to exercise a right which is quite clearly stated as applying to all... Nowhere is there a process for arbitration, no definition of terms, no UN body which will entertain the complaints about self-determination as such. It is a right which creates expectation without fulfilment. People are dying for a right which is known to exist but nowhere is it defined".

Lord Avebury[2] pointed to cases such as Eritrea and East Pakistan (now Bangladesh) that cried out for international intervention on the basis of the right to self-determination, but where much blood was spilt (over 30 years in the case of Eritrea) for the lack of such a process. One might add East Timor and the Kurdish territories among those long in need of relief through international processes that do not exist.

Lord Avebury goes on to suggest that the UN should appoint a High Commissioner for Self-Determination "charged with the duty of examining all claims [in the first instance], rejecting only those which in his or her opinion were manifestly frivolous or ill-founded. The claims would then be analysed according to criteria specified by the General Assembly, including: 1. Previous history of statehood or existence as a separate territorial entity, 2.Geographical unity, 3.Ethnicity 4.Language, 5.Religion, 6.Culture, 7.Existence of separate institutions, 8.Evidence of will to separation...."

We shall now briefly examine how the Tamil case stands in respect of these criteria. The case of the Tamils could be said to satisfy 1. & 2. in the sense of separate territorial entity and geographical unity, although claims to a previous history of statehood in the modern sense are weak. 4. & 6. may be said to be largely true considering Tamils and Muslims as one group in the North-East. In the case of 8. The TULF argued that the election results of 1977 gave a mandate for separation considering the total percentage of votes polled in the North-East. What happened was that the TULF polled over 70% of the votes in the Northern Province, but the results in the East reflected the effects of state sponsored colonisation of Sinhalese and the lack of conviction among the majority of the Muslims and a significant section of the Tamils regarding what the Tamil nationalist programme had to offer them. Interestingly, after more than 15 years the LTTE too regarded the 1977 election results as a mandate for separation, while also saying that it had punished TULF leader Amirthalingam with death for 'betraying' this mandate and supporting semi-autonomous Provincial Councils under the 1987 Indo-Lanka Accord.

We encounter here significant difficulty in determining adequate criteria. With a view to formulating a positive and workable doctrine on the right to self-determination, without which 'it stood in danger of remaining a mere slogan', Martin Ennals[3] posed some questions, some of which in particular are relevant to the Tamil case:

* How does self-determination relate to democracy when demographic composition of an area has been changed?

* Are there indications which could provide early warnings of the need for preventive measures?

* How can self-determination enhance the implementation of Article 25 of the ICCPR that provides that "every citizen shall have the right and opportunity to take part in the conduct of public affairs, directly or indirectly through freely chosen representatives..."?

A crucial point made by Ennals is the linkage between Human Rights and self-determination as envisaged in both Articles 1 & 55 of the UN Charter. The relevance of the questions would be evident from the sketch of the history of the problem given earlier. We would in the sequel argue for the importance of finding answers to the second question, which we believe should be key to the general approach.

It may be pointed out here that the concept of self-determination for the Tamils had long guided the thinking of the Federal Party as well as counter-measures taken by the Government of Ceylon (Sri Lanka). The first statement issued in 1949 when the Federal Party was formed, spoke of the unsuitability of the unitary constitution and that the basic principles which the government had proclaimed concerning the public good were 'pernicious and not suitable to ensuring the unity of the country'. It added:

"We believe that the only means of ensuring that the Tamils are guaranteed their freedom and self-respect by law, and of solving their problems in a just and democratic manner is to permit them to have their own autonomous state guaranteeing self-government and self-determination for the Tamil nation in the country; and to work indefatiguably to the attainment of this objective."[4]

In this call for federalism, the concept of a Tamil Nation had been introduced into the political vocabulary and the concept of a Homeland was implicit. The tacit appeal to Articles 1 & 55 of the UN Charter, with the linkage between democracy and self-determination may also be noted. The immediate context of this resolution was the disenfranchisement of Tamil plantation labour of recent Indian origin. Federalism here was also mooted as a means of keeping the country united.

The threat posed to the integrity of the 'Tamil Homeland' by state sponsored colonisation of Sinhalese was raised in a Federal Party statement of April 1951 in relation to the Gal Oya scheme in the Eastern Province. It spoke of the 'inalienable right of the Tamil speaking people to the territories which they had been traditionally occupying'.

We note here the appearance of 'Tamil speaking people' in an early attempt to include the Muslims as part of the 'Tamil Nation', who together with the Tamils then comprised 95% of the Eastern Province population. In later statements there was a vacillation between 'Tamil people' and 'Tamil speaking people'.

Successive governments have publicly maintained that dry-zone colonisation was non-partisan and was to do with development. A hint of what may have been talked about in closed circles among those who decided policy is suggested by a speech of D.S.Senanayake, the first prime

minister of Ceylon, quoted from memory by his grandson Davinda Senanayake. The speech is said to have been made to the settlers at Padaviya, probably in 1951 or '52.:

"Today you are brought here and given a plot of land. You have been uprooted from your village. You are like a piece of driftwood in the ocean; but remember that one day this whole country will look up to you. The final battle for the Sinhala people will be fought on the plains of Padaviya.. Those who are attempting to divide this country will have to reckon with you..."[5]

Padaviya is close to the border of the Northern and Eastern Provinces. The author of the book from which this quotation is taken belonged to a group among the Sinhalese elite who were involved in the Weli Oya scheme of 1984 referred to earlier, for which Padaviya acted as the spring board. this may suggest an element of subjectivism in the grandson's memory. However the representation of federalism as division of the country was made to the Sinhalese very early.

The 1956 general elections which brought Mr.Bandaranayake's SLFP to power on the slogan of 'Sinhala only', also established Mr.Chelvanayakam's Federal Party as the leading Tamil Party. This was followed by communal violence in the Gal Oya and Padaviya schemes on the borders of the Eastern Province. The violence led by Sinhalese employees on the schemes led to the loss of Tamil lives and the effective expulsion of many Tamils and Muslims from both schemes which became almost total by 1990.

The abrogated Bandaranayake-Chelvanayakam pact signed in 1957 had envisaged the establishment of regional councils enjoying far-reaching powers in the matter of colonisation which included selection of colonists as well as personnel to be employed on the schemes. Then came the 1958 communal violence and the deterioration continued.

FP`s successor,the TULF's 1976 resolution for separation made reference to the serious inroads made into the 'Tamil kingdom' by a 'system of planned and state-aided colonisation and large-scale regularisation of recently encouraged Sinhalese encroachments calculated to make the Tamils a minority in their own homeland''. It was then resolved that the [separate] state of "Tamil Eelam shall consist of the Northern and Eastern Provinces".

After the manner of professional lawyers throwing in everything in support of the case for a Tamil Homeland, there was in this resolution and in the 1977 election manifesto, implicit reference to purported history in a colonial document - the Minute of Hugh Cleghorn - prepared for the early British Administration about 1798 cited earlier. The minute mainly dealt with administrative practices of the departing Dutch. We had referred earlier to a region whose coastal limits were slightly larger than the present Northern and Eastern Provinces where Tamil was then the main language in use, which the Dutch had made a judicial region under the Commandant of Jaffna. Cleghorn had mistakenly supposed that the judicial regions pertaining also to a linguistic division had represented the homes of two different nations from ancient times. The 1977 TULF manifesto presumably referring again to Cleghorn claimed that the said region 'was firmly established as the exclusive homeland of the Tamils'[6].

