

NEELAN TIRUCHELVAM

1944 - 1999

Sri Lankan Visionary and World Citizen
Selected Tributes



International Centre for Ethnic Studies
Colombo

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INTERNATIONAL CENTRE FOR ETHNIC STUDIES, COLOMBO

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Neelan Tiruchelvam, a Political Tribute

Jayadeva Uyangoda

Dr. Neelan Tiruchelvam, a politician with formidable intellectual power and personal charm, was assassinated on July 29 at a relatively young age of fifty-five. It is a cruel irony in Sri Lanka that many politicians, particularly Sinhalese and Tamil, live with an acute awareness of the fact that they are less likely to die a natural death. Dr. Tiruchelvam was not unaware of the threat to his life; but he did not expect a suicide-bomber to be 'wasted' on him. On that count, this consummate politician and political strategist proved himself wrong.

The culpability of the Liberation Tigers of Tamil Eelam (LTTE) in this brutal act of political violence is not in doubt. It is a sad stroke of fate that the life of this noble man of non-violence and peace was snatched away in the most gruesome manner. Neelan may have felt the pain of his death, perhaps, for a flash of a second. But Sri Lanka is certain to suffer, for years to come, the severe pain of his departure from the political and intellectual world. Neelan was the most active person in Sri Lanka in a range of spheres - constitutional and legal reform, peace, conflict resolution, and democratic institution-building, civil society and legal and social science scholarship. He was the main political link between Sri Lanka's Sinhala, Tamil and Muslim communities; the bond that held together Sri Lanka's human rights community and a key link between Sri Lanka and the international community. He was also the only parliamentarian who could initiate an all-party dialogue for a political consensus to settle the ethnic conflict. In that sense, he had more than the necessary minimum credentials to be on the LTTE hit-list.

The week in which Neelan was assassinated also marked the sixteenth anniversary of Sri Lanka's 'Black July'. The anti-Tamil riots of 1983, which began on July 23 of that year, peaked on July 29. Those who made and executed the decision to kill Neelan on July 29, 1999 may or may not have been aware of this coincidence. Nevertheless, it provides some answer as to why Neelan was assassinated on that particular day.

There is another development that completes the political context against which this killing occurred. Speculation was rife in Colombo that the Chandrika Bandaranaike administration was planning to place before parliament its draft constitutional proposals in mid-August. The devolution proposals, which form part of the draft constitution, address the core political issues of the ethnic conflict within a semi-federalist framework. By presenting them in parliament, the Kumaratunga administration was obviously seeking to gain a new political momentum over two of its rivals - the United National Party (UNP) in parliament and the LTTE in the battlefield. It is no secret that Dr. Tiruchelvam has been the most active Tamil politician involved in the framing of the draft constitution, specifically, its devolution proposals. He was also perceived as the key political actor who could effectively mediate a consensus for a negotiated settlement to the ethnic conflict. And indeed, this quiet man had transcended narrow ethno-nationalist politics to such an extent that he, and he alone, symbolized in his person the possibility, however distant it may have been, for a national consensus on conflict resolution and peace.

Therein, indeed, lies the uniqueness of Neelan, the politician. Therein lies the real meaning of that cliché when applied to someone after death: 'He is irreplaceable.' It is difficult to fill the void created by the assassination of Neelan Tiruchelvam, not merely because of his formidable intellect, his capacity to strategize political manoeuvres, or his powerful inspiration to colleagues and friends. Neelan is irreplaceable

because, to my knowledge, he is the only contemporary Sri Lankan Tamil politician who had the capacity and commitment to re-conceptualize Tamil politics in democratic emancipatory terms within the framework of a pluralist Sri Lanka. Perhaps, most of Neelan's friends were unaware of this. But his enemies knew it. While his enemies in extreme Sinhala nationalism pilloried him in the press, his enemies in extreme Tamil nationalism cut his life short.

Neelan's intellectual and political life was intertwined with the path of post-colonial Sinhala and Tamil nationalisms in Sri Lanka. Although Neelan was six years older to me, we belonged to the same generation of Sri Lankans whose biographies were shaped by the idiosyncrasies of Sri Lanka's post-colonial state. I come from a rural Sinhalese Buddhist family of the socially marginalized, and Neelan belonged to an urbane family of Colombo's elite - the contradictions of which are so vividly captured in Shyam Selvadurai's recent novel, *Cinnamon Gardens*. But, our biographies intersected at the site of Sri Lanka's post-colonial nation-state. I was beneficiary of the Sri Lankan state's social wellfarism and a victim of its blindness to aspirations for political emancipation among social margins. Neelan was a beneficiary of the Sri Lankan state's liberalism and a victim of its blindness to emancipatory desires among ethnic minorities. When we met as intellectual colleagues in the late eighties, we have a lot of notes to compare.

I had grown up - away from the politics of radical agrarian authoritarianism, and he had transcended the politics of ethno-national exclusivism. We were searching for an intellectual framework within which equality, social justice and ethnic as well as social pluralism could be inscribed as emancipatory impulses in a democrating project. Neelan was the first Tamil political I met who had developed a conceptual apparatus to critique not only Sinhala nationalism for its majoritarian hegemonism, but also Tamil nationalism for the limits of its emancipatory politics. He believed that the

discourse of ethnic victimology, so central to all streams of Tamil nationalism, could not offer an emancipatory future for Sri Lanka's Tamil community. Tamil nationalism, as he thought, had to be re-inscribed through a new framework of ethnic inclusivism and pluralism. He expected Sinhalese nationalism too to find this auto-critical politics of reflection. I am not sure whether Sinhalese and Tamil nationalisms are yet ready for such an excruciatingly painful exercise in critical self-reflection. In that I find some meaning in the rationally inexplicable killing of Neelan.

It is in this context that one has to understand and assess his intellectual and political practice. He maintained a live dialogue with the democratic community abroad, because he was not a nationalist in the sense of Tamil nationalism with which we are so familiar.

He created and nurtured the International Centre for Ethnic Studies and the Law and Society Trust primarily to set in motion an intellectual dialogue so that the Sri Lankan intelligentsia, through research, reflection and debate, would re-define the terms of their political debate. He actively took part in the exercises of drafting constitutions and laws, because he believed that political structures and institutions were necessary to facilitate the social and political practices of democracy and pluralism ensuring diversity as a fundamental reality in the modern nation-state. He wanted to make the state accountable to its own citizenry.

That is why he devoted a considerable share of his intellectual energy and resources of his legal knowledge to create and strengthen institutions such as the Human Rights Task Force, the Human Rights Commission, the Office of the Ombudsman and the Official Languages Commission. At the time of his death, he was actively involved in drafting legislation for equal opportunity and non-discrimination. All these efforts of Neelan reflect his intellectual realization that nationalism, whether Sinhalese or Tamil, had only a dated and limited agenda. If I were to paraphrase Neelan's political

thinking, he held the view, which I shared with him, that contemporary ethno-nationalism, whether majoritarian or minoritarian, can only highlight the felt grievances of a community; it cannot provide political emancipation to the community it represents.

In life as in death, Neelan has been described as a 'moderate Tamil politician'. Having known Neelan for a few years, I find this expression most insulting to the foremost democratic political thinker the Sri Lankan Tamil society has ever produced. In a way, it is a pity that he had neither time nor leisure to write a book on political and constitutional theory in the way Roberto Unger, his colleague at Harvard, did. But, Neelan, the busy lawyer and active politician, knew his Roberto Unger, Benedict Anderson, John Rawls, Amartya Sen, Norberto Bobbio, Avishai Margalit and, to mention an old name, Hannah Arendt well. He also knew his Marx and Foucault. That is precisely why he was not a nationalist, but a citizen of the world.

And Sri Lanka's extreme nationalism, whether Sinhalese or Tamil, can hardly tolerate a citizen of the world. In Neelan's tragic death, I find the mirror image of my intellectual friends and myself.

Daily News, August 6, 1999

When Will it All End?

Kethesh Loganathan

Yet another voice of reason and sanity has been silenced by the forces of nihilism. Neelan Tiruchelvam, short in height, but standing straight and tall in the midst of a fast decaying polity and a disintegrating society, is no more. His demise is a stunning blow to the peace constituency as well as to the secular, democratic forces in Sri Lanka committed to restoring peace with equality and justice in the face of jingoism, intolerance and the cult of violence.

That Neelan Tiruchelvam was killed by a suicide bomber would make it difficult even for the LTTE to deflect responsibility from itself. Of course, as to whether a denial from the LTTE, given the modus operandi it used in the assassination of Neelan Tiruchelvam, would be taken seriously is another matter.

On the other hand, this would not have been all that obvious had Neelan been, for instance, gunned down by an assassin. Given the spiraling violence which has embraced our society in a vice-like grip, the sources of violence are many. So are the motives. But where the LTTE has been identified as the perpetrator, then it is meaningless to be looking for motives. It really does not matter. Suffice it to say the LTTE will eliminate anything and anyone who stands in the way of its perceived 'manifest destiny' as the sole repository and representative of the Tamil nation and statehood. Neelan Tiruchelvam who sought to advance the project of constructing a multi-national Sri Lanka based on co-existence and a just peace, therefore, in the eyes of the 'sole' beholder, was a 'traitor' and a 'collaborator'. This seemingly simple logic is what drives the LTTE.

So should the LTTE be condemned or not? The mainstream Tamil media, while condemning the heinous act, maintained its habitual stoic silence in not naming the 'Name'. There were, however, some exceptions. The English and the Sinhala media, on the other hand, have not only condemned the LTTE, but have gone further and also condemned the Tamil people for failing to do so. This has also become the 'talking point' amongst the Colombo-based (and Kandy-based) intelligentsia.

It must be said at the outset that silence in the face of LTTE terror is not acquiescence. Neither is silence in the face of 'state terror'. The Tamil and the Sinhala peoples have experienced both forms of terror, and have, often, borne it with a deafening sound of silence. But silence in such situations is often a manifestation of helplessness, hopelessness and collective fatigue - not one of consent or approval.

'Ultimately, attributing blame and advocating retribution is not the solution to the bloody war and the ethnic strife that has drenched both sides of the ethnic divide with blood. By the same token, the perpetrators will have to come to terms with peace or go the way of their victims, Neelan certainly would not have wanted his death to exacerbate ethnic tensions or further widen the ethnic divide.'

To posit the case that the Tamil people have, by their silence and failure to turn up en masse at Neelan's funeral, condoned the assassination of Neelan Tiruchelvam, is untenable. It is as untenable as blaming the Sinhala people for not having protected their Tamil brethren from the state-sponsored July '83 holocaust or for not rising against the JVP terror that was unleashed in 1988-89 and which required a sustained campaign of counter-terror to quell it.

In any case, what is the mode of dissent from the Tamil people that would be acceptable to those who demand it? What Tamil political parties could issue statements or intellectuals could write articles for the print media or appear on 'talk

shows' in the broadcast media: how do the Tamil people express dissent against a dictatorial regime like the LTTE?

It also needs to be noted, in the specific case of Neelan's assassination, that given the security blanket in Colombo city, a typical Tamil in Colombo, irrespective of whether he or she is resident or displaced person, would have thought it over ten times before ultimately deciding to stay at home - or, go to a temple near by.

As a matter of fact, the Ramakrishna Mission Hall at Wellawatte was packed to capacity, at the time of Neelan's funeral, with a predominantly Tamil audience to hear a discourse on a system of healing of ailments arising from stress, anxiety and psychological trauma. This then is the prevailing tragic reality.

But what clearly cannot be accepted and should be challenged and confronted politically, ideologically and morally is any attempt at justifying and condoning such heinous crimes against humanity by the elite and opinion-makers on both sides of the ethnic divide. The broad masses should not be held hostage to the moral bankruptcy of their elite.

Another aspect that should be recognized as a reality is that Neelan did not have a popular, mass base. In fact, he had no pretensions of being a politician; nor would he have enjoyed being tagged with the label of a populist. The vast majority of the Tamil people could not understand why the LTTE would send a suicide bomber to assassinate someone who was neither a 'political giant' in the mould of Amirthalingam nor a revolutionary like Pathmanabha, nor a Tamil functionary of a Sinhala party in the mould of Alfred Duraipppah nor the head of a despised Tamil paramilitary like 'Razeek'.

In fact, it was after the condolence messages and condemnations, coming from world personalities such as Bill Clinton and Kofi Annan started pouring in that, perhaps, the Tamil community began to realize the person Neelan was, the extent to which the LTTE felt threatened by his international

stature and standing and the enormity of the blunder made by the LTTE in assassinating him.

It must also be conceded that the LTTE does enjoy significant support from the Tamil people, although it stems largely from the absence of a credible and an effective alternative from within the Tamil polity. What supports the LTTE is also an emotive reaction to the failure of successive governments, including the present one, to resolve the ethnic question in a manner that is just and equitable - and, most importantly, peaceful.

Hence, what the Tamil people really expect from the LTTE is to secure for them their identity, security and socio-economic progress by negotiating a just, honourable and a durable settlement. What the vast majority of the Tamil people do not want is for the LTTE to engage in an endless bloody war that shows no signs of abating and with an entire generation (and future generations) being condemned to deprivation, destruction and death.

Similarly, what the ruling PA government, the UNP 'alternate' government, the emerging 'third force', the JVP, and the Sinhala extremist NMAT/SVV should recognize is that they simply cannot continue to carry out their adventurist, partisan politics in the name of the Sinhala people. Vast sections of the Sinhala people are clearly for peace (as a recent opinion poll revealed) and may not be averse to even supporting substantial autonomy for the North-East, provided, of course, such a settlement guarantees permanent peace and the unity of the country. Ultimately, attributing blame and advocating retribution is not the solution to the bloody war and the ethnic strife that has drenched both sides of the ethnic divide with blood. By the same token, the perpetrators will have to come to terms with peace or go the way of their victims. Neelan certainly would not have wanted his death to exacerbate ethnic tensions, further widen the ethnic divide or intensify internecine conflicts.

