

# **LIVING THROUGH JAFFNA'S**

## **SULTRY SUNSET**

### **Special Report No. 10**

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#### Foreword

#### TEN YEARS AFTER - A TIME FOR REFLECTION & A TIME OF CHANGE

#### What has changed ?

#### An old story

#### A confusion of values and the absence of quality

#### A retrospective look at some developments

#### DISSENT IN JAFFNA & ITS COST:

#### A SELECTIVE SKETCH

#### April 1996 - The Break

#### Political Defeat of the LTTE -

#### The Primary Task of Tamils Themselves

#### A time for change

### **LIVING THROUGH JAFFNA'S SULTRY SUNSET**

#### 1. TRENDS AND OVERVIEW

##### 1.1 Torture

##### 1.2 MISSING PERSONS

##### 1.3 Security incidents - a rough overview

##### 1.4 The land mine menace

##### 1.5 THE LTTE - A TIME OF RECKONING

##### 1.6 The LTTE, the Tamil political parties & current realities

## 1.7 THE CHALLENGE

### **2.Torture and Missing Persons**

2.1 A recent experience

2.2 4th April 1997, Tholpuram, Valikamam West

2.3 3<sup>rd</sup> Week of August 1997

2.4 Early October 1997, Thenmaratchy

2.5 Autumn 1997

### **3. Reaping the Whirlwind**

3.1. Valvettithurai, Uduppiddy, Thondamanaru: Revenge is Blind

3.2. Vathiry - Nelliady: The Burrows of Death

### **4. Death & Injury to Civilians Resulting from Actions of the Security Forces**

4.1 The Dumb Spinster's Agony: Meesalai: 17<sup>th</sup> March 1998:

4.2 CASES OF PARTICULAR SIGNIFICANCE

4.3 Some cases of civilian death or injury due to Army action

**4.4 Reprisals by the Navy**

### **5. Death & Injury to Persons Resulting from LTTE Action**

### **6. Review of Earlier Reports & Miscellany on Life in Jaffna**

6.1 Review

6.2 Security incidents connected with the local elections

6.3 An answer to the devotee's prayer

6.4 The Islands: A creepy touch of Vavuniya & Mannar

6.5 11<sup>th</sup> February 1998: Two Tamil groups Clash in Jaffna Town

6.6 Violations Against Coastal Folk: A Dangerous Trend

6.7 The LTTE's Future Options in Jaffna: A Reading of Current Trends

IN MEMORIAM

[\(I\) THE PASSING OF THE GAMINI NAVARATNE: REMEMBERING THE 'SATURDAY REVIEW'](#)

[\(II\) CHARLES ABEYSEKARA, HUMANIST -AN UNSEEN PRESENCE BEHIND MANY CAUSES](#)

## Foreword

# TEN YEARS AFTER - A TIME FOR REFLECTION & A TIME OF CHANGE

It was just ten years ago, in March 1988, that some of us completed the first draft of the **Broken Palmyrah**, that was begun during the Indian Army's offensive in October 1987. The origins of the University Teachers of Human Rights as a national organisation, mooted at a meeting of the Federation of University Teachers' Associations during the middle of 1988 are explained in the first report of the UTHR (Jaffna) issued about the end of that year. The need for the UTHR (J) was exemplified by the fact that at least half the academic staff in the University of Jaffna had filled in membership forms. A key document of the context is the statement 'Laying Aside Illusions' signed by fifty members of the university's academic staff and issued in October 1988. It dwells on the rising tide of internal and external terror, the hundreds of lives which included the best among us, that were continuing to fall prey to a home grown totalitarian ethos, and our complicity, complacency and cowardice that brought about this state of affairs. We wish the surviving signatories will read again that document which through a charmed history found its way into the appendix of the Broken Palmyrah, by way of reflection, and examine the roles they had each played during the vicissitudes of the intervening decade.

Here we are then after more than ten years in our work, but with little to rejoice or to celebrate. These have been ten violent years that have further scarred the community to breaking point. Of our immediate circle we lost Rajani Thiranagama in September 1989 and two students Manoharan and Chelvi Thiagarajah, who were presumably executed after a year or two of imprisonment. Of those who broadly shared our vision and were part of an extended circle on the fringes of the university and beyond, we lost several more. All of them were victims of internal terror. Although we were never lax in holding state powers accountable for their cynical calculations, and state forces for their brutality and callousness, we had to walk a tight rope. We believed that the phenomenon of internal terror had to be faced squarely because we perceived that what debilitated our society were chiefly developments within, and that a healthy society in the modern era has so many less painful options in dealing with external oppression. This rendered us prone to being caricatured as simply and blindly anti-LTTE by extreme Tamil nationalists and by peace activists who found us awkward, but hard to ignore. [\[Top\]](#)

## What has changed ?

When the UTHR was first mooted by academics in the South in 1988, the country had already seen five very violent years. The first four had to do with the indiscriminate deployment of the state apparatus against the Tamils in general, with several attacks by Tamil militants against Sinhalese civilians and bombings in public places in Colombo. The last of the five had seen the rising tide of violence and counter-violence precipitated by the second JVP

insurgency. It was the logical culmination of state violence directed against a minority. With the destruction of civil society which it entailed, its natural second direction was within - inside the Sinhalese society itself. The UTHR in the South barely survived a year. Perhaps it was five years too late — too late to establish a degree of discipline, credibility and acceptance.

The experience left a mark on Sinhalese society that prepared it for a rational reappraisal of the Tamil question. From 1993 this changed mood was seen in responses to the electoral campaigns that brought the People's Alliance led by Chandrika Kumaratunge to power in August 1994. Yet, what has changed one may ask? It is after all within the space of the last two months that two devastating LTTE bombings have been experienced in the South — Kandy and Maradana, and there is a bitter confrontation in the Vanni in the midst of which the civilians have been far from immune.

The answer to what has changed may be seen briefly in the following excerpt from a recent article by Dayan Jayatilke on the Premadasa - LTTE talks (The Island, 4<sup>th</sup> March 1988): “The Habarana massacre [by the LTTE of Buddhist pilgrims] of 1987 and the Pettah bomb blast took place in early April of that year just at the time Lalith Athulathmudali, at the insistence of J.N. Dixit, had been constrained to announce a one-week unilateral cessation of hostilities.... The LTTE and its ally EROS, reacted with the Habarana and Pettah attacks.... This in turn caused such a groundswell of anti - Government opinion among the Sinhalese that the Government felt it had to do something drastic. That was the aerial bombing of Jaffna...” [More details in the Broken Palmyra.]

In recent times too there have been several tragic uninvestigated instances of aerial bombing by the SLAF in the North which the government needs to account for. But these aerial bombings did not stem from any political need or demand to appease Sinhalese sentiment. This is the difference, and a crucial one. The Jayewardene government had cultivated Sinhalese chauvinist sentiment as the bread and circus for its survival. In 1983 it let loose against Tamil civilians everywhere. In 1987 it felt constrained to spare at least the Tamils in the South while letting loose in Jaffna.

Also, thanks to constant pressure by international and local human rights agencies, recent political changes in the South, and to reappraisals within the armed forces themselves, massacres and reprisals have become the exception rather than the norm. Both these tendencies still have a long way to go to achieve stability.

A word of caution is in order here. While the LTTE bomb attacks in the South deserve to be condemned in the strongest terms, in particular by the Tamils, and the government and the Sinhalese be given due credit for the handling of the aftermath, another aspect reveals something deeply disturbing. To take one example among several, Air Force bombing of the precincts of the Church of St. Peter and St. Paul, Navaly on 10<sup>th</sup> July 1995 claimed the lives of about 120 refugees. To the pilot the church and the huge stream of refugees would have been prominently visible. The President promised an inquiry. The Defence Ministry then issued a highly imaginative briefing to the press about stored explosives near the church and sympathetic explosions. That was the end of the matter. No inquiry despite the area now being under Army control. The NGO and human rights communities in the South too failed to keep the matter alive. A later official inquiry about the Air Force on other matters found it guilty of gross negligence and incompetence. That too was suppressed ostensibly to protect persons in the political establishment. Strongly expressed outrage over bombings in the South

taken against the silence over similar events in the Tamil areas, shows ultimately how divided this country continues to be.

In exposing violations by state forces, restraint and observance of human rights are measures we had been urging from the beginning. We argued that the stabilisation of such attitudes is a necessary pre-condition for the revival of healthy political activity within the Tamil community. On the many occasions we in the University of Jaffna confronted Indian army officers with our demands, some listened patiently and took note. But many of them maintained that as long as there had to be military operations, reprisals could not be controlled. We could also see that for several of them, the use of terror in warfare of this kind was normal. For several months Vadammaratchy had remained quiet under Indian Army control. One day in June 1988 they systematically beat up a large number of civilians in response to the LTTE gunning down two Indian Army Hindu worship leaders. The situation steadily deteriorated culminating in the Valvettithurai massacre of 2<sup>nd</sup> August 1989.

For the Sri Lankan Army it has been a long time. If they had learned from the 80s the importance of sparing civilians, the war would not have gone so disastrously for them from June 1990. That story is told in our reports and in the book “Someone Else’s War” of February 1994 based on them. We hope, judging from what is going on in Jaffna, that something benign and substantive is at least emerging today. If that is true, we may cautiously hope that in spite of the violence the coming months and years may bear witness to, the foundations are being put into place for its cessation and replacement by a rational political process. This also shows the importance of the close monitoring and international interest that is focused on Jaffna today. By comparison, in rural areas and other parts of the North-East, abuses continue to be widespread. [\[Top\]](#)

## An old story

Few knew the Tigers so closely from within as Rajani Thiranagama did, and was at the same time possessed of such acute discernment to see clearly where they were going. Her verdict was thus expressed in the **Broken Palmyra** with terse clarity:

*“The Tigers’ history, their theoretical vacuum, lack of political creativity, intolerance and fanatical dedication will be the ultimate cause of their own break up. The legendary Tigers will go to their demise with their legends smeared with the blood and tears of victims of their own misdoings. A new Tiger will not emerge from their ashes. Only by breaking with this whole history and its dominant ideology, can a new liberating outlook be born”.*

By 1984 at the latest, the moral and the political choices of the LTTE had been made, the die was cast and the engine of destruction had been launched. Its essential lines of progress had been laid down. Only the time frame was open. It could have easily come a cropper in 1987 or 1990. It was not engaged in a contest of strengths, but rather in a counter contest between its destructive ingenuity on the one hand and the callous and stupid arrogance of state powers on the other.

What is intriguing is the surfeit of nonsense said and written about this phenomenon over the years. Academics have seen in it a pioneer in caste and women’s liberation. An undaunted stream of peace makers have made contact with it fired by wilful ignorance and fuelled by egotism. The result was always the same — an acute hang over! Often the LTTE spokesman who kept them in hope would suddenly develop feet of clay and be withdrawn

from grace, leaving them confronting a vacuum. Newspapers and journalists, with a few exceptions, get it all wrong. They deal only with fragments of reality - such as the bomb blast of the day. Frequently, the exasperating question posed by them is 'What is the latest?' The latest is, alas, more than 15 years old! [\[Top\]](#)

## **A confusion of values and the absence of quality**

What is particularly disturbing today is that many who advise and make decisions that will affect the Tamil community and the future of this country do so on a fragmentary understanding based on ad hoc/occasional discussions and correspondents' dispatches. Even worse is the confusion among Colombo Tamils, journalists and research workers, who are not necessarily pushing a line or harbouring an agenda, but are called upon to act as spokesmen. To get some clarity in the matter, every oppressive tendency in the State is bound to meet with a reaction, that could often take the form also of institutionalised violence by rebel groups or a group. In time the nature, character and intensity of violence too would undergo change. Parallely there would be tendencies among all the parties towards reappraisal and peace making, and also the formation of vested interests wanting escalation and permanent war. There are chains of possibilities. Which one is dominant now or how one could make a particular desired group of possibilities dominant is a subject of serious analysis of the underlying tendencies.

It is true that the LTTE has placed itself in the position of being the sole agent of anti-state violence and also that there have been, and always are peace efforts. But to conclude from this that the LTTE's actions would lead to peace and the liberation of Tamils is patently fallacious. In the volatile climate created by these actions, almost every sentiment is transient.

The vacillation and fragmentariness, so evident in the media and in decision making, is the result of confusion of values and the absence of quality that is part of the social disease. A liberation struggle must be judged by its key facets: Whether it values life or destroys it; Whether it brings people inner strength and dignity, both as individuals and community, or devastates everything necessary to build these; Whether it affords protection to the weak, the exploited and the children, or uses their vulnerability to fuel a cynical and suicidal warfare; And by whether it has the basic human qualities that win it friends, or needs permanent enemies to sustain those it brings into power. Without the positive attributes mentioned, devolution or a separate state would be an empty parody of liberation.

Thus one cannot resolve the confusion surrounding the LTTE without taking into account the crucial aspect of its relationship with people. This has been the thread running through our work. In documenting the Indian Army's entry into Jaffna during October-December 1987 and the Sri Lankan Army's entrance to towns and villages in the Eastern Province during June-December 1990, what had struck us was the total cringing powerlessness of the people in the face of armies acting with utmost arrogance and contempt for their life. It was a powerlessness that was moral rather than physical. Even as a supposedly liberating force the LTTE deliberately wanted them in that position of insecurity.

The insecurity aided its recruitment and enhanced its status as avenger or liberator. It thus became much easier to brand all dissent as treachery. Through enhancing mutual suspicions and enmities by acts of terror against other communities, the LTTE's cause developed a common vested interest with Southern chauvinism and with permanent conflict. Both within the LTTE itself and also in the community at large came to dwell a pervasive insanity that

was characterised by schizophrenia and a breakdown of humanity. A retrospective look would strongly suggest that the foundations were already laid in the formative years of the struggle. [\[Top\]](#)

## **A retrospective look at some developments**

Having quoted Rajani Thiranagama, it is appropriate to sketch here some salient features of developments from the early 80s in view of the prevailing confusion. This is based mostly on material already covered in our publications.

The Tamil struggle has an antiquity predating independence by several decades. Perhaps the more important part of it was work at grassroots level. The co-operative movement was launched from the 1920s. The Jaffna Youth Congress from about that time took up the caste issue and worked towards the removal of caste barriers in school admissions. In the 1960s Marxist grassroots groups were involved in securing temple entry and local economic independence for oppressed groups. At a different level, state oppression resulted in Tamil politics being dominated by the nationalist Tamil United Liberation Front, the mainstay of whose politics was the ‘external enemy’ and the victimhood of the Tamil people. Also developed for public consumption in order to disguise its own failures was the imputation that its democratic opponents were ‘traitors’.

All the emerging militant movements represented shades of these two traditions. The first had strong democratic leanings while the latter became increasingly authoritarian and intolerant of dissent. Both the leaders of the PLOTE and the LTTE emerged from the second, having been proteges of figures in the TULF hierarchy. Of the cadre, some came with political motivation, and many from the outstations came in as the direct result of state oppression, to be moulded by their groups.

Pulendran, for example, from Palayootru near Trincomalee, was affected when his village was attacked by Sinhalese colonists, who were the proteges of the state, at the time in 1977 when the ashes of the TULF leader S.J.V. Chelvanayakam were brought to Trincomalee. Pulendran described as a good friend and hard worker, but with a violent temper, joined the LTTE and rose to become a local leader credited with the Habarana massacre of 1987 referred to earlier.

Many who did political work for the LTTE in the early 80s, campaigned for it as a democratic group where decisions were taken by the central committee that was chaired by their leader Prabhakaran. They were taken aback when the oath of personal loyalty to the leader was introduced in 1984 and the leader did a personalised photographic media blitz in the Indian journal ‘the Sunday’. In the meantime, a strong conformist culture with internal spy networks was being built up, but the material needs of the cadre - all this was in India at that time - were well looked after. The leader was regarded as a good host. Some elements of this culture were, anyone trying to spend time with books was subject to collective ridicule, while another displaying artful and sadistic cruelty in slaughtering a goat became the hero of the day.

Recruits with good educational backgrounds were looked upon with intense suspicion. An anecdotal incident is related about a recruiter who crossed the sea from Jaffna and proudly went to show the Leader three university students he had brought. The Leader whispered to him in disapproval, “Why did you bring them?” Those who retained a capacity to think

independently saw within an organisation where each person was being false to himself and a disgusting sycophancy where each sucked up to those above him. No one had a friend who could be trusted with his innermost thoughts. It was not an atmosphere in which one could fight a liberation struggle. Also well known in India was the Green Boat. Those to be culled as being too independent of mind were sent in it as though being sent for deployment back home. They were never seen again on either shore.

The foundations had thus been clearly laid for an organisation whose ideal recruits were children rather than mature youth. This it started doing on a big scale when it was imposing a parallel repressive structure on Jaffna after decimating other groups in 1986.

The support base of the LTTE that was more prominently found in safety far away from the conflict and for whom its cause was self serving, even found in this something to boast about. With the approach of National Heroes Week, **Ulakatthamilar**, the Canada based journal of the **World Tamil Movement**, carried in its issue of 15.11.93 a feature 'Tamil Children (Pillaykal) March towards Tamil Eelam'. After citing some heroic deeds and chronicling martyrdoms it concludes, *"Today Tamil children who should carry books are seen with AK47 rifles hanging on their shoulders. These fighters stand guard surrounding Sinhalese army camps and borders of Tamil Eelam..."*

Thus, cut off from any accountability to its people, and its relations within and without the movement governed by falsehood, fear and sycophancy, Rajani saw within the LTTE its own seeds of destruction. These cancerous seeds also found in the very society from which their genetic elements had been drawn, fertile soil in which to wreak their havoc.

From June 1990 several LTTE leaders whose profile had been high around Jaffna fell from grace to obscurity or worse. In 1993 deputy leader Mahattaya was detained in a swoop along with those believed to have had links with him, and all were tortured by their erstwhile comrades in arms. News came out the following year that several divisional commanders were implicated in an embezzlement racket. In an organisation without trust, there are few binding ties once the all-pervasive ethos of fear is absent. Everyone who was once associated with the movement is seen as a source of danger. Today its violence has sharply turned within. This theme is taken up elsewhere in this report.

A particular episode concerning children touches us closely. In July 1991 the LTTE tried to overrun the strategic Elephant Pass army camp. The attack failed with the LTTE suffering heavy casualties. In a desperate bid to overwhelm the camp before General Kobbekaduwa's relief column reached it, a large number of children were thrown into futile charges. The total dead numbered about 750. In Jaffna Hospital there were a large number of children with limbs blown, too young to comprehend what happened to them. Chelvi Thiagarajah and Manoharan who were university students, compiled a report on their experiences. They were detained by the LTTE which was evidently watching them, and the report fell into its hands. The LTTE later told the Vice Chancellor of the University of Jaffna that the two were being held because of a document they had compiled for human rights organisations. But to the general public the LTTE charged them effectively as agents of the PLOTE which was assisting the government forces. Chelvi was a dissident from the PLOTE long before it was driven into that position by the LTTE. We will refer to this episode in the sequel.

In the forgoing two sections we have brought into focus two elements that are key to the viability of the LTTE's political culture. One is to spread confusion about its true character.



The other is to maintain conformity among the populace through appropriate repressive measures. The people are only allowed to play the role of passive victims, blaming everything on the external aggressor. We will touch on the first later. Our reports have pointed to the deadening nature of this conformity that was so poignantly evident when it came to the recruitment of children. It was as though the guardians of this society, its intellectuals, church and religious leaders were acting in complicity as predators. This is why even today there is such resistance to reappraisal. The obverse of this is that dissent which is so necessary for the very survival of this society also demanded such heavy sacrifice.

We have dealt with these questions in our reports. The LTTE's draconian network of prisons, particularly from 1990 to 1992, have also been dealt with and we hope in due course to come out with a final publication on this aspect of our history. The tolerance, acceptance and even justification of this is so remarkable in a society that boasts a high level of education with a far-flung diaspora of articulate professionals, whose support for the LTTE rather than having a restraining influence, has rather been mobilised to cover up its crimes and in effect to lend complicity.

For now we will merely provide a sketch of dissent in Jaffna society, the historical continuity of our place in it and its cost by citing a few instances from our extended circle of associations. All of them were young. [\[Top\]](#)

## **DISSENT IN JAFFNA & ITS COST:**

### **A SELECTIVE SKETCH**

When one speaks of dissent in Jaffna there were two main elements in its vanguard. The first consisted of unorganised hard-working individuals who valued decency and hated murder. They could be found everywhere, among clergy, teachers, artisans, farmers, TULF supporters and so on. The other too was individualised, but with a tradition of organisation and activism behind it. A good section of them could be traced back to the grassroots Left movement of the 60s which was joined by persons who left school and went into political work. What distinguished them from the mainstream Left who were aspirants for political power through the parliament and sometimes (eg 1970-77) enjoyed it, was that they saw their immediate tasks as being among the peasantry, organising against local abuses.

Three things about the grassroots Left are important here: Their relative intellectual independence of nationalism, their ability to function without institutional power and their capacity to organise. From about 1977 when there was again communal violence, leading to a heightening of the nationalist and militant mood among Tamils, the Left came under heavy pressure. The older activists in the grass roots Left generally settled down as farmers or in other trades. Those younger led or influenced smaller militant groups whose emphasis remained political work and organising the people. They were fiercely critical of the main militant groups which accepted Indian aid and direction for the purpose of rapid expansion, and in consequence became militarised and lacked any accountability to the people. Of the LTTE in particular their criticism was stinging. At an early stage they had warned the LTTE that their growing alienation from the people, in spite of their illusion of power, would in time spell their doom.

Such a prospect first came when the Indian Army took Jaffna in October 1987. By then the smaller Left groups had become almost defunct and kept aloof. The LTTE had always watched them warily though unable to pin any charges of 'treachery' on them. It was only after the LTTE controlled Jaffna in 1990, under the cover of confusion following the outbreak of hostilities in June, that it found the courage to crack down on them, and crack down it did unsparingly.

The older grassroots activists in private life hardly opposed the LTTE publicly, but from time to time, from 1986, with help from other dissidents, including individual priests and nuns, they provided humanitarian assistance to fugitives fleeing the LTTE's bloody hands.