The case being made pertained to a modern problem. The tone of the last two documents contrasted sharply with the moderation of the early Federal Party documents. The new factor was the sense of frustration that had led to a militant mood among Tamil youth and the beginnings of the militant movement, the nationalist section of which the TULF was trying to hold under its umbrella. The 1976 resolution for separation was passed in the last year of Chelvanayakam's life, when Amirthalingam effectively wielded executive authority. When questioned by a worried

senior TULF politburo member based in Colombo, Amirthalingam had admitted that the resolution to separate was in response to the militant mood of the youth, but was essentially a bargaining position. Amirthalingam's style of politics and what has been revealed subsequently indicate that his plan of action was to use the strength of the Tamil case in international law and his influence over the militant youth to negotiate a satisfactory settlement with the government. The TULF believed it had a strong case in international law[7].

The UNP government of J.R.Jayawardene, partly in view of its own difficulties in the South, decided upon a chauvinist course with respect to the Tamil problem. The communal riots of 1977, 81, and 83 followed in quick succession leading to the civil war. A course of repression was paralleled by a determination to accelerate the obliteration of the TULF's case which appealed to international law. The role played by senior officials in the Mahaveli Ministry in blatant attempts at territorial and demographic manipulation, and their mind-set are described in a colourful inside account[8]. This ministry which handled the harnessing of the waters of Mahaveli river, and associated colonisation schemes, was the largest recipient of foreign aid. It was along with the Military the executor of the Weli Oya scheme.

For the first time in the mid-80s,senior academics came into the fray to dispute Tamil homeland claims, particularly in relation to the East. Some of the hyperbole in TULF documents was subjected to minute analysis without reference to the context. Special units of the security forces were sent to the East to foment violence between Muslims and Tamils[9]. All this was accompanied by the use of the armed forces from 1983 in massive repression which included killing, burning and disappearances.Home guard units too were set up by arming Sinhalese villagers ostensibly for defence against Tamil militant attacks.But the usual pattern was for home guards to stay out of sight during such an attack ,and then take reprisals aginst the nearest Tamil village.To both sides,the people,whether Sinhalese,Muslim or Tamil,became pawns.

These moves led to the eventual humiliation of the government while Tamil society was itself being continuously destroyed by its internal politics which made a parody of self-determination. The Indo-Lanka Accord of 1987 imposed on the Government of Sri Lanka the merger of the Northern and Eastern Provinces into the North-East Province, although, formally at least, the merger was subject to a referendum in the East. This was a major concession to the Tamil homeland idea.

Today the LTTE argues its claims for secession on the basis of a large extent of territory in the North which it had continuously controlled for several years since 1990. It also tries to make mileage out of the mandate for separation the TULF is said to have received in 1977. Where the LTTE is concerned, the linkages between self-determination, Human Rights and democracy are,however,non-existent.

Yet because of the intractable nature of the problem and the LTTE's ability to frustrate any attempt at a solution that might make it accountable in the long run, there have been several moves towards supposedly pragmatic solutions that are prepared to overlook the crucial linkage with Human Rights altogether. The choice was presented as being between subjecting the Tamils willy-nilly to the LTTE, or a crushing military thrust by the Sri Lankan forces. Among the advocates of such pragmatism or realpolitik one could list a number of NGOs who receive their inspiration and funding from the West.

8.The Importance of Self-Determination as a Process

From the experience of Ceylon and of the Tamils in particular,one is confronted with the limitations of framing formal criteria for self-determination and conducting the debate mainly in a legal framework. There are of course obvious instances referred to where these may provide clear cut answers. Take the case of the Tamils. Both the Tamil leaders and counter-measures of the successive governments opposed to any form of self-determination to the Tamils were very much guided by emerging interpretations of international law and by criteria that were implicit or explicit.

Some of the questions posed in the use of legalistic criteria have an element of artificiality. Take for example: 'Do the peoples of Ceylon have separate histories or a common history?' and 'Do all Tamil speakers (who comprise the majority in the North-East) form one people or are they separate peoples? Do in particular Tamils and Muslims constitute one people?' The answer to the first depends on what parts of history one chooses to emphasise and how one interprets them. In the matter of whether Tamils and Muslims constitute one people, Tamil nationalists would argue by the linguistic criteria used to define Indian states.In the light of Tamil militant violence against Muslims,this would be questionable . Take also for example the suggestion that a UN Committee on Self-Determination should have the power to conduct a referendum in the territory concerned. Given the prevailing reality in the North-East Province, and the present atmosphere of terror, a referendum would be a poor guide for making far-reaching decisions.

Ceylon as one nation or separate nations is not determined by ancient history but rather by what had been going on in politics over the last few decades. A genuine process of nation building, and bringing about a sense of togetherness with respect for pluralism, we know,is a healthy process and one that would bring its own reward. But we know that the Sinhalese elite polity failed in this matter. Again where the Tamils and the Muslims in the North-East are concerned, a need was felt to bring about a sense of togetherness as the 'Tamil speaking people(s)'. If Tamil politics had led to a process where it was successfully carried out, that too would have been healthy and would have aided the Tamil cause. But we do know that the process was sundered mainly by the developing intolerance of Tamil nationalist ideology. All these failures resulted in a severe deterioration in the quality of life for people in this country as a whole.

We do know that from mid-1994 there were markedly healthy developments among the ordinary Sinhalese people leading to a massive electoral mandate for peace and Human Rights. There was a new sense of accommodativeness and a willingness to understand the problems of the Tamils. The press too became much more open in this respect. There was also then a large international presence in this country that included aid agencies and NGOs. Did the attitudes of this community make the ordinary Sinhalese feel rewarded and reassured?

Among the processes we are dealing with, the healthy ones are underpinned by a respect for democracy, Human Rights and pluralism. A sense of a nation, or of a people, are results of processes that cannot in the first instance be defined legally. The most fruitful form of international intervention is to encourage and reward processes that are healthy and to discourage others. This we feel should be a main task of instruments appointed by the UN, which brings us back to the earlier question of indicators and preventive measures.

The post independence history of Ceylon furnishes us with several instances where such interventions should have taken place:

* 1948/49: Declaring Tamil labour of Indian origin non-citizens (1.e. stateless) and depriving them of the vote: Other than Idi Amin's Uganda which deported persons of Indian origin in the early 70s (now rescinded),Ceylon was the only former British colony to take such a harsh measure against arrivals during the recent colonial period. The Federal Party in the early 50s took the matter to the Privy Council in Britain. The FP argued that the parliament was in violation of Section 29 of the constitution which forbade legislation that was discriminatory to a community. The Privy Council upheld the government's action on the grounds that the parliament of Ceylon had the right to define citizenship, which the British framers of the Ceylon's constitution of 1948 had left conveniently undefined[1]. Had there been available an appeal to an international body on the basis of the UN Charter of Human Rights, as distinct from an interested party, that which was perhaps the key element in Ceylon's tragedy would not have come about.