May Neelan Tiruchelvam attain the peace that he so desperately wanted others to enjoy. May his soul merge with divinity and bless this troubled and blood-soaked land of ours.

The Sunday Times, August 15, 1999

The Peace Process after Neelan Tiruchelvam

Izeth Hussain

He was certainly among the very best and the very brightest of his generation, and probably he was the nicest as well. We are using the term "nicest" here as carrying far more than its usual connotations. Usually when we say that someone is nice we mean that he is kindly, friendly, well-meaning, generous, prepared to be helpful, and an altogether innocuous person. The extraordinary niceness which must have struck anyone who got to know Neelan Tiruchelvam was of a different order.

Behind it there was something that is difficult to define. It was some sense of responsibility towards his fellow human beings, a deep engagement and a moral commitment to improve their lot. That was why he did not opt for a glittering academic career, which could have been easily his, in one of the best universities abroad.

Instead he chose to enter the paltry political arena of Sri Lanka, which in the course of the years became more and more murderous. It was a lucky accident that he was not there when Amirthalingam was assassinated. He knew that in the course of the years six senior members of the TULF had been assassinated.

His persistence in Sri Lankan politics, when he could have so easily moved to a lucrative and prestigious career here or abroad, had to mean a preparedness for self-sacrifice. That is not something that can be explained in terms of the Westernised liberal that he partly was. The explanation is suggested by a photograph in one of this morning's Sunday

papers showing his two beloved sons, Nirgunan and Mithran, bare-bodied in preparation for the performance of Hindu funerary rites.

Neelan's extraordinary niceness and what can only be regarded as his preparedness for self-sacrifice have to be explained in terms of the moral and religious traditions that he absorbed, consciously or unconsciously, as a Tamil Hindu. The best of those traditions can be seen in the Bhagavad Gita and the tremendous spiritual elevation of the conclusion of the Mahabharata. We need to incorporate the moral grandeur of Hinduism into the national fabric of Sri Lanka.

The language and the notions used in the above tribute to Neelan may seem rather strange, considering that he was, after all, pre-eminent as a constitutional expert. It is symptomatic of the trivialisation of our public life and the paltriness of our politics that we have tended to see our ethnic problem as essentially a constitutional problem. Self-sacrifice has nothing to do with the Constitution. The Bhagavad Gita, the Dhammapada, the Bible, and the Koran are infinitely more important to the solution of our ethnic problem than the Constitution.

Constitutional change is a necessary, but far from sufficient, condition for the solution of our ethnic problem. The sufficient condition has to include attitudinal changes which make it no longer meaningless or ludicrous to say that we need to incorporate the moral grandeur of Hinduism into the national fabric of Sri Lanka. Neelan, the constitutional expert, would have understood this.

All that and more will be said or implied in the many obituary tributes to Neelan that can be expected in forthcoming days and weeks. The main purpose of this article is to reflect a little on what the ethnic problem, and more specifically the peace process, looks like after Neelan's death.

None can doubt that the assassination was the work of the LTTE, and few can doubt that the purpose was to derail

the peace process. Every one knows that at long last the Government has decided to move on its devolution package, and that it was going to be presented in Parliament.

This writer has been viewing out ethnic tragedy as having three main protagonists, namely the LTTE, the UNP, and the PA Government. Their behaviour over the peace process has been to varying degrees unsatisfactory. But suddenly it appeared that two of them, the UNP and the PA Government, were really in earnest about it. That was the clear impression conveyed by the details appearing in the press about what had been transpiring at the PA-UNP talks held under the aegis of our businessmen, represented by Lalith Kotalawela. This development has to be seen in the perspective of several other developments which looked favourable to the peace process.

There seemed to be a good reason why the PA and the UNP could have suddenly become earnest about the peace process. The reason was given in Dr. Johnson's famous pronouncement that nothing so wonderfully concentrates the mind as the prospect of being hanged on the morrow. At the elections which are due next year one of the other of our two major parties is going to be hanged. In terms of the sage pronouncement of Dr. Johnson we have to expect that their minds will nowadays be wonderfully concentrated on the question of how to improve their election prospects. Their sharply honed minds will be concentrated, among other things, on the ways in which their positions on the peace process might impact on their election prospects.

The UNP had been following a blatantly obstructionist policy on the peace process, evidently in the expectation that a protracted war would spell continuing economic decline, on which basis it could return to power. But the macro-economic indicators have shown continuing economic growth, and now Sri Lanka is classified as a middle income country. There have been disturbing economic trends in recent months, but we cannot be sure whether they are of a temporary or of a

lasting order. An endlessly protracted war can certainly be ruinous, but in the meanwhile our economic performance has been much better than had been expected. The UNP clearly made some serious miscalculations about the economy.

Such would seem to be one of the lessons provided by the recent Provincial Council elections, which showed that, despite the PA's waning popularity, it is still way ahead of the UNP. The results also clearly show that the devolution package does not preclude the PA being the leading vote-getter. It did not in the Southern Province, the traditional hotbed of Sinhala extremism, where the President emphasized the need for a solution of the ethnic problem on the basis of the devolution package.

The UNP may be finding one point particularly bothersome. There is no doubt that significant segments of the people are undergoing serious economic hardship, and equally there is no doubt that hardship would have been much less severe if not for the ongoing war.

The party that has wanted the war to continue, the UNP, is therefore responsible for that hardship. Our people are surely sophisticated enough to be able to make those connections and draw that conclusion. The UNP could lose the elections precisely because of its obstructionist policy. The prospect of being hanged on the morrow provides a powerful explanation for the UNP's sudden accommodativeness over the peace process.

That same disturbing prospect could provide the explanation for the PA suddenly showing itself to be in earnest about moving forward on the peace process. It is way ahead of the UNP, it is true, but it can lose that leading position because of the new third force which emerged in the course of the PC elections, a third force consisting not of the JVP but of those who abstained from voting or deliberately spoiled their votes.

It appears that a considerable proportion of Tamils are part of that third force, probably for the reason that they are

disgusted with the PA for its refusal to do anything meaningful with the devolution package. Further accretions of strength to that third force could mean that the PA finds itself getting hanged on the morrow. Time now to woo the minorities again.

The third protagonist in our ethnic tragedy, the LTTE, now suddenly finds itself confronted with an entirely novel situation. Both major parties are in earnest, or want to show that they are in earnest, about the peace process. This kind of thing may seem, from certain points of view, even scandalous, and is certainly unprecedented, because for decades the practice over our ethnic problem has been that the government proposes, the opposition opposes, and the devil disposes. Furthermore, the major parties seem to want to move forward on the basis of the PA's devolution package, though doubtless with substantial UNP modifications.

The problem is that the devolution package is far, far from being satisfactory for the LTTE.

In this situation the LTTE could have felt that it had to do something to somehow or other reverse what looked like a dangerous trend. The removal of Neelan, the exemplary moderate and one of the two chief architects, it is said, of the devolution package, could convey a message to all the other moderates. It would be very dangerous to themselves to back that package in Parliament, which as a result could become a non-starter and derail the whole peace process. Thereafter that process could be revived only on the terms of the LTTE, which seems to include as an essential desideratum a more or less independent state in the North-East which enters into confederal arrangements with the government in Colombo.

We can be sure of the thinking of two of the three main protagonists in our ethnic tragedy. One of them, the UNP, is dedicated to coming to power, while the other, the PA, is dedicated to keeping it, and both of them believe that for their own contradictory purposes they should make some moves over the peace process. We cannot be sure of the thinking of the LTTE. The above is a construction which seems to make

sound sense, and probably articulates the thinking of a great many people, but we cannot be sure that it provides anything like an accurate reading of the LTTE mind.

We can be sure that now there will be moves, openly or covertly, to abandon the peace process altogether, mainly on the ground that Neelan's assassination shows that it is impossible to come to terms with the LTTE.

It is an absurd argument, because it is tantamount to saying that the LTTE represents the whole or the majority of the Tamil people. Certainly, it does seem unthinkable at the moment that the LTTE can be a party to any negotiated solution of the ethnic problem. But we have to work towards such an outcome. This means that the PA and the UNP should continue to try to establish common ground between them, present the devolution package in Parliament, and see what needs to be done thereafter.

We have pointed out before that a great many examples show that a protracted war cannot be ended without a protracted peace process. Persistence with the peace process certainly seems to be the best way of honouring Neelan's memory.

The Weekend Express, August 7-8, 1999

Remembering Neelan

Qadri Ismail

Neelan Tiruchelvam was a friend. He was an intellectual, a lawyer, a tireless campaigner for justice, a cricket fan. A very decent man. Most of all perhaps, he was a Tamil of principle. And it is the latter that I want to remember. That every inhabitant of this godforsaken country should. He was a man who never gave up working for a core set of beliefs. Sri Lanka should be proud that we have had people like him. And I am honoured to have known him.

This is not an easy thing to say about a TULF politician. For the TULF vacillated too much, and fork tongued too much, and compromised too much. But Neelan didn't. He would never compromise his fundamental beliefs.

The two most important constituents of these beliefs were, one: that the Tamil people had the right to self-determination; and two; so did every other citizen of Sri Lanka. When one and two clashed, as they often did, Neelan stood for talking things through. In a country where, all too often for the past two decades, the bomb or the bullet has been the preferred way to end an argument, he wanted people to sit together and figure out their differences. And if they couldn't, to continue the conversation.

Self-determination has for some time now been a dirty word in the Sri Lanka political lexicon. But it, of course, is an axiom of democracy: that you have the right to be heard, and be listened to, and thus to shape your own future. It does not necessarily follow from this that, if you are a Tamil in Sri Lanka today, you must insist on a separate state as the form of the self-determination. If someone said so to Neelan, he would point out that there were Muslims and Sinhalese too - living in the northeast. That the right to self-determination

did not include the right to oppress others. Especially the innocent Muslims and Sinhala inhabitants of the northeast, most of whom never did the Tamils any harm.

This is, of course, one crucial way in which he parted company with the LTTE. And there were times - admittedly, years ago - when this was cause for anger and frustration, at least for me. There were times when the Sinhala state had to be opposed publicly, loudly, insistently, when one thought Neelan should be doing more than he was. There were times when a lot of us thought that the only way to successfully oppose the violence of the Sinhala state was the counter-violence. But Neelan didn't And I for one was often pissed off.

But where has violence got us?

It is, today, not particularly useful to keep insisting that the war was started by the Sinhala state. Of course it was. The citizenship laws, Sinhala Only, colonization, standardization; the IATR, the Jaffna Public Library, July 1983, we know all that.

Yes, the Sinhala state has some very horrible atrocities on its record. Most of those responsible for the record have gone unpunished. J.R.Jayewardene, after all, died a natural death. Several military chiefs retired to ambassadorships. Ordinary servicemen who routinely raped, tortured, murdered innocent Tamil civilians will never have to even account for their crimes, leave alone face justice.

But, have the rights of the Tamil people been advanced one millimeter as a consequence of the counter-violence, the counter-terror of the LTTE? Are we any closer to solving the ethnic problem today, sixteen years latter, and God alone knows how many unnecessary deaths later? Surely, we should - those who justify the LTTE, that is - reconsider the question of violence?

If Neelan's life had been cut short at the comparatively low age of 55, may be his death can teach us something. I'd

rather it didn't, I'd rather Neelan was still around to argue with, to persuade people that we shouldn't despair, to give us hope. But may be, his death will teach us something.

May be his death will teach this week-kneed government that it is about time it kept its promise. That the devolution proposals must be powerful, and need the approval of the Tamil (and Muslim) people, whose grievances they are designed to solve, and not the approval of the Maha Sangha or Bhoomiputras. Though, I doubt it.

May be his death will persuade the craven and opportunist UNP, -the party responsible for the LTTE getting out of control - to actually support the package. Though I doubt it.

May be his death will convince other "moderate" Tamil leaders that their only possible future course of action is to loudly insist on their position, rather than cave into the LTTE. I But I doubt it.

Given all this doubt, it may not look as if there is any reason to hope. But I would say that we can hope, yes, because Neelan lived - and fought for what he stood for.

Uncompromisingly. A cabinet seat, for instance, was his for the asking. But unlike other Tamil politicians who stood for nothing larger than themselves, he refused. His politics was not constituted by personal gain.

Neelan Tiruchelvam stood for a Sri Lanka that all of us could live in. The Tigers, of course, have been assassinating such people. The non-exclusivists seem to be their biggest threat, Rajini Thiranagama, R.Padmanabha, Gamini Dissanayake, to name just three. Like them Neelan never stood for an exclusive principle. If peace, as check put it, is a state of distinction without domination, a condition where difference is respected, if not encouraged, Neelan literally embodied the possibility. He taught us all that parties to a conflict don't have to settle all their differences in order to live together, that we can differ without being violent.

It is easy to despair now. But as long as there are people like him, or people inspired by him to work for these same beliefs, there will be hope for Sri Lanka. Hope that the ordinary Tamil people, who have suffered for far too long, will once again be able to live in peace and dignity in this, the country of their birth. And the rest of us - Sinhalese, Muslims, Bohras, Burghers, all with them.

