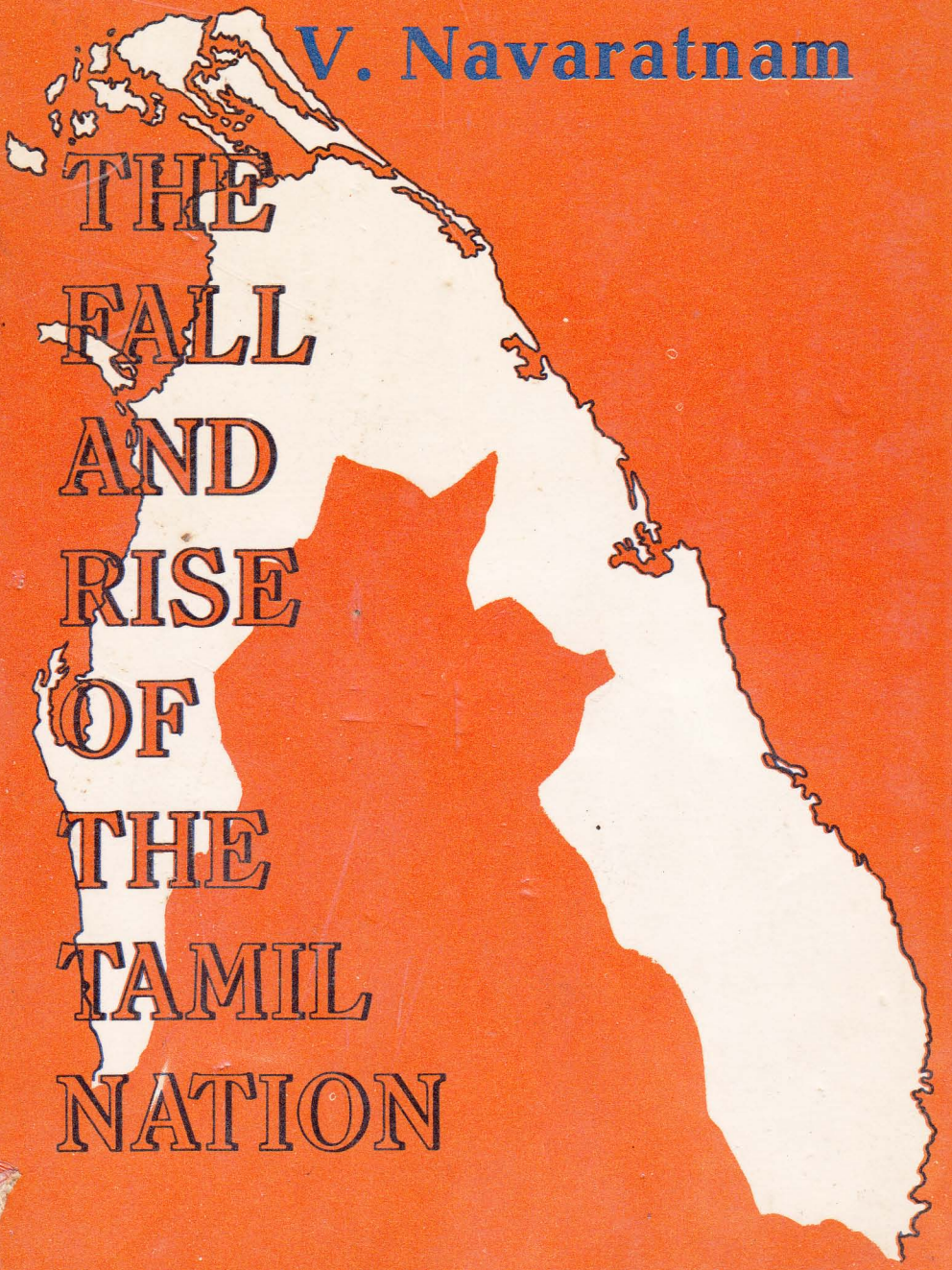
V. Navaratnam

THE FALL AND RISE OF THE TAMIL NATION



THE FALL AND RISE OF THE

TAMIL NATION

EVENTS LEADING TO THE
TAMIL WAR OF INDEPENDENCE
AND
RESUMPTION OF
EELAM SOVERIGNTY

V. Navaratnam
(Member of Parliament 1963-1970)

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TO

PARAMESWARIE

my wife, who, true to the ideals of
a Hindu Dharma Pathini, smilingly shared
with me all the trials and tribulations of a
turbulent life.

CONTENTS

Preface	...	...	...	(i)
Introduction	...	...	...	1
Chapter – 1	...	...	...	20
Chapter 2	...	...	...	32
Chapter 3	...	...	...	44
Chapter 4	...	...	...	62
Chapter 5	...	...	...	73
Chapter 6	...	...	...	88
Chapter 7	...	...	...	101
Chapter 8	...	...	...	113
Chapter 9	...	...	...	124
Chapter 10	...	...	...	138
Chapter 11	...	...	...	151
Chapter 12	...	...	...	164
Chapter 13	...	...	...	183
Chapter 14	...	...	...	197
Chapter 15	...	...	...	209
Chapter 16	...	...	...	219
Chapter 17	...	...	...	236
Chapter 18	...	...	...	248
Chapter 19	...	...	...	261
Chapter 20	...	...	...	274
Chapter 21	...	...	...	289
Chapter 22	...	...	...	318
Epilogue 1977-1989		...	...	340
Index	...	...	...	378

PREFACE

A few words of explanation may perhaps be relevant while placing this book before the public.

There exists a perception abroad about the war which is being waged in Ceylon (now illegitimately referred to as Sri Lanka) that the Tamils are fighting for a separate state because they are discriminated against in education and employment opportunities by the majority Singhalese. While it is true that discrimination was one of the immediate causes which provoked the Tamil youth to take up arms, the real causes which led to the war and the demand for a separate state for the Tamils lie far deep in the political and social climate and the Tamil-Singhalese conflicts since the British withdrawal. It is hoped this book will enlighten readers of the causes and help them to view the war in the proper and correct perspective. If it will achieve this purpose, it will be more than an adequate recompense for the labour involved in writing and producing it.

The book is inevitably in the nature of a personal memoir of one who had been intimately involved in the story that is unfolded, sometimes as an active participant, sometimes as director or manager of some of the events and an onlooker in others. For this reason the use of the first person 'I' could not

be avoided. If it makes the reading jarring I offer my apology to the reader.

This book owes its genesis to my children. When the good people decided at the Parliamentary General Election in 1977 that they no longer needed my services and caused me to draw into my shell, I preferred to spend the days in what may be regarded as a sort of self-imposed exile in Canada. I was keeping myself occupied in collecting material for a long-cherished project to write a book on the Mediterranean origin of the Tamil race, when my children intervened and suggested that I would be doing a service of more immediate usefulness if I would leave behind to posterity a record of the several non-violent campaigns and the interaction of political forces which were the precursors to the present armed warfare. Because of the intimate part I played in those events, and since I was one of the only two or three survivors from the Federal Party days, they believed I was the most qualified to write it. A full account of the history of that period, from the Tamil angle, will certainly supply a more urgently felt need in the context of what is going on in Ceylon. That is how this book began to take shape. It also explains, incidentally, the reasons for an obvious deficiency in the book - want of adequate documentation.

Had I been privileged to write the book in Ceylon it may have been possible to avoid the deficiency. I would have particularly liked to include some of the important documents such as the text of the Trincomalee Resolution of 1956 giving an ultimatum to the S. W. R. D. Bandaranaike Government, the complete texts of the B-C and D-C Pacts, Bandaranaike's addendum to the B-C Pact undertaking not to carry out Singhalese colonisation of the Eastern Province so as to change the traditional racial composition of the population, facsimiles of the original draft of the D-C Pact and of the revolutionary Tamil Arasu Postage Stamps, some of the landmark speeches in Parliamentary debates, etc., all of which would have added weight to the narrative. It has not been possible to do it, for one thing it could not be done from abroad, and for another my collection of valuable books, documents, notes and papers, which were left behind in Jaffna, have all been vandalised and destroyed, not by the Singhalese as in the case of the Jaffna Public Library, but by robbers who strut about as Tamil people's revolutionary freedom fighters.

For the same reasons the writing has had to be done entirely from memory. It is possible that some mistakes in dates or in the sequences of events might have crept in. If there are any I would like to assure that they are quite unintentional and hope that readers will bear with me and be forgiving.

The views and opinions expressed in the following pages are entirely mine, and I alone am responsible for them. I have striven to be as objective as humanly possible, but I am also sensible of the possibility that other opinions can be held equally sincerely in the affairs of a nation. At the same time, subjective inclination in discussing controversial issues in politics in a book of this nature are not altogether avoidable, and if I have unwittingly trodden on somebody's corns I have no hesitation to apologise.

My thanks go to my children for first giving me the idea to engage myself in the pleasurable occupation of writing and then arranging for the publication of this book. I must thank Mr. K. Sachithananthan, proprietor of Kaanthalakam, Madras, for the excellent work he has done and the care and personal attention he has bestowed in bringing out this neatly got up volume speedily.

Montreal, Canada
January, 1990

V. Navaratnam

INTRODUCTION

DEMOCRACY is a sacred word in the modern world - at least that is how it is perceived by those who invoke it in rhetorical politics. Yet it is the most ill-used word in all the vocabulary of the English language.

Its claim to virtue is more often than not overshadowed by the abuses to which it is put. Not only the word, even the concept itself. All manner of qualifying adjectives are used to distinguish different brands of democracy - social democracy, people's democracy, dynastic democracy, Christian democracy, Islamic democracy, and what not. The most undemocratic things are done and then democracy is invoked to cover up or justify all manner of sins of commission and omission in the conduct of the affairs of a nation state, to shield from scrutiny injustices and the oppression of millions of people. The abuse is most glaring and disconcertingly eye-catching when we observe the manner in which the so-called democracies of the world treat their national minorities under a veneer of democracy.

One may well be excused, therefore, for asking the cynical question: what is democracy? Nobody knows. For, there is no politician who does not declare himself to be a true democrat, be he a dictator, autocrat, a Herrenvolk cultist, or a genuine

espouser of people's causes, and the crowds acclaim him as a great democrat. A benevolent statesman does things which actually ensure the benefit of all the citizens of this state and rightfully claims that he did them quite democratically, while on the other hand a wily despot does things for the benefit of his own family circle, clan, class, group, or tribe to the exclusion of others in his state, and he too claims that he did them in due process of democracy. We are naturally bewildered as to what exactly is democracy.

The dictionary may tell you that democracy is the spirit or practice of political, legal, or social equality so that each citizen of a state shares equally with the others in political privilege and duty, and has his right to do so protected by free elections and other guarantees. This is the definition of the ideal. But does this definition of the ideal accord with reality?

It says that the sanctions for protecting the individual's right to equality under democracy are the elections. Election is another word for counting of heads. Reality tells us it would be more appropriate to say counting of privileged heads - in South Africa it is the privileged heads of the whites, in Ceylon it is the privileged heads of the Singhalese, in Britain it is the privileged heads of the descendants of the Angles, the Saxons, the Jutes, the Normans, etc., concentrated in southern England, in India it is the privileged heads of the Hindi-speaking north, in the United States of America it is the privileged heads of European origin, in Russia (which also claims to be democracy) it is the privileged heads of the members of a selective political organization concentrated in European Russia, in Canada it is the privileged heads of Anglo-Saxon origin, and so on.

The definition of the ideal with its emphasis on equality and equal sharing may have been restated by Abraham Lincoln in another form when he declared his vision of America under democracy, and before him might have been echoed by Lafayette and his co-rebels of the French Revolution when they cried out for freedom, equality and fraternity, but they were living in a visionary world of their own, they failed to reckon with the real world. They could not realize that exploiting the weak was a temptation few men have the will or inclination to resist, that in statecraft the sinister influence of political theorists of the brand of men like Kautilya, Machiavelli and

Nicholas Chauvin had taken a firm and permanent hold of the world of reality. Hence it is that the America we see today, or the France that we see today, or for that matter any country in our contemporary world, is a far cry from the definition of the ideal.

Perhaps there is something inherently wrong in the philosophy of democracy from the beginning. It was originally developed as a device for the governance of small city states composed of homogeneous societies of citizens. Today it is adopted for the political organization of large nation states comprising of a variety of peoples divided among themselves for a variety of reasons, ethnicity, language, religion, colour and whatever.

Fundamentally it works on the principle that by a counting of heads 51 per cent of population can decide the fate of the remaining 49 per cent. The system of counting heads in modern times, known as the electoral system, is such that, say, 35 per cent, sometimes even less, can get the right of deciding the fate of the 65 per cent or more, and this is not an infrequent phenomenon in modern day elections to legislatures.

Clearly democracy is faulted somewhere. That it is so was demonstrated as early as in the time of Socrates. Socrates, an ardent and outspoken advocate and teacher of democracy and philosophy and the supremacy of the rule of law, was put on trial in accordance with the democratic rules of judicial process in Greece for the 'crime' of teaching democracy and philosophy to the youth of Athens, convicted and sentenced to death on a counting of heads of a jury of 501 members and executed in the due process of democracy. His disciple Plato who witnessed the trial records that after the verdict of guilty Socrates in his address to the jury in counter-assessment of penalty observed: "I am much more surprised at the number of votes cast on each side, for I did not think the decision would be by so few votes but by a great many. As it is, a switch of only thirty votes would have acquitted me. I think myself that I have been cleared on Meletus' charges, and it is clear to all that, if Anytus and Lycon had not joined him in accusing me, he would have been fined a thousand drachmas for not receiving a fifth of the votes." (Apology). Here we see that even in that very early time the very propounders of democracy in ancient Greece had grave misgivings about the working of the

system, that they suspected democracy was capable of lending itself to abuses, wrong decisions, injustices, corruption and, to use an American slang, wheeling and dealing in affairs of state and public life.

This was in the fifth century B. C. Since then how many millions of wrong decisions would have been taken in the so-called democratic countries throughout the world, and how much injustice and death and suffering, caused to millions of human beings, all by counting heads in the name of democracy?

It cannot be denied that the vast majority of those kept out of the national decision-making processes in effect and therefore the victims at the receiving end of unjust and discriminatory actions under the guise of democratic decisions are very often the national minorities. And the worst part of it is that this shutting out is virtually a permanent feature under the rules of democracy. Can national minorities ever hope to get into the echelons of the decision-making process and influence decisions? It depends - If they are willing to merge with the majority, yes. And that brings us to an important corollary to the working of democracy, which is, assimilation.

One of the most sinister characteristics of the so-called democratic countries is the tendency to foster assimilation by encouraging, and sometimes forcing by all manner of devious means, distinct sectors and communities to give up and forget about their distinctiveness and separate identities and to get merged or absorbed into the mainstream of the dominant sector of population. Generally speaking, it is the national minorities in a given state which become targets in this process. They are subjected to such treatment as would force them to abandon their separate language or religion or ethnic identity, memories of a historic past and all that which go to make them conscious of being the proud possessors of a distinct culture, because the success of democracy is largely dependent on the homogeneity of the population.

Whether this is good or bad is not the question. The issue rather is whether the people exist for democracy, or democracy for the people. Human nature is such that a proud people do not willingly and easily give up their language and

culture without a fight. They resist policies and actions in which they see an attempt to assimilate with all their might. Hence the tensions and conflicts we see around us:- in Ceylon the Tamils resist the imposition of the Singhala language and the many state policies since British withdrawal because they see in them the potential of assimilation into the Singhalese majority mainstream; in India the non Hindi-speaking sectors resist the imposition of Hindi as the all-India link-language because they see in it ultimate assimilation into the North Indian Hindi-speaking mainstream and the eventual disappearance of their own separate languages and distinct cultures; in Canada, in spite of an official national state policy of bilingualism, and in spite of the existence of a largely autonomous French-speaking province of Quebec, the French see the insidious forces of assimilation slowly and imperceptibly creeping into their society, and they resist it because they have reasons to fear being overwhelmed and ultimately assimilated into the vast English-speaking Anglo-Saxon population of not only the remaining nine provinces and two territories but also of the United States south of the border; in Spain the Basques are putting up a stiff resistance against possible assimilation by the Spaniards South of the Pyreness and by the French north of it; in Cyprus the Turks are putting up a fight to resist assimilation by the Greeks; in Burma the Karens of Upper Burma have been fighting for over two decades to resist assimilation into the Burmese mainstream. Even in Great Britain, where the Act of Union of 1707 and the consequent commingling had emasculated and virtually wiped out the Welsh and Scottish languages and assimilation of the Welshmen and Scotchmen into the mainstream of Anglo-Saxon England was apparently complete producing what is seen to be, for all intents and purposes, one homogeneous English-speaking people, we now hear nonetheless rumblings of an upsurge of Celtic nationalism and a demand for a revival of their separate nationhood after 280 years of union with England. It just shows how hard national and cultural pride dies.

In every one of these cases the resisters are ancient peoples, proud of their language, proud of their historical past, proud of their heritage and culture, and cherish memories of a glorious nationhood. Such people cannot be forced to change their ancestral culture which is in their blood, nor can

they be expected passively to look on while their distinct identity is being destroyed with calculated design to suit the workings of some spurious democracy. Unfortunately democracy has no effective means of reconciling itself to the need to protect their distinctiveness. This accounts for the failure of democracy in multiracial, multilingual or multicultural societies.

Taking the Tamils of Ceylon, with whom alone this book is concerned, their fear of assimilation based on actual experience is very real. As against this reality, however, much misinformation is being disseminated, in genuine ignorance or with conscious motivation, that the Tamils of Ceylon are migrants from South India. The implied suggestion is; the Singhalese race is not found anywhere in the world except in Ceylon while over 50 million Tamils are found in India, ergo the Tamils in Ceylon are migrants from India, and that these 'newcomers' are disrupting the harmonious working of democracy in an otherwise homogeneous Singhalese Ceylon. Nothing can be farther from the truth.

The story of the earliest Tamil settlements in Ceylon is shrouded in the deep mists of prehistory. If we accept the ancient chronicles of the Singhalese as authentic in some respects, as many scholars do, they contain evidence to show that when the legendary ancestor of the Singhalese arrived in the island by boat, possibly somewhere in the earlier half of the first millennium B. C. the land was already peopled by tribes of Tamils. It is not clear whether the early progenitors of these Tamil tribes, who may be called the proto-Dravidians, were autochthonous to the island or had come from outside. There is internal evidence in the literature of the ancient Tamils, scanty though it may be, which indicates that H. G. Wells and the scholars he has quoted from may be right when they say that early Dravidians and many other tribes peopled the southern shores of the Mediterranean from where they spread out in migrations in prehistoric times. Again, there are a fairly large number of words in the English language which are also common to the Tamil language. Sitting down with the Oxford English Dictionary (Etymological edition) I have myself picked out nearly a hundred such common words. Possibly there are more of them. The O. E. D. would trace them to such origins as Old Frisian, Old Dutch, Nordic, High or Low

Germanic and so on, but does not go beyond. None of them are recent borrowings such as the Anglicized Tamil words like 'rice,''anicut' 'catamaran', etc., which are the result of colonial associations. How such common words entered English in olden times is a fascinating study. The earliest known settlers of the British Isles, whom G. M. Trevelyan calls the 'Iberians', and the later Frisians, Nordics, the Cermanic tribes, and the many early peoples who contributed a large number of words to early English speech in its development to the language of later times, are likely to have had their origin in the Mediterranean among or in close proximity to Dravidian tribal settlements. It would not be unnatural for many words to have been common among them all and to have travelled with them on their migrations. Such words would have been current among the tribes which set out from the Mediterranean, some wandering through Europe and the Iberian Peninsula and eventually settling in the British Isles and others (the proto Dravidians) striking out to the Euphrates valley and thence into the Indian sub-continent. This is the only plausible explanation for the presence of a large number of identical words in the Tamil and English languages. The proto-Dravidians are believed to have settled in India and the island south of it (Ceylon) more or less contemporaneously and many millennia before the Indo-European (also called the Aryan) tribes arrived in the Mediterranean, Iran and India in the course of the second millennium B. C.

However, from that early period down to medieval times the Singhalese chronicles are a compendium of accounts of the innumerable wars fought between the Tamils and the Singhalese for hegemony over the island. After the medieval wars they established themselves in different parts.

Obviously this is not the appropriate place to dwell at length on this aspect of history, which I hope to deal with more fully in another book I am working on. If it is touched here at all it is only to make the record straight and to correct mistaken notions about Tamils in Ceylon. They are as much indigenous to Ceylon as the Singhalese are, and far older inhabitants of Ceylon than the Singhalese. To distort this fact of history would not be helpful to a proper understanding of the ethnic conflict that is ravaging the country.

II

The General Election of 1970 is a watershed in the Post-World War II history of Ceylon. It marks the fall from paradise of a once peaceful and prosperous nation. It saw the eclipse of constitutionality and the rule of law in governing the country. So-called governments were set up with no legal, constitutional or moral right to govern. Institutions and instruments of state power became tainted with illegality, and might supplanted and took the place of law. Above all, it ushered in a new era which reeks of the stench of clotting blood, burning flesh and putrefying bodies - human blood and flesh and bodies.

It was this general election which saw Sirimavo Bandaranaike, who had earlier in 1960 basked in the sunshine and glamour of being the world's first woman prime minister, once again installed as prime minister. This time she headed the most machiavellian government the world had ever seen. Within a year her government ignored and flouted the queen and Constitution, subject to which and accepting the Singhalese pledge for the faithful observance of which, Britain had transferred power. She usurped absolute power and put an end to the rule of law. Her ministers started issuing instructions to the judiciary how cases should be decided. In her eagerness to have absolute power permanently entrenched in the hands of her own Singhalese feudal class, she had a new scheme drawn up and illegally proclaimed it as "The Republican Constitution of 1972". She had the name of the country illegally changed from "Ceylon" to the purely Singhalese "Sri Lanka", thereby signifying to the world that Ceylon was a Singhalese country and should be treated and dealt with as such. * She declared, through a minister of hers, that her actions were in pursuance of the Revolution she had started to overthrow the established Constitution of the state.