*1951-:Colonisation schemes affecting the demography of the Eastern Province

Concern was first raised in the '40s by the Tamil Congress, by the Federal Party in 1951 and continuously thereafter. It was not a simple question of development. Within a few years it affected the rights of others in the region, including those of older Sinhalese communities that were an integral part of local life.For the older local communities,it affected their natural rights to land and to water[2]**.** The quality of their representation too was adversely affected[3]. In 1979 the World Bank supported Accelerated Mahaveli Programme went ahead while several questions confronting the people of the North-East and of other local communities were left unanswered. In such matters there should have been available some ready means of applying to an international body, which without perhaps ruling out such projects altogether (though white elephants they arguably turned out to be), would have set norms and provided guarantees to those being adversely affected. The Trans-Migration programme in Indonesia is a more extreme case in the point[4].

* 1956: Sinhala Only Act

* 1971: 'Standardisation' of university admissions on a purely linguistic basis.

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It is important that the structured scope of interventions should not be confined to governments alone. Attention should be paid to dissenting voices among aggrieved parties. The Federal Party's public display of intolerance in 1972, as evidenced by some of its popular spokesmen branding its Tamil opponents as traitors,and leading to the first in a series of political assassinations in 1975, should have been nipped in the bud. This tendency created the LTTE and made many Tamils, and the Muslims as a whole, traitors by definition. The FP/TULF should have been firmly told that such tendencies would impair the case it was trying to make in international fora.

9.The Right of Secession

We come now to a suggestion made in Jayawickrema's report of the Martin Ennals Memorial Symposium on Self-Determination[1] : "...it must be noted that it is the knowledge that the option of secession is not available to the peoples who constitute a minority that gives the dominant group the strength and ability to continue with impunity, if it chooses to, its policies and programmes of oppression. But if international law were to subordinate territorial integrity to the right of "all peoples" to self-determination by recognising a principle that the

members of a cohesive social entity within a sovereign state are entitled to freely determine their political status, the impact would be quite remarkable....The recognition of such a principle will shift the focus from the rancorous assertion of rights to the far more productive exercise of formulating the terms and conditions of co-existence. A numerically small ethnic, religious or linguistic group, conscious that it has the right to secede, will begin to examine the viability of secession in political, social and, above all, economic terms. These considerations will probably compel such a group to remain within the existing state, but on terms negotiated by it with the dominant group."[2]

Looking at this suggestion through the experience of Ceylon, one might commend it as a general principle and the ICCPR too points towards it. It is workable in the context of a democracy had the integrity and health of political processes been preserved for several years. When a country is able to adopt this suggestion as a working principle, it is a testimony to its strength. We had earlier talked about the integrity of political processes through which a sense of nationhood is attained or certain subgroups come together and acquire a sense of being a people. Where the health and integrity of political processes could be sustained, secession is likely to become superseded.

But it is very doubtful if the adoption of such a principle would tackle the immediate crisis in Ceylon. On the one hand we have the cumulative build-up of the Sri Lankan state driven by a powerful sectarian ideology whose inertia is difficult to break. Its armed forces are almost entirely Sinhalese. The Tamils are grossly unrepresented in the public services and are almost invisible in the higher rungs. These have spurred sentiment in favour of an alternative state structure for the Tamils.

On the other hand since July 1983 hundreds of thousands of alienated Tamils have settled down in the West. As a consequence the militarist and nationalistic appeal of the LTTE has won an audience who are little concerned about the destructive consequences of this politics for the people at home. There has also been an exodus of a large number of Tamils from the North-East to the South. In a situation of war and security fears, they are constantly harassed by the security authorities and are shunned by employers. Even when there is a change for the better with new openings in the politics of the South, the politics of the Tamil elite is unable to come out of the shadow of the LTTE, and make a gesture of goodwill and demonstrate a willingness to understand the anxieties of the Sinhalese.

We have here a potent link between the globalisation of life through modern technology, communication and commerce; the vested interests of a migrant diaspora that are very different from those of the group remaining in their troubled home; and the empowerment and sustaining power of a militant force driving towards and driven by socio-political fragmentation.

The phases of Tamil nationalist politics are really two sides of the same coin and parts of the same legacy. The earlier phase is a feeling of powerlessness, where people lost even the will and sense of responsibility to exert themselves in non-violent protest. Today people of the same class watch LTTE videos from drawing rooms in the West, applauding tricked and brainwashed twelve year olds performing suicidal feats of 'martyrdom' for the LTTE supremo.

In turn the Sinhalese have acquired legitimate fears of the global spread of Tamils and developments in neighbouring Tamil Nadu that have favoured support groups for the LTTE that are strongly fascist and anti-Sinhalese. It is moreover amidst these fears that the Sinhalese have to be persuaded to agree to a previously unthinkable federal status for the Tamil speaking region,

not with any certainty of halting the march to destruction and fragmentation, but only as a means of offering space for good sense to prevail. There are no panaceas.

As a final reflection, a concentration on rights is meant to improve the quality of life as a whole. In the conceptualisation of a particullar right for disscussion, such as the right to self-determination, its relation to real life settings and real people should not be lost sight of. Thus the right to self -determination stands or falls with all other rights, such as in particular Human Rights. We do not yet have anything like a vibrant internatinal order that is capable of dealing with these rigths dynamically. A legalistic obsession with one particular right, while turning a blind eye to the inner life of the people concerned, could lead to making a parody of that very right, while negating all other rights.

The Tamils'right to self-determination remained largely a slogan , in the absence of an inner development consciously casting off oppresive structures and acquiring a basic human dignity within. To many influential outside observers, violations of Human Rights remained violations by the Sri Lankan forces against the Tamil people fighting for self-determination. What the Tamil people were doing to themselves was mostly lost sight of. Today the life of this society hangs in the balance. It even does not have the capacity to express its wishes on such basic matters as the welfare of its children, or to influence in any way its so-called representatives.

Notes and References

Section 1.

1. The general references for this entire chapter would be 'The Broken Palmyrah' by Rajan Hoole, Daya Somasundaram, K.Sritharan & Rajani Thiranagama; and Reports 1-13, Special Reports 1-5, Briefings 1-2, Information Bulletins 1-7 and the summary 'Someone Else's War', of the University Teachers for Human Rights (Jaffna).

2. See for example the Amnesty International Reports:- 'Disappearances in Sri Lanka' of 10th September 1986 and 'Recent Reports of Disappearance & Torture'of May 1987. The first recorded 271 disappearances since latter 1983. The second reported a further 247 of whom 197 were from the STF controlled East. The UN working Group on disappearances in its report of December 1986 listed Sri Lanka among 7 countries where more than 200 cases needed clarification. The other six were Argentina, Colombia, El Salvador, Guatemala, Lebanon & the Philippines. Going by citizen's committee reports the total number of Tamils dead and missing from July 1983 to July 1987 was about 8000 - See the Saturday Review, Jaffna, 1984-87. See also reports of the Civil Rights Movement during this period.

3. Banking on Disaster; Indonesia's Transmigration Programme, The Ecologist, Vol 16 No 2/3 , 1986.

The Ecologist quotes a document prepared by Brigadier-General Sembiring,commanding the Indonesian territory of West-Papua(Irian Jaya)on the planned trans-migration of Javanese,dated April 1984:"Territorial management must be implemented by the entire state apparatus and the whole society,with the Armed Forces as core -executor...to manage potentials of the area including the geographical and demographic factors and the ideological-political-social-cultural-military conditions...for implementing the defence-security task by means of the security approach."

