

The
Northeastern

Monthly

June 2004

Rs. 40



North Eastern

Monthly

June 2004
Rs. 40

The
Northeastern
Monthly

82, Srimath Bandaranaike

Mawatha,

Colombo 12

Telephone 2445198

JUNE 2004

Vol: I No. 04

Editorial Page 3
Using human rights to trap Tigers on
sole representation and ISGA

Region Page 4
Indianising Marx: the virtues of
parliamentary democracy in India

Letters Page 5
Democracy, minority rights, religious
tolerance in Sri Lanka – my foot!

Opinion Page 6
Murali's ancestors could have been
driven out as *kallathonis*

Comment Page 8
CBK uses Karuna in long-term plan
against Tamils

Cover Story Page 10
AG's double game with the missing
promotes impunity in army

Opinion Page 16
Sole representative or soul's
representative

Arts Page 18
Vadamody kooththu and reformulation of
Batticaloa's community theatre

Close Encounters Page 19
Japs demonstrate cult of suicide
bombing in Trincomalee

Opinion Page 23
Northern perspectives on the Tamil
homeland

Using human rights to trap Tigers on sole representation and ISGA

The LTTE's human rights record has been brought under microscope again. Almost 600 alleged violations by the organisation have been recorded and made public. Amnesty International has referred to the Tigers' violations in its annual report, as has the report of the US State Department.

UNICEF has accused the LTTE of fresh recruitments of child soldiers after having applauded it for releasing those under renegade leader Karuna's control. Indeed, former Amnesty International chief Ian Martin visited the Wannu to hold talks with the LTTE on establishing a human rights unit in its areas of control.

There is no dispute that if there are human rights violations they cannot be ignored and the LTTE's concurrence to establish a human rights body could be indicative of the pressure it is under to address such violations.

If the LTTE has to address issues of violating the human rights of people in the northeast, what about human rights violations in the south? In the south though violations against the Tamils might be comparatively few, the instruments of terror that lead to human rights violations in the past remain undisturbed.

Among them is the Prevention of Terrorism Act (PTA), which is now suspended. But it could be re-imposed with a stroke of a pen. It is not enough the PTA remains suspended, but that this obnoxious piece of legislation, which is contrary to all norms of international law, should be struck off the statute books.

But the PTA would be ineffective unless coupled with other provisions to assist the state in the task of dispensing terror. Among such provisions is impunity police and military officers enjoy that shields them from the law despite violating human rights. Amnesty itself in its 2003 report says, "Despite progress in a small number of cases, there was still widespread impunity for human rights violations."

The PTA coupled with impunity led to various types of human rights abuses

in the past – the most horrifying and inhuman of which could arguably be disappearances. Disappearances have taken place in Sri Lanka both in the Tamil-majority Northeast and Sinhala-majority South. The tragic tale of Jaffna's disappeared who went missing after arrest under PTA and emergency laws, and the disgusting impunity enjoyed by the army that allows most of the accused to remain more or less free, is our cover story this month.

Anyone who has gone through Sri Lanka's contemporary history, where the ethnic war has been punctuated by bouts of peace talks, will know only too well that one of the first acts carried out by the state when war resumes is to resort to cordon and search operations, where hundreds of youth are rounded-up and then systematically tortured. Some of them disappear.

So what are we to think of Ian Martin and others who have revived pressure on the LTTE to adhere to human rights standards, but allowed the state to run on a long leash? The most charitable explanation is that these international human rights workers are dead sure there will be no resumption of war or deterioration of law and order so that Tamils will not be arrested and subject to human rights abuse. This renders the PTA as more or less ornamental.

The other explanation is that these human rights workers are a bunch of international humbugs whose only agenda is to promote the interests of their masters that are the group of rich and powerful nations whose objective is to build up as negative a picture as possible of the LTTE before peace talks begin (if they do).

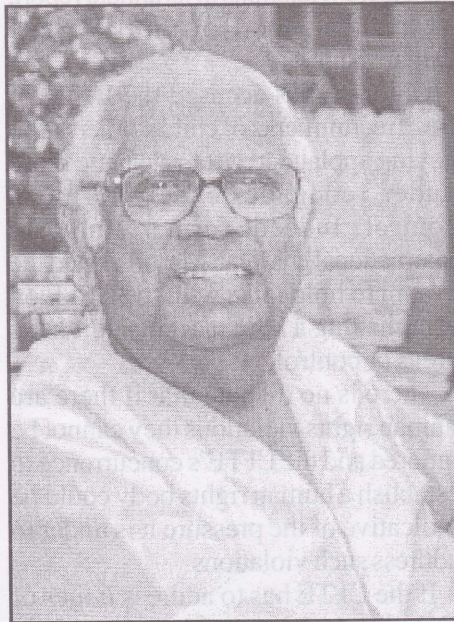
What irks Sri Lanka and its backers is that the LTTE is going to press for the establishment of the ISGA at the talks, which will be difficult to counter on moral grounds. Therefore no stone is left unturned to try knocking down and challenging the Tigers' claim of being the guardians and sole representatives of the Tamils. Accusing the LTTE of human rights violations against its own people is one such.

Somnath Chatterjee, speaker of Lok Sabha

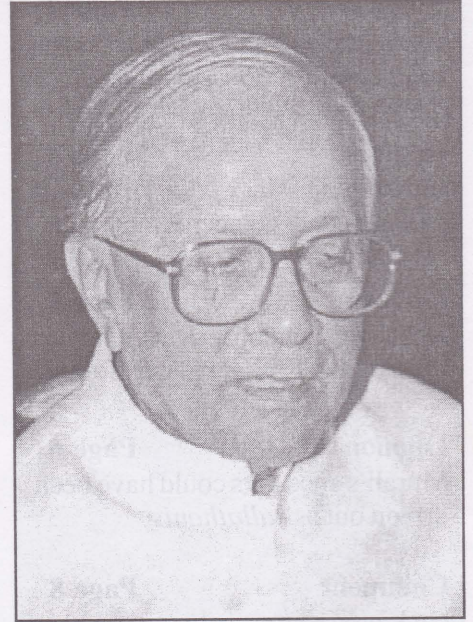
Indianising Marx: the virtues of parliamentary democracy in India

By S. Karthigesu

How do we understand this in the context of the development of Marxism and Marxist ideology in India? Is it that Marxist ideology is evolving into a particular Indian version? Are the Indians, 'Indianising' Marx?



Somnath Chatterjee



Jyoti Basu

For any student of Marxism in India, Indian National Congress leader Sonia Gandhi's invitation to veteran left leader Somnath Chatterjee to take up the mantle of Speaker of the Indian Lok Sabha, and more important, the acceptance of the offer by the Communist Party of India – Marxist (CPM), is a significant political development.

The political geography of socialism today shows that except in Cuba the 'Red' of the old Soviet and East European bloc has disappeared, while in the Peoples' Republic of China it is gradually getting diluted, though the basic structure is still going strong. If we leave China out (and the North Korean version of socialism need not detain us) the only Asian country where socialism is alive and vibrant as a credible political instrument is India, where one state (West Bengal) has been administered by the communists for

more than quarter of a century, while another (Kerala) is held together by a socialist power base. Tripura in the north is another Indian state where CPM is strong.

For any student of Marxism it should be clear by now that the political experiences of socialism in the former Soviet Union and China are no longer the sole high points of socialist achievement in the world. Any analysis of Marxism, post-1980, in Asia should take into account the pre-eminent roles played by leaders such as E. M. S. Namboodripad (EMS) and Jyoti Basu and how they kept alive the socialist ideology as India passed from a colonial to a post-colonial society.

While having clear-cut policies on questions such as land distribution, they were also able to take a fresh look at the Indian cultural legacy. EMS' writings on Kerala and the evolution of its cultural traditions and the role of the progressive writers'

unions in Bengali, Malayalam and Urdu, are invaluable to understand how Marxist ideology was getting Indianised and acculturated in an overall Indian ethos. In this context, the role of the late P. Jeevanantham in attempting to relate the classical traditions of Tamil literature with the vibrant oral traditions current in contemporary Tamil society should not be forgotten. (The Dravidian ideology under C. N. Annathurai claimed it was championing a socialist ideal of its own.)

The communists of India are today part and parcel of the Indian polity and hold 46+10 seats in the Lok Sabha. It is very interesting to note how they have evolved into an alternate to dominant political currents and have proved their worth by running two major states in the Indian Union. At the same time, they have worked so well within a parliamentary-democratic structure that the mantle of leadership of the Lok Sabha has now fallen on the shoulders of one of CPM's top leaders.

How do we understand this in the context of the development of Marxism and Marxist ideology in India? Is it that Marxist ideology is evolving into a particular Indian version? Are the Indians, 'Indianising' Marx?

The question is how relevant Marxist ideology and its application are in a colonialist, post-colonialist Indian society, which have their own traditions of social hierarchy. It should be said to the merit of Indian Marxism that at least in two Indian states it has been able to confront problems of landlessness and the social iniquities that arise out of it. What is more, these have been achieved without a centralised Marxist ideology and at the same time an ever-present and powerful opposition. In other words, it is the Marxist virtue of advancing the ideal of an equitable society that integrates it and makes it a formidable intellectual force in Indian politics today.

Indian Marxism has also got to be viewed with the context of 'Hindutwa,' which has become the

foremost ideological tool active in certain parts of India, pursuing the dream of effectively re-imposing crypto-feudal conditions – at least ideologically.

With the waning of the Gandhi-Nehru era in which the names of freedom fighters were used to uphold the oneness of post-colonial India, the country has now arrived at a point in its historical evolution where different states, despite varying, and often conflicting, socio-economic interests, are nevertheless able to keep the Indian 'Union' alive. The Union of India rests on the acceptance of such regional variations.

The West Bengal and Kerala experiences show that it was land reform movements from the below, or the grassroots, which helped to keep the Marxist ideology alive. Does this provide an indication of the quality of work among the Indian peasants undertaken by the CPI and CPM? These examples also demonstrate the importance of a close study of local cultures (or are they language cultures?) more carefully, because it is an accepted fact that literature has played an effective role in conscientising the emerging literate groups in West Bengal and Kerala and even Tamil Nadu.

Of course the larger question is how this process of 'Indianising' Marx or 'Marxising' India is going to be done within the context of global capitalism. The challenge is not only economic and political, but also cultural. It is a challenge for the Indian Marxist intellectual.

In Sri Lanka, unfortunately, we do not even have an institutionalised framework within which such problems could be raised. The great grand children of Anagarika Dharmapala, Arumuga Navalar and Siddi Lebbe have arrived at the logical end of the way their distinguished forefathers showed them. In our anxiety to be 'good' Sinhalese, 'good' Tamils and 'good' Muslims we have forgotten the land that sustains us all – Sri Lanka. The greatest asset of India is that amidst their Tamilness, Bihariness and Hindiness, Indians retain their Indian-ness.

Editor's mail

The
Northeastern
Monthly

Democracy, minority rights, religious tolerance in Sri Lanka – my foot!

It was an eye-ful to see the AFP photograph of His Excellency the President of India Janab Dr. Abdul Kalam (a Muslim), Sardar Dr. Manmohan Singh (a Sikh), the prime minister designate, and Madam Maino (Sonia Gandhi, a Roman Catholic born in Italy), the president of Indian Congress party. India is a secular state and it is amply demonstrated by these selections made by the people and their representatives.