The backlash was swift and did not take long in coming, and ironically it came from her own people. Even while her new scheme was in the stage of preparation, in 1971, the

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* *It is because of this unilateral and illegal action that the Tamils spurn the use of the Singhalese name as much as they do the so-called new constitution, and prefer to refer to the island as "Ceylon" and their part of the country as "Tamil Elam"*

enraged Singhalese youth rose up in fratricidal armed rebellion against her government. Sirimavo Bandaranaike, a mother of three children, put it down with an iron hand and unconcealed ruthless repression. She had tens of thousands of young men and women, the flower of Singhalese youth, shot and killed. The new era commenced with state atrocities of an unprecedented nature and violence.

Astrologers are still heard to say that the traumatic nature of the new era is not the fault of the lady but that of the stars which ruled over the year that ushered in the era. It seems that if you add up the digits of the year to a single digit total you get 8 (1970: 1 + 9 + 7 + 0 = 17, and then 1 + 7 = 8), and they say 8 is the number denoting Saturn, the planet of Evil. And certainly no psyche is needed to tell us that evil indeed permeated the life of the nation since the general election of 1970.

The astrologers may be right, after all, for the trauma or evil or whatever that clung to the nation did not go away even when Sirimavo Bandaranaike was defeated at the general election of 1977 and Junius Richard Jayawardene succeeded her as Prime Minister. The Saturnine malevolence intensified and took a still firmer hold on the country.

With Sirimavo Bandaranaike gone, her illegal 'Republican Constitution of 1972' also went spinning for a six. J. R. Jayawardene proclaimed, also illegally, what he claimed to be a still more brand new 'Constitution of 1978' providing for an executive president, a veritable scissor and paste hotchpotch of American, French, and British vintage. The office of prime minister was reduced to that of a glorified clerk or secretary. Jayawardene promptly installed himself as President, the sole arbiter over the destinies of all the communities, Singhalese, Tamils, Muslims, Malays, Burghers. Parliament, the Supreme Court, the judiciary, and all the institutions normally associated with democratic governments became mere trappings in the new dispensation.

A matter that evokes hilarious laughter is the re-naming of the state in the new era. Sirimavo Bandaranaike who demolished the very foundation of democracy changed the name from 'Ceylon' to the 'Democratic Rupublic of Sri Lanka'. J. R. Jayawardene, the arch capitalist and destroyer of trade

unionism, went one better and changed it once again to 'The Democratic Socialist Republic of Sri Lanka', a grandiose combination of everything that his state is not.

This time the backlash came from the Tamils. Spurred to action by the injustices of Tamil-baiting resorted to by both Sirimavo Bandaranaike and J. R. Jayawardene in their rivalry for political power, and with all avenues of employment and educational opportunities closed to them by all Singhalese governments in succession, the Tamil youth rose in armed rebellion.

A full-scale Civil War is in progress even as these words are being written. It has taken on all the characteristics of a Tamil War of Independence.

Why did this happen?

Until the end of World War II Ceylon was a British Crown Colony famous for its tea gardens, golden beaches, and the grandeur of its scenic beauty. Life was serene and peaceful. All communities lived on terms of absolute equality. Communal harmony prevailed in general, particularly between the Tamils and the Singhalese, though this harmony was rudely shaken in 1915 when the Singhalese attacked the Muslims causing riots. The British colonial administration imposed martial law and brought in a Punjabi Regiment from India to quell the Singhalese violence.

After the War was over the British initiated the process of pulling out of India. As part of this process Ceylon also became an independent country in 1948.

In preparation for this event Ceylon was granted the status of a Dominion in the previous year on the recommendation of a Royal Commission headed by Lord Soulbury. The Ceylon Constitution Order in Council, 1946, under which Ceylon was to pass from the status of a Crown Colony to that of a Dominion of the Statute of Westminster type, provided for a Cabinet form of government responsible to Parliament after the British model. Parliament was to consist of the King and a bicameral legislature. The legislature was to consist of a lower house called the House of Representatives whose members were to be elected by the people by the exercise of universal adult franchise and an upper house called the Senate which would be

composed of Senators partly elected by the lower house and partly appointed by the Prime Minister. Elections to the House of Representatives were regulated by the Ceylon Parliamentary Elections Order in Council, 1946.

These constitutional measures did not yet mean independence. The Orders in Council were laws enacted by the Crown, and the Crown could not give what it did not possess. The paramount power to legislate for Ceylon was vested in the Parliament of the United Kingdom, and unless the latter renounced that power Ceylon could not become truly independent. That happened a year later.

In 1948 the United Kingdom Parliament passed the Ceylon Independence Act renouncing the right to legislate for Ceylon, and the island became completely independent. Its only remaining link with Britain was the common Monarch. The British Sovereign was also King of Ceylon and constituted an arm of Ceylon's parliament as constitutional head of the state. He was represented in Ceylon by a governor-general. Thus full political power was transferred to Ceylon.

Since the Singhalese were in the majority upon a counting of heads, transfer of power to Ceylon really meant in practical terms that the Singhalese were the sole recipients of that power to the exclusion of all other communities inhabiting the island. What power Britain had acquired by conquest of the three ancient Kingdoms (one Tamil and two Singhalese) as separate territories she now handed over in a consolidated entirety to the Singhalese. By that one act the Singhalese achieved complete political and physical dominion over the Tamils for the first time in history. What they could not achieve by force of arms during the two thousand years of recorded history they now obtained by political intrigue and deceit, thanks to the cooperation of Whitehall.

Ever since 1948, the year Britain pulled out, Ceylon has been going through a trauma of turmoil, unrest, and bloodshed in which thousands have lost their lives and hundreds of thousands uprooted from their homes, which are all directly attributable to the British indifference to their much vaunted trusteeship. The victims are Tamils, the entire Tamil race in Ceylon. And why would the Tamils have to suffer all this tragedy in the wake of the so-called independence? The

answer lies in the story of the political bungling, the self-interest, ambitions of men, and the urge of history for domination, all of which combined to make the three parties who participated in the process of transfer of power to Ceylon share the blame in equal measure.

Britain was in a hurry to be rid of an island possession in the Indian Ocean they could not hope to hold after the loss of India. They no more had any military interests in the region. It is true that at the time of the transfer of power they had the assurance of continued possession of naval and air bases in Ceylon, but they must have known it would not continue for long. The only interests they were anxious to safeguard were the shipping routes which touched Ceylon and their investments in the tea and rubber plantations. These interests would be best safeguarded by ensuring the goodwill of the future rulers of Ceylon who can only be the Singhalese majority people. That is how they seemed to have calculated at the time in their ignorance of the Singhalese mind. The Tamils were no longer of any use to them and they just did not count. All the legal polemics indulged in during constitution-making and all the rhetoric that accompanied the transfer of power were by the way. The stark fact was that Britain was partial to the Singhalese.

The record of the Tamil leadership of the period stands out as the most shameful performance of the century. It will remain in history to the everlasting shame of the Tamil race.

At a time when the highest calibre of statesmanship and the most unselfish devotion to the interests of the people at large was called for this inane leadership only looked after their own interests and those of their class. Its woeful lack of foresight and political acumen, its indifference to the real people who are the toiling masses in the villages of the Northern and Eastern Provinces and in the Plantations of Central Ceylon, its shortsighted concern only for the Tamil vested interests in Colombo, its childish faith in Britain's sense of justice, its schoolboyish belief in parliamentary debating skill as an insulation against inroads into Tamil rights, all these combine to expose the leadership to the charge that they betrayed the Tamil people at the most critical hour in their history.

The betrayal becomes all the more heinous when it is remembered that these leaders had before them the explicit warnings of the most experienced and farsighted Tamil leader of all time, Sir Ponnampalam Ramanathan.

Sometime about 1929/30, after his defeat in the then Legislative Council over his motion to reject the Donoughmore Commission Report on political reforms, Ramanathan returned to Jaffna a disillusioned and broken man. He summoned the elders of Jaffna to his residence at Ramanathan College, Chunnakam, and spoke to them of his experience and the manner in which the Tamils have been let down by both the British and the Singhalese. He warned them never again to trust the Singhalese and never again to place any reliance on the much-vaunted British profession of the so-called White Man's Trust. Both would woo the Tamils so long as it suited them, and both would not hesitate to betray the Tamils when their own interests have been fulfilled, he said.

Ramanathan had good reason to be bitter. When the Tamils were being wooed to make common cause with the Singhalese in a national agitation for constitutional reforms the then top-most Singhalese leaders of the Ceylon National Congress* and other organizations entered into a solemn agreement with Ramanathan and other Tamil leaders stipulating a certain ratio in which seats in the proposed legislature would be allocated between the Singhalese and the Tamils. The ratio was a reflection of history rather than one based on population strengths, and was tantamount to a solemn undertaking that the Singhalese would never seek to exercise dominion over the Tamils. In giving evidence before the Donoughmore Commission the Singhalese leaders, therefore, opposed the grant of universal adult franchise, while one Singhalese, A. E. Goonasinghe the labour leader, advocated it. The Commissioners, taking into account its recent introduction in England and its success, proposed a legislature elected on the basis of universal adult franchise when they made their recommendations. The Singhalese leaders fell for the unsolicited gift, conscious

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* *S.W.R.D. Bandaranaike and J.R. Jayawardene, who later were to become Prime Ministers, were genral-secretaries of this body at different times.*

of the potential of their people's superior numbers. It was said at the time that they were in league with the Governor and Whitehall. During the debate on the commission's Report, therefore, they went back on their plighted word and refused to abide by their agreement with Ramanathan and the Tamil leaders. With the backing of the British Official Members of the Legislative Council Ramanathan's motion to reject the Report was defeated. Oh, what a sad face I saw that day from the public galleries, which is still indelibly engraved in my memory!

The experience gave Sir P. Ramanathan an insight into the future. It is this which made him warn his contemporary Tamil leaders and later generations. He foresaw that by the mere arithmetical process of counting heads the Tamils, who were once a sovereign and independent people in their own kingdom before the arrival of the European powers, were now going to become a minority people permanently at the mercy of a hostile majority which was thirsting for dominion over the Tamils.

He was right, for now for the first time the Tamils begin to be referred to in constitutional papers and state documents as a "minority" and the Singhalese as a "majority". Till then the Tamils had always been either "Ceylon Tamils" or "Indian Tamils" and the Singhalese either "Low Country Singhalese" or "Kandyan Singhalese". This nomenclature has its roots in the history of the country. The Ceylon Tamils, the Low Country Singhalese, and the Kandyan Singhalese were three different peoples, occupying three distinct and well-defined territories, and belonging to three different historical kingdoms.

The Donoughmore Report changed that pattern radically. By introducing universal adult franchise in a heterogeneous country that had been arbitrarily unified by Britain to suit its own convenience it reduced the Tamils to the status of an inferior people and a minority with all its implications in the working of democracy. What Ramanathan then saw and warned was completely lost on the Tamil leadership at the time Britain wanted to pull out. Perversity, ambition, arrogance, jealousy, self interest, class interest, vested interest, and an inordinate thirst for power - all of these played

their part in the dishonourable and despicable performance of the leadership. It led to Singhalese political conquest.

D. S. Senanayake, the shrewd and cunning Singhalese leader who outmanoeuvred the Tamils and made this political conquest for his people possible, was a politician of no mean order. He was a leader endowed with an inborn horse-sense in statesmanship and political manoeuvre rather than academic knowledge and book-learning. He had an inherent ability to judge character of men and situations. A man with no formal education, he was able to mesmerize such pundits in constitution-making like Sir Ivor Jennings and Lord Soulbury. He saw the weaknesses of the Tamil leaders and the favourable disposition of Whitehall and played his cards very adroitly. When the Soulbury Commission made its recommendations in his favour and the Report came up for debate and voting in the legislature, he was astute enough to realize that tact was called for in dealing with the defeated Tamils if he were to see a fruition of his achievement. He used flattery, cajolery, praise, and even promises of reward without seeming to make promises, to win over the Tamil leaders one by one into accepting the Report. We need not anticipate here what is discussed elsewhere in this book, but that is how Ceylon was launched on an experiment in democracy.

The geographical situation of Ceylon, straddling as it does the shipping routes of the Indian Ocean, has vested it with some strategic importance and commercial value. The people normally are neither warlike nor war-minded; they lead a happy-go-lucky life, and the administration is widely rumoured to be runnning on aid funds. And so the world at large took no notice of its existence. In global terms Ceylon was never a trouble spot.

Suddenly, in the middle of 1983, the world was roused to a rude awakening. The smoke and blood of the Black July-August '83 attracted world attention. The mass media throughout the world screamed with harrowing accounts of Tamils being attacked and killed in their homes, in the streets, in vehicles and public transport, and in the tea plantations. Men, women and children were reported to have been roasted alive, hundreds of thousands rendered homeless, and hundreds of thousands fled the country.

It was a small-scale holocaust. It brings to memory the Great Holocaust in Europe in which six million Jews are said to have been burnt to ashes in gas chambers. In both cases, whatever the size of the holocaust may be, the governments concerned seem to have hit upon the same "final solution" to get rid of their own citizens they did not want. That they were human beings made no difference. Both governments claimed to be democratic.

III

It is sometimes very nice and intellectually exhilarating to speak, read, and write about democracy, and to praise its many virtues. That it has some virtue and merit of its own in given conditions cannot be denied. It is so universally praised and held up as an ideal form of goverment that to speak against it may be regarded as heresy or sacrilege. But that should not make us close our eyes to its inadequacy and the many deficiencies, particularly for countries with an assortment of population and ethnic diversity. True, heads are still continued to be counted, but it has no meaning to those whose heads have no value in the count.

In Ceylon democracy is a dismal failure, proving to the world that you cannot transplant the institutions, traditions and trappings of parliamentary democracy suited to one land in an alien soil that is of a totally different composition. Incidentally, Sir Ivor Jennings and Lord Soulbury who were witnesses to the failure were driven to bemoan their lack of foresight when they were working on the constitution for Ceylon. Nature did not make the soil of Ceylon that fertile as to enable it to produce enlightened leadership from among the majority people that grew on it. It is axiomatic, no matter what amount of ingenuity and expertise you may bring to bear in devising a constitutional scheme for a democracy, in the ultimate analysis, it cannot thrive unless the majority that works it is endowed with wise and enlightened leadership. Jennings and Soulbury made the mistake of taking it for granted. They regretted their mistake when it was too late.

What, then, is the alternative ?

The reader is introduced to the following pages to learn something of the exercise in alternatives, and the events

which form the background. It is important to bear in mind that this exercise to hit upon some alternative as a solution to the problems of the Tamils was indulged in by a generation of Tamils who witnessed Ceylon emerging out of its colonial status and who were imbued with the thoughts and ideals of British, European, and American thinkers. It would not be far wrong to say that they even cherished a sneaking admiration for the parliamentary system of government. The institutions and traditions associated with the British parliamentary system had a peculiar appeal to the intellectual. He never paused for a moment to realize that Britain enjoyed the luxury of an empire to provide the funds for them. The search for alternatives, therefore, necessarily revolved round and round the dubious bushes of constitutional devices. However, the reader will find that the exercise did not work.

Ever since the enactment of the Ceylon Citizenship Act of 1948, when D. S. Senanayake lost no time to show his real self, and the sinister design and intentions of his United National Party (UNP) came to be known, the Tamils have tried every lawful means within the bounds of so-called democracy to undo the damage caused by their leadership's betrayal in cooperating with the Singhalese in the transfer of power and by the Singhalese betrayal of the trust they begged for and got from the Tamil leaders. Persuasion by oratory and parliamentary debating skill, pleading, dialogue, solemn pacts, peaceful resistance, non-violent non-cooperation, even bringing the civil administration to a halt in the Tamil homeland of the Northern and Eastern Provinces - none of these were of any avail. The Singhalese would not budge.

What was worse, in 1968 the elected representatives of the Tamils themselves, contrary to their mandate, were preoccupied with the enjoyment of power in the UNP dominated Government, and were bogged down in the morass of parliamentary politics. Gone were the days of peaceful agitation and non-violent struggles for Tamil rights. The Tamils were in a hopeless situation, with their future as dark as ever. I broke ranks in the hope of getting this leadership back on track and forcing them to see the hypocrisy of their UNP partner in Government. It was a forlorn hope. On the one hand, my own comrades in the several campaigns in the past refused to see what was as plain as one's open palm. On the other, it was

as clear as ever that the Singhalese would not ever agree to share even an iota of the power that Britain had bequeathed to them.

Again, the Great Question is: What is the alternative?

I came to the conclusion that there would be no lasting solution for the ills of the Tamils unless they separate from the Singhalese and establish their own government in their homeland territory of the ancient Tamil kingdom which roughly covers in modern times the Tamil Northern and Eastern provinces. There is no other solution. The idea of a separate state had flitted across the minds of some thinking Tamils from time to time from Sir Ponnampalam Ramanathan down to my time. But it had never been given serious thought for various reasons.

However, it fell to my lot, in June of that year, to make a public pronouncement for the first time from the floor of the house in Parliament telling both the Tamils as well as the Singhalese people that we have exhausted all methods of peaceful persuasion, that we have been betrayed and thwarted at every turn, and that the Tamils now have no alternative but to separate and establish their own state.

It was a call to the Tamil people to gird up and work for it. There were no illusions about the tremendous sacrifices which the people may have to make and the suffering they will have to endure. But that is unavoidable. Freedom is a hard task-master which always extracts a heavy price. One generation has to reconcile itself to a fate of suffering and sacrifice in order that the next and the next, their children and their children's children, may live as a free people in dignity, self-respect, and honour. The important thing is a Sovereign Tamil State where voice could be raised in defence of Tamils and Tamil lives wherever and whenever they are ill-treated or endangered. Such a voice alone will be listened to with respect and heeded in international forums, which we now lack.

More than a decade has gone by since that call. Today it is a matter of immense personal satisfaction to me that the younger generation, the flower of our precious youth, has taken it up in real earnest and are waging a bloody war for

that ideal. The world calls it a civil war, but in reality it would be more appropriate to call it The Tamil War of Independence. It will decide the destiny of the Tamils, which cannot ever be anything other than complete freedom and independence.

It is to be hoped that the High Command and the Leaders of the War, as well as the brave freedom fighters under them, will not waver, and that they will make it perfectly clear to anybody who may intervene to suggest compromise that the sovereignty and independence of Tamil Ceylon is not negotiable and would brook no compromise.

"For a nation to be free, it is sufficient that she wills it."

— de Lafayette
on the French Revolution

CHAPTER I

TAMIL custom in the heroic age of the ancient Tamils required that a suitor for the hand of a maiden must provide himself with a thali (symbol of wedlock) mounted with two of the canine teeth of a tiger he has killed. Only then can he win her hand, and only such a thali will she consent to be hung round her neck. The thali which a modern Tamil society woman wears is a modified replica of the same tiger's tooth thali, but it is made of gold.

Somehow courage and manly valour and the tiger are inextricably associated and interwoven in the Tamil mind to represent the quality required of a man to serve the community. At first, in primitive times, he needed it for the protection of his lady and his offspring against the depredations of jungle life, but as civilisation developed and communal life expanded it has come to be needed in wars for the protection of his country, of his culture, of his language, of everything he values above life. That is why the Tamil race has always laid great store by it, and that is why their ancient books always picture the tiger as representing the intrepid fighter in the Tamil warrior and his ever-ready eagerness to maul and tear through every foe that crosses his path. The thali around his lady's neck is a daily reminder.

What is so special about the Tamil language and culture that its speakers in Ceylon are prepared to take up arms and wage war to defend it, to maul and tear through the foes who threaten it? No, Tamils do not claim anything special. They are quite aware that there is no human society in the world which is not equally jealous about its distinct identity, language and culture and which is not equally ready to wage war to safeguard its heritage, and the Tamils are no different. But yet, they are also proudly conscious of something unique about their language, something which no other language in the world can lay claim to. Tamil is the oldest of all the living languages of the world.

History has seen many a civilisation, language and culture blossom in the world throughout the ages, flower, flourish for a period of time, and then perish and disappear from the earth, even pass out of men's memory. Tamil alone has survived the ravages of time. Tamils in this twentieth century AD still speak the language in the same form and in the same way as did their ancestors in the second millennium BC, perhaps a couple of millennia earlier in primitive times. Their ancient literature which has survived is evidence of the great heights it had attained in the first millennium B. C. Of course, at that period of time there were other great languages which had attained equally lofty heights, but all of them are extinct today, and none of them is alive like Tamil. The Tamil race down the ages has been so jealous of this uniqueness of their language that they zealously preserved and protected it through all the vicissitudes resulting from conquests and invasions, migrations and ethnic minglings, onslaughts from languages with political clout, and whatever. It is this extraordinary characteristic of the race which is now showing itself out in the Tamil War of Independence.

This uniqueness is also behind the attraction which persuaded many European scholars to take to the study of Tamil. The Italian Father Beschi, the Scotsman Bishop Robert Caldwell, the Englishman Rev. G. U. Pope, are some of the most eminent scholars. It is Caldwell who first used the word Dravidian to denote the family of languages given birth to by Tamil and spoken in the south of India and certain parts of North-Western, North-Eastern and Central India. He only used the word "Dravida" to give a convenient name to a family

of languages which could not be grouped in the Indo-European and other linguistic families, and never meant to suggest that there was a race of people by the name of Dravidians. However, the term has now come to be erroneously applied to all the speakers of the Tamil language and its offshoots Kannada, Telugu, Malayalam, Tulu, Brahui etc. Although it is not a happy choice - "Dravida" is a Sanskrit word with a derisive and derogatory meaning - it has got into such widespread use in the language of scholarship that it is now too late to reject it. We shall therefore stick to it.

