

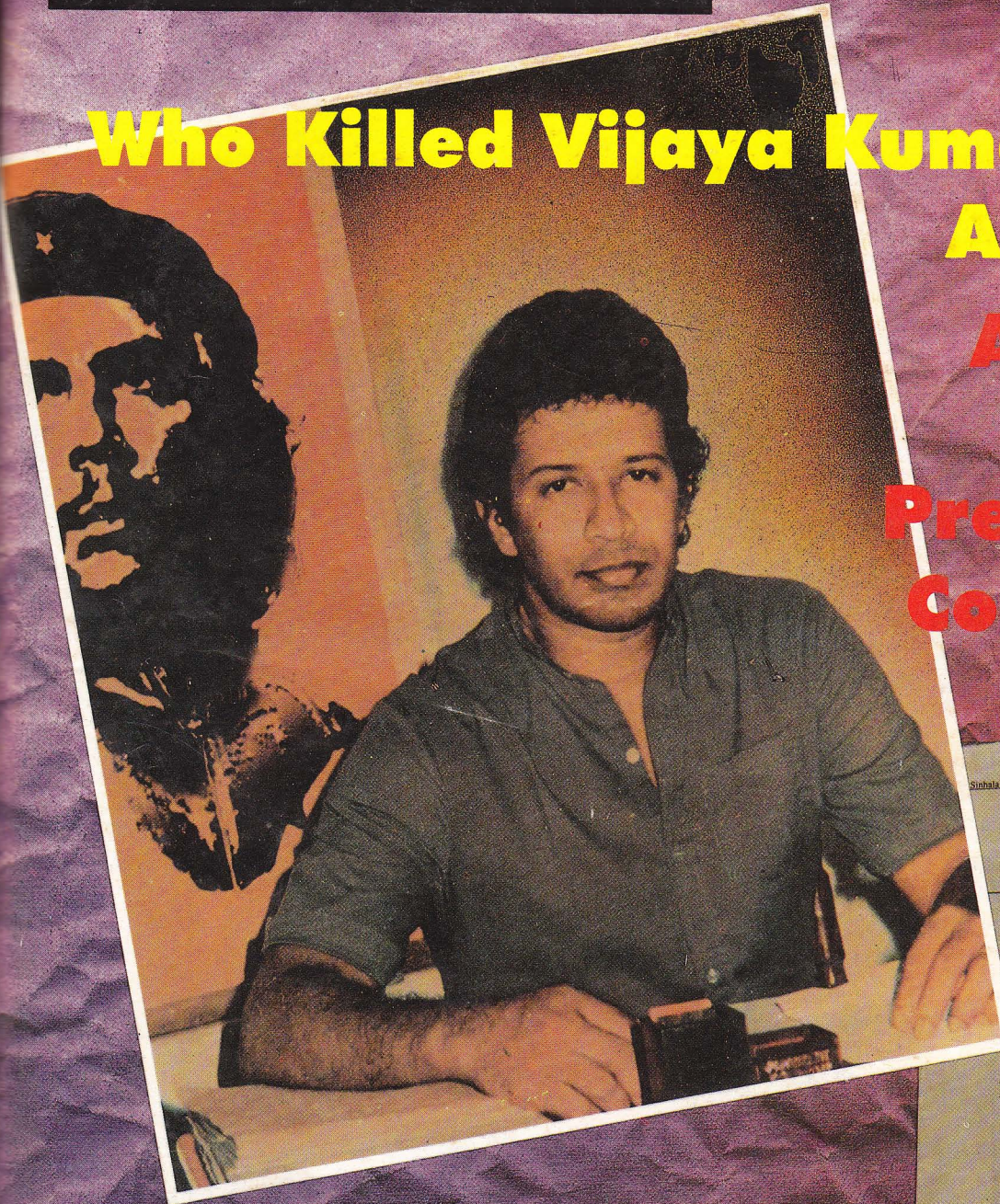
# MAHAKA GUARDIAN

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## Who Killed Vijaya Kumaratunga And Why ?

## A Critique of the Presidential Commission Report



**J. R. Jayewardene : A Historian's View**

**K. M. de Silva**

**The Estate Workforce Today : A Crisis of Survival**

**S. H. A. Mohamed**

**Reminiscences of J. R. J.**

**Stanley Kalpage**

Sinhala and Tamil versions of this Report will be printed separately.



SESSIONAL PAPER No. 1 — 1996

**REPORT OF  
THE PRESIDENTIAL  
COMMISSION OF INQUIRY  
INTO THE ASSASSINATION OF  
MR. VIJAYA KUMARATUNGA**  
(Former Leader of the Sri Lanka Mahajana Pakshaya)

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February, 1996

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# THE P.A.'S ALIENATION POLICY

Mervyn de Silva

"A singular vote of confidence" announced a proud Prof. G.L.Pieris, the P.A. Minister of Justice and Constitutional Affairs when the Paris "Aid Sri Lanka" consortium pledged 860 million U.S. Dollars, 17 million more than last years. Mr.Ronnie de Mel was not impressed. The Minister of Finance in President Jayewardene's administration was nonetheless pleased. "Anything that is good for the country is welcome as far as we in the U.N.P. are concerned. We want a strong economy when we take over the reins, which will happen sooner than later. We certainly do not want a completely broken down and stagnant economy, which of course is what happened in 1977" he told the WEEKEND EXPRESS.

Was the aid adequate in the present circumstances, what with the defence vote soaring? "No it is certainly not enough..... nothing to crow about" he scoffed. He reminded reporter John Regis that the U.N.P. had received over 1.2 billion dollars quite often, and once a staggering 2.4 billions! "I had to take less than what was offered because Sri Lanka simply could not absorb all the aid that was offered". Loyal P.A. supporters may be inclined to dismiss the Former Finance Minister's comment as plainly partisan but I don't believe that sort of charge could be levelled at a emerging group of bright, hard-nosed and dynamic "new generation" of businessmen and economic analysts. Arjuna Mahendran is a fair example. This senior regional economist of Crosby Securities speaks of a "cash crunch" which has seriously affected the capacity of the private sector to respond to the incentives that Prof. Pieris has sensibly offered.

For the older generation in the world of commerce and high finance, Mr.Patrick Amerasinghe, President of the Federation of Commerce, Trade and Industry (FCCTI) was "Mr. Private Sector". Recently this respected business leader was stunned when he

was stripped of one of his titles. Of course, it was all nice and legal. Section 6 of the Board of Investment (BOI) Law does allow the head of government to remove any board member. But if the P.A. caught the Colombo business community by surprise with its unprovoked assault on Mr.Private Sector, the former Finance Minister Ronnie de Mel stunned the P.A. benches. "You should have seen the jaws drop" said an Opposition MP, describing the reaction of the P.A. benches when Mr. De Mel calmly tabled a confidential I.M.F/ report with a polite request for its publication in full in HANSARD! Mr. De Mel stunned his audience by claiming that the I.M.F was surprised to discover that eleven billion rupees spent on defence had NOT been included in the budget! The cat was out of the bag said the SUNDAY LEADER'S Winston de Valliere. It certainly was ..... only to find Mr. Mel offer it a comfortable lap.

The P.A.'s claims of growth and macro-economic stability had not impressed the I.M.F. at all. On the contrary, the report argued that "over the medium term; macro economic stability will remain elusive without major fiscal adjustment to reduce the government's large claim on resources". The I.M.F. was convinced that the economic situation has deteriorated. It did not care to expose the culprit: The government's inadequate financial control. Defence spending, drought and power shortages were the main contributory factors. In such bleak economic circumstances, any popularly elected administration would move cautiously. Not, alas the P.A.

## Human Rights

The Secretary General of the International Commission of Jurists (ICJ) Mr.Adams Dieng has "expressed concern over investigation into alleged unlawful receipt of salary payments by U.N.P. MP Dr. Jayalath Jayawardene". Candidate Chandrika Kumaratunga and

the P.A. did campaign strongly on the "human rights" issue in the 1993-1994 polls, provincial, parliamentary and presidential. And there can be little doubt about the response of the electorate. The P.A. and its leadership did have credibility. It is precisely that fact which makes the I.C.J. statement a particularly disappointing development, and cause for reflection. In two years, the P.A.'s sources of strength have become rather obvious areas of vulnerability. Performance has not matched promise; special strengths have become flanks.



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THE IDEAS MAGAZINE



### Corruption Charges

President's J.R.'s "open economy" was an open invitation to the 'quick money' mob and the "robber barons". On that, the island's first Executive President had no illusions as he freely admitted to this journal in on-the-record conversations. The cynic in him could say openly: 'Let the robber barons come'. The P.A.'s tripod — Transparency, Accountability and Good Governance — was in fact the self-righteous response of those "think-tanks" which made the largest contribution to the P.A. manifesto. When a group of backroom 'strategists' decided to project a new image of candidate Chandrika, their first move was to present her to an elite audience (business elite rather than academic) at the ballroom of a posh Colombo hotel. The image-builders, some of whom were lapsed "Leftists", were quite clever. Having decided that "market economics" had become the sole option, they realised that the P.A. cannot possibly "sell" capitalism or private enterprise more credibly than the U.N.P., the traditional spokesman of Sri Lankan capital, such as it was. So "capitalism" or private enterprise with "not a human face" but with T.A.G.G. (transparency etc. etc.).

Last week the Opposition called for a parliamentary debate on the sale of 90% of the Ceylon Steel Corporation, the creature of an SLFP regime, supported by the main leftists parties, the LSSP and the CP, parties now members of the PA. The UNP has been joined by an odd group of supporters Mr. Vasudeva Nanayakkara the LSSP firebrand, the EPDP., the former separatist Tamil guerrilla group, the TULF, the main Tamil parliamentarist party. The issue is the sale of 90% of the Steel Corporation to a South Korean firm., for Rs.840 million. One of the thirteen UNP MP's who signed a letter to the Speaker, Mr. Mahinda Samarasingha has claimed that the sale will mean a loss of about a billion rupees. In 1993-4 bids from a Japanese firm were over 960 million! The image of the PA hardly reflects the solemn pledges of transparency and accountability, staunch PA supporters grumble more and more.

### Supreme Court

In the latest development in the heated Hulftsdorp battles over the appointment of Prof. Shiranee Bandaranayake to the Supreme Court, the SLFP Lawyers Association has written to the Chief Justice that resolutions to be adopted by the Bar Council would amount to contempt of Court, the Sunday Island said in a front-page report. The Association says that the four resolutions will be discussed soon. (1) Condemns the appointment (2) urges the Bar NOT to welcome the new Judge (3) calls on Ms. Shiranee Bandaranayaka to submit her resignation and (4) requests the Chief Justice not to constitute a bench which includes the new judge. Mr. Desmond Fernando PC, the newly elected President of International Bar criticised the behaviour of some pro-PA lawyers. While these issues will doubtless be debated in many a forum, the serious observer of national politics must examine the implications of what is plainly the alienation of the

professional elite and the middle-class intelligentsia by a PA that swept to power with the sympathy and unstinted support of these important opinion-making groups. And this at a time when constituent members of the 'grand coalition', such as the LSSP, and staunch supporters of the PA, such as the TULF, often dissociate themselves with PA actions or publicly criticise the government's policies or attitudes.

The United States, it has now been confirmed by Ambassador Burleigh himself, is actively assisting the Sri Lanka government in its battle against LTTE terrorism. This is part of President Clinton's global "war" against terrorism. America's western allies and many of our neighbours also support the PA's offer of devolution to the Tamils as part of a negotiated settlement of the armed conflict. The support is based on the assumption of a PA - UNP consensus. "That's news to me!" said UNP and Opposition leader Ranil Wickremesinghe.

### WAITING - 11- NINETEEN FIFTY SIX

Two spells of election duty?

Yes that was a one week poll

And my very first stint as an Election bureaucrat.

One year married,

The pre-election night in a mountain village off the Matale Road

Was my first night without you.

I slept alone in an open school room

With the wind making conversational noises

On the corrugated iron roof.

My senior officer, who slept in the Headman's house

Found to his horror in the morning

A green party flag flapping above his bedroom

And the old Muslim headman cheerfully deaf to his moaning

That he had violated the Election Code in his sleep.

Polling was uneventful (as the news papers say)

But I strongly suspected those village women

Were impersonating without even going into purdah

In those un-fundamentalist times.

With the ballot boxes sealed before sundown

I swerved the narrow bends by-passing Kandy town

Where History's heartbeat seemed suddenly quickening

Lime mine, holding you after twenty four hours.

Why these troubled confessional eyes?

Your soft voice, hesitant, saying

Love, before you kiss me, tell me

I am forgiven this terrible sin

Today, when I voted, I voted Green.