But that should not be the whole story. On that day that peace finally returns to Sri Lanka, if there is any justice in this world, Velupillai Prabhakaran will be in the Hague on trial for crimes against humanity. Charged, among other things, with the unjustifiable and unconscionable murder of one fine human being, Neelan Tiruchelvam

The Sunday Leader - August 1, 1999

Neelan Tiruchelvam - Sri Lanka's Unobtrusive Peacemaker

Jehan Perera

The month of July has become like the 'ides of March' of Shakespeare's Rome: 'Beware the ides of March.' This year's July had almost come to an end without an abominable crime when it happened. A suicide bomber blew up the car carrying one of Sri Lanka's most distinguished offspring, Dr. Neelan Tiruchelvam.

Dr. Tiruchelvam was unique in combining political, academic and civil society activism with humanism and distinction. He strengthened the moderate mainstream of political life. He was a dynamic personality who tried to forge a mainstream political consensus regarding fundamental reform of the Sri Lankan polity. But above all, he was a very fine human being who intended no harm to others and embodied the higher human qualities.

It was during the fearsome period of the JVP insurrection and the Premadasa Presidency that I frequently called his son Nirgunan to obtain some information about political developments at the national level. Nirgunan was then in his mid-teens, old enough to know what his father and colleagues were talking about, and young enough to share those secrets with a friend. I remember Niggy, as he was known, once starting to say something deservedly nasty about a politician, then stopping himself. 'My father has told me not to speak ill of others,' he said. True to this precept, neither did I ever hear Neelan Tiruchelvam speak ill of others.

Dr. Tiruchelvam was one of the least pushy and most refined intellectuals this country has ever produced. He was not a populist. He worked behind the scenes. He was pre-

occupied with designing institutions and frameworks within which a multi-ethnic and plural society could be governed, efficiently and equitably. Thanks to the efforts of a few people like him, today the country is moving forward, even if slowly, to a new constitutional framework. In this framework the distinct identities of the different peoples inhabiting this land can be given political expression while the country remains united. Hopefully, the country will then be able to get away from the present ugly realities.

In the past several decades, but especially the last two, the Tamil people have faced tremendous violence - from the Sri Lankan state, from Sinhalese hoodlums and from Tamil militant organisations. The common cry of Tamil community leaders in Sri Lanka is that they want peace, but it must be 'peace with justice'. This cry has invariably been directed against the government. But the cruel murder of Neelan Tiruchelvam demonstrates that this cry has also to be directed elsewhere - at the LTTE. There was no justice in killing Neelan Tiruchelvam. But with the exception of the Tamil militant parties, the local voice of condemnation of this horrid crime has been muted.

Debilitating fear

The most debilitating fear among the Tamils is somewhat similar to that which existed among the Sinhalese for a relatively short period of time during the JVP period and Premadasa presidency. Those who stood out from the common mass even a little bit felt a nagging fear that 'Big Brother' was watching, and might target him or her for murder.

But even at the worst of times, Sinhalese society retained sufficient free space for dissent and conscience. The funerals of Vijaya Kumaratunga and Lalith Athulathmudali were massive expressions of public revulsion against the barbaric

assassinations of democratic leaders. The difference is that the Sinhalese never had to deal with the phenomenon of a political force that claimed to their 'sole representative'.

The claim to be the 'sole representative' is incompatible with democracy. On the contrary, it is a throwback to centuries ago, when the doctrine of the 'divine right of kings' prevailed. But that is an age that is dead and can never be revived except by coercion of terror and force of arms. It is at this altar of a dead past that Neelan Tiruchelvam was killed, the latest in a long line of leaders of the Tamil people felled by the LTTE.

It is time that the LTTE realises that its claim to be the 'sole representative' of the Tamil people is also not practical and does not promote Tamil interests. For instance, there are certain interests that can be better represented in Colombo, by Tamil parties which have their representatives in Colombo, than by the LTTE which is isolated in the Wanni jungles. An example would be the food crisis in the Wanni. Other examples would be in designing a constitution that safeguards Tamil interests and in obtaining foreign mediation.

Irony

Ironically, Neelan Tiruchelvam stood for two of the very fundamental ideas that the LTTE has put forward as being prerequisites if they are to engage in negotiations with the government. LTTE spokespersons have called on the rival Sinhalese political parties to reach agreement among themselves before talking to them. Neelan Tiruchelvam was a strong campaigner for a bipartisan government-opposition approach to a political solution. He was personable enough to be welcomed to the home and hearth of those at the highest level of national politics on every side of the divide.

In addition Neelan Tiruchelvam was a strong campaigner on the issue of foreign mediation, which the LTTE leader Velupillai Prabhakaran himself called for last year. The

presence of many foreign dignitaries at his funeral, and the statements of condolence from US President Clinton and UN Secretary General Kofi Annan showed the immense credibility he had with the international community. By killing him, the LTTE has weakened the totality of forces that could help to bring about a solution favourable to peace with justice for the Tamil people of Sri Lanka.

While the LTTE may be by far the most powerful force battling for the Tamil cause, they are not the only force. There are others also, including even Sinhalese, and it is necessary to harness all their support to achieve success. Those who seek peace with justice in Sri Lanka from podium and pulpit would be failing in their duty if they do not call the LTTE to account for the assassination of Dr. Tiruchelvam. It is in the interests of all the peoples of the multi-ethnic and plural society that the LTTE responds to this call.

Daily News, August 5, 1999

The Victors and the Vanquished

E.A.V. Naganathan

The recent slaying of Tamil TULF leader, Dr. Neelan Tiruchelvam, by a Tamil LTTE suicide bomber has shocked and saddened all who knew him. Recently, serious minded Sri Lankans with a conscience have sought to reflect on the wider social, political, psychological and cultural implications of the event. Dr. Paikiasothy Saravanamuttu, Rajpal Abeynayake, Victor Ivan and Dr. Ratnajeewan Hoole have in their assessments of the situation cast doubts on the sincerity of the government in power or the alternate government in opposition for keeping promises given on the ethnic issue. The indifference and lack of commitment of the Tamil parties to actualise these promises have been spotlighted.

How can the culture of which suicide bombers are a symptom be nullified? I put forward the hypothesis that it requires that life in the Tamil majority areas be totally and finally normalised. How may this be achieved? By peace. How may peace be ensured as a permanent reality in the Tamil majority areas?

Dr. Hoole has in the true spirit of Christian charity spared a thought for the Tamil suicide bomber and family. His gesture anticipates the synoptic view that I take in this letter, looking beyond the event at the totality of the Tamil experience of which it forms an integral part.

The phenomenon of Tamil suicide bombers has not in my view received sufficient attention by educated and cultured Tamils, rational in outlook and humanist in impulse. In terms of Christian as well as Muslim theology, in the case of an assassination by a suicide bomber, where there are two

instantaneous and simultaneous deaths, two souls would be presenting themselves before the divine bar of justice of the Almighty for judgement, at one and the same time.

Political assassination is, perhaps, as old as politics itself. But the case of the suicide bomber is especially gruesome as it denotes a complete surrender of mind, will, body and conscience to the dictates of a cause or its leadership. Such total abnegation of the individual's right to life, which is the prime human right, cannot be condoned. It cannot be justified under any circumstances. The society in which it breeds should not tolerate it. They should rise up against it. It is poignant that I should be writing this on the 50th anniversary of the Geneva Convention of 12th August, 1999 which specifically recognises the immunity of non-combatants like Dr. Tiruchelvam, from the incidence of war.

Japanese suicide bombers of World War II aimed themselves at inanimate targets like ships. But they belonged to a society which traditionally venerated the cult of ritual suicide or harakiri under certain exceptional circumstances, which were well understood by those who practised it, as an obligation of the samurai class to which they belonged. There is no precedent in the long history of the Tamil people. Their typical Tamil concept of heroism was articulated by, I believe, TELO leader T.Sabaratnam's father who, when informed of his son's death in a shoot-out inquired whether he had received his wounds on his chest or his back, and on being assured it was the former, thanked his informant and went back into his house to grieve in privacy with his wife and family. This is, as any Tamil knows, in an ancient tradition stretching back to the earliest Tamil poetry on war, anthologized in the Puranaanooru where such a death is extolled and culogised.

How can the culture of which suicide bombers are a symptom be nullified? I put forward the hypothesis that it requires that life in the Tamil majority areas be totally and finally normalized. How may this be achieved? By peace. How may peace be ensured as a permanent reality in the Tamil

majority areas? By restoring to the Tamil people in their own areas their rightful role as the chief players in the act, from which they have been ousted for the past 18 years - through a process of political empowerment by the democratic mode.

How may this be done in the context of the present distribution of power in the country, with the two major parties unwilling or unable to act in unity or amity on this issue and a conventional army which, by the nature of the warfare, is and will be, unequal to the task of winning a guerilla war? I postulate that this can be most suitably, effectively and beneficially achieved by a UN Task Force, as underwriters of a just and durable constitutional settlement, similar to the assignment such a Task Force has undertaken and is currently implementing under similar conditions in E.Timor.

I doubt that there can be any serious objections to this proposal. The Tamil people in their majority areas have been shut out of all the equations and ignored in all the panaceas devised by the government of the day, the opposition, the Indian government, the Tamil parties with or without the name Eelam, the Tamil elite at home and abroad, the Sinhala intelligentsia, the NGOs and the Colombo business leaders. They all, under this proposal, after a lapse of 18 years dating from the farcial Jaffna DDC elections of 1981, will occupy the centre stage and take back into their hands the right of deciding their own future.

I endorse Karunasena Kodituwakku's viewpoint that 'we are not interested in terminologies'. My approach, like his, is based on the needs of the people. The Tamil people need to decide whether they wish to remain with the unitary state or change to an autonomous unit. It is to them that this question needs to be put, not the LTTE. The Tamil people are not babies and the LTTE is not their wet-nurse. This is their sacred prerogative which no one may take away from them, ever again.

In this I disagree with Lalith Kotelawala. If the Tamil people favour the later alternatives, the UN Task Force will

remain in surveillance of the elections to be held for the formation of the government of the autonomous unit and depart the scene only after it has settled into office. In such a scenario, the ordinary Tamil people of the common or garden variety, resident in their ancestral homelands and heartlands, will, after 18 years of deprivation, become the victors, rather than remain as now, vanquished at each and every turn, at the hands of all and sundry. They will then, as a former Gen. Sec. of the FP in its heady hey-day used to often wish in his inimitable buoyant style, be 'the masters of their fate and captains of their soul'.

If, however, the Tamil people at this juncture vote in favour of Tamil political parties which, although claiming, in words, to be fighting for the rights of pluralism, have proved by deeds that they are patently totalitarian in outlook, the full responsibility, and the futility of it, will be in their hands and on their heads.

They may be reminded that already such regimes are spreading their own elites. Not everyone these days gets to go by sea and air to London, accompanied by one's spouse for treatment for diabetes. On the other hand, I am personally aware of Tamil cancer patients who come after a shattering journey, lasting several days by sea, train, bus and three-wheeler to the Cancer Institute, Maharagama in great distress of mind and pain of body - all the way from the Tamil majority areas. No Tamil organizations, whether lay or clerical, seems to bother about them. But the young Sinhala doctor I know who attends on some of them refers to me for the Tamil words for discoursing with them and making them more comfortable and happy, as best can be in the terminal stages in which they generally arrive.

The older political elite represented by the GOM of Tamil politics Mr.Chelvanayakam and his colleagues, Mr.Vanniasinkam and the former Gen. Sec. of the FP, all of them drawn from the ranks of the traditional social elite of Yalpanam, died in government hospitals, the last-named, as I

recall, in the admission ward No.41 of the Colombo General, having been, himself, a British qualified doctor, educated at St.Bart's where he played scrum-half for the Hospital First XV and sang tenor in the Westminster choir, besides winning the Gold Medal for Surgery.

Daily News, August 20, 1999

Neelan Tiruchelvam: A Tribute from a Colleague

K. M. de Silva

The deep pain that is felt at the death of every friendly soul arises from the deep feeling that there is in every individual something which is inexpressible, peculiar to him alone, and is, therefore, absolutely and irretrievably lost.

- *Schopenhauer*

On July 15, 1999 two Tamil United Liberation Front (TULF) Members of Parliament, including its leader, Appapillai Amirthalingam, were shot dead by an LTTE assassination squad. S.Sivasithamparam, the deputy leader, escaped with severe injuries. Neelan Tiruchelvam was expected to be there on that occasion but was either late for the meeting or had decided not to go, and thus narrowly missed an encounter with the LTTE's assassins. Now just over ten years later the LTTE assassinated him, using a human bomb for that purpose, a technique of eliminating intended victims that they had perfected since the early 1990s, and the use of which has become their grisly trademark, locally and regionally. We in this little island have grown accustomed to violent deaths, including those of close friends. The photographs I saw of the mangled remains of Neelan Tiruchelvam's car are among the saddest memories of my life. He had been a very close friend for over 20 years, a very generous and compassionate human being.

At the time of his assassination Neelan Tiruchelvam was a distinguished public figure in the prime of his life. He was

a respected Member of Parliament. He first entered Parliament in 1982, and was there till the latter half of 1983; thereafter he returned to Parliament in 1989 and remained a MP till the time of his death. The pages of Hansard will show that his speeches were consistently among the most thoughtful delivered in Parliament over that period. He was a director of the International Centre for Ethnic Studies (ICES) since 1982. There were other institutions of which he was either the head or the live wire, such as the Law and Society Trust located close to the Colombo office of the ICES. On the international scene he was a regular participant at the conferences held in Aspern, Colorado, by a distinguished group of public figures, mainly of the western world; he had been a member for many years, and was chosen Chairman of its board of directors less than a year ago.