In the distant hoary past, long before the Aryan invasion of India (1500 B. C.), the Dravidians had peopled the entire subcontinent of India and the neighbouring island of Ceylon. Whether they were indigenous to these parts or came from outside is still a fascinating subject of debate among scholars. The probabilities are that they were not indigenous.

H. G. Wells would tell us that in prehistoric times, when the Mediterranean was still a landlocked sea, and the ocean currents had not opened up the Straits of Gibraltar, there lived along the south shore of the Mediteranean a brunette people which included the Dravidians, the Basques, the Egyptians and the Italians. Their complexion varied in tints from very light brown to dark brown. The Basque language is believed to have an affinity to the Tamil language, both being agglutinative.

In course of time the Dravidians migrated eastwards, the Basques settled down on both sides on the Pyrennes, the Italians went to north shore, and the Egyptians developed along the Nile. The first European settlers in Canada would appear to be French-speaking Basques who have left relics in some Francophone personal names among French Canadians. Dorval(the name of the air port area in Montreal) is probably a corruption of the purely Basque name Duval. All this is by the way.

The important fact of history is that centuries before the Aryans appeared on the scene in India the island country of Ceylon was inhabited by the Dravidian people. The people spoke the Tamil language and worshipped Siva of the Hindu religion. The Singhala language had not yet been evolved. The only populated areas at that time were the north-central parts

in and around modern Anuradhapura and a narrow coastal belt in the south. The rest was inaccessible jungle, mountain ranges, or dry and arid waste land. Recorded history begins with the populations speaking the Tamil language, following the Hindu religion, and ruled over by Tamil kings.

Time wrought changes in the tribal make-up of society. Two events led to the setting in motion of a process of polarization of the population. One was the introduction of Buddhism in the island during the reign of Emperor Asoka in Bihar in North India (264 B. C. - 227 B. C.). The other was the arrival in the island of a band of seven hundred marauders from some part of India. Whether the latter event preceded or followed the introduction of Buddhism, it is hard to tell. These marauders, however, set up a settlement of their own in the island, adopted the new religion, imported women from the neighbouring Tamil country in India for wives, and began a new life in the land where chance and adverse winds had cast them. Nobody knows to what ethnic group they belonged. But they were certainly not Aryans, for the Aryans who came into India were very white in complexion. It is possible that they spoke a North Indian dialect that had been influenced by the Prakrit of the Aryans. With the wives came hordes of Tamil relatives, and they helped to swell the numbers of the new settlement. It is natural, too, that they established close commerce and intercourse and possibly intermarried, with the indigenous Dravidian population. Inevitably in the beginning it was a mixed society, but eventually the newcomers were largely absorbed into the indigenous fabric.

Divisive forces tend to evolve a polarization into irreconcilable factions. Whether in primitive tribal societies or in the modern civilized world,religion is always a dividing influence. And converts to a new religion are aggressively fanatical. From among the indigenous Tamil population the new converts to Buddhism found themselves rather removed and segregated from the parent body. Simultaneously, the new settlers with their Tamil wives and relatives, being conscious of their foreignness, also considered themselves as being something different and tended to live apart.

The new religion, Buddhism, united the two groups and helped to create a sense of oneness and common awareness of being different from the old parent community which, in

course of time, helped to evolve a new community of people and a new language.

Buddhist scriptures and literature are all in Pali, a dialect belonging to the Prakrit group of Aryan tongues spoken in Northern India and one in which the Buddha delivered his sermons. The missionary monks who came to Ceylon were either from Asokas' Nalanda University in Bihar speaking Pali or some other related Prakrit dialect or from the great Buddhist Centre in Kanchipuram in the Tamil country of South India speaking the Tamil language. This fact is attested by the inscriptions over the rock-hewn cave dwellings occupied by these monks still to be found in Ceylon. The inscriptions are all in Tamil stating the name of the Thera (monk) who occupied the cave and that of his patron. The evolution of a new community of people also saw a parallel evolution of a new language. Since the missionary Buddhist monks were in those days the repositories of learning and knowledge,it was they who would have made the main contribution to the process of evolving the new language. It is only natural that they patterned its grammar and language structure on Pali and the Indo-Aryan family of languages with a vocabulary drawn mostly from Pali Sanskrit and Tamil.

Ceylon thus saw the emergence of the Singhalese people and the Singhala language. It is, of course, impossible to assign any date, but the process most probably started at or about the time when Buddhism came to Ceylon. The Singhala language has no literature which is older than six or seven hundred years. As late as 1815 A. D. when the Kandyan Convention ceding the Kingdom to the British was signed by the Kandyan Chiefs, the Adigar Ratwatte, ancestor of the Prime Minister Mrs. Sirimavo Bandarnaike, and one or two others signed their names in Tamil. There are historical documents bearing the signatures of Singhalese Kings which are in Tamil. During the time of the Polonnaruwa Kingdom (10 - 12 C A. D.) under the Singhalese Kings Vijayabahu I, Parakrama Bahu I, and Gajabahu II, the Treasury accounts and documents were all kept in Tamil. All these facts go to establish that the evolution was a long drawn-out process.

Time has, however, vested the new people with the character of a race. They have come to be spoken of as a separate Singhalese race.

Those of the original indigenous population who resisted the proselytizing efforts of the Buddhist missionaries continued to remain Tamil and Hindu. At the present day, even after more than twenty centuries, they still remain Tamil and Hindu. After the coming of the European powers, however, a few have embraced Christianity.

These circumstances could not have been conducive to the development of friendship and mutual respect between the two peoples. Instead, they kept alive the conditions of antagonism and enmity which had characterized the early beginnings.

The *Mahavamsa* is a Buddhist chronicle of the early kings of Ceylon, both Singhalese and Tamil, composed in the Pali language in the 9th century A. D. Its author is a Buddhist monk by the name of Mahanama. The monk makes Prince Dutta Gamini (also known as Duttugemunu), the reputed vanquisher of the Tamils, the hero of his poem. A later chronicle, the *Culavamsa*, also by a Buddhist monk and in the Pali language, makes Parakrama Bahu I its hero of the poem for having held sway over the Tamils as well although the King himself was half Tamil. Both chronicles spew out so much venom against the Tamils that it is not surprising the antagonism and enmity between the two peoples have persisted down the ages.

Fanned thus by the writings of the Buddhist clergy, fuelled by the periodical invasions from the Tamil Kingdoms of South India, and nursed by the dynastic rivalries and wars of the Singhalese princes, the enmity lasted through and permeated the entire course of history. The invasions from South India did not bring about any migration of Tamils into Ceylon as is generally believed. The invasions only helped to harden the feeling of antagonism against the Tamils which was already there.

In the 11th and 12th centuries A. D. the Chola Emperors of the Tamil country in South India launched a number of invasions against Ceylon. As a matter of fact, the island was under Chola occupation and government for three quarters of a century. When the Chola power in India declined, a Singhalese prince, Vijayabahu, recaptured the Polonnaruwa Kingdom. The bulk of the occupation forces returned to India.

Of the large Tamil armies and other people who came to Ceylon with the several waves of invasion, not all the troops and people returned to India. Large numbers remained behind to add to the population of Ceylon. Not all retained their Tamil identity. Large numbers were assimiliated into the Singhalese milieu and became Singhalese, as the family names of quite a number of people would attest today.

In a reverse process, Parakrama Bahu I sent a large Singhalese expeditionary force against the Tamil Pandyan Kingdom in South India under the command of General Dandanayaka Lankapura. The army was defeated and the General and his second in command were captured and beheaded. The records, however, do not show that the Singhalese troops returned to Ceylon. Presumably the remnants of the army were absorbed and assimilated into the population of India.

It is again a fact of history that the Singhalese Kings had mercenary armies and personal bodyguards recruited from the Tamil, Telugu and Kannada countries of South India and from Java and Malaysia. They were given lands and settled in the Singhalese areas. One of the later Singhalese Kings got down 400 Tamil families from South India to peel cinnamon barks and settled them amidst the Singhalese people in the south-western coastal area of the island. All these foreign elements have today been assimilated into the Singhalese mainstream.

The point is that the Singhalese animosity towards the Tamils is not because that they are Tamils but because they have resisted and are still continuing to resist the process of assimilation. They aspire to force the remaining Tamils to get assimilated and become Singhalese and Buddhists. Referring to the problem of the Tamils who were brought to Ceylon by the British to provide the labour for work in the tea and rubber plantations, Prime Minister Sir John Kotelawela is said to have remarked to some of his colleagues once, "The Tamils who were brought to Ceylon by the Singhalese Kings, by the Portuguese and by the Dutch have all become Singhalese. Why should we be worried about the Tamils who were brought by the British? They cannot remain Tamils for long." That remark sums up the attitude which is at the bottom of all the conflicts between the two peoples.

Over the centuries internecine warfare, the malarial mosquito, drought, famine and other natural causes drove the Tamils to the north and east of the island where they lived in large concentrations, established a separate Kingdom of their own, and enjoyed relative peace. Thick jungles separated them from the Singhalese. These jungles were a formidable barrier between the two peoples.

The dawn of the 17th century saw the ships of the seafaring nations of Europe appear in the Indian Ocean waters. They were attracted to the island by the cinnamon trade of Ceylon. They found a prosperous Tamil Kingdom in the north and east of Ceylon which had existed for more than five centuries. According to Professor G. C. Mendis, a Singhalese historian, "It survived the conquests of the Pandya, the Singhalese and the Vijayanagara rulers, and came to an end only in 1621 when it was conquered by the Portuguese. The same invasion compelled the Singhalese to move southwards leaving the ancient centres of Anuradhapura and Polonnaruva as a no man's land".*

In the western maritime part of Ceylon, which is now the Western and Southern Provinces, the Portuguese found a Singhalese Kingdom with a king having his seat of government at Jayawardenepura Kotte. This city had been founded by a Tamil Viceroy named Alakeswara of the Singhalese King who ruled from Gampola to defend the Kingdom against the Tamil King of the Jaffna Kingdom whose navy had laid siege. Alakeswara later became the Singhalese King by the name of Alagakonara who ruled over the western maritime part which came to be known as the Kotte Kingdom. It is to this city of Jayawardenepura Kotte that the Government of President Jayawardene had shifted the Capital and Parliament of Ceylon. The Kotte Kingdom was also conquered by the Portuguese.

Portuguese rule over the conquered territories of the Jaffna and Kotte Kindgoms was shortlived. The Dutch conquered them from the Portuguese and established their rule until the close of the 18th century when the British ousted the Dutch.

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* *G.C. Mendis: "Ceylon Under The British", The Colombo Apothecaries Co., Ltd., Colombo (1944) - Introduction.*

By the Treaty of Amiens in 1802 these territories were ceded to the British Crown.

In the mountainous central part of Ceylon the Singhalese had established another Kingdom. Its King was a Tamil prince from South India who had his seat of government in Kandy. This Kandyan Kingdom was the last bastion of Singhalese independence. It had managed to beat off repeated attacks by the European powers, but the King was bedevilled by palace intrigues and plots. Finally in 1815 he was betrayed by his Singhalese Chief Minister to the British who captured the King, occupied his Kingdom, and annexed it to the British Crown. The whole island of Ceylon thus became a British possession.

For the entire duration of the Portuguese and Dutch occupation of the Jaffna and Kotte Kingdoms' territories the occupying powers had maintained separate administrations in the respective territories. The people were contained in their respective territories, and the Tamil-Singhalese animosity had no chance to show up. The British continued that system in the beginning even with regard to the newly annexed Kandyan Kingdom territory.

In 1833, however, the British put an end to that system pleading administrative convenience. Upon the recommendations of a Royal Commission headed by a Captain Colebrook the three conquered territories were unified into a single political entity of a Crown Colony with a centralised administration in Colombo under a British Governor. And this they did without asking the wishes of the people. Perhaps no conqueror in history ever did.

This was an epoch-making event. For the first time in its two thousand years of history the whole of Ceylon was brought under the effective control and administration of centralised government. At no time in the past during that long history had any King, whether Tamil or Singhalese, ever exercised effective power over the entirety of the island although some of them had made bombastic claims to being universal Sovereign and Emperor of all Lanka (Ceylon). The British Governor responsible to none but his Sovereign in England ruled the whole Colony from Colombo as one political entity.

It is this event which made the Tamils of the northern Kingdom of Jaffna a minority in a unified Ceylon as against the combined numbers of the Singhalese in the territories of the Kotte and Kandyan Kingdoms. It had far-reaching consequences to the Tamils. What was administrative convenience to the British proved to be the death knell of Tamil independence and sovereignty. It enabled the British to exploit the Tamils and lure large numbers of them to leave their homeland and migrate into the Singhalese country. It helped to revitalize the centuries-old enmity of the Singhalese.

When Lord Macaulay's scheme of education to produce English-educated clerks to man government and mercantile offices was introduced in Ceylon the rulers found in the Tamils an excellent material for their purposes. They recruited them in large numbers for employment throughout Ceylon. In their wake others came out of their traditional homeland to establish themselves in the learned professions, business and trade. The English planters found that the northern Tamils turned out to be very good tea-makers and employed many of them in their plantations.

Since Ceylon under the British was one country under a single administration for all intents and purposes, racial differences never affected the mobility of the population, so much so, that towards the close of British rule the number of Tamils who had ventured out almost equalled that of those who remained in their traditional homeland areas. The Tamil country had no attractions for the Singhalese, nor did the British find it of any potential value for economic development. By dint of hard work and perseverance the Tamils who ventured out achieved a certain measure of economic advancement, and helped in the development and prosperity of the Singhalese areas where they happened to live, more particularly the capital city of Colombo.

Generally speaking, the Singhalese by nature are a most lovable and friendly people with an easy-going outlook in life. The two peoples mixed freely, and there existed between them a relationship of friendliness and mutual understanding so long as neither had any political power in the country. Perhaps a common feeling of being subject peoples under an alien rule helped to create an atmosphere for friendly coexistence.

The emergence of political movements, however, changed that atmosphere completely. With the prospect of the British departure in sight, the Tamil presence and prosperity in the Singhalese areas was availed of as a convenient scapegoat by every political faction among the Singhalese in their feuds for supremacy among themselves. Therein lies the cause of all the disastrous events which followed the British withdrawal from Ceylon - disastrous not only to the Tamils, but to the Singhalese as well and the whole of Ceylon.

The British withdrawal left a legacy of another problem, also concerning Tamils, but Tamils of a different category. They are people whose forefathers had been uprooted from their homes in the Tamil country of South India by the British in comparatively recent times and brought to Ceylon on a promise of permanent settlement in Ceylon.

The then Madras Presidency, which included the present State of Tamil Nadu and the greater part of Andhra Pradesh, was the recruiting ground of the British for labour for all their plantations in Ceylon, South Africa, Mauritius, the West Indies, Burma, Malaya, Fiji, etc., whole families were engaged under a system of indenture in agreement with the Government of India and taken to these countries on the understanding that they would be permanent settlers in the countries to which they were taken.

Men and women in their thousands were brought to Ceylon, settled in the mountainous parts of Central Ceylon, and made to cut and clear thousands of acres of jungle and mountain slopes. It was all manual labour in those days when machinery was unknown. The cleared land was first planted with coffee, and later turned into Tea and Rubber Plantations. The men worked between tea bushes and rubber trees, and the women plucked tea leaves from high mountain slopes before sunrise or collected latex at the foot of the rubber trees. The settlement areas had no cemeteries, so their dead were buried between the tea bushes to provide nourishment.

Towards the close of the British rule the descendants of these early settlers and later arrivals were more than a million in number. They were all permanent citizens of Ceylon and were part of the fabric of Ceylonese society like any other community.They were all born in Ceylon, had grown up in

the plantations for generations, and had never known any other country outside their plantations. They exercised the franchise and elected nine Members to the first Parliament in 1947. They had representatives in the previous legislatures though appointed by the Government before the introduction of the Donoughmore Constitution. Under the Donoughmore Constitution their elected Member was even a Minister in the Government.

British policy, therefore, was directly responsible for the vulnerable position in which they left both categories of Tamils when they departed from Ceylon, the Colebrook unification of 1833 for the plight of the Ceylon Tamils, and the labour recruitment system for that of the Tamils of the plantation districts. Following that departure tragedy struck both categories. It is true that no exploiter in history ever cared for the comforts of the exploited, but a little more competent diplomacy could have averted the tragedy. Britain failed in the discharge of her trust.

CHAPTER 2

The introduction of the Soulbury Constitution in 1947 laid the foundation for the tragedy that befell the Tamils in Ceylon. The history of its birth, its decline and its eventual fall is the history of the tragedy itself. It constitutes the blackest chapter in Tamil-Singhalese relationship.

The success of political freedom and independence to colonial peoples in the modern world always presupposes an ability on the part of the hitherto subject people to govern their country in accordance with the universally understood but unwritten rules of civilized conduct and decency. Independence does not mean a licence to deviate from those rules. In the case of Ceylon, unfortunately, the Singhalese leaders used the newly won freedom, not to build a healthy and prosperous nation from where the British left, but to go back into the Middle Ages of history and revive the *Mahavamsa* antagonism.

Why this was so is probably due to the truism that freedom is valued most by a people who fight for it, who make sacrifices and battle for it. It may be a violent war as in the case of The American War of Independence, or it may be a non-violent struggle as in the case of India. In both cases the people concerned made tremendous sacrifices, and they knew what the

value of political freedom was, and they made a great success of the independence they fought for. In the case of Ceylon there was neither a war, nor a non-violent struggle, nor sacrifices, nor anything. Freedom was simply delivered to the Singhalese on a platter, as it were, in consequence of the Indian struggle.

When World War II was in its concluding stages it was apparent to most political observers that the Empire would have to undergo a change in its pattern, and England would not be able to hold on to her far-flung territories. The "Quit India" Movement in India was shaking the very foundations of the Empire with Gandhi, Nehru, and hundreds of thousands of Indian freedom fighters in prison, and the Viceroy Lord Wavell unable to get his writs run in any part of India.

In Ceylon, the British Supreme Commander of South-East Asia, Lord Louis Mountbatten, had his Headquarters in Kandy, Admiral Layton was in overall control of the island, and the civil administration of internal affairs was in the hands of a Board of Ministers headed by D. S. Senanayake but subject to checks by three British Secretaries. The imminence of India's independence was in the air.

D. S. Senanayake chose an opportune moment to communicate with Whitehall and raise the question of Ceylon's independence. Whitehall replied that the matter would have to await the conclusion of the War. After further exchanges Whitehall requested the Board of Ministers to submit a constitutional scheme which would be examined and reported on by a Royal Commission to be appointed at the end of the War. The Board of Ministers, composed preponderently of Singhalese Ministers, submitted a scheme modelled on the British system of Cabinet Government and insisted on its total acceptance without any Commission having to examine it. It is well known that the draft scheme was the handiwork of Sir Ivor Jennings, then Principal of the Ceylon University College.

When the War came to an end Whitehall, nevertheless, appointed a Royal Commission under the chairmanship of Viscount Soulbury with terms of reference to study the constitutional scheme of the Board of Ministers, hear evidence in Ceylon, if necessary, and to recommend proposals for the

reform of the constitution. D. S. Senanayake and his Ministerial colleagues decided to boycott the Commission - only officially and formally. They had long and protracted negotiations with the Commission in Colombo privately.

In view of the later acceptance of the Board of Ministers' Scheme in its entirety the question may be asked, what was the need for a Royal Commission? The most plausible explanation would be that Whitehall was aware of the existence of a Tamil-Singhalese conflict in Ceylon and the Board of Ministers' Scheme was a completely Singhalese proposal, and that the British did not wish to appear as having not consulted the Tamils and other minorities. Their solution to an almost identical conflict in India, the Hindu-Muslim problem, was going to be different. In India they were going to be partial to the minority, while in Ceylon they were going to be partial to the majority. The difference probably made them sensitive to a possible accusation.

Whatever the reason for the appointment may have been, the Soulbury Commission visited during 1944-45 and held public sittings in the principal cities of the island. All the important minority communities made representations through their organizations.

The Ceylon Tamils were not politically united at the time under a single leadership or organization. There were several groups holding different political opinions and which pulled in different directions. By and large, Tamil nationalism in general was represented by G. G. Ponnampalam with popular support at the grassroots level. He had a charismatic personality. He had already started advocating a formula for balanced representation for all the communities in the future legislature. The formula came to be known as G. G. Ponnampalam's Fifty-Fifty Demand. The moderates among the Tamils were led by Arunachalam Mahadeva (later, Sir), a Minister in D. S. Senanayake's Board of Ministers under the Donoughmore Constitution. The moderates stood for full cooperation with the Singhalese without conditions.

There was, however, one thing in common between the nationalists and the moderates, namely, both believed very firmly that the Tamils must have the right to settle and live in any part of Ceylon. Factually the North and East remained

predominantly Tamil, and the rest predominantly Singhalese. It is this belief which turned out to be a fatal mistake in political thinking and which has cost the Tamils thousands of lives and millions of rupees worth of property.

Efforts were, therefore, made to draw in all the groups of varying political opinions into one organization with a view to putting forward a united demand before the Soulbury Commission on behalf of the Ceylon Tamils. An ad-hoc body was set up for the purpose at a meeting in 1944 held at the Zahira College Hall in Colombo. The notice convening the meeting was sponsored mostly by G. G. Ponnampalam's supporters. Two colleagues of mine of the Colombo Bar met me with the notice and asked me to sign it as a convenor. I declined. For one thing, I was not ready to enter active politics for personal reasons. For another, I did not believe that the formula of balanced representation was a justifiable proposition, or for that matter, it was an effective solution for the Tamil problems. For a third, I was academically attracted to the idea of a federal system of government as the most suitable answer to the interracial animosity, being largely influenced in this by a newspaper article which S. W. R. D. Bandaranaike had written shortly after his return from Oxford advocating federal system for Ceylon.