The very Preamble to the Constitution of India opens with the words, "We the people of India, having solemnly resolved to constitute India into a Sovereign, Socialist, SECULAR Democratic Republic..."

Compare this with Section 9 of our Constitution, "The Republic of Sri Lanka SHALL give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana..."

All this takes place when India has 82.64% of Hindus, 11.35% following Islam, 2.43% Christians, and only 1.96% of Sikhs, from which community (and religion) the prime minister hails.

Can we even in the wildest of our dreams imagine such things happening in Sri Lanka?

Democracy, minority rights and religious tolerance in Sri Lanka – my foot!

**K. Sivapalan
Trincomalee**

Murali's ancestors could have been driven out as *kallathonis*



By Professor Bertram Bastiampillai

From time to time the political heads of Sri Lanka, Ceylon till 1972, took discriminatory steps that hurt the minorities, who constituted the multiethnic population of the Island. These measures indicated lack of true statesmanship of these political personalities who headed governments.

The Island began its independent history after receiving freedom from British rulers in February 1948. Immediately afterwards, the citizens of Indian origin who had been migrating to Sri Lanka since the early 19th century and unceasingly toiled in coffee and later tea and rubber plantations were denied their citizenship and their right to vote. They were expelled and rendered stateless.

Today the country considers Mutiah Muralitharan a national treasure, an invaluable asset and sings his praises. But his

people could, along with his ancestors, have been driven out as illicit immigrants *kallathonis* – arrested and detained at Slave Island camp until chased away. We were shortsighted we now realize, and look up to Muralitharan. Perhaps it is better late than never we recognize! Yet we terrorized citizens of recent Indian origin in every anti-Tamil riot. Murali may then have been a victim.

After Sinhala displaced other languages in Sri Lanka many Eurasians and Burghers would have been left illiterate if they did not pursue the alternative and leave the country. Duncan White, the only Olympic medal winner at that time, quit the Island as did many other eminent men and women of his community such as Professor Lyn Ludowyk. Among the Tamils, leading figures like Andrew Joseph and Alfred Edwards moved out of an inhospitable place where Sinhala alone were welcome, and privileged.

When Sinhala was the sole official language in 1956, Tamils, Tamil-knowing Muslims, Eurasians and Burghers had to also prematurely leave the public and other services. The quality of services declined. Efficiency reached low ebb as experienced personnel who knew no Sinhala were compelled to abandon their employment in the country.

When the Sinhala-Tamil conflict worsened it also affected the physical security of the Tamils. There were riots and breakdown in law and order from time to time. These were made worse by Sinhala-Sinhala rebellions that contributed to a general sense of insecurity to all communities.

Another curious measure enacted which hurt the economy was the declaration of the full moon (Poya), the quarter waning moons and waxing moons and the day prior to the full moon as holidays. It was an eccentric and confusing arrangement of holidays and caused problems to business houses with international relations in trade, import and export. The grant of Saturdays and Sundays as off days were replaced by an odd system organized according to the changing phases of the moon, *amavaka, atarata, purwa atavaka, passalosaka*.

Then a head of state declared public holidays whenever the Sri Lanka cricket team won a match. Sri Lanka is said to

enjoy the most number of holidays along with few other states. We are liberal with holidays and consequently do no work, while productivity suffers. If we are to progress we must make better use of our human resources. Attendance in public sector offices is indifferent and public officials are often out of their seats. Furthermore, the state is over-liberal in allowing vacation, casual and short leave. It is no wonder that the staff do little.

Corruption and bribery are ineradicable malaises that fester in the public sector. Also, staff is underused or not used at all. The chairman and director of a commission that is a vital public watchdog lies idle at so much cost to the exchequer and the public, because the composition of the commission to function properly is handicapped as one member remains to be appointed. As it is now constituted it is illegal. Meanwhile, bribery and corruption waxes almost unchecked.

In spite of a large police force crime is rampant and rife in the country. Once again the police are accused of being venal and, or, inefficient. More significantly the police as well as other public services are alleged to be politicized and that hence they behave partially. Politicization, it is repeated, leads to partisan action or inaction and confidence in the police service naturally erode. Even confidence in the judiciary has whittled down and suspicion about the judiciary's propriety is publicly paraded.

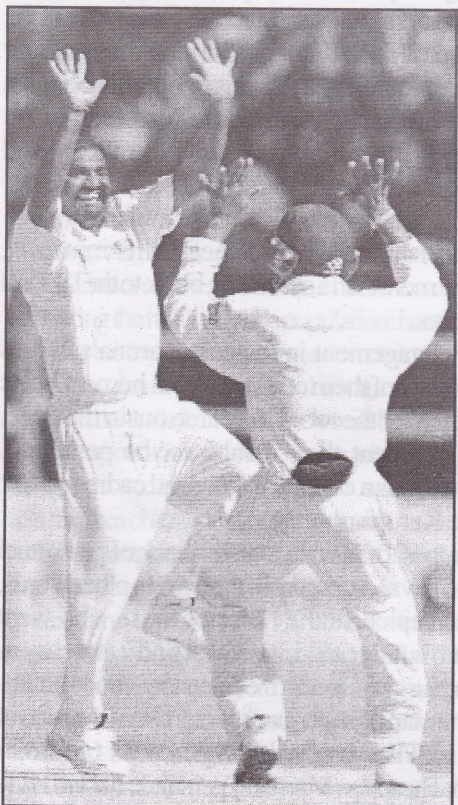
Recently a diplomatic representative from a neighboring country expressed a view that a credit line for agricultural development equivalent to 100 million dollars has been misused to buy motor vehicles for those privileged. Similarly, roofing sheets donated for distribution to the destitute have been sold or used to curry favor with political supporters.

What we are in are the Augean Stables. Who will clean them? When? In the meantime, even quite a few Sinhalese are choosing better lives abroad, abandoning the mother country. It may be understandable that whites should leave Zimbabwe, but not that Sinhalese should desert Tri Simhala.

Professor Bertram Bastiampillai, former dean of the Faculty of Arts, and professor of history at the University of Colombo was also the parliamentary commissioner for administration (Ombudsman) after retiring from the university.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*But
Muralitharan's
people could,
along with his
ancestors, have
been driven out
as illicit
immigrants
kallathonis –
arrested and
detained at Slave
Island camp until
chased away*



CBK uses Karuna in long-term plan against Tamils

By J. S. Tissainayagam

The JVP's warning to President Chandrika Kumaratunga that it is not prepared to sit idly by as she openly flouts the MOU, which both the PA and JVP signed before elections, demonstrates very clearly that the Sinhala-Marxist party means business. However, the JVP's reservations with the president was



obvious ever since it stated its opposition to the role of Norway in the peace talks and on accepting the LTTE as the sole representatives of the Tamils.

The JVP realises only too well the position it enjoyed till recently as the most dynamic and fast growing party on the Sri Lankan political firmament is declining due to two interrelated factors. On the one hand, Kumaratunga thinks she can wield the big stick, which she did in the allocation of portfolios without consulting the JVP. She also made moves to recommence peace negotiations with the aid of Norway and indicated her willingness to accept the LTTE as the sole representatives of the Tamils, both anathema to the JVP.

Second, the JHU is breathing down the JVP's neck and is quick to point out to extreme Sinhala opinion the contradictions between what the Sinhala Marxists said before elections and what they are saying now as part of the Kumaratunga administration. Therefore what was the most vigorous party before the election realises it would fall between two stools if it did not give a credible account of itself to its constituency, which it is doing by adopting a hard line position vis-à-vis Norway's participation in the talks, as well as on corruption in the public service by insisting that appointments to government and corporation jobs follow some order rather be allocated to the president's cronies.

These developments put paid to any thought of the UPFA government holding talks with sincerity to resolve the ethnic conflict. Kumaratunga's strategy now is to undermine the LTTE politically with regard to the ISGA proposals and, on the long run, militarily, which will make her more acceptable in the eyes of Sinhala nationalist opinion. At the same time, she hopes to play the card of the moderate to curry favour with international



opinion and open the doors for international financial aid that is contingent upon peace talks.

Realising that she cannot deliver on the ISGA proposals Kumaratunga hopes to prolong the talks by putting down obstacle after obstacle. The first has already been laid with her repeated refusal to meet Norwegian special envoy Erik Solheim. Her proposal that the core issues for a final political settlement be

discussed simultaneously with the ISGA has drawn a firm "No" from the Tigers. In other words, even engaging in a preliminary round of talks in the near future appears impossible.

At the same time the government is playing the Karuna card, though it denies vehemently having anything to do with the Tiger rebel. Karuna's forces are charged with carrying out assassinations of LTTE cadres in the east. They are also accused of intimidating civilians of Jaffna origin, though the identity of the killers of Eastern University don K. Tambaiya remains a mystery though it was earlier attributed to Karuna's people. The Tigers have repeatedly stated the attacks on LTTE personnel in the east are executed with the connivance of the military and suggested this could undermine the peace process.

It appears to be that despite that surgical strike inflicted in mid-April by the Wannu leadership on its erstwhile eastern commander, Karuna's potential to be more than a stumbling block to the LTTE's plans in the east remains.

After the military engagement in the east Karuna's cadres were disbanded and many of them opted to return home. Others had left his ranks soon after the rebellion came out in the open. According to the agreement they would not be penalised. However, the LTTE today is a couple of thousand cadres poorer than it was before the Karuna mutiny.

The government hopes to capitalise on this lack of personnel by denying the Tigers new recruitment in the east. In other words, if the LTTE hopes to replenish the ranks of those who went home after the Karuna mutiny failed, it will not find it that easy as before. The sudden upsurge of concern evinced by various high-profile international human rights organisations about the state of human rights in the LTTE areas, including the visit of former Amnesty International head Ian Martin to persuade the LTTE to

establish a human rights centre in their area of control, is linked with efforts to see that no further recruitment is done, or that the shortfall arising from those who were demobilised after the Karuna episode is not made good.

Similarly, a section of the middle-level commanders who were with Karuna broke ranks and went to the Wannī. Others stayed with him though a few did return to the Wannī fold after Karuna retreated before the LTTE. But it is unlikely Wannī trusts them now. There also appears to be deterioration in the influence the LTTE's present leadership seems to be having in the Batticaloa-Amparai areas from what it was under Karuna while he was part of the LTTE.

Further, the government also believes that constant gunning down of Wannī cadres and the open animosity shown to Tamils of Jaffna will destabilise the east. Further, with the eastern MPs emphasising the development of the areas south of the Verugal as their first priority rather than speaking for Tamil nationalism, forces desiring a split between the north and east feel their work is progressing well.

While raising and preserving regional consciousness is the destabilising tool in the east, in the north it appears to be by pumping luxury consumer goods, without laying the foundation for a more stable economy. This has created a nascent consumerism as well as a new segment of population – young men with money, cell phones and motorbikes, whose activities have begun to irk the conservative residents of Jaffna and the 'disciplinarians' among the LTTE. There were incidents where anti-social activity by some of them was 'disciplined' by the Tigers.

The government also possibly realises that rehabilitation of the IDPs is an effective way of diluting the militancy of a population: hence the moves by Kumaratunga to retain the ministry dealing with rehabilitation and resettlement under her, which will be used as a weapon against the Tigers rather than be given to her ministers to earn for themselves cheap political popularity.

