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Pirapaharan, Chapter 20 Jaffna Turned Torture Chamber

by **T. Sabaratnam**; published November 24, 2003



20. Jaffna Turned Torture Chamber

State Terrorism in Action

Jaffna tasted state terror on a gruesome scale for the first time on the night of 13 July 1979. Around midnight that dark night two vehicles without number plates left the Jaffna Residency, which had been hurriedly taken over by the Jaffna police, on its killing mission. The British-built A-40 car sped its way to Navali, a village outside the Jaffna city. The other vehicle, a police jeep, dashed to Mudamavadi in Nallur, a hamlet within town limits.

The A-40 stopped outside the houses of two youths, Inbam and Selvam. Three police officers dressed in khaki pants and T-shirts took away the two youths, accused of the murder of Alfred Duraiappah but released by the courts after trial, saying they were wanted for further questioning. The officers then picked up another youth, R. Balendra, from the same village.

The officers in the jeep first took away the Ayurvedic College student Indrarajah from his home at Second Lane, Point Pedro Road, Nallur and proceeded to Mudamavadi Postmaster Selvathurai's residence. Selvathurai told the officers that his sons, Rajeswaran and Parameswaran, were living with their wives in Chavakachcheri. The brothers were married to astrologer Santhirasekaram's daughters. The officers went to Chavakachcheri and took the brothers into their custody.



Jaffna Peninsula

The mutilated bodies of the 27-year-old Inbam (Visvajothi Erattinam) and 29-year-old Selvam (Selvaratnam) were found near the Pannai causeway next morning and were handed over to Jaffna Hospital. They bore gun shot injuries and torture marks. Their skulls were broken. Indrarajah died two days after he was handed over to the Jaffna hospital by the police with multiple fractures and injuries he sustained due to the ruthless assault.

Jaffna Hospital authorities held an inquest into the deaths of Inbam, Selvam and Indrarajah despite the emergency regulations which had done away with inquests. The verdict of the Jaffna magistrate, delivered on the death of Indrarasa, on 8 January 1980 was: "The death was due to cardio-respiratory failure consequent to renal tubular necrosis consequent to shock and hemorrhage resulting from multiple injuries. There is evidence of assault by Police. I return the verdict of homicide." Similar verdicts were returned about the death of Inbam and Selvam.

Of the six youths arrested on the horrifying 13 July night the other three, R. Balendra, S Parameswaran and S Rajeswaran, disappeared without trace. Balendra's name still heads the long list of the disappeared persons from the northern province.

Weeratunga went to Jaffna to take up his post of Overall Commander of the Northern Province two days later. He did not go on the day he received the appointment because it was his birthday. He combined the birthday party with the celebration of his appointment. The operation to hunt and kill the militants continued with added vigour after he took up position in Jaffna. Picking up suspected militants, giving them "the treatment" and picking up those whose names were

spilled, killing and throwing their bodies in public places as acts of terror became the normal investigative process. Hundreds of youths vanished into the thin air during this period.

Special tents sprouted in the backyard of the Old Park which earned the nickname "torture tents." Residents of Chundukuli have told the press and human rights organizations of the "frightening shrieks of pain" that terrified them during nights.

Dumped, disfigured bodies were the grisly sight that greeted the Jaffna public most of the mornings. They were terrifying sights intended to frighten the people of Jaffna. "This will happen to you if you join the militants or harbour them," was the message the mutilated bodies conveyed. Not all the bodies thrown away were dead. Jayenthiran's body, found in front of the old Dutch Fort in Jaffna, was one of them. Jail officers who found the body in the morning realized that he was not dead. He was still gasping. They informed the Jaffna Hospital. The surgeon who examined him found him still alive. Jayenthiran, who was from Uduvil, was treated at the Jaffna Hospital. He lived to tell his tale to the Athulathmudali Committee Jayewardene appointed to investigate the 13 July disappearance of the six Tamil youths.