U. Karunatilake



# The Estate Worker: Nobody's Baby

S. H. A. Mohamed. The author is a student at Colombo's Law College.

The plantation industry is the single largest labour oriented industry to come under the state's privatisation programme. The fate of the plantation industry alone is sufficient to decide the direction of the national economy, to a great extent. In terms of monetary value not a single public enterprise could either match the contribution to the national economy nor the movable or immovable assets owned by the plantation industry. After more than a century the plantation industry still holds its dominance in the economic sphere while remaining the country's largest foreign revenue earner. Today the plantation industry of Sri Lanka is at its most decisively critical juncture. On the one hand it is entangled in political-economic turmoil and on the other it is struggling for its survival as a viable economic enterprise.

The social changes and developments that took place during the post independence era have unexpectedly deprived the plantation industry of its vital profit motive that prompted the British entrepreneurs to get involved in this industry. Today, factors such as abundantly available cheap labour, a social environment sans trade unions and basic civil and political rights, easy access to lands with fertile soil and conducive climatic conditions, freedom from or less competition from other beverages, etc., are not in existence. Apart from all these factors even the safe hands of state ownership and management has started to withdraw from the industry. It has reached a position where the time has come for the industry to survive with its own effort. In other words this is the most crucial transition period the plantation industry of Sri Lanka has ever encountered. How successfully the government and the private sector can overcome these challenges will determine the plantation industry's survival and further development.

The estates work force is a most sensitive and crucially vital factor with potential serious implication for the industry as well as the country's economic and political structure. It can longer treated as a negligible aspect. The role played by the estate workers should be seriously reconsidered. The policy hitherto adopted by the government and the plantation management companies towards the estate workers requires to be assessed.

## FROM THE TAKEOVER TO MANAGEMENT PRIVATISATION

During the colonial period providing basic necessities such as housing, medical facilities, education and other interrelated welfare measures were considered to be the sole responsibilities of the private estate owners. Though the system worked smoothly with considerable disparities and short-comings, it failed to continue its functions under rapidly changing socio-economic and political circumstances. The taking over of the plantations by the state took place in this context. With this transformation of ownership and management the entire responsibility of welfare and the well being of the estate workers became a function of the state. While the State Plantation Co-operation (SPC) and the Janata Estate Development Board (JEDB) acted as the trustees of these commitment, successive governments used this function as a political instrument to achieve short term political goals. This institutionalised the colonial plantation concept of employer responsibility for worker welfare which is deeply ingrained both among the estate workers and the government. However due to various political factors, state management did not result in high productivity, cost effectiveness and sustainability of the plantation industry.

When the management of the estates were handed over to the selected twenty two Regional Plantation Companies (RPC), in order to satisfy the workers and the Trade Unions the government also transferred its social responsibilities to the private management. Realising that the state will have to continue to take part in the process of ensuring the welfare and well-being of the estate workers, it established the Plantation Housing and Social Welfare Trust (PHSWT), which is a semi governmental body consisting of state and trade union representatives. However it is unfortunate that the separate responsibilities of the PHSWT and the RPCs have not been clearly identified and defined.

The change of management has succeeded in causing a slight improvement in productivity as well as controlling the production costs. However an important aspect of the entire industry, the Estate Worker, has not benefited as result. On the contrary the living and working conditions of the estate workers continue its downward trend. The situation is deteriorating day by day. Neither the RPCs nor the PHSWT are trying to alleviate this situation. The RPCs and the PHSWT point fingers at each other in an attempt to palm off the responsibility. As a result the welfare of the estate worker has become nobody's baby.

## THE WRETCHED OF THE HILLCOUNTRY EARTH

It should be noted that successive governments continuously exploited the Tamil plantation workers. The estate workers never really benefited much, despite their signal contribution to the national economy. It was the relentless efforts of the Tamil estate workers which more than anything else enabled successive governments to provide rice on subsidised prices, to launch huge economic ventures and create infrastructure facilities for the benefit of the non plantation community, to provide the nation access to free education and free health care, to improve the balance of payments, to provide all sorts of other



subsidies and ultimately to run a welfare state. All these were done at the expense of the estate workers, who received nothing. In order to pay for the sacrosanct welfare state the estate had to die of starvation, sleep under leaking roofs, shiver in the cold; they possessed no access to proper education, health and sanitation facilities. They were forced to live under these sub human conditions so that their fellow compatriots could enjoy all the benefit of a welfare state.

It is ironical that the local "Marxist" parties were partners of some of these governments which super-exploited the estate workers. It must not be forgotten that the manner in which the workers are handled and treated has a direct bearing on the success of an economic enterprise. In the plantation industry, the estate workers play a critical role. Since it is export oriented, the plantation industry is dependent on the quality of its out put and maintaining that quality is a complex and costly process. Therefore the workers have to adapt their life styles and totally commit themselves to their job. In order to keep the workers motivation high the employers should pay serious attention to the aspect of employee welfare. If this aspect is ignored, it will have adverse effect on worker productivity and therefore the growth of the industry. Therefore the estate workers must be motivated in the same way other employees in their industries are motivated.

The main problem encountered by the RPCs in motivating workers through worker welfare is the enormous cost that has to be borne. However it should not be forgotten that since nationalisation of the estates, the basic responsibilities of the state such as providing health care, water and sanitation, maintaining and improving educational facilities were totally vested with the JEDB and the SPC - the state institutions which managed the plantation estates.

When the management of estates were handed over to the private sector, the social responsibilities of the state that was vested with the JEDB and the SPC too were entrusted with the RPCs. This is quite an impossible task for a private

business entity under a free market economic atmosphere. However it should not be said that the RPCs have no responsibilities towards maintaining workers welfare facilities. What is required is to clearly define and demarcate the different sets of responsibilities of the state and the RPC's.

### HOUSING, EDUCATION, HEALTH

Housing is a basic social necessity that every human being deserves. Unfortunately the plantation workers who contribute so much for maintenance of the welfare schemes are deprived of proper housing facilities. Most of the line rooms are over crowded and the roofing sheets are always in a bad condition. In order to reduce the effects of cold that prevails during the night the people use empty fertiliser sacs as ceilings under their roves. A cement floor in the line rooms is a rare sight. Most of the floors of the line rooms are usually covered with cow dung. According to the socio-economic survey 1986/1987 of the central Bank only 20.1% of the line rooms have cement floors. However the plantation workers do not have ready access to their Employee Provident Fund EPF accounts to use it as a guarantee for housing and self employment loans.

The state of the education facilities too is in a bad shape in the plantations. Only a few study at least up to the tenth standard. According to the 1986/1987 Central Bank survey only 0.2% have attended up to HSC/GCE A/L's while there are only nine Tamil Schools in the district of Nuwara Eliya which had facilities to conduct GCE/ A/L classes. In 1992 and 31.5% of the total estate population was illiterate. The only available institution that trains teachers in the plantations is the Sri Pada College of Education Institute. Due to low educational standards, the estate students fail to qualify to enter other educational institutions through competitive exams. Therefore this is an invaluable asset to the plantation community. The Sri Pada College of Education Institute was a sympathetic gift from the government of Germany. *It is shameful to note that the state has once again unfairly insisted that*

*25% of the total admission should be reserved for the Sinhalese, at a time when there are enough institutions and opportunities for the non estate sector.*

Health, sanitation and basic infrastructure facilities are in pathetic conditions. The state has conveniently washed its hands off from this sector during the change of the management. There were instances where, estate workers were given the option to pay ten thousand rupees, which will subsequently be deducted from the monthly salary by four hundred rupees each, in order to obtain electricity for the line rooms. Latrines are not properly maintained by the relevant authorities and is a great health hazard. Apart from that a considerable amount of workers have no latrine facilities.

### NUTRITION

As the estate workers occupy a significant role in the plantation industry it is important to provide at least the basic minimum requirements of the workers to enable them to lead an ordinary life. Modernising tea factories or using higher varieties of fertiliser alone won't ensure the total success of the industry. The estate worker will always have to work as a well oiled machine. Therefore a healthy, skilled and an educated work force is a requirement. They should be psychologically fit for the task. In fact it is necessary to emphasise this aspect stand regarding and expenditure on this is as a variety of capital expenditure with long term objectives.

The meals of the estate workers are always short of vital nutritious components. The staple food item in the plantations is roti made out of flour which they usually consume in the morning before going out for work, hoping it will enable them to work hard in the estates. However this meal never consists of vital nutrient components and this will certainly affect the growing children. Either the RPC's or the state must take steps to add certain selected nutritious food items to the estate workers meal on a subsidised rate.

The cost of living is so high that it has become unaffordable. Usually an



ordinary family consumes around twenty five to thirty Kilograms of flour per month. A five rupee flour subsidy on the existing market price for the two hundred thousand estate families (i.e. twenty kilograms per month for a year each) comes upto only Rs. Million 240 per annum - far more costly than the Rs. Million 381 increase granted under the President's vote mainly to maintain the Presidential Commissions (the 12 Commissions appointed by the current incumbent).

### SOME SOLUTIONS

If plantation industry is to survive, the government will have to make a capital investment in the form of a short term subsidy package in order to improve the working ability of the estate worker force - which is an investment. Loans schemes should be put in place to encourage economic activities (such as small scale household poultry, livestock, vegetables cultivation plots,) which will expand the income of the workers and therefore enhance their access to nutritious foods such as milk, eggs, chicken etc.. While this is going on the government can gradually reduce the subsidy and ultimately do away with it probably within a five year period.

Another burning issue in the plantation management sector is the increasing cost of wages. The estate workers are demanding higher wages because they do not have access to any other avenues of income. Therefore the proposed schemes will help to first reduce and eventually remove the pressure for higher wages.

### MEMORIES OF A LEADER

Adult education too can play a considerable role in this regard. For an instance when a worker retires from work he receives a lump sum around over fifty thousand rupees through the EPF savings. But unfortunately they do not know how to utilise it in a manner where it can bring maximum benefits to them, more often than not the money ends up in the estate tavern.

The estate workers do not know much about the national leaders of the country except for one. The only

national leader whom they as a leader of their own is President Premadasa. It may be because he was instrumental in granting citizenship to them at a time when both Sri Lankan and Indian authorities hesitated to accept them as their citizens. The local plantation trade union giant Mr.S.Thondaman in his auto biography Vol.2 'My Life and Times: Tea and Politics' has admitted with great respect that if not for Premadasa the legislation to grant citizenship workers would not be in the statute books of Sri Lanka.

Even estate members of the other left oriented trade unions still consider President Premadasa as the only non

plantation national leader who was sincerely concerned about them. During his period most of the plantation workers were supporting him and the plantation giants too had no option other than supporting him. It was the first time in the history of Sri Lanka that the entire plantation community was supporting a non plantation Sinhala leader. Still the estate workers talk much about his policies such as granting ownership of the line rooms and the adjoining plots of land to them, providing employment opportunities according to the ethnic ratio etc.. There are people who fasted when the news was broken that the President had died.

### *Letter to the Editor*

*What was submerged with the abandonment in 1943 when it first reared its head through the then member for Kelaniya, surfaced openly with the stamp of legality on the enactment of the 'Sinhala Only' Act in 1956. Consequently alienation gained momentum every time anti-Tamil violence was perpetrated on innocent and defenceless Tamil people. They were naturally driven only by the restlessness of their consciences to support political organisations and movements which they felt could restore their dignity, equality, right to life and liberty. They were also left with no other alternative other than to support such struggles as all pacts entered into with the successive governments were torn before the ink was dry. The alienation was complete with the volte-face of the Left parties. The competition for insatiable power knew no bounds and all parties vied with one another in arousing the basic instincts in man. This found the Tamil people totally isolated. The leaders of parties and movements who tasted power and privilege began to serve themselves and their parties at the cost of the country, a phenomenon common after independence.*

*The National Problem therefore continues to remain eluding a permanent solution while devastation, ruin and death caused by the war enormously mount in terms of man and money. The psychological effect has been monstrously cruel and shall linger in the minds for some generations.*

*The soldier has to believe in victory and if he lacks faith he is unfit for the task. The politician has to see such military success from a different angle. What is an end in itself for the soldier is a means to an end for the politician for realisation of his/her political programme. If the military success can be increased and the adversary is exhausted, then the politician's task is relatively simple. He/She needs only to transform the draft into true copy. The task is different and becomes more complicated if the military force does not suffice to uproot the intentions of the adversary. The military success can then no longer be evaluated as potential means of coercion but only as a means of pressure.*

*Hence to assume that the future could be built on the unhappiness of other people, built on the suppression of human dignity is a terrible error and terribly have the successive governments paid for such intransigence. History has not recorded any instance where peace was imposed by force of arms. So, let us not continue to take cover under various pretensions of wishful thinking and hollow concepts and march towards ruin. Let us be honest and sincere to find a permanent solution to the National Problem of the Tamil people without dilly-dallying and all other problems will solve by themselves.*

T.S.Kumaresan  
Jaffna.