In our own case, as part of the wider movement in the university, our statements and actions were aimed at upholding basic human values, preserving democratic space for the larger community and holding all armed groups accountable. We were also clear that we would stand up for the human rights of all - including detained LTTE cadre. **Rajani Thiranagama**, along with students like **Chelvi**, **Sivaramani** and **Manoharan**, who were involved in women's and community issues, were very much activists in the grassroots mould. Thus indirectly at least our place was identifiable as part of an activist or dissident tradition already established in Jaffna for many years.

The LTTE which knew Rajani Thiranagama understood this well. Its paranoid definition of traitor, it knew, could not be fitted on us. This is why when it killed Rajani in September 1989 it calculated on putting the blame on the Indian Army, and never admitted or tried to explain it even after its culpability became widely accepted.

Another important dissident segment were the **Theepori** or **Sparks** group who left the PLOTE in early 1985, exposing its internal violations, torture and murder in the book '**A New Kind of World**'. The book was then widely distributed by the LTTE to discredit the PLOTE. Apart from maintaining links with other members, the group became defunct by 1987. Yet the LTTE intent on eliminating all prospective sources of dissent cracked down on them in mid-1991. The Sparks leader Norbert and several others were taken in. The detainees met with varying fates, where to discern a pattern would be a matter of contention. But caprice, ritual and false hopes there were, so characteristic of a terror that is effective. It is also interesting that young LTTE cadre in the prison camps understood the charges against many of the captives below as doing propaganda work against the LTTE and in some cases also of having contact with the foreign human rights groups.

**Ramani** was a former medical student and a member of a small Left group. He was picked up in Nallur shortly after the outbreak of war in June 1990 and never seen or heard of again. Ramani was a native of Valvettithurai and a very close kinsman of the LTTE's then deputy leader **Mahattaya**. He was strong willed and uncompromisingly critical of the LTTE. **Manohoran** seems to have met a similar fate, but was alive about a year after being detained when he was sent to Tango 2 in Varani, that was notorious for the cruellest forms of torture.

**Chelvi** smuggled a letter out during mid-1992 where she sounded in good spirits and did not seem anxious about her life. Reports from other detainees released said that she never ceased to argue with her captors about the consequences of the LTTE's direction. There was also international pressure on her behalf. The LTTE appears to have decided that she was too dangerous to be allowed out alive. In the sequel, a Western activist in a well known human rights organisation asked **Lawrence Thilagar**, then the Lord of the LTTE's overseas

domains, about the fate of the poet Chelvi. Thilagar looked at her directly, and told her, “Chelvi was no more a poet!” Thilagar too went out of circulation, ostensibly in another drama of crime and punishment within the bowels of the LTTE.

**Norbert** was eventually taken to Tango 5 in Koilakandy to which prisoners are sent prior to release. But about mid - 1992 he was taken in a vehicle and never seen since. **Thillainathan**, a teacher and dramatist, who was a graduate of the University of Jaffna detained about the same time as Norbert during mid-1991, was last sighted in Tango 1 (Anaikkottai) around New Year 1992, having become half his original size and totally bald.

It was thus that things stood in Jaffna about 1993 as the LTTE’s rule assumed an air of permanence. Its favoured elite acted as spokesmen for the people, telling influential bodies everywhere that the LTTE alone represented the Tamils. How weak and ill-founded this claim was, only the bold and well-informed dared to question. The break, as often the case in such situations, came unexpectedly, and was precipitated by the LTTE’s loss of nerve at the thought of losing Jaffna - again a symptom of its fatal weakness. [\[Top\]](#)

## **April 1996 - The Break**

The question naturally arises, did those thousands scattered through numerous villages and whose names have not even been recorded, who died in the cause of dissent, whether spontaneously on the spur of the moment or through deliberate resolution standing up for basic human values, die in vain? The answer, we are sure is No. The sacrifice of some helps both dissent and the values it represents to live on in society as a diffuse quality, waiting for opportunities to assert itself.

When we chronicled the forced Exodus from Jaffna in October 1995, it was not immediately clear how far-reaching its consequences were. The attempts to cover up the truth were tremendous. Everything the people saw from the LTTE’s total unconcern for them, to its blatant extortion in their helplessness infuriated them. Even more so did the attempts to misrepresent their state of mind. The BBC Tamil Service reported a meeting in Pt Pedro with 10 000 students participating, where their teachers urged them to join the LTTE. Displaced listeners in Pt Pedro recalled that something had gone on where curious passers by stopped and listened for awhile, but that the crowd had hardly exceeded 100 at any time!

The LTTE’s attempt to shift the mass of the people to the Vanni met with increasing resistance. We have also recorded the spontaneous return of nearly 300 000 people to Valikamam in April 1996 when the Army commenced its move into Thenmaratchy. As to the extent of the break from the LTTE, we too had erred on the side of caution. After their bad experience with the LTTE, the people saw in at least a section of the Sri Lankan Army, a humanity they never before dreamt was there. We place on record two instances so characteristic of the mood then.

A gentleman was passing an army check-point where an officer was distributing food parcels on a Poya day. The gentleman asked if he could have another parcel for his wife. While giving the second parcel the officer said, “I am Ananda Hamangoda”, inquired after the gentleman’s name and said that he would like to talk to him when convenient. Before leaving, the gentleman asked the officer what his rank was. “I am the Town Commandment”, came the reply. Brigadier Hamangoda was killed by a suicide bomber on 4<sup>th</sup> July 1996. The gentleman remains very moved by the simplicity and unassuming nature of the conversation.

Lieutenant Samarakoon was a junior officer posted in Chavakacheri, who was known to be very helpful. At a time when medical services were disorganised, he arranged for an ambulance to come from KKS and transport a young girl who was seriously ill to Palay military hospital. Samarakoon was later transferred to Thanankilappu, reportedly for exceeding his authority in trying to have a detainee released. Samarakoon died in action at his new posting. The sadness of the old gentleman who recounted this last year, was compounded by the role of the Army in the disappearances which followed and the relative inaccessibility of the officers thereafter.

For a time at least, developments in the rest of the country and in the saga of the Tamils had placed the people of Jaffna and the Sri Lankan Army on such mutually responsive terms as were even remotely without precedent. The disappearances that followed 4<sup>th</sup> July 1996 marked a setback, but not a reversal.

Leading sections of society who had acted as spokesmen had been readily mobilised by the LTTE in its attempt to move the people to the Vanni. For a time the University of Jaffna and two Christian Theological seminaries were shifted there. Events amply revealed the deep gulf that had come to separate these leaders from the people. Some of them mellowed. In some others the revelation imbued them with a maniacal quality.

For the people themselves there was operating in the break a kind of herd instinct. It was not organised. One could explain it as a simple wish to preserve life, to recover such property as was left, or to return home. Could it have happened without the spirit of dissent having life within the social fabric? Is not dissent after all in a sense preservation of life expressed at a more altruistic level? [\[Top\]](#)

## **Political Defeat of the LTTE -**

### **The Primary Task of Tamils Themselves**

Both in October 1987 and June 1990, war was thrust upon the people by the LTTE when what they wanted most was peace. In March 1995 it was clear to the people of Jaffna that the LTTE was definitely going to resume the war. But among those in the South who maintained their own channels through NGOs and churches these signals went largely unheeded. Even after the recommencement of war in April 1995, there were a number of apologists for the LTTE's action among influential Southerners and NGOs - as reflected in, say, the statements of the National Peace Council. But very remarkably, in a series of interviews recorded in Jaffna by the BBC Tamil Service then, a number of persons living under LTTE control refused to be drawn into blaming the Government for the war.

Then came the exodus of October 1995, the truth about which was hard to suppress. Angry letters and articles by Jaffna folk appeared in the press exposing the LTTE. Very clearly, all these developments showed that something was radically wrong with the proposition that the LTTE represented the Tamils in any meaningful sense.

Two things are clear. The LTTE must be politically defeated for the Tamils to find space to reassert their will for life with dignity. Moreover, the very institutions that should normally have aided them seem to have developed an inertia over the years where they are more bound to do the opposite.

It has been said that the local conflict has notched about 40 000 publications. This means that it should have been among the few best understood in the world. But is it? Has the outlay of money and effort over the years by NGOs, scholars, churches and peace groups resulting in positions taken and inertia formed, become part of the problem rather than its solution? Yet one sees very little reassessment. It is instead the same faces at conferences, global and local, and almost the same positions with perhaps minor refinements on accommodating the LTTE as the sole representatives of the Tamil people. But to pose the radical question whether it can work would of course involve too heavy a cost in accountability. A much greater sense of responsibility should have been exercised in trying to represent a people under fascist control. This we have dealt with in earlier reports many years ago to the chagrin of many.

The unenviable task of liberating the Tamils falls thus, to the Tamils themselves. They have accomplished two things that are a pointer to much more that could be done. One is the mass return to Valikamam and the other is voting at the recent local elections. Both these were departures from the role marked out for them by the LTTE and the spokesmen foisted on them. The next step would be to open up discussion of crucial issues, and build up institutions from grassroots level to aid collective action and to uphold basic human values.

This has become especially urgent because the internal terror, ideologically supported by narrow nationalism, had over the years destroyed all grassroots activity, open discussion and soul searching. This made the people powerless. As we mentioned earlier it is time for new initiatives to take root in re-evaluating the past and recreating democratic space to fight for their dignity. There are many obstacles to this. Our own initiatives up to now may in a small way contribute this process. But, it is up to those who share and feel for the need of this kind of initiative to start thinking and organising along these lines. There are many at all levels in our community longing for such a break-through. After 10 years of our functioning, we feel that we need to look for and to encourage new initiatives involving broader participation. [\[Top\]](#)

## **A time for change**

When we came into this work ten years ago it was undertaken voluntarily as an integral part of our academic commitment at the university. Using facilities at the university ten copies of the first report were circulated in photocopied form, made from the original typescript. 60 copies of the second were produced in April 1989 on the cyclostyling machine. There were bouquets from around the world and brick bats too. A copy was returned through the Vice Chancellor by the Chairman of the Valvettithurai Citizens' Committee containing strong adverse remarks. The Major commanding the Thinnevely Indian Army camp requested a copy which we ignored. He may have got one by other means. It contained a report of the incident where two students were killed in firing by men under his command. The Vice Chancellor, Prof. Thurairajah was then closely associated with us as Co-Chairman of the National UTHR. There was a spirit of adventure as well as times of anxiety. Little did we know where it would carry us. The murder of Rajani Thiranagama, our consequent displacement to the South and the vacation of post given to the two of us openly associated with the group by the University of Jaffna in May 1991, have been written about elsewhere. We only mention here that the vacation of post had nothing do with prompting by the LTTE. The Vice Chancellor then had repeated a number of times in Colombo that the dismissals were wrong and that we could not function in Jaffna. No one from the university would defend the action when questioned individually. Yet the inertia governing academic life and academic institutions in this country is such that the matter is still being resolved after nearly

7 years. This is a small inconvenience in a country where far worse things could still be inflicted on an ordinary citizen with impunity.

In a way our displacement to the South was providential. We were able to cover the violations in the Eastern Province, particularly during the worst years of 1990 & 1991. In an experience that was new to us, we made a number of friends, including among the Muslim community and received a valuable education on the intricacies of the conflict there. There were, of course, many brave individuals who constantly took risks and also helped us in our work. But except for a few in the Batticaloa Peace Committee around Fr. Harry Miller, we do not know of anyone else who publicly documented violations at that time. 'Someone Else's War' gives some idea of our work in the East. The situation there has now drastically changed with new NGOs moving in. But there is a paucity of reporting on the LTTE's activities.

In recent times we have again concentrated on Jaffna because the situation there has now changed significantly, once more giving us ready access. It fell to us to chronicle the exodus of October 1995 which turned out to be highly controversial, and to sound the alert on disappearances caused by a sudden change of military policy in July 1996. Our interest has, moreover, always been that of laying bare the deeper social undercurrents leading to violations, apart from chronicling individual violations themselves. It appears that in Jaffna now the end game of the tragedy is being played out. This is the subject of the current report.

Looking back today, we regard the **Broken Palmyra** which culminated with the developments in the 80s as our core work, in which we had said most of what we had to say. Our subsequent reports as we explained earlier, deal with the unravelling of a drama for which the choices had already been irrevocably made.

For us it is now time for a drastic slowdown, a time to begin fading away. The river of life must fret along other neglected channels too. There are a number of reasons for this. Civil society in Jaffna is, we hope making a slow recovery. Both in the North as well as the East the time has come for the professionals to take over. There is no need for us to come in except where we have a distinct contribution to make. Several attempts have been made to destroy our credibility by or through the Council and staff bodies in the University of Jaffna, using the mere parody of our vacation of post which no one was prepared to defend. This we have survived. Our loss of income too had been made up by friends. To keep up the spirit of voluntarism, we never asked or accepted anything beyond what was required for bare subsistence in moderate circumstances. For this we are grateful to many friends both here and abroad, who were more than willing to help us whether as individuals or as institutions.

The time is also fast approaching where, if we are staying on, we will have to stay on as professionals. One does have serious reservations about building a career on a cause that has cost others their lives. In the face of so much speculation and misrepresentation about who and what we are, it is proper that we leave little room for confusion. It seems only fitting as well as true to our initial commitment, that we move back to something closer to the temper of our original vocation after attending to some residual matters, away from transitoriness, away from the 'latest' accounts, beyond fragmentation and recover some of the 'quality' we are in danger of losing.

It is appropriate to quote here the German dissident and martyr **Dietrich Bonhoeffer**, from his essay 'After Ten Years', written at the turn of 1942-43, just before his imprisonment:

*“Quality is the bitterest enemy of conceit in all its forms. Socially it implies the cessation of all place hunting, of the cult of the ‘star’; an open eye both upwards and downwards, especially in the choice of one’s more intimate friends, and pleasure in private life as well as the courage to enter public life. Culturally it means a return from the radio and the newspaper to the book, from feverish activity to unhurried leisure, from dissipation to recollection, from sensationalism to reflection, from virtuosity to art, from snobbery to modesty, from extravagance to moderation. Quantities are competitive, qualities are complementary.”*

It is going to be a sultry sunset, lasting a short time or many years depending on the wisdom and commitment of the other actors. Let us hope for a brighter dawn. [\[Top\]](#)

# LIVING THROUGH JAFFNA’S SULTRY SUNSET

## 1. TRENDS AND OVERVIEW

The eight months since our last report on Jaffna was issued in August 1997 has been a testing time in Jaffna, for the civilian population, the armed forces, the militant groups in transition, and the LTTE. Some of the tendencies we had alluded to in earlier reports have taken a clearer shape. As referred to in our last report on Jaffna, these must be qualified by the course of other developments - particularly whether the momentum towards an equitable political solution can be sustained in the South. If these tendencies continue and are improved upon, one has good reason to be optimistic.

To begin with, in retrospect at least a number of people in Jaffna seeking an alternative to the present baneful outlook feel that the holding of elections for local authorities on 29<sup>th</sup> January was a good thing. Prior to the elections there was a steady barrage, especially by Tamil media men, trying to discredit the exercise as irrelevant and against material priorities. The LTTE too issued dire warnings to all who attempt to exercise their vote. In the event, an estimated 40% of the residents who were registered voters did cast their ballot. Most significantly the people demonstrated that given certain basic conditions, they could defy the elements and accomplish something collectively.

There are other reasons apart from the elections why we called the past seven months a testing time. From September last year tension was building up as the Thilepan death anniversary (26<sup>th</sup> September) and National Heroes Week observed around the LTTE leader’s birthday (on 26<sup>th</sup> November) approached. Posters came up announcing a return of the LTTE. Stories circulated announcing December as the month of disruption. People watching for nuances in the behaviour of known LTTE spies who are generally comfortably placed in society, also read the signs and formed their conclusions. Their friends not in the good books of the LTTE were advised to lie low. An act of particular intimidatory significance was the murder on 2<sup>nd</sup> October in a Jaffna suburb of T. Tharmalingam, JP and news agent, who was also the SLFP president for Jaffna. The murder revealed a good deal about the LTTE’s modus operandi and also its limitations. Other developments also showed that the LTTE was taking its “operation disruption” very seriously. A new unit was said to be under training in infiltration. On the

part of the LTTE it was a damning admission that they were in Jaffna operating in a hostile rather than in a friendly environment.

Needless to say fear took hold of civilians. Yet by the end of December the fear had eased and things had returned to what they were before. The worst the civilians had feared was a return to what happened after the 4<sup>th</sup> of July 1996 when a suicide bomber killed the popular town commandant Brigadier Ananda Hamangoda. This coupled with the anger arising from the demolition of the Mullaitivu army camp by the LTTE including the capture of its heavy cannon, led to an operation in Jaffna leading to more than 300 disappearances.

There were many instances during the last few months when things could have gone badly. There were a number of grenade and claymore mine attacks on troops, showing a particular escalation during November, claiming the lives of officers and men. On 6<sup>th</sup> December a commando battalion ran into a trap in the Vanni in which more than 150 elite commandos were killed. During these months a high state of nervousness among troops was evident on several occasions and control was barely re-established [see [Ch.4](#)].

Much greater attention needs to be paid to the conduct of the Navy that seems to be largely unaccountable. At least three incidents of violence against fisherfolk have been reported in the three weeks following the sinking of two naval craft by suicide Sea Tigers on 27.2.98. In one of them near Pt Pedro, fisherfolk were shelled. The arrangements in the islands too are far from satisfactory, where responsibility is shared between the EPDP and the security forces. In all such cases, including Mannar and Vavuniya, there are tell-tale signs of corruption, indiscipline and extortion, with a greater propensity for human rights violations. [See [6.5](#).]

Following the two cases of rape and murder centred around Krishanthi Kumarasamy and Rajani Velayuthapillai in September 1996, both the Government and the Army showed a new will to come down hard on abuses of this particular nature. The incidents of rape reported during 1997 did not exceed four. The Army too in general showed a prompt readiness to assist the judicial authorities. There was however a recent case of violence involving a dumb spinster where the Army's position is very much open to question. This would be a test case for the credibility of other mechanisms, such as NGOs and the Human Rights Commission, whose function is to check such abuses and deliver justice [see [4.1](#)].

Most would however readily agree with our civilian observer's comment in mid-January this year: "Things are very quiet now in the run up to the local elections. Apart from the Tamil groups plastering the walls with posters, there is very little activity noticeable. Security has been tightened somewhat but not excessively.... The military seem confident that they can manage these elections. The military here are doing well with commanders like General Balagalle & Brigadiers Mendis, Rockwood,... the behaviour of the troops is generally such that one hears very little criticism." [[Top](#)]

## **1.1 Torture**

There however continues to be a darker side to the military presence. In some of the more isolated areas where marginalised communities live, civilians have been forced to perform unpaid manual labour, sometimes of a dangerous kind such as clearing shrubs along the edges of roads that may be mined. Of greater concern are continuing reports of torture [see [Ch.2](#)]. Testimony received suggests that danger to life is very real. It is moreover far from clear if



the army got anything useful from torture that it could not have got by some other intelligent means.

In one particular testimony received by us recently, the father of an LTTE cadre was taken in and tortured, which included being assaulted on the head, apparently after the army had received intelligence that the son was in the area and had visited his home. The father who began with a denial finally admitted that his son had indeed come home, adding "For goodness sake don't do anything more to me, I know absolutely nothing else!". After troubling themselves and the father, the army did not get anything that they did not already know. Those close to the father said that he may not live long after that session. From what is given below torture of this kind is merely routine, and may happen to anyone from the humbler classes picked up on the remotest suspicion. [\[Top\]](#)

## **1.2 Missing Persons**

Organisations in Jaffna have continued to compile lists of missing persons during the year 1997. A total in the region of 40 has been quoted for the year. But this is contested by others in Jaffna who place those actually missing at less than a dozen for the year. This is in part because those who compile the lists are seldom equipped or motivated to follow up in depth. One thus has problems in interpreting the high figures floated for missing persons. Another probable reason for the continuing occurrence of missing persons is torture. The victim may have died, or the detention was prolonged to minimise external signs of torture and the victim suddenly pops up in some detention camp in the South. We have cases where this has happened. The laws too were framed to facilitate such handling.

Recently (19<sup>th</sup> January) the army command in Palaly announced that a lieutenant and 9 soldiers had been taken into custody by military police investigators in connection with a man, Selvaratnam Jeyaseelan (24), and a woman Saraswathy Soundararajan (21), both of Suntharapuram, Mattuvil South who had been taken to Vatharawattai camp for questioning on 28th November 1997, and then disappeared. The matter is now before a judicial inquiry. Significantly the army command has observed that the instructions to be followed upon the arrest of suspects have not been adhered to in this case!

After close upon two years of dithering, first by the HRTF, its successor the Human Rights Commission opened its Jaffna office. The army command too issued a rather belated announcement that it should be contacted if a receipt is not issued in the case of a person arrested and not released within 24 hours. How effective these measures are remains to be seen, as in nearly all the cases of the hundreds disappeared, the local army command had been contacted immediately by relatives.

In the meantime the Human Rights Commission would do well to use its powers in surveying the torture centres at all the main army camps where the general features and routines appear to be similar (see ch.2), and find out what the instructions to be followed are. 2.1 below gives a fair idea. [\[Top\]](#)

## **1.3 Security incidents - a rough overview**

As in previous reports, where information is lacking or incomplete, we have made our judgements depending on the context. Press reports too have missed out several incidents.

Civilians killed or injured by the army are readily reported as these nearly always happen during crossfire or during curfew hours. There is in most cases no reported attempt to suppress information. Killings by the LTTE, usually coded “by unknown persons”, do not sometimes get reported. There are instances where the army too has suppressed information on LTTE cadre killed, perhaps to conceal other awkward circumstances. Information on army casualties too is generally lacking.

The following information pertains to the period mid-August 1997 to March 1998.