The same lawyer friends had taken the notice round at the Colombo Law Library for signatures. S. J. V. Chelvanayakam told me many years later that these gentlemen for reasons best known to them did not wish to approach him, but that he went up and signed the notice as a convenor since he thought Ponnampalam's formula must be given the fullest backing. Chelvanayakam was eventually drafted into the ad-hoc body. A. Mahadeva, S. Natesapillai, and the other moderates also joined the body in a show of solidarity in spite of the fact that their most vociferous political opponent, G. G. Ponnampalam was chosen as the leader. This ad-hoc body later evolved into the Ceylon Tamil Congress party.

The ad-hoc body made the representations before the Commission on behalf of the Ceylon Tamils. G. G. Ponnampalam presented the case as its sole spokesman. He enunciated the fifty-fifty formula for Parliamentary representation in a marathon address which would have gone down in history as a landmark performance if only it had espoused a worthier

proposal for the solution of the Tamil-Singhalese problem. However, it represented the consensus that had been reached among all the leaders of the time.

The formula simply meant that fifty per cent of the seats in the legislature to be established under the reformed constitution should be allotted to the Singhalese by virtue of their being the majority people while all the other minority communities put together should be given the remaining fifty per cent.

The thinking that underlay the formula was that no one community would be in a position to dominate such a legislature. After all, had not the previous pre-Donoughmore Legislative Councils been similarly constituted? While the predominantly Tamil North and East could be expected to elect their own Tamil representatives, the scattered and widespread Tamil presence throughout Ceylon would also be assured of an effective voice even though by themselves they could never hope to elect their own members on a territorial basis. It was the only way to protect interests which had taken generations to build. The formula assumed that all the minority communities could be expected to be united in a given situation.

It was, indeed, a spurious thinking. Even if the formula had been accepted by the Singhalese leaders, let alone the Commissioners, it would not have made an iota of difference to the course of events that followed the grant of independence. The Soulbury Commission paid a polite tribute to G. G. Ponnampalam's performance, but rejected the formula. It made its recommendations accepting the Scheme of the Board of Ministers in its totality.

Posterity cannot be blamed if they have a grouse against the Tamil leadership of those times. It was a time that called for the exercise of the greatest political wisdom and foresight. It required thinking in terms of the future of the Tamil race in Ceylon as a whole rather than in terms of the protection of sectarian interests. They naturally have a grievance, because it is they who have been, and who continue to be, the helpless witnesses and victims of Singhalese misrule and misdeeds.

During the thirtyfive years since the British left Governments behave as though the only function of government is to eliminate the Tamils from Ceylon. Their citizenship has been made a doubtful right in their own motherland. A section of them has been deprived of franchise rights. Their lands have been taken away and colonized with Singhalese people under Government-funded projects. Their language has been deprived of recognition and they have to learn the Singhala language if they aspire for Government or mercantile employment. Their jobs under the Government have been taken away and given to the Singhalese. They are debarred from all fresh recruitments. Admissions to universities and places of higher learning are either denied to them or restricted to the barest unavoidable minimum. As a crowning act of despotic rule, they find themselves denied state protection of life and property.

Naturally the later generations began to question the wisdom of the political leaders of those times. After nearly four hundred years of foreign occupation and rule history presented the first opportunity to the Tamils to regain their lost freedom. In neighbouring India a minority similarly placed availed itself of a similar opportunity and found protection by establishing a separate state. They wondered why their leaders had failed to think of a similar solution for the Tamils in Ceylon.

It is not that such thoughts did not occur to the leaders. As a matter of fact, after the Soulbury Commission's recommendations were made known, G. G. Ponnampalam sent a cable to the Secretary of State for the Colonies suggesting that if the Commission's proposals were not revised the Tamils would be forced to press for a federal constitution. He followed it up by a futile last minute visit to London.

The truth is that the leaders were drawn almost entirely from Colombo's affluent Tamil society which was more concerned with preserving the status quo of its interests. They dreaded the prospect of being uprooted and the revolutionary change in the pattern of living which must necessarily have resulted from any form of division. Concern for their vested interests in Colombo and other Singhalese areas has always been influencing their political thinking, and had been an obsession with them. The great tragedy is that this obsession

persisted to the present day until the objects of that interest went up in smoke and rivers of blood ran along the drains.

This was the obsession that beset the Tamil leadership, and the Singhalese leaders were not slow to sense and exploit it. The debate on the White Paper containing the new constitutional proposals showed their cunning and how the Tamil leaders succumbed to it.

In India political proposals of this nature were considered and either accepted or rejected by the two great national parties, the Indian National Congress as representing the Hindus and the Indian Muslim League as representing the Muslims. These parties decided the destinies of their peoples. In Ceylon, however, the question whether the White Paper was to be accepted or not was left, not to the wishes of the people which could have been ascertained by holding a general election, but to an obsolete State Council which had been elected ten years previously in 1936. During those ten years political opinion in the country had undergone a significant change, and this Council could not be said to have reflected that change nor could its Members be said to have represented the wishes of the people. The Board of Ministers and Whitehall, however, decided to abide by the decision of this old State Council.

At the debate on the white Paper in the State Council in 1946, Arunachalam Mahadeva, S. Natesapillai, Jeganathan Thiagarajah and others of the moderate school of thought committed a complete somersault from the position they had taken up before the Royal Commission, and reverted back to their old stance of cooperation with the Singhalese. G. G. Ponnampalam was away in England making a last-minute effort to get the Imperial Government to change its attitude. He did not participate in the debate.

The Singhalese leaders in the State Council mustered all their powers of persuasion to urge the acceptance of the consitutional proposals. Speaker after speaker, D. S. Senanayake, S. W. R. D. Bandaranaike, A. F. Molamure (who later became the first Speaker of the House of Representatives), George E. de Silva, and many others, made fervent appeals for cooperation with the Singhalese to work the new constitution. They appealed, pleaded and cajoled. Almost parrot-like they all begged: "Please trust us and give us a chance to prove that

we are worthy of your trust." - "Please have faith in us and see whether we are worthy descendants of the mighty Singhalese race or not." - "Please let us work this constitution and see whether we cannot overcome its shortcomings." - "Please let us give this constitution a trial, and we will prove to you that your fears are unfounded." D. S. Senanayake even cited history to say that Tamil Kings had ruled the Singhalese, and Singhalese Kings had ruled the Tamils, but the people had always lived in amity.*

The speeches of the Tamil Members are a study in political prostitution. They all advocated that the Singhalese must be trusted, and that full cooperation should be extended to work the new constitution. S. Natesapilai's theme was: We placed our case before the judge (the British Imperial Power), the judge has ruled against us, and there is nothing more that we can do. The Tamil pundit that he was, he even quoted Auvai the poetess; *Kittathayin vettena mara* (If you cannot get a thing you want, forget it instantly). Jeganathan Thiagarajah even spoke of armed rebellion. Any other people in the circumstances, he said, would have risen in armed rebellion, but we cannot do that; therefore, let us cooperate with the Singhalese and work this new constitution. My advice to my people, he added, is to trust the Singhalese.

The State Council resolved to accept the new constitution. All the Members representing the Ceylon Tamils voted in favour.

An interesting account of a revealing episode concerning this voting was going the rounds in political circles at that time. Some prominent Tamils like S. J. V. Chelvanayakam, Dr. E. M. V. Naganathan, Handy Perinpanayagam and others made an eleventh hour effort to persuade the Tamil Members of the State Council to vote against the White Paper. Natesapillai promised them that he would vote against. D. S. Senanayake held a reception at his official residence on the eve of the voting. While he was seated on the lawn surrounded by a group of distinguished visitors, he noticed the turbaned head of the occupant of a car that drove up the driveway. He had probably known that Natesapillai had been persuaded to vote against the

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* *For fuller extracts of these speeches from the Hansard, see my inaugural presidential address to the Tamilar Suyadchi Kalagam, 1969.*

White Paper. Natesapillai alighted from his car and was walking up to the group when Senanayake turned to his neighbour and exclaimed in a half whisper but loud enough to reach the ear of the aproaching gentleman, "Ah, here comes our future Minister." The die was cast. The following day Natesapillai voted in favour of the acceptance of the White paper. Any other people, as Jeganathan Thiagarajah had said, would have resorted to violence, but not the Tamils of Ceylon, because they have been nurtured in the ways of democratic behaviour. They bided their time to vent their anger. At the first general elections held in 1947 under the new Consitution all these members of the old State Council were routed. Natesapilai was defeated by S. J. V. Chelvanayakam, A. Mahadeva by G. G. Ponnampalam; Mahadeva and Jeganathan Thiagarajah never returned to politics.

One is tempted to wonder whether it is an inherent weakness of all minorities to be trusting of the majority. Whether as a virtue or of necessity, that is how numerical minorities tend to behave, placing a trust in the majority. In all the countries where Parliamentary democracy is working satisfactorily the majorities, for their part, always respect that trust and reciprocate by doing nothing to betray that trust. Societies cannot do otherwise than to follow the well-known adage that trust begets trust if they want to advance culturally, economically, politically, and in international standing as a civilized nation. It was only in Nazi Germany that the State exhibited arrogant intolerance, and Germany paid for it by dismemberment.

The recommendations of the Soulbury Commission were implemented quite expeditiously. Buckingham Palace issued the two Orders in Council of 1946, namely The Ceylon Consitution Order in Council and The Ceylon Parliamentary Elections Order in Council. Ceylon thus became a Dominion under the British Crown. General Elections for the first Parliament were held in 1947.

Because the new constitutional scheme envisaged a party system of government on the British pattern, efforts were made to organize a single well-defined political party to reflect Singhalese nationalism but under the cloak of Ceylonese nationalism. The Ceylon National Congress, to which

D. S. Senanayake, his son Dudley Senanayake, his nephew John Kotelawela, A. F. Molamure and J. R. Jayawardene belonged, and the Singhala Maha Sabha, of which S. W. R. D. Bandaranaike was the leader, were merged to become the United National Party (UNP). The Tamil moderates like A. Mahadeva and S. Natesapilai joined this party. On the Tamil side, the ad-hoc body which had been set up for the purpose of making representations to the Soulbury commission on behalf of the Ceylon Tamils became a permanent political party under the name of the Ceylon Tamil Congress(TC) with G. G. Ponnampalam as its leader. The Tamils of the hill country plantation districts were already organized under the Ceylon Indian Congress(CIC).

All these parties fielded candidates on their party labels at the General Elections in 1947. The UNP secured a majority of the seats, and its leader D. S. Senanayake was appointed the first Prime Minister of the new Dominion of Ceylon. Ceylon was not completely independent as yet.

When D. S. Senanayake was carrying on negotiations with Whitehall for consitutional reforms he was pressing for full independence. He had been told that if Ceylon made a request for complete independence after the General Elections, His Majesty's Government in Britain would consider getting the necessary legislation passed by the Parliament at Westminster. By Ceylon it was said to have been intended to mean that all the important communites which make up the population of Ceylon must jointly make the request, and only on such a request Britain would consider the grant of full independence.

Here was yet another opportunity, and most definitely the last, for wise leaders to avail of if they were genuinely interested in the Tamil race and people. But the men who claimed to have come forward to serve the Tamil people failed to seize it even now, for such was their psychotic addiction to trust.

D. S. Senanayake had a faithful adviser in the person of Sir Oliver Goonetilleke, one of the astutest and wiliest diplomats of the time. Possibly on Goonetilleke's advice he set about the business of Cabinet-making keeping in mind Britain's conditions for the grant of independence. He constituted his Cabinet

to include Singhalese, Tamil, Muslim, Malay, European and Burgher Ministers as representative of all the communities. C. Sundaralingam, M. P. for Vavuniya, was the Tamil Minister who was supposed to represent the Tamils.

There was considerable opposition in the country against Sundaralingam joining the Government. He convened a meeting at the New Town Hall in Colombo to explain to the people why he had accepted D. S. Senanayake's offer of a Ministry. It turned out to be a particularly boisterous meeting at which the opposition forces led by G. G. Ponnampalam (Jaffna), S. J. V. Chelvanayakam (Kankesanturai), C. Vannisingham (Kopay), Dr. E. M. V. Naganathan (Senator), and V. Kumaraswamy (Chavakachcheri), who were the new Members of Parliament all elected on the newly formed Tamil Congress party ticket, clashed with the supporters of Sundaralingam. The oppositionists demanded that Sundaralingam quit the Cabinet. Sundaralingam stubbornly refused, and the meeting broke up in a pandemonium.

One of the first acts of Prime Minister D. S. Senanayake was to introduce a resolution in the Cabinet requesting Britain to grant complete independence. The Cabinet approved it unanimously, C. Sundaralingam gave his consent to signify that the Tamils joined in the request. In December 1947 the United Kingdom Parliament enacted the Ceylon Independence Act renouncing for ever its right to legislate for Ceylon, and making the legislature in Ceylon the soverign Parliament of an independent nation. On February 4, 1948, in a glittering ceremony at Torrington Square (now renamed Independence Square) in Colombo, the Duke of Gloucester hauled down the Union Jack and hoisted the Lion Flag of the Singhalese signifying the transfer of power.

That last act Sundaralingam giving his consent constituted the final seal placed on the fate of his people, the Tamil race in Ceylon. The last remaining shred of a trump card which the Tamils might have used to their advantage at an opportune moment was bartered away by a Tamil Minister. By that single act the Tamils changed their rulers, from the British to the Singhalese. One can imagine Sir Ponnampalam Ramanathan turning in his Samadhi grave in disgust of the intelligence of his compatriots.

For all that, Sundaralingam did not remain in the Cabinet for long. He resigned after a few months allegedly over a disagreement with the Prime Minister on some matter concerning the Tamils of the hill country plantations. On the Government side it was said that he was asked to resign for other reasons. Whatever the reasons may have been, as far as the Tamil people were concerned, the damage had been done irretrievably before he quit the Government.

Years later, when the language law was passed, Sundaralingam was stricken with remorse. He issued public statements that it was he who had let down the Tamils, that if he had not given his consent to the independence request Britain would never have granted it, and the Tamils would not be in the plight in which they find themselves today. He said that he was writing the statements with tears for the fate of his people. He said D. S. Senanayake was his trusted friend for whom he had drafted many speeches and state papers, and he had implicit trust that his friend the Prime Minister would never let down the Tamils. Like Soulbury, he too believed that had D. S. Senanayake been alive he would never have countenanced any such blatant misuse of the Constitution.

It is sometimes incredible to see how men of very great intellectual powers, learning and experience, when cast with the duty of taking decisions affecting the fates of peoples and nations, allow their decisions to be guided by the trust they happen to have in friends in power, how they persuade themselves to believe that the personal attributes of the friends are an adequate safeguard against anything going awry or are a substitute for something more permanent, or that the friends are blessed with immortality. It is in such circumstances that motives are attributed to the actions of public men. There may not be the slightest doubt about Sundaralingam's sincerity in his expression of regret. But what good can lamentations do when the very existence of the Tamil people in Ceylon is threatened?.

CHAPTER 3

Quite early in the life of the first Parliament of independent Ceylon, the capacity of the party system to function democratically and un-arbitrarily was put to the test, particularly that of the party in power, namely, the UNP. In England, from where the system was borrowed, strict observance of certain traditions and standards which,though unwritten, always governed the conduct of political parties ensured the success of the system. It became a valued institution and a pillar of Parliament. In Ceylon such a reputation was yet to be established. Instead of making an effort to establish it, Ceylon chose a path which resulted in demonstrating that the system is unworkable in this country.

A situation arose in which the UNP showed itself in its true colours, that it was not interested in working the new Constitution and its laws in the best traditions of Parliamentary Democracy, that it would not hesitate to use its majority in Parliament even to tamper with the law, if the law is found to be irksome to its members. As a matter of fact, this situation was the first and the beginning in a thirtyfive year history of legislation in which the UNP has made it clear its understanding of a ruling party's majority in Parliament is that it is a licence to tyranny and despotism. This first situation was

comparatively a small matter, and no great national issue was involved, and yet the UNP found it necessary to intervene with quick legislation.

It arose out of a court decision in an election petition proceeding. The law governing the election of Members of Parliament to the House of Representatives is contained in The Ceylon Parlimentary Elections Order in Council, 1946, recently issued by Buckingham Palace to accompany the Soulbury Constitution. One of the Clauses in it that deals with the disqualifications of candidates for election provides that a candidate who is "directly or indirectly interested" in any contract with the Government is disqualified from being elected to Parliament. It is a salutary provision of the law intended to prevent corruption and influence peddling on the part of persons aspiring to seats in Parliament and Ministerial office. The court decision concerned the interpretation of this disqualifying Clause as applicable to a candidate who had been elected at the first General Elections.

At the first General Elections held in 1947, the contest in the Constitutency of Kayts in the Northern Province was between A. V. Kulasingham, the Tamil Congress candidate, and A. L. Thambiaiyah, an independent candidate with known UNP sympathies. Thambiaiyah was declared elected by a narrow margin of some four or five hundred votes.

Kulasingham filed an Election Petition challenging the election on several grounds, but the main ground was that Thambiaiyah was disqualified under the above Clause. He alleged that Thambiaiyah was chairman and managing director of the Ceylon Cargo Boat Despatch Company Ltd., and as such he was interested in the wharfage and lighterage contracts which his Company had with Colombo Port Authority, which was a Government Department. He argued that Thambiaiyah was thus disqualified from being elected. Mr. Justice Basnayake, the Supreme Court Judge who heard the case, agreed with Kulasingham that Thambiaiyah was "directly or indirectly interested" in contracts which his Company had with the Government Department and declared his election void.

As the law then stood, that judgment was final. The Parliamentary Elections Order in Council did not provide for

any appeal, possibily because according to the scheme of that legislation an Election Judge who hears an election petition is always to be a Judge of the Supreme Court and it was not thought proper to provide for an appeal from a Supreme Court Judge's finding.

But the judgment was very disturbing to Prime Minister D. S. Senanayake and his Ministers and Members of Parliament of the UNP. If it concerned only Thambiaiyah perhaps they might not have been rattled. It was believed to affect the interests of a number of Ministers and Members of Parliament. If allowed to stand, many UNP stalwarts with Parliamentary ambitions would not be able to contest in the future. D. S. Senanayake, therefore, rushed a Bill through Parliament to amend the Order in Council incorporating a new Clause giving a right of appeal from an Election Judges finding. An aggrieved party could appeal to the Supreme Court within thirty days of the Election Courts judgement. A. L. Thambiaiyah lodged his appeal, and three Judges of the Supreme Court, after hearing lengthy arguments, set aside Justice Basnayake's judgement. Thambiaiyah thus saved his seat as M. P. for Kayts.

It was not the amending legislation, or the justification for it, that attracted attention. After all, it is a well-known function of the democratic process,whenever defects or flaws are detected in new legilsation,to take steps to rectify them in the national interest. But this action of the Government was not that. It was seen as a sign highlighting the readiness with which the leaders of the principal political party of the Singhalese people were willing to play havoc with the laws of the country at the slightest threat to their interests. It presaged a dangerous political tendency. It was an ominous portent of what they could do with the immense political power which the new Constitution and Independence have concentrated in their hands.

As far as the Tamils were concerned they did not have to wait for long to know what the UNP had in store for them. D. S. Senanayake was quick to resort to measures to consolidate and strengthen the power of his Singhalese people. Bill after bill was introduced in Parliament and a host of administrative actions taken dealing the death-blow to the Tamils.

The series of anti-Tamil legislation commenced with The Ceylon Citizenship Act 1948. It laid down the law defining a Citizen of Ceylon. Those who cannot satisfy the definition were aliens. It is a unique citizenship law, the like of which cannot be found in any other democratic country in the world. It was manifestly aimed against the Tamils of both categories in Ceylon. It was also to serve as a foundation for further laws which were to follow with a view to disfranchising the Tamil settlers in the plantations of the hill country. The Act has been described as the most draconian piece of legislation imaginable. Its provisions are so harsh that not more than a handful of Tamils would be able to establish their citizenship.

Under the provisions of this Act, you are not a citizen of Ceylon unless you can establish that you were born in Ceylon and your father was born in Ceylon before a prescribed date. If you were born outside Ceylon, then you are not a citizen unless you establish that your father was born in Ceylon before the prescribed date and that your grandfather was born in Ceylon. If both you and your father were born outside Ceylon, then you will have to establish that your grandfather and great-grandfather were both born in Ceylon, and so on.

These are harsh provisions deliberately intended to shut out as many Tamils as the bureaucrats please. It is before the bureaucrats that people go with business which requires establishing citizenship. To establish citizenship legal proof will have to be adduced, and the only legal proof acceptable to the bureaucrats is the production of the birth certificates of the persons whose birth in Ceylon has to be proved. Birth certificates are not available in all cases for the simple reason that the system of registering births and deaths and maintaining records of vital statistics was not introduced in Ceylon until 1898 or thereabouts. The result was that persons in the age group of 50 years and over at the time the Act was passed and bearing Tamil names could never hope to establish their citizenship, nor those under 50 years but whose fathers were born before 1898. But for his Singhalese name, D. S. Senanayake himself could never have established that he was a citizen of Ceylon.

The effect of this law was that overnight all persons in Ceylon bearing Tamil names were made doubtful citizens in their own motherland, the land where they and their

forefathers and their progenitors had lived from the dawn of history. They will not be accepted as Citizens unless they prove it.

The pattern of anti-Tamil legislation that was intended was beginning to reveal itself.

Almost simultaneously with the Ceylon Citizenship Act, a sister piece of legislation was enacted. It was The Indian and Pakistani Residents Citizenship Act of 1949 by which people of Indian and Pakistani origin with certain residential qualifications were permitted to apply for and obtain the status of a "Registered Citizen of Ceylon". The measure was spoken of as a concession to soften the rigours of the Ceylon Citizenship Act and as proof of the generosity and good intentions of the Singhalese leaders, but in reality the true purpose was that they required a limited number of the plantation workers to remain in Ceylon to work the tea estates. Experience had shown them that Singhalese labour could replace the Tamils in working the rubber plantations which are mostly in the low level plains, but Singhalese labour would not work in the tea estates which are all on the higher altitude mountain slopes. Tamils alone were the willing and productive workers on tea estates. This Act, therefore, was intended to ensure the continued smooth working of the tea plantations and prevent any disruption of the country's economy.