## SECTION I WHAT THE COMMISSION DID INVESTIGATE

The Report of the Presidential Commission of Inquiry into the Assassination of Mr. Vijaya

Kumaratunga is available to the public, at long last. According to its terms of reference, the Commission was expected to inquire into the circumstances relating to the persons directly or indirectly responsible for the assassination, its manner of investigation, whether the investigation was conducted properly, and whether there was any outside interference in the investigation.

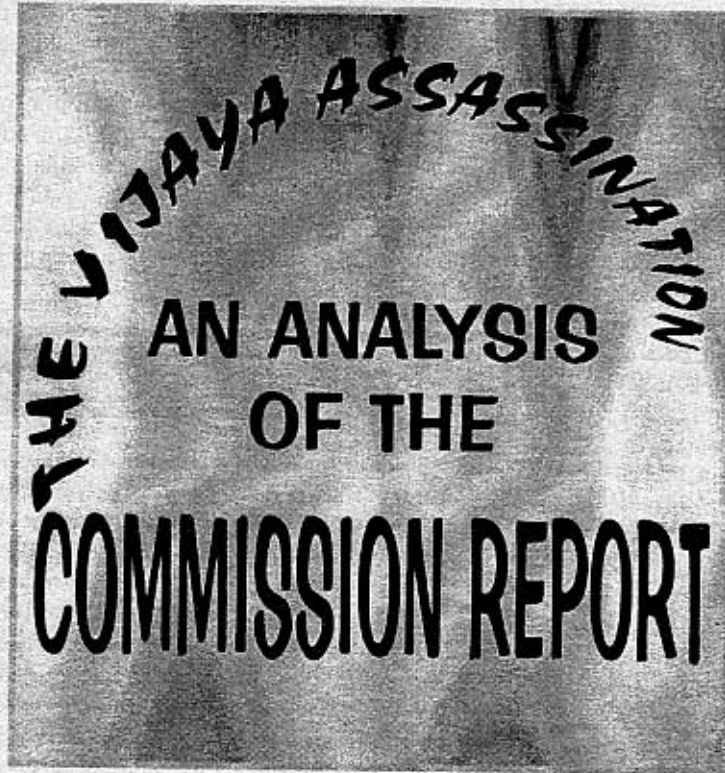
Who was directly responsible for the assassination of Vijaya Kumaratunga? Here the Commission offers no surprises. The assassin was Lionel Ranasinghe and his main accomplice was Tarzan Weerasinghe - both

full time activists of the Janatha Vimukthi Peramuna (JVP). Then comes the surprise; particularly to those who thought the JVP was responsible for Vijaya's killing - not least because Wijeweera and the JVP never denied it and because one of the front organisations of the JVP put out a leaflet on the day of Vijaya's funeral accepting responsibility for the assassination, giving reasons why it had to be done. No, says the Report, the JVP was not responsible for Vijaya's assassination. If not the JVP, then who? The Report, without making a specific finding, mentions the names of two people as being indirectly responsible for the assassination:

'The totality of evidence stated above in our view establishes a prima facie case against President Ranasinghe Premadasa and Minister Ranjan Wijeratne as to their indirect involvement in the assassination of Vijaya Kumaratunga. In the ordinary course, we could have had to call for

their explanation on the prima facie case made against each of them before making a decision in this matter. This has not been possible due to their demise. Therefore, we refrain from making a specific finding on the question of their indirect involvement

because if he is produced in Court he will disclose the truth about Vijaya's assassination and that Minister Ranjan Wijeratne and Deputy Minister Gamini Lokuge would also have to appear in



Court.' (p.63)

Life, it is said, can be stranger than fiction. The story of Susantha Dias Dahanayake certainly puts the most outrageously imaginative detective thriller to shame. Dahanayake was detained at the CID from 19th Jan. 91 to 8th May 91, in connection with the assassination of S.P. Terence Perera (a well known victim of the JVP) and the Digane Peoples Bank Robbery. As luck would have it, one fine day (or it may have been an equally fine night), the gentleman sojourning in the adjacent cell spoke to Dahanayake through one of the 'cell grills',

in the assassination' (p.65)

The dead do not tell any tales; nor can they defend themselves. Though the Commission has refrained from making a specific finding, a former President and a former State Minister for Defence have been implicitly accused of being indirectly involved in the assassination of Vijaya Kumaratunga. Therefore, in fairness to both the dead and the living, it behoves us to examine and analyse this 'totality of evidence' against President Premadasa and Minister Wijeratne.

### The 'Evidence' against Ranasinghe Premadasa and Ranjan Wijeratne

Let's first consider the specific items of evidence listed in the Report:

1) "The evidence of Susantha Dias Dahanayake, that Tarzan Weerasinghe (i.e. the main accomplice of the assassin) told him that he will be killed by the CID and not produced in Court

introduced himself as the principle accomplice in the Vijaya assassination and told him the above mentioned tale. Tarzan (who seemed to have been of a somewhat loquacious disposition) also told the witness that he was taken by a CID officer, IP Nimal Chandra Wakishta, to meet Minister Wijeratne who assured him that he would be set free. According to Tarzan's tale, after Vijaya's assassination he went to Kuwait with the assistance of a security officer attached to Mr. Gamini Lokuge. Some days after Tarzan Weerasinghe made this stunning disclosure, the witness was taken to the presence of the Director CID at the precise moment when the Director was interrogating and needless to add, assaulting the said Tarzan Weerasinghe. That night the witness heard Tarzan groaning in the cell. (There's no evidence as to whether the witness made a polite inquiry after Tarzan's state of health, through the very same 'cell grill'). Tarzan disappeared from the face of the earth



after that.

All responsible officers of the CID, past and present, starting with the current Director CID, SSP Opatha K.Hemachandra, categorically stated before the Commission that Tarzan Weerasinghe was not 'arrested or detained by the CID at any stage' (p.50). There were no records or any other evidence that Tarzan was arrested or detained by the CID (or any other state agency) ever. However the Commission opted to disbelieve the sworn testimonies of responsible govt. officers (past and present) and believe the evidence of four witnesses who claimed they saw Tarzan Weerasinghe being detained at the CID. At least two of these were JVP suspects; in the case of one person there was no record that he was ever arrested or detained by the CID!

Why were the testimonies of four persons (who certainly cannot be described as model citizens with unimpeachable records) stating that Tarzan Weerasinghe was detained by the CID believed, ***despite the fact that all other available evidence proved the exact opposite?*** According to the Report, apart from the fact that the four witnesses gave graphic descriptions of Tarzan, the only other basis and justification for this decision was the evidence given by Tarzan's sister, W.Leelawathie Silva. In her evidence Ms.Silva stated that she received information about the "arrest of Tarzan Weerasinghe, about the 23rd of December 1990. She also received letters which stated that Tarzan was detained in the 3rd cell of the 4th floor of the CID and that he was manacled and his feet were chained. That he was being kept there to be killed" (p.52). The letter X93 is ***....an anonymous letter! That anonymous letter was the final piece of cast iron evidence which decided who the liars were and who told the truth!***

The acceptance of Susantha Dias Dahanayake's testimony gives rise to certain questions:

\* Was any attempt made using the records of Dept. of Immigration and the Airport and Kuwait Authorities to verify Tarzan's supposed claim that he

was sent to Kuwait. If not, why not?

\* Since Tarzan was supposed to have gone out of the country with the help of a security officer attached to Mr.Lokuge, did the Commission question all the security officers of Mr. Lokuge to verify the truth of this claim? If not why not?

\* Was any attempt made to discover why Tarzan left the safe haven of Kuwait and came back to Sri Lanka - a risky step to take, if his story was true?

\* This then was the first major piece of evidence which made the Commission decide that there is a prime facie case against President Premadasa and Minister Wijeratne. Since Tarzan's tale did not make any reference to President Premadasa, (directly or indirectly, explicitly or implicitly), it is exceedingly difficult to perceive how Dahanayake's evidence implicates Mr.Premadasa in any way. And we ask the readers to decide whether this unverified, and unverifiable statement of Dahanayake (a suspected JVP criminal) can be regarded as evidence of Minister Ranjan Wijeratne's involvement in the Vijaya assassination.

According to the Report, only witness Dahanayake applied to the Commission to give evidence. The other witnesses were traced by the investigators attached to the Commission. The question is how was this done? Did the investigators talk to all those who were detained at the CID during this period (that would have taken a long time and a lot of doing); or was it yet another stroke of luck, straightaway finding the very people who saw Tarzan at the CID? According to the Report, there are no records in the CID of having detained one of the witnesses, Sarath Kumara (who claimed that Tarzan was a 'family friend'). In other words, his name and address were not on the CID records; the CID did not know of his existence. Then how did the investigators discovered his existence and manage to trace him, and so fast? Another stroke of luck? Or did they enlist the services of a good clairvoyant?

2) "Evidence of I P Piyasena of what

**However the Commission opted to disbelieve the sworn testimonies of responsible govt. officers (past and present) and believe the evidence of four witnesses who claimed they saw Tarzan Weerasinghe being detained at the CID. At least two of these were JVP suspects; in the case of one person there was no record that he was ever arrested or detained by the CID!**



Bennett Perera informed him immediately before leaving the CID that he was being transferred because to find out the truth about Vijaya's assassination that there were some Minister involved in the matter." (p.64).

Once again we are confronted with a statement which can never be verified - because Mr Bennett Perera is dead. The Commission which chose not to believe the evidence of the government's own Director, CID, decided to accept the testimony of I.P. Piyasena (unverified and unverifiable) This too gives rise to a some questions :

\* Why did Bennett Perera decide to confide in I.P.Piyasena, who after all was only one of the officers assigned to the Vijaya Kumaratunga case by him? In other words what was so special about I.P.Piyasena?

\* Did the Commission question *the other officers* assigned to the case to find out whether Mr. Bennett Perera made similar disclosures to them? If not, why not?

\* Obviously Mr.Bennett Perera did not mention the name of any particular Minister or gave any indication as to the identity of the Minister concerned. Therefore, even if one takes I.P.Piyasena's statement at face value, there's nothing in it to implicate Minister Wijeratne or President Premadasa (particularly since Mr. Perera is supposed to have said 'Ministers' and not 'President' or Prime Minister)

At this point it is necessary to consider the following statement made by the Commission : "It may not be entirely safe to act solely on the two specific items of evidence stated at (1) and (2) above because the ultimate source of information are two persons who are now dead. We have not had the benefit of hearing their evidence. But circumstances stated above, support an inference that these statements were probably made to the respective witnesses" (p.65). What circumstances? That the witnesses who testified that Tarzan Weerasinghe was detained at the CID all gave

graphic descriptions of him? That Tarzan's sister received an *anonymous letter*? That I.P.Piyasena had served a long time in the Police Force? So in one instance the evidence of the current Director CID was disregarded in favour of the testimonies by four witnesses with dubious records, while in the other instance I.P.Piyasena is believed simply because he is a Police officer with a long service record? A bit curious, that.

3) The evidence of Felix Perera who "disclosed that on the 15th night (at 8. P.m.) Rupavahini, the State Television, carried a false news item that Vijaya made a statement critical of the JVP at the funeral of one Gamini Medagedara at Raddoluwa..... Felix Perera stated that this false item was carried on state television on the eve of Vijaya's assassination to create a public impression that Vijaya was on a collision course with the JVP. The motive for the assassination was thereby ready-made at the time it was perpetrated" (p.64).

This was the final damning piece of evidence which made the Commission decide that there was a prime facie case against President Premadasa and Minister Wijeratne. However, even according to the Commission, the paper containing the order to the T.V. crew to cover the funeral was missing and "therefore we do not know the source of order" (p.64). The obvious question arising from this is: if one doesn't know where the order came from, how can this incident be used as part of the 'evidence' against President Premadasa and Minister Wijeratne (who was not even a Cabinet Minister at that time)? This is specially so, since the attempt by the Commission to get a statement from one of the witnesses, Mr.Erananda Hettiarachchi, an employee of the SLBC, that the order came from Prime Minister Premadasa failed. Even granting that this incident was a deliberate attempt to create mischief, why assume that it implicates Messrs. Premadasa and Wijeratne? Why not any other Minister? Why not the then Minister of Information? Why not the then President? What is the justification for using this incident as evidence of Messrs Premadasa and

Wijeratne's involvement in the assassination ?

