

The Sansoni Commission Evidence

The Story of the Sri Lanka Race Riots 1977

M.S.S. 1

Opening day
address by
Queen's
Counsel



o 1.

Saturday August 19, 1978

Re. 1



The Commissioner

Mr. Milhaol Claude Sansoni who retired as Chief Justice in 1966, is one of the most distinguished Judges of the Supreme Court of Ceylon. He succeeded Mr. Hema Jayanayake as Chief Justice on August 4, 1964. Mr. Sansoni studied at Royal College, Colombo

where he won an open scholarship to the then University College, Colombo. His contemporary scholars were Mr. E. F. C. Ludowyk, Mr. H. E. Peries, C. C. S. and Mr. Tom Tweed. Exhibitionists at that time were Mr. Justice A. W. H. (Continued on Page 7)

'THE POLICE FAILED IN ITS DUTY'

"The staggering aspect of the events that took place, was that the one body that does not require ever to be reminded that they are expected to be disciplined, namely, the police force, failed in its duty not only towards the Tamil people, but towards the entire nation."

So said Mr. Sam J. C. Kadirgamar Q.C. in the course of his introductory address before the Sansoni Commission in Jaffna on February 8, 1978. The following is the text of his address:-

"May I, Sir, with respect, say a few words about the Tamil Refugees Rehabilitation Organisation which I have the honour to represent today.

"We have already submitted to the Commission a memorandum—may be it is

now before you—it is dated 16th January, 1978. If you will be so good merely to glance at it, it will assist me then to outline to you how we could be of assistance to you.

"In the first instance, this organisation that I represent was founded during the midst of those awful days of violence of August, 1977. Ladies and Gentlemen who came to the rescue of their fellow citizens, who rendered whatever services they could during the hours of terrible agony, who were ultimately

herded into refugee camps—those people had the opportunity of seeing for themselves and listening to the agonies and woes of people who had overnight turned to be destitute refugees and when the opportunity for representations to this organisation from what it saw and heard, is able to place this memorandum as a guide to you.

"As you will see, the organisation is non-political, the organisations's objective was to render service first to the displaced individuals, and now in the interests of not only the Tamil-speaking people but all others in the country who stand in fear of repetition of this kind of incidents, at the base of which lies the failure of law

(Continued on page 2)

ABOUT CURSELVES

TODAY LAST YEAR, August 19, 1977, the country was in the grip of the worst tragedy that befell it in its near-thirty years of freedom. Among many who were fortunate to be spared the torments of being personal witnesses to death and inhumanity, and being victims of terror, destruction, injury and humiliation, the memories are fading already.

While an apathetic and unawakened public conscience is a matter for regret, a partial expla-

nation for this might lie in the fact that even after one year of the sordid happenings, a complete picture of what went on island-wide, is not available to the thinking person. The standards and ethics of popular journalism being what they are today, the very coverage of the Sansoni Commission of Inquiry in the daily Press has led to an information imbalance. Apart from the exigencies of space which must necessarily keep out large chunks of evidence, distortions, wilful or other-

wise, in the treatment of copy and in head-lining, are leading to faulty communication.

Today, as we begin publishing in the form of a regular weekly paper, the entirety of the evidence being presented before the Commission, we hope to give you a more authentic picture. We will be giving you in essence, a slice of contemporary history; absorbing reading on events that happened beyond your personal knowledge, which however tragic and unpleasant they were, have already shaped the lives and thinking of thousands and thousands of fellow human beings living with us, as well as those who are expatriates

abroad. We are sure that the first-hand testimony (subject to human frailties of course) offered by the hundreds of witnesses who were either victims of events or participants, in the associated developments, will help you not only towards, a better understanding of human motivations and impulses and stupidities of human behaviour, but towards a better assessment of race relations today. It could also help you again fresh insights into a historical vision of the country's future.

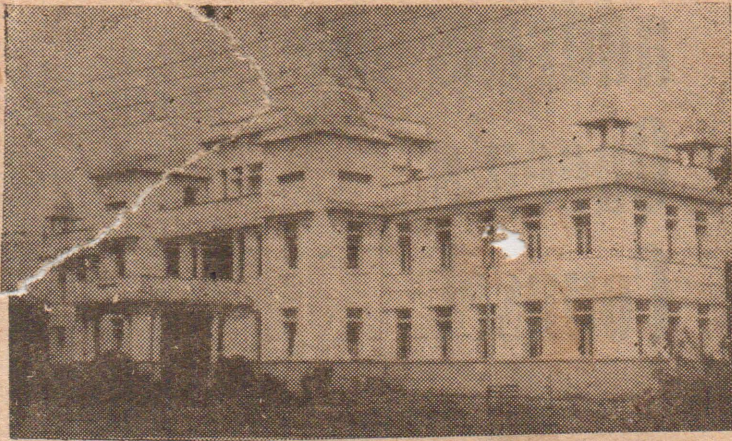
As you would yourself wonder, the devoting of an entire paper to the proceedings of a Commission of Inquiry, is an unor-

thodox and a rare kind of journalism. The editing is being done with care, so that while the reader will miss nothing of importance that emerges from the proceedings, he will be saved the strain of reading repetitive evidence or trivia. The paper will naturally cease publication once its purpose is fulfilled, but hopefully give place to another with wider objectives. Your sustained support at this stage will therefore help us in the fruition of our long-term objective. Till then, good reading and thank you.

— The Editor

Those who do not remember the past are condemned to relive it"

— Santayana - American philosopher 1863-1952



The Jaffna Public Library building where the Commission began sittings on the 8th February 1978

THE POLICE FAILED IN ITS DUTY, SAYS Q. C.

(Continued from page 1)

enforcement institutions to do their duty.

"The incidents, of course, commenced in Jaffna. It would have been more appropriate if I could outline for you the course that it took in the first instance but as Mr. Choksy is unable to stay tomorrow, I will be happy to allow him to set out his position which by and large is very much ours. What I wish to state to you Sir is that this Commission came about, I believe, on the 18th of August, 1977, when Mr. Amirthalingam, the Leader of the Opposition and the Leader of the Tamil United Liberation Front, asked for an adjournment of the debate in the National State Assembly. The use of violence in its worst form was raging in the country—murder, rape, arson and looting. He asked for an adjournment because of an incident that took place in Jaffna between the police and the public. It may well be in the long run the immediate cause may not require very much scrutiny because it is clear that the Government itself had responded to the request for a Commission and accepted it as a fact that the shattering chain of consequence and events in this country arose from police behaviour in Jaffna.

A sad reality - lack of discipline

"I think as you go along you will find that it is a fact accepted by responsible leaders of all communities in the National State Assembly. Now in the course of his speech Mr. Amirthalingam made a request for an impartial inquiry into the events which had taken place and the Hon'ble the Prime Minister instantly stated in the House that his Government will immediately appoint a Commission of inquiry and that the Commission will inquire into all the incidents that occurred, ascertain how they arose, how they were handled by the authorities and with recommendations for the future.

In our way of looking at things, not only were those incidents matter for eternal shame as far as national consciousness is concerned if there is such a thing—but the appointment of this Commission

is momentous for the reason that it has been emphasised over and over again for the last few weeks that one of the sad realities of our country in respect of language, race and religion is the lack of discipline. Even the retiring President in his farewell address to the Services, reminded them of their duty to be disciplined.