The idea appears to be well crafted. While on the one hand the government will undermine the hold the LTTE has on the east by denying it recruitment, it will also create conditions where the differences between the north and east gradually come to a head. Meanwhile, the ceasefire will be prolonged and the people encouraged

consumption, so that the potential Tamils had to resist and oppose Sinhala hegemony gradually erodes through disuse. In other words, it is undermining the civilian population by sapping its potential to fight, which is a well-known counter-insurgency tactic.

Meanwhile, the government will see that lip service is paid to the idea of negotiations by holding talks that go nowhere, hoping that the international safety net forces the LTTE to remain passive. As long as she is engaged with the LTTE without provoking war Kumaratunga believes that the international community will not let her down. She will then probably put forward a truncated version of the interim administration or a final solution that is diluted federalism, which the international community will not mind and the Tigers too effete to counter.

Sections of the government believe that the LTTE cannot go to war now because it lacks sufficient grounding in the east. On the other hand if the ceasefire goes on but without fresh recruitment and with greater social undermining in the population centres of the northeast, the LTTE will grow effete over time and lose its military edge. In both ways – long-term and short-term – it is a safe to assume the Tigers will not go to war, or so the government thinks. Domestically too, the president will not be seen as "handing Eelam on a platter," which would help the SLFP's popularity among the Sinhalese.

It could also be that those who are putting forward such ideas believe the Tigers might see their position as being so hopeless both in the short and long terms that they would agree to seek a compromise with India, which could lead to a gradual strengthening of relations between the two. This will also bring both the LTTE as well as the UPFA government into India's sphere of influence thereby denying any other power an influence over India's southern neighbour. The sudden announcement that India is willing to develop areas not under government control is a strong feeler. Nor should it be forgotten there is a new government in New Delhi.

This appears to be the paradigm within which the UPFA is now working. The LTTE and the Tamils need to do some quick thinking to either wrest back the political initiative in the talks, or explore the international arena for other options to counter those taking the upper hand now. We can only hope these are no other options the Tigers are forced to explore.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*While on the one
hand the
government will
undermine the
hold the LTTE has
on the east by
denying it
recruitment, it will
also create
conditions where
the differences
between the north
and east gradually
come to a head*

AG's double game with the missing promotes impunity in army

By T. Sittampalam

“My allegation that the state is playing a double game, can be seen by the fact that the attorney general who is prosecuting a suspect in the case before the Colombo MC, is defending the very person in the habeas corpus!”

“You realise the enormity of the problem of disappearances in the northeast only when you list the number of agencies instrumental in abducting and killing people from 1979,” says K. G. Sakkya Nanayakkara, president Organisation for the Parents and Families Members of the Disappeared (OPFMD).

He proceeds to list them: security forces personnel of the three armed forces; the STF, home guards and the police; the LTTE; paramilitary forces controlled by the PLOTE and EPDP; the Razik and Mohan groups as well as the Jihad and other Muslim organisations in the east; the terror outfit under Manikkadasan in Vavuniya and finally the Indian Peace Keeping Forces (IPKF).

Disappearances in the Batticaloa-Amparai area continued without a pause from almost 1983. The army, the STF, Muslim goon squads and home guards, as well as bouts of violence unleashed by the IPKF and Tamil paramilitary groups account for the bulk of the disappearances there. “There are over 3000 I think,” Nanayakkara said.

Though the east might have suffered more due to large areas of it being contested terrain between the armed forces and the Tamil militant groups, where Muslim goon squads, home guards and others also made merry, it is the disappearances in Jaffna in 1995-1996, when the army after Operation Riviresa captured the peninsula that has drawn international publicity.

Soon after its capture the LTTE launched attacks on the army that was still consolidating leading to bitter, bloody fighting. The civilian population of Jaffna was ordered to move out of the city of Jaffna and its suburbs. The inhabitants took refuge

in the less-populated outlying areas. But after a few months returned to Jaffna. What they returned to was a veritable war zone.

“The military was taking the brunt of the fighting. Further, in retaliation to what it suffered in the hands of the LTTE which overran Mullaitivu army camp about that time, the army took out from the civilians,” said Nanayajkkara.

The outrage might very well have been erased from public memory if not for a stroke of good fortune. The PA government was caught on the wrong footed over the rape and murder of Jaffna schoolgirl Krishhanthi Kumaraswamy. The investigation led to arrest of five persons that included Lance Corporal Somaratne Rajapakse. During the trial the five accused decided to ‘sing.’

Their statements under oath pointed to an entrenched, well-established network of killers in the army who systematically tortured and killed civilians. Rajapakse claimed he was but a minor functionary in the network, who only buried the dead victims. He named army personnel as the kingpins. What was more, he was prepared to identify the place where these covert burials took place. The trail led investigators to Chemmani, an open plain, with a scattering of paddy fields. Though the public expected a mass grave of extensive proportions, systematic digging at the points indicated by Rajapakse and his colleagues, revealed only 15 bodies, of which two were identified.

Rajapakse and his co-accused are now serving their sentences, but Chemmani opened up a can of worms. With names given and at least a few bodies exhumed, focus shifted to investigating as to what



Senior members of the MPGA

had gone on during those fateful months in 1995-1996. Though human rights activists had accused the army – which was under the overall command of Major General Lal Weerasooriya who was security forces commander Jaffna – of perpetrating genocide, the army was able to fob off such accusations. But the discovery of the 15 bodies lent credence to the story of abduction and murder of civilians. Confronted by the overwhelming evidence the government was compelled to investigate, at least to satisfy international opinion.

“All what the government has done up to now is fooling the public, absolutely nothing has happened to bring the perpetrators to justice,” said a human rights activists who preferred to remain anonymous.

When Rajapakse named the officers involved, action was filed in the Magistrate’s Court, Jaffna against the suspects by the attorney general. M. Illanchellian was additional magistrate, Jaffna, who both directed exhumations at Chemmani and at the end of it gave directions to the AG’s department and the CID to assist with the court with the inquiry. It was going on satisfactorily till a transfer application was made through the Court of Appeal to have the case transferred out of Jaffna on the request of the attorney general to the Colombo magistrate’s courts on the grounds that the

accused military personnel’s life was in danger since it was an operational area.

“That is how cases, which are heard in courts of the northeast and transferred out of there. They say it is because of security problems, but the real reason is that military personnel feel judges outside the northeast are more lenient,” said the human rights activist.

The case was transferred to the Colombo chief magistrate’s court; the attorney general followed this by filing charges. However the Colombo High Court granted bail to all the accused persons.

“The problem is that when the accused, especially military personnel are enlarged on bail, they can be very intimidating to the witnesses,” said the human rights activist.

The CID also commenced an investigation into the disappearances as far back as 1998. “The CID called up witnesses even last month. They are doing investigations six years after the crime became public,” said the human rights activist.

Meanwhile, the exhumation and the revelations at Chemmani activated the civilians of Jaffna who, through their own investigations determined that around 600 persons had disappeared in 1995-1996. They formed themselves in solidarity fighting for the rights of the

“The problem is that when the accused, especially military personnel are enlarged on bail, they can be very intimidating to the witnesses”

families of the disappeared of Jaffna known as the Missing Persons' Guardian Association (MPGA). While letting the law take its course they also sought to approach the government through the Ministry of Defence (MOD) to see how they could expedite matters. The thrust of the MPGA was that it did not want compensation from the state; it wanted justice. Justice in the form finding out what happened to the disappeared and who was responsible.

As early as December 1999 the MPGA realised there was reluctance on the part of the state to proceed with the case. Its members wrote to President Chandrika Kumaratunga that though the number of the disappeared in Jaffna during the period was around 600 only 15 skeletal remains had been discovered. They demanded to know what had befallen the rest. They stated, “We are perturbed by not being able to find out what happened to the others. If these persons are under detention in military camps or prisons please release them: otherwise tell us details of where they are.”

In December 1999, the then secretary, MOD Chandrananda De Silva despatched letters to persons who claimed their family members had disappeared in that period. He said according to a committee appointed to trace these persons, 16 deaths were confirmed but there was no evidence of the whereabouts of the others.

Another scheme for identification put forward was that DNA testing could be done by comparing the remains of the exhumed bodies with whoever from among those who said they had lost their relatives was willing to come forward to give samples of his or her blood.

This was all done, but the government has delayed taking action on it because on the pretext it is too expensive.

“That’s nonsense; the real reason is they do not want to make any effort to implicate members of the armed forces in such crimes,” said the human rights activist.

The MPGA however was dissatisfied and periodically met with officials both in Jaffna and Colombo to ascertain what become of their family members. The most senior member of the government they met was secretary to the former prime minister, Bradman Weerakoon. “They had explained to him what they required but nothing tangible came of it,” Nanayakkara said.

In a letter written in December 2003 to then minister of justice W. J. M. Lokubandata the MPGA says, “In March 2002, our association had a meeting at the Prime Minister’s Secretariat with the PM’s Secretary and the Secretary to the Minister of Rehabilitation. The officials responded that they would take action on the MPGA members’ missing kin, about whom nothing has been heard since their disappearance after being arrested or abducted by the SLA. But no action has been taken so far.”

It was in the wake of this that OPFMD got an appointment with President Chandrika Kumaratunga in July 2003 where it was decided a set of documents on the case would be forwarded to her. The MPGA too was to meet the president on 31 December 2003, but the meeting never materialised.

Though close to 600 persons are alleged to have disappeared, fear, lethargy and a lack of concrete evidence led only around 234 persons to come forward convinced the armed forces had abducted their relatives. “The Ministry of Defence, anti-LTTE groups and even the president said that in the case of the others either they had gone overseas illegally, or were abducted and killed by the LTTE,” said Nanayakkara.

He however said when inquiries were made by the OPFMD in Jaffna as to whether anyone was willing to come forward alleging that the LTTE had abducted these individuals, there was no one forthcoming.

It was when all these leads ended in cul-de-sacs that two lawyers – the indefatigable M. Remadiou and V. Yogeswaran – realising that the only way forward movement could be achieved and interest revived in the

Jaffna disappearances would be through the filing of habeas corpus for those who had gone missing. At present 45 habeas corpus have been filed, which are from among the 230 persons mostly from Ariyalai, and Chemmani areas that are prepared to come forward.

“My allegation that the state is playing a double game can be seen by the fact that the attorney general who is prosecuting a suspect in the case before the Colombo MC, is defending the very person in the habeas corpus!” said the human rights activist.

He said that one of the accused officers in the Magistrate’s Court proceedings Captain Lalitha Kumara has also been named as a first respondent in one of the habeas corpus cases that were filed in the Jaffna High Court. However, the attorney general is appearing for Lalitha Kumara. In a curious twist however, Somaratne Rajapakse was named a respondent in this particular case.

Interestingly, Rajapakse has written to Jaffna High Court Judge K. P. S. Varatharaja. In that Rajapakse has urged that he not be cited as a respondent but as a witness. In the letter he has stated that he knew the details of this case and had communicated it to Illanchelliyan when the case was before the Jaffna magistrate’s court.

However after the case was transferred to Colombo he had not pursued the matter with the magistrate. He had also said he was surprised the Jaffna people had not agitated more to compel the government to take steps to grant them restitution. To date there has been no response to Rajapakse’s letter.

Though the attorney general has decided to use the full weight of the law to defend alleged human rights abusers it is not going to be easy. “Many of these persons were arrested before witnesses and some of them very important officials in the village. This makes denying such stories difficult,” the human rights activist.