Mathiyaparanam, a goldsmith from Kokuvil West, was another who told the Athulathmudali Committee of the police atrocities. Mathiyaparanam was a middle aged, licensed, gun repairer. He repaired the guns of the Anaikoddi Police. He knew the officers working there. One night his friend Chandran from Oddumaddam sought his assistance to settle a problem his friend had with the police. While Mathiyaparanam and Chandran's friend went inside the police station Chandran waited outside with his bicycle. When Mathiyaparanam and the other returned they found Chandran missing. His body was found in the well near the Chemmani Cemetery the next day. Mathiyaparanam told the story to civil authorities and human rights activists. He was arrested and dumped into the remand jail to make him silent.

While in remand Mathiyaparanam was taken out one night by the police to help them to push their jeep which had a starting problem. Inside the jeep he found the bodies of the four missing persons. "Rajeswaran had not died. I lifted him and kept his head on my lap. He died on my lap," Mathiyaparanam told the Athulathmudali Committee.

He said the police buried the bodies of the missing persons somewhere along the Kerativu road. While the police were burying the bodies, the Jaffna-bound Keerativu bus that had got late came along, Mathiyaparanam told the Athulathmudali Committee. "The passengers got up from their seats and looked at the police. The police got upset and drove away leaving me behind," he said.

Mathiyaparanam's testimony was not corroborated. The Athulathmudali Committee ordered the police to investigate the matter further. The major flaw in the investigation about the disappearance of Parameswaran and Rajeswaran was the failure to record Astrologer Santhirasekaram's evidence. The evidence of Postmaster Selvathurai was recorded. But it was at Santhirasekaram's house that the two youths had been arrested and he was an eye witness. Santhirasekaram's effort to give evidence before the committee failed. His request for help was turned down by Chavakachcheri Member of Parliament V. N. Navaratnam, who said that he was not in a position to interfere in this matter. Sivasithamparam was a member of the Athulathmudali Committee, but the TULF was keen at that time to maintain a good relationship with Jayewardene.

Headquarters at the Residency

Under the terror reign of Weeratunga Jaffna was a city under siege. He set up his Security Force Headquarters in the Residency at the Old Park, Jaffna in the third week of July 1979 with a band of selected officers. Security of the Residency was tightened and an identity card system was introduced to restrict visitors.

Munasinghe, later government military spokesman with whom I, as a newsman, had contact, said three kinds of identity cards were introduced - red, white and green. The red coloured identity card allowed free entry. Holders of it were allowed entry to the residency building and the tents put up behind it. The white coloured identity card allowed entry upto the second sentry point just outside the Residency building, a colonial style two-story mansion built to house the British government agents.

Munasinghe, a senior military official who was acting Staff Officer of the Northern Commander and the officer-in-charge of the Military Intelligence, was given a green card. This is what Munasinghe records in his book, A Soldier's Version: I was



King Sangili statue outside Old Park

given a green card, which meant I could proceed only upto the Military Police checkpoint, a tent just inside the main entrance. Beyond this point access was permitted only by appointment."

The atmosphere that prevailed in the Jaffna peninsula after the setting up of the Security Forces Headquarters was best told by Munasinghe in this paragraph:

In 1979, subsequent to the establishment of the SF Hq. many youths in Jaffna were arrested for questioning. I am not aware whether they were all released or not. But, one thing was very clear. People of Jaffna were really scared. There were stories of "butchering" in one part of the Residency. Streets were deserted after nightfall.

Munasinghe should know because he was in Jaffna during the horror months of July to December 1979. He was directly under the Northern Commander Ranatunga who came under the Overall Northern Commander Weeratunga. As overall commander all members of the armed services and the police deployed in the Jaffna district were placed under Weeratunga's command. In addition, a special contingent of the army was posted to Jaffna.

Weeratunga made full use of the men given to him. Villages were cordoned off and forces ruthlessly carried on search and destroy operations. Several hundred Tamil youths were arrested, tortured to death and their bodies scattered on the Jaffna city roads. This torture regime put immense pressure on the militant groups.

Munasinghe says the main focus of Weeratunga was Kuttimani and Jegan (Ganeshananthan Jeganathan), because they were the cause of violence in the first half of 1979. Pirapaharan was silent after the December 5 Tinnaveli Bank robbery. He was concentrating on building up his guerilla group, the LTTE. He was residing in Poonthoddam and concentrating on gathering weapons and training cadres. He had a few other problems, too. The first of them was with EROS.