"The staggering aspect of the events that took place, was that the one body that does not require ever to be reminded that they are expected to be disciplined, namely, the police force, failed in its duty not only towards the Tamil people but towards the entire nation. This Commission came into being as a result of Mr. Amirthalingam's request for an impartial inquiry into the conduct of the police in Jaffna vis a-vis the public in Jaffna and the Government of the day realising the importance appointed the Commission with the necessary authority.

Even patients were attacked

"I shall be placing before you a map of the country and we have listed, depicted on this map in different colours the sites of incidents from the 16th to the 26th August, 1977; I don't need to make any emphasis of the fact that those cursed days enveloped the length and breadth of the Island. You will find a key to that map. We have to use ten colours to cover the period 16th to 26th.

"At one stage having read the most intriguing story of the partition of India, I was wondering to myself as to whether there was some parallel in Ceylon; whether rumour runs down the railway lines and carries the carnage as it happened in India during the Hindu-Muslim riots. Once the facts are considered it does not seem that rumour had been running on the railway lines.

It will be of assistance to consider as to whether there is some sinister hand behind this. Government wants to do that. Previously that struck the Prime Minister as to whether there is an organization behind these. We have grouped as best as we could with reference to every one of the terms of reference

with regard to the incidents in Jaffna, with regard to the incidents in Anuradhapura District (page 5), with regard to the incidents in the Vavuniya District (page 6), the incidents in the Mannar District, with regard to the incidents in the Trincomalee District, with regard to the incidents in Colombo and the incidents in the whole country.

We have collected at page 10 and also drawn your attention to the destruction of temples and places of worship and public servants and the incidents in other parts of

the country. There is a similar pattern of gangs attacking residents, working places, business houses, looting, murder and rape. In some hospitals not only were there incidents of minor employees attacking medical staff but even went to the extent of attacking patients in hospital beds.

We invite you to evaluate particularly whether it is not true to say that it was the Police Force in Jaffna that started the disturbances by disregarding even their superior officers and running amok firing and killing without rhyme or reason and without any orders. Under cover of the curfew they were inflicting destruction in Jaffna. We venture to suggest, Sir, that the S. L. F. P., Government which no longer exists let loose a racist Police on the Tamil speaking minorities of this country. We are suffering today for what could well have been the policy on the part of the body in the manner of recruitment and the source of recruitment and the pre-conceived object of the Government of that day. Ultimately within a few weeks of its defeat at the General Elections we have this most remarkable phenomenon in the country. Unless it can be made sure that such a phenomenon will not recur in this country all citizens will be living in a state of fear and terror.

"I intend calling Mr. Amirthalingam to give his testimony before you and if necessary the signatory to this memorandum. After Mr. Amirthalingam has given his testimony before you, we can indicate to you the officials who may be in possession of the material documents and with regard to the origin and the manner in which these incidents developed all over the island. It is not possible to obtain for example from the Co-ordinating Officers, Police Officers and Army Officers elsewhere in the country, the records as to the origin and nature of these incidents. I am sure it would be evident to you from the terms of reference that the Government of the day is greatly concerned to ensure that there will not be a repetition of these incidents which originated within disciplined units.

"Hostile colleagues made it difficult for them to get back to work"

Mr. Leslie Bartlett made a brief submission on the first day of the proceedings. He said:-

May I on behalf of the Federation of Tamil Trade Unions and the Association of Affected Tamil Officers state that both these associations have a common problem. The Tamil public servants in this country had to leave their work places for the reason that these public servants were physically dealt with in their very work places. They also today find it difficult to work in these several work places for no other reason than that their colleagues had been hostile towards them and still continue to be hostile and therefore the feelings between these two communities have not abated even today in their work places.

All these public servants have a special problem. They would like to have transfers away from these affected areas to safe areas, namely, the areas where they would like to live and continue in service till their retirement. In fact

they find it difficult even to take residence in the affected areas because their families are not able to live in the areas.

I do not wish to take much of the Commission's time. I refer to our memorandum dated 16th January, 1978 with special reference to paragraph (c). (reads) This is a special problem that the Commission would be more concerned about if these Tamil public officers are to continue in public service or take their retirement for the special reason stated in our memorandum

Mr. Manivasagam Underwood, said:-

The Association of Affected Tamil Officers has worked very closely with the Tamil Refugees Rehabilitation Organisation and in fact both in the memorandum and in other matters, we will be working very closely with them. This association, the Association of Affected Tamil Officers, was formed in the shadow of the tragedy in August, 1977.

THE TERMS OF REFERENCE

AS PUBLISHED IN THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON) of Wednesday, November 09, 1977 Proclamation &c. by the President.

BY HIS EXCELLENCY WILLIAM GOPALLAWA, PRESIDENT AND COMMANDER-IN-CHIEF OF THE REPUBLIC OF SRI LANKA

TO: MILIANI CLAUDE SANSONI, ESQUIRE. GREETINGS:

WHEREAS it appears to me to be necessary to appoint a Commission of Inquiry for the purposes hereinafter mentioned:

Now, therefore, I, William Gopallawa, President, reposing great trust and confidence in your Prudence, ability and fidelity, do, in pursuance of the provisions of section 2 of the Commissions of Inquiry Act. (Chapter 393), by these presents appoint you, the said Miliani Claude Sansoni, Esquire to be my Commissioner for the purpose of inquiring into and reporting on the following matters:-

- (1) to ascertain the circumstances and the causes that led to, and the nature and particulars of, the incidents which took place in the Island between the 13th day of August, 1977 and the 15th day of September, 1977 and resulting in
 - (a) death or injury to persons,
 - (b) the destruction or damage of property belonging to, or in the possession of, any person, or any State Institution or the State,
 - (c) the robbery or theft of any such property;
- (2) whether any person or body of persons or any organisation, or any person or persons connected with such organisation—
 - (a) committed or conspired to commit,
 - (b) aided or abetted in or conspired to aid or abet in the commission of or
 - (c) in any manner assisted, encouraged, or were concerned in or conspired to assist to encourage in any of the acts referred to in paragraph (1); and
- (3) to recommend such measures as may be necessary—
 - (a) to rehabilitate or assist in any other manner the persons affected by such acts, and
 - (b) to ensure the safety of the public and to prevent the recurrence of such incidents;

And I do hereby authorise and empower you, the said Commissioner, to hold all such inquiries and make all such investigations, into the aforesaid matters as may appear to you to be necessary, and require you to transmit to me within three months from the date hereof, a report thereon under your hand, setting out the findings of your inquiries and your recommendations:

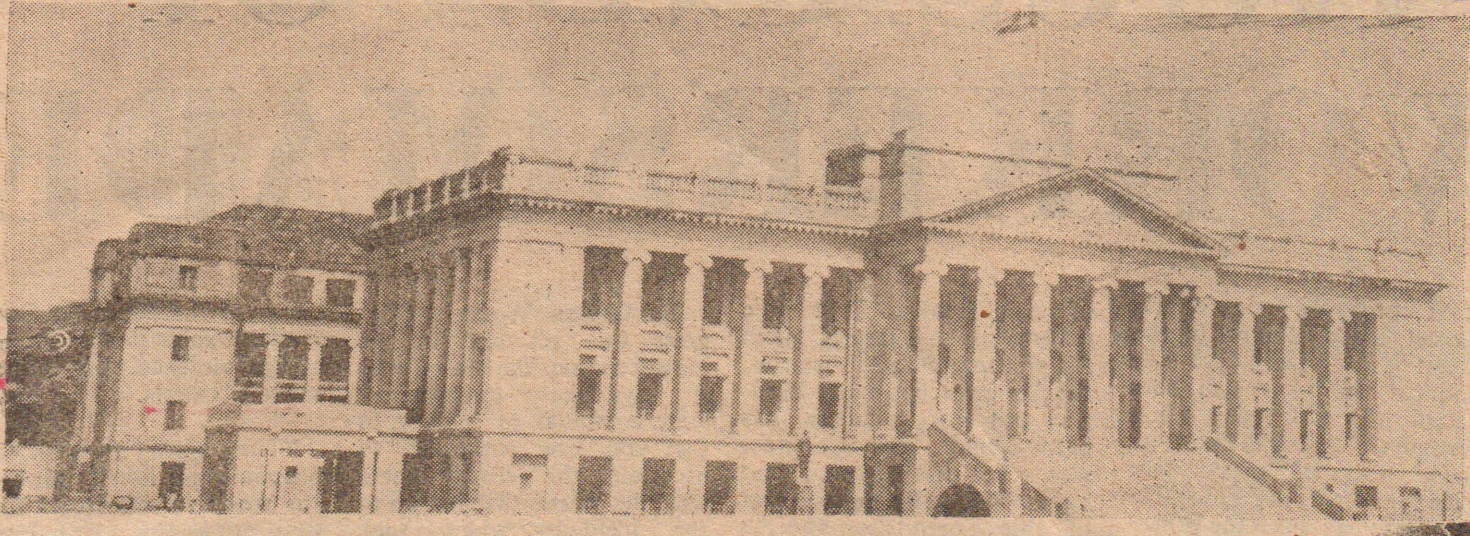
And I do hereby direct that such part of any inquiry relating to the aforesaid matters, as you may, in your discretion determine, shall not be held in public:

And I do hereby require and direct all State officers and other persons to whom you may apply for assistance or information for the purpose of your inquiries and investigations to render all such assistance and furnish all such information as may be properly rendered and furnished in that behalf:

And I do hereby declare that the provisions of section 14 of the aforesaid Commissions of Inquiry Act shall apply to this Commission.

Given at Colombo, under the Seal of the Republic of Sri Lanka, this Ninth Day of November, One thousand Nine hundred and Seventy-seven.

By His Excellency's command,
H. C. D. Wijesinha,
Secretary to the President

IN THE NATIONAL STATE ASSEMBLY: 9th DEC., 1977

“...TREMENDOUS DETERIORATION IN THE MORALE, ADMINISTRATION AND CONDUCT OF THE POLICE”

In the course of his submissions before the Sansoni Commission on the second day's sittings in Jaffna, Mr. Sam J.C. Kadirgamar quoted the observations made by Mr. J. R. Jayewardene on the floor of the National State Assembly, in regard to the Police Service. (Mr. Jayewardene was then Prime Minister) Mr. Kadirgamar was reading from the Hansard of 9th December, 1977:-

“.....I would now like to deal generally with the Police service..... naturally everybody is concerned with the Police service because in any state that considers itself civilized, there must be an organisation to preserve law and order. In our country, the Police service has a history of over 100 years and has been responsible mainly for the preservation of law and order, except when there were violent outbreaks and the military were called in to help them. But 17,000 people who constitute the Police service are the people to whom the ordinary citizen looks up to in order to maintain law and order.

“I find that in the last 7 years—it is not my finding alone but of almost everybody in this Assembly as seen over the last two days—there has been a tremendous deterioration in the morale, administration and conduct

of the Police. I do not say it covers everybody in the Police service but by and large it has been so.

Let us see what the Siriwardhana Commission tells us. During these seven years that the previous government ruled this country, they used the Police Force as their private home guard. Mrs. Bandaranaike, treated Sri Lanka like a coconut estate. She looked after it as she looks after her coconut estates. The Police were asked to do what she wanted. I do not know whether they were used as domestic servants also. But certainly some of them were made to carry out her orders—illegal or legal, it did not matter to her. Whether she knew the Police Ordinance, or whether she knew what Policemen were expected to do, I do not know. But I gave one or two examples—there are many other examples I am aware of—where the police were made to act as her servants.



MR. J. R. JAYEWARDENA

I do not intend to do that. I will never ask, nor I hope, will any of the Members of Parliamentary Party Ministers and others ask the Police or any official to carry out an order which is not in keeping with the rules of procedure governing them. If I hear of any such, I will countermand it. So, you do not need to have any fears in that respect that they will follow the bad habits of the previous government

“I have always maintained that the main function of the Police is to investigate offences. They have a prior function, if they can, to prevent offences taking place. But investigation of offences is their main function, the preservation of law and order in the sense of preventing

offences taking place, and then prosecution before courts of law. There may be other functions, but these seem to be to my mind, the main functions of the police. To carry out those functions they are vested with special powers, they are given special uniforms, they are trained, they are given weapons to use in certain circumstances, and various other protection have been provided so that they may carry out those functions properly.

“Such a group of men, as I said before, can be utilized for evil as the previous Government did. Now to get them back into the normal functioning of the police force we understand it—and the example very often taken is of the British Police—takes some time. The reason is that, apart from the officers we call Gazetted Officers—there are a little over 17,000 in the Police service—15,000 to 16,000 men who have been recruited after passing minor Examinations. So, to get them back into that disciplined thinking will take some time.....”

THE PANEL OF LAWYERS

Those present on the first day's proceedings included the following:-

Mr. Tissa Devendra, Secretary

Mr. G. P. S. Silva, Deputy Solicitor General and Mr. P. Ramanathan, Senior State Counsel, assisting the Commission.

Mr. Sam J. C. Kadirgamar Q. C. appearing on behalf of the TAMIL REFUGEES REHABILITATION ORGANISATION, with

Messrs.

Leslie Bartlett

Manivasagam Underwood

S. C. Chandrasenan

S. Somasundaram

N. P. Niles

K. Shanmugalingam

Mahendran Sellathambu

Rajan Sellathambu

S. Nadarajah

S. Viswanathan

Siva Rajaratnam

K. Thevarajah

S. Puthumainayagam

S. Chakradaran

I. Ketheeswaran

S. Sittampalam

Mano Devasagayam

S. Mahendran

Siva Rajasingham

S. Mandaleswaran

S. Karunaka

Shanthini Gnanakaran

instructed by

Mr. S. Raveendran

On behalf of the FEDERATION OF TAMIL TRADE UNIONS

Messrs.

P. Navaratnarajah, Q. C. with

K. Shanmugalingam

Leslie Bartlett

Manivasagam Underwood

Miss Baskari Mudaliyar

Miss Fatima Arokiasamy and

Mr. M. Karunakaran

instructed by

Mr. S. Raveendran.

Same appearance as above for THE ASSOCIATION OF AFFECTED TAMIL OFFICERS.

Mr. Kadirgamar: The 2nd day

WHAT MR. WERAPITIYA SAID IN THE HOUSE

Mr. Kadirgamar: “Before I call Mr. Amirthalingam, may I have your indulgence to bring certain matters to your notice. We are seeking to marshal the evidence in such a form that you will not be burdened with too much details. We hope to place before you the broad aspects of the origin and escalation of the unfortunate incidents which are now before you. In that connection we thought it might be useful if we give an indicat-

ion of some material that we may have to consider while the evidence is being outlined.