For instance, on 19 July 1996 around 200 persons were rounded up in Jaffna of which all but 24 were released. But the fact is they were all arrested before important local officials, in this particular instance the *grama sevaka* (GS).

According to residents the Navakuli military camp made the arrests. What is more, the GS had issued a letter as early as 1996 stating that these 24 persons had been arrested. The divisional secretary of the area also submitted a similar letter.

The defence of Lieutenant Colonel Duminda Hepetiwela, who was the CO of the Navakuli camp and who is now attached to the army base at Palaly is that though it is true a cordon and search operation did take place, the Navakuli army was not involved in such an operation on that day. He said it was the work of the military from another camp aided by the Counter Subversive Unit (CSU). The CSU however says it had arrested others, but not the 24 in question. Thus the buck is passed from hand to hand!

Many of the habeas corpus cases are to come up before the Jaffna magistrate’s court, while others are before its counterpart at Chavakachcheri. Senior local



MPGA protests in Colombo in front of the Supreme Court

According to residents the Navakuli military camp made the arrests. What is more, the GS had issued a letter as early as 1996 stating that these 24 persons had been arrested. The divisional secretary of the area also submitted a similar letter

government officials such as *grama sevakas* and divisional secretaries are on the list of witnesses to be called. "In many instances the armed forces have arrested people, many of them IDPs, after duly informing local officials as they should. This will be helpful in establishing the connection between the arresting authority and disappeared person," said Nanayakkara.

In one instance however, the army had got a GS to hand over a person for questioning. Later the person went missing. In the habeas corpus the GS has been named as the first respondent. His defence however was that the episode had taken place when emergency regulations were in place and that was not a position to refuse.

From the evidence that is transpiring much of the disappearances have occurred in places that come under the control of the army's 512 Division. The bulk of the disappearances are in the areas adjacent to Chemmani such as Navakuli, Ariyalai, Gurunagar and Chavakachcheri.

Following agitation by the MPGA the National Human Rights Commission appointed a committee to commence investigations into the Jaffna disappearances in December 2002. It was headed former Jaffna Government Agent Devanesan Nesiah. In its letter to the then minister of justice MPGA says, "The Human Rights Commission appointed a committee headed by Mr. Devanesan Nesiah to investigate the disappearances. This committee after meeting our members produced a report that was unjust and untruthful."

According to the Amnesty International report for 2003, the committee had investigated 281 cases of disappearances of which 245 were detained by the army, while 25 were detained by the LTTE. Amnesty says among the recommendations of the committee were that the next of kin, the local magistrate and the HRC be informed whenever an arrest is made. Further, that officers with command responsibilities be held

criminally liable for disappearances and that compensation be paid.

An allegation against the state is that in many instances compensation was not paid to those who wish to obtain it.

The MPGA however has rejected compensation stating that the government believed that once compensation is paid adequate restitution had been made. "Unlike in the south, people in the north say they do not need compensation but in reality they do.

The problem is that due to political interests some do not want claim it," said Nanayakkara.

He however drew attention to the discrepancy between compensation given to victims of disappearances in south (due to the JVP violence in the late 1980s) and what is given to the next of kin of the disappeared in the north. In the south the minimum (Rs.18000) was for victim below the age of 18.

This went up to Rs.125000 for married government employees. In the case of the north the minimum compensation was Rs.100000.

"OPFMD has demanded and in fact the president accepted that a flat rate of Rs.200000 be granted to all," said Nanayakkara. This was included in a memorandum where 50000 had placed their signatures and handed over by the organisation to the president in December 2003.

Before compensation is paid however the death certificate needs to be obtained to state the disappeared person is deemed dead. But the government has been singularly tardy in issuing them. The recommendations OPFMD forwarded to the president also urge the government to expedite the issuing of death certificates. OPFMD has also called for exhumations of mass graves be done in a scientific manner unlike the ad hoc manner in which it was carried at Chemmani.

The human rights activist was very pessimistic about the punishment that could eventually be meted out for the perpetrators even if they are convicted. There is no provision in the Sri Lankan law to deal with



Jaffna Mothers' Front demanding their children be released

“Despite progress in a small number of cases, there was still widespread impunity for human rights violations.”

disappearances. The perpetrator can be charged for murder under the criminal law only if his culpability could be proved beyond all reasonable doubt. “All we can charge them is for abduction. And if convicted, the perpetrators will get about a prison term for about two years.”

However all these pale into insignificance in comparison to the central question of impunity, enjoyed by the armed forces despite being cited as a suspect in a disappearance. Hepitiwela an accused is now functioning from Palaly.

“Impunity breeds a culture of fear. It takes a lot of initiative to come forward and testify against a military or police officer.

But due to the bail proceedings in Sri Lanka these government officials are enlarged on bail and are in a position to threaten the person who has testified against him,” said the

human rights activist
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Even Amnesty, which in its latest report has not taken the government to task as much as it has the LTTE said, “Despite progress in a small number of cases, there was still widespread impunity for human rights violations.

“According to the government, criminal action had been instituted against 597 security forces personnel, of whom 262 had been indicted in the High Court. Little or no progress was reported in these cases.”

“There are number of western diplomatic missions who talk fat lot about human rights. But have they done about the disappeared of Jaffna. What is worse they did not figure very highly even in the deliberations between the government and the LTTE in the rounds of peace talks,” said the human rights activist.

Current non-Tamil debate on talking with the Tamils

Sole representative or soul's representative?

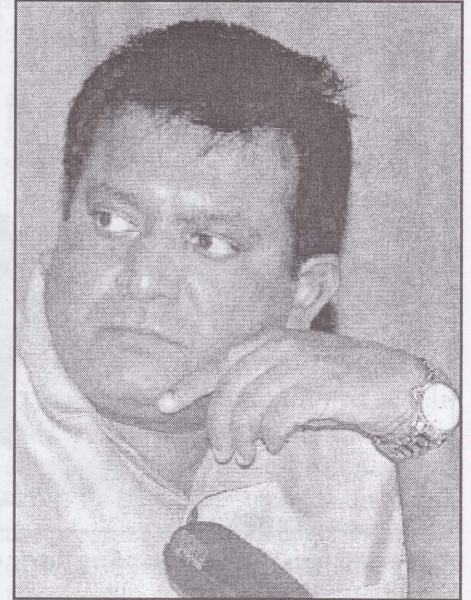
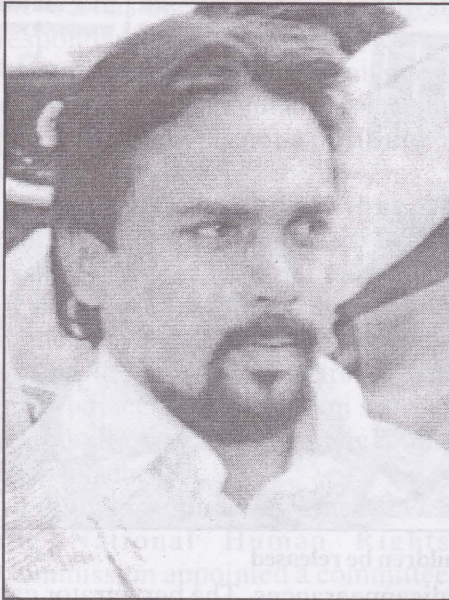
By Professor K. Sivathamby

Once again, the political lobbies of this country are agog with the question of as to who the government should be talking and listening to on behalf of the Tamils. Southern politics, especially the manner in which the state media portrays it, is trying to give the question a mischievous twist by raising the issue "sole representatives of the Tamils," without pausing to reflect on the question of 'why.'

Nor is it an entirely a new factor in Sinhala perceptions to rush to the conclusion that anyone who brings in the Tigers into the totality of Tamil existence is himself or herself a four-legged creature. Ignoring that risk, it has become inescapable to communicate with well-meaning Sinhalese the genuine fears of the Tamils on this question. The time has arrived when the fear of being misunderstood should not in any way deter the forthright expression of such sentiments.

What is missing in the argument put by those who oppose the LTTE being cast in the role of sole representatives of the Tamils is what makes it imperative for the Sri Lankan state to talk to the Tamils at this juncture. Let us be very clear about this. This need did not arise due to some unilateral declaration made by the state or some major Sinhala party stressing the importance of beginning a political dialogue with the Sri Lankan Tamils to settle the ethnic question. Nothing of that sort took place.

Concrete reality is that there was that a no-holds-barred combat had been going on between the LTTE and the government from about the early 1990s. The manner in which the state carried on the war did not distinguish between the Tamil civilians of the Northeast and the LTTE. At that time none of the so-called Tamil opinion-leaders could urge the government, nor even issue a statement demanding that the state does not treat the entire Tamil ethnic group as the 'enemy.'



Further, the way the war was fought, the average Tamil man and women, whether they liked the LTTE or not, were forced to the conclusion that it were the Tigers, which were keeping the Tamil question alive and open. It should also be said that during that period though non-LTTE militant groups were in 'touch' with the state, the forging of ties between the state and these militant groups was never on the basis of a political programme on issues affecting the Tamils. Not only was there no document formalising such an agreement available, there was also no effort to sign one.

In fact the confrontation between the state and the LTTE was so severe that even the possibility of the two warring parties engaging unofficially was not possible. There needed to be third party mediation.

Though some favoured India as the mediator, various factors created complications in the South Asian regional balance so that it could not be done in a way favourable to the Tamils.

Therefore, a western-based third party intervention was becoming essential and it should be said the credit for initiating the present peace process by bringing Norway as facilitator should go to President Chandrika Kumaratunga. Despite the change of regime occurring

soon after the president's move, the Sri Lankan state, through the new government, agreed to a ceasefire as the basis for a memorandum of understanding (MOU) with the LTTE.

It should be clearly bourn in mind that the current talks are being held on the basis of the MOU, an official, state-approved document. The document has two signatories: one on behalf of the state, the other on behalf of the LTTE. Without going into the issue as to whether Sri Lanka has gone beyond the constitution or not regarding the MOU, it has to be accepted that only the bodies on whose behalf their leaders signed the MOU should be invited for talks.

Listening to the chorus of voices rejecting the LTTE as the sole representatives of the Tamils, one is driven to the inescapable conclusion that the LTTE becomes necessary to suspend war and active combat, but when it comes to talks there should be an open house! Tamils fear is that these moves, done with the complicity of forces having ulterior political agendas, are deliberate attempts at diversion to avoid confronting squarely the problems of the Tamils.

The Sri Lankan Tamil position is very clear: please talk with those with whom the MOU was made. Because any effort taken to avoid this is to sidestep the responsibility of finding a solution to the Tamil question. The non-LTTE Tamils groups too have been very clear and forthright on this – stop the war and speak to the LTTE. I do not believe they would have gone back on that stance.

The question of the sole representative of the Tamils has to be reviewed within the context of which body or organisation is crucial to highlighting the Tamil problem and keeping it alive. All Tamils are not LTTEers, but without the LTTE the Sri Lankan Tamil question would have been diluted, diverted and distorted.

It is in this spirit that the general election of April 2004 was fought in the Tamil areas. Ever since the loss of the ballot boxes from the Jaffna *kachcheri*, or when the boxes were being transported for counting after the District Development Council (DDC) elections of 1981, there has not been a single election that caught the political imagination of the Tamil people as the last one. The BBC correspondent described the enthusiasm resembling that of devotees getting together for the temple car (*ther*) festival – with all the diversions and mirth, but not shedding the basic piety and devotion of their faith.