4. The majority among the Sinhalese are Buddhists.

5. See the literature in 1 above, and in particular UTHR(J) Briefing No 2, Children in the North-East war.

6.Somasundaram, D.J. & Rajadurai S.; War and suicide in northern Sri Lanka, Acta Psychiatrica Scandinavica, published late 1994, &

Somasundaram, D.J. & Sivayokam S.; War Trauma in a Civilian Population, British Journal of Psychiatry, 1994, 165, 524-527 &

Somasundaram, D.J.: Mental Health in North Sri Lanka in 1994, paper delivered at the Conference on Victims of War in Sri Lanka, London, September 1994.

The first paper discusses 'what appears to be a remarkable inverse relationship between the suicide & homicide rates'. The latter refers to the effects of war. Prior to the war, from 1963 to 1975 Jaffna society had a very high suicide rate compared with the rest of the world, measuring 30 to 34 per 100,000. With the onset of the war this dropped sharply for reasons easily guessed at. This says something about the pathological nature of the society that drove its poor, alienated and despairing into a cult of suicidal martyrdom. The authors also suggest that in place of social cohesiveness that war often brings about in other nations or groups in the face of an external threat, this war has brought about 'signs of despair and resignation to fate'.

The second paper says that stresses resulting from war trauma among the population of Jaffna have been 'multiple and chronic-a situation known as chronic traumatic stress'.

The third paper deals with both the external and internal dimensions of the trauma faced by the Tamils of the North-East.

Section 2

1. See for example Deraniyagala,S.U.; Prehistoric Archaeology of Sri Lanka, Department of Archaeological Survey, Colombo, 1992 & Raman,K.V.; Brahmi inscriptions in Tamil Nadu: an historic assessment, The Sri Lanka Journal of South Asian Studies I (1), 1976.See also Sastri,3.below.

2. See Rasanayagam, Mudaliyar C.; Ancient Jaffna, 1926, Reprinted by Asian Educational Services, New Delhi, 1984; and Gunawardana, R.A.L.H.; The people of the lion: the Sinhala identity and ideology in history and historiography, in Sri Lanka: History and Roots of Conflict; Spencer, Jonathan Ed. Routledge, London, 1990.

3. Sastri,K.A.Nilakanta; A History of South India, 4th Edition, Oxford University Press, Madras, 1975.

4. The Mahavamsa or The Great Chronicle of Ceylon, Translated from Pali by Geiger,Wilhelm; Government of Ceylon, 1960.

5. Bechert, Heinz; Skandakumara at Kataragama: an aspect of the relation of Hinduism & Buddhism in Sri Lanka, in the Souvenir of the World Hindu Conference in Colombo, 1982, reprinted in the 'Island', 22nd March 1994.

Bechert sees a close connection between the four regional gods of the old Tamil religion as given in Tolkappiyam (Porulathikaram 5), a Tamil prose work of about the 1st century AD, and the four gods of Sinhalese religion. He also identifies the differences as relatively recent. Uppalavanna is identified with Mayon, the forest god of the Tamils and Kumara with Ceyon or Murugan, the Tamil god of the hills.

See also Ch.5 of Hoole 9.below.

6. Gunawardana,R.A.L.H.; Historiography in a Time of Ethnic Conflict, Social Scientists Association, Colombo, 1995.

7. Rasanayagam in 2. above.For an account of archaeological excavations in Jaffna and the Kantharodai seal,see Ragupathy,1.of 3 below.

8. Theva Rajan,A.; Chapter 1, in Tamil as Official Language - Retrospect & Prospect, International Centre for Ethnic Studies, Colombo, 1995.

See also Gunawardana, 2.& 6. above.

9. Hoole,C.R.A.; Chapters 5& 6 of Modern Sannyasins, Parallel Society and Hindu Replications: A Study of Protestant Contribution to Tamil Culture in 19th century Sri Lanka, Against a Historical Background, Peter Lang, Berne, 1995.(Based on the author's doctoral dissertion at McMaster University, Canada)

Ritual sovereignty is also evident in the distribution of Bo saplings brought to King Devanampiya Tissa at Anuradhapura by the Asokan Buddhist emissary Mahinda, during the 3rd century BC. The Mahavamsa account (in chapter 19) strongly suggests that the recipients are regional kingdoms, including Jaffna and at least two in Ruhuna in the South, who acknowledged the ritual sovereignty of the King of Anuradhapura-styled Maha Raja or Emperor. The same approach is evident in pilgrimages to the Hindu shrine at Koneswaram in Trincomalee by the kings of Kotte in the 16th century and in the wording of the treaty of 1767 signed by the King of Kandy with the Dutch. (see Paul E.Peiris' 'Ceylon: the Portugese Era', Vols I & II, 1914, second edition by Tisara Prakasakayo, 1992. A translation of the said treaty by H.C.P.Bell can be found in p115 of the Orientalist III)

10. The collapse of The Rajarata Civilization in Ceylon & The Drift to the South-West; Indrapala,K.Ed., Ceylon Studies Seminar, University of Ceylon, Peradeniya, 1971, gives a selection from Murphey, Paranavitana, Liyanagamage, Indrapala, Siriweera & Roberts.

See also, The Kingdom of Jaffna, Pathmanathan,S.; Colombo, 1978.

11. See: A Manual of the Vanni Districts of Ceylon, Lewis,J.P.; 1895, Reprinted in 1993 by Navrang, New Delhi;

The origin of the Tamil Vanni Chieftaincies of Ceylon; Indrapala,K., The Ceylon Journal of Humanities Vol I, No 2, July 1970;

The Vanniar of North Ceylon: A Study of feudal power and central authority, 1660 - 1760; Arasaratnam,S., Ceylon Journal of Humanities & Social Sciences, Vol 9, No 2, 1966. &

Hoole, C.R.A., Ch 7 of 9. above.

The one time prosperity of Thampalakamam & Kanthalai is referred to by Fr.Fernao de Queyroz in his, The Temporal & Spiritual Conquest of Ceylon, written just after the departure of the Portuguese in 1656, and translated by Fr.S.G.Perera, 1930. (p66 ff). See also:

Engineer Tornbauer, 1793, Memorandum to Governor van de Graff on the Kantalay Tank, Ceylon Literary Register Vol I, 1886. Reference is made to the records of rice production maintained by the Kantalay Sivan Kovil. J.F.van Senden in the diary of his tour of the three Wanniates of Trincomalee in 1786 gives us an idea of the one time prosperity of Cottiar. It was he who first drew attention to the Kanguveli Tamil inscription of about the 14th century AD, dedicating a large field to the famous Konesar shrine at Trincomalee.

12. With respect to the administration of justice under the Dutch, the Cleghorn Minute reads: "The government of Ceylon, with respect to its judicial power, was divided into three Departments, viz, Colombo, Jaffnapatam and Galle. The jurisdiction of the courts of justice of Jaffnapatam extended from the limits of Puttalam to the River Koomane or Koombookan which separates the country from that of Matara".

-Ceylon Literary Register 6, of 1891

13.The 1981 census, the last taken, recorded a total Ceylon population of 14.85 million, of whom, 2.088 million lived in the North-East (1.11 million in the North & 0.976 in the East).

The breakdown of Ceylon's population is as follows: Sinhalese :74%(about 3/8 of whom are Kandian), Tamils:18.2%(Ceylon Tamils:12.6%, Hill Country(Indian) Tamil:5.6%), Muslims:7.4%, others :0.4%.