“May I indicate it as follows: The Hansard of 18th August, 1977 contains speeches made in the House by Mr. Amirthalingam, and the Hon'ble J. R. Jayewardene, the Hansards of the 19th, 22nd, 23rd of August contain speeches of the Hon'ble E. L. Senanayake. Some of those I have not got with

me at the moment but I have got the others. Mr. Premadasa came in later.

“The Hansard of 6th December, 1977 contains largely the statements made in the House by Amirthalingam, the Hon'ble Werapitiya and the Hon'ble J. R. Jayewardene. The relevance and the usefulness of this Hansard, if I may indicate it, is briefly as follows: These gentlemen who were acquainted with the many facts

and matters which are connected with the subject matter of this inquiry made speeches in the House; the object clearly being to indicate their views and communicate to each other on the floor of the House material that had come by. These are gentlemen who are in possession of facts. They are sober in their statements, formed their conclusions and expressed them in regard to the unfortunate events.

“I finally venture to say that we are at a different stage now before this Commission because this Commission has been invested with authority and power to give its mind to very matters, and ultimately your conclusions will be a communication to the Nation at large and to all the people who make our body politic because the people are as much entitled to know what you have found and what you recommend in order that the future action of the State could be designed to lead a safe and useful life by the different communities in the body politic of this country. I also wish to draw your attention

(Continued on Page 6)

THOUSANDS OF WORKERS MADE

Thousands of Tamil plantation workers have been affected. Several have lost their bread-winners. Families have lost their life-time savings and become inmates of refugee camps. They are persons who have been settled in this country for generations pursuing their peaceful vocations. Their possessions have been destroyed and they have become destitutes overnight.

This was stated by Mr. K. N. Choksy, counsel appearing on behalf of the Ceylon Workers' Congress, on the opening day of the Sansoni Commission sittings in Jaffna on February 8, 1978. The Ceylon Workers Congress is one of the largest Trade Unions in Sri Lanka, and has a political wing that is a recognised political party.

Following is a complete text of the submissions made by Mr. Choksy:-

"Might I submit an outline of the causes or factors that the Ceylon Workers Congress desires to place before the Commission in order to assist the Commission in its deliberations.

The disturbances were island-wide

"Mr. Thondaman, Member of the National State Assembly and President of the Ceylon workers' Congress has done considerable work regarding investigations into matters relevant to the terms of reference of this Commission. I will be moving the Commission to permit me to place whatever evidence it desires to submit before it when it sits at Kandy and Colombo.

"The disturbances were island-wide. It may not be possible however for the Commission to conduct an island-wide investigation. The Ceylon Workers' Congress is a fairly wide-spread organization and therefore, this organization and its officials who had worked voluntarily, had been able to collect a lot of material which no doubt will be helpful to the Commission. This material has already been placed before the Commission in the form of a memorandum dated 29.12.1977 signed by Mr. Thondaman. Nevertheless, since this memorandum was submitted, we have been able to collect more material. May I now set out the facts that the Congress wishes this Commission to inquire into.

"If I may say so, the Ceylon Workers' Congress was the successor of the Ceylon Indian Congress which was founded in 1939. After Independence the Ceylon Indian Congress became the Ceylon Workers' Congress. It is a registered Trade Union and

it is probably one of the largest Trade Unions in this country. In recent years a political wing has also been established and today it is a recognised Political Party for the purposes of Parliamentary Elections Order in Council. The Congress has been the principal organization that has promoted the occupational, civic and political rights and welfare of the Indian Tamil community in Ceylon.

"The Indian Tamil Community is a distinct ethnic group in this country. The Indian Tamil Community today consists approximately of one million persons. As this Commission is already aware, approximately eighty per cent are engaged in plantation industry in this country. That community has certain distinct characteristics. There are some aspects different to those who are traditionally known as Ceylon Tamils. The chief characteristic of this ethnic group is that they are inhabitants of the central part of the country, largely in Kandy, Central Province, Uva and Sabaragamuwa Province. They have no definite citizenship. Whilst they are Tamils and speak the Tamil language, nevertheless, they have no roots in the Northern and Eastern Provinces. For this reason they became a national minority and although I use the words "National Minority", they are a group of persons who have been here for several centuries and who have contributed a lot to the welfare of the nation.

"It will be necessary to lay stress on this matter in view of the fact that you have been asked to report on measures to prevent a recurrence of the incidents that this country witnessed during the period of August and September last year. You have been specifically asked to recommend measures that would prevent a recurrence. In order to be in a position to do so, you will necessarily have to ascertain the background and social trends that related to the incidents of August and September, 1977, and in this connection, I state that as you proceed, you will see that the Indian Tamil community have been isolated from the main stream of economic development, social upliftment and education in Ceylon and this has been so both in the Colonial era and also in the post independence era.

Contribution to country's economy

"Now, the Congress has always advocated against this isolation. The Congress also sought to gain recognition for the very important role this community has played in the economic development

of Sri Lanka. That rule unfortunately is largely taken for granted; despite obstacles, the Congress has made headway but no solution has been found. The Congress was one of the groups that agitated for the appointment of this Commission and the reason why the Congress did so was this was the first occasion in the history of this country that communal disturbances have so adversely affected the Indian Tamil community.

"The 1958 riots which were also island-wide affected the hill country, largely the urban areas, but this time we find that amongst those who suffered most were the plantation workers in the hill country. For various reasons, some of them prudent, the Press at the time of the disturbances did not give full coverage but it will be necessary before this Commission for us to take the main instances that took place in the hill country and place evidence before this Commission.

Total break-down of law & order

"As you go along, you will see that this was virtually an open session in the hill country. It was an open session during which the plantation workers were hunted down. You will also see that there was complete break-down of law and order and the law enforcing machinery came to an absolute stop until the Government was compelled to call the assistance of the armed forces.

"That is also one matter which we will request you to investigate, namely, why it was necessary for the Government to call out the armed forces. One reason obviously was the disturbances were so wide-spread and another reason which will transpire in the evidence is that there was a complete breakdown of the law enforcement machinery in that part of the country. You will see that certain organisations have placed memoranda before you and I find that another large organisation, that is the Tamil Refugees Rehabilitation Organisation has submitted a memorandum in which they have set out at length their views as to the cause of the disturbances during the period August - September, 1977.

"I find on a reading of this memorandum that they attributed the cause to communalism and they say that the disturbance was communal. The Ceylon Workers' Congress has also expressed the same view independently in its memorandum and I find that there is common ground between these two large organisations that are making representation before you.

The Ceylon Workers' Congress has set out in its memorandum the reason why it says these disturbances were communal in nature. In fact you are requested to ascertain the circumstances and the causes that led up to the incidents which took place between the 13th of August and 15th Sept. 1977. In our submission, the evidence shows almost conclusively that the hand of communalism was behind. There are two or three substantial reasons for saying so and may I give those reasons straightaway.

"Immediately after the last general election, for a few days after the elections, there were disturbances in various parts of the country. Those



MR. K. N. CHOKSY

Counsel makes submissions on behalf of the Ceylon Workers' Congress

disturbances appeared to be largely post-election violence. If one is to go into the pattern in which those incidents took place, the circumstances in which those took place, those who participated in those incidents, you will find that those incidents had no communal bias. There was not one community singled out as a target of violence nor did it have any religious bias. The aggressor and the victim were both persons who had political affiliation, but shortly thereafter in August and September the incidents that took place were of a different and distinct trend.