Incidentally it should be emphasised that there was no need to make any artificial attempt to "create a public impression that Vijaya was on a collision course with the JVP" (as Mr.Felix Perera inferred and the Commission accepted) *because Vijaya was on a collision course with the JVP*. During the last few months of his life Vijaya took an increasingly strident anti JVP stand; in fact he was probably the only Left leader who dared to criticise the JVP and often by name, in public. Some cases in point:

- a) Vijaya's final public speech (88.1.28 - Campbell Park)
- b) Speech made at an educational camp at Doraweruwa, Kurunegala (Jan.1988)
- c) Speech made at the meeting organised by the Independent Students Union of Colombo University to commemorate the first death anniversary of it's leader, Daya Pathirana - Jan.1988 New Town Hall
- d) Speech made at the funeral of Nandana Marasinghe, killed by the JVP (Nov.1988 Anuradhapura cemetery)

The question cannot but arise why steps were not taken to listen to tapes of Vijaya's last few speeches or obtain copies of news paper reports. If this was done the conclusion would not have been arrived at that "there is merit and substance in the interference drawn by Felix Perera" (p.64) i.e. that Vijaya was not on a collision course with the JVP. (The details concerning Vijaya's anti JVP activities and JVP's attacks on Vijaya will be produced later in this piece).

The Commission was told how Vijaya, just a couple of weeks prior to the assassination, said he would be proud if his son could say that his father died as a result of his head being blown to pieces by gun shots fired by a JVP gunman or by a 'kola kotiya'. Obviously this is a clear indication that Vijaya , at least, thought there was a possibility of himself being killed by the JVP. The fact that he mentioned the JVP ahead of 'Kolakotiya' signifies that he thought



the greater threat to his life came from the JVP. This clearly casts doubts on Felix Perera's not very convincing attempts to give the impression that the JVP and Vijaya were not antagonistic to each other and that therefore the JVP had no reason to kill Vijaya.

(Incidentally, it should be stated that Felix Perera is a P.A. Parliamentarian and therefore is hardly an objective, impartial witness where the UNP, President Premadasa and Minister Wijeratne are concerned).

It's mainly on the basis of the above mentioned 'evidence' that it was decided that there was a prima facie case against President Premadasa and Minister Wijeratne. We leave it to our readers to decide how credible these evidence and witnesses are and how justified this conclusion is.

### The Motives

The Report also mentions several factors to prove that President Premadasa had a motive for the removal of Mr. Vijaya Kumaratunge from the Lankan political scene. It's important to consider these factors too, albeit briefly.

1. "Vijaya had become a formidable rival and opponent of the Prime Minister (i.e. Mr. Premadasa) at the President election scheduled for later that year" (p.63).

Vijaya was assassinated on the 16th of February 1988. Mr. Premadasa managed to obtain the UNP candidacy almost 8 months later, in October. In other words, at the time of Vijaya's assassination Mr. Premadasa was *not a Presidential candidate*. True, he was an aspirant to the candidacy of the UNP, but then so too were Messrs Gamini Dissanayake and Lalith Athulathmudali. So if Mr. Premadasa had any rivals at that time it was not Vijaya, but Messrs. Athulathmudali and Dissanayake. Therefore the Report should have explained how it concluded that at the time of the assassination "according to the evidence, P.M. Premadasa had emerged as the candidate of the UNP" (p.56). What evidence? Whose evidence?

Apart from Vijaya, the only other person whose candidacy was in no doubt at that time was none other than Mrs. Bandaranaike of the SLFP. It would therefore be correct to say that Vijaya was a formidable rival and opponent of Mrs. Bandaranaike. If one concludes that because Mr. Premadasa was hopeful of winning the UNP Presidential nomination it gave him a motive for Vijaya's assassination then one also has to conclude that Mrs. B had a motive for Vijaya's assassination. Indeed if one accepts this brand of logic, then Ms. Chandrika Bandaranaike Kumaratunga had a motive for the assassination of Mr. Gamini Dissanayake the UNP candidate, who had certainly become her formidable rival and opponent in the 1994 Presidential election!

- 2) Once again, the evidence of the indefatigable Mr. Felix Perera. According to him "six or seven months prior to the assassination, P.M. R. Premadasa invited Vijaya to work with him" (p.55). Vijaya is supposed to have confided in Mr. Perera that he refused the offer. Then he went on to form the United Socialist Alliance (USA). Firstly, the purported offer by Mr. Premadasa to Vijaya cannot be verified as both parties to the conversation are dead. We only have the evidence of a P.A. Parliamentarian that such a conversation took place at all. Hardly a clincher. But much more pertinently, the fact that Vijaya was unifying the left forces was *far more of an electoral threat to Ms. Bandaranaike and the SLFP* than to the UNP or Mr. Premadasa. After all what was the political situation in the country during the time under review? The UNP was in power; after several defeats the SLFP was finally hoping to beat the UNP at the next Presidential/Parliamentary polls. In order to do that the *SLFP needed to unify all anti-UNP forces* (just as the PA did in 1994) which included the Left. Vijaya was a great obstacle to this - because the forces Vijaya was unifying under his leadership were traditionally anti UNP ones who would have voted for the strongest

anti-UNP candidate (i.e. Ms. Bandaranaike) in the absence of an independent left contender.

Therefore Vijaya and the USA were taking votes away, in the main, from the SLFP and not from the UNP. *During the last few months of Vijaya's life the SLFP launched violent attacks against Vijaya precisely because they perceived Vijaya's politics as being tantamount to dividing the anti-UNP vote and thereby ensuring the victory of the UNP.* If one concludes that just because Vijaya, instead of joining Mr. Premadasa, formed the USA, it gave Mr. Premadasa a motive for Vijaya's assassination, then by the same logic one has to conclude that Mrs. B and the SLFP had a motive for Vijaya's assassination.

- 3) "Evidence disclosed that Vijaya made inroads to the traditional strong hold of the Prime Minister in the Colombo Central electorate. A large number of youth are said to have broken ranks and came forward to organise successful meetings for Vijaya, in that electorate" (p.56). In 1984 Vijaya split the SLFP and formed his own party with that breakaway group. Subsequently, he took an extremely anti SLFP line, attacking the SLFP at every public meeting. Vijaya made it very clear that he did not want to see the UNP being replaced by SLFP. He made it very clear that he considered the SLFP not as a progressive and a democratic party but an archaic and a feudal - bourgeois entity based on the domination of one family. Vijaya's break with the SLFP was therefore not the result of a momentary sense of pique but a radical departure from the politics of anti UNPism which characterised the politics of the Lanka left since 1956. Vijaya stated this very clearly in a newspaper interview as early as 1984:

Island: "Do you agree that the Opposition has to be united to defeat the UNP? Your breaking away from the SLFP and with the 'left' forces have placed the UNP in an unbeatable position. So are



you not directly responsible for the comfortable position the UNP is in today?"

Vijaya : "The Opposition is united. It's the UNP and the SLFP which is suffering a split in real terms. We broke away with the SLFP, formed a new party and are working together with the 'left parties' because the SLFP was no different to the UNP. We are of the opinion that the people must be given a real alternative to the UNP.... There is no point in joining the SLFP to beat the UNP because what it would amount to in effect is the perpetuation of UNP politics through the SLFP leadership". (The Island Nov.4th 1984).

Even in his last public speech - in which he didn't criticise Mr.Premadasa - he heaped criticism and abuse on Ms.Bandaranaike and even went so far as to hint at an alliance between the JVP and the SLFP: "She (Mrs Bandaranaike) made a very dangerous statement last week. If J.R. Jayewardene gives a definite date for elections, she says she will tell the JVP to lay down arms. Comrades, think. If the JVP is willing to lay down arms at Sirima Bandaranaike's order, at whose order did they take up arms? We remember the advice given by Sirima Bandaranaike, Anura Bandaranaike to those youths under that Bo Tree on 28 July - burn national property, burn buses, burn dispensaries and Sathosa (outlets), violate civil laws. Mother and son and some other Dutugemunus gave the order and came back to the Walawwa. That momentum is still continuing. It was Sirima Bandaranaike and Co. who ordered those youths to take up arms on 28 July. She says today if a date is set for elections she will say lay down arms. We ask Madam : because you incited those youths and gave them arms, who died? Nandana Marasinghe who always fought for liberation. Was Nandana Marasinghe killed on Sirima Bandaranaike order? Was the "Aththa" office set on fire on SLFP orders? Was the LSSP office set on fire on Madam Sirima Bandaranaike's order? Was Tudawe shot in the head on Anura Bandaranaike's order? Was James Athugala of the SLMP killed on Sirima

Bandaranaike's order? Were Suddasena and (his) sons killed on Madam's order? This has to be asked. If she can get the JVP to lay down arms, then she's saying that she's the commander in chief ; that it's her orders they are following" (Campbell Park, 28.1.99)

The SLFP, in return, criticised Vijaya for dividing the anti UNP vote (through his attacks on the SLFP, his support for the Accord and his independent candidacy) and thereby being a creature, an acolyte of the UNP. Here's just one example : the editorial of the *SLFP official organ*, 'Dinarasa' on February 10th 1988 (i.e. less than a week before Vijaya was assassinated).

*"This United Front was formed in a hurry and the foundation for it was laid in last October to support UNP at a presidential and a Parliamentary election. It must be immediately exposed that this Front is an anti people, unpatriotic front which serves the Right while being on the Left. This is being formed not unknown to J.R. The Elections Commissioner requested new parties to register. Now those six parties are hoping to register under a common symbol as a single party. It's clear from early on what they are going to do. Their secret objective is to contest elections, confuse the progressive voters and thereby assist the UNP. If this group tries to behave in this politically lumpen manner, the people must be ready now itself to treat them with 'embul pol pithi'".*

This statement clearly demonstrates how the SLFP perceived Vijaya at the time of his death. Obviously the SLFP thought that Vijaya and the USA were helping the UNP by taking away the anti-UNP votes which would have otherwise come to the SLFP. Therefore Vijaya had become a severe problem for the JVP.

#### **The Investigation : The 'Evidence of a Conspiracy'**

Was there any other evidence implicating President Premadasa, Minister Wijeratne and the UNP in this dastardly crime? Yes, according to the Report. There was a *Conspiracy* to undermine the investigation into the

assassination of Vijaya Kumaratunga. The Report states how this Conspiracy enabled Vijaya's assassins to get away, from the word go :

1). The conduct of Sangaran Rajendran P.C. 15958 of the Kirillapone Police Station. PC Rajendran took down the initial complaint, made by Ms.Chandrika Bandaranaike Kumaratunga's driver, H.D.Dayaratne. Though Dayaratne did not say that the assassins proceeded towards Maharagama, Rajendran in his transmissions to other police officers said they did so. According to the Report, this was "convenient inference drawn by Rajendran..... convenient because it put the assassins outside the area of the Kirillapone Police" (p.24). The Report also states that Rajendran failed to ascertain the necessary particulars concerning the assassins from Dayaratna, details which "would have been of invaluable assistance to the police to launch an immediate search for the assassins with the co-operation of the members of the public in a concerted effort. But from the evidence, it was apparent that neither Rajendran nor the other officers were least inclined to do so" (p.25). The Report also accuses P.C. Rajendran of failing to give the details concerning the assassins to his superior officer, Chief Inspector M.U.A. Sherifdeen, the O.I.C. of the Kirillapone Police station. The Commission seems to have concluded that Rajendran's actions were mala fide. The inescapable inference is : since Rajendran didn't have any personal reasons for wanting to undermine the investigation, he must have done so because he was a part of the Conspiracy.

2) The conduct of "all the police officers involved in the investigation". Instead of pursuing the assassins these officers "moved in the opposite direction, to the house of Vijaya Kumaratunga like long lost relatives trooping in at a village bereavement. They remained there

*Contd on page 15*



# JR JAYEWARDENE (1906-1996) - AN ASSESSMENT

"The dead don't die. They look on and help" D. H. Lawrence

K M de Silva

*(Prof. De Silva, Sri Lanka's most distinguished historian is Executive Director, ICES)*

In death as in life J.R. Jayewardene had an infinite capacity to surprise his friends and critics alike. Consider the instructions about his funeral he left behind. They were clear, and characteristically brief, but they were tucked away inconspicuously as a note in his diary and were not in the form of a letter. His choice of the site for the cremation of his body was just as unexpected. Instead of the conventional Independence Square cremation site as it had been for so many of Sri Lanka's prominent leaders, he had chosen the banks of the Kelani river. The choice was rich in ambiguity. It was close enough to the Rajamaha Vihare there, on which his maternal grandmother had lavished her wealth, and helped initiate its restoration to a semblance of its former glory, to suggest that through this unusual decision he had chosen a location associated with his mother's family. Besides he had first entered the national legislature in 1943, as a young man of 36, as the member for Kelaniya. Did he wish to proclaim to the world "In my beginning is my end" as T.S. Eliot had done in his poem "East Coker"? Yet his association with the temple there had not always been a happy one; he had taken a stand against the choice of Mapitigama Buddharakhita, as its head in the 1940s and failed to prevent the appointment. Thereafter, under Buddharakhita, the influence and resources of the vihare had been used against him unsuccessfully during the election of 1942, and to great effect in 1956. More to the point, the electors of Kelaniya, or at least the great majority of them had rejected him

comprehensively in 1956. Thereafter, apart from a brief three months or so when he secured a precarious plurality to that seat in March 1960, he never sought re-election to the national legislature through the Kelaniya constituency. His choice of a cremation site and his instructions that his ashes be consigned to the waters of the Kelani river does provide a clue to one side of his temperament and personality; his strong commitment to the religion he had adopted in his youth - long before he took to politics - and whose teachings had become a strong influence in his personal life. It was one final gesture of homage to a historical tradition which associated Kelaniya with a visit of the Buddha to that site. One is also struck by the appropriateness of the words "...in my end is my beginning", the last line in "East Coker".