What is crucial to the understanding of that poll and the complaints against its fairness is the position taken by the commissioner of elections – a re-poll would not change the basic election result, hence the polls would not be annulled. As for the alleged undemocratic practices that have taken place, all one could do is to repeat the words of Christ, "Let he that is without sin cast the first stone."

So, the question of sole representative should not be misinterpreted. At this point of time the LTTE has got to be the sole representative of Tamil opinion

This position could change later, and indeed should definitely change, in the wake of a democratic, political settlement of the conflict. At that time, it will be the duty of the LTTE to convince the Tamil people of its leadership. But right now, let the powers that conducted the war meet until such time when the conditions for war are removed.

The question of the sole representatives of the Tamils also brings into focus the Muslim of the Northeast. There should be no avoidance of discussing with the Muslims the issue of a political settlement to the ethnic conflict. They are a part of the Northeast and should be treated as such. There should be discussions and agreements with the Muslims on how to integrate their community within the Northeastern political framework and on strengthening these ties. Talks should be held for that purpose. But the Tamil point of view is that the place for such a meeting should not be the same as where the two signatories to the MOU meet as protagonists.

There is also the matter of the future of the Sinhalese in the Northeast. Even that needs to be addressed. Let us not repeat the cruel joke that President J. R. Jayewardene perpetrated on the country by calling for an All Parties Conference that led to extending invitations to all letterhead institutions – even the BMICH hall would not be large enough to accommodate everyone.

Let us be humble and sincere. The core question is how to accommodate the Sri Lankan Tamil as a Sri Lankan Tamil within the Sri Lankan polity. Tamils fear that those voices, which speak up against the sole representatives of the Tamils do not state clearly whether the Tamils come within the Sri Lankan framework as a nation of this country, or as *sulu jathies*. This fear, every Tamil entertains.

Not that they are unaware of class distinctions, caste disparities and regional variations – such problem indeed remain.

They are as alive among the Tamils as they are among the Sinhalese – Udarata versus Patharata, Govigama versus Karava and Buddhist versus Christian. We pray for a leadership to rise above these distinctions and look for a common Sri Lankan denominator, which combines the pluralities, but does not reject the singular.

It gives me great pleasure to hear that the Government of India, through its High Commissioner in Colombo, has said Indian assistance could be provided for developing those areas in the Northeast, which are not under the administration of the Sri Lankan state.

This is an encouraging breakthrough. We hope that this marks the beginning of a process that will put back the unpleasant experiences of the past and bring about a new understanding between the Sri Lankan Tamils and the Government of India.

Professor K. Sivathamby is emeritus professor with a specialist interest in the social and literary history of the Tamils and their culture and communication. He is also involved in theatre studies and literary criticism

Vadamody kooththu and reformulation of Batticaloa's community theatre

By S. Jeyasankar

Kooththu is the traditional theatre of the Tamils of Sri Lanka and is currently practiced in different strata of the society. Though the war affected people much at the community level, which is the bastion of *kooththu*, the dance form survives with its traditions unharmed.

The modernization process has shifted the *kooththu* to be used for different social functions. At one level, *kooththu* is being used as a showpiece in cultural festivals (luckily it is not extended to shopping complexes and five star hotels and tourist resorts as in Sinhala culture). War in the northeast had functioned as a barrier for the commodification of cultures and cultural artifacts.

In another level, *kooththu* is being modified to fit it into a new context or framework, which is conditioned and constructed by modern political and artistic concepts like modernization, national identity and cultural identity etc.

In the background of the post-colonial concept of hybridization, the blending of the traditional and the modern elements to counter the colonial hegemony in the cultural and in the political spheres is regarded as a political act in national politics.

But the politics of hybridization has been criticized as an appropriation of the pre-colonial space to fit into the colonial space. Colonialism is not a "POST" or "PAST", it's continuous process in different ways in different times. At present it's in the name of globalization of the market forces.

The concept of post-colonialism was replaced by the concepts of decolonization and reformulation. Instead of creating a hybridized world of 'Thirisanku,' re-inventing the pre-colonial space and reformulating it into a people-oriented space to counter the globalization process of the market forces are the politics of decolonization and reformulation.

The decolonization and the reformulation processes also have a global aspect. It is the globalization of integrated forces, which experienced colonialism and experience neo-colonialism that is the globalization of the market forces.

The inventions of modern technologies are the electrifying forces of imperialism and neo-imperialism. Industrialization paved the way for imperialism and information technologies paved the way for neo-imperialism. These two conquering

ideologies have differences in a single aspect that is geography. Imperialism has geographical demarcation but not neo-imperialism. The protests against the globalization of the market forces in the countries, which function as the womb of the globalization of the market forces, are the clear evidences of the difference. Because of this difference the concept of decolonization has been surpassed by the concept of reformulation.

The modern concepts of development and technology are machine oriented and those who control the machines will rule the world. Invention of technologies shifted the power from the people to a group of people who control or who own the machine. And the concept of development was constructed according to that rule. Profit-making is the ultimate motto of this trend. People and the environment become the resources of this modern technology-oriented development process.

The popularization and implementation of new forms of development programs under the banners of "Development with a Human Face" and "Sustainable Development" are the proof of its limitations and disadvantages.

Re-inventing the people-centered functionalism from machine-centered industrialization and computerization is the politics of reformulation. Redefining or reinventing the concepts of development and technology is the pre-requisite for this process. It is basically liberating the human beings from machines and re-connects them with Nature.

Fundamentally human beings are also elements of nature but not *the* element of nature, with the power of modern technology to control nature or the whole universe for its own benefits. But modern man with his electrifying powers created the world for a few and gave destructions to the rest, even to the pest.

The concept of reformulation is a process to unbind the man from mechanization and make him a human being to live in a world of equality where differences are being celebrated. This will be achieved through different ways and means in different levels.

The process of *kooththu* could function as one of the means to formulate a people-oriented activity in the creation of a world of equality where the differences are celebrated.

(To be continued)

Japs demonstrate cult of suicide bombing in Trincomalee

By S. Romesh Tissainayagam

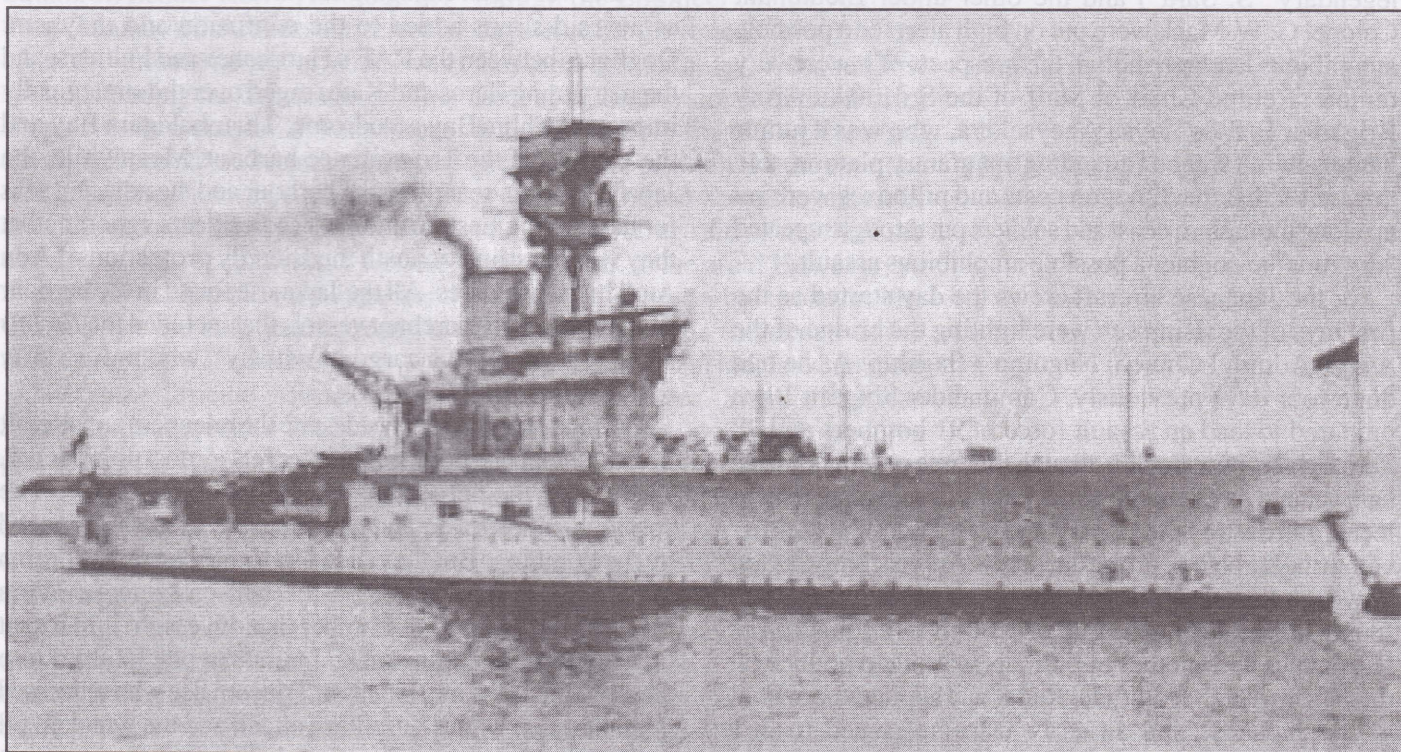
But they paled in significance and drama to a Kamikaze attack on a RAF fuel tank containing aviation fuel. The Japanese dive-bomber that dove right into it sent up a thunderous explosion and pillars of black fumes into the sky.

This is the third and final part of an article on the Japanese raid on Colombo and Trincomalee, April 1942.