"We will invite the Commission to make its report and findings on what those trends were and for that purpose we will lead evidence. But the Commission will be pleased to see from the memorandum already submitted that the distinct trend in the disturbances of August and September 1977 was that there was a common objective for violence and that objective was to cause harm to a particular community in this country.

I say so because the data available show that the victims of this violence were almost entirely Tamils.

"Then again there is this phenomenon: non-Tamil Indians were not affected. They were not in any way harmed. Then again, coming to the plantation areas we find that the target of attack was the Indian Tamil resident labour but at the same time in areas where there was non-Tamil resident labour, we find that they were singled out for salvation.

"The evidence also suggests that the areas where the violence was greatest were areas where Tamils were settled in minority groups. On the other hand areas such as Nuwara Eliya, Ragala, the upper reaches of the hill country were not very much affected. Almost the entirety of the mid country and low country areas were badly affected. The reason why the up-country area was least affected is that these areas contained a very heavy concentration of Indian Tamil population. In the mid country and low country areas, however, the Indian Tamils being in a minority the worst incidents took place there. In the urban areas several shops and boutiques belonging to Tamils were looted. Several establish-

ments were also set on fire. Tamils were affected not only in their houses and business places but in other places also.

"The participation of youth in the violence in an active way was a new and alarming feature. Another prominent factor of the violence was that women and children joined in the looting. The persons affected in the urban areas are the businessmen also of Indian origin. It is they who suffered destruction of their business. As for youth participation in these incidents the data available for the 1958 communal riots does not indicate this degree of participation by persons between the ages of 15 to 30 years. The Commission will investigate the causes which led to the youth and female participation in these incidents.

"Another factor the Commission will have to investigate is the adequacy of the Public law-and-order machinery to cope with such a situation. Sir, once again there are certain distinct

PLANTATION DESTITUTES

features. One finds that there have been concerted and probably planned attacks on the public transport system. There was, of course, the incident that attracted much attention, that is the attack on the Jaffna-Colombo train and the Mannar-Colombo train on the night of the 16th August at the Anuradhapura railway station; that was a major incident. The evidence shows that there were groups of people who entered public transport, the buses and the trains, and singled out for attack the Tamil commuters. That happened with impunity over a period of several days. There is no evidence of action taken by the authorities to see that further incidents did not take place.

"Another matter on which the Commission will have to make investigations is why this violence could not be curtailed even after the Government stepped in and declared a curfew. We have with us material of very definite instances where violence of extreme nature, particularly arson, was committed in public places after curfew hours. There we will ask the Commission to ascertain how is it that despite the existence of the curfew that incidents were permitted to take place after curfew hours.

Were any public officials involved?

"We also ask to investigate who was responsible for those incidents. Were the persons responsible for the incidents ordinary members of the public, were any public officials behind that, did any public officers participate in that? That will be a matter of importance which this Commission will be called upon to investigate.

"What I have said up to now would relate largely to Item 1 of the Terms of Reference, namely, the circumstances and the causes that led to the incidents, the nature and the particulars of the incidents. Flowing from this, you will have to answer the further question which is set out in Item 2 of the Terms of Reference namely, whether any organisation was behind these disturbances? That too is important and we do have material to place before the Commission, that there were certain planned and concerted acts of violence committed. For example, the incident I gave of the attack on the train at the Anuradhapura railway station on the night of the 16th of August.

Several Hindu temples attacked

"Another phenomenon was that several Hindu temples in different parts of the Island were attacked on the same time. Whatever evidence that is available before us, we will be placing before the Commission and I am inviting the Commission to make its investigations on that matter. That too discloses an organised hand. Therefore it is important from the point of view of public interest that the Commission pursues item 2 of the terms of reference to ascertain whether there was any body of persons or organisation behind this incident.

"I wish to say, Sir, that the Ceylon Workers Congress is not asking you to hold a post mortem. These incidents have taken place and they are over, but a post mortem some times is necessary in order to enable you to make a recommendation in regard to Items 2 & 3, namely, whether there was any organisation behind this incident, whether that organisation was political, whether it was communal, whether it was ad hoc? It is important for you in your report to investigate and report on that.

How to prevent a recurrence?

"This post mortem is also necessary for you to report on the measures that you consider necessary to ensure the safety of the public and to prevent recurrence. My

"Why were persons arrested and remanded not charged in the courts?"

submission to the Commission is this: that unless the Commission ascertains the nature of the incidents that took place and the connected attendant circumstances, and whether there was any organisation behind it, unless you investigate those aspects, you will not be able to make a complete report in regard to Item 3. And I think from the point of view of most of us who are before you, Item 3 of the terms of reference namely, the measures you recommend to prevent a recurrence of this incident is of the utmost importance and that is why we will have to necessarily ask the Commission to pick up the larger incidents, in general, investigate them and ascertain the underlying causes, the surrounding circumstances and then report on the measures necessary to prevent a recurrence.

"Sir, the incidents of this nature having been Island wide, it is not possible for any particular organisation to assist the Commission with that degree of detail which the Commission may desire. I, would, therefore, suggest that the Commission also be pleased to use its power under the Commissions of Inquiry Act and to collect whatever data is available from public institutions in regard to these incidents. For example, there are police officers in each districts. The Commission might through Counsel assisting the Commission call for data from these officers. Then there is the co-ordinating Authority in each district. Material might be available from these Authorities also. Then there are the armed forces. I do not know whether any data was maintained by the armed forces. Then there are the Government agents who were also responsible for the maintenance of law and order and you also find the D. R. O. s, the Hospital authorities and the Grama Sevakas,

"Now I believe certain Magisterial inquiries were held and the Commission might be pleased to call for proceedings of those Magisterial inquiries. When you come to hold your sitting in Kandy, I will be inviting you with respect to make inquiries from the Superintendents of certain estates to place data before this Commission. Each estate is a self-contained town, so to speak. Wide spread incidents took place and the estate Superintendents would be in a position

to place material that would be useful to this Commission.

"Then there are two other aspects which I suggest that the Commission should investigate, namely, there were a number of persons taken into custody by the Police during the time of these incidents. They were produced before Magistrates and remanded. It will be useful to find from those records which were made by the Magistrates the special reasons why they were remanded. The records would show whether there was a body of persons behind those incidents.

"Incidentally, it may be interesting to learn why a large number of persons were arrested, produced before a Magistrate and remanded but no prosecution had been taken. The Commission might make inquiries to ascertain the

reasons; whether there was any special protection and whether there was any follow-up by the authorities and the part these persons played in the violence that took place in those areas. For this we have made a positive suggestion in our memorandum. One does not know how far the official records are and how far they are correct. One does not know that. In certain quarters grave offences have been suppressed. We suggest a method whereby the Commission could appoint a unit loosely termed Investigating Unit to collect whatever data available and place it before the Commission.

"I do not know whether calling merely for information from the authorities would be



MR. S. THONDAMAN

satisfactory. Nobody will know whether you got everything or not. You might consider setting up a Unit with the assistance of the Attorney General's Department to check

on the material that has been placed before this Commission and also ascertain whether any further material is available. I believe, before the Air Ceylon Probe which is currently in progress material had been placed by the State through a special Investigating Unit that was attached to the Commission and which acted under the direction and control of the Commission. They were to'd collect information and place before the Commission. It was their duty to go and collect the information, and place it before the Commission. The Government itself had to call out the armed forces to strike out the violence and therefore, there must be a great deal of material available. As a private organization we cannot collect them. It is for that we have asked the Commission, with the assistance of the Attorney

General's Department, to collect whatever material is available and also make it available to us.