The debates in Parliament on the two Citizenship Bills are another illustration of the misfortune of the Tamils in their leadership. The Tamil Congress was the principal spokesman of the Ceylon Tamil people. Its leader, G. G. Ponnampalam, did not speak on the Ceylon Citizenship Bill, but contended himself with merely voting against it. S. J. V. Chelvanayakam told me many years later that that was the time when Ponnampalam was believed to have been negotiating with D. S. Senanayake to join the Cabinet.

Chelvanayakam, however, spoke at length. He launched a spirited attack on the Government for the machiavellian thinking and concept which went behind this cunning piece of legislation. He was so carried away by anger that he shouted at the Government benches: "You are now hitting at the weakest section of the Tamils, you are hitting at the innocent and the meek that are labouring in the chill and the cold of the

plantations producing your wealth. We will know where we stand when our turn comes next, we will know when the next piece of legislation in this series comes, the one dealing with our language" or words to that effect. Ponnampalam, who was in the next seat, kept on tugging at Chelvanayakam's coat tails whispering, "Chelva, don't burn your boats. Chelva don't burn your boats." Chelvanayakam did not understand the full import of these words until Ponnampalam joined D. S. Senanayake's Cabinet.

The next legislation in the series was The Ceylon Parliamentary Elections Orders in Council Amendment Act of 1949. After laying down the law defining a Citizen of Ceylon, D. S. Senanayake by this new Act amended the election law once again to provide that only citizens of Ceylon as defined by the Ceylon Citizenship Act were eligible to be registered as voters and to vote at elections. Procedurally it meant that a person would have to apply to be registered as a voter and to prove to the satisfaction of the registering officer that he is a citizen of Ceylon. Obviously, as explained earlier, the Tamils of the plantation districts could never hope to meet that requirement.

It was a simple but brilliantly conceived device which made a whole sweep of the franchise rights of the one million and more Tamils of the hill country plantations who had exercised that right until then. They elected nine Members of their own to the very Parliament in which this law was passed. They were, of course, helpless. Indeed, it was to keep them out of future Parliaments that this legislation was resorted to. All the calculations of Soulbury and Ivor Jennings for these people's representation in Parliament, and all the labours of the first Delimitation Commission to carve out suitable consituencies for them, were set at naught in one stroke.

At the next annual revision of the electoral registers, all Tamil names in the voters, lists of the hill country plantation area constituencies were simply scored off by administrative action. The registers of the nine constituencies which had Tamil Members sitting in the current Parliament showed a drastic reduction of the total number of voters from around 30,000 to about 2500, 4000 or 5000. The Nawalapitiya

electorate, for example, had its total reduced from around 28,000 to about 2000. The retained names on those registers were all those of Singhalese voters, so that all these constitutencies returned only Singhalese Members at the next General Elections held in 1952 and at every election thereafter.

In terms of Parliamentary seats the result was quite interesting. The Singhalese strength in Parliament was increased by the number of seats denied to the Tamils in the hill country electorates. An electorate with 40,000 voters elected one Member, and an electorate with 2000 voters also elected one Member. This was manifestly not the pattern which the architects of the constitutional scheme which ushered in independence, Lord Soulbury and Sir Ivor Jennings, contemplated. At least, that is what they said.

The two architects found occasions in later years to give expression to their disillusionment.

Sir Ivor Jennings, reputedly the draftsman of the Constitution, once gave a radio talk over the BBC, London. My recollection is that it was reproduced in the LISTENER in December 1951 or January 1952. I remember Jennings recalling that D. S. Senanayake would meet him quite often and brief him on various points that needed clarification during the drafting. He then declared as his current view that if at the time of drafting he had the experience he now had, the Constitution would have beer. different. He did not elaborate how different.

These expressions of opinion by the very men who carried on the discussions and negotiations with D. S. Senanayake would lead one to draw the inference that they trusted D. S. Senanayake implicitly when they gave the final shape to the constitutional proposals. It would be an equally legitimate inference to say that when he agreed with Whitehall and the Royal Commission to the proposals concerning the franchise rights and Parliamentary representation of the Tamil plantation workers D. S. Senanayake had mental reservations. Be that as it may, Jennings probably experienced a rude shock at the manner in which his safeguard provisions had been thwarted.

The five years of the first Parliament was a most vital and decisive period for the Tamils. Their leaders recognized its importance for the future of the race. They understood the trend

of Singhalese legislation, and realized its ominous portents. They knew that the race was heading for a tragic doom. And yet, instead of rallying for concerted action to avert the disaster, they went in different directions in pursuit of their own ambitions.

The situation is a strange commentary on the state of Tamil society. The Tamil people are the proud inheritors of a rich heritage. Why, then, have they degenerated into such impotence? A little introspection will tell them, it is because they have ignored the wisdom and the moral values of that heritage.

It is a Tamil poet of the 4th century BC who left them words of wisdom, the like of which cannot be found in any other literature. The poet said:

'yāthum oore yāvarum kelir
theethum nantrum pirar thara vārā

Translated, it means:

All world is my abode, all mankind my kin,
The evil and good one doth experience come not from external source.

The Tamils of Ceylon, particularly their leaders who are supposed to know better, ignored both the precepts. Let alone the vision of the brotherhood of all mankind as contemplated in the first line, it is at least within their power to practise brotherhood among themselves, like the Muslims do. Let alone considering the whole world as their village, they can at least regard their traditional homeland as one unit where all inhabitants are equal and where no one area claims to be elite.

Instead, Tamil society presents a picture of disunity that is always nursed by a false pride that has no logical basis, pride of every description region-class, caste, birth, wealth-and what have you. Northern Province versus the Eastern Province, Ceylon Tamil versus the Plantation Tamil, Jaffna versus Batticaloa, high caste versus not so high a caste, the English-educated versus the Swabasha-educated, the trousered white-collar worker versus the farm workers, and so on. Snobbery has pervaded the entire society and prevents people from uniting even in the face of grave danger to the whole race.

The chasm that divides the Ceylon Tamils from the Tamils of the hill country plantation districts is even more deplorable. They exist as two distinct sections in two different geographical areas. Historical and social reasons, and possibly economical and vocational conditions, did not permit any social intercourse or mixing between them in the past. It did not suit the colonial rulers or the European planters to encourage it either. Besides, the Ceylon Tamils always behaved with a superiority complex towards the plantation area Tamil, which was particularly resented by the latter.

The worst offenders in this respect were the leaders. They never espoused the cause of the plantation workers, nor did they evince any interest in their living or working conditions in the estates. If any of them did, it was only to betray when it suited them. The two sections never made common cause on any issue. Inevitably the Tamils of the plantations looked upon the Ceylon Tamil leadership with distrust. This unfortunate attitude of the Ceylon Tamils was one of the causes which led to the rise of the Ceylon Indian Congress on the advice of Pandit Jawaharlal Nehru as the authoritative voice of the plantation Tamils.

On the eve of independence, however, the Tamil Congress party which represented the Ceylon Tamils took a unique step which held out great promise. G. G. Ponnampalam as its leader gave a written undertaking to the leaders of the Ceylon Indian Congress that whenever the Tamil plantation workers or their interests were threatened he would stand by them and espouse their cause. It was the first attempt at forging a solidarity between the two sections of the Tamil people. G. G. Ponnampalam at the time was such a popular leader that he was hailed as the uncrowned king among the Ceylon Tamils. A combination of his powerful voice and the trade union power of the Ceylon Indian Congress would certainly have been a potent force which would have deterred D. S. Senanayake and the UNP from pursuing their programme of anti-Tamil legislation.

But the curse that hangs over the heads of the Tamil people in Ceylon, the craze for office, would not permit that prospect, D. S. Senanayake was too shrewd a politician to allow time for his opponents to consolidate their strength. He and his adviser were much too seasoned men to let the Tamil solidarity take shape and grow, and not to exploit the weakness

of the Tamil leaders. After Sundaralingam left the Cabinet, threfore, D. S. Senanayake sent out feelers to G. G. Ponnampalam.

As it turned out, G. G. Ponnampalam was in the opposition only until he voted against the Ceylon Citizenship Bill. He was taken into the Cabinet soon afterwards and appointed Minister of Industries and Fisheries. When the Indian and Pakistani Residents Citizenship Bill came up for voting he was in the Treasury Benches, and he voted with the Government. His joining the Government split the Tamil Congress, but he had no qualms. He voted in favour of The Ceylon Parliamentary Elections Order in Council Amendment Bill which took away the franchise rights of the one million and more Tamils of the Plantation Districts.

It was the unkindest cut of all, the third blow dealt in a line to all Tamil hopes of ever resisting Singhalese aggression. G. G. Ponnampalam's powerful voice was effectively silenced. He, of course, justified his action and told a public meeting in Jaffna that the Tamils have nothing to gain by remaining in sterile opposition for ever. By extending their cooperation alone they could hope to get something out of the situation. He called his action Responsive Cooperation. In return for his cooperation in disfranchising the Tamils of the plantation districts D. S. Senanayake would respond with three factories in the Northern and Eastern Province. What a bargain! What kind of leadership is it that regards a million or more human beings as worth only three wretched factories? What kind of leadership is it that fools itself into believing that that was all the price the Tamils were going to be called upon to pay? G. G. Ponnampalam lived long enough to see that was not all.

To give a solemn undertaking to a weak section of the Tamils numbering more than a million people,to stand by them and protect them, and then to betray them in the very hour of their distress and peril was the clearest manifestation of insincerity and opportunism in politics. It helped to aggravate the traditional distrust which the Tamils of the plantation districts had of the Ceylon Tamil leadership.

But it is a game two parties can play. The Tamils of the plantation districts waited for almost thirty years to pay back in the same coin. After the General Elections in 1977 their

leaders meted out what in every detail was poetic justice to the Ceylon Tamils. The circumstances were cent per cent identical.

Checkmated at every turn, the Ceylon Tamils in the 70's, this time under the newly formed Tamil United Liberation Front (TULF), turned once again to the Tamils of the plantation districts for adventitious support in their brand of opportunist politics. In a doubtful show of unity (which was not there in reality) between the Federal Party, the Ceylon Tamil Congress and the Ceylon Workers Congress, the TULF appointed as its joint Presidents the respective leaders of the three parties, S. J. V. Chelvanayakam, G. G. Ponnampalam and S. Thondaman, as a sort of a Triumvirate to lead the Tamils as a whole. It was obviously yet another attempt to forge a solidarity between the two sections of the Tamils. It had the same weaknesses as the earlier attempt, and it aimed at the same objective of exploiting the trade union power of the Tamils of the plantation districts. Like D. S. Senanayake, the then leader of the UNP, destroying the earlier attempt by taking in G. G. Ponnampalam as a Cabinet Minister, this time J. R. Jayawardene, also as leader of the UNP, destroyed the later attempt by appointing S. Thondaman to his Cabinet as Minister of Rural Industries. If J. R. Jayawardene followed in the footsteps of D. S. Senanayake, Thondaman followed the example of G. G. Ponnampalam, both cases destroying any hopes of uniting the two sections of the Tamils. In both cases the prospect of the two sections acting in concert was utilized as a bargaining lever to achieve Ministerial office. If Ponnampalam justified his betrayal of the written undertaking to the Tamils of the plantation district by pleading his new belief that only by responsive cooperation with the Singhalese could he obtain some benefits for his people, so did Thondaman justify his betrayal of the Joint Presidentship of the TULF by pleading that his first duty was to protect his own people. If Ponnampalam lived to see the Singhalese making further inroads into Tamil rights, so did Thondaman live to see that when the Singhalese mobs go on the rampage no goon ever stops to ask his victim before attacking or killing whether he is a Ceylon Tamil or a Tamil of the plantation districts.

The parallel is so striking, and the consequences to the people so disastrous, that it should engage the attention of every

man and woman who put themselves forward as leaders, and serve as a warning to eschew opportunist politics, if they desire to serve the Tamil people honestly. In Ceylon the Tamils are gullible people, easily swayed by platform oratory. They are adherents of the personality cult and hero worship. The temptation for unprincipled politics to exploit this weakness of the people is, therefore, all the greater. The people paid a heavy price in the Black July-August '83 because they allowed themselves to endorse unprincipled politics.

This, then, is the true import of the Tamil poet's words, "The evil and good one doth experience come not from external source." If the words have a deep and sublime philosophical meaning, they have also a relevancy in such mundane affairs as politics. The Tamils shall have to recognize that they have a house to clean. It cost six million precious lives before the Jews of Europe realized the truth enshrined in the Tamil poet's words. Before that, the Jews were also great talkers and debaters, like the Tamils. Historically the Jews and the Tamils have a close affinity. Both are ancient peoples who lived in close proximity in the ancient past. Perhaps for that reason, both have common characteristics, good as well as bad. It is to be hoped that the Tamils will draw inspiration from the good example of the Jews for the preservation of their race.

To come back to the course of events, the Ceylon Tamil Congress got split in the middle as a result of G. G. Ponnampalam joining the Government and betraying the Tamils of the hill country plantation. One section which believed in continuing the resistance to the Singhalese plans for domination led by S. J. V. Chelvanayakam, M. P. for Kankesanturai, C. Vanniasingham, M. P. for Kopay, Sivapalan, M. P. for Trincomalee, Dr. E. M. V. Naganathan, Senator, and Dr. V. K. Paramanayagam, General Secretary of the Tamil Congress, walked out of the Tamil Congress amidst scenes of uproar at a meeting of the executive. V. Kumaraswamy, M. P. for Chavakachcheri, stood by Ponnampalam and was later made a Parliamentary Secretary.

The dissident group which left the Tamil Congress began to campaign for the launching of a new party which was to emerge as the Ilankai Tamil Arasu Kadchi popularly referred to in English as the Federal Party.

The Members of Parliament representing the Tamils of the hill country plantation districts such as S. Thondaman, Rajalingam, C. V. Velupillai, Ramanujam, S. N. Subbiah, and K. V. Nadarajah (a Ceylon Tamil lawyer settled in the plantation districts), continued to sit in Parliament. The question that was uppermost in their minds was how to deal with the new situation arising from the disfranchising law.

They consulted S. J. V. Chelvanayakam for whom they had a high regard. They respected him not only because he was an eminent lawyer and Queen's Counsel, but for his incorruptible integrity and for his espousal of their own cause. On his advice they also consulted other legal opinion both in Ceylon and in India. It was the general opinion that the new laws were a clear violation of Article 29 of the Constitution and should be challenged in the Courts of Law. The leaders of the plantation Districts Tamil community decided to resort to legal action.

Article 29 of the Constitution was the legal provision which conferred on the Parliament of Ceylon its law-making powers. It was also the device by which the framers intended to safeguard and protect the minorities against discriminatory legislation. It provided that Parliament may make laws for the peace, order and good government of Ceylon. But any law which conferred a benefit or advantage on one community while not conferring the same benefit or advantage on the other communities, and any law which made one community subject to a disability or disadvantage while not making the other communities also subject to the same disability or disadvantage, were declared void. The Article also laid down the requirement of a two-thirds majority to amend the Constitution.

The contemplated legal action was to ask the courts to declare that the Ceylon Citizenship Act and The Ceylon Parliamentary Elections Order in Council Amendment Act were violative of Article 29 in that they were discriminatory against the Plantations districts Tamil Community of recent Indian origin. This was to be a test case, and preparations were made to lay the foundation for it.

At the next annual revision of the Electoral Registers one Kodakanpillai applied to have his name entered in the list of registered voters as a voter in a Parliamentary Constituency

in the District of Kegalle. The Assistant Commissioner of Parliamentary Elections who was the registering officer, one Mudannayake, made order refusing his application since he could not prove that he was a citizen of Ceylon as required by the new law.

A team of lawyers worked on the case with devotion in a spirit of national service. S. Nadesan, a Senior Advocate of the Colombo Bar (later a Q. C. and Senator), agreed to conduct the case free. He was assisted by a young Advocate, T. Canagarayer, who did much of the spade work.

Kodakanpillai filed action in the District Court of Kegalle appealing against the order of refusal of the Elections Commissioner. The case came to be known as Kodakanpillai vs. Mudannayake. A number of affidavits was filed by way of evidence on behalf of Kodakanpillai, including one from S. Thondaman.* S. Nadesan argued the case for Kodakanpillai. The Attorney General, Sir Allan Rose, appeared for the Government. After protracted arguments, the District Judge of Kegalle, N. Sivagnanasundaram, delivered judgment that the new laws did violate Article 29 and were, therefore, void. He accordingly allowed Kodakanpillai's appeal.

The Government thereupon took the case to the Supreme Court by way of writ procedure. A Divisional bench of three Judges heard arguments and held that the laws were not ultra vires of Parliament. They accordingly quashed the judgment of the Kegalle District Judge.

Kodakanpillai appealed to the Privy Council. The Judicial Committee of the Privy Council dismissed his appeal. One of the interesting findings of the Committee was that the Tamils of recent Indian origin settled in the plantation districts of Ceylon were not a "community" as contemplated in Article 29 of the Constitution since its identity could not be ascertained. It was generally believed at the time that the Government of an infant nation recently granted independence enjoyed an edge over its detractors in attracting sympathy and tolerence.

However, being a judgment of the British Sovereign on the

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* *The Table in "Ceylon Faces Crisis" showing the reduction in the number of voters of plantation district electorates was reproduced from Mr. Thondaman's affidavit.*

advice of His Majesty's Privy Council - Ceylon's Constitution did not make provision for a Privy Council to advise the King of Ceylon who alone was an arm of the Parliament of Ceylon - it had a number of implications in the realm of international obligations and political succession. All the promises of permanent settlement in Ceylon which Britain had given at the time of recruitment of labour in India now amounted to nothing in the end. It was tantamount to Britain disowning any responsibility for the affected people. Years later, Uganda in East Africa challenged that attitude by dumping a similarly affected people at the doorsteps of Britain herself.

The lot of the hill country plantation Tamils in the first quarter of this century was, indeed, very hard. Their position was almost similar to that of the serfs in Tsarist Russia. The Rupee Companies and the Sterling Companies based in England which owned the plantations regarded them as machines producing tea and rubber. The inanimate machines at least received attention by way of periodical servicing and maintenance, but not these human beings. Their living and working conditions were deplorable beyond description.

The Indian National Congress in about 1930 sent Pandit Jawaharlal Nehru to Ceylon as its unofficial ambassador to look into the conditions of these Tamil workers. He found them like orphan children. None of the Governments-the British, the Indian, or the Ceylonese-took any interest in them. The European Planters drove them like cattle and exacted the maximum work for the poorest wages. The Kanganis, who supervised their work in the plantations and who, in most cases, were the agents who recruited them in India, behaved like slave owners though they were themselves Tamils. The Ceylon Tamils took no notice of them. Jawaharlal Nehru advised them that the first step to improve their lot was to organize themselves into a trade union which would look after their interests and act as their principal spokesman.

The people accepted the advice and founded the Ceylon Indian Congress in the early'30s. Some of its early leaders were Peri Sundaram, George R. Motha, Natesa Iyer, H. Nelliah, F. X. Pereira, etc. Among them, Peri Sundaram was the only leader who could be said to have belonged to the people whose interests the Congress was intended to take care of. He belonged to an affluent and leading family of the plantation areas.

He was a Barrister called to the Bar in England, a Lecturer in the Law of Persons and Property at the Ceylon Law College, a Law Graduate of the University of London, and later he became a Minister in the last Board of Ministers under the Donoughmore scheme. Peri Sundaram was an outspoken critic of the indifference and superiority complex of the Ceylon Tamils and their leadership. George R. Motha was a lawyer of the Colombo Bar, and F. X. Pereira a prominent businessman in Colombo. Bothwere members of the Bharatha community centred mainly in Colombo. Natesa Iyer and Nelliah were journalists. These were the leaders who represented the hill country plantation Tamils in the proceedings before the Soulbury Commission.

The *Suthanthiran* newspaper was founded and edited by Natesa Iyer. During his time it was a daily published from Colombo, and was devoted mainly to the cause of the Tamil plantation workers.

At or about the same time H. Nelliah founded the *Virakesari* with the help of some members of the Nagarathar community of Sea Street, Colombo. As its first Editor Nelliah built it up as a popular Tamil national daily newspaper.

In contrast, one cannot fail to be struck by the absence of a single national Tamil daily newspaper, then or even now at the present day, which the Ceylon Tamils could claim as their own. It is illustrative of their genetic qualities of individualism and lack of cooperative enterprise and initiative.

The politics of the '40s was highly emotional, and revolved round the country to which the Tamils of the hill country plantation districts owed their allegiance. The Singhalese charged that their allegiance was to India and not to Ceylon, and as evidence they pointed out to the word 'Indian' in the name of their organization, the Ceylon Indian Congress. Besides, the above named leaders of the Ceylon Indian Congress, with the exception of Peri Sundaram, opted to return to India not wishing to give up their roots in their mother country. They were really not settlers in Ceylon like the Tamils of the plantation areas. Their successors in the leadership very appropriately decided to drop the 'Indian' and to change the name of the organization to "Ceylon Workers Congress". There is no denying that, in spite of refutations, the old name

did have the possibility of a misconception. The new name reflected the true nature and composition of the organization.

The Ceylon Workers Congress (CWC) during the time of the Citizenship and Disfranchising legislation was led by S. Thondaman, Rajalingam, Abdul Aziz, C. V. Velupillai, Ramanujam, S. N. Subbiah, Vellayan, and others whose names I do not recollect. Most of them were Members of Parliament. They had decided to boycott the Indian and Pakistani Residents Citizenship Act (IPRC Act) with a view to making it unworkable, and had called upon the people not to make any applications under the Act. The Government gave two years to submit applications which would expire sometime in the middle of 1951. It was a challenge to the Government to see what it can do with million odd people who, according to the new laws, were not citizens of Ceylon but were physically present in Ceylon.