The Indian Tamils formed about 12% of the population at independence in 1948.

The citizenship laws passed over the coming year made nearly all of them non-citizens. Over a tortuous cause of events and discussions between the goverments of Ceylon and India, a number of them were repatriated to India during the 70s into further insecurity, while many others sought citizenship here. In 1990, about 100,000 among those accepted for Indian citizenship were refusing to go. The Indian Tamils are now a significant electoral force in the Hill Country. [See 'Sullen Hills', UTHR(Jaffna) Special Report No. 4 of 1992,or a summary in 'Someone Else's War'. On the fate of those repatriated, see Gopalan,T.N.; Repatriates in Nilgris - A saga of struggle, Dalit Action Research & Extension Services Centre (DARES), Kotagiri, S.India.

Buddhists in 1981 formed 69.1% of the population,Hindus 15.5% & 7.4% were Muslim. 7.6% of the population in 1981 were Christian, mainly Roman Catholic,6.6% among the Sinhalese and 14.8% among the Tamils(18% among Ceylon Tamils), the balance in these two communities being Buddhist and Hindu respectively. This is a drop from 9% being Christian in 1948.Among the reasons may be a lower natural increase among Christians and emmigration, especially of the Burgher community of European extraction. The results of the work of the smaller evangelical churches is yet to reveal itself in census taking, now in abeyance for 14 years.

In 1981 about 72% of the Ceylon Tamil population lived in the Northern and Eastern Provinces.

Section 3

1. Compare for example the Dutch Administration's census of Jaffna in the year 1789 (Appendix to P.Ragupathy's 'Early settlements in Jaffna: An Archaeological Survey' Cre-A, Madras, 1987) with the British Administration's of 1827.

2. See Maruan Macan-Markar's 'Nation Building : A Muslim perspective', in Nation Building in Sri Lanka, Mrs. Gnana Munasinghe Ed;, Shramaya, Colombo, 1993, & Quadri Ismail's 'Unmooring Identity: The Antinomies of Elite Muslim Self-Representation in Modern Sri Lanka', in 'Unmaking The Nation: The Politics of Identity and History in Modern Sri Lanka', Jeganathan & Ismail Eds.; Social Scientists Association, Colombo, 1995. (pp68-74)

Both authors trace the dilemma faced by the diverse, but largely Tamil speaking, Muslim community in trying to fashion a national identity from the 19th century on the basis of religion, and the contradictions it encountered. These contradictions resulted from a diversity in economic interests, regional and cultural ties. A mythical Hashimite Arabic identity favoured by the Moor elite in Colombo too seemed unconvincing to a community that hardly spoke Arabic, and whose roots were local. Both authors agree that the Colombo Moor elite trying to hitch the Muslims to one or both of the two major Sinhalese parties for a few minor concessions has diluted the others' perception of the Muslims as a people in their own right, making them a 'submerged minority' to use a term coined by Izzeth Hussain. Resentment was first expressed by the Eastern Muslims, a section of whom first supported Tamil secessionism and later went on to form the Muslim Congress. Macan-Markar argues in favour of Ceylon as a cosmopolitan nation based on individual rights rather than group rights, where his Muslimness would not be a factor in his dealings with the state. Ismail favours local alliances, where in the East for example, the Muslims would relate to Tamils and Sinhalese in the locality as partners in articulating local interests.

3. Abeysinghe, Tikiri; Jaffna Under the Portuguese, Lake House, Colombo, 1990. (pp2-3)

4. L.J.B.Turner in the Ceylon Census of 1921 (p202 of Vol I):" The distinction between Sinhalese and Tamils of the present day is so marked that it is not easy to realise that there has been considerable fusion between these races in the past. The results of this fusion are most obvious on the western coast between Negombo and Puttalam, where a large proportion of the villagers, though they call themselves Sinhalese, speak Tamil, and are, undoubtedly, of Tamil descent, their legendary ancestors being captives from India or imported weavers and other artisans. As in 1911, a large number of the Kandyan Sinhalese in Diddeniya palata in the Hiriyala hatpattu of the Kurunegala District are Hindus and speak Tamil, though most of them read and write Sinhalese. They are reported to have discontinued many Tamil customs, but they retain the practice of tying the Tali at weddings. Similar settlements of Sinhalese of Tamil descent are found elsewhere, being the descendants of Tamil mercenaries, captives, specially imported artisans, and others."

5. Davy, John; An Account of the Interior of Ceylon, 1821, Republished recently by Tisara Prakasakayo, Colombo. See Appendix for the Governor's declaration.

6. Obeysekere, Gananath; Gajabahu & the Gajabahu synchronism, in Religion & Legitimation of Power; Smith, Bardwell Ed.; ANIMA, Pennsylvania, USA, 1978. Obeysekere argues that variations of the story of King Gajabahu, who upon a military excursion to South India brought back captives supposedly taken from Ceylon by the Chola, Karikalan, to work on his famous

barrage of the 1st century AD to harness the waters of the Cauvery river, are in fact legitimisation myths of immigrant communities from South India.

7. Report of Rate Mahatmaya Mahawelatenne, Chief Headman in charge of Kadawata and Meda Korales in the Ratnapura District in the Appendix to Vol I of the Ceylon Census of 1901, reads: "I should here remark that it is regrettable, indeed that in enumerating the Sinhalese, the Kandyan or native resident is not distinguished from the low-country or stranger. The relation of the low-country Sinhalese man to the Kandyan is same as that of the foreign born Tamil, Moor or Malay....The low-country man comes and sticks on...he is a sort of human parasite. Given time and opportunity he will, as it were, absorb the Kandyan, leaving him neither his lands, nor his chattels, nor even his independence...[A]t last the low-country man becomes the land-lord and the Kandyan the tenant and servitor...working for his living on the very land for which he was lord."

8. Gunawardana, 2 & 6. (pp7-10.) of section 2 above.

It must be said that there has always been opposition to this ideological reading of Sinhalese destiny from among Sinhalese themselves. Famous among them was Mudaliyar W.F.Gunawardena, who in the 1920s delivered a lecture at Ananda College,declaring that Sinhalese, like Tamil ,was a Dravidian language. The position had been earlier taken by Hugh Nevill, a British Civil Servant and admirer of Bishop Robert Caldwell (author of the Comparative Grammar of Dravidian Languages),in his writings in the Taprobanean (1887-9).

A recent advocate of the common origins of both the Sinhalese and Tamil people and their languages was Dr. C de S. Wijesundara, a medical man and a prominent Buddhist layman. For more than twenty years he had articulated this position both among medical students and in newspaper articles. He held that seeking an Aryan ancestry for the Sinhalese is a symptom of continuing colonial servility.

Such Buddhists would seek to trace their roots to the earlier

conversion of the Nagas of Ceylon rather than to the Asokan emissary Mahinda. (See for example D.A.T.Perera, "Who brought Buddhism to Sri Lanka: Gautama Buddha or Mahinda Thera?", Sunday Island, 22nd May 1994.) They base their arguments on a more critical reading of the Mahavamsa.