## Party Man

*When I met him for the last time in August this year, our conversation naturally turned to two anniversaries, his 90th birthday which fell on 17 September, and the 50th anniversary of the establishment of the UNP which was on 6 September. With a twinkle in his eye he spoke of his delight at living long enough to see the 50th anniversary of the party he had helped to establish, which he had nurtured in difficult times and whose survival he had ensured and had the satisfaction of presiding over its triumph against the forces that had driven him to the political wilderness in 1956 and consigned the party to the opposition benches for 16 years out of the next 21. He reminded me that he was the last surviving member of the first executive committee of the party. His mind was so absorbed in the past, present and future of the party that he*

*seemed to be distinctly unconcerned about his 90th birthday, dismissing it as though it was of little consequence. In 1995, for the first time in his life, his health was troubling him. His declining health, he told me, was the first intimation of mortality. Just a few days before his 90th birthday his wife of over sixty years had been hospitalised after a fall in their garden. He was in no mood to celebrate his birthday in her absence from their home. Those who knew him well thought they saw a visible decline in his zest for living. Six weeks after his 90th birthday he was dead. It was as though he wished to illustrate in death the essential worth of Seneca's aphorism that: "The good man should go on living as long as he ought to, not just as long as he likes to".*

On his 90th birthday he was among the last two or three surviving members of the State Council, and the last surviving member of D.S. Senanayake's Cabinet of 1947. Having entered the national legislature in 1943, he remained there till September 1978 when he became the country's first executive President, a period of over three decades, with only one single gap, from April 1956 to March 1960, when he lost his seat in Parliament, the only such defeat in his whole career. No other Sri Lankan political figure of the first rank has had a longer spell in government, as Cabinet Minister (15 years) and head of government (from 1977 to 1988) than he, and to this must be added a seven years period (1970-77) as Leader of the Opposition.

*His political career, remarkable for its longevity, stretched over four decades and spanned two distinct eras, the pre-independence and post-Independence periods of Sri Lanka's history. No*



wonder then that he seemed such a larger than life figure, bestriding the scene, in opposition as in governments, as an extraordinary political talent, warts, flaws and all. Outliving most of his political rivals and associates, he left a more indelible mark on the island's history than all his contemporaries in politics.

As a young politician he had been strongly attracted to the Indian National Congress in its nationalist struggles against the British, and the inspiration he derived from the policies and tactics of that party lay behind the initiatives he took to revamp the Sri Lankan counterpart, the Ceylon National Congress, and to mould it in the image of the Indian prototype. This Indian inspiration set him apart from most of the senior Sri Lankan politicians of his day, and a great many of his younger colleagues as well. In the late 1930s and early 1940s he was an ardent Indophile, one of the few Sri Lankan politicians who paid their Indian contemporaries the ultimate compliment of donning their political "uniform" of white khaddar tunic and dhoti, with the Congress cap perched jauntily on the head. This he did on his visits to India in the 1940s to attend sessions of the Indian National Congress.

The years 1938 to 1945 saw the first demonstration of what was to be his forte as a politician, his remarkable flair and zest for political organisations. *Joining the Ceylon National Congress in 1938, together with a band of young politicians (the most prominent of these being Dudley Senanayake, with whom he was to have a long and not always harmonious political partnership) he set about resuscitating the flagging fortunes of that virtually moribund political association. With two years they had succeeded on converting it into a modern political party, with a network of branches in all parts of the Island and, above all, with a coherent party programme set out in great detail.* A substantial portion of the social and economic programme, which he was instrumental in getting the Ceylon National Congress to adopt, was actually implemented by the then Board of Ministers. He would insist too on party discipline on the British

model for its members but he had little support on that. On the contrary there was strong opposition to it even from those who enthusiastically backed him in the general policy of transforming the Ceylon National Congress into a viable political party. *But he - and his colleagues' - efforts at converting the Ceylon National Congress into a political party came to naught eventually as D.S.Senanayake - soon to be the country's first Prime Minister - abandoned his old "party" the Ceylon National Congress and set about establishing a new one, the United National Party. J.R.Jayewardene himself acquiesced in this decision, joined the UNP as its joint-Treasurer in 1946, and cut his links with the Congress in a triumph of pragmatism over loyalty to a dying cause.* Once its principle leaders departed to the UNP, the Congress withered away after a few years.

#### JR and SINHALA ONLY

The second notable feature of his pre-independence career had a more lasting impact. This was the initiative he took almost as soon as he entered the national legislature in piloting the first major bill on language policy in the island's recent history. No other backbencher of his day anything of similar significance to his credit. When he formally moved this resolution on 30 November 1943, it became immediately controversial because it made no reference to the position of the Tamil language. *By the time the debate commenced in May 1944, Jayewardene himself sought to include Tamil along with Sinhala as the two national languages, but the Standing Orders of the State Council did not permit the mover of a motion to amend it once it was in the Order book. Thus with his consent an amendment was moved by a Tamil member, V.Nalliah, in which the words "and Tamil" were included in the original of the motion wherever the word "Sinhalese" occurred.* From his time onwards, indeed throughout his parliamentary career of 35 years, he was associated with implementation of language policy in its various permutations, from two official languages (1944-56) to Sinhala Only (1956-66) and the modification to the latter policy which simply

ensured that it was never implemented in the form in which it was presented to the electorate in 1955-56 and in which its more committed supporters insisted it should be implemented. The rhetoric was out of touch with the reality and while he preferred to conform to the reality he did not think it politic to proclaim too loudly the hollowness of the rhetoric. With the exception of the Sinhala Only bill of 1956 introduced at a time when he had lost his seat in Parliament, he either initiated or was associated with all the principal legislative landmarks in the evolution of Sri Lanka's language policy: the legislation of 1943-44, the regulations of 1966, the language clauses of the constitution of 1978, and finally in 1988 the 16th amendments to the 1978 constitution. It was an unusual association of a single individual with all but one of the laws on the island's controversial language policy. He watched it go full circle from 1956 through years of agitation, street demonstrations, acrimonious debates, back to the essence of his own pioneering legislation of 1943-44.

As the country's first finance minister after independence (1947-53), he began with a Keynesian flourish, but under the influence of advisers of more orthodox views he gradually became more orthodox himself, demonstrating little of the flair for bold departures from conventional modes of managing the economy that he was to show in the late 1970s and early 1980s as head of government. Indeed he had advocated similar measures in the mid-1960s but was unable to convince the then Prime Minister, Dudley Senanayake, of the need to adopt them in place of the conventional policies he resorted to. His most constructive achievement in institution-building as Minister of Finance was to establish a Central Bank. As leader of the House under Sir John Kotelawala (1953-56) he showed himself to be an able manager of government business in the legislature, and an imaginative Minister of Agriculture, following as he did quite consciously, in the footsteps of D.S.Senanayake in the quest for food security in a country much too dependent on imports for the bulk of its staple food.



His achievements in all these spheres of public policy were overshadowed by his two interventions on the international scene. The first of these was the important role he played in the diplomatic initiatives that led to the formation of what came to be known as the Colombo Plan technical and development assistance programmes, for the newly independent states of South Asia, and aspirants to independence status in South East Asia. The second was his rôle at the San Francisco peace conference at which he made a brief but impassioned plea for generous treatment to Japan. That speech earned him the admiration and gratitude of Japanese leaders (and simultaneously the contemporary hostility of Sri Lanka's Marxists, especially the Communists). In Japan this speech is still remembered with gratitude. Statues were erected in his honour in that country long before any would come up in Sri Lanka. It was singularly appropriate therefore that a Japanese element figured prominently at his funeral ceremony; a *bhikkhuni* from Japan who read a message from her temple broke down in tears, overcome by emotion. JR would have been deeply touched by that and would have heartily endorsed the decision to transfer some of the ashes of his mortal remains to Japan, symbolising the special relationship he had with that country from 1951 to the end of his life.

The third significant feature of his career from the time he became Finance Minister was his association with Dudley Senanayake who was Minister of Agriculture in his father's cabinet. The partnership with the younger Senanayake had begun in 1938 and continued for nearly three decades thereafter. Dudley Senanayake became Prime Minister on four occasions: on all of these J.R. Jayewardene campaigned indefatigably on his behalf. Their dissimilar qualities and personalities were mutually reinforcing, with his organisational skills and penchant for political strategy combining neatly with his colleague's mass appeal to make them a formidable political team. True, their personal ties had come under severe strain first in 1953, and occasionally thereafter as well, but

their recognition of the benefits of mutual dependence would revive the alliance beginning first of all in the aftermath of the UNP's crushing defeat at the general election of 1956.

#### The Fightback Artist

J.R. Jayewardene's greatest achievement during his brief spell in the political wilderness was to have ensured the survival of his party after the electoral rout it had suffered in 1956. The significance of what he did gains in magnitude from being an almost single-handed effort or at least one in which he had only minimum support, in the early stages, from his colleagues in the leadership, including Dudley Senanayake. That was the vital difference between his first essay in party organisation in 1938-45, and his second, in 1956-59. Without him the UNP would either have disintegrated or disappeared from the political scene, or survived as a congeries of fractious cliques - many of them merely fossilised remnants of one elitist family group or another. As it was, *his supple mind, and intellectual originality, the very qualities that rendered him most suspect to his erstwhile colleagues in the aftermath of the debacle of 1956, saw them through the most critical years for the party, the years following its first electoral defeat.*

Nothing he did during this brief period in the political wilderness was as controversial as the protest he organised in early October 1957 in the form of a walk from Colombo to Kandy in opposition to the Bandaranaike-Chelvanayakam pact. He viewed the latter as an ill-considered, hastily devised political manoeuvre that was not in the national interest. It provided him (JR) with an unexpected opportunity for a dramatic gesture of opposition that would bring the UNP back to public attention over an issue on which opinion was turning against the government.

Once the decision to organise the walk was announced, the government initiated a policy of intimidation to prevent the walk from taking place at all. When JR proceeded with it in defiance of these threats, groups of government supporters began to use violence against the participants as

they proceeded along the road to Kandy while the police, acting under instructions, refused to intervene, despite breaches of the law that took place in their presence. On the second day of their march, JR and his dwindling group found the road barred about 15 miles from Colombo at the village of Imbulgoda by a group of government supporters led by a government MP. Those who blocked the road refused to move aside and the police would not clear the way. An impasse had been created, and the government stepped in to impose a ban on the walk claiming that it had led to breaches of the peace. The rally in Kandy played out as a real anti-climax.

#### JR and the B-C Pact

*A myth grew up later on, that it was Jayewardene's protest in the form of a walk from Colombo that prevented Bandaranaike from implementing his pact with Chelvanayakam, the leader of the Federal Party. The fact is that the government had easily prevailed over JR and his band of UNP cadres who had struggled through less than a fifth of the distance they were scheduled to cover. Nearly nine months later Bandaranaike succumbed to pressure from within the ranks of his own supporters and publicly repudiated the pact, by tearing up a document which was either the original or a copy of the pact, as a signal of surrender to these forces. Nevertheless his Tamil critics preferred to blame JR rather than the more culpable Bandaranaike for this exercise in political capitulation and it took JR many years to build a working political relationship with Tamil political leaders, and even so the memory of that controversial walk - it was never much of a march - was not erased from their minds.*

At the time he returned to parliament in March 1960, the party had not really recovered from its defeat of 1956. When the general election of July 1960 went against it once more, many despaired for its future. In the early stages of the new parliamentary elected in July 1960 it did not seem to offer much of a challenge to the SLFP government. In association with Dudley Senanayake - and as the number two man in the UNP leadership



- he set about patiently restoring its morale and its zest for power, the *sine qua non* of political effectiveness for any political party. The government was seemingly impregnable in parliament, yet by December 1964 he had contrived its defeat there by cleverly exploiting the fears of some prominent - and increasingly disgruntled - SLFPers of the consequences to them and other political moderates and conservatives, from the coalition between the Sri Lanka Freedom Party and the Marxist left which had been negotiated in 1964.