**Civilians killed by army action:** A total of about 13 of whom 5 were killed this year in the week from 17/1 to 24/1. Of this number 6 were curfew breakers. 2 died when soldiers at Thanankilappu mistakenly fired at a boat of Gurunagar bound refugees from the Vanni, who had strayed eastwards into Thenmaratchy. Returning refugees used to land at Thanankilappu previously. This was stopped by the army as the fears of LTTE infiltration rose with the announcement of local council elections on 29/1. In Vadamarchy as far as we are aware, curfew breakers have not been shot at.

**Civilians killed by the LTTE:** A total of about 9, with 2 in September, 3 in October, 2 in November, 1 in December and 1 in February.

**LTTE cadre killed by the security forces:** A total of about 51 with 4 in September, 1 in October, 2 in November, 12 in December (all in Vadamarchy from 11<sup>th</sup> to 19<sup>th</sup>), 18 in January, 4 in February and 10 in March. All casualties this year upto March end in Thenmaratchy & Valikamam.

We may give a tentative reading of the last two trends taken together. There was a notable fall off in the killings of civilians by the LTTE after at least 6 killings in January 1997 alone. By August 1997 things were fairly quiet. This was followed by another LTTE build up apparently by specially trained cadre. There was some change from the established pattern where infiltrators were from the same area. During about October saboteurs getting away after a hit in Vadamarchy were observed asking for directions. Similar reports came from Valikamam. The army that had become confident was getting somewhat nervous. The break came in Vadamarchy during mid - December [see [3.2](#) ] when the army in a series of raids killed several key operatives including Deputy Sea - Tiger leader Lt. Col. Archunar. There was also among the civilians a cracking of the shell built up by instilling fear.

Of the 18 cadre lost to the army in January, 8 were killed in Thenmaratchy and 10 in Valikamam. There are also certain factors impeding the LTTE from taking on civilian targets with the same ease. Earlier there was the fear that once the LTTE marked a man, there was no possibility of escape. It only took two LTTE cadre to go to the intended victim's house and demand that he follow them for a little chat. It only occurred to the intended victim to do as he was told with the last hope of talking them out of their intention. Having got to a place from which escape was easy, the assassins did the deed and vanished. This has now changed and resistance has become increasingly common. There have been cases of the targeted victim making good his escape with the aid of those around, sometimes to a nearby army camp. To meet such new contingencies the LTTE has from September been known to send 4, 8 or 10 persons in a hit squad. This causes extra problems, considering that in areas like Jaffna town, although plenty of spies abound, it is not easy for armed cadre to move about. [See ch.5, the murder of Tharmalingam.] [\[Top\]](#)

## 1.4 The land mine menace

This was highlighted by us in our Jaffna Survey of last August [[Bulletin No. 14](#)]. Although the German organisation GTZ made an assessment of the problem and appeared to have government clearance to commence operations from the beginning of January, there have been no further developments on the ground at the time of writing. A group of NGOs in Jaffna has sent a memorandum to a UN agency claiming that there are about 10 000 mines buried and that there are on average 10 mine incidents every month affecting civilians. This would suggest that many of the land mine incidents go unreported. It appears on further examination that the incidents reported in the Uthayan correspond closely with the cases brought to Jaffna Hospital. Since nearly all land mine incidents take place in Valikamam within 8 miles of Jaffna Hospital, which alone has surgical facilities in Valikamam, we may conclude that injuries from other explosions are not major. Going by reports in the Uthayan, there were about 10 incidents with 12 victims involving anti-personnel mines from 10<sup>th</sup> June to 10<sup>th</sup> August, a notable rise on the earlier trend. [See [Bulletin No.14](#) for the discussion.] Things then quietened down until October. The rough pattern after 10<sup>th</sup> August is as follows:

**MINES PROBABLY LAID BY THE LTTE (ALL ANTI-PERSONNEL MINES UNLESS STATED):**

**September:** 1 civilian injured.

**October:** 8 incidents in which 6 civilians were injured (i.e. limbs affected), 1 killed and 3 cows injured.

**November:** 3 civilians injured. There was also a pressure mine incident on 21/11 where 1 civilian and his cart bull were killed, while 2 others were injured.

**December:** 1 civilian killed and 3 injured, including one incident in which a labourer was killed and his employer injured. Also on 28<sup>th</sup> December a tractor transporting civilians went over a pressure mine in Velanai killing 3.

**January - February 1998:** No incidents reported.

**March:** 2. 1 in Kupilan South & 1 in Mayilani

**MINES PROBABLY, LAID BY THE ARMY**

**September:** 1 woman affected close to Thambuthottam in Thenmaratchi.

**October:** 2 cows in the same area above, and 1 civilian in Avarankal East (i.e in the area of the army's abandoned bund). A civilian woman was injured while collecting firewood about the army's abandoned bund in Kondavil. 1 goat was injured near Hartley College. [Thambuthottam above is a coconut estate belonging to the Hunt family in Allarai which was used as a large camp by the LTTE and is presently used by the army as the 522 brigade head quarters controlling Chavakacheri.]

**March 1998:** 2. A young man collecting firewood badly injured in the former Army bunker area in Neervely East and also a school boy plucking nelli near the army bund in Urumpirai

This gives us about 23 anti-personnel mine incidents (according to Uthayan), peaking at 12 in October and 4 in March after a gap of nearly 3 months.

Also reported were two claymore mine attacks in Vadamaratchy during November where 3 soldiers were killed. There was another in Valvettithurai during early October where about 5 soldiers bathing at a well were killed. There were no reprisals and in about 2 hours civilians were using the road normally. Army Major Chandrananda Jayatilleke and three other soldiers were killed in an LTTE mine attack in Mirusuvil on 23.12.97. Another in Puttur on 13.3.98 claimed an officer and four men.

If the anti - personnel mine incidents reported in the press are at least treated as a statistical trend, a notable feature is the steep, rise in October, and the sharp fall-off from December until March. Nearly all the incidents during October took place in central Valikamam, and several of these occurred in paths that had been in constant use for 1 1/2 years. One fatal explosion in Kopay - where a man picked up a coconut and a mine beneath it exploded - had the makings of a booby trap. The question has been raised if some of these had been recently planted to induce fear. We may tentatively answer the question in the negative, considering the fact that anti-personnel mines have not been reported as being among the large quantities of equipment recovered from the LTTE by the Army in recent months.[\[Top\]](#)

## **1.5 The LTTE - A Time of Reckoning**

The pattern of recent LTTE infiltration was to seek out the homes of vulnerable folk - often poor and without men - and enjoin themselves as underground guests. In the two cases presented in some detail [\[3.2 below\]](#), the first is one where a mother and daughter, apparently with no previous LTTE ties, lived by themselves. The other is where three sisters lived with some children, the third of whom had earlier received material help from the LTTE. In most such hiding places the LTTE had burrowed concealed underground chambers. It was effective for moving around by night without even the neighbours knowing. Burrowing is known to have been used during the IPKF period (1988-9), but not on the present scale. Yet the style was that of European urban terrorists of the 80s such as the Red Brigades, operating in a hostile environment among an unsympathetic populace. Even among those sheltering them, the action to say the least, lacked anything like the spontaneous support accorded to a liberation movement. The LTTE was fast ceasing to be the ubiquitous internal force it once was - when its terror was in the air everyone breathed.

The LTTE's forced exodus of civilians from the Valikamam, the losses and humiliation they (the civilians) had suffered exposed the LTTE most eloquently as having no concern for the people. Subsequent events deepened the gap. Having controlled the people for so long, the LTTE could barely help the viewing the people who defied it and remained in Jaffna after April 1996 as traitors. It had of course wanted them to shift en masse to the Vanni. Looking through the security incidents from April 1996, the LTTE's attacks with mines and grenades in overall effect made little distinction between the civilians and soldiers. The events include grenades thrown into a shopping mall ( [Bulletin No. 13](#)), and claymore mine attacks or explosions where the victims were all or nearly all civilians.

What the civilians longed for was a return to sane and ordered normal existence. The improved behaviour of the army convinced them, propaganda notwithstanding, that behind the confusion something new had opened up - an opportunity that could be lost through inaction. The civilians too went through a psychological shift paralleling the suicidal one of the LTTE. They concluded that the LTTE infiltrators were in Jaffna, not for any good, but only to disrupt life for them. This went a long way towards breaking a long established taboo. From the mid 70s the militants were known as "our boys". As much as one disagreed

with their actions, it was considered wrong to inform on them. The right thing it was felt was to take up the matter with them as an internal matter. This attitude was further strengthened after the state's role in the violence of July 1983. The LTTE in particular however sowed the seeds of its own destruction by using its coercive apparatus to destroy all democratic space for an internal resolution of differences.

Given today's vastly changed reality, a large number of people lost their inhibition against informing on the LTTE. A greater number perhaps, would though not do it themselves, did not disapprove of others doing it. Also of significance is the class of persons who on a principled approach saw an ethical dilemma that could not be dodged. This was of course a perception peculiar to Jaffna, and did not accord with perceptions of troop behaviour elsewhere in the North - East. Many saw violations by troops in Jaffna as transient or individual rather than endemic. [Why more than 300 disappearances during the latter half of 1996 did not make their due impact on the psyche of Jaffna folk cannot be examined cursorily and will be dealt with in a separate publication.]

Perhaps the key precipitating factor was that the LTTE cadre in general lacked political motivation. They were drilled into a regime of loyalty to the leader. Moreover many cadre who were associated with the deposed deputy leader Mahattaya felt threatened. With appropriate reconditioning a large number of LTTE cadre who deserted, left the LTTE or were captured by the army became the mainstay of military intelligence. According to journalistic sources, more than a hundred of them work for the army in Jaffna, of whom about a third take part in operations. Among them are at least one former leading LTTE intelligence operative, Oppilamani, and a former leading Sea Tiger, Mohan. Also of relevance here is the large number of LTTE killings of civilians and former members of the group over the last two years around Valvettithurai - the home of both Prabakaran and Mahattaya [see Ch.3].

The result was unprecedented for the LTTE. Its infiltrators could hardly pull off anything more than claymore and grenade attacks, and assassination of individuals, from 5<sup>th</sup> July 1996 up to now. A large number of LTTE infiltrators were getting ambushed having done hardly anything at all.

The LTTE's response was to hit out blindly, being unable to identify sources of information. The victims of its assassination squads included all kinds of people based on the most tendentious speculation: Those fluent in Sinhalese having regular dealings with the army, and those earlier suspected of being opposed to the LTTE. A group that came under particular suspicion were those who had once belonged to the LTTE and had left. [See chapters 3 & 5.] As pointed out earlier, the LTTE's attacks in Jaffna had such a desperate character that in targeting one or two soldiers, the number of civilians killed did not seem to matter. When placing a claymore or pressure mine in the road it did not seem to matter if what was hit was a civilian tractor or bullock cart instead. [See Ch.5, and earlier reports.]

The LTTE's supporters placed in strategic places never ceased prophesying the LTTE's cataclysmic return to vindicate their historic role and to wipe off the traitors, and particularly so from September in the run up to the elections. What transpired instead was a major setback for the LTTE. The LTTE calculated on the use of assassinations to intimidate the civilian population and on bringing general destabilisation through attacking the armed forces and provoking reprisals. Its failure in both amounted to defeat, at least for the time being. The creditable voter turn out marked the failure in the first.

The LTTE's lack of success also no doubt emboldened another significant group - families of persons who had suffered grievously during the long years of LTTE terror. These folk remain unorganised and there are no indications of their providing any significant assistance to the Army. Compared with the 300 to 400 who disappeared after the Army take-over, there were thousands who disappeared under LTTE rule. But there is still no organisation to represent them. The LTTE itself does not at present seem to regard them a threat - as compared with the suspicion directed against its own former supporters.

This seems to be a key calculation in the LTTE not going further than it did in disrupting the local elections. It did not attack candidates of whom there were more than 1000, or cadre from other groups engaged in election work. This would have meant opening up a new front in the face of enormous difficulties faced by its infiltrators - particularly in Valikamam where the wounds from the forced exodus run deep.[\[Top\]](#)

## **1.6 The LTTE, the Tamil political parties & current realities**

A peculiarity of organisations like the LTTE is that its support base is nebulous and hard to define in any meaningful manner. There are of course loose admirers with a different agenda who court them and get caught as it were. Again there the unpoliticised many who are admirers through the regular diet of jingoism dished out by the Tamil media. But when it comes to the nuts and bolts issues of life, an organisation with its politics of death can least count on them. For example on the Army opening the road through Vanni to Colombo, the people are not in two minds. Even among the many full time or part time agents the LTTE uses - such as for example to go to the Jaffna bus terminus and keep watch on daily arrivals from Colombo - the relationship has a strong element of dread, of having been caught. It is a loveless union.

It is therefore hardly surprising that in all negotiations, any concession to democracy has been anathema to the LTTE. Any deviation from total control over the populace was un-negotiable, in whatever form this demand was barely disguised. Thus have two years of government control over Jaffna blown many myths for those willing to see plainly.

The calling of local elections on 29<sup>th</sup> January, evidently created another problem. An all out attack on candidates and parties would have forced many to take sides in a manner they have so far avoided. It risked precipitating for the LTTE an unfavourable situation adding to that already resulting from the exodus. Several candidates at the elections, including a few who had received threatening letters, applied to Veeman, the LTTE leader operating from Vadamaratchy East, to find out the state of affairs. His reply was that they had not received orders, but advised those who had received warning letters to stand down. It is the kind of temporary accommodation the LTTE is used to. For example after the LTTE struck at the TELO in May 1986, it did not directly touch the EPRLF for another 7 months. In the meantime it had used its agents to contact individuals within the EPRLF, give them some assurance and stroke existing divisions within the group.

But in Jaffna today this also meant putting up with some unpleasant developments. Some of the other parties have opened up offices in rural areas, where people come for favours. Moreover they have established contacts with remnants of their former supporters. The parties are also replacing a number of elected councillors with others who were preferred, but

had been unwilling to contest. Before the elections the Tamil press in Colombo taunted the TULF with its inability to find willing candidates resident in Jaffna. The conventional wisdom now is that when the next elections are called, the TULF will have a flood of candidates wanting nominations.

Yet most importantly, which is really what matters to the LTTE, it faces no serious political challenge. Tamil mediemen whether in Colombo or in Jaffna are unwilling to question the LTTE and are for the most part happy to play to its tune. The parties which contested the elections have either been playing at cronies of the LTTE or are so confused and bankrupt that the LTTE would have little difficulty in using them to its advantage. Moreover the LTTE's terror is already an integral part of the internal workings of the Tamil community.

To give a brief picture of how things stand, all the parties have suffered a heavy toll on their leadership through murders by the LTTE. Mrs. Sarojini Yogeswaran, the widow of the former MP for Jaffna who was murdered by the LTTE, coming forward as the TULF candidate for the mayoralty of Jaffna was an encouraging development. Here was a victim of the LTTE defying ridicule from the chorus of Tamil mediemen in Colombo, coming to Jaffna a lonely unarmed woman, well known, but with hardly anyone to help her. Instead of praising her courage and condemning this indignity which the Tamil people as a whole have been brought down to, a correspondent observed with much satisfaction no doubt, that she seemed to have few neighbours visiting her - as though she had bought a plague. Against this backdrop, her victory was a remarkable achievement of grit.

Yet Mrs. Yogeswaran felt impelled to suppress her most intimate feelings of endearment and outrage, and issue on behalf of the party an utterly dishonest statement to the press. The statement was to the effect that by voting for her victory the people had called upon the government to lift its recent ban on the LTTE. The ban was reluctantly imposed after the LTTE's suicide attack on the Temple of the Tooth in Kandy that is sacred to the Buddhists. This also gives us a picture of the extent of the compulsion in Tamil politics to be constantly looking over the shoulder at the LTTE.

Elsewhere in the Island the PLOTE and TELO are with the security forces torturing supposedly LTTE suspects. But in Jaffna their line is Tamil nationalist and accommodative to the LTTE. In Mannar and Vavuniya both these groups have been widely accused of corruption also involving sections of the security forces. These rackets are to do with smuggling of goods to LTTE controlled areas, and the issue of residence permits, that have helped to bring about a state of unprecedented anarchy in Vavuniya, with regular killings. In both these places these groups operate monopolies on certain items, such as with eggs and coconuts in Mannar Island, charging 50% more than the market value.

There is a general stifling dilemma confronting all the Tamil political parties which they have lacked the courage to resolve. All of them carry along in their names, rhetoric and slogans, the political baggage of an essentially discredited Tamil nationalism. In a bid to get support, they dwell extensively on the real insecurity faced by the Tamil people. All this they share in common with the LTTE. But without confronting this narrow nationalist political legacy which the LTTE exploits and vindicates by constantly and deliberately endangering the Tamil population, and offering instead an alternative to its destructiveness, the other Tamil parties find themselves impotent in addressing the security issue. Moreover again, the LTTE scores by its role as avenger, irrespective of the social cost.

The TULF of course gains an edge over its rivals who are quasi militant groups by claiming to be the unarmed party in a society tired of guns. The others who directly or indirectly provide auxiliaries to the government forces and are dependent on the government, find their position more awkward. Their differences with the LTTE on ideology and methodology are generally minor. Only the former has been more successful to the extent that it was single-mindedly totalitarian. To cover their dependence on the government, the others are driven to more strident nationalistic rhetoric and some admiring noises of the LTTE. Among the quasi-militant parties the EPDP has been the most astute at playing this game. The EPRLF which has a section keen on genuine grass-roots political work is locked on the horns of the dilemma.

Given this reality the LTTE would find the ground situation not unfavourable in the long run. It could exploit it by simply watching individuals who may be getting too independent, sending warning letters, summoning them for meetings, and doing a bit of culling here and there through assassinations. On occasions a more forceful warning may be delivered such as by the attack on the EPDP's Pungudutivu camp a few days before the local elections. All the time it would hope for a massacre by the Sri Lankan forces or another round of disappearances that would turn the tables in its favour. [\[Top\]](#)

## 1.7 The Challenge

The LTTE's internal decay is far advanced. Yet it retains a capacity for immense violent destructiveness before the final end comes. If the worst is to be avoided there are too many uncertainties in relying excessively on developments in the South. A huge vacuum exists in the North therefore for a genuinely democratic alternative that would confront the fascist legacy squarely, and render society proof against manipulation by the unscrupulous. In this connection the following paragraph from 'Laying Aside Illusions' referred to in the Foreword remains as relevant today as it did then ten years ago:

*"How do we assert ourselves as people when no one dare take a stand on the many pressing issues? As individuals or small groups in our neighbourhoods, places of work, unions or associations, we must question our past, understand where we went wrong, and rediscover our principles. We must be conscious of the message of our past experience, that in standing for others we also stand up for ourselves. This course requires courage; and, no other is open to us. We have tried to play it safe in the past. The result was mass murder from several sources. Non combatant civilians too became unarmed front-line troops facing the wrath of advancing armies." [p450, The Broken Palmyra].*

The issues very much in our minds were the dangerous opportunism that comprises 'playing safe' and not taking responsibility for our own future. The last ten years are a tragic testimony to the extent to which we have failed.

We knew well that the LTTE's actions were calculated to make us, the people, powerless. But when the Indian Army reacted harshly against us, we accused them of hammering us for something done by outside elements - knowing well again that they were part of us terrorising us from within. We lacked the courage to tell the LTTE plainly that their 'freedom struggle' was only making us objects of contempt and they had lost any right to speak on our behalf, let alone be our leaders. All the time an influential section among us in relative safety, who had



the ears of the world, talked and acted as though the LTTE were our sole representatives. The rest of us observed silence. All our excuses showed that we were being too clever by half. In all the decisions made affecting us, the people, over the last ten years, we counted for nothing. How different are things today? Are we going to allow history to repeat itself?

We make this observation here because all that has been seen and recorded of the LTTE's actions (see 3.1, 5 and 6.1 for a small sample) make it even more clear that they have no claim to represent us in any way. What is the rationale behind the present grenade and claymore mine attacks which show in effect little distinction between soldiers and civilians? If we lack even the strength to condemn these, all our concern about torture and disappearance would amount to meaningless ritual. Because that is how things would work when we shirk responsibility. The world will wink while paying lip service to human rights.

We have some space today. Disappearance and torture are at a low ebb. The LTTE is relatively weak in Jaffna. Paradoxically, in the process of reviving civil society and trying to assert democratic freedoms, the LTTE would also find more room to infiltrate and to sabotage these very attempts. As we read the LTTE's future options in Jaffna, the threat is very real [see 6.7]. We have to recognise it for what it is and take responsibility for our future while the opportunity exists. Trying to be too clever with fascist tendencies inherent in narrow nationalism has been the bane of Tamil political life from the early 70s.

The small, but welcome openings we have at present are mainly the result of the government going some way towards finding a political solution and in keeping the armed forces on an even keel, despite serious institutional problems. Has the country the will and the capacity to improve on this? [\[Top\]](#)

## **2. Torture and Missing Persons**

Torture as we had adverted continues to be a routine feature of life in Jaffna. The cases below cover much of the past year and involve all the three divisions of Jaffna. In many of these cases below some details have been suppressed. The first provides a recent informative experience.

The case of the missing person 2.2 below which we followed to some extent reveals the absurdly incredible regime that governs the fate of such persons and their families in the poorer classes. A person coming out of Kalutara prison contacted his brother and told him of his presence there. The brother contacted the ICRC and drew a blank. During February the HRC (Human Rights Commission) went among the Tamil prisoners, asked those from Jaffna to fill up forms, bundled the forms and sent them to the regional office in Jaffna. No record of the information was kept in Colombo, although several of those looking for missing relatives had come to Colombo. On our checking with Jaffna the result was negative.

The HRC's action confirms many things apart from its own administrative clumsiness. Although most of these arrests were witnessed, there are no reliable records anywhere; neither with the security forces in Jaffna, at Kalutara prison, nor in the AG's department tasked with filing indictments. Indeed a large number of them cannot be charged with anything. If they survive the arrest and torture, they may simply rot in prison. That is why the regime (not a system by any means) is so corrupt. Those from the better off segments often bribe their way out.

Those countries wanting to deport Tamils must take note that any Tamil picked up on suspicion and dropped into this regime could easily become as an anonymous chunk of coal dropped into a chute. A regime that allows detainees to lose their identity would surely cause some of them to disappear as was intended.