The failure of the Privy Council effort drove the CWC leaders to intensify their campaign against the IPRC Act. They decided on a mass Satyagraha campaign, and filled the corridors of the Senate Building which also housed the Prime Minister's Office with hundreds of volunteers from the hill country plantations. The M. P.s and volunteers sat in the corridors day and night for days on end even as the deadline for applications was drawing near. The Government ignored them. When the deadline was about a month or two away, and the Government was still continuing to ignore, the CWC called off the Satyagraha and advised the people to apply.

There was the inevitable eleventh hour rush. Hundreds of thousands of applications poured into the Office for the registration of Indian and Pakistani residents. Bundles and bundles of them were stacked roof high. It would take years to process them. As far as the Government was concerned time was of no consequence. It suited the Government to take its own time once the principle of the IPRC Act was accepted. All it wanted was to see a finality to the status of these people. It was free to take the number of people it wanted to keep, and leave the rest for time to solve. In the meantime the wheels of the tea and rubber estates would be running on cheap labour without any threat of sudden or violent disruption.

No figures have been made available as to the total number of applications submitted under the IPRC Act. But by about

July 1964, that is, about the time of the Sirimavo-Shastri Agreement referred to later, only about 130,000 persons out of a million odd people had been registered and granted citizenship of Ceylon. They were known in law as "Citizens of Ceylon by Registration" as distinct from "Citizens of Ceylon by descent". The rest became the category of Tamil people known as the "stateless", because they were neither citizens of India according to the laws of India nor citizens of Ceylon according to the new law of Ceylon, and Britain had disowned them. These "stateless" human beings later became the objects of horse- trading between two Prime Ministers.

CHAPTER 4

On the Ceylon Tamil front there was complete demoralization of the people following the break-up of the people. There was no organized movement of any sort with any political ideology. The truncated Ceylon Tamil Congress was now an adjunct of the UNP.

The people drifted aimlessly without any sense of direction. The ambitious and the opportunists flocked round the leaders in power. The frustrated looked for some straw to cling to. Ponnampalam and his friends who had gone over to the Government were only concerned with getting factories, roads, post office buildings, and jobs to friends and supporters. They refused to read the meaning of the Government's policies and legislation, no matter how the ground under the Tamil feet was being cut.

The dissident group that broke away from the Tamil Congress led by S. J. V. Chelvanayakam started to campaign in the country for support to a new constitutional proposition - a federal constitution to replace the unitary type with which Ceylon was granted independence.

I got attracted to it like a needle to a magnet, since the federal idea had been my ideal for a long time as mentioned

earlier - intellectually, though. I wrote to Chelvanayakam, and the next day he met me in the Law Courts at Hulftsdorp and invited me to join their group, which I accepted. In my letter to Chelvanayakam I had indicated what I thought the contemplated party should do to organize the people and make them ready to proclaim a state and negotiate for a federal union. My joining the group took me directly into the vortex of those activities. A. Amirthalingam was already in the group though yet a young law student at the Ceylon Law College.

C. Vanniasingham, Dr. E. M. V. Naganathan and I drafted an interim constitution for the party to be launched. The objective of the party was to be the attainment of an autonomous Tamil-speaking state within the framework of a federal union of Ceylon.

The Ilankai Tamil Arasu Kadchi (the Ceylon Federal Freedom Party) was formally inaugurated on December 19, 1949, at a meeting held at the Government Clerical Service Union Hall at Maradana in Colombo with S. J. V. Chelvanakayam as its founder President and Dr. E. M. V. Naganathan and myself as the founder Joint General Secretaries. From that time onwards there was no looking back. All leaders and supporters laboured incessantly to organize the Party and make it a powerful force in the country.

The present generation of Tamils, especially the men and women born after independence who know of no other life than the Tamil-baiting and the horrors of killings and burnings under the successive Governments since then,are prone to ask, why a federal system and not a completely sovereign state?

Frankly, thirty-five years ago, we all honestly believed that some day we might be able to convince a generation of Singhalese leaders and convert them to our view that federal system is the most suitable to the conditions in Ceylon. We hoped that they would realize that at least in the interest of the territorial integrity of the island country there is no other alternative solution. We believed that, given the necessary goodwill on both sides, it was possible for the Singhalese and the Tamils unitedly to build a progressive democratic nation in modern world terms out of the diversity of Ceylon. We thought that the Singhalese would be sensible enough not to drive the Tamils too far that they would not try to aim at in

the Twentieth Century what they could not attain in two thousand five hundred years.

We looked at Canada and Switzerland from a distance and became admirers of the way those countries were faring with their multi- racial societies. Canada is bi-racial and bi-lingual like Ceylon. Professor K. C. Wheare presented the Canadian system as a very successful model for a federal system of Government.* It did not strike us at the time that he never touched on the ethnic aspect in a federal system. Possibly ethnic problems did not surface in any of the countries which worked the system when he wrote.

But the one-third of a century of Singhalese rule, however, makes one ponder whether, like Soulbury and Ivor Jennings, the founders of the Federal Party had also taken civilized conduct for granted, because it has shown that without that pre-requisite even federalism could not create the climate for peaceful co-existence of multi-racial societies. Federalism is only a constitutional device; it cannot survive sub-human conduct on the part of peoples and leaders in power.

This is not to say that civilized conduct alone is sufficient for the success of federalism. Yet another pre-requisite is that there must be no attempt at forcible racial assimilation. The mere bringing together into an artificial union of two or more component units, which are themselves so different and divergent in their ethnic make-up, in language, race, culture, etc., as to make them look at one another with antagonism, does not prevent the fear of assimilation of the smaller in numbers by the larger. The attempt at forcible assimilation is at the root of the trouble in Ceylon. The fear of assimilation is also the cause of the francophone-anglophone friction in Canada. In the former the process of assimilation is deliberately planned by the majority and is aided by the unitary form of government. In the latter the fear of assimilation has raised its head in spite of a century of federal system of government and although there is no conscious attempt on the part of the majority. Even Switzerland does not appear to be entirely free from this fear.

The United States of America is sometimes held up as an

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* *K.C. Wheare: "Federal Constitutions", Oxford University Press, London.*

example for the successful working of a federal system. But there the position is quite different. There assimilation is the rule and condition of citizenship. The founding fathers of the United States took care in laying the foundations for the forging of a new race of people to enter the books on ethnology - the American race. Whatever part of the globe the people may have come from, they came with a readiness to shed their original ethnicity and get assimilated into the new ethnic classification. That is not the case with the two major peoples in Canada. And it will never be the case in Ceylon.

In India the successful working of the federal system is largely due to the skilful distribution of linguistic states. This has eliminated any assimilatory tendencies. Even so, the unwise emulation or the American example by the framers of India's Constitution in fixing one language (Hindi) for all India use as lingua franca has the potential for problems as has already been demonstrated on a number of occasions. So long as the enlightened policies of the Nehrus continue, and the constitutional provision in regard to language is not sought to be enforced, the success of federalism may endure in India. There is no prospect of any Nehrus arising in Ceylon.

The Tamils are a self-respecting and proud nation of people. Federalism was thought of at a time when Ceylon was passing through the transition from colonial rule to an independent existence. It was a most opportune time when the Singhalese and the Tamils could jointly lay the foundations for a prosperous and progressive modern democratic nation without either of them jeopardizing their respective identity and culture, where both could flourish side by side within the framework of a united country. Tamils would have no fear of domination or assimilation by the Singhalese, and the Singhalese as the majority people could have nothing to fear from the Tamils. Modern conditions called for a modern outlook in race relations, and federalism was believed to provide an excellent medium to give expression to such an outlook.

Unfortunately there appeared to be no signs of a similar thinking on the Singhalese side. Even S. W. R. D. Bandaranaike, who had been thinking in these terms in his early days of idealism, fell under the influence of extreme Singhalese nationalism. The consciouness of absolute power which the new

Constitution gave them prevented any inclination to share it with others. Instead, the urge was to take advantage of it. The objective of Singhalese nationalism has always been to make Ceylon a Singhalese country with Buddhism as the only religion of the people. It can only be achieved by the total elimination of the Tamil element. As the years rolled by, a string of anti-Tamil legislation, administrative actions, and the periodical pogroms against the Tamil people made it abundantly clear that they were determined to achieve it by forcing the Tamils to submit to a slow process of assimilation, or to leave the country, or to be physically destroyed.

The Tamils are the larger of the two remaining minorities still in the country. They have a historical strength and a homeland territory. The Burghers have already migrated to Australia en bloc. Once the Tamils are eliminated they can turn their attention to the next minority, the Muslims. An attempt was made in 1915 to suppress the Muslims, but the British presence thwarted it at the time. They would be too small to resist when their turn came.

In the face of such an outrageous national objective on the part of the Singhalese leaders, for the Tamils to talk of federalism was an absurdity. It was even suicidal. I became convinced that what once appeared to be an ideal solution was really not suitable or feasible with the Singhalese as the other partners in a federal union. I chose an opportunity in Parliament in 1968 to declare for the first time on the floor of the House that the objective of the Tamils would be the establishment of their own state in their traditional homeland. We will revert to this later.

The pattern of Government measures seemed to conform to what appeared to be a Master Plan to eliminate the Tamil element from the island. Citizenship and Franchise were the first but only two of the many fronts on which the Tamils were being assailed. The weaker section of the plantation districts Tamils was dealt with first, and the motivation was quite apparent. Far more insidious was the colonization policy of the successive Governments.

The Tamils' opposition to colonization is not generally understood by observers who are not adequately informed of conditions in Ceylon. The aid-giving foreign countries are

particularly innocent of the effects of their aid, giving government takes it for granted that the recipient government uses the aid for the general good of the country, and not to cause injustice or harm to any section of the people.

Recently in 1983 the Foreign Minister of Canada, Allan MacEachen, happened to visit Ceylon to inaugurate the Madura Oya Colonization Scheme. It is a scheme built with Canadian aid. The Minister was reported to have said that the scheme benefited the Tamils as well. Obviously Canada does not know that its aid has caused a great injustice to the Tamils by aiding the Government of Ceylon to colonize a part of predominantly Tamil area with Singhalese people and transform it into a Singhalese area. It is an example of how foreign governments quite innocently contribute to the tragedy that is overtaking the Tamils.

Further, the foreign countries which give aid or gifts for the relief of distress have no way of knowing whether their aid or gifts are being utilized for the purposes for which they were intended. When the distress itself is caused by Government forces it cannot be otherwise. How can they know, as in a recent case for example, that instead of being used to relieve distress the gift articles were used to cause distress? The Reagan Administration of the United States and other international relief agencies sent thousands of tents to provide temporary shelter for the Tamil refugees who were rendered homeless in the Black July-August '83. The Government Ministers and Members of Parliament who took some 20,000 Singhalese thugs and 'colonists' to drive out the Tamils from their villages and farms and settle the Singhalese on those lands are reported to have used these tents to provide shelter to the thugs. The Tamils who were driven out of their lands became shelterless refugees. The trucks and vehicles which transported the thugs and 'colonists' from their far-away Singhalese homes to Batticaloa are reported to have been provided by the IMF funded Mahaveli Development Board.

Such misuse of foreign equipment is the source of Tamil bitterness that foreign countries provide the means to inflict suffering on them.

To the Tamils colonization is synonymous with physical extermination, because it is used as an instrument to take away

the one and only means available to the Tamils to ensure the security of their lives, their very existence as a people. It is no accident that in pursuance of Government policy all the state planned, state-funded (with foreign aid), and state-executed colonization schemes are concentrated in the traditionally Tamil Eastern Province on the east coast of Ceylon, and tens of thousands of colonist families are transplanted from the Singhalese west coast. The diabolical intent becomes apparent when these colonization schemes are found to have transformed predominantly Tamil areas into completely Singhalese areas, so that when the Singhalese resort to mob violence the Tamils have no place to seek sanctuary.

When we talk of security of life, we literally mean the safety of the individual lives of Tamils. Citizens in any civilized country with an organized government look to the police and the security forces of the state for protection of their lives and property. Not so in Ceylon. In Ceylon the Tamils are excluded from that basic human right. Here it is not the police, nor the armed forces of the state, which protect Tamil lives. It is the fact that there is a part of the country, the North and the East, which is predominantly Tamil that gives them security.

When the Singhalese start their pogroms, the Tamils scattered throughout the Singhalese part of the country elude both the mobs and the police and army personnel and rush to Colombo or other large cities where they gather and crowd into refugee camps. They are then sent to their homeland in the North and East and to their own people. Then alone their lives are secure.

Thrice within the last thirty-five years the Government itself was forced to acknowledge this fact by having had to send Tamil refugees by ship to the North and the East to save their lives. The Police and the Armed Forces not only failed to give them protection, they even joined or connived in killing the Tamils.

In 1958 more than 20,000 Tamil men, women and children fled from their homes in Colombo and its environs to escape killing by thugs and the security forces, and were herded into two refugee camps at the Royal College and the Saraswathy Hall. An army of goons estimated around 500, armed with all manner of lethal weapons, was reported to be assembling

somewhere south of Colombo in preparation to march on the latter camp. The refugees there were hurriedly moved to the Royal College camp, but the danger was still imminent. A group of prominent Tamil citizens met the then Governor-General, Sir Oliver Goonetilleke, and urged him to take quick action to save the lives of the refugees.

On the Governor-General's intervention the Prime Minister, S. W. R. D. Bandaranaike, took a most significant and revealing decision, that is, to send the refugees to the safety of their 'homeland' in the North and the East.*

The Prime Minister asked the two state-owned overland rail and road transport services, the Ceylon Government Railway and the Ceylon Transport Board, to transport the refugees to Trincomalee and Jaffna. The authorities of both refused unless armed escort was provided as they feared Singhalese attacks on the 250-mile journey to Jaffna and the 150 miles to Trincomalee. The Prime Minister asked the Police and the Armed Forces to provide the escort. Both refused ostensibly for the reason that all their men were deployed on duty throughout the island, but in actual reality because they would not trust their men, in the event of an attack, to point their weapons at Singhalese attackers to save Tamils.

As a last resort, the Governor-General decided on the unusual step of sending the refugees by sea. The ships had to circumnavigate the island to reach Trincomalee and Kankesanturai. Nine foreign ships lying at anchor in the Colombo Harbour were requisitioned, the 20,000 men, women and children taken on board under cover of darkness, and the ships set sail before dawn.

Some of the refugees were put down at Trincomalee on the east coast, and the rest disembarked at Kankesanturai in the North. Only then did these starving souls in rags, made refugees and homeless in the very country which they had regarded until then as their motherland, breathe free air and become sensible that their lives have been saved. Like the Jews of Hitler's Europe, whom the Palestinian Jewish illegal immigrant ships disgorged on the shores of Eretz Israel of their dreams, these desperate Tamils fell to the ground and kissed

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* *For a full account see Tarzie Vitachi: "Emergency '58"*

the earth of their beloved Tamil country.

During the 1977 August pogrom, Tamil refugees were sent from Colombo to Kankesanthurai in three ships belonging to the Sri Lanka Shipping Corporation.

The year 1983 has just witnessed the third sea voyage of Tamil refugees. The pogrom of the Black July-August '83 is far more brutal and blood thirsty.

The fascist and racist elements among the Ministers and Members of Parliament of the party in power brought into the City of Colombo an army of Singhalese thugs under the pretext of a funeral for some soldiers reported to have been killed in an action between Government troops and Tamil guerilla fighters. Straight from the cemetery the thugs went about the City in a murderous rampage that launched the Holocaust of the Black July-August '83. They dragged Tamils out of their homes and shops and killed them, and dismembered their bodies, or burned them on the streets. They locked up men, women and children in burning motor vans and cars and roasted them alive. Tamil-owned houses, shops, factories, tourist hotels and business establishments were smashed, demolished and burned. Sections of the Police and the Armed Forces joined the thugs and shot Tamils at sight. The declaration of a state of Emergency and the imposition of curfew only helped them to enter Tamil homes and carry out their murderous activities with ease.

In a high security prison in Colombo, fifty-three Tamil detenus who were locked up in cells were pulled out and slaughtered and their bodies mutilated by Singhalese convicts allegedly under the instigation and supervision of prison guards and jailors. These were men who had been taken into custody and held in prison under the Prevention of Terrorism Act, but against whom (except for two) the Government could not lay charges or bring them before Courts of Law. The jailors and convicts of the prison, however, decided that no law was necessary to deal with Tamils whether they were terrorists or not.

This orgy of sanguinary violence soon spread to other parts of the country and engulfed the hill country plantation districts where tens of thousands of Tamils fled the tea estates where

they were labouring for the Government and the country. All these estates are owned by the Government. They were murdered and burned, and their belongings plundered and robbed.

The extent to which Tamil-baiting had grown in the intervening twenty-five years since 1958 is reflected in the figures. An estimated 3000 Tamils were killed or burned alive, more than 5000 homes and business houses destroyed, more than 100,000 Tamils rendered homeless refugees and herded in over 25 refugee camps. Figures are not available about the number of Tamils who fled the country to seek refuge in India, Canada, Malaysia and Singapore, Australia and New Zealand, and many European countries such as France and West Germany, but they are believed to be in many thousands.

The soldiers and thugs would have carried out a massacre in the refugee camps, Sabra and Chatilla style, but for the timely intervention of the Prime Minister of India, Mrs. Indira Gandhi. The Government not only took no steps to transfer the refugees to safety, it even stopped all train and bus services to Jaffna and other Tamil areas. The refugees saved their lives only because they were taken by sea to their 'homeland' in the North by ships which Mrs. Gandhi provided. This time, significantly enough, Trincomalee was not a port of call for these refugee ships..

The unprecedented death toll of the Tamils is probably related to a new philosophy that was propounded by a member of the Buddhist clergy in the name of religion, a philosophy that recalls Adolf Hitler's "Final Solution" to the Jewish problem. The Western press and radio networks quoted a Buddhist monk's preaching that it is no doubt a sin to kill, but not killing of Tamils.

The moral, therefore, is obvious. The Tamils cannot look to the Government to enforce law and order or to protect their lives. When the Government itself is the aggressor, there is no sense in looking to it for protection. The North and East is their own country with a predominantly Tamil population, and that alone gives them protection of life and the feeling of being safe from Singhalese mob violence. Its Tamil character is their security, not the Government's Police or the Armed Forces.

Singhalese colonization of the Tamil country makes the Tamil character to disappear, and with it the last place of safety for the Tamils also disappears. It is not without significance that in the 1983 transfer of Tamil refugees from Colombo the ships did not call at Trincomalee. The Trincomalee harbour with its armed Marines and the colonist goons is not safe for Tamil refugees to disembark there. That is the clearest evidence of Trincomalee's fast changing population pattern, which is the direct result of the Government's planned colonization schemes.

CHAPTER 5

The northern Tamil Kingdom of Jaffna, which the Portuguese overthrew in the seventeenth century, comprised of the northern part of Ceylon and a long stretch of land along the entire eastern coast of the island. The Portuguese, and after them the Dutch, called this territory The Commandment of Jaffnapatam. The coveted natural harbour of Trincomalee is on the eastern coast of this old Kingdom.

The name Trincomalee is the anglicized corruption of the Tamil name *'tiru-kona-malai'* (The sacred angular hill). Its other Tamil name in religious literature is *'ko-karnam'* (Ear of the Lord). Both names are derived from the famous Hindu shrine dedicated to Lord Siva that stood on a high rocky promontory at the entrance to the harbour. The shrine was so revered in the ancient times throughout the Tamil land of South India that a Tamil Saiva saint of the sixth or seventh century composed ten hymns in praise of the Lord of the Temple. Gajabahu II, a Tamil Hindu King who ruled over the Singhalese Kingdom from Polonnaruwa in the twelfth century, was a pious devotee of this Temple. He endowed it with his private estate comprising the village of Kantalai and its rich paddy lands, and settled a large number of Brahmin priest families on it for the upkeep of the Temple and the maintenance of regular religious

services. After his defeat in battle by Parakrama Bahu I, his nephew, Gajabahu fled to take refuge in Trincomalee, where he died many years later.

The Portuguese demolished the ancient Temple in their campaign of persecution of the Hindus. In modern times frogmen have discovered the carved and dressed stones of the ruins lying in the adjoining ocean bed. Two such stone slabs from the demolished Temple with Tamil inscriptions on them were incorporated into the Fort Frederick, which the British built, as door jambs at the entrance to the Fort. Today they are objects of interest to archaeologists.

When the European powers were fighting one another for control of the harbour at Trincomalee, the Tamil Kings of the Singhalese Kingdom of Kandy were also casting covetous eyes on the port for access to the ocean for their sea trade in spices. The British conquest of the entire island put an end to the Singhalese interest in Trincomalee, at least for the duration of British rule.

Soon after the Colebrook unification of the conquered territories in 1833 the British divided the island into nine provinces for their administrative purposes. In so doing, they recognized the Tamil ethnic character of the territory and population of the old Jaffna Kingdom, and ensured its continuity by carving out two separate provinces out of that territory where the population would not be mixed but entirely Tamil speaking. They are the present Northern and Eastern Provinces. Although parts of the old Kingdom were left out in drawing the boundaries, still it may be said that the two Provinces incorporated most of the old Kingdom and the vast bulk of the Tamil-speaking population.

The Eastern Province was subdivided into two Revenue Districts with Trincomalee and Batticaloa as their respective principal towns and centres of Kachcheri administraiton. The Kachcheri offices were always staffed by Tamil-speaking officers.

In modern times much attention is paid to multi-purpose river valley projects in under-developed countries. Apart from the economic benefits, they offer a great scope for settling populations. The Eastern Province's geographical position and its natural features, therefore, made it more attractive to Singhalese covetousness.