At the general election of 1965, the UNP was once more a formidable political force, and was returned to power as the dominant core of a coalition government. J.R.Jayewardene was now back in his familiar role of second in command in the government, but within a year of his return to cabinet office differences of opinion on policy matters and the machinations of scheming individuals jealous of the cordial relationship between the Prime Minister and his deputy, eroded the trust between them, and J.R.Jayewardene lost his influence in the shaping of policy, thus weakening both the government and the party. He had little or no influence on the planning of the election campaign of 1970. At that election the defeat of the UNP was on a scale which bore comparison with that of 1956, with the one difference that he retained his parliamentary seat quite comfortably.

When a thoroughly demoralised Dudley Senanayake conceded the post of Leader of the Opposition in Parliament to J.R.Jayewardene in the aftermath of the electoral rout of 1970, it was by no means intended that the leadership of the party too would go with it. On the contrary Senanayake retained his hold on that latter post, and retained also his right to revert to the leadership of the opposition in Parliament, at a time of his own choosing.

There followed two years of struggle between the two for control of the party which eventually led, in 1972, to an attempt to expel Jayewardene from membership. This he foiled by

resort to legal action, and just when the conflict seemed to move to its denouement - his expulsion - a reconciliation was effected. Jayewardene took over as one of the Joint Secretaries of the party, intent once more on a revamping of its organisation, a restoration of its morale and financial strength, and a drastic change in its style of operation. He had hardly commenced work on this when the sudden death of Dudley Senanayake gave him the leadership of the party, at last, and with that the opportunity to remould it to his heart's desire. While few individuals had done more to sustain the spirits of the party, to keep its machinery in good order and its morale high during its years in the wilderness than he, yet till the leadership of the party came to him in April 1973, few people with the UNP had thought of him as the man almost likely to lead them to success in those difficult times. *As the years slipped inexorably by, his chances of succeeding to the leadership appeared to others to have gone inexorably away. He was six years older than Dudley Senanayake. His friends within the party, his critics in it as well as in the ranks of the opposing parties all conceded one point: he was the master strategist of the party, a man of bold and original vision, of courage, foresight and enterprise. But they all felt he lacked the common touch' that he could not move the people by his cold, cerebral, analytical and unemotional speeches; he could not get them to follow him as the Senanayakes had been able to do. They preferred to see him as the perennial number two who would hold that position as party leaders came and went.*

#### The Time of Testing

This accounted for the magnitude of the problems he forced and the peculiar difficulties of his predicament as he sought to consolidate his hold on the party and to prepare it for the political struggles ahead. *He was yet to be tested in the role of party leader, and the testing came soon enough in the form of tremendous and relentless pressure from the government of the day. Believing that the Death of Dudley Senanayake had removed the one*

*popular figure with a national appeal the UNP had, they moved in to dislodge the UNP's new leader in the hope that the ensuing struggle for the leadership would destroy the party.*

With a united and rejuvenated party behind him, JR seized the opportunity provided by the collapse of the government's economic policies to begin an extra parliamentary agitation against them, a peaceful campaign of protest which he deliberately called a *satyagraha*. The proven success of the first *satyagraha* convinced even those with the party who had doubts about JR's agitational techniques that they could bring results. More such mass campaigns were organised. The government resorted to the systematic use of force against the UNP's *satyagraha* campaign in the hope that it would deter JR. It did not. Instead he announced an island-wide set of protest meetings, at which point Mrs.Bandaranaike panicked into using emergency powers to ban the meetings, and also the unprecedented step of a ban on public meetings of the UNP for almost a year from the middle of 1974. This was followed by a succession of massive political demonstrations organised by the government with the dual purpose of reassuring its supporters about its continued electoral popularity and strength, and intimidating and demoralising its opponents. For the moment at least it succeeded in both these objectives.

This enforced period of political inactivity gave J.R.Jayewardene more time than he would normally have had to reflect on his own political strategy for the future. To those who saw him at Braemar at that time - and there were precious few chose to do that - his message was clear. The government would be defeated at the next general election as surely as night follows day. As for the next few years of its parliamentary life, he foresaw the end of the coalition, the SLFP and the Marxist left; both sides were growing tired of each other, and each believed that separation would strengthen them for the future. He also foresaw a weakening of the government from the conflicting political ambitions of the . He broadened its political base by



Contd from page 10

without making any effort to track down the assassins" (p.25). There can be two explanations for this: Either this behaviour (like Rajendran's) was due to a combination of inefficiency and human weakness (after all it is not every day that the most popular film star of the country who also happens to be an extremely charismatic and controversial political leader gets assassinated); or "all the police officers involved in the investigation" were part and parcel of the Conspiracy, like Rajandran.

- 3) The conduct of police officers Sherifdeen and I.P.Thuraisinham (O.I.C. of the C.D.B. unit of the Kirulapone police station). These two did not "make any attempt to search for the motor cycle within their own police area, although it would have been obvious to them that the assassins who were armed with an automatic rifle would not have gone far on a motor cycle which was easily identifiable. The buck was conveniently passed to neighbouring police stations" (p.25). Either a bona fide act of commission due to the nature of the crime or these two were also part of the Conspiracy. (Interestingly Sherifdeen was transferred out of the area later. According to his superior officers, this was because his work was not satisfactory; but according to Sherifdeen he was transferred because he showed a 'lot of interest of going to the bottom of it' i.e. assassination (p.27). Now what was Sherifdeen? A diligent police officer determined to uncover the truth? Or a conspirator who deliberately allowed the assassins to get away?. (A bit confusing, that). The Report is not very clear on this point - page 27 favours the former point of view while page 25 indicates the latter.

What is the conclusion of the Commission concerning those and other innumerable 'lapses' on the part of the police officers investigating the assassination of Vijaya Kumaratunga? "The many lapses admitted by senior

police officers from the Inspector General of Police downwards who have had decades of experience in criminal investigations and prosecutions cannot possibly be accounted for as mere errancy. The pattern of events as disclosed in the evidence is more consistent with the work of a *guiding hand* which firmly laid down the line, that there should be no prosecution in the case, and that no opportunity should be left open for any disclosures in court" (p.36) (Italics mine).

Since the 'errancy' commenced from the moment of the first complaint being made, all police officers involved in the case since then (big and small) must have acted under the orders of this mysterious '*guiding hand*' i.e. they would have been part of the conspiracy. (After all according to the Report none of the officers involved in the investigation behaved in a satisfactory manner - or rather a manner deemed satisfactorily by the Commission). This means:

- 1) The mysterious '*guiding hand*' must have ordered not just P.C.Rajendran but all officers of the Kirillapone Police Station in advance not to act diligently in catching the assassins, in the event of Vijaya Kumaratunga being murdered.
- 2) All the numerous police officers - who instead of pursuing the assassins went in the opposite direction to Vijaya's house allowing the assassins to escape - would also have been told to do so *in advance!*

What we are left with is a scenario in which several hundred police officers (big and small) were informed by the '*guiding hand*' either before or immediately after the assassination that they must not act diligently in catching the assassins of Vijaya Kumaratunga. A mind boggling scenario indeed! One wonders how it was done? Through word of mouth? Or through Circulars? What was the chain of command? And all this without a word of it getting out! Not a mean feat especially in Sri Lanka. *Even now, with a different government in office, not a single officer has come*

*forward to confess as to how this wholesale 'errancy' was orchestrated.* (May be it was through some kind of collective hypnotism?). According to the conspiracy theory *hundreds of police officers should have been in the know that they must allow Vijaya's assassins to get away.* And this conspiracy theory is hard to be a more likely explanation than mere human weaknesses such as inefficiency and incompetence, particularly at a time of extreme crisis and shock.

Now we come to the all important question of the '*guiding hand*'. Whose was it? According to the (non specific) findings of the Commission, the '*guiding hand*' would have been either Mr.Premadasa's or Mr.Wijeratne's. but Mr.Premadasa was only the Prime Minister at that time, (a Prime Minister without any executive powers); he was not even the Presidential candidate. The police department did not take orders from him. It is impossible that he could have deliberately misguided the entire investigation ( a process requiring the complicity of hundreds of police officers from top to bottom) under the very noses of the Minister and the State Minister for Defence - without them knowing anything about it. As for Mr. Wijeratne, he was not even a Cabinet Minister and the possibility that his would have been the '*guiding hand*' is even more far fetched .

Incidentally, the Report seems to look with suspicion at the fact that Minister Ranjan Wijeratne visited Vijaya's assassin Lionel Ranasinghe at the Slave Island Police Station and subsequently ordered him to be transferred to the care of the CID: "We cannot comprehend any reason that could have possibly prompted a Cabinet Minister to take this unusual step of interrogating a dangerous criminal. The law does not provide for such an interrogation" (p.40). How about natural, very human curiosity? After all, this was the man supposedly responsible not only for the assassination of Vijaya Kumaratunga but also for the assassination of a number of top UNPers including Ranjan's predecessor as the General Secretary of the UNP. Is it then so incomprehensible, Ranjan showing an



interest in this veritable killing machine and wanting to visit him? (Let us not forget how the country was recently entertained by the sight of not just the Minister of Tourism but a number of other P.A. Cabinet members, who had no business to do so, flocking round Miss World! Such is human weakness). Whether this can be considered as evidence against him, well, we ask our readers to be the judge. As for Mr. Wijeratne transferring the suspect into the custody of the CID, well that is where top criminal suspects are normally sent, isn't it?

### The Categorisation : The Honourable Men vs. the Liars.

It would be most instructive to see who the Commission believed and who it disbelieved.

#### Who the Commission believed - an incomplete list.

- i) K.K. Sarath Kumara - a family friend of the main accomplice of the Vijaya assassination, Tarzan Weerasinghe.
- ii) Susantha Dias Dahanayake - a JVP suspect arrested by the CID in connection with the assassination of SP Terence Perera and the Digane Peoples Bank robbery.
- iii) W. Wilmot Silva } - Suspected criminals detained by the CID
- iv) W.K. Amarasekare }
- v) I.P. Piyasena - a Police officer involved in the investigation into the assassination of Vijaya Kumaratunga.
- vi) W. Leelawathie Silva - The sister of Tarzan Weerasinghe, (the main accomplice in the Vijaya assassination).
- vii) Felix Perera - P.A. Parliamentarian, a former associate of Mr. Vijaya Kumaratunga.

#### Who the Commission didn't believe : An incomplete list

- i) Senior Superintendent of Police Opatha K. Hemachandra - Currently Director, CID

ii) M.A.J. Mendis - Additional Govt. Analyst - (Having compared the spent cartridges found at the scene of Vijaya's assassination as well as the ones found near the scenes of assassination of Terrence Perera and Harsha Abeywardena, Mr. Mendis expressed the view that the same weapon was used in all three crimes - a conclusion the Commission refused to accept: 'However, we did not have any evidence as to the recovery and custody of the spent cartridges at the said scenes of shooting. In the absence of such evidence, we cannot draw any inference *solely on the evidence of the Government Analyst* who only carried out microscopic examinations' (p.22) (emphasis mine).

- iii) Chandra Jayawardena - former Director, CID
- iv) Nimal Chandra Wakishta - Inspector of Police, CID
- v) Frank Silva - Former IGP

## **SECTION II WHAT WASN'T INVESTIGATED**

### The JVP Factor

One name that doesn't figure prominently in the Vijaya Commission Report is that of the JVP. No wonder. After all, the Report concludes that the JVP had no hand in the Vijaya assassination and in fact had no reason, no motive to kill Vijaya! Let's take a brief look at the reasons offered in the Report to justify this conclusion.

- 1) "That the assassin and his main accomplice had no motive on their own for the assassination" (p.62).

This line of inquiry i.e. looking for *personal* motives, would have been both appropriate and necessary had the crime under investigation been a *non-political crime*, particularly a crime *passional*. The assassination of Vijaya Kumaratunga was a political crime. It can be compared with political assassinations throughout history from the killing of Julius Caesar right upto the recent assassinations of Yitzhak

What we are left with is a scenario in which several hundred police officers (big and small) were informed by the '*guiding hand*' either before or immediately after the assassination that they must not act diligently in catching the assassins of Vijaya Kumaratunga. A mind boggling scenario indeed! One wonders how it was done? Through word of mouth? Or through Circulars? What was the chain of command? And all this without a word of it getting out! Not a mean feat especially in Sri Lanka. *Even now, with a different government in office, not a single officer has come forward to confess as to how this wholesale 'errancy' was orchestrated. (May be it was through some kind of collective hypnotism?).*



Rabin of Israel. In none of these cases was the assassin motivated by *personal* factors and as far as we know the investigators of these assassinations did not look for the *personal* motives of the assassin since it was taken as axiomatic that, considering the essential nature of the crime, the motives would be *political and not personal*. Therefore, the premise stated in the Report that the suspects had no personal motives for this assassination cannot but be dismissed as totally irrelevant to the matter at hand. The assassins killed Vijaya for political reasons, acting under the orders of their political leaders. It has been proven beyond reasonable doubt that both Lionel Ranasinghe and Tarzan Weerasinghe were active, full time members of the JVP. Even the Report admits this. Lionel Ranasinghe in his statement to the CID stated how he was even sent for arms training by the JVP. He also stated that the order to kill Vijaya come from the JVP. The Report however refuses to believe the admission of the killer and busied itself with finding 'evidence' to prove that the order came from President Premadasa and Minister Wijeratne.