If the HRC helps to restore a system, it will make a definite contribution. Otherwise it is danger of becoming just another mechanical addition further confusing administrative functions.[\[Top\]](#)

## **2.1 A recent experience**

Soldiers went into a village and detained certain persons suspected of harbouring the LTTE. One of them was a sickly man just discharged after a spell in hospital. As they were marched about a mile in the sun, some young bystanders were also picked up. Then they were loaded into a truck and driven to an army camp. The prisoners numbering about ten were concealed on the floor. The discharged patient endured excruciating pain, being bounced on the metal floor as the truck sped and skewed along rutty roads. At the camp the prisoners were taken to the interrogation area where a door opened into an underground bunker. The prisoners were ordered in and roughly shoved from the back. The prisoners including the patient, went skittling down the flight of steps and landed in a heap. On the first day they were given tea and food, but were not questioned. The relatives of the prisoners went to several camps in the area, and all denied having the prisoners.

The following day the prisoners were taken out of the bunker and questioned one by one. About half of them were severely tortured, two merely questioned and the rest tortured less severely. For those severely tortured, the procedure was one of question and torture in turn. The torture consisted of:

A staccato of beating both sides of the head in turn with bare hands.

Assault on the body by several men wielding long sticks.

Being hung by the feet and lowered into a barrel of water near the entrance to the bunker taken out in a state of near suffocation, slumped flat on the ground and then questioned.

About 3 were released within two days. Fortunately for the patient he had escaped the worst of it. Those to be released were called out one by one. They were threatened by a man with a thick chain hung over his shoulder as though he would swing at them any time, and then seemed to relent. The local Headman (GS) was then summoned. In his presence they were asked if they had any problems with their treatment. All the prisoners concurred that they had been well-treated. The Headman then escorted away those released. All were released over a week or so. But there is a high probability of permanent impairment among those badly tortured.[\[Top\]](#)

## **2.2 4<sup>th</sup> April 1997, Tholpuram, Valikamam West**

Deivendran (23) who had passed his G.C.E O.levels was physically weak and suffered from a childhood impairment of being blind in one eye as a result of small-pox. For this reason he remained close to his mother whose pet he was. On the particular day the army came into the area and took away 20 youths to Mavady junction camp on the Vaddukkottai-Chankanai Road. All except about 5 were released during the next few days. Among those not released to this day are Deivendran and his cousin Rathinakumar who was married with a 1 1/2 year old child.

Those released said that they had been hung upside down and beaten, and had also received the petrol fumes treatment. On 17<sup>th</sup> August 1997 Deivendran's mother and sister went to Palaly for a meeting with the Army to which they had been summoned. There the arrest was denied even though the mother had witnessed it. The family continued questioning soldiers who went for a drink of toddy in their area. They were given to understand that Deivendran was being kept in a camp.

Early this year, a brother of Deivedran's was informed by a former detainee at Kalutara that Deivendran was prisoner 1689 in C Ward, Kalutara - the same prison where there was an organised attack on Tamil detainees on 13<sup>th</sup> December 1997 resulting in two deaths. The ICRC was contacted, but there has been no further information to date.

**Note :** Although the army took control of Jaffna town in December 1995, much of Valikamam West (roughly the area taken during the abortive Operation Leap Forward in July 1995) remained uncleared until after mid - 1997. During this period the LTTE enjoyed unfettered movement in the area, and the civilians who had either dodged the LTTE's exodus (of whom 3000 or more were from this area) or had returned from April 1996, had little choice but to help the LTTE. Many of the young like Deivendran were later picked up by the army and tortured for information about LTTE hiding places and were used as masked informants at identification parades. Several missing persons from the end of 1996 were from this area. Deivendran's only crime as it appears, is that he had seen the LTTE. Another case is that of Ganesh Ramanan (17) of Kurankilippan, Suthumalai South, taken from home by the army in the presence of his mother G. Puvaneswary, on 8<sup>th</sup> February 1997 at 8.30 PM. Again the arrest has since been denied. [\[Top\]](#)

### **2.3 3<sup>rd</sup> Week of August 1997**

The young man was in the trade of erecting platforms for public meetings, which he did for the meeting held with the Army's approval on this occasion. He had gone to Vanni with his family during the exodus and returned. He was attending the same meeting with two of his friends when they were picked up from the same premises by army intelligence operatives who had earlier served in the LTTE. The three were bound, gagged and blindfolded and left in an abandoned building until an army truck was fetched to take them away. An 8 year old who had been with those detained informed the organisers. The latter made representations to the Army over the impropriety of making arrests at meetings sanctioned by them. The organisers were given to understand that the normal military set up dealing with civil affairs had little influence in the workings of military intelligence. The latter too it transpired placed a great deal of trust in the ex - LTTEers who worked for them. The organisers were told that they would do their best.

Two of those detained with the young man were released that night. The young man was hung upside down blind folded and beaten with S-Lon pipes and kicked with boots. His skin

on the hands and back cracked and bled. Persons swinging thick poles beat him about three shots at a time and questioned him. The blindfolded detainee went into paroxysms of shivering every time he heard the shuffling of boots. He was released two days after the arrest, arriving home with raw wounds in a shirt soaked in blood. He is still being treated for bodily impairment.[\[Top\]](#)

## **2.4 Early October 1997, Thenmaratchy**

A 40 year old worker who was sent to a charitable home in the south of Chavakacheri was about the front compound in the morning, bare bodied and brushing his teeth. A passing army patrol took him away without letting him put on his shirt or collect his IC. He was marched blindfolded to a nearby sentry point, beaten and asked to identify himself as being in the LTTE. Then an auto (3-wheeler) was brought, he was handcuffed, and taken to the upper floor of a building - in Chavakacheri town as he discovered after his release. Here again he was beaten in his chest, back and stomach.

In the meantime well-wishers ran around from camp to camp demanding his release and protesting that he had no LTTE links, only to receive denials. The detainee was released at 2.00 p.m. the same afternoon. He had received such a fright that just about 3 months later, it led him into a second scrape. He saw soldiers passing his house in Chavakacheri town and quickly got into his house. This had been observed and some soldiers came into his compound and had a tussle in opening the door as the frightened man pushed with all his might. The man was then pulled out and given a sound second thrashing.[\[Top\]](#)

## **2.5 Autumn 1997**

A boy in his early teens who had stayed away from school since the beginning of the year, was caught red handed by the Army while he was helping the LTTE. He was first taken to a local camp and then to Palaly. He was subject to torture resulting in his bleeding from his nose and mouth. Torture consisted of:

Hung with strings tied to the thumbs, made to inhale petrol fumes and beaten.

Pins sent into nails.

Trampled with boots.

Later at Palaly, given electric shock treatment.

As a school boy, he was released three weeks after the arrest upon the intervention of a senior military official. Others detained along with him were later handed over to the KKS police.[\[Top\]](#)

## **3. Reaping the Whirlwind**

To the casual observer life in Jaffna looks increasingly normal. The long-suffering resident, as a means to preserving sanity, is strenuously resistant to being reminded of abnormalities. Yet behind the facade, there lies a wounded society, especially among the poorer sections who contributed most to the liberation struggle. Their young joined all the groups. Place

names such as Irumpumathavady, Vathiry, Uduppiddy, Valvettithurai and Thondamanaru which occur frequently in the news in connection with violent incidents may be mistaken for LTTE strongholds. But on the contrary these were the very places that contributed to a diversity of militant groups and a rich variety of political tendencies. Indeed they suffered significantly during the LTTE's internal repression. In the early 90s when the LTTE controlled Jaffna, church dignitaries could tell audiences in Colombo and around the world things like: "95% of those in Jaffna support the LTTE. The rest, ..., well... they are Sinhalese!".

Such claims were plausible to those who ignored the long political history of the struggle only to be charmed by the LTTE's display of transient power. A particular story illustrates how heart-rending these divisions were to ordinary people who experienced them most intimately. Chinnamma's (small-mother's) two elder sisters' sons were in two militant groups. One was Sara, a middle ranking LTTE leader, and the other was in the EPRLF. One day the latter was in her home eating jack fruit. Seeing Sara's approach, she got him to hide in the lavatory. Sara came, sensing his cousin-brother's presence, searched the place, found him and killed him. He then took his place in the kitchen to be served as though nothing had happened. During the attack on Jaffna Fort in July - August 1990, Sara led a group that failed to storm the wall. Sara was found crying from his injuries in hospital and was later demoted. He died during the Elephant Pass attack in July 1991.

The deadly end-game of this legacy is now being played out in hidden recesses. More ironically, the cancer of this legacy has been turned further inwards. Currently a significant number of the LTTE's targets for assassination are former members of the group and often those who still have close connections with it. In Vadamaratchy itself, the number of LTTE killings in this category from early 1996 number more than a dozen. [\[Top\]](#)

### **3.1. Valvettithurai, Uduppiddy, Thondamanaru: Revenge is Blind**

A casual reader of the Uthayan may recall the items below, which were very likely passed off with a glance:

Uthayan of 14<sup>th</sup> August 1997: 45<sup>th</sup> Day Remembrance of Mr. K. Sritharan. Born 30/10/1967, Died 29/6/1997. Then followed a verse:

That which appeared to me in the guise of goodness,

transmuted itself into hell.

The Herald of Death came to me,

in the form of man.

Is it not the same weapon I once wielded,

that returned to mark its final stamp on me?

. ....

For ever grieving in your memory

-Your family, Mudaliyar Compound, Imayanan.

**Uthayan 24/10/97:** Sivaprakasam Jeyantha (17) was called out of his home in Imayanan at 7.55 PM on 22<sup>nd</sup> October by a group of 8 unknown persons, and was shot dead.

**Uthayan 17/12/97:** K.Arulanantham (35) of Valvettithurai was called out of his home at 9.30 PM on 15/12/97 by a group of unknown persons and assaulted. He was first taken to Pt Pedro Hospital and was then transferred to Jaffna hospital. His condition was said to be serious.

Little would the reader suspect that these along with several other events not even given this skimpy press notice, are a part of a single ongoing tragedy. Imayanan which lies about the border of Uduppiddy and Valvettithurai, is classified under either depending on individual inclination.

The first notice indicates that Sritharan was a member of a militant group who was shot dead. In Tamil custom, memorial rites are normally conducted on the 31<sup>st</sup> day. Rites on the 45<sup>th</sup> day are meant for those who died a violent or untimely death. We give below some of the links in the tragedy.

The history of the Tamil militancy has seen much that was bizarre. The civilian population was left at a loss when beginning from a trickle of secret killings in the 70s, the struggle against the 'external enemy' was getting swamped in a flood of internal blood-letting by the mid-80s. The more bizarre was yet to come. A few days after the LTTE had murdered TULF leaders Amirthalingam and Yogeswaran in Colombo on 13<sup>th</sup> July 1989, All-India -Radio announced that in a gun fight in the Vanni jungles between the loyalists of LTTE leader Prabakaran and deputy leader Mahattaya, the former had been killed. The basis of the story is not known, but few were surprised. Now Valvettithurai was the birth place of both, and there was consternation in the coastal village. People demanded to know the truth. After some silence the LTTE issued a photograph which appeared on the cover of the London publication 'The Tamil Nation', showing Prabakaran and Mahattaya smilingly facing each other in a friendly chat. But it did little to end speculation. Mahattaya continued to hold the limelight.

Came January 1990 when the Indian army began its pull-out from Jaffna. A demonstration was organised in Valvettithurai demanding a public appearance of Prabakaran, until the granting of which they refused to entertain the LTTE. During the period prior to the commencement of the war with the Sri Lankan state in June 1990, Mahattaya continued his high profile activity throughout the North-East organising village committees, holding public rallies, and in general building his political base. Good testimony available indicates that the recommencement of the war was not to Mahattaya's liking. This reading seems to be contradicted by what Mahattaya himself told supporters at closed door meetings prior to the 1990 war. He had told surprised audiences that the war for their ultimate goal of Tamil Eelam would resume in due course. This was only a respite. The allegory he used was that they were running a Marathon of 25 miles and were tired after completing 18. They needed a break, he added. However this seems to suggest that Mahattaya had in mind a significantly longer respite. But in fact the war started barely seventy days after the Indian Army pulled out. From that point there was a progressive isolation of Mahattaya from his positions and supporters.

Among his last public acts was to preside over some grisly public executions in the Vanni on 6<sup>th</sup> July 1992 ( our Report No. 10).

By May 1993 in a swoop entrusted to the then intelligence chief Pottu Amman, Prabakaran felt confident enough to arrest Mahattaya and others close to him. The charge that that Mahattaya had connived with the Indian RAW which resulted in Kittu's suicide in an arms ship apprehended by the Indian navy in January 1993, is hard to evaluate. It is against this history that some hold the commencement of the June 1990 war as having more to do with the LTTE's internal politics and as a coup against Mahattaya.

In the event the people of Valvettithurai demonstrated again, this time on behalf of Mahattaya, saying that they had done the same for Prabakaran in 1990 when they feared for his well-being and safety. Mahattaya was not seen again. He was allowed to exchange a few letters with his wife. Among the last instructions he gave her was to send their daughter Kalaiyarasi to a particular nursery teacher to learn English.

In October 1995 Anton Balasingam told an Indian correspondent for the 'Outlook' that Mahattaya had been executed. This is not being treated as the last word on the matter. Claims have been made that he has since been seen in the Vanni, or that he is in a special prison for the 'living dead', whose function to serve as organic reference manuals.

As fate would have it, Pottu Amman has not been seen for some time. According to stories circulated by returnees to Jaffna from the Vanni, he is under a cloud, if not behind bars.

Be that as it may, since 1993 the heaviness of the air of conspiracy within the LTTE has taken a jump of several notches. 'Mahattaya's man' has become another euphemism for 'traitor'. There have been many reports of LTTE men who claimed to have escaped from custody, both here and in India, being killed on suspicion by their own group. The affair also had its repercussions within the LTTE, the community at large, and not least in Valvettithurai itself.

Mahattaya had after all been a powerful man with many contacts. From April 1996 in particular as the Sri Lankan army marched into Thenmaratchy and Vadamaratchy, a significant number of LTTE cadre surrendered to the army. Notably this was also about the time the LTTE began killing several of its own former members. The phenomenon as it turned out was quite marked around Valvettithurai. Memorial verses for the departed from dear ones are reflective of loss and anguished soul searching rather than of anger. The first incident below has a poignant setting that is illustrative of several before it and of others that were to follow.

Selvadas Nuveskumar (24), known in the LTTE as Babu, had left the group, married Kulasiri, and was settled in Commathurai, Valvettithurai. The day was 15<sup>th</sup> February 1997 after nightfall, when two men came to house in Sri Lankan army uniform and asked for Babu. Kulasiri who was nursing their second child, then a few days old, although suspecting them to be members of the LTTE, could not identify them. She told them that Babu was out.

Later in the same evening Major Thenamuthan of the LTTE entered their home. Kulasiri recognised him and her earlier suspicions were confirmed. Thenamuthan lifted their infant child, said, 'So this must be your second', and kissed it. At this time Babu came in through another entrance and immediately had a premonition of the purpose of the visit, having known the organisation extremely well. Having been moulded and schooled within it, he accepted its

will as one would an iron fate, and made no attempt at evasion. He told Thenamuthan firmly, “If you want to do anything to me, take me out and do it. Don’t do it in the presence of my wife”. Thenamuthan denied having any intention of causing him harm and took him out. Some time passed and Kulasiri heard 3 or 4 gunshots. She stood transfixed for half an hour. Then she went out with some others who came to her aid. After some searching, the light of the lamp fell on the sprawled form of her beloved, stilled forever.

The killing was never acknowledged by the LTTE. Rumours were circulated instead that the Army had done the deed. The memorial verse to him from the family read:

“His exemplary life which was true to its principles,  
and the excellence he displayed in his vocation,  
will serve as a guide to future generations”.

Kulasiri now works for a government owned sales outlet in Pt. Pedro. Major Thenamuthan followed his victim on 16<sup>th</sup> December 1997. This episode is dealt with in the next section.

Later in the year an LTTE cadre named Rahu was about the Valvettithurai - Uduppiddy area. Quite often when he was seen, the Army was soon about the place. Word got around in the area that the Army did not want to shoot him but rather wanted to catch him alive. One day about mid-June the Army surrounded him at Imayanan junction on the Valvettithurai - Uduppiddy Road. Rahu took his life swallowing cyanide. The LTTE was evidently angry about the outcome. Perhaps such incidents were more sensitive in an area that was the Leader’s home, where all available social institutions had been used to articulate the picture of a monolithic LTTE base, that was only slightly disturbed by the humiliation and fall of Deputy Leader Mahattaya, also from that area.

In due course some LTTE cadre arrived where Rahu had fallen, strewed flowers, and vowed that some ‘heads would roll’ for what had happened. In a bid to halt the flow of information and drive terror into would-be informers, the LTTE hit out blindly, taking few chances.

Sritharan (30) whose memorial notice was referred to had served 10 years in the LTTE. He had left the organisation 3 years before, followed his father’s trade of farming, and lived with his parents. Coming from a family of 3 boys and 2 girls, his younger brother was a serving member of the LTTE, having joined 10 years ago, and a sister too was also in the LTTE, having completed 2 years. While Sritharan was at home with his father and mother, the LTTE came home and called him for a chat. They then shot him dead and left a notice with the charges: 1.) Aided the Army 2.) Betrayed members of the LTTE and 3.) Traitor to the Tamils.

Sources close to the family opined that the younger brother too had been finished off as he may have been identified as a loyalist of Mahattaya, since nothing had been heard of him for a long time.

It was ironically on the 45<sup>th</sup> day religious rites for Sritharan that his assassin, identified as ‘Hitler’, made, as it were, his destined date with Kalan (the god fate, death or destiny). At dusk on 14<sup>th</sup> August 1997, the Army on receipt of information were aloft a tree in Vellai (i.e. White or Uduppiddy - Pt. Pedro) Road, between the Co-op and the American Mission School at the junction. Below, 3 LTTE cadre arrived for the appointed meeting with 3 helpers. The army



opened fire killing 'Hitler'. The other two LTTE cadre made their escape. The three civilian helpers were arrested and were after interrogation transferred to police custody.

Hitler's story is itself a tragedy. His mother lived not half a mile from the spot where he was killed. His father was in Colombo, but had not been sending money home. The mother had the burden of looking after the family. Hitler had been recruited by an outworn cause in aid of which poorer members of the same community were being cornered into destroying each other.

About this same time another incident took place a short distance away in Ilakkanawattai, Valvettithurai, on the Uduppiddy Road at a playing field. The 19 year old boy was mentally weak and was in general friendly with anyone who was so with him. His elder brother who had been 8 years in the LTTE, had left the organisation and is presently out of Jaffna. The boy was in a group either playing or watching a game of volley ball. Some LTTE cadre had arrived, among whom two were said to have been known as Sentil and Thakkali, and called the boy for a chat. The boy went and sat with them on the wall of a nearby Christian cemetery. In the course of an awkward conversation the boy said innocently and plaintively, "It looks as if you are going to shoot me"!

Members of the public who heard it immediately came forward and protested. The LTTE cadre shot the boy and ran away. The Army soon came there and took the boy to Valvettithurai hospital. He was sent then to Pt. Pedro hospital, where he died after being operated on. It is opined locally that the LTTE killed the boy on the surmise that he was too much of a simpleton to risk having around.

The business of rolling heads went on. On the night of the 22<sup>nd</sup> October, 8 LTTE cadre wearing army uniform arrived at the home of Sivaprakasam Jayantha (18), a mason at Udayar Lane, Imayanan. They shot him dead in the presence of his elder sister and her husband. The killers went away telling them that they would give the reason for this action when 'Our kingdom comes'. Again, ironically, two younger sisters of Jayantha are still members of the LTTE.

On 17<sup>th</sup> November 1997 the Army was using forced, unpaid labour from civilians to clear the shrubs on either side of a lonely stretch of the VVT - Thondamanaru Road. There was a ruined bus shelter at a point where the road took a sharp bend and then a steep climb. When the party reached this point a claymore mine exploded, injuring a soldier and a youth in the clearing party. Just then some youths were seen running away through the undergrowth. The soldiers took aim and fired mortar shells into a particular area. Then upon searching the area the soldiers recovered two bodies. The civilians could not identify the bodies that were taken away immediately, but they did notice that national identity cards and army residence permits were recovered from the bodies.

A few days prior to this incident, some families in Thondamanaru whose sons were in the LTTE had been questioned by the Army about the presence of their sons in the area. The father of one had been treated badly. For many days after the incident the families did not know who had fallen casualty.

Now we come to the third press item. About 9.30 PM on 15<sup>th</sup> December about ten members of the LTTE arrived at the house of the village headman of Thondamanaru, K. Arulanantham (35). He was taken to a place where the ground was covered with flood water from the rains.

As becomes that area, a number of relatives followed protesting. Others in desperation went to get help from the Army. A few in the LTTE party stood guard with automatic weapons while others started belabouring the hapless headman with long rods. Following the third blow, the headman collapsed into the shallow water. Immediately his brother-in-law dashed past the guards and fell upon him to protect him from further blows. The LTTE wrenched away the protesting brother-in-law, and continued to rain blows on the fallen victim.

The assailants left after warning the relatives and neighbours that 'no one should touch the body'. A short time after they left, the Army arrived in a hiring car. The headman was found to be alive, but badly mauled, although the assailants' last words indicated they had left him for dead. The Army explained that they had delayed coming as they had anticipated that the LTTE would have posted guards, leading to crossfire where others were bound to get hurt. The Army took the headman to Pt Pedro hospital, from where he was transferred to Jaffna hospital. He was being treated for a broken rib-cage and multiple fractures on a thigh and legs. The only reason the LTTE had for suspecting headmen is that their duties involved regular dealings with the Army. However nearly all the younger headmen were appointed when the LTTE controlled junior administrative appointments in Jaffna.