On the long western boundary of the Eastern Province there are the North-Central, Central and Uva Provinces, all parts of the old Singhalese Kingdom of Kandy. The land in the south (now Southern Province) once belonged to the old Rohana Kingdom of the Singhalese, but at the time of the British conquest it might have belonged to the Kandyan Kingdom. The entire stretch of the eastern boundary is lapped by the waves of the Indian Ocean. Only the very small northern boundary abutted the Tamil Northern Province.

It is watered by three great perennial rivers which flow into the Indian Ocean, namely, the Mahaveli Ganga, the Pattipalai Aru and the Madura Oya. Their swelling waters inundate the land during heavy rains in the central hills. The alluvial soil is rich and fertile for paddy cultivation. During the four hundred years of European occupation thick forests had grown on this land. Before that, in ancient times, rice was grown so extensively that it came to be known as the granary of the island. A Tamil lyric of the Third Century BC, *'Pattinappalai'*, refers to large imports of rice from Elam into South India.

It is this land which the Singhalese-dominated Government first chose to concentrate all its attention upon immediately following the British withdrawal. It planned to carry out a systematic colonization of the whole Eastern Province with Singhalese people. It had the assurance of massive foreign aid from the World Bank, International Monetary Fund, the Governments of Britain, Canada and other Western countries in the form of loans, grants, equipment, materials and services.

Immediately upon becoming the first Prime Minister of independent Ceylon, D. S. Senanayake submitted proposals for six multi-purpose river valley projects to the World Bank for aid. He had a faithful collaborator in all these projects in C. P. de Silva, an able Civil Servant at the time who later became a Minister. C. P. de Silva hailed from the south-western part of the island.

The first project that was taken in hand for implementation concerned the Pattipalai Aru river which flowed through to the Indian Ocean at the southern end of the Eastern Province. The Government changed the Tamil name of the river Pattipalai Aru into the Singhalese Gal Oya, and therefore the project came to be referred to as the Gal Oya Development Scheme.

An earth dam was constructed across the river at a point called Inginiyagala to form a huge reservoir which is now called Senanayake Samudra (Sea of Senanayake). Thousands of acres of jungle land was cleared, levelled, and blocked up into workable units; colonist huts were put up on the highland while the low-lying lands were set apart for rice cultivation; miles and miles of irrigation channels were cut to carry water to the fields; and a hydro-electric power station was built to electrify the new townships. The blocked-up units of land were all allotted solely to Singhalese colonists. Thousands of families were moved from their homes in the Singhalese areas, mostly from the south-western parts of Ceylon, and settled on this land. The colonists not only got their paddy lands and cottage free, they were also given grants to develop their allotments.

It must be borne in mind that all this activity was carried out by the Government in clear violation of the Land Settlement and Land Development laws. These laws which had been enacted during British rule made it mandatory that allottees for such schemes must be selected from among the people of the districts where the schemes are located.

The next project that was taken up concerned the Allai Kulam in the Trincomalee District. This is an ancient irrigation tank which had silted and fallen into disuse during the centuries of European rule. It was restored, and the same process of clearing jungle land, cutting channels, putting up colonist huts and settling solely Singhalese colonists as described above was repeated. While the Gal Oya Scheme attracted the influx of many thousands of Singhalese into the Batticaloa District, this Allai Scheme brought in thousands into the Trincomalee District.

The third project was the restoration of another ancient irrigation tank known as the Kantalai Kulam near Trincomalee. A reference to the original construction of this tank *(kulam)* by an ancient Tamil King is made in the stone inscription now at the entrance to Fort Frederick referred to earlier. Many more thousands of Singhalese colonists were settled on the land reclaimed by the process described above. A special feature of this scheme is the forethought that has gone into its planning. The colonists' cottages for miles on end are built on either side of the main highway that gains access to the Tamil town of Trincomalee. The Tamil name Kantalai has given place to the Singhalese Gantalawa.

The next was the restoration of the Paduvil Kulam (The Singhalese have renamed it Padaviya) under which all the fertile land west and north of Trincomalee town and adjacent to the Northern Province border is colonized with Singhalese settlers.

C. P. de Silva, who as a Civil Servant was carrying out the colonization policy under D. S. Senanayake, had entered Parliament and become a Minister in the SLFP Government by the time the Kantalai and Paduvil Colonization Schemes were being implemented, and he was in charge of the Ministry of Lands and Land Development which handled colonization. In selecting colonists for these Schemes he saw to it that young toughs from his home district in the Southern Province were picked as allottees. They later justified the selection by committing the most violent atrocities during the frequent pogroms against the Tamils in Trincomalee. On one occasion C. Sundaralingam, M.P. for Vavuniya, threw accusations across the floor of the House in Parliament that the Minister was seen distributing sticks of dynamite to his men.

The most saddening reflection to indulge in is to think that when the earliest and the biggest of the colonization schemes, the Gal Oya and the Allai, were being pushed through in the Cabinet G. G. Ponnampalam was a Minister in it. He was supposed to be protecting the interests of the Tamils, but he is not known to have opposed the mass transplanting of Singhalese people in the Tamil Province. Had he done so he might very well have averted the tragedy that befell the Eastern Province. But, as fate would have it, his self-interest, his attaching importance to inessentials like factories, his short-sighted advocacy of an imaginary right of the Tamils to settle in any part of Ceylon, all these stood in the way. Perhaps it made him shrink from a possible charge of inconsistency.

It was left to C. Vanniasingham, M. P. for Kopay, to spearhead a campaign of protest against the Schemes. It was ineffective so long as D. S. Senanayake had G. G. Ponnampalam in the Cabinet when the major Schemes were pushed through. But Vanniasingham never relented in his opposition until his short life ended. Once his lone voice even succeeded in salvaging a small but vital project for the Tamils of the Trincomalee District. A minor irrigation tank by the name of Muthaiyan Kattu Kulam capable of irrigating a few hundred acres in close

proximity to Trincomalee town was planned for restoration and colonization according to the usual Government pattern. A patriotic son of Trincomalee, C. Kodeswaran, then a young clerk in the Land Branch of the Trincomalee Kachcheri, got wind of it and alerted Vanniasingham. The latter brought such pressure on the Government that eventually the allotments under the scheme were given to Tamils of the District.

The colonization schemes referred to thus far resulted in the Singhalesization of the Tamil land of the Eastern Province. The schemes have helped the Singhalese only to gobble up the cultivable and habitable rural parts of the Province. The Government did not regard the Singhalesization as complete until the towns are made predominantly Singhalese. It turned its attention, therefore, to the principal town of the Province, namely, the port city of Trincomalee.

At the time of the transfer of power, D. S. Senanayake had simultaneously entered into a Defence Agreement with Britain under which the British retained control of their wartime Naval Base of Trincomalee. The life of the town depended to a large extent on the Naval Base. The local population, which was predominantly Tamil, found employment in large numbers, and thousands of families owed their livelihood to this important employer. More important was the fact that the Administration of the Naval Base did not encourage recruitment of workers from outside Trincomalee, and that helped the town to preserve its Tamil ethnic character.

Soon after S. W. R. D. Bandaranaike was elected Prime Minister in 1956, he forced Britain to quit her Naval and Air Bases in Ceylon. The British dismantled their installations and left the Naval Base at Trincomalee. The Ceylon Government took over the harbour and converted it into a commercial port to handle cargo and shipping. The thousands of Tamil workers employed by the British were thrown out of employment, and the town became impoverished. A fraction of them were engaged by local firms which performed stevedoring and ship-chandler services. Even that did not last long.

Following the General Elections in 1965, Prime Minister Dudley Senanayake formed a sort of a 'National Government' in co-operation with the Federal Party and the Tamil Congress. This Government (1965-70) took a fateful decision that spelt

the doom of Trincomalee as a Tamil town, the decision to nationalize the Trincomalee Harbour.

It is a paradox of history that this measure was decided on by a Government in which the Federal Party was actively participating with Minister M. Tiruchelvam in the Cabinet. This is the Party which, for sixteen years since its inception, has been carrying on an unrelenting agitation against Singhalese colonization of the Eastern Province. Yet it gave its approval to this measure with full knowledge that by doing so it was opening the gates of Trincomalee to an influx of Singhalese labour from Colombo.

I raised a storm of protest and caused a crisis within the Federal Party executive. It was my view that the measure must be opposed even if it meant pulling out of the Government, or even if it meant the fall of the Government. More than a hundred Party workers from Trincomalee travelled all the way to Jaffna and invaded the Party headquarters. They demonstrated, argued, and pleaded with the Party hierarchy pointing out the impending danger to Trincomalee. But all was in vain. Tiruchelvam pleaded that his position as Minister must be saved at all costs. A. Amirthalingam charged me in abusive language with having 'engineered' the demonstration by the Trincomalee Tamils. The majority of the Party executive, moved by Amirthalingam's rhetorical exhortation, was more concerned with saving the Cabinet post of Tiruchelvam than with the fate of the Tamils of Trincomalee. They decided to stand by the Minister.

Nationalization of the Harbour had a disastrous effect on the working class population of Trincomalee, and therefore on the composition of the general population of the town. It involved taking over of the stevedoring and ship chandler services by the state-owned Port Cargo Corporation which operated in Colombo mainly for the Colombo Harbour. The Regulations relating to employment required that labour must be recruited through the local Employment Exchange in Trincomalee. The Port Cargo Corporation, however, bypassed that requirement by recruiting Singhalese labour for the Colombo Harbour through the Employment Exchange in Colombo, and then after some time making internal transfers and adjustments by sending "excess labour" to Trincomalee. The local firms which had been carrying out the stevedoring and

ship chandler services until the Port Cargo Corporation was brought in were forced to close down, and inevitably their local labour was thrown out of employment.

The result was hundreds of Singhalese toughs from Colombo slums inundated the town of Trincomalee. The impact of their presence was felt in Trincomalee in the orgy of murder and arson that marked the holocaust of Black July-August '83. It is a grim reminder of the dangers of opportunist politics to those who raised the "Save Tiruchelvam's Cabinet Post" cry in the old Federal Party, at least to those of them who are still alive.

Yet another aspect of the grave injury and injustice which the Singhalese-dominated Governments by their persistent policy of colonizing their Province with Singhalese people from South Ceylon have inflicted on the Tamils of the Eastern Province needs be told. It is the effect on their representation in Parliament. It has made a mockery of the so-called minorities' safeguards and the arithmetic of minority communities representation worked out in Lord Soulbury's ill-conceived constitutional scheme. How nine seats were taken away from the Tamils in the hill country plantation districts and given over to the Singhalese has already been dealt with. Let us now consider what colonization has done to the Tamil seats in the Eastern Province.

When the first Delimitation Commission presided over by L. M. D. de Silva, K. C., the eminent lawyer of Privy Council fame, which was charged with the constitutional duty of defining electoral constituencies in preparation for the first Parliamentary Elections to be held in 1947 under the Soulbury Constitution, was collecting evidence, the Commission found no Singhalese presence in the Eastern Province to justify making any provision for their representation in Parliament. The whole Province was peopled by Tamil-speaking people who were classified into Tamils and Muslims. It had two administrative districts, namely, the Trincomalee District and the Batticaloa District.

The Commission, therefore, divided the Province into seven Parliamentary Constituencies to elect nine Members to Parliament, that is, 5 Tamils and 4 Muslims. Mutur in the Trincomalee District and the Batticaloa Constituency in the

Batticaloa District were both made multi-member constituencies because of their mixed population, each to return 2 Members. The Commission calculated that each would be returning 1 Tamil and 1 Muslim.

Accordingly the General Elections of 1947 resulted in the Eastern Province returning 9 Members to the first Parliament, that is to say, 5 Tamils and 4 Muslims as calculated by the Commission. The two constituencies of the Trincomalee District elected 3 Members, to wit, 2 Tamils from the Trincomalee Constituency and the two-member Constituency of Mutur, and 1 Muslim from Mutur. The Batticaloa District's five constituencies returned 6 Members, to wit, 3 Tamils and 3 Muslims. The two-member Constituency of Batticaloa elected 1 Tamil and 1 Muslim as expected by the Commission.

A second Delimitation Commission was set up in 1959 to re-define the Parliamentary Constituencies in consequence of the new Census figures for the island's population. Following the mass-scale colonization of the Pattipalai Aru Valley (Gal Oya), the Government had created a new revenue and administrative district for the Singhalese out of the Eastern Province, and called it the Amparai District.

The Delimitation Commission found that the new population figures warranted two additional Parliamentary seats in the Eastern Province. It made the Amparai District into a single Singhalese constituency to elect a Singhalese Member, and offered the other to the Tamils and the Muslims.

The Tamils and the Muslims at the time had 5 and 4 Members respectively as already mentioned. The new population figures reflected that the Tamils were entitled to 5 3/4th members and Muslims to 4 1/4th members. In justice and according to accepted practice, 5 3/4 would have to be made 6, and 4 1/4 into 4. C. Vanniasingham, M. P. for Kopay and Deputy Leader of the Federal Party, was looking after the Tamil interests before the Commission. The Muslim leaders of the Eastern Province approached him and suggested that since the Tamils enjoyed a certain measure of weightage from the Northern Province they should show magnanimity and agree to making 4 1/4 into 5 rather than the other way. Vanniasingham conceded it after consulting the Federal Party executive, and accordingly a new constituency (Nintavur) was created in the Batticaloa District for the Muslims.

At the 1960 General Elections, therefore, the Eastern Province elected 5 Tamils, 5 Muslims, and 1 Singhalese as Members of Parliament. The Trincomalee District remained the same with 2 Tamil and 1 Muslim Members. Thus for the first time a Singhalese Member of Parliament was elected to represent a Singhalese electorate in the Eastern Province, a tell-tale evidence of the motivation behind the Government's colonization policy.

The transformation of the Eastern Province from being a Tamil Province into a Singhalese one was carried one step further in the next re-definition of Parliamentary Constituencies which became necessary in consequence of Sirimavo Bandaranaike's new Republican Constitution of 1972. The most ironical aspect of it is that this time the Government was able to do it with the connivance of and in collusion with the Tamil United Liberation Front (TULF).

The TULF, it must be remembered, is primarily and essentially an Electoral Agreement between the Federal Party and the Tamil Congress leaders who were sitting Members of Parliament which was forged with a view to avoiding contests at Parliamentary Elections. After some time the Federal Party was abandoned, and was replaced by the TULF as the voice of the Ceylon Tamils during the fateful years which followed the proclamation of the new Republican Constitution in 1972.

Once again a Delimitation Commission was appointed to re-define the Parliamentary Constituencies to meet the increased membership of the Republican Parliament under the scheme of the new Constitution. The example of the previous Delimitation Commission, which created a new Constituency for the Singhalese in the Batticaloa District in consequence of the Singhalese colonization of the Pattipalai Aru Valley, was faithfully followed by this third Commission in the remaining part of the Eastern Province, namely, the Trincomalee District. The mass influx of Singhalese colonists under the Allai, Kantalai and Paduvil Colonization Schemes was reflected in the new popluation figures for the Trincomalee District, and the Commission found the figures warranting the creation of a separate Parliamentary Constituency for the Singhalese. The land for it was obviously to come out of the existing Mutur and Trincomalee Constituencies. The TULF was supposed to be

looking after the interests of the Trincomalee District Tamils during the proceedings before the Commission.

The TULF, however, perpetrated the most shameful betrayal of the Trincomalee Tamils by entering into a cowardly bargain with the Commission. It offered to consent to the creation of the new Singhalese electorate, to be called the Seruwawila Constituency, provided the Commission agreed to bifurcate the Vavuniya Constituency in the Northern Province. The Commission agreed to the TULF request and carved a new Constituency for Mullaitivu in the Northern Province out of the old Vavuniya Constituency. At the same time the Commission also created the new Singhalese Constituency of Seruwawila out of the old Mutur and Trincomalee Constituencies.

Why did the TULF enter into this shameful bargain and voluntarily give up an Eastern Province Tamil Parliamentary seat? The answer lies in the TULF's true character, as stated earlier, that primarily and essentially it is no more than an Electoral Pact between the Federal Party and the Tamil Congress. Its sole aim was to win seats in Parliament. Notwithstanding their rhetoric, its leaders, drawn as they are from the old Federal Party and a section of the Tamil Congress, have no common national objective or ideology. It is the events, and the Government, and the uninformed world outside, which later vested it with the character of a Tamil nationalist political party that stood for a separate Tamil state. We will reserve that aspect to be dealt with later.

At the time of the third Delimitation Commission, however, the TULF's sole concern was to accomodate both the sitting M. P. for Vavuniya, who was elected on the Federal Party ticket, and his defeated rival who belonged to the Tamil Congress. It was imperative that both leaders must be found seats in Parliament if the TULF was to survive.

The Federal Party during the many years of its existence had never been able to capture the Vavuniya electorate. It was only at the General Elections in 1970 its candidate with strong support from the Mullaitivu section of the Constituency won the seat for the Party defeating the sitting M. P. of the Tamil Congress who derived his strength from the Vavuniya section. If the two sections themselves were made two separate

Parliamentary Constituencies, Mullaitivu and Vavuniya, that contest between the Federal Party and the Tamil Congress would be eliminated. The TULF reckoned that if the Commission was to be tempted into doing it, it had to abandon the Tamils of the Trincomalee District and offer the Mutur Tamil villages to constitute the Singhalese constituency of Seruwawila.

That calculation proved to be right. At the General Elections of 1977 held after the new delimitation, the Federal Party's sitting M. P. and his Tamil Congress rival contested the Mullaitivu and Vavuniya Constituencies respectively on the TULF platform, and both were duly elected without any serious contest. It was indeed an achievement in terms of winning Parliamentary seats for the leaders of the TULF, but they do not appear to have had any qualms about the human problem they had created for the Tamils of the Trincomalee District in the bargain, nor their conscience pricked by their taking away the right of the Mutur Tamil villages to elect their own Tamil Member of Parliament which they had enjoyed for thirty years from the very first Parliament.

The Singhalese Constituency of Seruwawila is a geographical abomination with sinister implications. It is a long strip of land extending from the Northern Province border in the north to the Verugal river in the south which is the Batticaloa border. It encircles the Trincomalee Constituency on the land side, but otherwise hugs the entire eastern coastline of the Trincomalee District. It thus isolates Trincomalee completely and effectively from all Tamil contact in all directions. Almost all the Tamil villages of the former dual-member Constituency of Mutur were incorporated in this new Constituency, where the Tamils became a minority among the majority Singhalese colonist population. The residuary Mutur Constituency became a single member electorate for the Muslims.

Just how the TULF was able to bring its mind to perpetrate this calamity to the Tamils of the Eastern Province passes one's comprehension. Perhaps it was inevitable because of the composition of the TULF - the Tamil Congress section of the group having always held the view that the Tamils and the Singhalese should have the right to settle in any part of the country. But it was sought to be justified by pointing out that the Commission would have created Seruwawila in any event, that even

if it did not dosothe Tamils of the dual-member Constituency of Mutur could not hope to elect their Tamil Member as before, because of the changed pattern of the population, and so on. All this is begging the question, and only highlights the political bankruptcy if not hypocrisy, of the TULF leadership. It could not have been unaware that suffering something to be done in the teeth of its opposition is one thing, and consenting to or suggesting it to be done is quite another matter.

By conceding Seruwawila the TULF not only condoned and approved the colonization policy of all the Governments from that of D. S. Senanayake downwards of mass settlement of Singhalese colonists in the Eastern Province, it has made a mockery of all the years of opposition and agitation by the Federal Party against colonization. What is more, it has confirmed the Singhalese belief that they never need pay heed to Tamil opposition to any measure or policy, since the Tamils will first oppose and then yield, that they have only to confront the Tamils with faits accomplis, and the Tamils will eventually fall in line. The TULF proved in Seruwawila that that belief is well founded. The General Elections of 1977 proved how far-sighted the Singhalese leaders have been in acting on that belief.

The first Delimitation Commission of 1946 gave 5 Members to the Tamils of the Eastern Province. That number was reduced to 4 in 1977 notwithstanding the natural increase of the Tamil people of the Province during the thirty-one years since the first delimitation. The Trincomalee District in 1977 elected 1 Tamil, 1 Muslim and 1 Singhalese, that is to say, Trincomalee's 2 Tamil Members were reduced to one. In the situation that prevails now, it does not require a political pundit to predict that the time is not far away when even that single Member may disappear. Whereas the Eastern Province did not have a single Singhalese Member in the first Parliament of 1947, it now has 2 Members. In the near future it will probably have 3 Members, and the Tamils reduced to 3 or even less.

Today the Eastern Province presents a picture of turmoil. It has become the battleground of Singhalese aggression and Tamil nationalist resistance. It is the inevitable culmination of the colonizing activities of successive pan-Singhalese Governments on the one hand, and the forcible land-grabbing activities of the Singhalese on the other.

In the wake of the Black July-August '83, more than 20,000 Singhalese toughs are reported to have invaded the Tamil villages of the Kalkudah Constituency near Batticaloa under the leadership of Government Ministers and saffron-robed Buddhist monks using Government vehicles, driven away the villagers from their homes under protection from the Police and the Army, seized their lands and forcibly occupied them. These are lands which are expected to be irrigated under the Madura Oya irrigation scheme, and Canada's External Affairs Minister Allan MacEachen's recently reported reference to Tamils also being beneficiaries of the Canadian-aided scheme presumably applied to these private lands. While the Government is making preparations to settle more Singhalese colonists on lands to be reclaimed by jungle clearing in the Eastern Province under the Madura Oya and Mahaveli Ganga colonization schemes, Singhalese goons under official inspiration and protection apparently decided to possess themselves of the Tamil-owned developed lands coming under the schemes.

Little wonder that the frustrated and helpless Tamil youth, assailed by the Government and its forces and let down by their own leaders, chose the path of militant resistance. After the nationalization of the Trincomalee Harbour and the creation of the Seruwawila Constituency, they appear to have come to realize that all the rhetorics of the TULF leaders about colonization are nothing more than a sham and hypocrisy. But it is a disillusionment that has cost a tremendous price.