Locally he was one of the key figures in the preparation of the draft constitution which the current government has endeavoured to introduce to Parliament since 1995.

This present tribute to his memory is not meant to be an assessment of Neelan Tiruchelvam's role as a politician. That will be done at some later date. My concern is principally with some aspects of his creative role in the intellectual life of Sri Lanka.

When I first met Neelan just over 20 years ago, he was an earnest young lawyer intent on combining his law practice with the work of a senior researcher at the Marga Institute in Colombo, specialising in the impact of law on society and vice versa. His years at Harvard had left him profoundly unhappy about the teaching of law in the University of Colombo and at the Law College. Even at that stage Neelan Tiruchelvam had his links with the TULF. His father, a Federal Party and later TULF lawyer-politician, was the only member of that party and of the TULF ever to hold Cabinet office in a Sri Lankan government (1965-1968). The elder Tiruchelvam had died in 1976 and did not live to see his son's career in public life blossom as it did from the late 1970s to the time of

his death on 29 July 1999. What brought us together for the first time was our work on the Presidential Commission on Development Councils of which we were appointed members in 1979, he as a nominee of his party and I as a nominee of the President.

In 1981 we were both invitees to a Ford Foundation-sponsored conference held in a game park some 200 kilometres or so from Nairobi to look at the problems of ethnic conflict in the world. This conference eventually provided us with an unexpected opportunity to build a research institution; one of its by-products was a decision taken to establish a research institute for the study of ethnic conflict with funds provided by the Ford Foundation. After much discussion it was decided to look at Sri Lanka as the possible location for such an institute. The Sri Lankans at the conference worked as a team to convince others at the conference that we could build a world-class research institute.

Among the preliminaries to the establishment of such an institute was to secure the support of the then government to locate it in the island, a task that was assigned to me, while the legal issues involved, including discussions with the Ford Foundation in Delhi, were handled by Neelan with his customary thoroughness. At a meeting held in Trincomalee later that year, the decision to establish the International Centre for Ethnic Studies (ICES) in Sri Lanka was confirmed. Neelan Tiruchelvam was one of those who persuaded me to accept the position of Executive Director of ICES and Chairman of its Board of Directors, and with that began twenty years of close and friendly association. He and I were the two Sri Lankan directors at the foundation of ICES, the others being from the US, Nigeria and India. The peculiar feature of ICES is that it has two units, one in Kandy and one in Colombo, a convenient division of labour which accommodated the wishes of the two Sri Lankan directors.

Our work at ICES since its establishment in 1982 was conducted against an unpropitious background of a worsening

of Sri Lanka's ethnic conflict - the riots of 1983 among other episodes - the Indian intervention and its unintended and unforeseen consequences, and the second JVP insurrection, all of which brought in their wake pressures and tensions that could have torn the institution apart. Dealing as we did with topics and issues which were intrinsically controversial and divisive, one could have expected sharp differences of opinion to develop into equally sharp divisions within the management committee that ran ICES under the general direction of our international Board of Directors. There were of course differences of opinion stemming from differences of outlook and approach, but all of us took care not to allow these differences to undermine the institution which we were in the process of building. But all our efforts at restraint would have been to no avail if Neelan had been an abrasive personality.

Neelan Tiruchelvam was an extraordinarily busy person whose work and business took him to all parts of the world. However busy he was, he always had time for his colleagues in ICES and for the discussion of their problems.

Neelan's untimely death is a grievous loss to me, personally, and to our institution. Throughout the two decades of my association with him I found him a colleague whose judgement could be trusted and an unfailing source of encouragement during periods of trouble, national, institutional and personal. Nationally, the process of peaceful negotiated termination of the current war in the north and east will become even more difficult than they are now. There is no one in the Tamil community in Sri Lanka, either living in the island or abroad, with the same combination of qualities - physical and moral courage, strong convictions expressed in soft tones, personal integrity of a very high order and a sense of fairness in all his dealings - that made him such a convincing voice in the despairing search for national reconciliation. At the time of his death he was, without a doubt, the most distinguished public figure of his generation in Sri Lanka's

Tamil community. His loss is not something that can be confined to the Tamil community: the whole country is diminished by his assassination.

The Sunday Times, August 8, 1999

Neelan - A Feminist Salute

Cat's Eye

Assassination too often targets the very best a society has produced, a person who has symbolized humanity at its finest, a person who had a vision of a better society free of all the horrors of racism and religious and ethnic tension. The most notable examples that come to mind are the slayings of Abraham Lincoln, Mahatma Gandhi and Martin Luther King; their lives inspired people all over the world, but the manner of their deaths still reverberates in the conscience of humankind. We kill our best.

In Sri Lanka, where terror and assassinations have occurred so often, the killing of Neelan Tiruchelvam has jolted our conscience more than ever before. For he was much more than a member of parliament and political leader; he was a leader of civil society, an intellectual, a jurist of repute, a champion of human rights and the rights of minorities and, above all, an indefatigable worker for peace in Sri Lanka. Many of the tributes to him have highlighted his contributions and his great achievements in institution building and in promoting peace and democracy. Cat's Eye pays tribute to Dr. Neelan, while recalling aspects of his contribution to gender equity - a point not noted in the other tributes.

While many distinguished men in Sri Lanka society theoretically accept gender equity, only a few are active and come out boldly to support women's struggles. Neelan was one of the few.

We recall his support in all the research programmes at the International Centre for Ethnic Studies on women's issues, including their current research on violence against women. We recall his sympathy for feminist legal theory and his backing for scholars working on these themes; we recall his

support for individual feminist scholars, directing them to current books and articles and showing interest in their work. We recall his persistence in parliament in raising the issue of Aung San Suu Kyi's detention and reminding local women's groups to lobby for her release. We recall his invitation to two Irish academics for discussions and public talks (on the Irish peace process), one of whom was from the Irish Women's Coalition for Peace.

Because of Neelan's encouragement and support, ICES has run major programmes on Women and Governance in South Asia., Women and Religion in South Asia, doing seminal research and work in this area. ICES, along with the Law and Society Trust, have been major arenas where feminist scholars have gathered to discuss their work. Recently, the Law and Society Trust put forward an initiative for an Equal Opportunity Commission which included gender equity as one of its main tenets. Not only have special research projects on gender been incorporated in the work of his institutions but he insisted that all major programmes at these institutions contain a gender component. Among his closest friends were women who are leading feminists. When his death was announced, tributes came pouring in from all over the world and were included in all the major feminist networks. He always listened to women's voices and incorporated many of their ideas in his work. He was particularly interested in the conceptual aspects of feminist theory and its contribution to scholarship in various fields. He was an avid reader of *Cat's Eye* and made many references to its analysis in public. Once when he was left out of a woman's conference that interested him, he asked plaintively, 'Why have I not been invited? I am also a feminist.' Well, Neelan we are proud and honoured to have counted you as one of us. We will be inspired by your work, and when peace comes to this land we will help build some lasting monument in your name.

To many people in Sri Lanka, Neelan was known as only a politician, portrayed negatively by interested parties in the

petty politics that govern Sri Lankan life.. But he was much more than a politician. Neelan loved ideas, and he was an avid reader. People marvelled at the fact that despite his extraordinary commitments in terms of time, he had read the latest newspapers, journals, the internet and books not only in the law but also other disciplines. He even had time for fiction. Those who work with him recall fondly that he had ten ideas a day and that the institutions he built could only implement three or four. His boundless energy and his constant attention to the voices of young people made him an inspiration to many. He pushed their energies to the edge and made all of them feel that they could reform the world, all that was needed was will power and hard work. These young people were not only Sri Lankans of all ethnic communities but from all over the world. Their outpourings of grief were so clearly evident for those who manned the phones and e-mails at his institutions but also at the Tiruchelvam household.

Neelan was the kindest of men. He would never say no and he would go to extreme lengths to help family, friends and even strangers. His limitless generosity, combined with that of his wife, gave sustenance to scholars, activists and politicians.

One aspect of Dr. Tiruchelvam that is rarely mentioned is his love for art and architecture. He loved South Asian culture and art forms. He would hold seminars in exotic places in South Asia purely to expose the intelligentsia to the architecture, the culture and artforms of the sub-continent. He was a frequent visitor to the Gal Vihara in Polonnaruwa which was one of his favourite sites, and the poster of the Sakyamuni Buddha dominated his office. Whenever a visitor came to Sri Lanka he would take them to see the Gotami Vihara in Borella, and at dusk he would take them to see the Buddha with the Sapphire Eyes in Dehiwala. He loved South Indian bronzes and many of them were in his home. He was also an admirer of Moghul miniatures. He tried when he could to go to the music festival in Madras every December. And one of

his first acts for a visitor was to see the Dutch remains in the Fort and Pettah area. He was a believer in multiculturalism and he embodied that very ideal in his love for these ideals, regardless of ethnic origin. Beauty and art animated his life...yes, 'truth beauty', he believed in Keats' legendary words.

Despite his love of other disciplines, the law was his first love. He was a brilliant lawyer, and it is significant that his last public speech was in memoriam for another lawyer before the community of those interested in the law. His love of constitutional ideas was not a petty partisan exercise. He studied constitutions as living embodiments of the moral firmaments of a society. He felt deeply about these issues, and he wanted to structure a noble and just society. His interest in this subject had made him research far and wide, and he was killed just weeks before he left Sri Lanka to teach law and local government at Harvard University, his alma mater. The Boston Globe carried the reactions of grief-stricken colleagues and friends at Harvard, including the Dean of the Law School. His death reminds us of Regi Siriwardene's poem, 'Waiting for the Soldier'. While the ruthless Roman forces invaded Greece, Archimedes continued to draw his mathematical designs on the ground, seemingly oblivious to the horror that surrounded him. A Roman soldier came over, looked at the design, could not understand its meaning, so he just chopped off Archimedes' head.

And what of the perpetrators? When does impunity end? Cat's Eye has always been and continues to be for a negotiated settlement to the ethnic conflict, with or without third-party mediation. However, such a settlement should not contain immunity for human rights violations and war crimes by either side.

The Island, August 4, 1999

A Genuine Humanist

Iftekhhar Zaman

I was deeply shocked and saddened at the tragic and untimely death of my beloved friend Neelan Tiruchelvam. He was a great scholar, untiring fighter for peace, democracy and conflict resolution in Sri Lanka and advocate of South Asian solidarity and co-operation - a true 'South Asianist' and genuine humanist.

His death is an irreplaceable loss not only for Tamils but for all Sri Lankans. He was a towering intellectual, unmatched for his humility and modesty, who fought courageously until his last breath to create a social and political space in Sri Lanka where people of varying identities could live in peace and harmony.

He fought through the power of his pen and scholarship; through the strength of his political sagacity, maturity and acumen; through his firm commitment to constitutionalism; and in the end, through his life. He was an institution-builder and powerful social engineer.

Everyone who met him even briefly became his friend and admirer. The only exceptions, as his killing has proven, being the enemies of humanity and morality. No words of condemnation can match this cowardly act.

Those of us whom Neelan has left behind can never match by deed or word what his work has taught us. But as a token of respect we can make a renewed commitment to carry forward, in our respective fields of work, his ideals and visions.

I join Neelan's family, friends and colleagues in praying for eternal peace for the departed soul.

God bless the members of his family and give them the courage and capacity to face this irreparable loss.

The Sunday Times, August 8, 1999

Neelan Tiruchelvam - A Champion of the Sanctity of Life

Surya Wickremasinghe

Among Neelan Tiruchelvam's rare characteristics was his extraordinary generosity of mind and spirit. Where others would be indignant, Neelan would be sad. Where another would react with anger, Neelan's response would be pain. Deeply sensitive, and never one to hold forth about himself and his feelings, his pain was all the more acute for being borne in private.

Neelan always looked to the good in people and found it distasteful to dwell on the bad. Where we could not overlook unsavoury things in a person's past, Neelan would seek out positive elements in their present role. This would at times exasperate those close to him. 'Neelan, how could you forget...?' would be the refrain -- and the answer to our remonstrances would be just that quiet smile. His gentle personality, unfailingly kindly and considerate, gave a special dimension to his contribution to public life. It would take a whole book to attempt to do justice to Neelan's contribution to the cause of human rights. This was exceptional as regards its quality, its quantity and its range.

To mention just some examples: he was involved in constitution-making not merely in Sri Lanka but elsewhere (e.g. in Kazakhstan), he had a special interest in election monitoring in which he participated in several countries of the world. He created and nurtured human rights institutions and had a great gift of involving others in their work, young people in particular. He moved a resolution in parliament in support of Aung San Suu Kyi and the restoration of democracy

in Myanmar, for which he secured backing from both sides of the House. He was deeply concerned with women's rights.

Neelan was an active member of the Civil Rights Movement. As early as 1982 he was one of five speakers at CRM's public meeting on fair and free elections at the YMCA Forum, which was full to overflowing. The others were Bishop Lakshman Wickremesinghe, S.Nadesan Q.C, Fr. Tissa Balasuriya and Senior Attorney H.L. de Silva. Neelan's last visit to CRM was for a meeting of persons committed to the unconditional abolition of capital punishment. Just three days later, on 15 June 1999, he wound up a speech in parliament with an earnest plea against the proposed reimposition of the death penalty. 'Sir, I would like to express my strong moral opposition to this measure,' he said, and then proceeded to briefly and lucidly enumerate arguments against it. Earlier in the same speech, Neelan gave voice to his anguish at what was his main preoccupation, the terrible consequences of war on ordinary people, and the need 'to bring an end to the human suffering, the displacement, the destruction and the senseless loss of lives both of combatants and of civilians'. He went on to say:

We cannot glorify death, whether in the battlefield or otherwise. We, on the other hand, must celebrate life, and are fiercely committed to protecting and securing the sanctity of life, which is the most fundamental value without which all other rights and freedoms become meaningless.