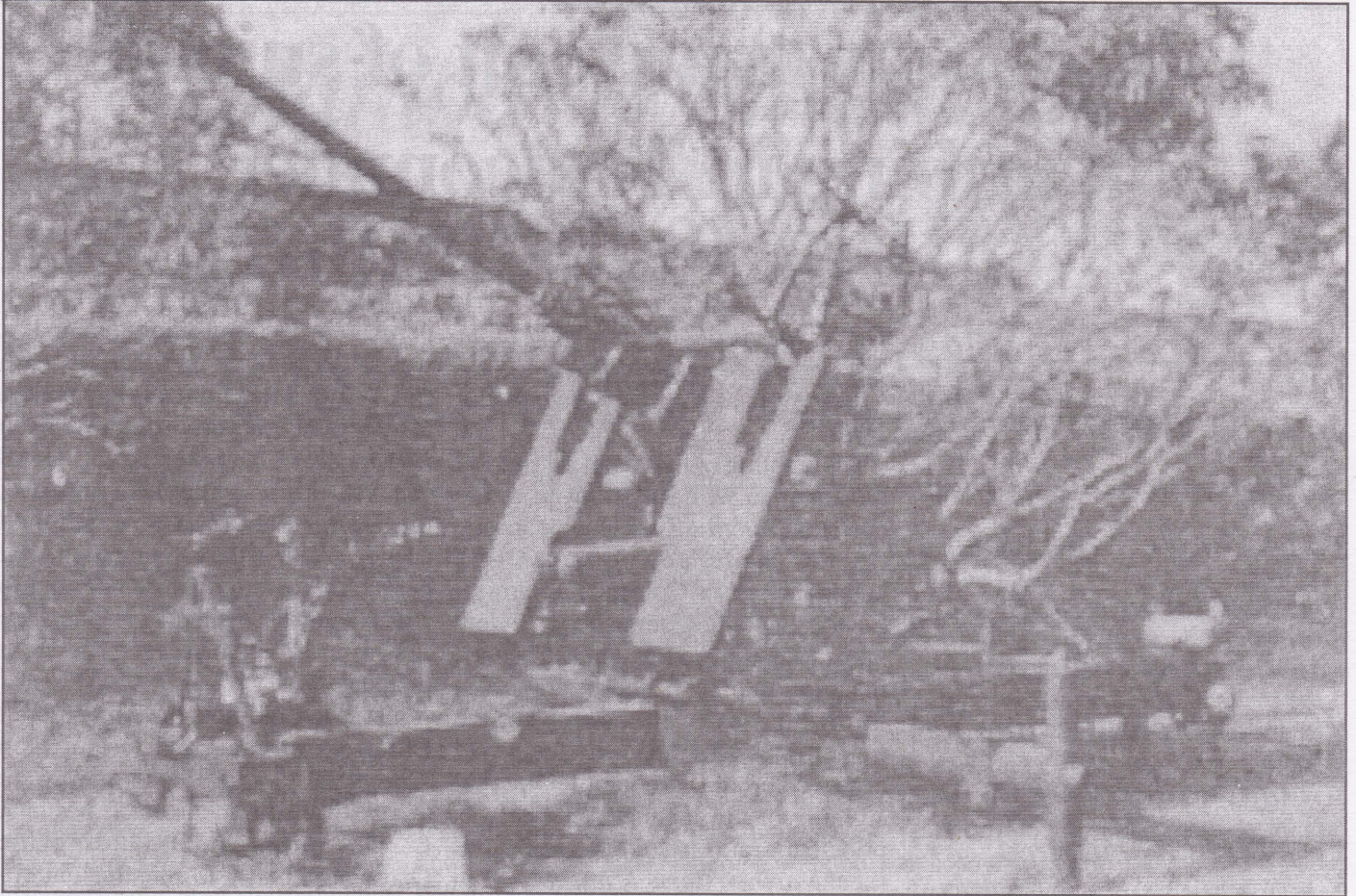
The sighting of the Japanese fleet by the Catalina was duly relayed to the operations room at Trincomalee and the Ceylon Defence Force (CDF) headquarters in Colombo. Admiral Layton, Supreme Commander, Ceylon, immediately ordered all shipping berthed in Trincomalee harbour disperses forthwith. Nearly all the ships of the East Indies and Eastern fleets had however left the harbour after the first sighting of the Japanese, which was prior to the raid on Colombo on 5 April (see *Northeastern Monthly*, May 2004) and made for the open seas of the Bay of Bengal. What remained was the 'toothless tiger' HMS *Hermes* – a first generation aircraft carrier that had arrived at Trincomalee for running repairs before returning to Britain for

permanent decommissioning. Since it was under repairs, its Fleet Air Arm (FAA) Swordfish fighters were parked at the China Bay aerodrome. With the *Hermes* was the destroyer HMS *Vampire*. On the sighting being reported, the *Hermes* and *Vampire* weighed anchor at 7.30 in the evening on 8 April and made for the open sea hoping to avoid being discovered by the Japanese reconnaissance aircraft the next morning.

Just as in Colombo, the Anti Aircraft Batteries of the Ceylon Garrison Artillery (CGA) at Trincomalee were alerted to an imminent attack. Major F. C. De Saram, commanding the Ostenberg battery, and the battery commander of the CGA formations at Diamond Hill and Hoodstower, set about briefing the bombardiers under their command. They emphasised the overwhelming success of the CGA at Colombo in order to boost the



Aircraft Carrier HMS *Hermes* steams out of into the open seas of Trincomalee a few hours before the raid.



An anti-aircraft gun mounted on Ostenberg Hill.

confidence of their men ahead of the raid. Moreover, the two battalions of the Ceylon Light Infantry (CLI) deployed along the eastern coast of Ceylon in formations of various strengths, one of which was under the command of Lieutenant Colonel S. Saravanamuttu (non other than the legendary "S. Sara") and the other under Lieutenant Colonel G. W. Mack were put on high alert for a possible amphibious landing, though the prospects of it were very remote. Retired Chief of Staff of the Sri Lanka Army Brigadier E.T. de Zoysa Abeysekera, who was a junior lieutenant in 1942 commanding an infantry platoon, told this writer that machinegun nests and pillboxes were set up along the eastern coast and soldiers put through repeated "dry runs" to counter a possible amphibious assault.

For the Japanese aircraft crews the day started as the first rays of the rising sun were lighting the bridge of the *Akagi*, Admiral Chuichi Nagumo's flagship. As he had done four days previously, Commander Shigeru Itaya prepared to lead an assault force of 91 bombers and 38 Zero fighters over Ceylon, though this time on Trincomalee harbour and naval maritime docks with a sole objective: to locate and destroy the Eastern and East Indies fleets either within the harbour or on the open seas. Approaching Ceylon however Japanese pilots were taken aback when they found, unlike during the raid on Colombo, a squadron of Hurricanes and another of Fulmars waiting to pounce on them from a higher altitude. Radar had spotted the arrival of the Japanese and an early warning issued to 261 Squadron of Hurricanes under Squadron Leader Kevin Sharp and FAA Fulmars of 273 Squadron.

Notwithstanding the challenge by the RAF, the Zeros and the Kate attack bombers began straffing the China Bay aerodrome and dropping their lethal cargo. Deafening explosions rocked Trincomalee, which increased twofold as the anti-aircraft batteries at Ostenberg, Diamond Hill and Hoodstower began engaging the raiders. The incessant wail of air-raid sirens added to the confusion and mayhem. Dogfights between the RAF's Hurricanes and Fulmars, and the marauding Zeros and Kates raged over the strategically important China Bay aerodrome, Thambalagam Bay and the vicinity of the Trincomalee harbour. Meanwhile, the Japanese began searching the harbour and the adjacent seas for the missing Eastern and East Indies fleets, ignorant that they were nestling beneath the friendly protection of Adu Atoll in the Maldives. All the Japanese found in the harbour were three aging merchant vessels that included the *Erebus* and *Sagaling* (with a cargo of whisky), which were duly scuttled.

At China Bay aerodrome, despite the relentless anti-aircraft fire, the Japanese pursued their targets almost unhindered. The toll on the aerodrome was quite considerable. The communication tower and hangers were severely damaged by the bombing. But they paled in significance and drama to a Kamikaze attack on a RAF fuel tank containing aviation fuel. The Japanese dive-bomber that dove right into it sent up a thunderous explosion and pillars of black fumes into the sky. Still do the inhabitants of Trincomalee who witnessed it tell the story of the Kamikaze attack and the wrecked oil tanks that were burning for nine days.

The Japanese raid is perhaps best remembered for an event that occurred during the middle of the morning on 9 April. After the Japanese bombers and fighters had taken off from their carriers, the Japanese Pacific Fleet remained about 130 miles east of Ceylon. Nothing unusual happened as they lay in wait for the aircraft to return after scuttling British shipping. Around 9.30 a.m. a distinct drone of aircraft was heard from the direction of Ceylon. The Japanese, unlike the Allies, could not avail themselves of the benefits of radar technology and had to depend on spotters to make visual sightings for identification. The Japanese were in for a rude shock however when a squadron of British Blenheim bombers zoomed down on them out of the sky.

On the morning of 9 April, a courageous and unprecedented decision was made by Layton in consultation with Group Captain Thorburn, in charge of Ceylon's air defences. It was to take on the Japanese Imperial Fleet should it come within range of the Blenhiems. So when the Zeros were spotted on radar heading towards Trincomalee, it was obvious that the fleet that was within range of the Blenhiems would be a sitting duck without any air cover. No. 11 Squadron of Blenhiems under Squadron Leader Kerry Ault took off from Colombo a little after sunrise, soon after the Japanese air armada was spotted heading for Trincomalee. The Blenhiems flew across Ceylon without any fighter protection because whatever was left of the Hurricanes after the raid on Colombo, four days previously, needed a major overhaul before undertaking battle duties, and those from China Bay were busy getting ready to take on the Zeros and Kates.

After some difficulty Ault spotted the Japanese fleet lying in anchor in the placid waters of the Indian Ocean with the aircraft carriers' decks empty. The Blenhiems were however met by a formidable barrage of anti-aircraft fire that made penetrating the vessels' defences next to impossible. Though most of the aircraft could not break through the Japanese guard, one of them, piloted by Flight Lieutenant D. H. Evens, managed to do so. Despite both its engines already on fire and one of

its wings torn apart, the Blenheim broke through and made directly for Nagumo's flagship, the *Akagi*. Pandemonium reigned as the Japanese sailors, never at the receiving end of an attack on the Imperial Navy, took refuge by jumping overboard. The Blenheim crashed head-on on the bridge of the *Akagi* rocking it with a series of explosions.

This was in fact the first attack carried out by the Allies on the Japanese fleet since Pearl Harbour four months previously, when Japan formally entered the Second World War and the first bombing mission that took place with absolutely no fighter protection. The price the RAF had to pay was very heavy with only four of the Blenhiems returning to their base.

Even though the city of Colombo suffered due to the Japanese raid on 5 August, nothing disturbed the peace, tranquillity and leisurely pace of life in the rest of the country. It was no different on the morning of 9 April in the east coast village of Kalmunai. At the Public Works' Department (PWD) Executive Engineer's home the residents went about their normal chores, quite unaware that the second assault within Ceylon's territorial waters was hours away. Interestingly, though the Engineer (in his younger days a commissioned officer in the Ceylon Light Infantry) was the Civil Defence Commissioner of the district and responsible for the welfare and protection of civilians in the event of an invasion, he too was quite oblivious to the impending raid as much as the country folk in the area! However, an occasional glance by those in the bungalow towards the ocean under the midmorning sun indicated unusual activity out at sea. Since there was no binoculars or field glasses available, they watched the developing drama through a theodolite – an optical instrument used for surveying and easily obtainable in any PWD office. Through the theodolite they saw aircraft repeatedly diving over a flotilla of vessels.

What the residents of the Executive Engineer's bungalow witnessed was none other than the bombing of the 'toothless tiger,' the aircraft carrier

*Onslow himself,
like his
counterparts on the
Cornwall and
Dorsetshire, went
down with the
Hermes when it
finally sank in 28
fathoms of water at
10.55 a.m. on the
morning of 9 April*



Bomber crews of No. 11 Bomber Squadron boarding the Blenheims at Ratmalana prior to the raid on the Japanese fleet.

In fact the performance of the bombardiers of the CGA was so remarkable that it earned the regiment postings overseas, including on the formidable Arakan front in Burma alongside other Allied troops.

Hermes. The *Hermes* that left its Swordfish biplanes back at China Bay, had, along with the *Vampire*, weighed anchor on the evening of 8 April and made for the open sea. However, by the morning of the 9th, *Hermes'* commander Captain Richard Onslow realised that without any air protection and with only very basic anti-aircraft cover on board, the chances of the two vessels withstanding an air assault was very remote. He decided the two ships should return to Ceylon, but rather than making for Trincomalee harbour, to try slipping into a bay or lagoon that was deep enough to accommodate a vessel as large as an aircraft carrier and destroyer, to avoid being spotted by the Japanese bombers.