"Then there is also another aspect on which the Commission should obtain material; namely, the migration figures since August last year. The Commission is aware that over the last two or three decades Indian individuals have obtained Ceylon citizenship. It appears today that in consequence of the disturbance even those who had obtained Ceylon citizenship are willing to give it up. We understand that a large number of applications have been made to the Department of Registration of Persons for permission to migrate to India. That too is a Government Department. The Commission will be able to obtain the figures from that Department, namely, particulars of applications received after August/September, 1977 for permission to migrate to India.

"The next item 3, of the Terms of Reference also requires the Commission to recommend measure to assist the persons who were affected by these disturbances. We believe thousands are affected. Several have lost their bread winners. Families have lost their life-time savings overnight and become destitutes and become inmates of Refugee Camps overnight. They are persons who have been settled in this country for generations pursuing their peaceful vocations. Their possessions have been destroyed and they have become destitutes overnight. I am aware that thousands have applied for assistance to be obtained from this Commission. It is impossible for you to go into each case and make recommendations. The Congress has definite proposals to give in regard to the assistance to affected persons. Our suggestion is that this Commission should categorise the persons who have claimed compensation.

Measures for Rehabilitation

You should then lay down in principle what type of relief should be given to each category. You should also then suggest the official machinery that should take up the claims of compensation, fit them into categories suggested by you and give them assistance along the lines recommended by you I believe that probably will be common ground between us because it will be impossible for you to go into each case but certainly we want you to categorise and mark the recommendation as to what relief that will be

(Continued overleaf)

Thousands of Plantation Workers made destitutes overnight...

social impact of this legislative provisions were. They were detrimental to communal harmony. It is the view of the Congress that these legislative acts, these administrative orders only helped to create ill-feeling on communal lines.

Continued from Page 5)

given. The machinery, who will work it and the time within which it will work—that is very essential.

Then the other aspect of item 3 requires you to recommend measures necessary to rehabilitate affected persons. That too is important from the public point of view and from the point of view of those who have been affected. The Congress has set out in para 27 of its memorandum what in the view of the Congress the Commission should recommend. Some persons may require resettlement; they may want to go back where they were. Others are too frightened, too disillusioned to go back, but they cannot remain nomads for life. So the Commission will have to devise some way in which such persons are rehabilitated and make the necessary recommendation.

It is too early at this stage at the very beginning of the Commission's deliberations for us to put forward any concrete proposals, but when we appear once again, I intend placing before you the proposals that the Congress has to make on this question of rehabilitation.

Then the last but by no means the least requirement of the terms of reference is your recommendation in regard to measures to prevent recurrence. In the view of the Congress this is the most important aspect of the terms of reference and in that respect, we view this commission as probably one of the most important Commissions that have been set up since independence. You are not investigating and reporting on the administration or corruption of any particular Government Department or a public Corporation. There are numerous commissions in respect of them, but your deliberations go island wide

and go to the very root of our national unity and it is for that reason the Congress has placed very concrete stress on your recommendation in regard to steps to prevent recurrence of this incident.

Independence was a united effort

If I may put it this way Sir, the Congress will invite you to ascertain the national factors that are causing communalism. You will be asked to investigate the national factors that are causing communalism because unless you get to the root of these factors and suggest ways and means of overcoming them, I say that the object of this Commission will be lost.

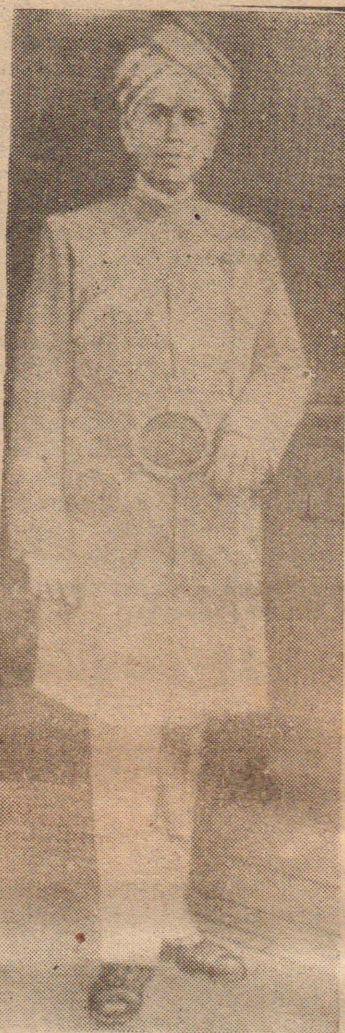
The Congress has agitated the appointment of this Commission and welcome you as Chairman for the reason to go to the root of this cause and to suggest long term remedies. We are not contending for short term remedy, we desire and feel that you have the competence to ascertain the basic factors and to recommend long measures that would prevent recurrence of communal violence in this country

"What we have in mind is this Sir. We want you to briefly consider the social factor that caused it and to make recommendation as to what in your view would counter the social factor.

"Further, I may briefly outline obvious social factors. First is the communal riots that took place in 1915 between the Sinhalese and the Muslims. Now the outcome of that violence was very beneficial because we found it resulted in uniting two major communities, the Sinhalese and the Tamils; they got together and agitated for independence. The role Sir Ponnambalam Rama-

nathan played is legendary. The outcome of the violence is the two major communities marching forward together for a common demand and that common demand was realised in the 1948 independence.

"Then there was the Citizenship Act of 1948. That Citizenship Act deprived the entire Indian Tamil community of citizenship rights. Their basic rights which they had acquired after centuries of residence here was taken away by the Citizenship Act:



SIR PONNAMBALAM RAMANATHAN

"His role in the independence movement was legendary....."

Then we had the phenomenon of a large group of persons without citizenship living in this country, a group who had contributed in no small measure to Ceylon's economy and welfare suddenly found by an Act of legislation their citizenship denied. Such an Act bound to result in the type of incidents that occurred frequently since 1948.

Then the other was the Official Language Act of 1956. The Official Language Act imposed Sinhalese as the official language. Thereafter the Tamil Language Special Provisions Act came in and it was a statute without any meaning because it meant nothing without the Regulations being promulgated. No regulations were made until there was a Pact between Mr. Dudley Senanayake and Mr. Chelvanayakam in 1965. Pursuant to this pact the then Government in 1965 placed before the legislature regulations to give some meaning to the Tamil Language Special Provisions Act. Immediately there was a meeting of persons and oaths were taken before the statue of Vihara Maha Devi and the procession resulted in the shooting of a monk.

Aggravated by the 1972 constitution

Then came the 1972 Constitution which only aggravated the situation. Sinhalese was made the only Official Language under the Constitution. The language of the minority group was not given recognition. Article 29 of the 1948 Constitution which gave certain entrenched rights to the minorities was just discarded.

In the wake of that there were certain administrative actions in the field of education. There was standardization mediumwise and districtwise. It does not take long to ascertain what the

"As I said earlier there was a significant participation of youth between the ages of 16 and 30 in the recent disturbances. This group came up in the period after 1948, the period during which I have just told you the various discriminatory legislative and executive acts led to widen the drift between the two major communities in this country. We would ask you to probe into this matter and report as to the cause that led to these disturbances.

There is a feeling that certain groups are superior to the others and that the others are inferior. These are contributory causes. I think that is one of the causes for the disturbance. These are not immediate causes. Some Policemen going on rampage in a carnival in Jaffna is not the main cause. There are other causes for these disturbances.