Over the two days that followed several key LTTE infiltrators in Vadamaratchy died in Army searches of their hideouts around Nelliady. Some of those killed were among those responsible for the incidents above. This brings us to the next item.[\[Top\]](#)

### **3.2. Vathiry - Nelliady: The Burrows of Death**

It may not be too fanciful to suppose that the LTTE killings in the last section that were in one instance precautionary and in others based on wild guesswork, were meant to pave the way for infiltration by fairly senior members of the LTTE. Vadamaratchy had become a sore point for the LTTE, which once vaunted as its main support base, had under the command of Brigadier Larry Wijeratne come to enjoy markedly good relations with the Army. People referred to Wijeratne with the kind of endearment ordinarily reserved for a popular member of parliament who is about the place solving their problems and keeping life going. The LTTE therefore had a huge stake in disrupting what prevailed. With the approach of National Heroes Day (27<sup>th</sup> November) it was natural for the LTTE to plan for a sensational attack calculated to provoke reprisals somewhere near the Leader's birthplace. It is also notable that the LTTE had then been more active there than in the Pt Pedro area.

If this reading is correct, it would also have been natural for the LTTE to find places to hide and rest in the Nelliady - Vathiry area which is largely agricultural, from where Valvettithurai and Uduppiddy, 2 or 3 miles westerly, could be accessed through lanes, and there was an escape route through Vadamaratchy East, 2 miles easterly.

The following account has been compiled from local sources and with the aid of journalists who spoke to some military officials and civilians involved.

Uthayan of 1<sup>st</sup> January 1998 quoting LTTE radio announced the deaths of 12 of its cadre in Jaffna from 11<sup>th</sup> to 19<sup>th</sup> December. They are:

**On 16<sup>th</sup> December at Vathiry, in a round up:** Lt. Colonel Archunar ( Rathinam Vasanthakumar) of Jaffna, Major Thenamuthan (Jothy Cruz Prabakaran) of Jaffna, Lt. Arunan (Aruthathy Jeyakanthan) of Jaffna and 2<sup>nd</sup> Lt. Mahendran (Balasubramaniam Chandrakumar) of Jaffna.

**On 18<sup>th</sup> December at Karaveddy Kovil Junction**, in a round up involving a direct confrontation: Major Elilarasan or Mathanan (Sivaprakasam Memithan) of Mulliyavalai (Mullaitivu Dist.), Captain Illavarasan (Irathinavadivel Balasekar) of Jaffna, Lt. Vanan (Selvarajah Mathivannan) of Jaffna, 2<sup>nd</sup> Lt. Karuvelan (Kandiah Uthayakumar) of Jaffna and 2<sup>nd</sup> Lt. Banugopan (Annarasa Aathavan) of Jaffna.

**On 19<sup>th</sup> December at Karaveddy**, in a clash: Lt. Kanthasamy or Sakthy (Rajendram Rasan) of Jaffna

**& On 11<sup>th</sup> December at Alvai**, in a clash: Captain Maran (Manikkam Ramakrishnan) of Jaffna.

Also perhaps connected with the above is a mention in the Uthayan of the body of an unidentified person being taken to Pt Pedro Hospital following an incident on 9<sup>th</sup> December.

On the first incident of 16<sup>th</sup> December, the Uthayan only mentioned the clash in Karaveddy North at 8.45 AM resulting in 5 LTTE members including a senior leader being killed. On the second of 18<sup>th</sup>, it reported a clash at Irumpumathavady, Vathiry, lasting 1 1/2 hours from 8.00 AM. Two injured soldiers, it said, were taken to Pt Pedro Hospital and then to Palaly. Five dead bodies from the incident were attributed to unconfirmed reports. Conditions governing the press in Jaffna are such that the want of accuracy and depth concerning local events sensitive to the LTTE, contrasts sharply with the space and prominence given to articles and items from the Southern press favourable to the LTTE.

What follows is again a story of how it is the weakest in society; trying to find breathing space in a life where modern pressures on a traditional society, combined with those from years of warfare, have affected so tragically; who are the most vulnerable.

#### **Irumpumathavady**

The widowed mother, a farmer, and her youngest, a daughter, lived by themselves at Pulavarodai, Irumpumathavady. Her husband had committed suicide. Of her two elder children the son had committed suicide, and the daughter who was married resided in Germany. The LTTE's attentions to them began some time before September 1997, when Major Thenamuthan came when the daughter was alone and asked for food. He was evidently part of an advance party tasked with finding hiding places. The daughter refused. She later told the mother of it. She held no firm resolution on the matter. As time went Thenamuthan got into the habit of coming into the kitchen and helping himself to what was available. He was also suspicious of the daughter who on occasions protested. Once after an argument he beat her on the back of her head causing her to faint.

As the next step Thenamuthan came with about two others to look around. The daughter threatened to report the matter to the Army, saying that they were decent to them and who because they were two women were living alone, were lenient during their routine searches. She wanted to preserve their good name with the Army, she added. Thenamuthan threatened her with a revolver. He came the next day and beat her. The mother protested saying that she was weak.

Three months before the incident, in mid-September, some building materials and tools were at home owing to a new kitchen being built. After the mason and his men left for the day, Thenamuthan came with Arunan and two others. Arunan was credited locally with the assassination of about half a dozen former members of the LTTE soon after the Army took

control of Vadamaratchy in April 1996. The visitors ordered the mother and daughter to stay in a room saying that they had a secret job to do. The daughter screamed, fainted and then slept. The LTTE men left four hours later about 8.30 PM, having mostly completed the work for an underground bunker.

About 4 days later Thenamuthan came home with Lt. Col. Archunar, a senior Sea Tiger credited with being deputy to the ST leader Soosai. Thenamuthan did the talking, explaining that they would stay in the place once in a while. A few weeks later supplies were brought to the bunker in urea bags. About two weeks before Maaveerar Thinam (National Heroes Day - 27<sup>th</sup> November), the mother and daughter were anxiously discussing the prospect of their guests planning something big. The daughter asked whether they should tell the Army. Just then Archunar arrived with Thenamuthan and asked what they had been discussing. The mother said that it was a marriage proposal for the daughter and her impending journey to Colombo in that connection. Archunar said that it was a lie and that they were talking about telling the Army.

Thenamuthan proceeded to beat the girl. When the mother intervened between the two, Archunar pushed her. The well built woman fell heavily on her right arm, fracturing her forearm in two places. Archunar instructed her to seek medication, adding that they should not breathe a word about the real cause nor allude to their presence even to a close relative. Should they do so, he threatened, they and their relatives would all be killed. The mother got the hand plastered at Manthikai (Pt. Pedro) Hospital and let it be known that she had slipped and fallen at the well. The two guests continued using the house once in a way.

On the night of 15<sup>th</sup> December Archunar, Thenamuthan and two others entered the burrow. Early in the morning the house was surrounded by the Army. There can be no completely satisfactory account of how the Army came to know, as Archunar's movements by night were a closely guarded secret which the neighbours would hardly have known about. The Sunday Leader account refers to a special intelligencer. Our sources speak of the apprehension by the Army of a courier who carried messages between hideouts. The officer and men who entered the house found only the mother and daughter. After a search the officer radioed Brigade HQ that they found nothing.

Back came the reply, there definitely is something, go on looking. The officer noticed the daughter becoming uneasy as they resumed the search. He then spotted a crack in the floor under the glass cabinet, and ordered the men to examine it. The mother ran into another room to drink pesticide, but was prevented from doing so. By this time the soldiers had opened the burrow. According to their account a grenade lobbed from within the burrow bounced off some obstruction, went back inside and exploded, killing the four inmates.

There were found in the burrow arms, detonators, ammunition and rocket propelled grenades. As to subsequent extensive damage to the house, according to the Army, in order to make sure that they do not leave behind explosives that could be recovered for use later, it was their practice to set off a small explosion. Accordingly, this was done by an explosives expert trained abroad. But this resulted in a huge explosion owing to further explosives that must have been stored further inside the burrow.

**Nelliady**

The house was one in which 3 sisters lived together, the youngest being 21, who had been displaced from Valvetty. The eldest was married with a daughter followed by 3 sons, aged 11, 9 and 7 years old. Her husband had deserted her. The two younger sisters were spinsters. The youngest had passed her A Levels and while the LTTE controlled Jaffna, it had helped her by giving her a job in a sewing centre run by them and a house in Nelliady. Before the LTTE quit Vadamaratchy in April 1996, they had moved them to a new house. Once the Army arrived, they explained their predicament to the military authorities and got permission to stay where they were. The eldest made an income by pasting paper bags and making kadaiappam (hoppers). The middle sister controlled domestic affairs.

One day Thenamuthan came there and insisted that the sisters should help them. The middle sister protested. Thenamuthan responded, 'Where can we then go?' He finally prevailed using the fact that the LTTE had earlier helped them. First Archunar used the house, and later others came.

The house was surrounded by the Army on the morning of 18<sup>th</sup> December. The house was searched and nothing was found. The ladies and the children were questioned individually. The older ones yielded nothing. A behavioural nuance of the youngest alerted the officer. Suddenly one man came out of his hiding place and began firing. The soldiers in the house took the inmates and withdrew. The fire was returned by the crew of the Army's Buffel armoured car stationed nearby. The man firing from near the roof top was killed. Later there was an explosion. Altogether 5 corpses were found. One was severed into two, the head having fallen far away, suggesting the use of a suicide kit. As to the hiding place, the wall separating two rooms, it was found, was cleverly made into a cavity 1 1/2 feet wide.

The eldest sister revealed a circumstance pertaining to the youngest. There had been a marriage proposal for her from a relative in Germany of her husband. She and the middle sister were planning to go to Colombo in this connection and were discussing it. At this point Lt. Col. Archunar who overheard it intervened and said authoritatively that their sister cannot marry!

The two stories are revealing in themselves. In the case of the first hiding place which involved a much higher degree of coercion, intimidation and risk arising from the daughter's open hostility to their presence, the LTTE may still have deemed the place safer owing to the family having no known previous LTTE connection. It was also, considering Archunar's rank, a game with high stakes, which for the present at least, came to naught. If one considers the conduct of Archunar and Thenamuthan as saboteurs operating under the constraints of an alien and hostile environment, it cannot be judged ignoble. Under those circumstances it was disciplined and restrained. But that is the point. It had by far ceased to be the conduct of a liberation group moving among a spontaneously sympathetic population who recognised them as liberators.

According to our sources, the civilians detained by the Army, although extensively questioned, had not been tortured up to at least the time they were in the custody of the Army at Pt. Pedro.

We record a particular circumstance concerning the first case of the widow and daughter at Irumpumathavady which shows how the LTTE's web entangled the same people from diverse directions, stealing over almost unsuspectingly. The elder daughter's father-in-law had first gone to Germany, and later, about 1992, wanted his two sons and daughter, who was the youngest, to join him in Germany. By then the LTTE's pass system was in operation,

requiring a member of the family to be left behind. His wife and two sons (one of whom later married the widow's elder daughter) went to Germany, leaving behind his 12 year old daughter as a 'bond' with her Periyamma (mother's elder sister). In a rash moment, about two years later, the young girl joined the LTTE and is now trapped. Should she wish to leave, she may be sent on a risky operation as part of the punishment.

A comparatively rare irony facing the parents is that in Germany they have to live cheek-by-jowl with boastful LTTE supporters from the same part of Jaffna, having no worries about offspring in the Vanni. They have to bear in silence the talk about the highly sophisticated movement having gone a considerable way towards taking over the world. For their part, they can only hope to move heaven with tears to get their daughter out of the movement's primitive hell-hole in the Vanni, into which the girl had fallen in an unguarded moment. More ironical is the fact that this young girl who would have been in Germany, was in the first place entrapped by a pass system so contrary in spirit to that of asylum in Germany; which on the other hand was being enforced with the aid of Tamil beneficiaries of German asylum on their own hapless people.[\[Top\]](#)

## **4. Death & Injury to Civilians Resulting from Actions of the Security Forces**

Crucial to the return of confidence in Jaffna and creating the conditions for a resurgence of political activity has been the ability of the Sri Lankan Army to command discipline in its onerous operations and to withstand provocations. The task has not been easy. It has often required of the officers to take additional risks and rush to the area of the incident. As a general rule discipline has continued to hold. The cases below give some idea to reader of the continuing nature of the challenge and the pitfalls resulting from losing sight of political objectives.[\[Top\]](#)

### **4.1 The Dumb Spinster's Agony: Meesalai: 17<sup>th</sup> March 1998: \_**

Sinnapody Selvaranee (28) is a dumb spinster living with her mother in Vembirai, Meesalai North, Thamaratchy. During the morning of the day she had taken her mother on her bicycle to a medical clinic in Chavakacheri, bought her back home and later proceeded again towards Meesalai South to see a seamstress colleague of hers. Not long after, she returned home. Smelling kerosene, relatives living closeby rushed in to find that Selvaranee had doused herself with kerosene and was attempting to immolate herself. Having stopped her in the nick of time, they discovered her bleeding from the vagina. She had also communicated to them that some soldiers, reportedly near the Meesalai army check point, had pointed a knife, tied her eyes, taken her to a covert and raped her. She was admitted to Chavakacheri Hospital and was transferred to Jaffna Hospital by 6.00PM the same day. Much of this appeared in the Uthayan of 18.3.98.

The Uthayan of 22.3 carried an item under the title "Further Clarifications..." These clarifications were said to come from 'concerned parties', whom the context indicates were the military authorities. The relevant information emerging from this 'clarification' is that Selvaranee had a tear inside the vagina causing heavy bleeding. She had been anaesthetised and the bleeding was stopped by stitching the tear. Most importantly, according to the

medical report, owing to the heavy bleeding no substances could be extracted that could establish rape. All that could be said was that there had been deep penetration of the vagina by a blunt object.

The rest of the 'clarification' is an argument where the flaws point to evident discomfort: 1.) No complaint of criminal sexual assault had been made to the police or to any judicial authority. 2.) The medical report is inconclusive of rape. 3.) Because the woman's eyes were tied while she was subject to the violent act and she is deaf and dumb, she is in no position to know or testify as regards ascribing guilt. 4.) The Army top brass have categorically denied guilt on the part of any of their personnel.

On the other hand, in accepting the medical report and the part in the woman's story of her eyes having been tied in its argument, the Army has gone a long way in exonerating her as a credible witness. The hard facts are that she left home, an external agent or agents had painfully and forcibly penetrated her vagina, leaving her in a state where she wanted to take her own life. Evidently the place and circumstances in which someone pointed a knife at her and took her away from the road left her in little doubt about who the party was.

According to sources contacted by us, the lady stands by her story, her relatives say that it was the Army and some of the soldiers in the area too had told people that there are some bad guys among them. We also understand that there is little interest among the people in pushing matters further. The main reason for this seems to boil down to society giving little value to a dumb spinster past the first flush of youth with minimal prospects of marriage.

Routine police work could have established a good deal more, and so could have the military authorities if they were serious. It is also interesting that Major General Balagalle, the Jaffna commander, who was quoted in the Weekend Express of 28.3.98 has acknowledged the incident, but for the rest was non-committal. He did not associate himself with the 'categorical denial' cited by the 'concerned parties' who spoke to the Uthayan a few days earlier. Balagalle who is generally prompt and forthcoming only spoke of having 'just received information that can throw more light on the matter', but has not said anything more to date.

Even the point about no one complaining to the police or to the judicial authorities does not give any credit to the Army. In Special Report No.6 of August 1996 we recorded another case in the same area - in Manthuvil West adjacent to Vembirai, where Selvaranee hails from. On 17<sup>th</sup> May 1996 three women were raped and three men and a child were chopped to death. Thangaraja Puvaneswary (36) who was one of the rape victims testified that the Army had been responsible. The matter was simply ignored and covered up. Is it therefore surprising that no one complained about Selvaranee's case? What guarantees do they have, or what can they expect?

This case is now a challenge to the Human Rights Commission and to concerned NGOs. The Commission itself has some able and experienced persons. But trends suggest that they will not get far without the active support of citizens' groups and NGOs. A good example is the case of Rev. Arulpalan, a priest belonging to an established church - the JDCSI - who was killed by the Army in August 1997. The JDCSI is a member of the National Christian Council which is supported by several churches and has a Justice & Peace Commission that is endowed with a full-time staff. If a case particularly of Arulpalan's nature cannot be carried

beyond the realm of anti-government propaganda towards providing relief to those affected and contributing to reform, it would be wrong to blame one party alone.

There are already some disturbing indications that a section of the security establishment is conspiring to destroy the credibility of the Human Rights Commission even before it could establish any. In a recent case of a Tamil youth detained in Kandy, the HRC intervened. A detention order was obtained by the CSU under the PTA, deliberately suppressing the fact that the NIB had cleared the detainee within 3 hours. Strong hints were dropped even at DIG level that the youth was being punished only because of HRC involvement.

It all comes down to the fact that after nearly 4 years of the PA government hardly anyone - certainly no one of rank - has been punished. Confidence has grown within the security establishment that they could ignore their nominal Commander-in-Chief's strictures and directives on human rights and get away with any abuse.

There is now more than a little space in Jaffna. Is it not time for civil society to demonstrate that it could tackle a case such as that of the Selvaranee's, upholding the dignity of the victim and of the community without being overtaken by destructive elements?

While the government continues to dither over human rights, the LTTE has already played its card in the international arena. Its bulletin stated: "The Sinhalese soldiers this week gang-raped a deaf and dumb Tamil girl in Meesalai in occupied Jaffna...Behaving like an invading army centuries ago, the Sinhalese armed forces who occupied Jaffna in 1995 have raped many Tamil women." [\[Top\]](#)

## 4.2 Cases of particular significance

27<sup>th</sup> September 1997: Pt. Pedro: Nagendran Kularuban (18) of Alambil, Chemmalai in the Mullaitivu District was a former LTTEer then with army intelligence. He and another soldier had been moving about earlier on bicycles. This day seems to have been the first occasion on which they got out unarmed. About 6.00 PM they were fired at on Main Rd. near the bus depot. The assailants took to their heels running through the lanes. The fact that they had been asking for directions on the way indicated that they were new infiltrators unfamiliar with the area - a departure from the LTTE's practice of using natives as infiltrators. According to shop keepers in the area the assailants had called at a shop in the location twice that afternoon to purchase noodles and beer.

This also brings into focus another problem. The LTTE which exercised totalitarian power in the area for the better part of 10 years, left behind a population, a significant number of whom are hardly in a position to refuse occasional requests from the LTTE. Obviously there had been a spotter who had communicated to the LTTE the regular peregrinations of the two intelligence men.

A large number of soldiers were deployed in the area. Kularuban died later at Palaly, but the other had been killed immediately. Three of the soldiers deployed had gone off the leash and assaulted some shop owners, a householder and some bystanders with their hands. One of them doused a kerosene boutique owner with the stuff and was threatening to set him ablaze. The soldiers were saying that they could be punished for what they were doing, but these people must nevertheless be punished for disclaiming knowledge of the assailants. Just then a



jeep with policemen arrived on the scene who tried to stop the soldiers from assaulting the civilians, arguing with them that they were playing into the hands of the LTTE by doing exactly what it wanted them to do. These soldiers also had some harsh words for Brigadier Larry Wijeratne whom they blamed for having tied their hands, if not for which they would not have spared anyone when one of theirs was killed.

The crisis passed with no further harm. The main road was soon deserted and people used lanes to bypass the area for the rest of the evening. Within two days, talk about the incident had largely ceased. Upon the return of Brigadier Wijeratne who had been in Colombo, those who misbehaved, it is said, were identified and punished.

**16<sup>th</sup> February 1998: Mirusuvil:** The incident was reported in the Colombo press under such headings as “Child shields for cowards” and “Mirusuvil massacre”. The imputation was that the LTTE dressed in school uniform had fired at a foot patrol from behind school children, causing the troops to withhold their fire and take casualties for the fear of hitting school children. It is true that on several occasions LTTE cadre dressed in school uniform had thrown grenades at troops while hiding behind civilians and school children. But nothing like it happened this time and bad reporting can make people sceptical every time due credit is given to troop conduct. Indeed, much credit is due to them in this incident for the restraint observed.

A day or a few days before the incident, the Army received a tip off about an LTTE presence in the area near the school. Soldiers started going to the area as though to do a round up, then called it off and withdrew. On the day concerned again there was apparently a similar tip off and the soldiers converged on the area in groups from several directions. It seems likely that they had not expected more than 10 LTTE cadre as would normally have been the case. But this time there were 30 to 40 in their uniform according to local information, who were ready with a trap for the advancing troops. It is said by these sources that one of the groups of soldiers was isolated, pinned down, and a battle ensued. About 20 minutes of exchange of fire left 7 troops dead. Two members of the LTTE were also killed according to LTTE Radio.

It is correct that school sessions had just ended at the time of fighting . School children had been on the road and had taken cover. No one was hurt during or after the incident.

Another relevant circumstance is that the LTTE had been using the area to meet civilians whom it summoned by letter. Often the meeting was called off without notice and another letter sent. LTTE cadre who came there from the uncleared area of Vadamaratchy East through Varany, are under the command of Veeman. The Army generally stays close to the main Kandy Road and avoids the lanes. [\[Top\]](#)

### **4.3 Some cases of civilian death or injury due to Army action**

We concentrate on a few incidents which strongly suggest that there needs to be careful monitoring and regular meetings between the monitoring bodies and the military authorities if standards are to improve. The present situation in which the Army has the last word is very unsatisfactory.

In none of the cases below of persons shot during curfew hours, presumably as curfew breakers, could the victim be said to have been a member of the LTTE or to have posed a threat to security. In two cases below, the victims were not even curfew breakers. The case of the teacher below, shot on 6/12/97, was killed inside his own premises. Three others were law breakers in a milder category. All available reports suggest that whenever members of the LTTE were killed, they were killed in situations where they were more or less clearly identified, such as during a confrontation. The nebulous nature of the law as it stands, and the lack of definition, has neither been helpful in protecting civilian interests, nor in guiding the armed forces to see clearly the task at hand.

In the old days there was something called 'martial law' under which people knew what to expect. Nowadays 'normalcy', 'emergency', 'emergency regulations' & 'curfew' can all co-exist at one and the same time, and are used by the authorities as it suits them. When the Government itself goes on claiming over the radio that it has restored 'normalcy' in Jaffna, one could hardly blame a civilian thinking it harmless to take a short bicycle ride at 9.00 PM - for which, in a case below, a man paid with his life.