9. Jayawardana, Kumari, Ethnic Consciousness in Sri Lanka: Continuity & Change, in Sri Lanka: The Ethnic Conflict: Myths, Realities & Perspectives, Committee for Rational Development, Navrang, New Delhi, 1984. Jayawardana says: 'Competition in trade is a key element in understanding ethnic and communal rivalry in Sri Lanka'. Quadri Ismail says in 2. above (p72) "Thus [Sir Razeek Fareed's] insistence on a "Ceylon Moor" identity [as opposed to the common "Muslim" identity preferred by the "Indian Moors"] had an economic logic to it as well."

The animosity of Sinhalese traders to the foreign domination of trade was expressed by Dharmapala by referring to 'merchants from Bombay and pedlars from South India' - the latter being largely Indian (Coast) Moors. The Europeans were of course left out as expedient in those colonial times. In effect what should have been an anti-colonial struggle expended itself in anti-minority rhetoric.

10. Hoole, C.R.A.; Chapter 12 of reference in 9.of 2.

11. The Broken Palmyrah Vol I ch.1. & Kumari Jayawardana above.

Kumari Jayewardana suggests that the disenfranchisement of Tamil Hill Country labour was aimed to weaken the Left. Out of the 95 MPs elected in 1947 ,18 were from the Left opposition and the seven Hill Country representatives also generally voted with the opposition. The vote of the Hill Country Tamils had been decisive in returning 14 Left candidates. The ruling UNP had won only 42 seats and needed to attract several of the 21 independent candidates to form the government. The demonstration of Trade Union power during the post-war years had also made the ruling- class nervous. It could be seen that a combination of disenfranchisement of Indian labour and colonisation programmes-which at first happened to be directed chiefly towards areas which returned Left candidates-helped to weaken the power of the Left. Some of these areas were Kegalle, Gampaha and the South.

When people from these areas were transferred into colonies under the patronage of the ruling party,these colonies generally developed into safe new constituancies for that party.

Section 4

1. de Silva,C.R.; The impact of nationalism on education: the schools takeover of 1961 and the universities admission crisis 1970-1975, in, Collective identities, nationalism and protest in modern Sri Lanka; Roberts, Michael Ed.

The proportion of Tamil addmissions to science based courses dropped from 40% in 1970 to 19% in 1975, as the criteria changed from merit to language based preference to district quotas. [See C.R.de Silva, Sinhala-Tamil Relations and Education In Sri Lanka: the University Admissions Issue - the First Phase, 1971-7]. Following the election of the UNP government in 1977 the admission criteria settled down to 30% on merit, 55% on district quotas and 15% for backward areas.

The last was criticised by Virginia Leary (3.below) as being in part ethnic preference in a disguised form and,advocated a movement towards merit. The system has also been criticised as favouring elite groups who could manipulate the system rather than the underprivileged and also as taking away from the need to improve facilities in rural areas.

Devanesan Nesiah discesses the matter along with positive discrimination policies elsewhere,in his forthcoming book. The book based on his doctoral dissertation at Havard University is to be published by Oxford University Press, Madras.

The contraversy also institutionalised huge administrative delays, and the time gap between the G.C.E O.Level and university rose from 2 years in the 50s to a minimum of 4 1/2 years at present, in effect diminishing demand as well as the status attached to university education.

2. Under the Prevention of Terrorism Act, any person "who... by words either spoken or intended to be read... causes or intends to cause... religious, racial or communal disharmony or feelings of

ill-will or hostility between different communities or racial or religious groups shall be guilty of an offence under this act."

The "Liberation Tigers" law enabled the President to ban any political party which in his opinion 'advocates violence and is engaged in unlawful activities'.

Also in force at that time (late 1979) was Emergency Rule in the Northern Province under the Public Security Ordinance.

The Civil Rights Movement of Sri Lanka in a statement issued on 3rd December 1979 made the following observation: "These three sets of laws... contain provisions that go far beyond any reasonable or permissible requirement of national security. They provide for arrest without warrant and without obligation to inform relatives of the fact of such an arrest or the place of detention. Then the infamous emergency regulation of 1971 permitting disposal of bodies of persons in custody was reintroduced in July and soon revoked... In the meantime a number of deaths and disappearances took place. Characteristic of the measures introduced in 1979 has been the idea of protecting the state against the people, while the concept of protecting the people against the state has been sadly absent."

3.International Commision of Jurists, `Ethnic Conflict and Violence in Sri Lanka', Report on mission to Sri Lanka in July- August 1981 on behalf o ICJ by Professor Virginia A.Leary, Faculty of Law & Jurisprudence, State University of New Youk at Buffalo. Second publication in 1983 with a further supplement by ICJ staff.

4. University Teachers for Human Rights (Jaffna) Report No 11 of 1993, Chapter 2 & Appendices II - IV.

5. See articles by Dr.James Rutnum on the Houses of Nila Perumal (Bandaranayake's) and Thamby Mudaliyar (Jayawardene's). The articles first appeared in the Tribune and were during the mid- 80s reproduced in the Saturday Review.

6. The Broken Palmyrah, Vol I.

Section 5

1. See note 11 to section 2.

2. According to the Ceylon Census of 1827, the population of the North East (Malabar Districts) was 195 697 while the Ceylon population was 851 940. Sir Ponnampalam Arunachalam in a note in his Census Report of 1901 suggested that owing to difficulties in enumeration at that time, a million for the latter may be nearer the mark. The Moors (Muslims) then formed about 29% of the Eastern Province population and about 10.5-12% of the North-East population.

3. Based on the 1921 Census report, what follows below is the natural increase per mille per annum among groups in the various districts. The birth rates were for all groups in the region of 42 per mille per annum. Variations from the mean were generally due to chronic infant mortality in some regions (eg. a birth rate of 35 among Tamils in Mannar) and other factors. Valikamam North & East divisions in the Jaffna District had a lower birth rate of around 38, but the natural increase was relatively high owing to also a lower death rate of about 25. This area was perhaps

educationally and socially advanced by the standards of that time. The rates of natural increase are:

Sinhalese in the wet zone Kandyan districts of Kandy, Nuwara Eliya and Kegalle: 17

Sinhalese in the wet-zone low-country districts of Kalutara and Galle and the dry-zone district of Hambantota: 15.5

Sinhalese in the wet-zone Kandyan district of Ratnapura: 10

Tamils in Valikamam North & Valikamam East divisions & in the Islands of Jaffna District and the Muslims in the Eastern Province: 13 to 15

Tamils in Vadamaratchi West division of Jaffna: 9.7

Sinhalese (Kandyan) in the intermediate-zone district of Kurunegalle and Tamils in Batticaloa District: 6.3

For Jaffna District as a whole, Tamils: 8.0 & Muslims: 4.5

Tamils in Thenmaratchi division of Jaffna District, Muslims in Mannar District, Tamils in Trincomalee District and Sinhalese(Kandyan) in the dry-zone Anuradhapura District: -1.5 to +1.5

Tamil plantation labour in the Hill Country wet-zone districts of Kandy and Nuwara Eliya: -1.5

Sinhalese (Kandyan) in the Bintenne divsion of Lower Uva & Tamils in Mannar District: -4.7 to -3

Sinhalese(Kandyan) in the dry-zonal Moneragala District or Lower Uva (Divisions of Bintenne, Buttala, Wellawaya & Velassa): -5.3

Sinhalese in Buttala division & Tamils in Vadamaratchi East division of Jaffna: -13.7 to -7.5

An interested reader who goes a little deeper into the subject would find that the factors relating to these figures are social and environmental and not ethnic. These figures are also perhaps indicative of a pattern going back two or three centuries. Lower Uva of course never recovered from the Kadyan rebellion of 1817/18 during which it faced enormous dislocation. The figures are also indicative of the miserable conditions of Hill-Country Tamils amidst relatively salubrious surroundings. With modernisation the differences in natural increase have largely evened out.