EROS had, as mentioned earlier, organized a training programme with the Palestinian Liberation Organization in Lebanon, and wanted to pass that benefit to the LTTE and the TELO, the only two militant groups then in existence. Arular and Shankar Raji, who were then in Vanni, got Uma Maheswaran and Pirapaharan interested in the Lebanon training program. The LTTE central committee decided to send some of their cadres and picked Uma Maheswaran and Wijayendra to go first. Pirapaharan insisted that they could decide later about sending others if the training was worthwhile and if it could open a new conduit to gather modern weapons. Pirapaharan paid Rs. 100,000 to the EROS for the training programme.

Uma Maheswaran and Wijayendra, who returned within three months, were not happy with the training programme. They were not permitted to take part in the fighting and were not trained in handling new weapons. "We slept most of the time in the camps and did not learn much," Uma Maheswaran reported to the central committee. They did not bring weapons. Pirapaharan, a strict financial controller, called off the agreement with EROS and demanded the balance of the money. EROS had already spent the money and had no resources to repay. Pirapaharan insisted on getting the refund and that resulted in a dispute between Pirapaharan and Shankar Rajee.

Pirapaharan thought that EROS had cheated the LTTE and wanted Shankar Rajee to appear before the LTTE central committee and explain his position. Rajee declined. Rajee told me Pirapaharan took the dispute to Amirthalingam, who worked out a settlement. "I sent a cheque for 285 sterling pounds to Sivasithamparam," Rajee said.

Appeal to Expatriate Tamils

The government got that information and made use of it to show that the TULF was collecting funds for the LTTE and Sivasithamparam's Bank of Ceylon account was being used to transfer the funds collected from expatriate Tamils to Sri Lanka. A joint letter sent by Amirthalingam and Sivasithamparam to the Sri Lankan Tamils living abroad asking them to contribute their share towards the Eelam cause also fell into the hands of the government and was used as fodder for anti-TULF propaganda. The appeal, dated 14 August 1979, was sent from the TULF Office in Jaffna with the headline "An Appeal to Eelam Tamils Abroad", and reads:-

"Dear Friends,

"At this momentous stage of our freedom struggle, every Eelam Tamil, be he in Eelam or be he in the Capitals of the world, must play his part. London-based Eelam Tamils have played and have yet to play an important role in calling world's attention to the justice of our cause, to the reasonableness of our objective of freedom, to every instance of the flagrant violation of human rights in Sri Lanka, to gross discrimination against the Tamils in every field of governmental activity. While we appreciate the tremendous tasks undertaken by our compatriots in London, we have, at times, been grieved to witness the multiplicity of organizations, the conflict of personalities, which often lead to fissiparous tendencies among our brothers. We have before us the lessons of the past. We have seen how repeatedly, in spite of our many virtues and our great abilities, we have failed in our aim to win freedom for our people. We have learnt this lesson here at home; the tremendous force that the TULF is today, is undoubtedly due to this unity. This is the message we wish in all humility, to convey to our brothers abroad.

"A first step in the right direction has been taken by the Eelam Tamils Association, Eelam Liberation Organization and Thamilar Viduthalai Peraney, (Tamil Freedom Movement) coming together to take joint decisions and to take collective action through the Tamil Coordinating Committee. We appeal to all organizations and the individuals who share the ideals of Thamil Eelam and who are ready to cooperate with the TULF to join the TCC. We wish to assure all that the TCC shall function in a democratic way, taking decisions, as far as possible, on the basis of consensus; if decisions have to be taken on the basis of a vote, it shall be after a full and free discussion.

"Our tasks are many and onerous; the path we have to traverse before we reach our cherished goal of freedom is long; our resources are limited; let us not fritter our limited resources and waste our energy in useless inter-fighting; let us, on the other hand, close ranks, co-ordinate our actions in an organization like the TCC and forge ahead with our many tasks."

The government made use of this material that implicated Amirthalingam and Sivasithamparam to induce the TULF to cooperate with it to draft, enact and implement the District Council law with which it wanted to keep the international community satisfied that it was looking after the Tamils.

The government also had information that fissures had appeared in the militant movements, especially in the LTTE.