Whether the situation in Jaffna warrants such extreme measures is a question that needs to be addressed urgently. In many of these cases the Army has falsely claimed or tried to claim that the victims were members of the LTTE. It goes to show that the Army cannot justify the actions, and this situation could hardly add to its credibility.

The case below of the boat carrying refugees being shot at is again an action that lacked discrimination.

**17<sup>th</sup> June 1997: Mattuvil South:** At 11.45 PM the Army shot dead 3 youths on the road aged 22 to 26 years. Defence sources in Colombo claimed that three LTTE members had been killed and a T-56 rifle, 2 grenades and ammunition were recovered from them. Local sources however said that the three were curfew breakers under the influence of liquor. One of them is in fact said to have returned home a few days earlier, after detention in a Southern prison.

**21<sup>st</sup> September 1997: Velanai:** Nagarajah Anandarajah, a school watcher at Velanai was shot dead during the night while on duty. What appears to have happened is that the Army was hoping to hold a public meeting in that school the following day. Unknown to the watcher an army picket had taken position near the school. The watcher had gone out briefly and was coming back along a footpath when the tragedy took place.

At this time some journalists were staying with Maj. Gen Balagalle. By morning a report reached the General that some weapon was found on the victim. The General reportedly instructed that the gadget be returned to the owner and proceeded to issue a public statement. He conceded misadventure, adding that the public had been told that should a necessity warrant their movement during curfew, they should carry a hurricane lamp for their own safety.

**21<sup>st</sup> November 1997: Mirusuvil:** An old lady Nagaratnam Maheswary (52) was shot and injured at 6.30 PM while attending a call of nature and was warded at Jaffna Hospital.

**6<sup>th</sup> December 1997: Kaithady North:** Thambiaiayah Ravindran (42), a teacher at Kathiday Vigneswara school, was living at his farm in Kaithady North. His wife who worked for the Jaffna Secretariat lived with their child in Jaffna. On the night in question he had gone

holding a torchlight to take a look at his poultry, and was shot and killed, evidently by the Special Forces. He was within his premises and was not a curfew breaker. We understand that his family were under pressure to sign a statement to the effect that Ravindran was a member of the LTTE, which they rightly refused to do.

**21<sup>st</sup> December 1997, Varany:** During a firefight between the LTTE and the Army at Karambaikurichchi, Varany, at 7.00 AM, a mother Nagam Jeyamani (42) and her son Jenarathanan who were in their house were injured in the cross fire. The mother succumbed later at Manthikai Hospital.

**25<sup>th</sup> December 1997: Mattuvil:** Earlier reports quoting the Uthayan said that Jeganathan Ramesh (18) was shot dead while reading an election poster. Other sources said that the LTTE had been in the area and the Army arrived on a tip off, by when that LTTE had left. The victim who had been riding a bicycle was shot, whether after being clearly challenged or merely on sight is a circumstance we have been unable to verify.

**17<sup>th</sup> January 1998: Jaffna Town:** Velupillai Bavanathan (29) of Perumal Kovilady was shot dead at 11.45 PM. A report in the Uthayan suggested that the victim who had returned from the Vanni 3 days earlier had gone with a knife to fetch a drink of young king coconut for his 3<sup>rd</sup> child.

According to Palaly Army HQ, soldiers had gone out on a tip off that two LTTE infiltrators were in the area. They killed one and another escaped with injuries. Also, the claim stated, they recovered two grenades and a knife. The body was sent to Jaffna Hospital it added.

Other sources said that the victim had gone with a crow bar, either alone or with others, to help himself to building materials from a house hitherto unoccupied by the owners.

**20<sup>th</sup> January 1998: Thavady:** Kanagasundaram Sundarasan (28) and Krishnapillai Paramalingam (26) were shot at 10.30 PM.

According to information received by us, the two dead persons had gone with crow bars and other tools, suggesting that they were going to raid unoccupied houses for materials.

**22<sup>nd</sup> January 1998: Kaithady West:** According to the Uthayan (23/1) the man [Sinnathumby Jegatheeswaran (33)] who had returned from abroad [and was the father of two] was shot dead when he went to water his vegetable plot at 5.30 AM. The body, it added, was sent to Jaffna Hospital at mid-day for identification.

An NGO source added that the Army had removed his sarong, dressed him in trousers and shoes and placed a grenade in his hand.

A further source said that the LTTE had been in the house when the Army went there on a tip off. The man, it is said, died in the cross-fire.

**20<sup>th</sup> February 1998: Five Junction, Jaffna:** Joseph Alexander was shot dead at 9.00 PM on the street.

**24<sup>th</sup> January 1998: Thanankilappu, Thenmaratchy:** A Gurunagar (Jaffna Town) bound boat from Pooneryn, conveying the routine stream of civilian returnees fleeing hardships in the Vanni, drifted east by mistake to Thanankilappu. The latter which earlier was also a

landing place used by the returnees had recently been placed off limits by the Army according to a report in the Uthayan. But whether this was adequately communicated to the Vanni is a question that needs to be asked.

In the event soldiers fired at the boat, killing Sivapatham Thevakulasingam (12) and a lady Yogan Sivakolunthu (52). Seven were injured, including 3 children, Nagaratnam Aimpothakaran, Sivapatham Dakshayini (4) and Sivapatham Thushirani.

**Gurunagar, Jaffna Town: 12<sup>th</sup> March 1998:** [See 6.6.]

**20<sup>th</sup> March 1998: Varany:** A tractor normally in agricultural use which was familiar at the check point drove in at 2.45 PM. Then LTTE cadre who were hidden popped out of the trailer and opened fire killing two soldiers. Mortar shells were also fired at the check point from further away. Two members of the LTTE were also killed in the confrontation. A young civilian girl who was passing the check point died in the cross fire.

**23<sup>rd</sup> March 1998: Neervely:** Shanmuganathan Nanthakumar (31) was shot by the Army and badly injured when he went as usual at 5.45 AM to assist the poosari at Kanthasamy Kovil.

**23<sup>rd</sup> March 1998: Meesalai:** Kanthasamy Gunaratnam (32), a psychiatric patient, was shot and killed by the Army at 1.45 AM, when he left his home without the knowledge of the others. [\[Top\]](#)

#### **4.4 Reprisals by the Navy:**

**24<sup>th</sup> September 1997: Pungudutivu:** The LTTE attacked Kurikkattuwan naval base, with the fighting going on from 2 to 5.00 AM. The Kurikkattuwan bus from Jaffna was stopped by the Navy at Naduvutturutti near the destination. The passengers who included government servants and women were assaulted. The next bus stopped 3 miles short of the destination at Perunkattuwan. The regular passenger boat which came from Neduntivu was sent back by the Navy.

On 22<sup>nd</sup> January, suicide Sea Tigers struck a naval convoy off Pt Pedro sinking a landing craft and a passenger vessel causing the death of more than 40 security personnel. Defence correspondents blamed the disaster on a breach of standing orders, allowing the convoy to split, thus leaving behind insufficient fire power to keep the attackers at bay. The coming three weeks saw at least three incidents of reprisals by the Navy.

**Pungudutivu: 28<sup>th</sup> February 1998:** Naval personnel assaulted local fisherfolk with their gun butts, hands and boots. Nagamany Thanabalasingam (33) was admitted to Jaffna Hospital.

**Katkovalam, Vadamaratchy: 2<sup>nd</sup> March 1998:** The area lies just east of Pt Pedro facing the sea where the two naval craft were hit. At 6.00 AM the Navy fired their cannon at fisherfolk on the shore. Several of them were admitted to Pt Pedro Hospital with injuries, of whom Arumugam Lavan (21) was in a bad condition.

Though on the border of the cleared zone, the area comes under the jurisdiction of a military command who have been making a special effort to win over the oppressed sections of society. The Navy has its own ways!

**10<sup>th</sup> March 1998: Munai, Pt. Pedro:** Deogupillai Thomas Jeyalucia (25), married with 2 children, of St Thomas' Lane, Munai, was fishing in a katamaran near the shore with two companions at 5.30 AM. The area is within the cleared zone, west of the place of the previous incident, and is near the light house barely 2 miles east from Pt Pedro main army camp. There is also a camp under a captain at Munai. Suddenly the fishermen saw the naval craft speeding towards them, and shouted to no avail. As the last resort they jumped into the water and swam away.

The naval craft swerved, deliberately rammed the katamaran hard, breaking it, and while speeding away went over Deogupillai. His right arm which was caught in the propeller of the naval craft was ripped off. There were also several cuts in his body. M. de Moss (20), his companion who was swimming alongside him struggled for sometime in the current of the speed boat, and when he got out of it, saw Deogupillai in agony. He got him ashore with the help of the broken katamaran. Deogupillai was admitted to Pt Pedro Hospital. Reprisals by the Navy seem to continue after a deliberate pattern.

Both this instance and the previous one represent serious criminal actions by naval personnel. Theoretically the Pt. Pedro magistrate could order the police to produce the perpetrators in court, and magistrates who want to make a point would do so. There is also no doubt that the Navy would find some vague clause in the Emergency Regulations to hide behind. Such is the state of the law and the meaning of normality in a country with a surfeit of legal expertise. [\[Top\]](#)

## **5. Death & Injury to Persons Resulting from LTTE Action**

**Mahendra Amalan (19): Killed 10.10.96 :** Father, Mahendra, employee of KKS Cement Factory and native of Tellipalai, now living in Kokkuvil Hindu College Lane, Kokkuvil West. Amalan was earlier a supporter of the LTTE, but had avoided them after resettling in Jaffna after the Exodus. He was taken away by the LTTE on 6.10.96 and was shot dead at Chankanai junction 4 days later. The LTTE ordered that no one should offer a vehicle to take away the corpse.

**Seevaratnam Uthayakumar (Kaladdy Kannan): Killed 16<sup>th</sup> January 1997:** Kannan aged 33 and married with five children was a wholesale trader living in Ramanathan Street, Kaladdy, Jaffna. His elder brother Sugumaran is the owner of a cool bar & tavern. When the LTTE controlled Jaffna he had a smooth relationship with them, as all successful traders had, and the LTTE received a substantial income from the connection. On the day concerned the LTTE took him for a chat or an 'inquiry' and shot him dead.

The reasons circulated locally for the murder are speculative. Among them are that he traded with the Army and that he gave sweet rice to the Army at the nearby camp on Thai Pongal (Sun Festival) day, two days previously. The more mischievous pro-LTTE poltergeists in society provided another version that he had dealt in narcotics. The latter is nonsense since there was no reason for a successful trader to get into that then, unless he had done it in partnership with the LTTE earlier. That too can be ruled out.

The first anniversary memorial verse published by his elder brother Sugumaran in a full page of the Uthayan on 16/1/98 with an unmistakable note of indignation gives a hint. It suggests that there was a heated argument. Perhaps the LTTE asked for something and he refused to oblige to the extent demanded. The verse continues:

*“The mouth must remain shut,  
except for the purpose of eating,  
That is the law.  
Whom may we ask for justice,  
for your life that was taken?  
IT is the ruler!  
IT is the destroyer!  
Truth never sleeps  
Some day, it will awake ...”*

**Colombogam Junction (east of Jaffna City): Mid-June 1997:** The man who had been a member of the LTTE had left, married and his wife had given birth 2 1/2 months ago. He derived his income from a firewood shop. The LTTE killed him and spread a story that the firewood shop had been put up on money given by the Army. Even clergy were found to be uncritically repeating the story.

**Sinnappu Balaiyah (50): 28<sup>th</sup> June 1997:** Balaiyah, a native of Mylankadu, was a labourer and resided in Kaithady North, Thenmaratchy. He had two wives who gave him 4 children. He was described as a quick tempered, outspoken man who spoke his mind frankly. The LTTE killed him on the charge of having given information to the army.

**Sinnapodian Selvan Krishnan (52): 24<sup>th</sup> July 1997:** Krishnan, a bachelor, was a native of Murasumottai in the Vanni, practising the trade of a carpenter in Mattuvil North, Thenmaratchy. On the day in question he was worshipping at a local Hindu Temple when the LTTE came there. Some time later the Army came to the temple, by which time all had left. The LTTE then murdered Krishnan on the charge of having tipped off the Army. According to other local sources, they do not believe that Krishnan had anything to do with the Army going to the temple.

**Mutthu Saroja : Killed 28<sup>th</sup> August 1997:** Saro was a 35 year old lady of Hill Country origin, who had come to Jaffna as a refugee several years ago. She was a widowed mother of 3 children who worshipped at Zion Church, Meesalai. For a living she sold vegetables at the market. As was the normal practice farmers borrowed money from her to tide over difficulties. Since she spoke fluent Sinhalese her help was often sought to deal with the Army. She is said to have received warnings from the LTTE.

Another circumstance in her life was that her younger brother had been a member of the LTTE who fell into the hands of the Army upon their moving into Thenmaratchy in April 1996. 3 months later he was sent to his original home in Kegalle at his request.

On the night in question about 7.30 PM, Saro was with another brother and sister-in-law, talking outdoors in their compound as it got dark. Three men knocked on the gate and called

for Saro. Saro got up to go saying that it was probably a farmer over a loan matter. Not knowing who it was, the others went with Saro. The men asked who is Saro. Saro declined to go nearer while the others drew back a little. One of those who came circled and stole up to Saro from behind. He grabbed the lady by the hair while she attempted to run and shot her dead.

A notice was later put up by the LTTE in Manthuvil, which claimed that Saro had betrayed their hiding places to the Army. It added, "Be warned that the same will happen to you, if you do such things".

**Thirunavukkarasu Tharmalingam: Killed 2<sup>nd</sup> October 1997:** Tharmalingam was a book seller and a news agent, and thus well known in Jaffna. He also became SLFP organiser for Jaffna. If any Southern party stood a chance of making electoral inroads into Jaffna, it is the SLFP. Since the 1970s Jaffna's farmers have identified the party as having policies friendly to their interests. Alfred Duraiyappah, Jaffna Mayor, and its representative in Jaffna, was killed in 1975 by the LTTE, which then had close links with the TULF hierarchy. The justificatory use of Tamil nationalist ideology to kill political rivals has since continued, greatly impoverishing politics in the North.

If the only basis for the SLFP's appeal was economical in the 70s, today it could be much more. This owes to the fact that the SLFP leader Chandrika Kumaratunga has shown a capacity to transcend the barrier of antagonistic ethno-nationalisms. A sizeable section of the population, whose magnitude remains to be tested, also regard Chandrika Kumaratunga as the greatest hope for peace, despite her unconvincing performance in addressing several key violations during the conduct of the war. However, if the SLFP leaders could campaign freely in Jaffna and in turn be criticised by the local populace, it would mark one of the most exciting political experiments in decades. This is the significance of the murder of Tharmalingam.

According to local sources, when Tharmalingam was murdered, the local army command first suspected the quasi militant groups in Jaffna. Acting on a tip-off, it was the Police who uncovered the plot. While the plot may be frighteningly elaborate, it also reveals the difficulties faced by LTTE gun men in mobility around town.

The assassins from the LTTE had got themselves ferried in a fishing vessel to the coast of Colombogam , an eastern suburb of Jaffna, by fishermen placed under duress. In the meantime electricity to Tharmalingam's section of Colombogam had been switched off by an accomplice in the electricity board. Someone had also got his dog out of the way. The killers sneaked up to his house, where Tharmalingam was having dinner by lamp light, fired about 5 shots at him through the window, and ran away to escape by the same boat. The fishermen and the electricity board accomplice were later taken into police custody. The missing dog reappeared after 2 days. It is also part of the prevailing confused thinking that such actions arising from political weakness are mistaken for strength.

**Rajendram Paramanathan (26): Killed 13<sup>th</sup> October 1997:** Paramanathan, a mechanic, is a father of two and a resident of Kodikamam-Kachchai Road. The Uthayan reported that he was shot dead at 9.00 PM at Iyahkadai Junction, Meesalai and his corpse was found with hands tied. Other sources said that the killing was done by the LTTE. The victim, they said, had earlier driven vehicles for the LTTE and had been on friendly terms with the Army since they took Thenmaratchy. It is also said that he had not answered summons by the LTTE.

**Chellappah Kulasekaram (27): Killed 13<sup>th</sup> November 1997:** Kulasekaram, known as Myliddy Kulam after his native place, resided in Nunavil West, Thenmaratchy, with his mother, four brothers and a sister, where he also owned a bakery. Another elder brother owned a tutoring in Kondavil. A popular figure, he was also a final year student at an institute in Jaffna for the BA External Degree of Peradeniya University. On the evening of the day concerned he was travelling with a companion on a motorcycle, when they were stopped at Periyathambiran Temple, Chavakacheri by two men, identified as being from the LTTE-‘unknown persons’ according to Uthayan. The companion was put down and the motorcycle went off with Kulam and the two men. Kulam’s body was found later in the Mattuvil area with gunshot injuries.

There was much outrage over the murder and Kulam’s funeral was very well attended. The LTTE itself never offered an explanation as to why they killed him. The 45<sup>th</sup> day memorial verse in the Uthayan alleges jealousy as the cause of murder. It alleges that he who motivated the killing was jealous of Kulam’s education, position and wealth. According to other sources Kulam’s companion on his last motorcycle journey was an employee at his bakery with whom he was proceeding to a place called Kalwayal. The family appears to believe that there was little reason for the LTTE to stop them at that particular place unless they had prior knowledge. Their conclusions seem to have been influenced accordingly. They seem to think that misinformation had been fed to the LTTE with whom Kulam had once it seems, been on good terms.

The verse says: “Did not his eyes see your virtue? He who ate out of your largesse, accompanied you to the place of execution. Moreover the killer refused to hear your explanation. Did you not ask him, “Tell me, what is my offence?” Did that murderer answer you? No he did not! What was the real story behind this, would you at least not tell us? Having placed our burden on God, we drift in shock and confusion. Do live with him and be our guide.”

Elsewhere it says, “The venomous ones cast your lifeless form on the street...May Lord Paranthaman bring curse and ruin on that son of a sinner who made your body one with the earth!”

This brought the number of killings by the LTTE in the Chavakacheri AGA Division since July 1996 to about 11.

**Mallakam: 21<sup>st</sup> November 1997:** A convoy of bullock carts taking coconut thatch for displaced families from Myliddy, left Meesalai early in the morning and reached the Mallakam Courts area at 11.00 AM. The leading cart went over an LTTE pressure mine which exploded killing the bull on the spot. The cart driver Sinniah Kanthasamy of Meesalai died later in Jaffna Hospital. Moothathamby Peranatham (43) and Chelliah Sivasubramaniam (44), also of Meesalai, in the cart behind, were admitted to Jaffna Hospital with injuries.

In another incident in Thalvupadu, Mannar on 3<sup>rd</sup> October, the LTTE attacked an army vehicle with a claymore mine, injuring a lieutenant and four others. 3 civilians nearby were killed and 2 others were injured.

**Kodikamam Market: 22<sup>nd</sup> February 1998:** A grenade exploded at Kodikamam market near a tea boutique and a jewellery store. Four civilians were badly injured of whom the first three after being admitted to Chavakacheri hospital with the rest, were removed to Jaffna hospital. They were: S.Ratnasingam (42), the boutique owner; K.Kanapathipillai (61), who came from



Meesalai North to buy vegetables; K.Kailayapillai (44); and a thirty year old youth involved in repair work at a shop nearby.

The Uthayan added that an unidentified severely injured youth detained for questioning by the Army was also admitted to Chavakacheri hospital. Although the Uthayan report said that the grenade was thrown, the latter fact appears to suggest misadventure.

**Vinasithamby Kalasiri (27): 13<sup>th</sup> March 1998:** The young lady who is a seamstress was returning home after work about 6.30 PM along Pt. Pedro Road, near Puttur junction, when she was killed by an LTTE claymore mine that was exploded when a tractor carrying soldiers also passed that way. The others killed were an officer and four soldiers. LTTE sympathisers may ask, 'If the Air Force could claim moral immunity from collateral damage, why not us?' The conduct of the Army as we gather, was disciplined and dignified.

#### **EASTERN UNIVERSITY**

We also recall in this context that on 11<sup>th</sup> February 1998 a claymore mine attack was launched on an Army convoy on the main road opposite Eastern University, Vantharumoolai. It was just after lunch break when several students were on the road and there was a crowd in the nearby post office. One soldier was killed and two succumbed to their injuries later. The situation was brought under control without harm to civilians. Major Ranjith of Commanthurai camp is credited with having played a commendable role. We need not comment on the purpose behind the attack. Few know the seriousness of what transpired because the Army was brought under control and the community was too weak and divided to take issue with the LTTE.

**Chankanai: 16<sup>th</sup> March 1998:** Two boys Gurumoorthy Athiruban (15) and Sabapathy Jeyaguru (15) had returned from the Vanni 10 days earlier and went to check Athiruban's house. When he opened the door, a booby trap exploded killing him and badly injuring his friend. These traps were set by the LTTE in many houses as they quit Jaffna at the end of 1995 in the wake of the Army advance.

**Jaffna Town: 26<sup>th</sup> March 1998:** At 12.30 PM an LTTE infiltrator threw a grenade which missed an army truck and exploded under a civilian lorry, injuring C. Sivalingam (55) and P.Paramsamay (22).

#### **OTHER KILLINGS ATTRIBUTED TO**

##### **'UNKNOWN PERSONS' IN THE UTHAYAN:**

**Rajadurai Ravidran** (41), 9.00 PM, 7/9/97, Muthumariamman Kovil, Alvai North.

**S. Pathmaseelan** (28), 14/11/97, Pandateruppu East, shot on the street.

**Sundarampillai Navaratnam** (62) of Panippulam, Pandatarippu, killed 5.30PM 3/12/97, Chulipuram Valakambirai.

**Kanagasundarm Nagarasa** (50) 5.2.98, Kuppilan South. [\[Top\]](#)

## **6. Review of Earlier Reports &**

# Miscellany on Life in Jaffna

## 6.1 Review

**Krishnakumar (48): Killed in Pt Pedro: 18/01/96:** The killing by the LTTE of this dog lover and native of Valvettithurai was documented in Special Report No. 9. An interesting further development illustrates the ideological intolerance that prevents even close relatives from looking at the matter objectively. A man who had known Krishnakumar well met a close relative of the latter who was a former Communist and an English teacher, who had also functioned as police inquirer under the LTTE regime. He asked this relative, “Why on Earth did they kill this poor man? What harm could he have done to them?” Back came a steely reply from the relative, “He was warned twice not to talk to the Army.” The man asked, “What did Krishnakumar say?” It turns out that Krishnakumar had told the LTTE, “What have I got to talk with them, and what is it to you if I talk to them?”