Throughout the years Neelan's contribution to CRM, and to The Nadesan Centre for Human Rights Through Law of which he was a founder member, was vital and consistent. He would participate in our meetings and discussions, send us his suggestions, respond to queries for information or advice, and readily undertake to speak to others in furtherance of our concerns. He was always, despite a myriad other demands on

him, ready to give of his time and attention to discuss a problem. Neelan would, moreover, go out of his way to express his appreciation of an initiative he felt was praiseworthy, thus providing important encouragement to those more directly responsible.

When I consider how sorely Neelan will be missed by CRM and the Nadesan Centre I am dismayed. And then when I think how comparatively small a part of Neelan's life were these two institutions, the enormity of the loss this shocking and contemptible assassination has caused to the whole human rights community, and to so very much else besides, is delineated in its stark magnitude.

Daily News, August 18, 1999

Social Scientists Condemn Brutal Assassination

Jayadeva Uyangoda & Kumari Jayawardena

It is with deep shock and outrage that the Social Scientists' Association (SSA) condemns the brutal assassination of Dr. Neelan Tiruchelvam, parliamentarian, scholar and civil society leader. With this killing, political forces of ethnic extremism have silenced a voice of reason and sanity.

Dr. Tiruchelvam, in his intellectual, political and activist life, gave expression to a range of key values and ideals that are essential for the rebuilding of Sri Lankan society, torn asunder by a multiplicity of crises, of which the ethnic conflict is the most intractable manifestation.

He was uncompromising in his commitment to ethnic reconciliation, inter-ethnic peace, pluralist democracy, human rights, social justice and decency in public affairs. His was a mind of considerable intellectual energy and perseverance which shone under conditions of darkness and barbarism.

It is no exaggeration to say that the terms of Sri Lanka's contemporary discourse of democratic political reform were largely germinated in his creative mind and his tireless interaction with all those who shared with him the ideals of a decent, peaceful world. Dr. Tiruchelvam earned much praise and some wrath for this singular contribution he made to enrich the political and constitutional thinking of Sri Lanka.

He was a great believer in and practitioner of institution building in both public and civil society spheres. He created and nurtured the International Centre for Ethnic Studies and the Law and Society Trust. He worked closely with policy-makers and officials in creating and strengthening such key public accountability institutions as the Human Rights Task

Force, the Human Rights Commission, the Office of the Ombudsman, the Official Languages Commission. In the last few weeks of his life, he was working in close collaboration with the Ministry of Justice, the human rights community and legal scholars towards setting up an Equal Opportunity Commission. Many progressive pieces of legislation that have been enacted by Sri Lankan parliament in recent years owe a great deal to Dr. Tiruchelvam's initiatives and inputs.

With the untimely demise of Dr. Neelan Tiruchelvam all communities of Sri Lanka have lost a truly visionary bridge-builder. South Asia has lost one of its most creative democratic-reformist thinkers. We pay tribute to a colleague who has always been an inspiring presence among us. Let this tragic death of a man of peace and moderation become a moment for the resuscitating of political forces committed to national reconciliation.

Daily News, August 12, 1999

Multiculturalism was a Way of Life for Dr. Tiruchelvam

Women's Coalition for Peace

Let Dr. Neelan Tiruchelvam not have died in vain. Let us celebrate his multicultural vision and way of life even as we mourn his passing. As with the groundswell for peace that swept Israel in the wake of the assassination of Yitzhak Rabin, let this assassination of a tireless visionary campaigner for peace and ethnic harmony become a turning point in the bloody armed conflict that has plagued Sri Lanka for sixteen years. Let Dr. Neelan's death resuscitate the voices for peace and justice that have been silenced by the senseless cruelty and mindless talk and acts of those who advocate violence to save or defend nations, be they Tamil, Sinhala or other.

The Women's Coalition for Peace condemns the LTTE killers of Dr. Tiruchelvam, but notes that neither the LTTE nor the Tamil people have a monopoly on violence and extremism. Those who advocate the tyranny of a Sinhala majority and are willing to speak and act violently to this end are mirror images of the LTTE's ruthless intolerance and disrespect for different cultures and opinions. Dr. Tiruchelvam's death should serve as a warning of the proliferation of a culture of intolerance and ethnic extremism in Sri Lankan society today. Neelan was killed because he worked actively towards bringing about a just political solution to the armed conflict through devolution and power-sharing among Sri Lanka's diverse communities.

It is a sad reflection of Sri Lankan culture, politics and society that people who believe and advocate that peaceful co-existence among diverse communities is every individual Sri Lankan's birthright should be perceived as a threat today.

At the time of his death Dr. Tiruchelvam was involved in a project on multiculturalism in South Asia, which sought to bring to light the long traditions of harmonious co-existence and rich cultural mixing and hybridity among Sri Lanka's and the South Asian sub-continent's various ethno-religious and linguistic communities. He celebrated cultural diversity. Multiculturalism was a way of life for him, born a Hindu Tamil and married to Sithy, a Sri Lankan Muslim, who was his constant companion and soulmate.

The Women's Coalition for Peace urges all parties in the conflict to move forward and constructively with the work of devolution for which Dr. Tiruchelvam was killed, so that a lasting and just peace might be gained in Sri Lanka - an island that until recently was famed for its multiculturalism and the peaceful co-existence of diverse cultures and religious traditions.

Daily News, August 11, 1999

India's Intellectual Voices Condemn Neelan's Assassination

We are deeply shocked at the assassination of Neelan Tiruchelvam by a suicide bomber, reportedly of the LTTE, and conducted in a manner characteristic of the LTTE. We unreservedly condemn such cruel and senseless violence.

Neelan was a person of extraordinary talent, great intellectual refinement and unwavering political commitment for democracy, pluralism, secularism, justice and humanism. His was a voice of reason which compelled attention and inspired thousands of scholars, thinkers, activists and political leaders, not just in Sri Lanka but all over South Asia.

We in India who had the privilege to know Neelan have always admired him for his outstanding work on conciliation, peace and political devolution in Sri Lanka, his fierce opposition to ethnocentric nationalism, chauvinism and militarism, his efforts at promoting South Asian solidarity and his great courage as well as immense personal charm.

Neelan was eliminated by forces of extreme intolerance because they cannot coexist with democracy, reason and human values. His death only underscores the importance of fighting such forces in our entire region and of reaffirming our commitment to what Neelan stood for.

We send our deepest condolences to Sithie, their two sons and Neelan's countless friends and admirers.

Romila Thapar, Ritu Menon, Kamla Bhasin, Praful Bidwai, Veena Das, Ambrose Pinto, Abha Bhैया, Miloon Kothari, Sayeeda Hamid, Maya Daruwala, Kuldeep Nayar, Seema Mustafa, Swami Agnivesh, Kamal Chenoy Mitra, Prabir Purkayastha, Imran Qadeer, Dunu Roy, Chandrelekha,

Sadananda Menon, Kalpana Kannabiran, Vasanth Kannabiran, K.G. Kannabiran, Sudesh Vaid, Kumkum Sanghari, Smitha Kothari, Rajni Kothari and Ashis Nandy.

Daily News, August 6, 1999

Neelan Tiruchelvam - A Martyr to the Cause of Democracy

Asian Human Rights Commission

The Asian Human Rights Commission (AHRC) expresses its sorrow to the people of Sri Lanka - Tamil, Sinhalese and all others as they mourn another tragedy that has occurred in their midst by way of the cruel assassination of Dr. Neelan Tiruchelvam, a man who was committed to democracy, minority rights and to the transformation of Sri Lankan society to an inclusive one.

He had worked for several decades to find ways to protect and promote human rights more effectively. He had also contributed to enrich international debates on human rights by bringing the Sri Lankan situation into focus.

His contribution to the people of Sri Lanka was extensive. He lived his adult life in tragic circumstances as Sri Lanka entered an extremely violent period of its history. An all-encompassing national tragedy put every citizen's life in danger, and politics became polarized. Those who worked towards ending this process of polarization and bringing about a democratic solution to people's problems were in mortal danger. Neelan was one such person, and he lived for many years well aware of the dangers to his life. After many years, which must have been traumatic, he finally became a martyr to the cause of democracy.

All the forces that had been trying to benefit from deepening the polarization in the country add to the traumatic circumstances under which the people of Sri Lanka have been living and put democracy in the country into serious danger. It is time for everyone to realise that genuine inclusiveness with deep respect and reverence to everyone irrespective of

ethnicity, caste, gender, is a pre-condition for stability, peace, happiness and the return of normal life to the country. It is time to condemn all acts of violence as acts against the entire people - Sinhalese, Tamils and all others and not only to the particular victims and their families.

It is the ordinary people of both communities that must rise to call all parties involved in violence and polarization to stop what they have been doing. It is the right of ordinary citizens of the country to bring this tragedy to an end, and it is their duty to do so. It is also the duty of the international community to take a firmer stand on the Sri Lankan situation.

The international community does not need permission from those who are engaged in perpetrating senseless violence and willfully trying to increase polarization to decide to help in this situation. It is the whole people of the country that is in trouble and it is the duty of other people to help in such circumstances.

We call upon especially those international organizations which had known Neelan to remember and honour him in a special way by increasing their efforts to help bring violence and polarization to an end and show genuine solidarity with all Sri Lankan people caught in this senseless carnage.

Daily News, August 5, 1999

We Condemn the Assassination of Dr. Neelan Tiruchelvam

The Movement for Inter-Racial Justice and Equality (MIRJE)

We condemn with disgust the assassination of Dr. Neelan Tiruchelvam who emerged from the Tamil community as a much-learned intellectual.

He was deeply committed to establish ethnic peace and worked resolutely for the resolution of the ethnic conflict. His assassination clearly demonstrates the forces rearing head to resist and block all avenues available for consensus resolution to the national question. It also characterizes the barbaric fascist terrorism which is gradually destroying the Tamil community.

Neelan Tiruchelvam worked with selfless dedication to realise the much cherished peace in the island. He has given us the message of hope to work for peace without giving into any form of extremism.

He worked untiringly to obtain the support of all opposition parties to expedite bringing the draft constitution to Parliament, whilst leaving room for amendments, and check the declining confidence of the Tamil community in the government. He has paid with his life for this dedicated effort.

We who have worked closely with him for peace are well aware that it will take some time to overcome the void his assassination has created amidst us.

We reiterate that our work for peace will continue and will be further strengthened in the name of all those who have sacrificed their lives in the past, and especially in the name of Dr. Neelan Tiruchelvam.

Once Swami Vivekananda said, 'Anybody who dedicates his/her logical intellect to the cause of peace and not for the bullets in the battle field is a messenger from God.' - as Neelan has always been to us.

We salute him.

Daily News, August 4, 1999

His Work Will Not Die with Him

Jonathan Spencer

One of the odder, and usually unremarked, aspect of the Sri Lankan conflict has been the quality of academic documentation and analysis it has generated. Writers on places as far afield as Rwanda, Cyprus or the Balkans frequently cite one or the other of the many studies of ethnic conflict in Sri Lanka for comparative illumination. A remarkable amount of this work has been carried out under the auspices of the International Centre for Ethnic Studies (ICES), where Neelan Tiruchelvam presided in his own mercurial way for so many years.

The ICES offices, in a side-street in one of the swankiest districts of Colombo, have been home to several generations of young Sri Lankan intellectuals - writers, researchers, human rights activists - while also providing a space for visitors from every corner of the world. Side by side, you might find a huddle of people making last-minute arrangements for a festival of South Asian documentary film, an American PhD student borrowing the office computer to e-mail her supervisors, someone else working over interview transcripts from a research project on domestic violence, and another group of young researchers working out their plans for a workshop on post-colonial theory.

In recent years, Neelan's increasingly high political profile introduced a new element to this mix, with bodyguards and security checks somehow increasing the sense of ICES as an intellectual oasis, surrounded by the constant threat of violence and unreason.

From his base at ICES, Neelan was especially good at fostering two kinds of dialogue. One was with other

intellectuals and activists in the region, so that ICES and its work became as well known in Delhi or Bangkok, as it was in Princeton or Chicago. The other was between academic researchers and other, more practically engaged, parties.

I last saw him in late 1997 at a workshop on reconciliation and reconstruction in Sri Lanka, which he had co-organised at Harvard University. This brought together an extraordinary mixture of diplomats, workers from non-governmental organisations, academics from all disciplines, at least one senior dissident from the Sri Lankan armed forces, and a few politicians like Neelan himself.

His keynote speech on this occasion combined a forensic analysis of the many barriers to peace and accommodation in Sri Lanka with a characteristically sober assessment of the few glimmers of political hope that could be discerned at that particular moment. The audience was spellbound.

Neelan Tiruchelvam's life and work touched many people in many countries. These people - friends and colleagues - will ensure that the combination of intellectual rigour and political hope, equally present in his work as a lawyer, a politician and an academic, will not die with him.

Daily Mirror, August 2, 1999

'A Sharp Mind and Full of Conviction'

The Times

Britain's highly respected and prestigious morning daily, *The Times*, carried an obituary on the assassinated Neelan Tiruchelvam in its issue on Monday August 2.

It is rarely that Sri Lankans have merited mention in the obituary pages of *The Times*, except for Presidents and Prime Ministers. More than a tribute, an obituary in *The Times* is considered as a 'posthumous award or reward' among the people in Britain.