This hope however was short-lived since no sooner had the two ships changed direction and started heading back towards Ceylon, the Japanese bombers spotted them. They pounced first on the *Hermes* and pounded it with

bombs, setting the entire deck on fire. Realising that there was no hope of saving the hapless carrier, Onslow ordered the crew to abandon ship. The men, like those of the cruisers HMS *Dorsetshire* and HMS *Cornwall* sunk by the Japanese five days before off Ceylon's west coast, jumped overboard with lifejackets to keep them afloat. Onslow himself, like his counterparts on the *Cornwall* and *Dorsetshire*, went down with the *Hermes* when it finally sank in 28 fathoms of water at 10.55 a.m. on the morning of 9 April. The *Vampire* perished in similar fashion along with *Athelston* and *Hollyhoc*, oil tankers that happened to be in the vicinity.

Fishermen from Kalmunai whose 'vallams' and boats were commandeered by the civil defence commissioner were ordered to rescue the survivors of the unfortunate vessels. The fishermen, with considerable danger to their own lives from the Japanese aircraft, set out and picked

up a number of survivors. They returned to Kalmunai early in the evening with the survivors variously injured. Some of them, possibly from the oil tanker, had been blinded by burning oil splashing into their eyes. This motley bunch of British, Indian and Norwegian sailors were despatched by buses and lorries to a government building where they issued with rations and put up for the night. One of the witnesses told the writer that despite the harrowing experience the sailors adhered strictly to military secrecy when questioned about their identity; all they would say was, "From the Royal Navy..."

To this day, people living at Kalmunai in April 1942, remember some of the more humorous episodes of the rescue. One of them told this writer, "Since most of the survivors came ashore stripped to the waist or in bloody and filthy clothes, they had to be given new clothes to wear. There were no trousers or shirts of the required quantity to be procured from the sleepy village of Kalmunai at such short notice. So they were all given white sarongs and banians. We had a hearty laugh seeing white-skinned foreigners, obviously uneasy in sarongs, walking about the place!"

The Japanese lost five bombers and 12 fighters on the raid on Trincomalee alone. For the RAF, only four Blenhiems returned from the raid on the Japanese fleet, while the Hurricane Squadron 261 lost five of its aircraft defending Trincomalee. Eleven RAF pilots, nearly all of them Australians, were killed. Thus ended the passage of arms in the Indian Ocean and over the island of Ceylon that Britain's wartime Prime Minister Sir Winston Churchill described as "The most dangerous moment." One wonders what would have happened if the Allied resistance had been feebler, or if the Japanese decided to land in Ceylon. Though this is in the realm of speculation, the depleted RAF and the inexperienced gunners defending Ceylon had given a creditable account of themselves. In fact the performance of the bombardiers of the CGA was so remarkable that it earned the regiment postings overseas, including on the formidable Arakan front in Burma alongside other Allied troops. As for the Japanese Imperial Fleet, it was the first time it came under attack, and possibly the last till the Allies crippled it beyond recovery at Midway Islands.

(Concluded)

Northern perspectives on the Tamil homeland

By Professor S. K. Sittrampalam

This is the fourth part of the article, "Northern perspectives on the Tamil homeland," where the author traces the historical roots of the Tamil homeland concept, which was formulated in the 1950s by the Federal Party as a core demand and is now espoused by the LTTE and TNA.

British in the North

When the British took over the Island in 1796 from the Dutch, they unified the administration of both the Tamil and the

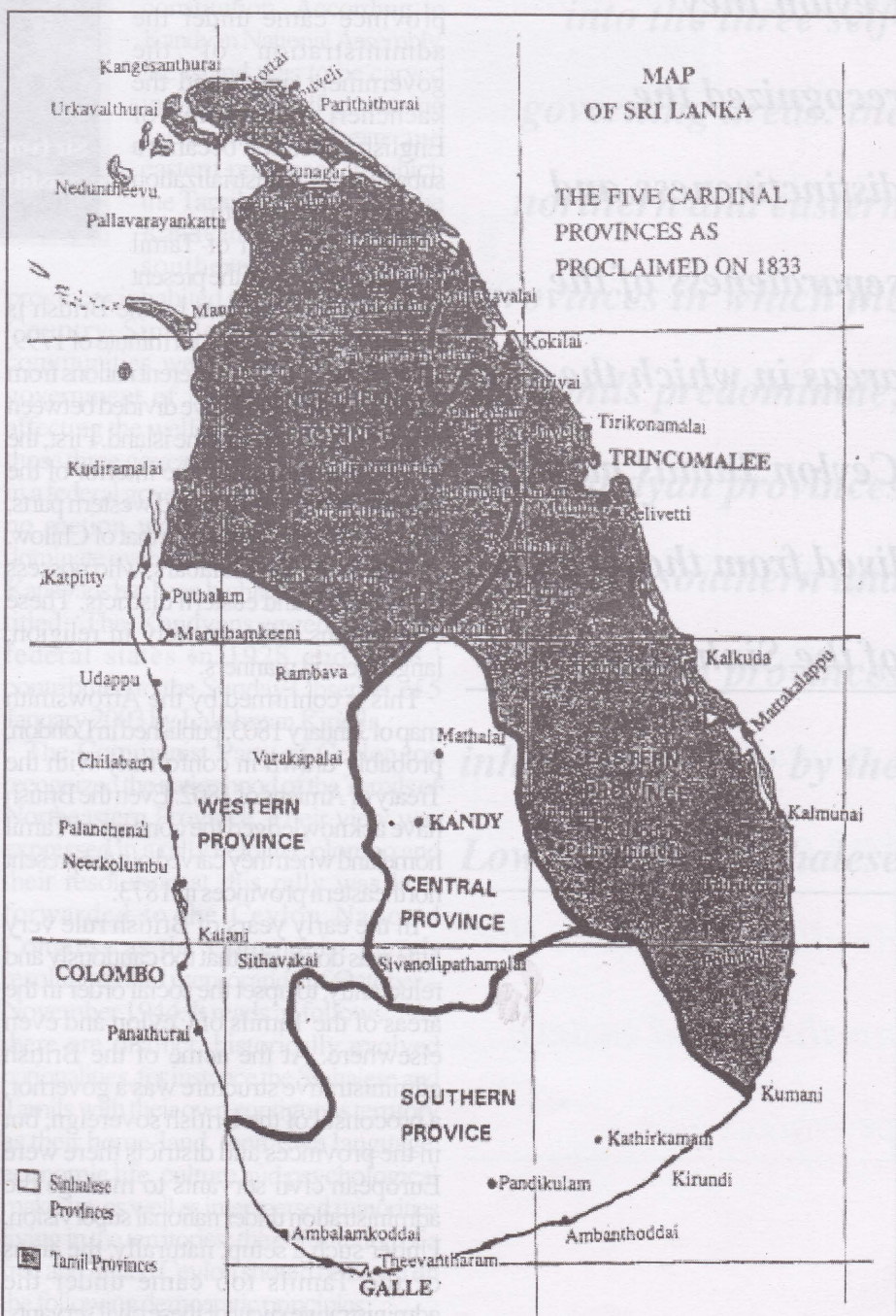


PLATE IV The boundaries of the initial cardinal five Provinces. (Based on the Map of Ceylon and Municipal Surveys, R.L. Brohier.)

A significant point to be noted is that even when the British ruled over the whole of Ceylon they recognized the distinctiveness and separateness of the areas in which the Ceylon Tamils mainly lived from those areas of the Sinhalese

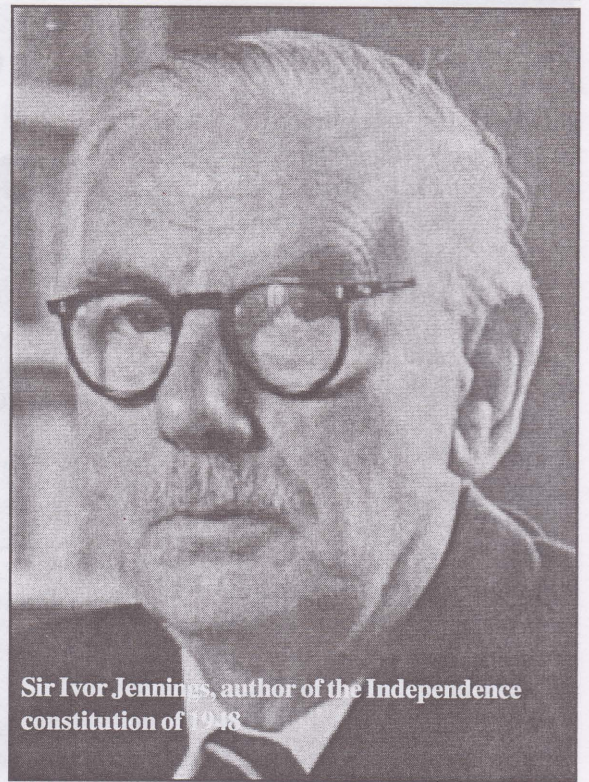
Sinhalese areas, which were governed separately earlier. In 1833, the Island was divided into five provinces. The present northeastern Sri Lanka came into existence in 1873. As a colonial power of the industrial age, British rule over the Island was markedly different from those of the previous colonial powers in many ways, including the degree of centralization, unification and consequent ability to introduce social and economic changes. The province came under the administration of the government agent and the kachcheri. Acquisition of English education became a substitute for industrialization and economic growth.

The recognition of Tamil linguistic identity of the present Northeastern Province by the British is evident from the Cleghorn minute of 1799, which reads as, "Two different nations from a very ancient period have divided between them the possession of the island. First, the Cinghalese inhabiting the interior of the country, in the southern and western parts, from the river Wallouwe, to that of Chilow, and secondly the Malabars, who possess the northern and eastern districts. These two nations differ entirely in religion, language and manners."

This is confirmed by the Arrowsmith map of January 1803, published in London, probably drawn in conformity with the Treaty of Amiens of 1802. Even the British have acknowledged the concept of Tamil homeland when they carved out the present northeastern provinces in 1873.

In the early years of British rule very little was done, and that too cautiously and reluctantly, to upset the social order in the areas of the Tamils of Ceylon and even elsewhere. At the acme of the British administrative structure was a governor, a proconsul of the British sovereign, but in the provinces and districts there were European civil servants to manage the administration under national supervision. Under such a setup, naturally, the areas of the Tamils too came under the administrative sway of these civil servants.