The difference between Tamils and Muslims in the Eastern Province reflects perhaps greater social inequalities among the Tamils (eg caste) and the fact that Tamils were more spread out in areas that were prone to sickness, while Muslims generally live in larger communities in villages that were more accessible. One reason often cited locally is the relative proneness of Tamil men to alcohol.

Alchoholism is today chronic owing to the effects of the war.

These trends had their political consequences particularly after independence under a unitary constitution with one man-one vote representation. The Sinhalese district of Moneragala (Lower Uva) and the Tamil speaking Mannar District which experienced a sharp decline in population over the years continued to be neglected.

Tamils who were about 70% in the Batticaloa (present Batticaloa and Amparai) and Trincomalee districts in 1827 had by 1901 declined to 55% and 60% respectively. (The latter would have been lower if not for some migration into Trincomalee from Batticaloa & Jaffna.) The total Ceylon population in 1901 was 3,565,954. In the meantime the Muslim population in the Eastern Province had risen from 29% in 1827 to 36% in 1901. The latter may also include some migration from the Kandyan provinces.

4.In Trincomalee District, the effect of state aided colonisation and administratively aided encroachments pushed up the Sinhalese population from 4.5% in 1901 to 33.6% in 1981, just second to the Tamil population making up 36.4%. Out of this Tamil population of 93 510, 6767 were Tamils of Indian origin, several of whom came after the 1977 communal violence. Many of them were forcibly transported out of the district by the armed forces in the wake of the July 1983 violence. Of the remaining Tamils, many had since been made refugees, locally, outside the district and in India. See chapter 2 of UTHR(Jaffna) Report No 11 of February 1993, Chapters 4&5 of Report 12 of November 1993 and 1.7 and 1.8 of Report No.13 of June 1994.

2.3 of Rep. 11 gives an account of the forcible transportation of Indian Tamils out of the district during November 1983. Chap 4 of Report 12 describes some of the depopulated villages and the experiences of the inhabitants. Chap. 2 and appendices II-IV of Rep 11 and 5 of Rep 12 give examples of how a combination of administrative and military means were used to further demographic manipulation. 1.7 & 1.8 of Rep 13 give estimates of the distribution of Tamil refugees.

In 1981, 68.7% of the population of the combined Northern & Eastern Provinces (the present North-Eastern Province) were Tamils, of which 3.6% were of recent Indian origin, 17.6% were Muslims & 13.2% Sinhalese.

5. UTHR(Jaffna), 'From Manal Aru to Weli Oya' Special Report No.5 of September 1993. See also Information Bulletin No.4, Padaviya-Weli Oya: Bearing the Burden of Ideology, February 1995, for the story as related by Sinhalese victims.

6. See Committee for Rational Development (in 9. of Section 3)

p13.

7. See 3. of section 8.

8. Their paper "Peasant Resettlement in Sri Lanka" of 1984, quoted in the Economic Review, September 1986, Colombo.

9. Nesiah,K.; From School to University, in Education and Human Rights in Sri Lanka, The Christian Institute for the Study of Religion and Society, Jaffna, 1983.

10. eg. Ambagahawelle & Paragahakelle in the Gal Oya scheme, Gantalawa & Vandarasanpura in the Kantalai scheme & also the Padaviya scheme.

11. As mentioned earlier there were diverse strands in the Sinhalese revival movement. But we are concerned here about the main thrust. One outstanding figure in this movement was Dr.C W.W.Kannangara. A brilliant scholar from a poor home in Galle, his political career began with the Temperance Movement, leading to the Ceylon National Congress in the 20s and then the UNP. He shared some of the influences common to the Sinhalese, Tamil and Muslim elite and also those articulated by Dharmapala. In the Legislative Council debate of 1928 on universal suffrage, he hinted that those who did not oppose Indian enfranchisement would be considered traitors [see Kumari Jayawardana, 9. of section 3 above].

Where he was an exception was in his vision for education, leading to the introduction of the Free Education Bill in the State Council in 1944, which he steered through against considerable opposition. This was easier at that time because he was Education Minister under the Executive Committee system as distinct from the Cabinet system under the Soulbury constitution of 1947. Following the enactment of the Bill, Central Schools were opened throughout the country with a concentration on rural areas, with scholarships for the poor from 5th standard up to University. The Bill was generally popular except with large sections of the elite and the mission school establishments. The Bill was also welcomed by savants of the Jaffna Youth Congress, several of whom served as principals of Hindu schools that benefitted from free education.

Yet the elite opposition to Kannangara and his associates was reflected in their being lampooned in the Colombo press as rustic buffoons. There is said to have been no love lost between Kannangara and D.S.Senanayake, his party leader and the first prime minister of Ceylon, who was also the pioneer and driving force behind colonisation schemes. It is said that Kannangara lost his seat in the 1947 elections because of sabotage by his own party. Although Kannangara returned for one more term as Minister for Local Government from 1952-56, the larger aims of free education seemed to have suffered permanent dilution, if one looks more closely at the figures.

Over 10 years from about 1950, the number of schools in Ceylon offering candidates for university entrance increased from 65 to 216 (- by centres, 99 in Colombo, 47 in Kandy, 37 in Jaffna and 33 in Galle). But of these only 102 had facilities for teaching science. Although the disparity between Jaffna and Galle is not significant here, the picture changes when one looks at science (29 & 4 respectively). In this development little thought was given to employment and careers. In 1959 out of 3938 candidates at university entrance 2231 offered Arts(Humanities), of whom 1749 took Sinhalese as a subject. The highest proportion of passes were in Sinhalese and Tamil (85 & 80% respectively). The following year the number of Arts candidates jumped to 3416. [See Nesiah above.] The resulting disillusionment burst out in 1971.

The teaching of science requires greater investment, since it involves laboratories. A shortage of teachers cannot be a cause for the neglect of science in the Sinhalese South during the 50s, since English was the medium of instruction. There were teachers from Jaffna and Kerala working in the South and more could have been hired. This is a case of colonisation, then at its peak, taking greater priority over education and the development of a modern infrastructure.

Another interesting document of this period is 'The Betrayal of Buddhism', the Report of the Buddhist Committee, 1956. In the Committee were eminent Buddhist educationists of that time - viz. G.P.Malalasekera (former Director of Education), P.de S Kularatna (former

Principal of Ananda College) and L.H.Mettananda (former Principal of Nalanda College). The Report had a long section on education, but had hardly anything to say on regional disparities affecting rural folk who were mostly Buddhists and Hindus. Much of the criticism was directed at Grant-in-Aid mission schools, where it was said the Buddhists faced disabilities in respect of the teaching of their own faith and were subject to conversion to Christianity by unfair means. The Protestants were regarded as being more accommodative. The main thrust of criticism was against the Roman Catholic Church and Catholic Action in particular. The latter, it said, was a hierarchically directed organisation which used all sleights of hand at its disposal to undermine Buddhist interests and forward their own. The Report had no complaints against Tamils in general.