The obituary is as follows:

NEELAN TIRUCHELVAM was a tireless activist in the sphere of human rights and on behalf of ethnic minorities, not least in his native Sri Lanka.

He devoted much of his time and energy over the years to an attempt to resolve the often violent relations between the island's minority Tamil population and the majority Sinhalese, a conflict that has left more than 50,000 dead since 1983.

Highly regarded around the world both as a legal scholar and as an advocate for a peaceful resolution to inter-ethnic strife, in his native country Tiruchelvam represented the moderate Tamil United Liberation Front (TULF) as a 'national list' Member of Parliament. He was dedicated to peaceful change and to seeking a solution to his country's ethnic conflict that would accommodate both communities, and he was much involved at the time of his death with the Sri Lankan Government on plans to introduce a significant measure of constitutional reform and devolution.

Neelan Tiruchelvam was the son of a TULF politician and former Local Government Minister. Educated at the

University of Ceylon and at Harvard Law School, he was a Fulbright Fellow in 1969-71 and went on to hold academic appointments in Sri Lanka and at the University of Harvard and Yale.

He soon built an international reputation both as a scholar and as a campaigner for social justice.

As a result he was invited to join missions of experts and observers sent in the 1980s and 1990s to Pakistan, Chile, Kazakhstan, Ethiopia, South Africa and Nigeria.

He performed similar work in Sri Lanka as a member of the Presidential Law Commission and the Presidential Commission on Democratic Decentralisation and Devolution, and held a number of other legal and constitutional appointments.

When Sri Lanka's first woman President, Chandrika Bandaranaike Kumaratunga, came to power with her People's Alliance Government in 1994, there were hopes that the island's protracted and bloody inter-ethnic hostilities might be settled by negotiation and compromise. Working with Tiruchelvam, President Kumaratunga devised a plan to transform Sri Lanka into a federation of eight regions.

Although the proposals for reform and devolution were supported by Tiruchelvam and other Tamil parliamentarians when they were presented in 1995, inter-party negotiations were impeded by renewed and intensified violence. Nevertheless, several chapters of the proposed new constitution were released after two years, and the political debate continued, even though it proved difficult to attract the support of the necessary two-thirds of Parliamentarians for these far-reaching proposals. The measures were due to be presented to Parliament over the next two months.

The most dangerous opposition came from outside Parliament, however. The Tamil Tigers - who have been waging a war for a separate homeland for the mostly Hindu Tamils against the Buddhist Sinhalese since 1983 - rejected the proposed compromises and continued to wage a guerilla

war against the Government for total independence. Atrocities were continuing and a climate of violence remained the norm in parts of Sri Lanka.

Tiruchelvam was a senior partner in the law firm Tiruchelvam Associates and director of the highly respected, non-governmental International Centre for Ethnic Studies in Colombo. He was also closely associated with the Law and Society Trust.

In 1994 he found a new outlet for his commitment when he became a member of the International Council of the London-based human rights organisation, Minority Rights Group International. When the group published its report on the Sri Lankan conflict in 1996, it was Tiruchelvam who presented the report's recommendation to the Sri Lankan Parliament. In April this year he succeeded Sir John Thomson as chairman of MRO's council.

Slight and unassuming in appearance, with a quiet, thoughtful manner, Tiruchelvam had sharp and firm convictions. His commitment to reconciliation and to radical but peaceful change set him at odds with those whose positions were more entrenched.

He was in constant personal danger in his own country, and had for some years been under police protection after repeated threats from the Tamil Tigers.

Tiruchelvam had close links with the Faculty of Law at Cambridge University, and had shared experiences and insights on conflict resolution with scholars and practitioners from Northern Ireland. He had a deep affection for Britain, where his sons completed their university education. At the time of his death he had recently taken up a one-month Rockefeller fellowship in Bellaggio, Italy, and was looking forward to a visiting professorship at Harvard.

He is survived by his wife Sithie, herself an attorney, and his two sons.

Daily News, August 4, 1999

Bridge-BUILDER Between Communities

Catholic Bishops' Conference of Sri Lanka

The tragic killing of Dr. Neelan Tiruchelvam is another sad episode in the history of our ethnic conflict.

This great tragedy has now dragged on for nearly two decades, and Dr. Neelan has been an untiring champion for peace, trying to seek out a political solution eschewing violence and war. He has been one of the moderates who chartered the course of dialogue and non-violence, safeguarding the traditions of democracy and the path of human decency.

He played the role of a bridge-builder between the two communities and won the respect of the decent and right-minded of both groups. He used his diplomacy, tact and rare erudition with total commitment to see his vision of a people living united in peace and brotherhood realized some day.

It is no surprise that in this process he has incurred the wrath of those whose values are different. The rapid elimination of our erudite and right-thinking leadership is a process that has been going on in this country for some time. This process has now reached dangerous levels. It is time, if not already late, for the saner elements in our political leadership to rethink the whole question of peace and accelerate the process, eschewing petty party politics and bickering which is of no consequence.

We strongly condemn this killing and offer our deepest sympathies and heartfelt condolence to the bereaved wife and two sons. We share their sentiments of sorrow in this moment of deep loss and grief.

We pray that at least this brutal killing would touch the conscience of our political leadership, and that of the militant

groups, to provoke a more firm and determined effort to seek out jointly a political solution to our country's vexing problem.

The Observer, August 5, 1999

Why Neelan was Killed

The Weekend Express - Editorial

The long deadly arm of Valupillai Prabhakaran last week reached out from the jungles of Mullaitivu and destroyed a moderate Tamil politician in the heart of Colombo. The question has been asked: why was Neelan Tiruchelvam killed? Was it the Tiger supremo's biggest mistake, or was it a cold-blooded plan where all the pros and cons had been carefully weighed?

At least three major factors contributed to the decision to eliminate Neelan Tiruchelvam. It was well known that Dr. Tiruchelvam played a major role in the discussions to draft a new constitution for Sri Lanka which would also incorporate the major elements of the devolution package.

The suicide bomber's blast was the Tigers' contemptuous reply to the government's proposals. It was a summary and deadly dismissal of any peace moves by the government.

Secondly, the Tigers wanted to put the fear of Prabhakaran into the minds of other moderate Tamil leaders as well as frighten the Tamil political parties who had joined the government and mainstream politics in Sri Lanka.

No doubt security would be tightened for these Tamil leaders; but Prabhakaran has shown them that he could strike anywhere, even a few yards away from the Prime Minister's residence.

The Eelam People's Democratic Party announced this week that it would boycott parliament as a gesture of protest against the government's attitude towards the suffering of Tamil people in the uncleared areas. There may be truth in this, but it is also possible that Prabhakaran's murderous act has forced these Tamil political parties to find for themselves a safe bolt-hole.

Thirdly, the chorus of international condemnation of Dr. Tiruchelvam's murder is a reflection of the high esteem he was held in the international community. In the course of Dr. Tiruchelvam's travels to the United States, Canada, Britain, Germany and other countries his moderate and reasonable arguments countered the strident voices of Tiger supporters and Eelam sympathisers internationally.

Thus, as Dr. Tiruchelvam's international stature grew, the more he was able to counter anti-Sri Lankan propaganda put out by the Tigers. To Velupillai Prabhakaran this was intolerable. So Dr. Tiruchelvam had to be eliminated.

From the Tigers' point of view, these three reasons were strong enough for the assassination of Dr. Tiruchelvam. The international condemnation would soon die down, but the repercussions of the assassination would be felt in Sri Lankan politics as long as attempts are made to find a peaceful solution to the ethnic conflict and satisfy the just aspirations of the Tamil people.

In a keynote address at a seminar for South Asian Editors in New Delhi in April, Dr. Tiruchelvam said: 'The real challenge is to enable us to construct a future which acknowledges the diversity of the people of the world and provides for a plurality of belonging to the world, the nation and the community.'

This was Neelan Tiruchelvam's vision and it should not be forgotten.

To quote Samuel Butler: 'To die completely, a person must not only forget but be forgotten, and he who is not forgotten is not dead.'

The Weekend Express, August 7 - 8, 1999

Extremism vs. Democratic Compromise

The Observer - Editorial

The word 'compromise' has a chequered history in this country if one remembers its abuse by President Premadasa, the most authoritarian ruler we have had this century. He used it as part of a slogan to impress people about his style, when all the while he was busy compromising the whole country with a regime that is unsurpassed for its repression and corruption.

Dr. Neelan Tiruchelvam embodied a compromise of a different sort: the building of a compact between the ethnic communities of the country through a process that enables all communities to share the burden of the compromise required for such an agreement. He pursued this goal with much zeal in his collaboration with the People's Alliance government in an initiative that enabled the broadest possible public debate on the proposals for political reform and reconciliation.

His sensitivity to human rights gave him the determination to ensure that the basic rights and dignity of the Tamil community and other minorities are protected even as they prepare to join the rest of the ethnic communities on this island in a reformed, more egalitarian and yet united polity. The 'package' he devised together with other committed people in the political establishment is a framework for a democratic compromise.

The fragmentation of ethnic secessionism is avoided on the one hand, while on the other, the cultural exclusivism and hegemony of a dominant ethnic group loses its abrasive edge in a civilised sharing of power among all communities. That all sides to the current conflict must give up something is one of the democratic features of this process towards a true peace.

His assassination is a savage riposte to this endeavour for a democratic compact between communities. His killing is the frenzied rejection of a just compromise - of a sharing by all of the burden of making compromise. It is expressive of the absolutism of the fanatical extremists; those whose egos thrive only on absolutist conceptions of their reality, for whom compromise implies dissolution.

The LTTE, in killing Dr. Tiruchelvam, has carried out an act in defense of political extremism in much the same way that ultra-nationalist extremists struck down S.W.R.D. Bandaranaike, Mahatma Gandhi and Yitzhak Rabin.

Even as Dr. Tiruchelvam's powerful legacy inspires a new activism for a just compromise and peace, the forces of extremism on both sides of the ethnic divide will rise up in reaction.

Already the voices of Sinhala extremism are raising their fearful battle cries of cultural exclusivism and militarism. If the Tigers are targetting people of their own community who are prepared to seek a civilised compromise that benefits all communities, so are the pseudo-patriotic Lions' targetting Sinhalese.

Just as much as there are large segments of the Tamil intelligentsia who are independent of the LTTE in their affirmation of Tamil identity and culture, some ragtag bands of ultra-nationalist fanatics cannot be allowed to hijack the glorious legacy of Sinhala culture down the road to ethnic self-destruction.

It is time that the people of all communities hold fast to their island civilisation and resist the winds of extremism and ultra-nationalism. Our civilisation is strong enough a foundation for a social compact that enables the sharing of power and sovereignty on the basis of mutual esteem and self-esteem.

The Observer, August 5, 1999

Tiruchelvam Slaying and the Hardline Press

Ajith Samaranayake

The brutal slaying of TULF MP Dr. Neelan Tiurchelvam in the very heartland of Colombo's exclusive residential zone brought about a crop of obituary tributes from some of Sri Lanka's best younger writers, something which would surely warm the heart of Neelan Tiruchelvam from whatever celestial moksha he is looking down upon us now. This was both because of the quality of the man who had been killed and the unexpectedness of the event. What is also significant is that they were not only tributes to the man but also that the writers read their own significances into the event.

Writing in the *Sunday Times* with characteristic scepticism Rajpal Abeynayake took several swipes at what he called 'mandarin classes' of Colombo for their complacency. He has a valid point, for a parallel can be drawn between Neelan's killing and that of Richard de Zoysa. Then too the upper middle classes reacted with shocked disbelief that this could have happened to one of their kind, but the mood waned soon. The intelligentsia went back into their seminar rooms and the glitterati to their parties, leaving only Rajiva Wijesinha striving to compile an anthology of essays on Richard to mark his tenth death anniversary next year.

But the other point Abeynayake makes is less tenable. He sees Neelan Tiruchelvam's role in the framing of a new constitution, containing as it does the PA's solution to the Tamil national question, as some kind of failing. He almost charges him with trying to be a king-maker, but what is one to do in these circumstances? Abeynayake says that Tiruchelvam was not a politician but only had a brush with politics. In my

own appreciation in last Saturday's *Daily News* I had described him as a reluctant politician who had come into politics pained by the plight of his people and the deepening of the Tamil national question. As such, he tried to use his legal and constitutional expertise, in combination with the best elements of Sinhala society, to find a solution to the vexed question of the day. He was no shabby behind-the-scenes cardsharp operating in the celebrated 'smoke-filled rooms' of partisan politics.

He had dealings not merely with the PA but also with the UNP and even the Maha Sangha, but his primary motive was bridge-building and not king-making.

Cocooned within the Colombo elite Tiruchelvam may have been, but this was his upbringing. Educated in Colombo, Peradeniya and the USA, he had little roots in Jaffna. But nevertheless he was deeply moved by the plight of his people. This however transcended communal politics. He was thinking in terms of nation-building. Dayan Jayatilaka, writing in the *Sunday Times*, and Quadri Ismail in the *Sunday Leader* are justifiably condemnatory of the LTTE, whereas Rajpal Abeynayake almost enters a caveat for the LTTE.

They both recognise that Neelan, while being no less a Tamil nationalist than anybody else, stood also for pluralism and tolerance which was anathema to the LTTE. Ismail makes the very valid point that a Cabinet position would have been his for the asking, that this was not the kind of politics he subscribed to.

Jayatilaka says that 'fascism cannot be bargained with, defused, outwitted, by-passed, ignored, evaded or compromised with'. While firm in the position that it has to be destroyed, he calls for a broad consensus among all democrats, transcending party loyalty and ethnic identity. Noble sentiments, but how are we going to attain this Utopia with the UNP hedging its bets and the jingoists mobilising sections of the Maha Sangha and the other rabid Sinhala elements with their frenetic tom-tom beating?