Krishnakumar was of course long known to have been openly critical of the LTTE. There is also little doubt that army officers talking to him would have got some useful tips in dog breeding.

**Vaithilingam Srinivasan (48): Killed in Manipay: 6/2/97:** This too was documented in Sp R 9. The long list of charges against him by the LTTE would have classed him as the Army’s super spy. Further testimony suggests that he was nothing of that kind. He was once a supporter of the LTTE. Since he knew Sinhalese, people used him in dealing with the Army when a family member was detained. According to local information, the main source of his trouble with the LTTE was that he had declined to talk to the Army and get a member of the LTTE out.

Srinivasan also played a creditable role in an earlier incident reported by us in [Bulletin No.13](#) which showed him to be a socially helpful person. On 02/11/96 a technician Ratnakumar was standing in front of Srinivasan’s brother-in-law’s shop Sundar Sun, when he was injured by shrapnel from an RPG fired by the LTTE at an army truck. Srinivasan immediately got the Army to inform the sentry points on the way to Jaffna and arranged for the expeditious conveyance of the wounded person to Jaffna Hospital. (The patient however died 12 hours after being warded, while those close to the patient strongly feel that he could easily have been saved. Those were times the hospital was badly understaffed.)

**Kandasamy Sasikumaran (16): Killed by the Army in Puttur: 10/02/97:** The incident was reported in Chapter 2 of Sp R 9. The boy was being taken for questioning by the Army when two soldiers in the patrol were killed in an LTTE claymore mine attack. The boy was seen alive after the mine attack, but was later claimed to have been killed in the same attack. As far as we are aware no investigation took place, although General Balagalle had been to the area and apologised for the army misbehaviour in which several civilians were injured or bruised.

**We add here a particular circumstance not reported earlier. Sasikumaram, either dead or dying, was tied by a rope to a vehicle and dragged along the road at least the 300 yards to Puttur junction. This was witnessed by civilians, and it was a scene that gave particular offence.**

**Chelliah Padaiveerasingam: Killed in Nunavil : 08/04/97 (Ch. 4 of SpR 9):** There is no doubt in the locality or in the family that the gentleman, who spoke Sinhalese, was killed by the LTTE. The LTTE neither acknowledged responsibility nor gave a reason for the killing. There is a further reason that has added to the family's bitterness. A daughter of the deceased is a serving member of the LTTE since before the murder. The feeling in the family was that she, like many others, had been tricked into joining. The daughter, a school girl, had joined in the emotional hysteria the LTTE had drummed up in Thenmaratchy during the 1995 Exodus from Valikamam. [See SpR6.] A son and another daughter remain at home.

Consider the irony, one day the cornered girl in the LTTE may die in a suicidal attack. Her picture would then appear in glossy LTTE journals, and good Tamils in Western capitals would hold her up as a martyr - in the cause of those who killed her own father without a cause! Similar remarks would apply to several families featured in our reports and a large number of LTTE cadre cornered in their impressionable years into serving a cause they hardly understood.

**Mine attack on an escorted bus: Illavalai: 03/06/97 (Ch.5 of Sp R9):** The incident is less interesting for the callousness it reveals on the part of the LTTE - nothing new there - than for the manipulation and distortion of the social memory of it by others who are prisoners of a past that impels them to live in untruth.

We did not have the full details as SpR9 went out. An escorted CTB bus, then having 15 passengers, travelling between Illavalai and Mathagal at 2.00 PM, was attacked by a claymore mine fixed to a tree with the explosion targeted at the front portion of the bus. An escort is a facility provided in selected long distance buses, where accompanying security personnel check passengers as they get in, thus obviating delays at check points. In the explosion two civilians, the driver Elaiyathamby Sivalingam (51) and a shop keeper Gunaratnam Suntharalingam (48) were killed, in addition to an army officer, 2 soldiers and a policeman. 5 civilians and some security personnel were badly injured. Of them a Roman Catholic nun, a lady teacher and a man were taken to Palaly army hospital and two of them were air lifted to the South for emergency treatment. The details were correctly reported in the Uthayan which however understandably took cover by quoting the Army as saying that it was an LTTE attack. No confusion there where the readers are concerned.

But about six weeks went by and sharp lines in the memory of the incident were becoming blurred amidst the numerous cares of life, when an oral campaign was doing its rounds in Jaffna's elite society. The explosion it claimed was not from an LTTE mine, but rather from an explosion of a device carried by one of the soldiers. Coming from church dignitaries especially, the version had credibility, since Illavalai is a Roman Catholic area. Among the articulate, the clergy, NGO leaders and the town middle class, historical memory was undergoing metamorphosis. It is this group who act as spokesmen for the community and influence opinion outside. A key fact in the incident as reported and witnessed was being left out. The head of the driver Sivalingam, was severed from the body and blown off. This with other forensic factors pointed clearly to a focused horizontal explosion very different from that of a grenade carried by a soldier.

Now, why does this group feel impelled to distort and misrepresent? Some of them are no doubt persons who courted the LTTE for other reasons and got caught. Many others are nationalists with narrow group loyalties who have a nebulous sympathy for 'their side'. Market driven career activism too encourages certain positions, however inimical to the social

interest. Whatever the cause, one is driven to defend the indefensible and even to manipulate one's conscience accordingly.

How is one to defend a cause that offers the people only death, injury and destruction without any remedy? What kind of liberation is it where people are time and again left injured by the actions of their liberators, are forced to go to the so called genocidal enemy for medical care to save their life, and also get shot as traitors for making contact with them? This is indeed a very old story. The same point was poignantly made in the Broken Palmyra[p.358-360] by Rajani Thiranagama ten years ago. In times of such short memories, few seem to learn.

Defending this cause makes people stupid and inhuman with creeping insanity. But such Tamils are everywhere in the country and abroad, in peace groups, church circles and NGO fora, having a ready audience in Colombo and abroad, among those who feel some compulsion to take them seriously. Here are two examples of this influence:

The first is from the report of an election monitoring group from the South that visited Jaffna prior to the local council elections in January this year. It was revealed that the following message had surfaced during a meeting at the Bishop's house with Christian clergy: "The view was very powerfully and eloquently put across that the election was an imposed one which the people had not asked for. It was to prove to the outside world that normalcy existed in Jaffna. It was to divide Tamil society still further. The Sinhalese are hurting us by holding these elections".

After the elections the opinion makers were silent. In writing about it in the Sunday Leader, Macan-Marker quoted a local journalist summing up the outcome in a word as a 'Miracle'!

The second is from "Perspectives on the Current Situation" a discussion paper prepared by a national peace group, presented to the National Movement for Peace and Reconciliation, Colombo, 8<sup>th</sup> June 1997. Purporting to represent Tamil opinion based on consultations around Batticaloa, it claimed: "They said that the military occupation of Jaffna had created a new psychological dynamic in which the people looked upon all offensives of the Sri Lankan Army to be that of an occupying force". [\[Top\]](#)

## **6.2 Security incidents connected**

### **with the local elections**

**Given below is a selection of events that took place in the peninsula in January 1998.**

On 16<sup>th</sup> January at Kulapiddy on the Kokkuvil - Anaikkottai Road, 4 unarmed members of the EPRLF were involved in election work, having parked their car. Two were distributing hand bills to civilians and two were putting up posters. Two LTTE cadre in sarong, the leader identified as Anandan, who was pointing an automatic, came forward demanding roughly their identity cards, who they were and what they were doing. Maruthu, a native of Batticaloa, edged near asking him to take it easy, quickly caught the barrel of the gun and turned it up. About two shots went up, and in the meantime Maruthu wrenched out the magazine with his other hand and threw it away. Maruthu held Anandan in a vice-like grip with his hands and mouth while Anandan shouted to his companion to throw the grenade. In the meantime the other campaigners got into the car, held the door open and asked Maruthu to rush inside. As Maruthu ran for the door, the grenade was thrown. It exploded in a pile of

rubbish causing Maruthu a minor injury in the foot. The LTTEers too evidently ran away, since the magazine was later found by an army patrol. Anandan was among the four killed in a bunker in Kokkuvil on 30<sup>th</sup> January in an army round up. The father and mother of the house in which the bunker was situated had escaped, abandoning two children, the elder being eleven.

In the early hours before dawn on 23<sup>rd</sup> January 1998, the LTTE attacked the EPDP camp at Pungudutivu, an offshore island, killing upwards of 7 cadre and removing several weapons. The circumstances of the attack remained a subject of speculation and the EPDP too played it down by having the funerals in Kayts and hardly acknowledging it its main office in Jaffna. A hint of what possibly went wrong came in the form of an announcement by the LTTE in the Vanni on 4<sup>th</sup> March that it was releasing 3 captured EPDP cadre to the ICRC on humanitarian grounds. According to other sources, these 3, who were from outside Jaffna, had surrendered with their weapons to the LTTE in Pungudutivu. A similar announcement was made with regard to another two cadre on 23<sup>rd</sup> March.

It is generally known that the LTTE maintain a small presence in Pungudutivu for smuggling purposes and hop across to the Vanni mainland to the southeast whenever the army launches a search. These cadre are usually within half a mile of the EPDP camp. By an understanding reached either through direct contact or local channels, a stand off has generally prevailed. The LTTE is adept at using such situations to its advantage with no firm commitment. Confusion in the EPDP's politics also works to the LTTE's advantage. It runs a paper, *Thinamurasu*, that has for sometime been boosting the LTTE leader's image, and several of its political activities have a populist flavour which point in the same direction. On the other hand its cadre are largely unpoliticised military men feeling the same pressures as those in any military organisation.

While we cannot say how close the contact was between the LTTE and the EPDP in Pungudutivu (such as may have simply arisen through using the same wells or visiting the same houses), the LTTE had been passing messages calling upon EPDP cadre to defect with their arms on the promise of safe conduct to wherever they want to go. It is said that such defections as above in the main had provided the LTTE with all the necessary intelligence to attack the EPDP camp. The other open question is the extent to which some of the other groups are being infiltrated by the LTTE [see 6.7]. The particular seaborne attack was apparently to deliver a political message and to discredit any illusion in the public mind that the EPDP had the blessings of the LTTE - a claim that PLOTE and TELO were making for themselves in some areas. This action by the LTTE does not however seem to have dented the EPDP's electoral performance. In Pungudutivu the situation has returned to normal with the LTTE leader Thuyavan holding court and summoning people from Jaffna by letter.

On 22<sup>nd</sup> January EPRLF cadre went campaigning in Kopay North. Their car fitted with a loudspeaker went into an interior road in a north-westerly direction from Pt Pedro Road. Some way inside the local folk advised them not to go further. The cadre turned the car around, spoke through the loudspeaker and distributed notices. Four LTTE members came on to the scene on bicycles, two in their teens in school uniform and two in their early 20s dressed as farmers. They spoke roughly, asked for the identity cards of the EPRLF cadre, trampled and threw their leaflets and tried to damage their cassette player with a wire. They then inserted their own cassette titled 'Leap Forward' and asked the driver to switch on the loud speaker and drive some way forward. Meanwhile a crowd of civilians who had gathered argued with the LTTE to leave the campaigners alone, since it would only bring trouble. The

LTTE responded in abuse unrecognisable to an ordinary Tamil speaker. They went away after some time. Two of them are believed to have been killed in a confrontation with the Army in Neervely after the elections on 6<sup>th</sup> February. LTTE radio named the dead as Major Kumaran and Captain Ramanan.

Some of the considerations behind the LTTE's handling of the elections appear more clearly in the following. An old time Leftist gave his name as a candidate for one of the parties in Valikamam East. Receiving intelligence of this the LTTE went to his home and told him that they had received orders to kill him, but would not do so because it would cause them a lot of trouble if they start this. They seemed satisfied when they found he was not a candidate of the party that was expected to do well, and left after advising him not to campaign hard and to go easy.

In Valikamam, the LTTE seem to be maintaining half a dozen or more cadre in each of the western and eastern sectors, replacing them as casualties arise, which happens often. The purpose is to maintain a token presence and carry out the occasional grenade or landmine attack, staying in bunkers, several of which had been constructed earlier. Hardly any of them are equipped for any kind of political work, let alone talk to people. The numbers of course may change. [\[Top\]](#)

### **6.3 An answer to the devotee's prayer**

In the Puttur - Neervely area during early February this year, an elderly devotee slightly high on Jaffna's palmyrah beverage, went to worship at a Krishna temple. He lit his camphor cubes and began worship when some LTTE cadre arrived. The old man uttered, "Look who is here. It looks like we are going to have another exodus, Lord help us!" The LTTE cadre fetched some long sticks, and belaboured the old man with blows and abuse which hardly passed for Tamil. The old man ended up in hospital.

The exodus experience of 30<sup>th</sup> October 1995 is a subject the people still dare not broach publicly, and strong efforts at obfuscation continue in the Tamil diaspora throughout the world. But the people will not forget and the LTTE knows it. [\[Top\]](#)

### **6.4 The Islands: A creepy touch of Vavuniya & Mannar**

To some of the keener election monitors from the South who visited Jaffna's offshore islands during the run up to the local elections in January, there was in the air something distinctly fishy - not unlike the feeling one gets in Vavuniya and Mannar. What is common to the three zones is that quasi militant groups, also functioning as political parties, are supposedly assisting the security forces in maintaining security. What the people do in fact experience is less security, less accountability and more rackets. In Mannar for example fishermen trying to ply their trade honestly have almost given up owing to crippling restrictions by the Navy. We have direct testimony that naval personnel have canvassed fisherfolk not to waste time in their trade for meagre returns, but to join in the lucrative racket of smuggling goods to the LTTE controlled mainland. There is thus a game of happy families involving the security forces, the Tamil militant groups, the traders and the fisherfolk acting as carriers. Whether at the highest or at the lowest level, corruption is part of the war games, and the people suffer all the more. The situation in Vavuniya has of course received more press publicity. A recent development there is that an honest SSP and a good investigator who was investigating

corruption at high levels was transferred by the IGP to work under an officer in Vavunniya he had reportedly investigated and helped to charge-sheet. He had no option but to hand in his retirement papers [see lead item in the Island of 19.2.98 on the transfer of SSP M.C. Nimal Fernando, Director SIU].

The difference is that the PLOTE and TELO operate in Mannar and Vavuniya. But the EPDP has jealousy guarded the islands as their sole preserve given to them by President Premadasa in 1990. Using the remnant population there as their vote bank and by effectively preventing any other party from canvassing there in 1994, they bagged all the seats in Jaffna District save one. Little wonder then that whatever Premadasa's many sins, his picture adorns their Kayts office taking pride of place over even the present incumbent. The EPDP had stepped into shoes spurned by the LTTE after getting their share of the grand booty from Premadasa. Whether the LTTE too hang a picture of Premadasa in their underground HQ in the Vanni, one does not know. Now for the main story.

A particular discovery the election monitors recorded was that the Kayts Police refused to record any complaint against the EPDP - a privilege even the ruling party in the country would not own up to elsewhere, as abuses quickly become an issue. There was an incident involving the EPDP and PLOTE in the islands when cadre from the latter went there in the connection with the election campaign, and this was followed by a demand to disarm the EPDP. The army brigadier at Kayts was asked to submit a report. The report exonerated the EPDP in a less than credible manner. Some naval personnel too complained to the monitors that the EPDP calls the shots there, and that Delft Island is forbidden territory to them. There is a definite stink around and the security forces may put it all on the political patronage enjoyed by the EPDP in Colombo in return for its support to the government in parliament. Is it merely as simple as that? Do they all share a common vested interest in keeping any concessions to genuine democracy out of the islands? The temporary police post at Delft did not serve to eliminate a problem that has much wider implications - that being a safe haven for the EPDP.

It is said that there is no smoke without fire. We can only point to the smoke. A letter to the editor of the Uthayan (28.8.97) confirmed reports coming from a number of sources for a long time. Beche de mer or sea slugs which have a lucrative export market are found in abundance in the shallow waters off the islands. After spending Rs.50/- on processing, a kilo of beche de mer (i.e 14 slugs) fetches Rs. 2300/- on the market. Despite representations to the Navy which controls Nainativu (island), permission has been refused for the local fisherman's co-operative to process the slugs. According to the writer 'Nahathamby', the co-op is not even allowed to market these. Instead the Navy has ruled that the unprocessed slugs could be sold only to seven designated private traders at effectively Rs 560/- per kilo. This means that after processing there is a clear profit of Rs.1690/- per kilo. Thus the fisherfolk get about 25% of what is their due. The writer points out that the restrictions by the Navy have nothing to do with security and that the producers have to endure poverty for the fear of consequences if they raise the matter openly.

'Nahamani' finally poses an obvious tongue in cheek question: "The people of the islands have sent nine members to parliament. Should not these MPs intervene at least in this matter and grant justice to the people?"

Neither has the Navy contradicted these allegations, nor the EPDP come forward to throw any light on the scandal. Not surprising it seems. Well placed sources have repeated to us what is

merely the talk about town - that there is a share out in which similar monopoly arrangements to the Navy's in Nainativu, are imposed by the Army in Mandativu and Velanai, and by the EPDP in Kayts.

That is why, while being guardedly optimistic about Jaffna, one has to be wary about what could happen if democracy fails to revive to a sustainable level, or if those monitoring the situation lose interest. [\[Top\]](#)

## **6.5 11<sup>th</sup> FEBRUARY 1998: TWO TAMIL GROUPS CLASH IN JAFFNA TOWN**

During the election campaign there were incidents in Velanai and Delft involving the PLOTE and EPDP where of course things were very much taped in favour of the latter. At 5.30 PM on this day an argument flared up in front of the PLOTE office in First Cross Street leading to two persons from the EPDP getting injured. PLOTE men were said to be armed in addition with poles and knives while EPDP reinforcements started rushing from Stanley road. The altercation renewed among the people the peculiar fear they first experienced during the internecine clashes of 1986. What may have become a full blown clash was brought to a close by the Army intervening and firing warning shots into the air.

The following day representatives from all Tamil parties were summoned to Achchelu and the parties to the clash were given a dressing down by Brigadier Shantha Kottegoda. He reminded them that he had the authority to take back their weapons. The PLOTE and EPDP were told that if they behaved like terrorists, they would have to be treated as such, the EPDP that they had no authority to make arrests (- they had arrested 3 PLOTE cadre), and the PLOTE that they had no business to assault anyone. Anyone itching to fight, they were told, could go to Killinochchi and fight, but not in Jaffna. Jaffna, he said, was no place for the rackets in Vavuniya. They were asked to consider why the people prefer the TULF, citing the TULF's surprising come back at the elections. Their support, he told them, would have reduced significantly after the incidents of the previous day. [\[Top\]](#)

## **6.6 Violations Against Coastal Folk: A Dangerous Trend**

During the night of 9<sup>th</sup> March (1998) heavy firing was heard inside Jaffna Town. Then at 10.45 PM a shell fell into a house in the Eechamottai area injuring the father, Gnanendram Basil (44) and son, Basil Bageetharan (14). In the Gurunagar area house doors were banged and stones were thrown. The following day there was a round up near graveyard junction. Later the Defence Ministry said in a statement that a small group of the LTTE had fired at army points with small arms from outside the army controlled zone and that some small boats had been sited. This means that LTTE infiltrators had fired from the west of Jaffna Town. Even if one could justify the Army firing shells into civilian areas under its control, it does not explain the shelling of a house in the municipal area east of town.

At 11.00 AM on 12<sup>th</sup> March there was an explosion, apparently of a grenade, in the Gurunagar area. The Army came out and began assaulting people indiscriminately. Among those assaulted were Anthony Winslow, president of the Gurunagar Fisherman's Co-operative, who was collecting details about fishermen out of work; a newly elected municipal councillor from the EPDP and two EPDP cadre who were collecting details of widows.



From the reports received so far, there has been no talk of disciplinary action, or for that matter we do not know if any brigadier called up the local commanders and gave them a dressing down like that given to the Tamil militant groups (see 6.5). The air of indiscipline surrounding these actions contrasts sharply with the very correct and disciplined behaviour of troops elsewhere to far more serious provocations such as claymore mine attacks, the latest being in Puttur on 13<sup>th</sup> March which claimed the lives of an officer and four men. If the LTTE can shake Jaffna Town - the very citadel of Army control - with a few infiltrators having small arms and grenades, such as it cannot do elsewhere, some serious examination is necessary.

Place these incidents against recent attacks on fisherfolk by the Navy in the Pt. Pedro area and Pungudutivu, and their economic exploitation through malpractices in the islands. A number of factors have resulted in coastal folk suffering a great deal during the course of the war. The bombing of school children near the Nagar Kovil school in September 1995 (officially denied) was a show of blind anger on the part of the Air Force that was looking for a hijacked vessel. The same area had been shelled by the Navy last year. Recently too (Ch.4 end) we have seen atrocities by the Navy in the Army controlled area off Pt Pedro. It is such actions throughout the North-East that mark the Sri Lankan Forces ultimately as qualitatively unchanged - These are characteristically actions against people who are viewed as aliens.

Moreover today, a large section of coastal folk in the Jaffna peninsula have been driven to abject poverty owing to crippling restrictions on their trade for security reasons.