Weeratunga's ruthless campaign put the militant groups under severe strain. Hide-outs and food had become major problems. Even strong supporters dreaded to help them. That strain spewed dissension among the leadership. Dissension was reflected in the discussions of the LTTE central committee meetings held in August. Most of the senior members, headed by Uma Maheswaran, criticized Pirapaharan on two core issues: the organization's structure and its method of struggle. Their opinions were similar to the arguments Ratnasabapathy had proffered the previous year. The organizational structure should be mass based, they said, and they reasoned that, if it had been so, the security forces would have found it difficult to go after the militants. The hit and hide method of struggle exposed the leadership to military reprisal. Pirapaharan defended his approach. He said mass-based struggles would simply mean hiding behind the people. He argued that a successful struggle should be conducted the other way. Leaders should shoulder the responsibility of launching risky attacks and the people should rally round them and support them.

It was around this time that the Pirapaharan- Uma Maheswaran quarrel began. The origin, as pointed out earlier, centered on principles. Uma Maheswaran was a Marxist. Pirapaharan was a nationalist. Uma Maheswaran was theoretical in approach and argumentative in character. He tried to impose his opinion on others. Pirapaharan was and is pragmatic and a patient listener. He respected the views of others and tried to accommodate them. This difference in their character naturally bred conflicts. But, their estrangement was the result of a breach of discipline. The sexual relationship Uma Maheswaran developed with Urmila, the woman who typed the LTTE's statement claiming responsibility for the murders, was the cause. (See next chapter)

State violence, conflicts within the LTTE and militant leaders taking refuge in Tamil Nadu resulted in the dwindling of violent incidents in the Jaffna peninsula. Weeratunga reported to President Jayewardene, the Commander of the Armed Forces, on 31 December that he had eradicated terrorism as mandated. He threw a lavish party at Rock House Camp at Mutwal. Jayewardene attended it as a show of his appreciation.

Weeratunga was rewarded by Jayewardene with the promotion to Army Commander upon Denis Perera's retirement,



Weeratunga

overlooking Justus Rodrigo who was senior and who was recommended by his retiring chief as the most suitable. That was the first time in the history of the Sri Lankan Army where a politician interfered with promotions. With Weeratunga's appointment Jayewardene had consolidated his position with the army and the police. Weeratunga, as pointed out earlier, was his nephew and police chief Ana Seniviratne was Weeratunga's brother-in-law. Later in this chapter we will point out how Jayewardene conceded that he ordered the promotion of two police officers who served the interests of the

government and had been punished by the Supreme Court.

Teaching a Lesson

Jayewardene had taught the Tamils a lesson for daring to challenge his regime.

Teaching a lesson by dealing his opponents a crushing blow was the hallmark of Jayewardene's art of governance. That was what he did to the Tamils, that was what he did to the SLFP, that was what he did to the trade unions and that was what he did to the Supreme Court judges. Arden, in his study *The JR Years* serialized by *Lanka Guardian* during 1993-94, did a good, in-depth analysis of Jayewardene's concentrating power in his hands through the constitution and violence.

How Jayewardene crushed Sirimavo Bandaranaike and how he dealt with the Tamils and the TULF have been already commented on. He treated all kinds of opposition, whether lawful demonstrations highlighting genuine grievances or a trade union dispute, with vengeance. He silenced opposition through the use of violence.

He used the organized thugs of the JSS to thrash the strikers. Traditionally trade unions had been organized by the leftist parties and they provided leadership to the working class. Jayewardene, once he took over the leadership of the UNP, started a trade union, the Jathika Seva Sangamaya (JSS) and made Mathew its leader. The JSS was given a Sinhala nationalist ideology and was made to campaign to win the rights of the Sinhalese.

Mathew adopted Malaysian leader Mahathir Bin Mohamed's Bhoomi Putra (Sons of the Soil) thesis, which he propounded in his book, *The Malay Dilemma*. He advocated a free enterprise economic system, with the limitation that Malays - the sons



Mahathir

of the soil - should enjoy initially protection from competition from other racial groups. Islam should be upheld and propagated. He argued Malays were the original inhabitants of the country and Malaya was their one and only country. Malays had no place to go, whereas Chinese could go to China and Indians to India, he argued.