It would seem that the advantage Jaffna enjoyed in science education was not made an issue until the 70s.

12. Two other important papers and a book on the subject are: Peebles, Patrick; Colonization & Ethnic Conflict in the Dry Zone of Sri Lanka, Journal of South Asian Studies, February 1990;

Bastian, Sunil; Control of State Land: The Devolution Debate, International Centre for Ethnic Studies, Colombo, 1995 &

Abeysinghe, Ariya; The Accelerated Mahaveli Development Programme, Quest 105, Centre for Society and Religion, Colombo, 1990.

Peebles shows how the dry-zone of the former Kandyan Kingdom, a sparsely populated but ethnically diverse region, was transformed by colonization into an almost Sinhalese Buddhist region. He also points to the ideological significance attached by President Jayawardene himself to the Accelerated Mahaveli Programme, often referring to the golden threads linking his administration with that of 'Sinhalese Kings'. While 78,000 families had been settled under this scheme by the end of 1988 and while they had 216 Buddhist temples, they were given only 113 new primary schools because of financial difficulties. This once mixed area now had only 5 Hindu temples.

Peebles also critically looks at the writings of G.H.Peiris and Godfrey Gunatilleke on the subject of colonisation within during the mid-80s.

Bastian begins by pointing out that the unitary state ruled from Colombo owns about 82% of all land in the country, and has used this as a very potent source or power and patronage, including the creation of new electorates for the patron at the expense of the minorities who were not party to this patronage. He then goes on to discuss the devolving of power over state land.

Abeysinghe discusses the AMDP, including returns on investment and such topics as the pauperisation of settler-farmers and hidden tenancy to owners of inputs and Mahaveli officials. The settlers thereby become tenants, labourers or sharecroppers on their own land. He sees in this a consolidation of larger production units and a growth of entrepreneurship among a successful new class of individuals, who also become political players.

Section 6

1. The Broken Palmyrah, p352.

2. Ibid, Vol I Ch.8,9; Vol II Ch.6, LTTE provocations at Kokkuvil refugee camp - p248, Jaffna Hospital - p266.

See also 'Someone Else's War' p19 (Jaffna & Mannar Hospitals). The general pattern is evident from the relation of incidents in the two books and the reports of the UTHR(J).

3. UTHR(J) Reports 4-8, 'Someone Else's War' pp27-51.

Section 7

1. Ennals, Martin; Democracy & Self-Determination, International Alert, September 1991.

2. Avebury, Eric, Lord; Self-Determination: The Way Forward, International Alert, July 1992.

3. Ibid.

4. Amirthalingam,A.; The Path to Our Destiny, in The Silver Jubilee Souvenir of the Federal Party, Jaffna, 1974.

5. Gunaratne,M.H.; For a Sovereign State, Sarvodaya, Colombo, 1988, p201.

6.Ceylon Literary Register, 6, 1891 & Note 14 of 2.

7. See the ICJ report of 1981/83, Note 3. of 4

8. Ibid. Gunaratne.

9. See UTHR(J), Reports 6,7 & 11. Shortly after the newly formed Special Task Force was deployed in the East, one of their early actions during 11th-14th May 1985 was to collect some Muslim hoodlums and get them to attack Tamils in Karaitivu and to burn Tamil houses in Oluvil. See also documents of the Civil Rights Movement of that period.

Section 8

1. Jayawardana, Kumari; in 9. of 3.

2. In Allai scheme in the Trincomalee District, colonies were planted right next to existing Tamil & Muslim villages, barring their prospects of getting land under village expansion schemes. On the supposition that a reliable alternative source of water was being made available, local and self-contained storage facilities (eg. Allai & Peruveli tanks) were reduced (in area) to find lands for the colonisation scheme.

In the Kanthalai scheme, the colonies were planted upstream while the existing Tamil & Muslim farmers were downstream. The latter now have little influence in managing the water. In time encroachers upstream, and the government sugar factory began to take precedence over the downstream native farmers in the supply of water. Pledges given to the latter in the 50s had become a dead letter by 1990, as pointed out by the Thampalakamam Citizen's Committee.

On the first point, Bastian (Section 5, 11 above) has pointed out that out of 2,052,900 acres of state land alienated from 1935 to 1985, 43% or 882,600 acres, the largest category, went to

village expansion schemes, 21% or 434,600 acres to major colonisation schemes, and 25% in regularisation of encroachments. The planting of the Allai Scheme ensured that several Tamil and Muslim villages in the area could not get land under the first and third categories. The Sinhalese colony areas in Allai were then brought under the Seruvila AGA division. The Tamils and Muslims were in the Mutur AGA division which was now surrounded by the sea on two sides, the Mahaveli river to the west and Seruvila to the South. Land alienation is now a subject devolved to the AGA division. It was thus made very difficult for the native Tamils and Muslims to get further land. In Kanthalai, the old Tamil village was left in the middle of the colonisation scheme,thus preventing its further expansion. Those of the village suffered during the 1977 communal violence and do not feel free to vote for a Tamil party during elections. Several of them have sold and left.

Several new Sinhalese AGA divisions have been carved out in Trincomalee district,effectively blocking Tamils and Muslims from getting land in these divisions. To say the least, the Tamils and Muslims had no influence with the Great Land-Owner in Colombo, who did not regard them worthwhile candidates for patronage.

See also Peebles & Bastian in 12.of 5.above.

3.As regards representation, the arrangement under the Soulbury scheme of 1947 was 25 seats on the basis of one representative for every 1000 square miles and 70 seats on the basis of one representative for 75,000 inhabitants. The Northern and Eastern Provinces had 16 seats, 8 on the basis of area and 8 on population. Of the 95 MPs elected in 1947, 19 MPs were Tamil, 12 from the North-East and 7 from the Hill Country. The remaining 4 in the North-East went to Muslims. Following the disenfranchisement of Hill Country Tamils, their 7 seats effectively went to Kandyan Sinhalese as a bonus from 1952.

Colonisation too had the effect of shifting representation in favour of Sinhalese. A new scheme introduced in the 1978 constitution where election was on the basis of proportional representation rather than first-past-the-post. The scheme was 36 MPs on the basis of 4 for each province (8 for the North-East) and 160 evenly divided among those on the voters list. The district is today the unit for proportional representation. To see how colonisation affects a minority, take Amparai District. Prior to the Gal Oya scheme in the late 40s, about 30% of its population was Tamil. After colonisation about 20% are Tamil. Owing to a division of the Tamil vote between different parties, not one of the six MPs elected from the district in 1994 is Tamil. The same could now also happen in the Trincomalee District.

Of the 196 MPs elected in 1994, 17 are Tamils from the North-East and 6 are from among Hill Country Tamils who recovered their citizenship from the late 70s. Thus the elected Tamil representation has declined from 20% of the elected MPs in 1947 (when they were 23% of the population) to 12% in 1994 when they were about 18% of the population.

It is thus not difficult to work out how the disenfranchisement of Hill-Country Tamils and colonisation had both worked to severely depress the representation of minorities to the benefit of the majority.

4. 3. of 1.

Section 9

1. Jayawickrema, Nihal; Self-Determination, Report of the Martin Ennals Memorial Symposium on Self-Determination, March 1993, Saskatoon, Canada, International Alert & University of Saskathwan, pp7&8.