"Under item 3 we will ask you to make recommendations which will prevent recurrence of such incidents in the long run. In that respect, the Commission can make a significant contribution to the national welfare. There has to be integration. There are different people in this country. They have to live. We cannot drive out anyone.

"I will therefore be placing evidence before the Commission, to enable you to make what could be called a long-term recommendation under item 3. That Sir, is the outline of the basis on which the Congress will participate in the deliberations of this Commission.

When the Commission sit in Kandy I propose to place the evidence of Mr. Thondaman if necessary. We are grateful to Mr. Thondaman for giving us an opportunity for appearing for the union.

Mr. Kadirgamar : The 2nd day

17,472 POLICEMEN: ONE-THIRD APPOINTED AFTER 1972

(Continued from Page 3)

to some of the conclusion of these respectable people. I have prepared, as I told you yesterday, Sir, a schedule of the names of Public Officers who are sure to be in charge of documents, records and reports made contemporaneous with the event which will be of assistance to you.

"I am reading from the Hansard of 6th December, 1977, column 307 onwards. Some of the observations of the Hon'ble Werapitiya, Deputy Minister of Defence, is recorded there. (Reads)

"Mr. Chairman, I am thankful to Hon. Members of this Assembly for the valuable contributions they have made in high-lighting and pin-pointing the defects and weaknesses in the Departments coming under the purview of the Ministry of Defence. Many Hon. Members criticized in no uncertain terms what took place in these departments for the past few years—the closing stages of a dying and corrupt administration I have personally watched the proceedings in this Assembly from the Galleries above as a senior police officer

when the Votes relating to the Police Department were taken up for discussion during the Committee Stage Debate. I must say that the attitudes I had then were completely different. Now that I am a Member of this honourable Assembly with all my Colleagues around me, I feel and think like one of them, and I can understand why they reacted so positively to the indignities they have suffered, no matter by whom these acts were perpetrated."

Mr. Kadirgamar continues: "In a democratic society

where the main theme is the sanctity of the individual, law and its enforcement is of paramount importance. Police Officers unlike their counterpart in the other services are involved in the day to day activities of the people; where criminal offences are committed where there are family disputes, traffic problems and innumerable other matters. In fact the Ordinance under which the Police can act are so numerous and so difficult to act as required by them. In other words, a Police officer is seen 24 hours of the day and naturally, his actions

come under close scrutiny. Our Hon'ble Prime Minister has dedicated himself to establish a just and free society. It is therefore the sacred duty of the Police service to provide the necessary background to achieve this objective.

"It should be realised that we have today a service of 17,472 officers of all ranks. Of this number about one third were recruited within the last five years. We have to live and work with them for the next 25 years so that we have to make good Police Officers out of them. There is no magic in Police work which hold good even to this day. They are basically, good recruitment, good training, correct supervision and sound experience, good methods of

(Continued on Page 7)

'HINDU TEMPLES WERE DAMAGED AND PRIESTS WERE BRUTALLY ASSAULTED'

Mr. R. Balasubramaniam, marked his appearance on behalf of the Federation of Hindu Associations of Sri Lanka, on the 3rd day of sittings.

I wish to mark my appearance on behalf of the Federation of Hindu Associations of Sri Lanka. There are over 75 Associations in this country. I will be actually appearing on behalf of over 25 Hindu Associations. The existence of Hinduism in this country can be ascertained from the Mahaeansa. If it is necessary I shall lead expert evidence Hindu temples were not monopolised by the Hindus but used by people of other religions also. The temples and Hindus are not confined to the north and east only. They are widespread and they are found in all the nine provinces. It is well known that even Dutugemunu went to Lord Kataragama, formerly known as the God of the Tamils.

There are five Eeswaran Temples in Sri Lanka. They are: Koneswaram, Muneeswaram, Ketheeswaram, Naguleswaram and Mamangeswaram. These are temples of historical importance. People even from India and other countries visit Ceylon to worship at these temples.

Adams Peak is known as 'Sivanadi Patham.' Hindus go there to worship.

Your Honour's duty is very important. Your Honour has to analyse the sufferings and damages done to the Hindus and the Hindu Temples in this country. Hinduism considers that man is essentially a divine being. We have to examine why man who is a divine being has turned out to be a beast. When people are trying to build Hindu Temples it is strange that a section of the people here are trying to destroy them. It is strange why people who do not like to break an egg are killing people in the country. These are questions by many people outside the shores of this island of ours. I would also say that Lord Buddha preached love and compassion. This happened at the hands of the very people who profess the teachings of Lord Buddha and who want the first place to Buddhism. Why have they deviated from the preachings of Lord Buddha to the world at large? I wish to lead evidence of witnesses who



"Lord Kataragama, formerly known as the God of the Tamils" - Counsel.

have seen the incidents and also produce photographs and other documentary evidence to show the extent of damages to the various Hindu Temples and about the brutal assaults on Hindu Priests. What has made the men to behave like this in this particular part of the world? On behalf of the

Federation of the Young Mens Hindu Associations Mr. Sivaneswaran Balasingham and Secretary will testify with Your Honour's permission. Our task is to assist your Honour to find out why these incidents took place and who were responsible for these incidents.

Your Honour's finding will open the eyes of the people in this country.

Commissioner: Do you say that you sent a memorandum?

Secretary: Yes.

Mr. G. P. S. Silva: I do not wish to say anything

The Commissioner...

(Continued from Page 1)

Abeyesundera, Mr. K. Alvapillai, Prof. A. W. Mailvaganam, Judge W. W. Muthurajah and Mr. K. Nadarajah.

He practised as a lawyer in Kandy for eight years from 1929. He was appointed to the Judicial Service in 1937. He became Commissioner of Assize in January 1954, a Puisne Judge in May 1954 and Chief Justice in 1964.

After retirement, he was appointed to a one-man Commission of Inquiry to report on conditions of employment at the Insurance Corporation. In 196, he went on an assignment as Rapporteur on Space Law & International Convention at the World Peace through Law Centre Conference in Geneva.

Mr. Sansoni comes from a family of lawyers. His grandfather Mr. Henri Milani Sansoni, his father Mr. S. C. Sansoni (Negombo Bar), his brother Hildon (also Tennis Champion of the thirties), two uncles, Waldo (who headed the Bus Commission in the fifties) and Guy were all lawyers by profession. He also married the daughter of a lawyer Mr. Aelian Ondatjee.

Mr. Kadirkumar : The 2nd day

5,000 TO 6,000 AFFIDAVITS

(Continued from Page 6)

promotion and adjustments to suit the changing society. For some time now there has been a decline in the standard of Police efficiency I attribute it mainly to the Emergency Regulations under which we lived for so many years. The wide powers under those laws contributed to the cessation of democratic principles, political patronage, unchecked power, turned the heads of the Police Officers and made them instruments and they abused the power and misruled. They became a law unto themselves. They lost their sense of right and wrong. When you lose your sense of fairplay you become a menace to society and State. That was what happened to the police service.

"I don't blame the Police entirely. They were merely tools in the hands of scheming politicians. We have to recover from this position.

It is a long and arduous task. It means that hard decisions will have to be taken and implemented. This we will do. We have to change the concepts so that a just and free society

could be established. The theme expressed by our organization is admirably stated by Mr. Werapitiya. We feel that the escalation of these incidents in the country was because of the deliberate and calculated inactivity and shirking of their duty. By combining both we have the tragedy that we are complaining of.