Mathew said Bhoomi Putra policy fitted Sri Lanka more than Malaysia. In Malaysia Malays formed 53 percent of the population and Chinese 35 percent and Indians less than 10 percent. In Sri Lanka, Mathew argued, 74 percent of the population was Sinhalese and Tamils were 17 percent. In spite of this disproportion, Tamils dominated very aspect of professional and economic life, according to Mathew. Sinhalese have nowhere to go, while Tamils can go to Tamil Nadu. He said Sinhalese superiority should be achieved by "non-violent methods or violent ones."

Mathew prepared the JSS to use violence. Small bands of thugs were trained in the ground behind the UNP's former headquarters Sri Kotha at Kollupitiya. They were used to threaten officials and were provided with state-owned vehicles. Gananath Obeyesekera, Professor of Anthropology at Princeton University, has analysed the JSS phenomenon in detail in his essays "Political Violence and Future of Democracy in Sri Lanka" and "Civil Rights Movement of Sri Lanka" documented about 35 cases of state-sponsored violence.

These events would give the reader a feel of the growing environment of state-sponsored violence in Sri Lanka. There was more to follow.

Soon after the UNP won the 1977 general election the state-controlled Sri Lanka Broadcasting Corporation refused work to SLFP supporters. The affected artistes and script writers organized a protest demonstration. A gang of thugs brandishing clubs and knives chased away the demonstrators which included well-known dramatist Prof. Ediriweera Sarachandra.

On 15 June 1978 at 9.30am a group of 400 thugs chased away from their office six section heads of Thulgiriya Textile Mills who refused to accept the demands of the JSS branch. They were forced to resign and were replaced with officers acceptable to the trade union.

On 4 July 1980 a group of JSS thugs who were transported in a bus belonging to the state-owned Ceylon Transport Board assaulted with rubber belts and bicycle chains the teachers of the Maharagama Teacher Training College who demonstrated demanding better facilities. Women teachers were pinned to the ground and waste oil poured over their clothes.

How Jayewardene used a trade unions dispute to smash up the trade union movement was recorded by Arden. High inflation fuelled by Jayewardene's open economy had eroded the real income of fixed income earners, especially public servants. The opposition-controlled Joint Trade Union Action Committee (JTUAC) decided in March 1980 to ask for a wage increase of Rs. 300 a month and conveyed the request to the government. As there was no response, the JTUAC called for a half-day token strike on 5 June. Jayewardene instructed the UNP-controlled unions to observe 5 June as a day of cooperation, charging the opposition was trying to disrupt the popularly-elected government. He had thus openly called for confrontation and violence and on that day clashes did take place and trade unionist D. Somapala was killed.

On 5 July 12 railway workers at the Ratmalana workshop were interdicted on the charge that they tried to sabotage work on 5 June. Railway unions tried to talk to the railway management in a bid to diffuse the situation. The management refused to talk about the interdictions, saying they were following instructions from the top. On 7 July the workers at the workshop struck work calling for the reinstatement of the interdicted workers and asking for the wage increase. As there was no response, the JUTAC decided on 14 July to call a general strike and informed the president the general strike would begin on 18 July.

The government clamped the essential services order on 16 July, declaring all public and private services as essential services and that strikers in those services would be considered to have vacated their posts. The strike began on 18 July and Jayewardene announced at a public meeting that all strikers had lost their jobs and would not be permitted to return



J.R. Jayawardene

for work. More unions joined the strike but that was of no avail. A simple wage rise demand was deliberately allowed to escalate into a showdown and mercilessly crushed. Thus Jayewardene prevented trade union activity during the period of his regime. A large number of workers committed suicide due to the loss of work.