- 2) The Commission also seems to think that the other accomplices to the assassination did not have a motive of their own for the assassination. "Pala worked as a door winder mechanic and Srikantha was his assistant. Of the other two persons, Anto was a bartender at the Ceylon Hotel Intercontinental and Dharmadasa sold joss sticks for a living. It is clear that none of these persons had any kind of personal or political rivalry with Vijaya. In fact these persons belong to the working class, who have suffered for generations, and whose cause Vijaya so passionately advocated, as vividly seen from his letter to the infant son written from prison" (p.57).

Even the Commission admits that W.M.Dhanapala alias Pala, Thuraisamy, Srikantha and A.A.Dharmasena "being all persons having links with the Janatha Vimukthi Peramuna"

(P.66). That then was their motive for helping in the assassination. Vijaya belonged to a rival political organisation considered by the JVP to be its enemy (the evidence of this will be stated shortly). As for as the argument that they all belonged to the working class whose cause Vijaya espoused and therefore they could not have had any motive for killing Vijaya, - well one wonders about the late Mr.A.Amirthalingam, one time leader of the TULF. He campaigned for the rights of the Tamil people all his life but was gunned down by some *Tamil* youths - because they were ordered to do so by the organisation they belonged to, the Liberation Tigers of *Tamil* Eelam. Going by the Report's logic, no Tamil could have had a reason or motive for killing Mr.Amirthalingam.

- 3) Though the assassin and his main accomplice were active, full time members of the JVP, the Report concludes: "they had links with the JVP. We have no evidence of the extent of their involvement with the JVP. At the time they committed the assassination, they were fugitives from justice, having escaped from the custody of prison officials" (p.65).

The assassin in his own statement gives clear evidence concerning his *extremely close involvement* with the JVP. The assassin, Lionel Ranasinghe was a JVP fulltimer. In mid December 1986 he was sent for military training at a JVP camp in Bambarakanda. This involved physical exercises, training in the use of fire arms, grenades etc. as well as political indoctrination. In late March 1987 he was sent for advance training to a JVP camp in the Siripada Jungle. The training lasted for five days. Subsequently he took part in JVP organised armed attacks on army camps. It is true that at the time of the assassination, Ranasinghe was a fugitive from justice (having escaped police custody in a rescue operation organised by the JVP); but neither he nor Tarzan Weerasinghe were

on their own. Lionel Ranasinghe's (the assassin) own statement clearly states that the JVP was providing them with hiding places (safe houses), money, contacts and orders right upto Vijaya's assassination and beyond.

The JVP is hardly in out of the picture. Though extensive mention is made of Vijaya's rivalry with the UNP, there is no mention whatsoever of his extremely hostile relations with the SLFP (dealt with earlier in this piece) and the JVP. Mr.Y.P.de Silva's (currently the leader of the SLMP and PA National list member) testimony that Vijaya opposed the proscription of the JVP is used to prove that there was no antagonism between Vijaya and the JVP and this is emphasised several times in the Report. It is interesting that Mr.Y.P.de Silva omitted to mention that Vijaya campaigned for the removal of the proscription of the JVP *before* the JVP shifted to a virulently racist and anti devolution line on the ethnic question and *long before* the JVP started killing rival leftists. Mr.D.E.W.Gunasekera former CP Parliamentarian and currently the Chairman of the Rupavahini put things in proper perspective when he made the following statement in the parliament after Vijaya's assassination: "Vijaya Kumaratunga on many occasions picketed and leafleted demanding the lifting of the proscription of the JVP. He took part in numerous meetings making the same demand. It was such a man that the JVP killed"(Honsard). One more interesting point. The aforementioned Mr.Y.P.de Silva believed, not so long ago, that the JVP was responsible for Vijaya's assassination and said so publicly, many times. Here is just one case in point "The assassination of Vijaya Kumaratunga by the JVP murderers was the greatest loss to our party which can never be overcome". (Statement issued to the souvenir to commemorate the sixth anniversary of the founding of the SLMP - 28.01.1990). But of course that was before Mr.Y.P.de Silva became *Hon.Y.P.de Silva*, a Member of Parliament on the PA National List.

The impression conveyed is that Vijaya and the JVP had no problems with



each other; that Vijaya was not anti JVP while the JVP was not anti Vijaya. The various arguments used to justify this hypothesis makes fascinating reading. Here is one example:

'Although Vijaya supported the 13th amendment and the devolution of power he was firmly opposed to the induction of Indian troops' (p.59). the inference is that the anti India/IPKF JVP therefore had no reason to oppose Vijaya. Interestingly enough this observation seems to contradict an earlier observation made at the beginning of the Report : 'Vijaya took a specific stand in support of the Accord, subject to certain reservations. He was of the view that *the induction of Indian troops was not adverse to national interest*, since it averted a full scale invasion by India. But he took a specific stand that Sri Lanka should not acquire the status of a region or state of the Republic of India and he was opposed to the merger of the Northern and eastern provinces' (p.12) (Italics mine). In other words Vijaya was opposed to Sri Lanka becoming an appendage of India; he was opposed to the merger of North East; but he *wasn't* opposed to the presence of the IPKF. And therefore the JVP had ample reason to oppose Vijaya, which is just what they did.

### Vijaya and the JVP

How did Vijaya perceive the JVP and how did the JVP perceive Vijaya? In order to answer this question, it's necessary to briefly reconstruct the post July 83 political situation and the role played by Vijaya in it.

The post July 83 context was one in which there was increasing polarisation between those who supported (sometimes, albeit vacillations) a political solution to the ethnic problem and those who opposed such a political solution. The newly formed SLMP under Vijaya's leadership began to take an increasingly vocal and strident stand in favour of a political solution to the ethnic problem based on devolution. Some of the steps taken by Vijaya to bring about peace and reconciliation are duly recorded in the Report. However the Report fails to mention that Vijaya's support for peace and a

political solution meant increasing estrangement from both the SLFP and JVP.

By 1985, the polarisation along pro/anti devolution lines was complete. In 1986 Vijaya wrote to the government that an all parties conference be convened to discuss a political solution to the ethnic problem. The Political Parties Conference (P.P.C.) of 1986 was the result of this request. Vijaya's enthusiastic participation in the PPC (which incidentally was boycotted by the SLFP) made the hysterically anti-devolution SLFP and JVP attack him with increasing venom. In the same year, the SLMP under the leadership of Vijaya launched a public campaign in support of peace, a political solution and devolution. The JVP responded by violently bombing several of the SLMP meetings starting with the meeting in Panadura on Aug 24th 1986. This was followed by attacks on SLMP meetings in Mt.Lavinia and Negombo and the bombing of Vijaya's Kynsey Rd residence. (Interestingly enough the Report makes reference to some of these attacks without however even mentioning the JVP and in such away as to convey the impressions that the UNP - and specifically President J.R. Jayewardene - may have been behind these attacks) (page 4).

The terror campaign launched by the JVP against the UNP and those leftists supporting devolution intensified in the post Accord Period. All those who supported the Accord and the Provincial Councils were branded traitors and deserving death. All the while the SLFP and the MEP were supporting the JVP at the political level, defending it publicly. In November 1987, the JVP resumed it's campaign of murder (after a brief lull) with the assassination of Nandana Marasinghe. Marasinghe was a hero of the '71 uprising who subsequently left the JVP and was at that time engaged in an anti-war campaign in his home town of Anuradhapura. Vijaya not only attended the funeral but also delivered a scathing attack on the JVP, accusing the killers by name. It would be correct to say that Nandana Marasinghe's funeral marked the beginning of the final stage of Vijaya's political life. During the next few months, Vijaya's

attentions and efforts were focused on fulfilling two tasks: the anti JVP struggle and the forming of the United Socialist Alliance which was to be a third force in Lankan politics, a socialist alternative to both the UNP and the SLFP. At a time when the JVP called the tune in southern politics with their letters of warnings and death threats, Vijaya came out against the JVP openly and unequivocally. Not only did he assume the leadership of the anti-JVP struggle; he gave it a meaning and a positive sense of direction. Vijaya was most dangerous to the JVP because he provided an alternative to the JVP-radical but humane, pro-people without being populist. Vijaya was dangerous and he had to be stopped, fast.

That the JVP regarded Vijaya to be a major threat was made clear in numerous JVP statements, audio cassettes and leaflets. For instance take this parliamentary speech of former MP (and currently Chairman, Rupavahini) Mr. D.E.W. Gunasekera : "Listen to the last cassette of the JVP, Rohana Wijeweera. The name is mentioned in the last cassette. It says that Vijaya Kumaratunga, Colvin R de Silva, Vasudeva Nanayakkara and K.P. Silva are traitors who should be punished. I told Mr.Vijaya Kumaratunga and Mrs. Chandrika Kumaratunga about the situation 9 months ago..... Why was this person killed? Because his face was beautiful and the other person's face is ugly? Or was it because he was a prominent youth leader? No. because of the accord which was going to be signed on the 21st " (i.e. the formation of the USA).

It is an open secret that Mr. Kumaratunga received a number of death threats from the JVP. This was stated by his mother, Mrs Clara Beatrice Kumaratunga in her first letter to the Vijaya Commission. Mrs.Kumaratunga said "I know full well that there were JVP death threats against my son when he was alive. He also got letters threatening to kill him". (It should be borne in mind that Vijaya was extremely close to his mother and that his mother sometimes used to open letters sent to Vijaya). The fact that Vijaya had received death threats was revealed in the investigation into



the assassination (under the Presidency of Mr. Jayewardene): (Police) "Sources added that the late Mr Kumaratunga had been receiving a series of threatening letters. The Counter Subversive Unit too was aware of these letter, sources added". (The Island 18.2.88).

One cannot but wonder why this angle was almost totally ignored. There was no attempt to ascertain whether Vijaya received any death threats from the JVP. There was no attempt to study the JVP documents of that period (including the aforementioned cassette by the JVP leader Rohana Wijeweera) in order to come to a correct understanding of what the JVP felt about Vijaya. Instead, it was decided that the JVP had no problems whatsoever with Vijaya. *Intent upon erasing the JVP out of the equation, the statement of the assassin which contained explicit details as to the extremely serious political problems the JVP had with Vijaya was pooh-pooed. According to Lionel Ranasinghe's statement the JVP ordered the killing of Vijaya because :*

- 1) Vijaya's support for the Accord.
- 2) His increasing popularity amongst the youth.
- 3) The forming of the USA.
- 4) That his supporters were getting weapons training from EPRLF and PLOTE cadres.

The Report refused to give these any credence. Listen to what it has to say on this score: "At this time, the JVP had gone underground pursuant to the proscription and was not engaged in open politics. Therefore, Vijaya's popularity with the youth and formation of the USA would not be a threat to the JVP..... The last reason that EPRLF and PLOTE cadres were training Vijaya's supporters who could be a threat to the JVP was baseless. Whilst we are mindful of the fact that reasons attributed to murderers and subversives need not be rational, we have to note *that the reasons contained in Lionel's statement, do not bear any kind of scrutiny*" (p.59) (Italics Mine).

If the reasons contained in Lionel's (the assassin) statement 'do not bear any kind of scrutiny', how about the

following statement?

"Is Vijaya Kumaratunga obtaining weapons to kill JR? To kill CIA agents? Now there's no need to further explain that as we exposed some time ago, the USA Front has got together with Eelam terrorists of EPRLF and PLOTE and are bringing weapons to Colombo and other parts of Sri Lanka and that the USA front is obtaining JR's weapons and weapons training for it's allies against the people.