Let us take a closer look at some of the problems that are diverse in their origins. Near Jaffna Town the problem is a genuinely difficult one. The stretch of the coast near Jaffna Town facing the Jaffna Lagoon is quite easily accessible from Kalmunai Point in the LTTE controlled mainland. Ariyalai East is 2 miles northerly through shallow water and Gurunagar (Jaffna) is 5 miles north westerly. The LTTE thus make contact with fishermen coming out into the lagoon from the town area and exert pressure on them to take them in. This was how the SLFP president was assassinated on 2<sup>nd</sup> October 1997. Also of note is the LTTE attack on a Gurunagar army post on local election day - 29<sup>th</sup> January. The Army's instinctive reaction is often to ban fishing - a move that could barely last a few days in the face of protest and the economic implications for those most affected.

The Army has also found it very difficult to effect counter-measures. For example, a system devised was for fisherman going out to sea to drop their identity card into a box at the army point and collect it on return. It has been suggested that a fisherman under duress could easily drop a would-be-infiltrator's card into the box in addition to his own in the morning. It is also difficult for these fishermen who could be readily apprehended by the LTTE to be close to the Army. This is the backdrop to the events in the Gurunagar area. The ugly scenes which should have been avoided have, however, blown up the security problem out of proportion to the reality.

It would have been helpful if the problem had been written about in the press more objectively. But what we see instead are 'expert' writings meant to confuse, crediting the LTTE with awesome powers of penetration and superb striking ability. The truth is not so creditable. If the Army stops the fishing, the LTTE would be the first to strike up a humanitarian protest. No doubt its overseas bulletins would be full of it. But it has absolutely no qualms about using and re-using the fisherfolk - the victims - in the manner it does. [On 23<sup>rd</sup> March, after a long interval, two LTTE infiltrators, Capt. Thuvakaran and Lt. Kunguli were killed in a confrontation in the Jaffna municipal area - in Paasyoor.]

The case of fisherfolk in Vadamaratchy is different. They face the sea lines from Trincomalee to KKS that are targeted by the Sea Tigers. The Navy and Air Force, we understand, wanted fishing banned totally. Representations were made by the fisherfolk to Brigadier Wijeratne (524 division, i.e. Vadamaratchy) and Brigadier Chula Seneviratne (52 region, i.e. overall command of Thenmaratchy & Vadamaratchy). These men who dealt with civil affairs were sympathetic, knowing that there was no alternative livelihood they could provide the fisherfolk with. We also understand that discussions with the Navy & Air Force were inconclusive, and the Army took the initiative to allow fishing, but not too far from the shore.

No one is saying that the fishermen had anything to do with the sinking of the two naval craft by suicide Sea Tigers on 22<sup>nd</sup> February. All the defence correspondents who are ultimately briefed by sources in the Navy have blamed the disaster on the breach of operational guidelines by splitting the convoy. By blasting the hapless fisherfolk now, the Navy, which is on the lookout for scapegoats, appears to be fighting a shadow war with the Army who permitted the fishing. It would do them far more good to cogitate a little and figure out who creates suicide Sea Tigers! It also reflects an absence of overall government policy concerning security and rehabilitation, together with some anarchy within the defence establishment.

After the Exodus of October 1995 and prior to the Army's entry into Thenmaratchy and Vadamaratchy in April 1996, the LTTE's attempts to shift the entire population into the Vanni ran into serious resistance. It was again a point of bankruptcy. The people by then clearly understood that the result would be a humanitarian catastrophe. Several well authenticated reports have testified that it was at this point that the LTTE used overt and covert appeals to coastal folk.

A large number of coastal folk, including a high proportion of Gurunagar, went to the Vanni and trickled back over the last two years, severely disillusioned. Sadly, having returned, they are once more constrained to live in disillusionment. Such has been the utter inadequacy of government policy. This country has suffered enough from group divisions. Creating even by default conditions where the mantle of victimhood is cast over a particular community or sub-community should be avoided. That is why present trends in handling the coastal folk are dangerous. [\[Top\]](#)

## **6.7 The LTTE's Future Options in Jaffna: A Reading of Current Trends**

We focus here on developments alluded to in the course of this report that we need to keep in mind while carrying forward the rebuilding of civil society. The indications are that the LTTE is finding direct infiltration too costly. Throughout its history though, it has demonstrated an ingenuity for using the very freedoms and protection afforded by civil society to pervert them from within and to enforce its totalitarian agenda. One favourable development was that the LTTE drew back from attacking candidates and disrupting recent elections. It has also in recent times toned down in its propaganda references to the other groups or Tamil parties as 'traitors', without giving away anything in its absolutist claims. Its leaflets still have much in the vein of every grain of sand in Jaffna bearing testimony to the heroic sacrifices of its martyrs; the pain and grief with which they had to quit Jaffna was but only a shrewd tactical decision on the part of their inscrutably wise leader, in pursuance of

their guerrilla war against Sinhalese forces; and that they will make a glorious return to the cheers and jubilation of the people.

Further, without making any firm commitment, the LTTE has been sending diffuse messages through returnees from the Vanni to the effect that it will not attack the other groups in Jaffna, but will only attack the Army for the purpose of restarting peace talks.

In our [Bulletin No.14](#) on the Vanni issued in November last year, we reported that a significant number of LTTE cadre from Jaffna were disillusioned and wanted to leave the organisation. We now know that a number of them (several hundreds) have written to their parents in Jaffna saying that they had left the organisation and wanted them to come to the Vanni and escort them home. Many are no doubt genuine and civil society must stand up for their rights irrespective of individual intentions.

We have also given an instance in this report where two youths killed after a claymore mine attack were in possession of Army residence permits. Other instances too, of a similar nature have been reported. All these are indications of things that we must be prepared for, even if the worst fails to materialise.

The challenge before civil society is to take steps to strengthen itself against attempts to pervert it while there is opportunity, however small. This would mean for example taking up a public position against claymore mine and grenade attacks that are directly or indirectly meant to harm society. To dodge such responsibility and simply ask the Government to talk to the LTTE, is a sign of fatal weakness. [\[Top\]](#)

## IN MEMORIAM

### (I) THE PASSING OF THE GAMINI NAVARATNE: REMEMBERING THE 'SATURDAY REVIEW'

- *A Memoir*

*Laugh and be merry, remember, better the world with a song,*

*Better the world with a blow in the teeth of a wrong.*

*Laugh, for the time is brief, a thread the length of a span.*

*Laugh and be proud to belong to the old proud pageant of man*

- *John Masefield*

Gamini Navaratne who was editor of the Saturday Review from April 1984 until the paper ceased to function in October 1987 in the wake of the Indian Army offensive, passed away peacefully in Colombo on 10<sup>th</sup> March 1998. Known unambiguously as Gamini in Jaffna - being the only Sinhalese admitted to be resident there - he was a particular source of strength to its residents from January 1986 to May 1987 when regular shelling by the Army at Jaffna Fort, together with aerial bombing became a new source of terror. The Saturday Review office, a mere \_ mile from the Fort, stood its ground in an area that was steadily becoming a ghost town. A morale boosting measure adopted by the paper during this period was to publish 'Bomber Supplements'.

During aerial attacks the staff went into a bunker, recorded the radio conversations of the pilots overhead, and published a verbatim record.

The prominent niche which Gamini occupies in history is to have given the Tamil people of this country a voice when all else was dark following the holocaust of July 1983. As though frightened by what they had unleashed, the ruling interests were being haunted by wraiths of Tamil, Indian and internal conspiracies staring at them everywhere. It was a suffocating atmosphere where the major section of the press in Colombo almost voluntarily functioned as departments of the Ministry for National Security. Local reporting of regular atrocities by the armed forces against Tamil civilians was suppressed to such an extent, that the South was overcome by shock in July 1987 when it discovered that Sri Lanka was bereft of friends. This was when India imposed its solution. Subsequent events have failed to correct the bias that has unconsciously imposed itself on nearly all dispatches from this country by prestigious agencies. For example, many of these end with, 'Tiger rebels, are fighting for a separate state for the Tamils of Sri Lanka'.

Gamini stood head and shoulders above this debilitating play of turbulent emotions. A key role in the founding of the Saturday review in May 1982 was played by K. Kanthasamy, a successful company lawyer who had dedicated himself to human rights and the rehabilitation of Tamils in the aftermath of the 1977 communal violence. Gamini, a close friend of S.Sivanayagam, the founding editor, from their Times of Ceylon days, was associated with the Review from its inception, and contributed a column. As a lobby correspondent he had come to know the country's leading political figures closely, including President J.R. Jayewardene. Sivanayagam, described as 'one of the most under-rated English writers among journalists in Sri Lanka' by Ajith Samaranayake, was in his element as the editor of the English weekly from Jaffna. It was made plain from the beginning that the paper was meant to fill a vacuum arising from the fact that in reporting, opinion and analysis, the Tamil perspective was either neglected or suppressed in the Colombo press. The paper also came to provide a forum for dissident Southern opinion - among its notable occasional contributors were Ian Goonetilleke, doyen of Sri Lankan librarians, H.N.Fernando of the Ceylon Teachers' Union and Dayan Jayatilleke. Many Jaffna men came to treat it as their own paper, in a manner no other paper in the country could boast of. People would gather at its office at 4.00 PM on Friday for their copy, as the first copies were brought in from St Joseph's Catholic Press by Anton, the office assistant.

From the end of 1982 the situation got progressively worse. Gandhiyam, in the funding of which Kandasamy was involved through the Tamil Refugees Rehabilitation Organisation (TRRO), was sealed, and its president, Dr. Rajasundaram, and secretary, A. David, were detained under the PTA. On advice given Kandasamy left the country for England in June 1983. The events in the run up to and following the rigged referendum of December 1982 to extend the life of parliament, portended something malevolent in the air. In June a passenger bus had been attacked in the Trincomalee area killing over a dozen Tamil civilians. Goons of the ruling party had demonstrated outside the home of Chief Justice Percy Colin Thome' and other judges while the police looked the other way.

On 2<sup>nd</sup> July 1983 the Saturday Review was sealed by the security forces, just three weeks before the holocaust. Later Sivanayagam, who was asked to report for questioning by the CID, left Jaffna by boat for the Indian shore. By this time India's involvement in the question was very deep. (Senator) S.Natesan led the successful fight in court for the unsealing of the Saturday Review. In April 1984 it fell to Gamini to edit the paper until a suitable replacement

could be found, as Gamini was heavily committed with his news agency work in Colombo. As the expected replacement did not arrive, Gamini stayed on, travelling between Colombo and Jaffna - a journey that became increasingly more tedious.

As an editor Gamini maintained the highest journalistic traditions. He kept out nothing on the grounds that he disagreed with it, but on the other hand he encouraged people to write on controversial and sensitive matters. He ran a paper that was balanced as was possible under the circumstances. This became more difficult after the LTTE began decimating the other groups from May 1986. But it never resorted to overt censorship of the Saturday Review. The vacuum that existed in Jaffna pushed Gamini into roles outside the bounds of journalism. He got involved in starting the Mothers' front in 1985, and then a citizen's group to make representations to the government. At one point Gamini saw his task as 'getting Prabakaran and Jayewardene to shake hands.' When the Kittu - Raheem duo were powerful in Jaffna he was kept in hope that there was a peace making role for him. Once the LTTE leader took direct control of Jaffna in January 1987 after a definite rejection of the December 19<sup>th</sup> proposals, there was a clear signal for Gamini to keep out of peace making.

Gamini also saw a role for the paper as providing source material for human rights documentation. In retrospect this served a valuable purpose. Lists of victims on a yearly basis from the Home for Human Rights were supplied by Kugamoothy. Gamini saw in these an effective counter to government propaganda.

The Saturday Review was itself a microcosm which shaped or influenced the destiny of the community, as well as of individuals during its active life spanning the five most important years in the 80s that decided the direction - a fatal one - of the Tamil struggle. For us it is not entirely a co-incidence that the writing of the Broken Palmyra commenced with the effective closure of the Saturday Review in October 1987.

As the reader may have already suspected, Gamini was a maverick. It took someone with a penchant for adventure and the unorthodox to play the kind of role he did. Working with him was not always easy. It on occasions proved difficult to draw the line between the authority of the editor and what more properly belonged to the jurisdiction of the council of management. But this has no relevance to Gamini's historical role.

There is the question why the government sealed the Saturday Review on 2<sup>nd</sup> July 1983. The more immediate cause appears to have had to do with the Tamil Eelam Liberation Front (TELF). The party was a break away group of the TULF led by an old Federal Party stalwart and septuagenarian, Dr. Tharmalingam. It took a separatist line, accusing the TULF leadership of having betrayed the 1977 election mandate for separatism in accepting District Development Councils. On the other hand it was well known that the real push behind the TELF was S.J.V. Chelvanayakam's son S.C. Chandrahasan, who himself remained on the TULF politburo. A clear manifestation of this was that the TELF line was being advanced by the 'Suthanthiran' which was owned by the Chelvanayakam family. This was the time at which the government had failed to make the DDCs work, rendering them patently effete, having no substance as the promised devolution exercise. The Saturday Review in reflecting the general public disenchantment with the TULF came also to be seen as promoting the TELF. A parallel feeling growing among the middle class was that only 'the boys' could deliver the goods.

Putting the two together the Police, and no doubt many others, drew the conclusion that the TELF was a front organisation with the militants behind it. Chandrahasan too contributed to

this conclusion. When Prabakaran and Uma Mahewaran were detained by the Tamil Nadu Police after their Pondi Bazaar clash in May 1982, Chandrahasan flew to India and appealed to the Indian authorities against their deportation to Sri Lanka. To the middle classes, especially the expatriate professionals, it seemed only natural that the 'boys' would welcome patrons among them to finance, counsel and guide them.

The truth was that if Prabakaran and Uma Maheswaran had graduated from the patronage of the TULF, they no longer needed patrons as mentors or guides, but only for finance. There is nothing to indicate that they sought a patron in Chandrahasan. Many expatriates who trooped into Madras during the coming years with Eelam constitutions, flags and national anthems discovered it the hard way.

The Sri Lankan Police no doubt viewed the TELF as larger than life. It is also significant that the Suthanthiran was sealed at the same time as the Saturday Review. Following the onset of the July 1993 holocaust, Chandrahasan and his family narrowly escaped the wrath of the security forces and goons in Colombo and reached India. Dr. Tharmalingam left Jaffna to live with one of his children abroad. His house was taken by militant group and was bombed by the Air Force, inevitably along with some neighbouring houses. The TELF was hardly spoken of again.

One reason for being clear about the immediate cause of the closure of the Saturday Review on 2<sup>nd</sup> July 1983 is also to be clearer about the holocaust of 23<sup>rd</sup> July. There was already by June a great deal of violence against Tamils in the Trincomalee District. In Jaffna the Army had on orders torched several houses near Kantharmadam after a soldier at an election booth was killed during the local elections of March. There had also been the shooting of civilians. But as to the holocaust itself, a number of indications suggest that Jayewardene was not in control of events. There was within the UNP a bitter struggle for succession with different ministers having their own agenda and doing their own thing. There is little evidence of a master plan.

One might say that having systematically dismantled the restraints imposed by law, and then the possibility of democratic change by the rigged referendum of December 1982, the ruling party itself became subject to unrestrained intrigue - leading to violence and murder, eventually within the UNP itself.

There is also no doubt that if the paper had not been sealed on 2<sup>nd</sup> July, it would have been under intense pressure once the holocaust got under way. In massacres around Jaffna, the Army killed about 53 persons. The government had imposed heavy censorship. Sivanayagam was a bold editor and would not have taken things lying down. Some of his earlier editorials accusing Southern papers of 'Pen & Dagger Journalism' for distorting and misreporting repressive actions of the state in the North stay clearly etched in the minds of the readers. He would have been very closely watched by a state wielding arbitrary powers.

Sivanayagam did not expect his own life to be caught up in so much intrigue and uncertainty. He held a simple belief, common at that time, that he would soon return to a liberated home. He was in India close to Chandrahasan and did some writing for Kanthasamy. His life in time became a tragedy. He was never again the master of his trade, the master of his own house, which he was at the editor's desk in Jaffna.

During the early days of the IPKF deployment in Jaffna after the 29<sup>th</sup> July 1987, Sivanayagam suddenly appeared at his home in Nallur. He told a friend that a Captain Williams of the RAW had called him and asked him if he would like a ride to Jaffna, and here he was. The friend was thoroughly taken aback. Without understanding the intricacies of the local situation,

Sivanayagam had thought it a simple return to his his old turf. There had been too many intrigues, too much internal blood-letting and much water had flowed under the bridge. The LTTE soon contacted him and asked him to get back within a short time.

In the two months that remained before the LTTE resumed hostilities, Gamini's writings clearly expressed some displeasure with the Indian presence. Two RAW officers, including one colonel, paid the Saturday Review editorial desk a 'courtesy call'. Gamini was then in Colombo. After the Indian Army's retaking of Jaffna, some of the Tamil papers resumed publication in early 1988. The question of restarting the Saturday Review did not arise immediately. To begin with there was no ready editor at hand. Kanthasamy came to Jaffna in June 1988 with plans for rehabilitation. In July he disappeared after being kidnapped by the EROS. It has been pointed out that he escaped the Welikade prison massacre of July 1983, which claimed his friend Dr. Rajasundram, by leaving the country a month earlier, only to be killed by an unruly Tamil group five years later. With Kanthasamy died any plans he had for the future of the Saturday Review.

We have mentioned Kugamoorthy who was both closely associated with the Saturday Review and with human rights work in Jaffna. He was also an employee of the SLBC. He was no supporter of the LTTE, but knew Mahattaya through circumstances having nothing to do with militant activities. During 1987 he had on request helped journalists to contact Mahattaya, as he readily responded to requests for help by others in need. The previous year he had also helped EPRLF cadre fleeing from the LTTE.

During early September 1990 he was picked up at a human rights conference by the Mt Lavinia Police and was released after the intervention of other delegates. Later that month he was picked up by official goons soon after leaving his work place, while travelling on a motor cycle down Jawatte Road. All inquiries about him were of no avail.

No story of the Saturday Review would be complete without the mention of A.J. Canagaratna, a self effacing man who provided continuity between the two editors. Under Gamini much of the day to day running of the paper, as well as editorial decisions, fell to him. He had a distinguished career as a journalist with ANCL, then as editor of Jaffna's, 'The Co-operator' in the 70s, and later in the English Teaching Unit of the University of Jaffna. He is one survivor now almost miraculously in robust health, no little thanks to the ministrations of Kugamoorthy. A keen and perceptive observer of Jaffna's post independence politics with a widely enriched mind, he, if anyone, has a most interesting book to write.

-Rajan Hoole. [\[Top\]](#)

## **II) CHARLES ABEYSEKARA, HUMANIST -AN UNSEEN PRESENCE BEHIND MANY CAUSES**

Charles Abeysekara, who was well-known among activist groups as 'Charlie', passed away peacefully after a few hours in hospital on 3<sup>rd</sup> April 1998 at the age of 72. As a relentless campaigner for minority and human rights for 20 years, since his retirement from the Civil Service, his loss will be greatly felt by the Muslims and Tamils in particular. In this area, two organisations with whom he had been closely associated are the Movement for Inter-Racial Justice and Equality (MIRJE) and the Civil Rights Movement (CRM). In the CRM he had worked closely with the late Bishop Lakshman Wickremasinghe, K.Kanthasamy and (Senator) S.Natesan. Both these groups focused critical attention on the Prevention of Terrorism Act (PTA) at the time it was

passed in 1979, and the MIRJE which was formed then came into prominence in Jaffna after its mission produced a report on how the PTA was being put into operation. These initiatives helped to bring international attention to the urgency of addressing the Tamil problem, leading in turn to missions such as that of the International Commission of Jurists (ICJ) in 1981.

Charlie has consistently and unrelentingly campaigned for a solution to the ethnic problem on federal lines. His scholarly stature and personal charm comprising friendliness with simplicity, kept him above sectarianism and thus helped to hold several activist groups together on common causes. Many of them sought his presence on their committees. At the time of death he had been president of the MIRJE for several years.

If one had reasons for feeling annoyed with Charlie, one later relented with a smile. Such instances owed none other than to the fact that far too many demands were being made of persons like Charlie who were too few in number, and Charlie was seldom the man to say 'no'. In spite of this constraint, Charlie's attainments in aid of his causes have been prolific. This he achieved by being a quiet presence encouraging, organising and giving moral support to individuals, even where he lacked the energy to throw himself completely into the specific work.

To be clear, we examine some of his legacy, apart from what has been mentioned. He was the founder of the Social Scientists Association which in the early 80s brought out a pioneering collection of papers in the volume titled 'Ethnicity and Social Change in Sri Lanka' which made a significant contribution to debunking chauvinist readings of history that were at the root of state ideology. The SSA also provided refreshing perspectives on how the building of a plural nation and of working class solidarity had been subverted by a ruling class whose outlook was essentially feudalistic.

The years following the holocaust of July 1983 were very difficult years even in the South. Raising sane opinion on the Tamil question proved extremely difficult. An important work by Charlie's circle, 'Sri Lanka: The Ethnic Conflict - Myths, Realities and Perspectives' by the Committee for Rational Development, addressing some heart-searching issues arising from July 1983, was published by Navrang, New Delhi, in 1984. When the JVP insurgency broke out in 1987, MIRJE was among those organisations threatened by the JVP for supporting the devolution proposals under the Indo-Lanka Accord.

In a move to promote fresh thinking in the South on the national question, Charlie was instrumental in MIRJE launching the Sinhalese journal 'the Yukthiya' in the late 80s. Its sales then were about 2000. Its momentous growth could not have come about without the diversity of causes supported by Charlie. A grave crisis of press freedom came about with attempts to impeach President Premadasa in 1991. During this period the sales of 'Yukthiya' and of 'Ravaya' - the latter edited by Victor Ivan - picked up for sometime to levels above 60 000-putting them in the mainline league. The two together made a tremendous impact on voter thinking on the ethnic question that helped the People's Alliance government to come to power on a platform of peace with radical devolution.

These are some examples of Charlie's legacy and very important ones too. Where we are concerned, Charlie has been consistently supportive and strongly felt that ours was work that needed doing. When we organised the commemoration for Rajani Thiranagama in November 1989 at the University of Jaffna, he showed his solidarity at a critical time by leading a



MIRJE delegation to take part in the proceedings. The historical importance of what he has left behind would be much greater than what appears now on the surface.