From the sublime then to the depths of the ridiculous. To the *Divayina*, the flagship of the Upali Group, this was another sign of the LTTE gone mad. Agreed. But what does the *Divayina* propose except a mass-scale campaign of hate and aggression against all the Tamil people? Of course there are patriots by the bushel down Bloemendhal Road, but only as long as they can be cocooned in their comfortable editorial offices away from the conflict. If Neelan Tiruchelvam's cowardly murder proves anything, it is that it is time that this kind of vulgar tribalism, masquerading as patriotism to sell newspapers, is hounded out of civil society. It is not merely the LTTE which should bear the responsibility for Tiruchelvam's death. Those who in the name of a bogus Sinhala Buddhism which they themselves do not practise have opposed every solution offered to the national question, the long-distance patriots of London and all those who have waved flags and beaten their tom-toms stand equally indicted before the court of history.

The point was also made in several articles that the Government's tardiness in taking concrete steps to implement the constitutional proposals was partly responsible for Tiruchelvam's death. While certainly the peace process has lost its initial momentum, the effect of these forces of regression and obscurantism in slowing down this process cannot also be underestimated.

What the tragedy which befell Dr. Neelan Tiruchelvam, who has been justly described by the Chief Minister of the Sabaragamuwa Province Athauda Seneviratne as the last of the liberals among the second generation of Tamil politicians, signifies is that there is no place any more for tribal politics, while the *Divayina* beats its tribal tom-toms the Last Post has to be sounded for those forces seeking to drag the country back into the primal cave.

TAILPIECE: As usual it was left to the *Divayina* to be the joker in the pack. It accused Amirthalingam and Chelvanayakam of 'giving milk to the Tigers'. Perhaps this

particular newspaper may be ignorant of the fact that the Tiger is a carnivorous animal who will not be satisfied with milk. But it cannot be permitted to get away with falsehoods. Is the *Divayina* contending in all seriousness that it was not the repression by successive governments of the just demands of the Tamil people, carried out in a peaceful manner, which led a new generation to reject the old Tamil leadership and turn to violence?

Daily News, August 4, 1999

Driven by the Peace Impulse

Lynn Ockersz

Dr. Neelan Tiruchelvam MP, who was snatched away from us on July 29, by an act of cowardly terror, was an embodiment of that spirit of reconciliation and brotherhood which found eloquent expression in the sacred books of yore.

Neelan never failed to warm the hearts of us journalists through the ready assistance he lent us in the form of articles on topical issues, pertaining particularly to the ethnic conflict and constitutional affairs, and also provided much needed information on the questions of the day. His humanity and personal warmth were hard to beat indeed.

Neelan certainly did possess a sharp legal mind, as his parliamentary speeches on issues of this nature, for instance, amply proved, but the best part of him was dedicated to the establishment of ethnic peace in this country.

He was well ahead of his times when he helped establish the International Centre for Ethnic Studies, over a decade ago. If the lectures, seminars, workshops etc., which the ICES continually conducts are anything to go by, this institution, we could say, is sticking sturdily to its founding ideals.

It was in mid-1998 that a workshop on the Northern Ireland Peace Accord was held in a Colombo suburb under the aegis of ICES, and Neelan was present with his undimmed personal radiance and affability to see it through. On speaking to him in between sessions at this workshop, I found that he cherished within him an abundance of hope that the Government-initiated peace process could be proceeded with.

Blessed are the Peace-Makers, for they shall be called the Sons of God, says that sacred book of the Christian, the Gospel according to St. Luke. It is this Sprit of Peace which

Neelan possessed in abundance. However, it is the bright shaft of goodwill towards all communities and the very same dynamic energy for peace-making in Neelan which set to flight the 'creatures of the night'. Dazzled by his radiance and exposed as morally and politically bankrupt by his soaring idealism, these enemies of peace resorted to the vilest act such persons are capable of.

We are, in fact, witnessing stepped-up extremist activity in both the North and South of Sri Lanka. It doesn't require the insight of genius to realise that these pockets of resistance to progressive thinking are exploiting a lull in State-initiated peace-making in the country to make their presence felt. Some of them have been so bold as to take the life of Neelan.

There is a fascist threat looming ominously over Lanka's political landscape. If the Government peace proposals, which we are told Neelan helped draft behind the scenes, are implemented without much ado, this threat could be eliminated, for then, it could be proved that Lanka is a warm home for all its peoples.

Daily News, July 31, 1999

The Sudden End of a Visionary

Malini Parthasarathy

In the assassination of Neelan Tiruchelvam, the Sri Lankan Tamil people have been deprived of one of their most persuasive and reasonable interlocutors. If not for Neelan's gentle and urbane interventions, the subcontinent and the rest of the world would not have been so quickly persuaded into recognising the dimensions of the poignant human tragedy that had unravelled in Sri Lanka during the early 'eighties when the ethnic conflict between Sinhala and Tamil appeared to have been most polarised. In today's context, the ethnic crisis has assumed a different form with the polarisation of the ethnic groups perhaps not seeming as stark, with a wider range of democratic concerns now dominating the political debate in Sri Lankan society. One reason for the relative lack of starkness accruing to the issue of resolving the ethnic crisis was the fact that interlocutors such as Neelan had helped bring about a fundamental change in the attitude of the ruling dispensation in Colombo. Thus, in contrast to the regimes of J.R.Jayewardene and the late Ranasinghe Premadasa, the administration of Ms. Chandrika Kumaratunga is publicly committed to a constitutional and political resolution of the issue of power-sharing with the Tamil minority.

The horrible cruelty of the LTTE's ugly deed of snuffing out Neelan's life, the intensity of the fascist group's intention to kill him, evident in the fact that a human bomb was used to eliminate a person who was primarily an intellectual rather than a street-savvy politician, will become manifest as the days go by and the absence of Neelan's strong arguments in favour of a comprehensive and deep-going devolution exercise will become painfully obvious to those working on the peace process. The Tamil political spectrum, which has been

subjected to the LTTE's devastating annihilation tactics, has become much poorer with the stifling of the community's democratic conscience, so strongly embodied in the work of Neelan Tiruchelvam. Since the early 'eighties, the LTTE has made clear that it will not tolerate any leadership other than its own. Yet the manner and reach of its fundamentalist intolerance has assumed pervasive and menacing proportions. If it was Sri Sabaratnam of the TELO who was gunned down in the early phase, it was the mild-mannered and moderate Appapillai Amirthalingam who was killed in broad daylight in his own home; next it was a series of murders of those who came up through the democratic process, such as the mayors of Jaffna. The LTTE's scythe of death has fallen on numerous human rights activists working in Jaffna, and its latest victim is of course Neelan who had been for long on the Tigers' hit-list. If it were not for Neelan's painstaking work, drawing rigorously from unassailable political theory and the fundamental premises of theoretical work on civil society - particularly the place of minority groups within civil society, the role and the rationale of the state - it would not have been possible for the Sri Lankan community to build such a powerful critique of the flawed power structure of a Sinhala-dominated polity. The real contribution of Neelan and his colleagues at the International Centre for Ethnic Studies to the debate on the ethnic crisis was the tireless accumulation of data based on historical and demographic research, documenting the various aspects of the historical deprivation of the Tamil minority and the impact of discriminatory public policy on the community. Undeniably, Neelan's advocacy helped push the Sri Lankan Tamil question into the international spotlight in a far more effective way than the LTTE's gruesome terror tactics, or even the laboured and arcane presentations of the Sri Lankan Tamil political groups, including Neelan's own, the TULF.

It was widely known that building on the devolution debate that took place in the 'eighties, some of which drew on

Indian interventions, Neelan was a major force behind the devolution package that the Kumaratunga administration unveiled a few years ago. As a member of the parliamentary select committee, Neelan was continuing to pore over certain provisions of the draft constitution, careful not to let his attention focus exclusively on the issue of minority rights. What was at the heart of Neelan's intellectual appeal to a wide number of admirers in the subcontinent, was that his defence of minority rights was rooted in an absolutist commitment to human rights in general. He took care not to project his concerns as relating specifically to the Sri Lankan Tamil question. In fact in the last few years, Neelan's concerns included an interest in deepening democratic commitments throughout South Asia. Neelan was the main organiser of SAARC election observer groups that participated in recent elections in Pakistan and Bangladesh. As regards India, he watched with keen interest the debate emerging around the BJP's majoritarian campaign and the implications for minority rights, which he acknowledged were much better institutionalised in Indian democracy. Neelan's engagement with the concepts of institutionalising rights in civil society was reflected in his participation in drafting constitutions not only for Sri Lanka but also in the context of the new Central Asian republics. He pondered issues such as the extent to which the international community could intervene to protect human rights within countries. It was very evident that the political situation in Sri Lanka had led him to reflect deeply on the core essence of the ideas of democracy and human rights.

Had he been allowed to live, he would have probably continued his quiet persuasion of his friends in the Sri Lankan Government, notably the Law Minister, Dr. G.L. Peiris, and the President, Ms. Chandrika Kumaratunga, to frame a constitution as enlightened as possible to provide for the exercise of democratic political rights by all ethnic communities in Sri Lanka. It is easy to figure out why the

LTTE targeted him. His work had the potential to take the bitterness out of the ethnic divide and to heal history's wounds. By enlarging the debate beyond the issue of Sinhala versus Tamil to a question of how to satisfactorily address the rights and aspirations of all ethnic groups in the country, Neelan was pointing the debate in a direction that would have invested Sri Lanka's political future with a good deal of visionary idealism. If Neelan instinctively knew, as does Nelson Mandela in South Africa, that the answer to Sri Lanka's searing ethnic gap did not lie in making victims and villains out of the polarised conflict, it represented a challenge to the LTTE's world-view and political base which depended strongly on the capacity to summon reserves of hate and chauvinism to the defence of the Tamil community. The life that was Neelan Tiruchelvam's remains an inspiration to all those committed to the preservation of democratic space within civil societies and to the belief in the inviolability of essential freedoms such as the equality of rights for all social and ethnic groups. Not only is the Sri Lankan intellectual and political landscape poorer for being deprived of Neelan's vision but in the subcontinent, where such issues of minority rights and the sustenance of democracy are becoming painfully relevant, his passing is bound to be strongly felt.

The Hindu, July 30, 1999

The Trails of the Tigers

D. B. S. Jeyaraj

'Any man's death diminishes me because I am involved in mankind' wrote the metaphysical poet John Donne. The ongoing ethnic conflict in Sri Lanka continues to extract a heavy human toll. In my personal capacity as a Sri Lankan Tamil and in my professional capacity as a journalist writing on the ethnic strife, I have lost count of the number of people related or known to me who have encountered violent death. But no man's death as a result of the war in northern Sri Lanka has diminished me as much as that of Neelan Tiruchelvam on July 29.

Neelakandan Tiruchelvam, well known as Neelan or Dr. Neelan, strove ceaselessly to achieve a peaceful solution to the Tamil issue. He dedicated himself to that cause with a sense of purpose, although he could have easily pursued a lucrative academic or professional career as a lawyer in Sri Lanka or abroad. He chose to remain in Colombo through very trying circumstances and pursue his vision of a lasting political settlement where all communities, including his own, the Sri Lankan Tamils, would coexist with justice, dignity and peace.

In that context, his death is an irreparable loss to the country in particular and humanity in general.

I had a close personal relationship with Neelan. He was my friend, philosopher and guide. He was greatly instrumental in moulding my career. It was Neelan Tiruchelvam who facilitated my initial journalistic links with *The Hindu* and *Frontline*. Although I have been living abroad for the past decade, I have been in constant touch with him. I was perhaps one of the last persons to speak to him on that fateful day. I

spoke with him until 8.40 p.m. He was killed at 9.15 a.m. I shall miss him sorely.

For reasons best known to themselves, colleagues from Neelan Tiruchelvam's party, the Tamil United Liberation Front (TULF), have pointedly refrained from naming the Liberation Tigers of Tamil Eelam (LTTE) as the perpetrators of the crime. The LTTE in its customary fashion has neither claimed credit nor denied responsibility. Yet two factors point significantly to the involvement of the Tigers in the murder. First, the human bomb has become the trademark of an LTTE-type assassination. The second and more important factor is the consistent hostility displayed by the LTTE towards Neelan Tiruchelvam. Tiger-controlled media organs in Sri Lanka and abroad have been attacking him for nearly four years now. Tamil politicians and newspapers in Colombo, seeking to curry favour with the Tigers, too have followed suit. As for LTTE propaganda, Neelan Tiruchelvam has been the most reviled Tamil politician and the pet object of hate. The LTTE's poet laureate, Puthuvai Rathinadurai, writing under the pseudonym Viyaasan, has constantly referred to him as a throggi (traitor), who clings to President Chandrika Kumaratunga's munthanai (free end of the saree) and who must be destroyed.

The LTTE had been preparing the ground for the assassination. This is the method it has usually adopted: first, it would denigrate Tamil politicians, thereby creating a hostile climate and building up mass ill-feeling towards them, and then strike. Now, the LTTE-controlled media have started their second phase of the campaign. While the 'official' LTTE has remained silent, its minions in the media have resumed their attack on Neelan Tiruchelvam, describing him as a traitor. The Tiger mouthpiece in Canada, Mushakkam (Thunder), for instance, has published a diatribe, which accuses Neelan Tiruchelvam, among other things, of intending to 'implement the devolution package during his visiting professorship tenure scheduled for this autumn/fall'.