Today this USA Front has united with EPRLF and PLOTE terrorists and have declared that *they are going to destroy the JVP, progressives and all anti UNP individuals and institutions.* We pledge that we will not anyway allow the killing of people and the destruction of anti-UNP elements either through unity with EPRLF and PLOTE terrorists or by obtaining weapons and weapons training from JR. We pledge that *we will sweep away these reactionaries together with the UNP from the face of the earth...*

Vijaya Kumaratunga was a cats paw for the LTTE, EPRLF, PLOTE terrorists in their efforts to create a favourable opinion in the rest of Sri Lanka apart from the North East. Some of these terrorist organisations are cats paws of American imperialism. Some are cat's paws of Indian imperialism. Vijaya Kumaratunga who was a cat's paw of these murderous organisations, did not condemn the killing of unarmed Sinhala Tamil, Muslim and Burgher civilians and their children by Eelamists in Pettah, and the CTO, North and East and other areas. Instead *what he did was to approve Eelam and go to North.* It need not be said that if he didn't approve Eelam he would not have been able to go to North like other anti-Eelamists. Vijaya who was a puppet of film directors was also *a puppet of Indian imperialism, American imperialism, JR Jayewardene and Eelamists*".

Any guesses as to where this harangue is from? *The official leaflet issued by*

*Why were all the above mentioned pieces of evidence implicating the JVP in the Vijaya assassination ignored - particularly various anti JVP statements by Vijaya and anti Vijaya statements by the JVP? Why was the leaflet issued by the JVP's military wing, the DJV, proudly claiming responsibility for Vijaya's assassination and justifying it ignored?*

No lawyers defending the interests of President Premadasa or Minister Wijeratne were allowed to appear. Therefore those individuals who made fantastic charges against Messrs Premadasa and Wijeratne (such as Dahanayake and Felix Perera) were not cross examined in any way and even their most outrageous accusations seem to have been accepted at face value. It should also be stated that President Chandrika Bandaranaike Kumaratunga, the appointing authority of the Commission, told an Indian newspaper that Vijaya was killed by the UNP, while the Commission was in session.



the JVP under its own name on Feb.21,1988 - i.e. on the day of Vijaya's funeral. Would the Commission consider this leaflet as being capable of bearing 'any kind of scrutiny'?

This leaflet by the JVP clearly sets out why Vijaya became a problem and a threat and to the JVP:

- 1) He was supporting Eelam.
- 2) He was a cat's paw of Indian imperialism.
- 3) He was a cat's paw of US imperialism.
- 4) The USA was bringing weapons into Colombo with the help of PLOTE and EPRLF.
- 5) The USA was obtaining weapons and training from the UNP.
- 6) The USA and Vijaya have pledged to eliminate the JVP and all progressive and anti UNP elements.

In other words the contents of the official JVP leaflet correspond to the factors mentioned by the assassin Lionel Ranasinghe, (in his statement) as being behind the JVP's decision to kill Vijaya.

There are other equally important pieces of evidence clearly and explicitly indicating the JVP's responsibility for the assassination.

- 1) On the day of Vijaya's funeral, the military wing of the JVP, the DJV, issued a leaflet under the title "Why was Vijaya despatched?". The reasons given were Vijaya's support for the Accord, the IPKF and the Provincial Councils. He was also accused of propping up the UNP and training a 600 strong Army to attack the JVP. We must also bear in mind that at the time, and as long as Wijeweera lived, the JVP never denied killing Vijaya Kumaratunga, which it could have done very easily given that all newspapers published their statements, they had an Islandwide poster pasting capacity, plus their own radio station. Given also the manifest public outrage at the crime, denying it would have been the obvious response of any political

entity or individual innocent of the crime.

- 2) Evidence concerning the JVP's involvement in the assassination of Mr Vijaya Kumaratunga provided by the then Minister of National Security, Mr Lalith Athulathmudali, in a statement in Parliament. In reply to a question, he stated that the JVP lawyer, Mr Wijedasa Liyanarachchi, who died while in police custody was involved in Mr Kumaratunga's assassination.

"What happened was that when the Secretary/Defence was made aware by Mr Ranjith Abeysuriya or Mr H.L. de Silva, or by both that Mr Wijedasa Liyanarachchi had been arrested, the Secretary Defence made inquiries and traced him to the Tangalle Police Station .....

"Since the Hon. Member for Akmeemana raised the question of the confession which he himself says that Liyanarachchi made, I am constrained to state that the confessions which Liyanarachchi made where he admitted that he had only the confirmation of suspicion upon which the Police appear to have acted" (Hansard, 6.9.88).

- 3) The team investigating Mr Kumaratunga's assassination discovered only a few days after the incident that the "T56 rifle used to kill the Chief organiser of the SLMP, Mr Vijaya Kumaratunga, was one of the weapons removed from the Kotalawela defence Academy in Ratmalana, last year... The same rifle, Senior Police sources said, figured in the killing of CSD DIG Terence Perera and UNP Chairman Harsha Abeywardena. Armed youths who stormed the Kotalawela Military Academy on June 5 last year got away with a large haul of sophisticated weapons. Among the arms removed were 6 T56 rifles" (Island 20.2.88).

Strangely enough none of these factors, which clearly has a bearing on the assassination of Vijaya, has been taken into account. It would be most

interesting to discover why due attention was not paid to these factors.

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Did the Report get it right or did it get it wrong? Did the Commission manage to find out who killed Vijaya and why? If the Commission failed in this task, let the public decide.

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## PERSONAL REMINISCENCE

# JR: EDUCATING THE EDUCATORS

Dr. Stanley Kalpage

## Flashback: Kelaniya, 1956

J.R. Jayewardene, defeated UNP candidate at the parliamentary general elections of April 1956, in a way prompted me to join and work with the United National Party. I was among the large crowd at the Colombo Kachcheri waiting for the announcement of the result of the election to the Kelaniya seat. The result, on the last day of the staggered elections, was a foregone conclusion - but the margin of defeat was unexpected. JR was trounced.

The crowd roared its welcome as the victor, JR's cousin R.G. Senanayake, emerged from the Kachcheri and was profusely garlanded. After some minutes, JR came out alone and got into his car. There was no one to garland him and he was received with derisive hoots and jeers. And yet, what amazed me was that he was smiling broadly and waved to the hostile crowd. Triumph and Disaster - JR knew how to treat those two impostors just the same. That was then I decided that a party with leaders like JR, was worth working for. And so began my close association, now more than forty years, with the UNP.

However, initially I was closer to Dudley Senanayake than to JR Jayewardene. During the Bandarawela bye-election

campaign of November 1966, when differences between the two leaders was evident and indeed throughout my career in the Senate from 1965-71, my allegiance was to the then party leader Dudley Senanayake. And Dudley, whatever his differences with JR, always advised me to work closely with JR.

With Dudley Senanayake's untimely and sudden death in April 1973, J.R. Jayewardene assumed leadership of the UNP. Once again, as in 1956, he re-organised a defeated political party with patience and fortitude. On the eve of the parliamentary general election of July 1977, JR invited me to join him in the grand adventure of building a new Sri Lanka out of the disastrous legacy that had been bequeathed to him. I returned from an academic assignment abroad and threw myself heartily into the election campaign, which JR directed with such masterly skill.

## **Re-organisation of the Universities.**

With my experience as a university professor in agriculture, I had in mind an appointment in the field of agriculture. But when I met the Leader of the UNP on 23 July 1977 on the morrow of his unprecedented parliamentary election victory, he said that he had other ideas for me. He

wanted me to help him in re-organising the university sector which was then in complete disarray.

JRJ asked me to function as chairman-designate of the University Grants Commission (UGC) which he intended to set up for the first time in this country. I proceeded immediately to get together a few eminent educationists as members-designate of the UGC and to have extensive discussions with all relevant sections of the university system - academics and administrators, university staff, students, trade unions and educationists. These wide-ranging discussions helped in formulating the new structure of the university system. And much of what we proposed JR accepted. Thus was born the Universities Act No. 16 of 1978, which is even today, with only minor amendments, the legal framework under which the universities function.

In March 1978, President J.R. Jayewardene created a new Ministry of Higher Education and asked me to function as its Permanent Secretary, in addition to my duties as Chairman UGC. Education, including Higher Education was then in charge of Minister Nissanka Wijeratne. Less than one year later, in February 1979, JRJ took Higher Education under his wing and from then onwards, for more than ten years. I worked closely with the President establishing a new university system, extending and improving technical education, and building the many institutions in our system of higher education. The system functioned well until the second JVP insurrection of 1987-89 when the universities, like the rest of the country, were thrown into turmoil.

## Disciplined and Considerate

The ten years during which I functioned as the Secretary, Ministry of Higher Education, and Chairman University Grants Commission, were some of the happiest and most rewarding years of my life. President Jayewardene was an ideal Minister to work with. He was always kind and understanding. Generous to fault, he was keen that those who worked with him were well treated.



President Jayewardene demanded the highest discipline from those who worked with him, but unlike many others, he set exemplary standards himself. He asked me to meet him every Thursday morning. This was a routine for nearly ten years, with exceptions only when other more urgent appointments intervened, and such occasions were few and far between.

At my first official meeting with my Minister, after assuming duties as secretary directly under the president, I sat in an ante-room waiting to be called in. Some ambassadors were paying courtesy calls on the President on this particular morning and, on being called to the President's room about 45 minutes late, President Jayewardene stood up, greeted me and apologised saying, "Doctor, I am sorry. *This will not happen again*". After that, if the President was likely to be otherwise engaged, he would himself telephone me and fix another date for a meeting.

There were numerous special meetings to discuss certain issues at greater length. The President would telephone me and ask, "*Kalpaga, what are you doing?*" And if I said, "*Sir I am at a meeting with the UGC*", he would reply, "*All right don't interrupt that, but could you meet me at Ward Place this evening?*" And then, invariably, he would proceed to ask, "*Do you have transport? Shall I send you a car?*" President Jayewardene was always so considerate, so sensitive to the feelings of others.

### JRJ's Mistakes

The President's ability to grasp the intricacies of the most complex problem was amazing. He sized up a situation immediately and gave his order. Of course, once he had made up his mind, little could persuade him to change course. I pointed out that the decision to have a referendum instead of a general election in 1982, was not likely to bring him any credit. He then explained to me at length that the intelligence reports he was receiving indicated an attempt to grab power by violent means. I do not know

whether this was correct. Months later, I reminded the President of what I had told him. He smiled and said, "*Yes, I remember your telling me that months ago*". I thought he realised that he had made a mistake. There were other decisions with which I did not agree. *The decision not to provide hostel facilities to university students on the assumption that, like in western countries, they would be able to find lodging among the people of the area, was an idea that he was firm about. Unfortunately, in a country like Sri Lanka, this would not work and much of the trouble in the universities was caused by a lack of suitable hostel accommodation for students.*

### JR at 90

The President's generosity was notable. He used the President's Fund to help those who were in need, without any political or other distinction. The daughter of a friend of mine had passed the Oxford University admission examination but did not have the funds to pursue her studies in that famous seat of learning. I was told of this and also of my friend's close connection with a communist party leader. At one of my routine weekly meetings, I mentioned the case to the President and told him also of the political leanings of the party concerned. "*That is of no consequence. Bring them to see me*" the President said. He received the visitors most cordially and after listening to the student's problem, directed his Secretary to provide the funds needed! That was not an isolated incident.

President Jayewardene was objective and fair in his assessment of situations. My Minister shielded me from the hostile criticisms of ministers and members of parliamentary who sometimes wanted me to bend the rules. Whenever I explained to the President the impossibility of acceding to their demands, he merely told me to do what I thought was correct. Naturally, I did so and earned the hostility of many influential members of the UNP. The President was incorruptible and he never once asked me to compromise on what was right.

Calling on President Jayewardene on his ninetieth birthday to felicitate him, I was struck by the gratitude that the Japanese showed our former leader. A group of six Japanese led by bhikkuni Dr. Tanaka, had arrived in Colombo on the previous evening. They called on the President carrying an enormous chocolate cake, sang "happy birthday to you, dear President" and then showered gifts on him and his family. "*You know*", a misty-eyed President told me, "*the Japanese are unique in their gratitude to those who have helped them. During the immediate post-war days, the Americans did not allow any Japanese to meet us at the hotel where we stayed. We met them and spoke with them on the pavements outside*". JR too showed his gratitude to those who stood by him.

The J.R. Jayewardene that I worked with for eleven years was an extraordinary human being - human, decisive, gentle, generous, and kind. I would not have wanted to spend those eleven years anywhere else with any other leader.

### Contd from page 14

enlisting the support of important caste groups which had hitherto been neglected or alienated by the Prime Minister's children. From April 1973 until the general election of July 1977 at which he led the party to an electoral victory as epoch-making as Bandaranaike's had been in 1956, he entirely rebuilt the party. He drew upon many long-time party stalwarts, but also enlisted the support of able young men to whom he gave positions of influence. He broadened its political base by enlisting the support of important caste groups which had hitherto been neglected or alienated by the UNP's leadership and were therefore either suspicious of the party or hostile to it; and he mobilised the talents of many professionals who up till then had sat on the political sidelines.

To be Continued. Next : JR in '77 And After

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