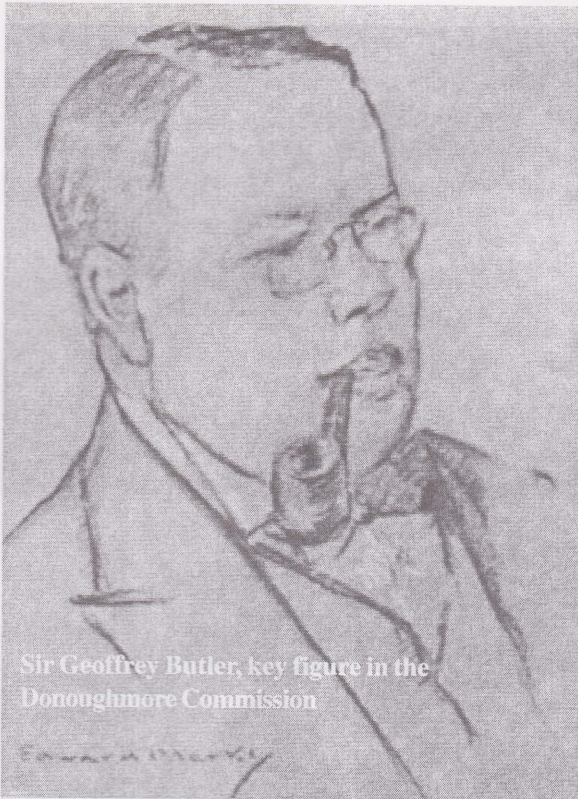
Even with the best of intentions, however, the British could not abstain altogether, or



Sir Ivor Jennings, author of the Independence constitution of 1948

for long, from setting in motion a process of modernization. Influenced by the evangelical and humanitarian ideas that were prevailing in Britain, the new masters abolished by stages the old institution of slavery, which had been nurtured and exploited by the Portuguese and the Dutch. This change affected the northern Tamil areas too where there were a number of slaves. The status of the native aristocracy was reduced and made more dependent on the British, but like their predecessors, the Portuguese and the Dutch, the British continued to use this native aristocracy as a means to rule the Island. This feature is clearly evident in the Tamil areas where the native functionaries were allowed to continue in their offices, but under a stricter supervision by their civil servant superiors.

A significant point to be noted is that even when the British ruled over the whole of Ceylon they recognized the distinctiveness and separateness of the areas in which the Ceylon Tamils mainly lived from those areas of the Sinhalese. These Tamil populated lands were treated as separate administrative provinces from those provinces composed mainly of the Sinhalese people. The British also allowed the continuance of customs, laws and institutions and minor officials peculiar to these Tamil-inhabited areas to remain so long as they were not in diametric opposition to their essential policies or



Sir Geoffrey Butler, key figure in the Donoughmore Commission

journey towards self-government and later separation among the Tamils during the post independence era.

The Recognition of Traditional Homeland in Sri Lankan politics

In 1929, the Kandyan National Assembly fostered the case for a federal system of government when its membership gave evidence before the special commission (Donoughmore Commission) on the proposed new constitution. According to Kandyan National Assembly, the island was to be carved into the three self-governing areas: the northern and eastern provinces in which the Tamils predominate; the Kandyan provinces and the southern and western

practices. This administrative attitude of the British makes it clearly evident that to them, although the whole Island was under their complete control, the people of the Sinhales areas and the people of the Tamil areas were two distinct elements of the same island's population. In fact, the recognition of such a distinction by the British authorities grew even clearer when they began to gradually introduce political or constitutional innovations from the late 19th and early 20th centuries onwards.

However, the British rule and missionary activity in the northern Ceylon led to a Hindu renaissance in the 19th century as it was in the case of India. The pioneer of this movement was Arumuga Navalar, who by sheer coincidence hailed from Nallur, the seat of the Kingdom of Jaffna. Although this movement gave a Tamil and Hinduism an identity lately in the 20th century, Tamils in Jaffna were accommodated in the larger horizon of Tamil Nationalism unlike in the case of southern Sri Lanka. The Hindu renaissance movement of the 19th century triggered off a similar movement in southern Sri Lanka, which gave way to Sinhala-Buddhist nationalism. Both these movements pioneered Sri Lankan nationalism, which unlike in India transformed itself into Sinhala-Buddhist nationalism, a sophisticated form of the Mahavamsa's Sinhala-Buddhist ideology. The effects of this could be seen in the

provinces inhabited mainly by the Low-Country Sinhalese. Each of these communities would thus be granted a government of its own. For purposes affecting the welfare of the entire island, those three governments would be united in a federal government thus ensuring that no section would be in a position to dominate over the others. The claim of the Kandyans has been highlighted in an article titled 'The Kandyans urged for three federal states in 1928 and 1948,' contributed to the Sunday Observer of 5 January 2003 by Lakshman Kiriella.

The Communist Party of Ceylon too recognized the nationhood of the Tamils of Northeastern Province. Their view was expressed in a rally held in Colombo and their resolution at this rally was later forwarded to the Ceylon National Congress as the Communist Party's resolutions and memoranda of October – November 1944. It reads as follows: "As there are distinct, historically evolved nationalities, for instance the Sinhalese and Tamils with their own contiguous territory as their home-land, their own language, economic life, culture and psychological make-up, as well as interspersed minorities living in the territories; the constitution of a free and united Ceylon should be based on the following democratic principles:

- Recognition of the equality and sovereignty of the peoples of Ceylon;

According to Kandyan National Assembly, the island was to be carved into the three self-governing areas: the northern and eastern provinces in which the Tamils predominate; the Kandyan provinces and the southern and western provinces inhabited mainly by the Low-Country Sinhalese

*Even members of the
Soulbury Commission
who drew up a
constitution for an
independent Sri Lanka
recognized in their
report that the Ceylon
Tamils constituted a
compact and closely
knit community
dwelling chiefly in the
northern and eastern
provinces*

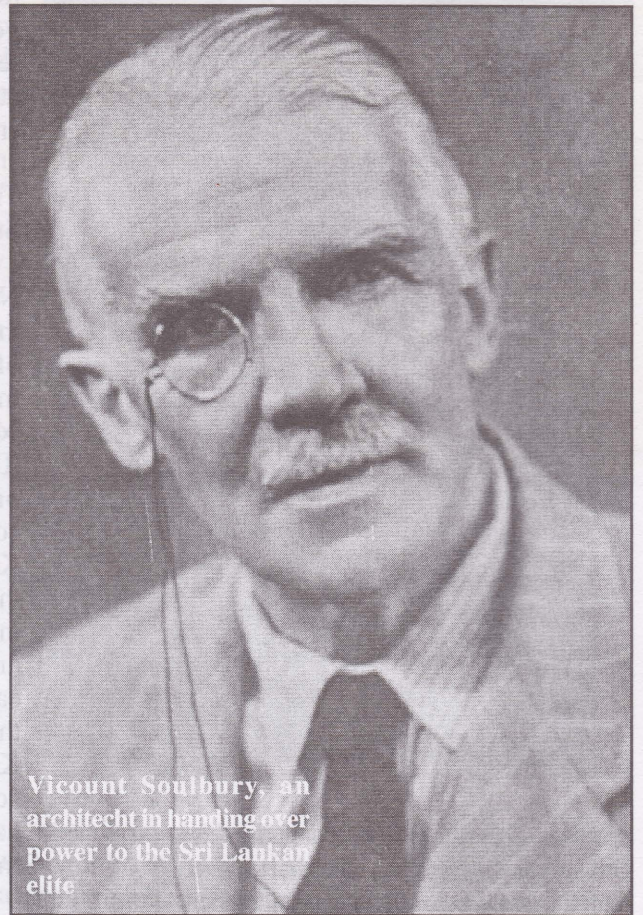
- Recognition that the nationalities should have the unqualified right to self-determination, including the right, if ever they so desire, to form their own independent state;

- Recognition that the free constitution should contain statutory guarantees protecting and advancing the political, social, economic, educational and linguistic rights of interspersed minorities, as their freedom of religious worship, and secondly, statutory abolition of discriminations and privileges based on caste, race or community and making it a penal offence under the constitution to infringe the above.

- Recognition that those Indians, now in Ceylon, who are prepared to make this country their permanent home and adopt Ceylon citizenship, should have the same rights and privileges as any other community.

“As, however, the most economically developed areas are in the traditional homelands of the Sinhalese people and as the Tamils and minorities have contributed and will contribute towards such development, as well as to the general development of the whole country, this meeting further declares that the constitution of a free and united Ceylon should provide for two equal chambers, one a Chamber of Representatives, elected on the basis of universal adult franchise according to territorial electorates and the other a Chamber of Nationalities, elected on the basis of universal adult franchise and ensuring the principle of the equality of the nationalities of a united Ceylon.”

Even members of the Soulbury Commission who drew up a constitution for an independent Sri Lanka recognized in their report (Chapter VII, P 52) that the Ceylon Tamils constituted a compact and closely knit community dwelling chiefly in the northern and eastern provinces. In order to give sufficient representation of the



Vicount Soulbury, an architect in handing over power to the Sri Lankan elite

people of the northeast, sections of which was sparsely populated due to forest coverage, it provided for each province to have one member for every 75,000 inhabitants and an additional member for every 1000 square miles.

The recognition of northern and eastern provinces as the traditional homelands of the Tamils is also seen in the Bandaranaike–Chelvanayakam pact of 26 July 1957, and the Dudley Senanayake–Chelvanayakam pact of 1965. After prolonged negotiations between the Tamil United Liberation Front (TULF) and the Indian government, there emerged the Indo–Sri Lanka Accord signed on 29 July 1987 between the governments of India and Sri Lanka. The Accord recognizes the present Northeastern Province as historical habitation of the Tamils and other communities.

(To be continued)

Professor S. K. Sittrampalam is professor of history and dean of the faculty of graduate studies at the University of Jaffna. His specialisation is in ancient history and archaeology on which he has contributed copiously to both local and international journals.

Subscription Form

The **Northeastern** *Monthly*

Name:

Address:

.....

Subscription rates:

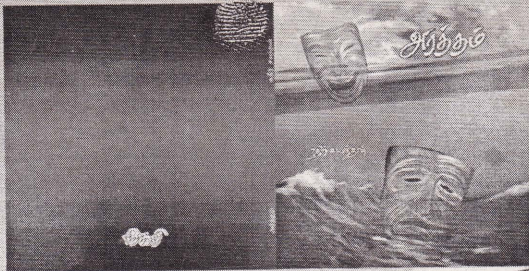
6 months: Rs 250

1 year: Rs. 480

Cheques to be drawn in favour of:
Renaissance Publication (Guarantee) Ltd.

82, Srimath Bandaranaike Mawatha,
Colombo 12
Telephone: 2445198

Any kind of Printing works



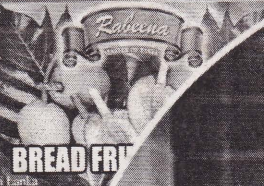
Ingredients
Bread, Fruit, Salt, Water

Ingredients
Fruit Oil, Sugar, Soap, Eggs

Zusatzstoffe
Brotaufback, Salz, Wasser

Batch No.
Date of Expiry

Product of Sri Lanka



NEW

Gillette
Blue II Plus

With Ultra Grip

EXPERIENCE



පසු කලින් පෙනී යන

ඉතා සුලභ
තොරතුරු සඳහා
වැඩිදුර

සිසුවා වැඩිදුර
බැඳීම සඳහා සහ
ආරක්ෂාව
වැඩිදුර

UltraGrip

Posters

Tags

Bauchers

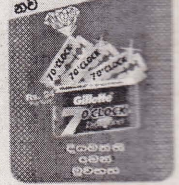
Visiting Cards

Cartoons

Lables

Books

Any kind of designing works



With Best Compliments From

E-KWALITY Graphics

Printers, Publishers & Graphic Designers

315, Jampettah Street, Colombo 13, Sri Lanka.

Tel : 0094 011 2389848 Fax : 0094 011 2389848

E-mail : ekwality@cga.lk