The manner in which Jayewardene dealt with the Supreme Court was still worse. His dispute with the Supreme Court began in 1978 when he appointed the Special Presidential Commission of Inquiry. The inquiry was against Sirimavo Bandaranaike and Felix R. Dias Bandaranaike, an important minister in Sirimavo Bandaranaike's government. While Sirimavo petitioned to the Supreme Court challenging the legality of the commission, Felix Dias Bandaranaike moved for a Writ of Quo Warranto and a Writ of Prohibition against one of the commissioners, K. C. E. de Alwis. The charge was that Alwis had financial dealings with A. H. M. Fowzie, former mayor of Colombo, who had been found guilty by the Special Presidential Commission. The financial dealings referred to was the sale of a piece of land by Alwis's son to Fowzie's daughter, for which Fowzie paid the purchase price, and the renting of a house by Alwis's son to Fowzie's wife. Alwis was his son's attorney in both instances.

The case was heard by the Samarakoon, chief justice, Wimalaratne and Colin-Thome. By a majority decision the Supreme Court held on 18 October 1982 Alwis guilty of "conduct unbecoming of a judicial officer" and that he had become "unable to act and that he was disentitled to hold office and function as a member of the SPC."

Jayewardene got Alwis to petition to the president against justices Wimalaratne and Colin-Thome, saying they were prejudiced against him. He got minister Gamini Dissanayake to move a motion in parliament for the appointment of a select committee to inquire into Alwis's complaint. He told the UNP annual convention that he was above the judiciary and the legislature and that he alone had "the power to do anything."

And Jayewardene translated his words into action. During the campaign for the 1982 Referendum a group of Buddhist monks and Christian priests, calling themselves the Pavidi Handa (The Voice of the Clergy), printed a pamphlet urging the people to vote for the opposition candidate Hector Koppekaduwa. Deremiftipola Ratnasara Thero was the chief organizer of the group. Superintendent of Police P. Udugampola sealed the press where the pamphlet was printed and confiscated 20,000 copies of it. Ratnasara Thero petitioned the Supreme Court saying that that was a breach of the constitutional right to the freedom of publication. The Supreme Court held that Udugampola had acted unlawfully and his action was an interference with the freedom of speech and publication and ordered Udugampola to pay the petitioner Rs. 10,000 in damages plus the costs. Jayewardene announced on 2 March 1982 that Udugampola would be promoted to Senior Superintendent of Police and the damages and costs paid from state funds.

This action gave the police the message that any action taken by them favouring the government would be supported. And the Kollupitiya police took the law into their hands a week later. On 8 March 1982, International Women's Day, a group of women led by former LSSP parliamentarian Vivienne Goonewardene, took a procession to the American Embassy in Kollupitiya and handed a letter to a representative of the US ambassador. It was a peaceful demonstration. While they were returning police pounced on them and tore away their banners. A press photographer who took pictures of the incident was arrested by the police. Vivienne, hearing about it, went to the police station to enquire about the matter. She was manhandled and kicked by the police and placed under arrest. She petitioned the Supreme Court, The court held on 8 June 1982 that her arrest was unlawful and ordered the state to pay her Rs. 2500 in damages and instructed the Inspector General of Police to make inquiries and take action against the offending policemen in accordance with the law. The next day, 9 June, the sub-inspector who arrested Vivienne was promoted on the orders of the president.

Two days later, on 11 June, unruly mobs went in government-owned vehicles to the houses of the two judges who heard the case and to the house the third judge had occupied till recently and shouted threats and obscenities. The judges tried to telephone the police but their lines were busy.

Paul Sieghart, the chairman of the Executive of Justice (the British Section of the International Committee of Jurists) interviewed Jayewardene on these matters. He reported that President Jayewardene had conceded that he personally ordered the promotions of the two police officers and the payment of the damages and costs out of public funds. This, Jayewardene said, was necessary to maintain police morale. Sieghart concluded;

The conclusion is inescapable that he was deliberately seeking to teach the judges a lesson, in order to make them more pliable to the executive wishes.

Events that happened to the Tamils thereafter will have to be viewed in this background.

Jayewardene apologists defend him saying he was a prisoner in the hands of hawks in his cabinet. Pirapaharan's assessment differs. He told Anita Prathap in his very first interview to the media in 1984, "Jayewardene is acting on his own. He has supreme powers. The hawks in the cabinet and the Buddhist clergy are behind him."

He also said, "If Jayewardene was a true Buddhist, I would not be carrying a gun." The truthfulness of Pirapaharan's assessment will come out as we continue this story.

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Chapter 21. Split in the LTTE

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