"In the same connection, in the same Hansard at column 325 may I read the observation in regard to the Police Service by the Hon'ble J. R. Jayewardene, Prime Minister...

[Mr. Jayewardene's Observations on Page 3]

"Now one last matter. The organisation which we represent has advertised in the press calling upon people who have anything to say in this connection to submit affidavits and statements; that they have done. We have got a very large number. May be 5,000 or 6,000 of them. The commission itself advertised and I remember there was a response to that too. We were thinking ways and means of lightening your task.

"We have analysed so far about 3,500 sets of evidence that have come to us. Having analysed them, we have put them through the computer and the results we have handed to the Secretary. The balance of these evidence, I hope it will be available before we complete the sitting here. We have done by district by district, details of names of persons in alphabetical order with particulars of injuries, death, loss and so on. We have got through about 3,500. I do appreciate it is impracticable to call all these persons and ask them to make statements. So this will be available to the commission and I thought that we have done this and we will be happy to wait upon you for any indication or any suggestion as to clarification or elucidation as to marshal this in some systematic form.

"What I propose to do is to commence giving Your Honour a picture by calling

THIS ISSUE

Material published in this issue includes evidence led on the 1st, 2nd and 3rd

first Mr. Amirthalingam. Secondly Mr. Yogeswaran will give evidence. Next Dr. Balasingam. Next Dr. Philips. Then Mr. Thambithurai, Retired D.J. Different witnesses will give different evidence. Then Mr. Senaratne, Assistant Collector of customs. Then the gentleman who prepared the map and certain other witnesses like that. In that way I was hoping to place before you the picture of the evidence and ultimately to place before you enough material and when you go to Trincomalee, Anuradhapura and Kandy, you will be already in possession of sufficient basic material.

Commissioner: These are the dates for which the witnesses mentioned here have been summoned?

Mr. Silva: Yes.

Commissioner: Is it necessary that they should be brought up on those dates?

Mr. Kadirkumar: No. We took these formal steps because we were not certain in our minds what the procedure would be. I am altering the list now to place evidence before you in the manner indicated to you.

day's proceedings of the Sansoni Commission of Inquiry. Sittings were held at the Jaffna Public Library building.

"Nothing is ever settled until it is settled right"

— Rudyard Kipling

The Sansoni Commission Evidence

The Story of the Sri Lanka Race Riots 1977.

Leader of the Opposition Mr. Amirthalingam testifies:



HOW DID IT ALL BEGIN?

APPAPILLAI AMIRTHALINGAM, M.P., Affirmed-Member N. S. A. for Kankasanturai.

"In fact, Sir, I am in a way responsible for this Commission being appointed; on the 18th of August, within two days of the start of the troubles in Jaffna, I asked for an adjournment debate in the National State Assembly, and in the course of my speech at that debate I made a request to the Hon. Prime Minister and the Government that an impartial commission should be appointed to go into the

action of the police in Jaffna which had by that time led to various happenings in other parts of the country. In fact it would be better for me first to explain my position.

"A part of the evidence I give will be on facts which I am personally aware of, in which I participated and in which I was a victim. Part will be on facts that came to my knowledge as M. P. and as Member of the National State Assembly for Kankasanturai, from affidavits submitted to me, shortly after the events took place and which I conveyed immediately to the Hon. Prime Minister asking the Government to take action to give relief to those people affected. With regard to the causes, that will be

partly deductions that would be drawn from the course of evidence and facts which came to my knowledge. As learned Counsel submitted, with regard to the remedies I would be permitted to come before the commission towards the end of the sittings and give my evidence.

"On the 18th I moved for an adjournment of the sittings of the N. S. A. in the following terms:

"I move for leave of this Assembly to move the Adjournment for the purpose of discussing a matter of urgent public importance, namely:

- the attack by a section of the Jaffna Police on peaceful citizens resulting in the death of 4 persons and serious injury being caused to about 30 persons;
- the acts of arson and looting by a section of the Jaffna police; and
- the situation that is developing in the country as an aftermath of this police action, resulting in innocent passengers being attacked and robbed in the trains and the train service being cancelled.

What happened at the carnival

"I shall now deal with the events or incidents that took place in Jaffna. I do not mean to say that the ultimate cause of these troubles and the communal holocaust was the carnival at St. Patrick's College grounds, Jaffna. But curious enough, as your Honour knows, very serious events have triggered off these incidents. This was the cause that triggered off the incidents.

(TO BE CONTINUED NEXT WEEK)



It doesn't take much to become a refugee

in your own country

Your race can be enough.

Advt.

With apologies to the United Nations High Commissioner for Refugees

NEWS FLASHBACKS '77

(Reports published by the "INDIAN EXPRESS" in its issues of August 16, August 17 and August 18, 1977.)

AUGUST 16

COLOMBO, Aug. 16 (Samachar)

The army was patrolling Jaffna town in Tamil-dominated Northern Province today following two days of clashes between police and civilians in which at least four civilians were killed and 25 injured.

The army commander Major General Attygala, and the Inspector-General of Police, Mr. Stanley Senanayake flew into Jaffna in the afternoon by helicopter after a National Security Council meeting here presided over by Prime Minister, J. R. Jayewardene.

Business in Jaffna came to a complete halt today with shop-keepers pulling down shutters. Employees in Government office did not report for duty. Public transport service also did not operate.

AUGUST 17

By K. NADARAJAH
Express News Service
COLOMBO, Aug. 17

Tension continued to prevail today in Jaffna where four persons were reported killed and 20 injured in clashes on Monday night between police and civilians.

The Government Agent in Jaffna reported this morning that normalcy could be restored in a day.

Government officials, including the Defence Secretary the Inspector-General of Police and the Army Commander, who had rushed to Jaffna, were to report to Premier J. R. Jayewardene later today.

Meanwhile, Leader of Opposition and head of the Tamil United Labour Front A. Amirthalingam has called for a public inquiry into the police shooting. Amirthalingam was himself reported to have been manhandled by police when he visited the scene of clashes.

Trouble first started on Monday when police questioned a youth of suspicion that

he was carrying dangerous weapon. The youth was alleged to have drawn a revolver at the policeman.

On Tuesday evening, policemen at a college carnival

in Jaffna were attacked. Police opened fire and four persons were killed. A part of the old market and section of the new market were set on fire

AUGUST 18

By K. NADARAJAH
Express News Service
COLOMBO, Aug. 18

Curfew was imposed last night in two districts of North Central Province following widespread clashes between Sinhalese and Tamils in the wake of the police-civilian clashes in Jaffna in Northern Province.

(Samachar reports that the night curfew imposed yesterday was on Thursday made a 13-hour curfew from 4 p.m. and extended to two more districts—Matale in Central Province and Polanaruwa in North-Central Province—following more looting and arson).

Trains going to Jaffna and returning were attacked at Anuradhapura and Kurunegala stations and passengers were beaten up and baggage looted. Most passengers mainly Tamils, fled leaving their belongings behind.

All trains to north and other areas passing through the trouble spots were cancelled last night.

According to press reports trains were waylaid by groups of people in forests and passengers robbed.

Shops were looted at Anuradhapura and Kurunegala.

next week

- * Mr. Amirthalingam traces the island-wide ramifications of the riots
- * All what happened in Jaffna M. P. for Jaffna Mr. V. Yogeswaran testifies