The LTTE and its supporters have been critical of the constitutional reform proposals, known generally as the devolution package, which seek to find a solution to the decades-old ethnic strife. It was the legal, constitutional and political expertise of Neelan Tiruchelvam that contributed to the formulation of the package. While Sinhala hardliners accuse him of promoting separatism by trying to push through the devolution package, the LTTE and its cohorts accuse him of betraying Tamil interests. These contrasting allegations made by the hawks on both sides are proof enough that Neelan Tiruchelvam was on the right track in seeking a negotiated settlement that would provide maximum devolution. The criticism of Neelan Tiruchelvam by Tamil separatists and the silence of the 'official' LTTE show clearly who was behind the assassination.

Ironically, the Sinhala sections, which had earlier maintained that the package was detrimental to their interests, now state that the LTTE killed Neelan Tiruchelvam because he was trying to promote a package that was harmful to the interests of the Tamils. It is not difficult to discern that beneath the veneer of professed sympathy, the Sinhala section wanted devolution denied and a hard line adopted against the LTTE. It would be doubly ironical to abort the devolution exercise on the pretext of the death of a person whose political passion was to see it through.

Various theories are afloat about the motive and timing of the killing. While the most common one is that it is a signal to the proponents of devolution to abandon the process, others believe that it is part of an overall assault on the TULF itself. Another view is that the Tigers feared that Neelan Tiruchelvam would indulge in international propaganda against them during his tenure at the Harvard University and so launched a pre-emptive strike. There is also the personality factor. While there is no definite answer to the question of why now, some reflection on the possibilities, nevertheless, throws more light on the question.

In the first place, Neelan Tiruchelvam was under LTTE threat ever since the original set of devolution proposals was released in August 1995. The state provided some security. Given the relative 'ease' with which the lone assassin carried out his assignment at the Rosemead Place/Kynsey Road intersection in Colombo on July 29, the question that arises is why it was delayed.

While accepting the fact that the LTTE requires a certain amount of time for reconnaissance and planning, it is improbable that it needed four years to demolish what was essentially a soft target. There are four probable reasons for this delay. It may have been that the cadres assigned this task were probably not able to accomplish it owing to unforeseen circumstances. For instance, members of that specific assassination cell or those providing logistical support may have been arrested unintentionally by the authorities, or may have had to shift duties. These complications may have hindered an early execution of the plan.

The second reason could perhaps have been Neelan Tiruchelvam's extensive travel schedule. As one of the world's leading intellectuals and constitutional experts, he was in constant demand. His general itinerary was flitting from country to country to attend seminars, deliver lectures, participate in workshops and so on. On several occasions he would return to Colombo on one day and undertake another trip the following day. Such frequent travel meant irregular periods of stay in Colombo. His infrequent and unpredictable movements may have thwarted the plans of his potential assassins.

Neelan Tiruchelvam himself believed that the LTTE would not deploy a suicide bomber but might only use a gunman/woman to kill him. He felt that human bombs were meant only for important and high-profile targets such as Rajiv Gandhi and R. Premadasa. It was perhaps a manifestation of his modesty that he considered himself a target of lesser importance. But when the LTTE used suicide killers to target

Chief Inspector of Police Mohammed Nilabdeen in an abortive bid in Mount Lavinia and another to kill Eelam People's Revolutionary Liberation Front's (EPRLF) para-military leader Razeek in Batticaloa, it became clear that the Tigers had reached a desperate situation wherein relatively unimportant victims too had become their targets. In that sense, it was inevitable that Neelan Tiruchelvam too would be targeted by a suicide killer.

Fourthly, it is possible that Neelan Tiruchelvam was way down on the LTTE's hit list. Although angry with the TULF and Neelan Tiruchelvam, the Tigers may have felt that there was no need for immediate action against them. A case in point is the LTTE killer squad that launched an assassination bid against Eelam People's Democratic Party (EPDP) leader Douglas Devananda in 1995. If an attack of such intensity had been conducted against Neelan Tiruchelvam or any other TULF leader in Colombo, there were minimal chances of their surviving. But the Tigers did not do so. Later the LTTE was to target TULF leaders such as member of Parliament from Trincomalee Thangathurai and Jaffna Mayor Sarojini Yogeswaran. But these were under different circumstances and times. Thangathurai was killed because of domestic compulsions of the LTTE contingent. It can therefore be presumed that while Neelan Tiruchelvam was not on top of the LTTE hit list, the Tigers subsequently revised their priorities. This may have been owing to either the perception of an increased threat from Neelan Tiruchelvam or a general change of strategy where a wider range of targets became prioritised.

Whatever the conjectures, it is obvious now that the Tigers are targeting TULF leaders. This assessment arises not from the wisdom of hindsight alone. It appears that the Tigers revised their strategy because of the TULF's changed perceptions. They seem resolved to wipe out the TULF as a viable political entity. They will do this through methods of co-option, expulsion, exclusion and, finally, elimination. This

decision to strike at the TULF leadership appears to have been made a few months ago. This is in a sense an indirect compliment to the TULF. It is also an indicator of the LTTE's political insecurity and paranoia regarding the true feelings of the Tamil people.

In 1994, the LTTE preferred the TULF to the other ex-militant groups. After the elections, the three members of Parliament of the party from Batticaloa district, Pararajasingham, Selvarajah and Thurairajasinghm, were allowed a certain amount of functional autonomy. But their public pronouncements, particularly those of Pararajasinghm, were explicitly partial towards the LTTE. Pararajasingham has been utilised by the LTTE extensively for propaganda abroad.

Nevertheless, the LTTE became increasingly irritated by the TULF. It found that the TULF's role in formulating the devolution package and its issue-based support to the Chandrika Kumaratunga regime bestowed upon the Government greater acceptance and credibility. It also found that despite the insistence of the Tigers that only they be regarded as the sole representative of the Tamil people, it was the TULF that enjoyed global approval. Neelan Tiruchelvam himself contributed greatly towards enhancing the TULF's image among foreign diplomats, journalists and non-governmental organisations (NGOs). What the LTTE did not realise was that by its own action it was being alienated from the international community. This refusal to examine and reappraise its faults resulted in the cultivation of a bitter hatred towards the TULF.

These feelings were exacerbated by the realisation that despite sustained criticism against it, the TULF continued to retain a considerable amount of goodwill among the Tamil people. Owing to the prevailing environment, this opinion could not be expressed publicly. But when an opportunity presented itself, the people demonstrated their support for the TULF, as in the case of the Jaffna local authority elections last year. To its great annoyance, the LTTE realised that if

and when elections were held, the TULF was certain to perform well. A reputed pro-Tiger analyst even predicted that the TULF would gain more than seven seats in the peninsula. This, coupled with the seats won in Wanni and the East, meant a possible tally of 15. Given the existing political conditions, such a tally would have enabled the TULF to attain greater prominence, nationally and internationally.

Therefore, the Tigers appear to have decided to strike really hard at the TULF. The objective was to make it cease to exist as a functional entity. This approach was paralleled by a similar hardline approach against other Tamil groups. Several stalwarts of the People's Liberation Organisation of Tamil Eelam (PLOTE), the Tamil Eelam Liberation Organisation (TELO) and the EPDP too have been killed. In deference to a final appeal by the LTTE, several junior members of these groups have broken ranks and joined the Tigers. Also, many of these groups are riddled with internal divisions. There have also been many inter-group clashes. They have also indulged in several human rights violations against the Tamil people. Their stock among the Tamils is at an all-time low, and in the eyes of the Tigers they pose no political threat.

But the TULF, with its slogan of 'unarmed democracy', is a different prospect. So the LTTE is determined to do two things. One is to create conditions in the North-East that would make it difficult for members of the TULF to contest there. Secondly, to render the party defunct or at least dysfunctional. On the other hand, the Tigers may promote pro-Tiger independent groups to contest in that area. For this to happen, the TULF has to go. And this is what is happening now.

The MPs from Batticaloa district have been asked to refrain from attending public functions and are also barred from meeting people. When the TULF MPs remonstrated by wondering how they could prevent voters from coming and seeing them, the Tigers said: 'In that case we will come along with the people and meet you in the way you deserve to be

met.' The Tigers also issued a notice that the public should keep away from the TULF because they may suffer harm. The MPs of Batticaloa are in Colombo now. The LTTE also issued an ultimatum that all TULF branches in Amparai district should be dissolved and that announcements to the effect be made in the newspapers before August 10.

The killing of Neelan Tiruchelvam appears to be a part of the LTTE's general onslaught against its rivals. It adopted a hard line in the case of three senior TULF leaders. In June, Sri Lankan investigators apprehended an LTTE member from whom information was extracted about the presence of a 10-member LTTE suicide squad in Colombo for specific purposes. Among the targets were TULF MPs R. Sambandan and Neelan Tiruchelvam, and former MP and current senior vice-president V. Anandasangary. On July 2, the Internal Intelligence Department of the National Intelligence Bureau issued a specific warning to the Defence Ministry about the threat to the trio. On July 13, the threat was conveyed by Defence Secretary Chandrananda de Silva to Sambandan.

Neelan Tiruchelvam himself was away in Bellaggio, Italy on a Rockefeller fellowship between June 18 and July 18 when this information surfaced. He was informed of this upon his return on July 19. Since his life had been under threat for quite some time, he was not unduly perturbed. In any case, he was scheduled to be in the United States from late August until December for the Harvard University lectures on 'Ethnicity, Constitutionalism and Human Rights'.

Besides, whenever I cautioned him about his safety he had a fatalistic expectation about death. 'No one can prevent it when it happens, we just have to go on doing what we have to do,' he told me once. He also seemed to have a premonition about how he was going to die. 'There are countless vehicles in Colombo now. There is a traffic jam at every junction. All security measures become a mockery if my car is held up. None of the police assigned for my safety will be able to do anything.' How tragically prophetic were those words. The

lone assassin slipped easily between vehicles held up at the traffic snarl at Rosmead Place and blew himself up.

The killing of Neelan Tiruchelvam at this juncture was perhaps part of an overall campaign to terrorise the TULF into political oblivion. The Tigers surely did not expedite their murderous intention merely because Chandrika Kumaratunga announced that she would submit the constitutional reforms proposals in Parliament in August. With due respect to her, I would say that the LTTE does not attach much credibility to her or Professor G.L. Peiris, the Constitutional Affairs Minister, in this respect. Such deadlines have come and gone. It is therefore more likely that the assassination was another step in the anti-TULF campaign. At the same time, the ripple effect of the killing would certainly affect Tamil attitudes towards the devolution package. It is also an open secret that the TULF's presence in Colombo relied heavily on the resources of Neelan Tiruchelvam. He donated his entire parliamentary allowances and perks to the party. Thus his death is certainly a death blow to the party's office.

There are a few other possible factors that may have reinforced the LTTE's intention to eliminate Neelan Tiruchelvam. His assignment at Harvard University may have been irrationally misinterpreted as an exercise in propaganda against the LTTE. In May 1990, Batticaloa MP Sam Thambimuttu and his wife Kala were gunned down outside the Canadian High Commission. It was feared by the LTTE that Thambimuttu intended to travel to the West, with the 'ulterior' motive of carrying out anti-LTTE propaganda. The LTTE may have erroneously thought that Neelan Tiruchelvam too had a similar purpose.

There is also the possibility that the LTTE may have thought that Neelan Tiruchelvam was quitting politics for good and embarking upon an academic career in the U.S. In that case, the LTTE had to demonstrate that no one could defy the

LTTE. So the TULF leader had to be killed before he left for the U.S.

There is also another little known factor that may have contributed to the Tiger antipathy. Neelan Tiruchelvam is one of the few Tamils who dared to spurn a 'request' by the LTTE that he should support and work for it. Although the LTTE attempts to portray Neelan Tiruchelvam as some sort of a traitor with whom it would never have any interaction, there was a time when it solicited his services. It was politely rebuffed.

This overture came during the spring of 1988 when Neelan Tiruchelvam was a visiting lecturer at Harvard University. Visvanathan Ruthirakumaran, the current international legal advisor of the LTTE, was then a tertiary student at the Harvard Law School. Rudra, as he is known, is the son of the former TULF mayor of Jaffna, Rajah Visvanathan. It was Neelan Tiruchelvam who enabled Ruthirakumaran to obtain a place at the Law School. What Neelan did not know then was that Rudra had links with the LTTE.

One fine day in 1988, Ruthirakumaran took a pleasant-faced man in his late thirties to drop in on Neelan Tiruchelvam at Cambridge, Massachusetts. It was during this meeting that Neelan Tiruchelvam discovered that the 'friend' was none other than Rev. Fr. Thomas Amalathas, the New York-based head of the LTTE outfit. (Thomas Amalathas is no longer the LTTE chief in the U.S. He has also renounced his priesthood and is now married to a Romanian woman, who is a doctor by profession.) Amalathas was a prominent player on the LTTE stage. He requested Neelan Tiruchelvam to support and directly help the LTTE in propaganda and international legal work. Such requests made by the LTTE to Tamils are equivalent to those described in mafia jargon as an 'offer made that one could not refuse'. Neelan Tiruchelvam refused, of course gracefully. To Neelan Tiruchelvam, an ardent believer in non-violence, democracy and constitutionalism, the LTTE

and all that it stood for was anathema. There was absolutely no way that he would have ever consented to be coopted by the Tigers. He told me then that he would have never met Amalathas had Ruthirakumaran not sprung a surprise on him. But Neelan Tiruchelvam did not reprimand Rudra. Ruthirakumaran and Amalathas confirmed to me that Neelan Tiruchelvam turned down the LTTE offer.

Frontline, August 27, 1999