The Tamil people now know that Seruwawila is not the last word that they have heard, that the rape of the Eastern Province is not yet complete, that, in the words of the American poet, Carl Sandbergh, "their leaders will sell them again and again." It is the TULF leaders who demanded and pressed for the creation of an administrative District for Kilinochchi and to take it out of the control of the Kachcheri in Jaffna. The Government has gladly conceded it, and is laying the foundation for the rape of the Northern Province. The utterly inept and ignorant leadership of the TULF will live to rue it when the Singhalese begin to cast their covetous eyes towards the North.

Parliamentary representation may not be of any consequence any more in the context of the Tamil problem in present-day Ceylon. The story of colonization helps to unveil one aspect of the Government's racially-biased activities which aggravated that problem and made it more acute and unsolvable.

CHAPTER 6

"You are now hitting the weakest section of the Tamils. We will know where we stand when the next piece of legislation in this series comes, the legislation relating to our language." These were prophetic words which S. J. V. Chelvanayakam uttered in 1948 in the course of the debates on the Citizenship Bills. It did not take long for the words to come true. The language issue surfaced in 1955 when Sir John Kotelawala was Prime Minister. It made no difference that the first Prime Minister D. S. Senanayake, to whom the words were addressed, was no more alive.

The events which attended language legislation and the deplorable character of the Tamil politics of the time are worth recounting. Posterity should have a proper understanding of the weaknesses as well as the strength of the Tamil people.

Ever since its inception in December 1949 the Federal Party availed itself of every possible platform to warn the people of the danger they were facing from the Singhalese. It emphasized in particular the disastrous consequences of the planned state-aided colonization schemes and the impending threat to the Tamil language. It called on the people to organize to resist Singhalese domination.

The Party was only two years old when Parliament was dissolved following the death of Prime Minister D. S. Senanayake and General Elections were announced to be held in 1952. It was not sufficiently organized to participate in a General Election as a Party. At the same time it was realized that the General Election platform presented the best opportunity in a democratic society to carry the message of the Party to the people.

The Federal Party, therefore, decided to contest all the Tamil Constituencies of the Northern and Eastern Provinces. Not that it had any illusions of mass victory, but it considered it its duty to warn the people of the pitfalls of following the old leadership and of the diabolical intent of the Singhalese leadership.

In spite of the dearth of promising and loyal Party men with a reasonably good chance of winning, the Party nominated candidates for all the 14 Tamil seats in the Northern and Eastern Provinces.

S. J. V. Chelvanayakam, the President of the Federal Party and sitting Member, contested the Kankesanturai Constituency where he was opposed by S. Natesapillai the UNP candidate.

C. Vanniasingham, deputy leader of the Federal Party and sitting Member, contested at Kopay where he was opposed by the Tamil Congress candidate C. Arulampalam.

The Party's iron man and joint General Secretary Dr. E. M. V. Naganathan contested at Jaffna where he was opposed by G. G. Ponnampalam the sitting Member and President of the Tamil Congress.

As the other Joint General Secretary of the Party I contested at Kayts where I was opposed by Alfred L. Thambiaiyah the sitting Member who contested as an indepedendent candidate but who was known to have UNP and Tamil Congress leanings.

At Vaddukkoddai the Party's candidate was A. Amirthalingam who was opposed by K. Kanagaratnam, the sitting Member and Minister in the UNP Government.

At Chavakachcheri the Party's candidate was Arunachalam,

a school-master (now father-in-law of V. N. Navaratnam), who was opposed by V. Kumaraswamy, the sitting Member of the Tamil Congress and a Parliamentary Secretary of the UNP Government.

In Trincomalee the sitting Member was Sivapalan who was one of those who walked out of the Tamil Congress led by Chelvanayakam. He had strayed away from the group since then, and the Party was forced to nominate N. R. Rajavarothiam as its candidate to contest Sivapalan.

At Batticaloa the Party put forward S. N. Kathirgamar, a lawyer of standing at the Batticaloa Bar.

Other candidates were similarly nominated for all the other Tamil Constituencies of the Northern and Eastern Provinces, and the Federal Party carried on a whirlwind campaign throughout the two Provinces.

The Elections of 1952 to the Second Parliament, as indeed every other Elections since then, demonstrated in no uncertain manner that race interests and racial domination were the dominating factor in Parliamentary politics in independent Ceylon. Upon the death of D. S. Senanayake, his son Dudley Senanayake became Prime Minister and leader of the UNP. He led his Party to victory at the elections on the slogan of the achievements of his Party in curbing the Tamil element in the country ensuring a dominant position for the Singhalese. From one of the election platforms in southern Ceylon he declared that his Party has with one stroke of the pen prevented Rajalingams and Thondamans from ever entering the portals of Parliament, meaning that the Tamil plantation workers of the hill country would never be able to elect their Members to Parliament any more.

The Federal Party, on the other hand, concentrated all its attention on the anti-Tamil racial policies of the UNP Government, and on the unitary constitution which gave them the power to pursue such policies. It warned the Tamil people of the dangers of Singhalese domination that was being slowly forged, and urged them to resist the steady erosion of their rights to land, language, employment, etc., by endorsing the Party's movement. It called upon the voters to defeat the candidates who stood for co-operation with the Singhalese and support of the UNP policies.

The election results were very disappointing, though not entirely unexpected. Vanniasingham at Kopay and Rajavarothiam at Trincomalee were the only two Federal Party candidates who were elected. All the others including the leader of the Party were trounced. It was clear that the charismatic personality of G. G. Ponnampalam, the Tamil Congress leader, was still a powerful force in the popular estimation. It showed that the electorate in the Northern and Eastern Provinces were not yet ready, nor politically matured enough, to appreciate the gravity of the problems which the Tamils faced. It was a disavowal of the walk-out by Chelvanayakam and company from the Tamil Congress and disinclination to be interested in the problems of the plantation districts Tamils of the hill country. It also showed that the Tamil voters were prone to vote for personalities and not on issues. The success of Vanniasingham and Rajavarothiam was more personal victory than an endorsement of the Federal Party's political philosophy.

The Party's warnings about colonization and language were treated like the "Wolf,Wolf" cry in the fable. The Tamil people by nature are so highly individualistic and self-centred that they habitually deceive themselves by refusing to see danger signals. They wake up only when the flood waters are at their door-steps. It is this Tamil nature which egged on the Singhalese to adopt measure after measure against them without fear of any upheaval. The floods reached their doorsteps sooner than they were disposed to believe.

Prime Minister Dudley Senanayake resigned in October 1953, and was succeeded by his cousin Sir John Kotelawala. Kotelawala paid his first visit to Jaffna as Prime Minister in 1955. Alfred L. Thambiaiyah, M. P. for Kayts and a personal friend of his, gave him a reception at Delft, the farthest of the seven islands in the north which comprise the Parliamentary Constituency of Kayts. In a show of ebullient enthusiasm and appreciation of his promises to provide certain amenities for that backward island, the people 'crowned' him "King of Delft".

He returned to Jaffna Town in high spirits. At another reception in the town the Prime Minister was asked about the language question which was agitating everybody's mind at the time. He responded by assuring the audience that his Government would never deviate from the UNP's firm

policy of parity of status for both the Singhala and Tamil languages throughout the country. He further said that he would not hesitate to legislate for that purpose if it became necessary.

Kotelawala belonged to D. S. Senanayake's hard core group of political planners. D. S. Senanayake was a seasoned politician of many decades of service to his people, and a master strategist in long-range political planning. Despite a lack of academic attainments he was a leader with plenty of horse-sense. On assuming office as the first Prime Minister of independent Ceylon he gave first priority to the consolidation of the political freedom he had won for the country. He was second to none in diehard Singhalese nationalism, but he would not make it apparent. For him consolidation of the Singhalese power could wait, the Singhalese had all the time in the world so that they could tread the long path cautiously, one step at a time. Even before independence, during the days of the last State Council, his own son Dudley Senanayake along with J. R. Jayawardene proposed a resolution to make Singhala alone the official language of the country. D. S. Senanayake scotched it at the very outset. He knew that the measure would raise a hornet's nest, and might upset all his plans for the constitutional change he had in mind. Kotelawala was tutored and nurtured in this line of thinking by his uncle D. S. Senanayake. When he made his promise in Jaffna he perhaps genuinely believed in what he said.

He was soon to discover that it was not so simple as all that. He failed to reckon with two fellow planners of the same hard core group who had different ideas. S. W. R. D. Bandaranaike was already out in the field leading a rival party to oust the UNP from power, and within the UNP's own ranks there was J. R. Jayawardene who was also an aspirant to the office of Prime Minister.

Bandaranaike was an Oxford-educated intellectual who had his own ambitions. Being the son of the Maha Mudaliyar Sir Solomon Dias Bandaranaike, he was the scion of a rich land-owning low-country Singhalese family which had held positions under the Dutch and British. He married the daughter of a family that descended from Singhalese royalty of the old Kandyan Kingdom.

This family background made the leftist forces of his day brand him as feudal. And yet he was the one man who broke the backbone of the feudal classes and made the Singhalese masses conscious of the political power they held in their hands. He thus brought about a silent revolution and ushered in a new era in Singhalese history.

Bandaranaike was at one time General Secretary of the Ceylon National Congress, to which D. S. Senanayake, Kotelawala, J. R. Jayawardene and others belonged. He later left it and became the President and leader of the Singhala Maha Sabha. When the two organizations merged to become the UNP, and its leader, D. S. Senanayake, formed his first Cabinet in 1947 Bandaranaike was given the portfolio of Local Government in the new UNP Government.

It soon became evident that he was not happy in the UNP company. He probably sensed that his future held out no political prospects if he continued to remain in the United National Party (UNP), which he wittily called the Uncle-Nephew Party (UNP)—a sarcastic reference to the men who were in control, namely D. S. Senanayake, who was old and infirm and not likely to be at the helm of affairs for long, his son Dudley and nephew John Kotelawala, who were waiting in line at the top of the queue for succession.

In 1951 S. W. R. D. Bandaranaike resigned his Cabinet post and left the UNP. It was, indeed, a bold step and a gamble. In parenthesis, it may be of some interest to know Bandaranaike and S. J. V. Chelvanayakam were classmates at St. Thomas' College, Mount Lavinia, and when the former quit the UNP Chelvanayakam wrote to him complimenting it as a farsighted action and congratulating him.

Bandaranaike then rallied his old Singhala Maha Sabha elements and all the forces of extreme Singhalese nationalism and inaugurated a new political party which he called the Sri Lanka Freedom Party (SLFP). He reached out to the masses of Singhalese people and brought them a message of hope. If freedom meant anything, vested interests under which the common people were being ground must be liquidated and the Singhalese nation must rise to its former glory. He appealed to the racial pride of the Singhalese.

He assessed very correctly that if that pride is to be kindled

to a point of sweeping everything before it he needed a spark to ignite it and rally the people under the banner of his party. Both Bandaranaike and Jayawardene were in the House in 1948 when S. J. V. Chelvanayakam launched his attack on the UNP Government and referred to the language issue. Both were in the UNP executive when the question of making Singhala the only official language of the country was raised from time to time, and D. S. Senanayake's counsel smothered it every time. Now that he was master of himself, and needing something to demolish the UNP with, Bandaranaike decided that language was the spark that he wanted to kindle the fire of racial pride of the Singhalese.

In 1955, when General Elections were round the corner and Kotelawala made his pronouncements in Jaffna about parity of status for Singhala and Tamil, Bandaranaike seized the opportunity. He announced immediately that if he were elected Prime Minister he would make Singhala the only official language throughout the whole of Ceylon within forty-eight hours. The slogan "Singhala within 48 hours" was taken up by every mouth and fired the imagination of the Singhalese people. It became the subject of animated discussion in every village and farm and in every Government office throughout the country.

We may never know who spearheaded opposition to Kotelawala's declared policy within the UNP, but it was well known that J. R. Jayawardene was a man with extreme Singhalese nationalist views. On the language question itself it was he who masterminded the 'Singhala only' resolution which he and Dudley Senanayake had sponsored in the defunct State Council. Kotelawala has himself referred to him as a snake under the grass (polonga) in his famous "Premier Stakes 1952", and obviously there was antagonism between the two. However, the fact was that Kotelawala's declared policy on the language was not acceptable to the UNP.

The UNP executive hurriedly met at Kelaniya in February 1956. The provocation obviously was the Singhalese people's jubilant reception of Bandaranaike's announcement and the position of the Party arising out of Kotelawala's pronouncements in Jaffna. Prominent UNP Tamils attended the meeting including S. Natesapillai and C. Sittampalam (both Ministers in the UNP Government), A. L. Thambiaiyah

(M. P. for Kayts), S. M. Rasamanickam (M. P. for Paddiruppu) and V. Kumarasamy (M. P. for Chavakachcheri and a Parliamentary Secretary). G. G. Ponnampalam was not in this group since he had left Kotelawala's Cabinet long before.

This meeting of UNP executive decided to make Singhala the only official language of the country within twenty-four hours as against Bandaranaike's forty-eight hours. The presence of the Tamil leaders and their pleas, if any, apparently had no impact on the decision of the UNP.

The Tamil leaders walked out of the meeting and proceeded in a motorcade to Alfred Thambiaiyah's residence at Bagatelle Road in Colpetty, Colombo. There they went into confabulation. Their childlike faith in the UNP has been shattered, and their political future was in a shambles. They were not so much worried about the fate of the Tamil language in Ceylon or its disastrous effect on Tamil life, as they were about the prospect of having to face the electorate at the forthcoming General Election.

The Federal Party now stood vindicated in the eyes of the Tamil people. They realized that its warnings were all justified. The wolf has actually entered the sheep pen. They now looked to the Federal Party as their only hope and saviour. The 'Singhala only' decision of both the major Singhalese parties caused a wave of resentment and anger which swept through the Tamil country of the Northern and Eastern Provinces, and the Federal Party rode on the crest of it. It offered the only solution conceivable at the time.

The group that walked out of the UNP meeting at Kelaniya was not one that believed in or knew anything about political action outside Parliament. They were concerned solely with having to contend with the Federal Party and retain their seats. Their meeting at Thambiaiyah's residence was only the precursor of many more to come in their feverish political juggling activities to out-manoeuvre the Federal Party. They were joined by G. G. Ponnampalam and C. Sundaralingam whose interests were in common with theirs.

They met frequently and decided to inveigle the Federal party into their group with the view, as they said, to present a united opposition to the Singhalese. But what they were after in reality was to entice the Federal Party into an electoral

agreement to avoid contests at the election. They proposed to summon a conference of prominent Tamils with the Federal Party in it.

One day G. G. Ponnampalam accosted N. R. Rajavarothiam, the Federal Party M. P. for Trincomalee, in the corridors of the House of Representatives and asked to sign the notice convening that conference as one of the convenors. Ponnampalam very shrewdly fixed on Rajavarothiam and avoided Vanniasingham, who was the leader of the Federal Party's two Members in Parliament at the time, but made it appear as though they had met quite by chance. Rajavarothiam saw no harm in efforts to present a united opposition and signed it. He had no reason to suspect that it was a trap laid for the Federal Party.

The Federal Party was quite clear in its own mind of the tremendous responsibility it had taken upon itself in offering to lead the people at this very critical period in the history of the Tamil nation; at least those at the helm of its affairs had a clear vision of it. There comes a time in the life of a people when the question is either survival or total annihilation. The Tamils are facing such a time. Men of vision are called upon at such times to read the writing on the wall and give the people correct leadership and save them from perishing. It is not a time to play the normal game of Parliamentary politics. The Federal Party saw its role as a sacred mission to save the Tamil-speaking people from perishing and to ensure their very survival. In 1956 it believed that survival as a people could only be ensured by the achievement of an autonomous Tamil-speaking state. It had no illusions about the path to reach that goal, it knew that the goal called for a long-drawn freedom struggle and sacrifices.

No freedom struggle can ever hope to succeed unless it is led and directed by a group of dedicated men and women who are bound together by a common loyalty to and belief in the ideal, and unless they submit themselves to the discipline of an organization. If these elements of idealism and discipline are absent, no number of men coming together can achieve anything.

The struggle may be waged in many forums, the organization may avail itself of every possible forum it can pick. It may

be carried on in the forum of Parliament as well as outside it. If the organization sends Members into Parliament it is solely for the purpose and in furtherence of its objective of freedom - not because it believes that freedom can be won in Parliament.

It is true that in Parliamentary politics there is such a thing called Electoral Agreements. Individuals or parties agree to work together on a minimum common programme although separately they hold divergent views and policies, and enter into an electoral agreement to avoid unnecessary election contests among themselves. What usually happens when Members get elected under such arrangements is, each Member when elected resumes his freedom to conduct himself according to the dictates of his conscience, and that conscience can be elastic or rigid according to the price that may be offered. A judicious apportionment of the available offices will make them stick together, otherwise each goes in his own direction.

Such an arrangement necessarily belongs to the realm of government in a Parliamentary Democracy, or an opposition which has the prospect of an alternative government. It has no place in the freedom struggle of a people. A party which seeks to make use of Parliament only as an arena for its freedom struggle has no use for an electoral agreement. In fact, electoral agreements between divergent elements can damage, and even destroy, a freedom movement of a people, as happened to the Federal Party itself in the Nineteen Seventies.

The plight of the Tamils on the eve of the General Election of 1956 was in no small measure the result of the selfish and opportunist politics pursued by the men who were now seeking an electoral arrangement, and the Federal Party could not conceivably have any interest in any such arrangements. It was determined to contest all the electorates in the Northern and Eastern Provinces and ask the people for a clear mandate to carry on the struggle for the achievement of an autonomous Tamil-speaking state which alone could rescue the people from the dire consequences of Singhalese colonization and the language legislation that was then looming on the horizon. It was not prepared to deviate from that path. Participating in conferences for an electoral agreement would not only defeat its programme for a national struggle but also compromise its credibility and professions.

Signing the notice as a convenor, however, put the Party in an embarrassing situation. It would have been impolite not to participate. At the same time a proposal was already in the air for the setting up of a "Council of Elders" who would be authorised by agreement to prepare a common list of candidates for all the electorates. It was rumoured that Chelvanayakam was to be shifted from his home constituency of Kankesanturai, which he represented in the first Parliament, with a view to accommodating Natesapillai. He was to contest in Jaffna Town, a cosmopolitan and unpredictable electorate. The sitting Member for Jaffna Town was to go to his home consituency of Point Pedro, and so on. In short, the scheme appeared to be intended to ensure the re-election of the sitting Members and to distribute the remaining seats among all the parties and selected independents.

The Party decided to send its representatives to the conference, but to make it perfectly clear that the Federal Party desired to be left alone to do what it considered to be in the best interests of the Tamil people. This conference was also held at Alfred Thambiaiyah's residence at Bagatelle Road. The Party sent Dr. Naganathan and Rajavarothiam as its representatives.

It was followed by another conference in Natesapillai's suite of rooms at the Galle Face Hotel in Colombo, at which the Party was represented by a single delegate, C. Vanniasingham.

There was a slip-up at both the meetings, and the Party's delegates were prevailed upon to agree to one compromise formula or another. While discussions at the Galle Face Hotel meetings dragged on till the small hours of the morning, Chelvanayakam and I remained awake at his residence throughout the night to learn about the outcome of the talks. By 5.30 in the morning the city edition of the newspapers carried the news that a tentative formula had been arrived at which would be considered and approved at a final and more representative meeting to be held a few days later at the residence of Mr. Justice C. Nagalingam (Retired Chief Justice) at 5th Lane, Colpetty.

It was a frustrating piece of news. But Chelvanayakam and I pledged to each other between ourselves that we would extricate the Party out of any formula that sought to tie down

the Federal Party's freedom. The two of us, therefore, attended the meeting at Nagalingam's residence as the Party's sole delegates.

When we arrived at the house there was a large gathering of prominent politicians who had come from Jaffna, Trincomalee and Batticaloa. Nagalingam presided over the meeting. Chelvanayakam left most of the talking to me. From the word go, the proceedings were punctuated with verbal clashes between G. G. Ponnampalam and me. I insisted that the Federal Party would not surrender its freedom to nominate candidates as it pleased. We preferred to leave it to the people to decide.

Mr. Nagalingam, remarking jokingly that we were "a pair of incorrigible fellows", excused himself from the gathering and took the two of us to a private room in the opposite wing of his large bungalow. He tried to persuade us to be amenable to some form of settlement. I pleaded with him to bear with us in our view that the Federal Party was not proposing to contest the forthcoming election as something to do with Parliamentary politics. The Party regarded it as part of the struggle and the movement it was carrying on to resist Singhalese domination which has been made possible by the unitary constitution in force. The Party planned to demonstrate to the Singhalese that they cannot hope to govern the country in peace without the willing consent of the Tamils. Winning the largest number of seats for the Federal Party on this issue would be the most effective way of showing that the Tamil people in general endorse that view. Nagalingam countered it by saying that there was no guarantee that the Party would win that number of seats. I said, with all deference due to his personality, that winning or losing the election was not the question that agitated the Federal Party's mind. It was more concerned about its survival to continue the people's movement. An unprincipled electoral agreement would most definitely spell the doom of the Party and the struggle of the people it was guiding. An election defeat would not mean an end of the Party, It would continue to fight another day. I pointed out that in 1952 its warnings were not heeded by the people and almost all its candidates were defeated, but the Party did not die; it still lived to continue its campaign with redoubled vigour. It is prepared to take another defeat in 1956,

and would continue its warnings to the Tamil people until they realized the danger they were facing.

Nagalingam was, no doubt, rather chagrined, but there was nothing that we could do about it. The Federal Party's primary concern was the survival of the Tamil people, and not Parliamentary seats for a few individuals.

CHAPTER 7

The 1956 General Election was one of the most hotly contested elections ever held in Ceylon. As against the unchallenged leadership of the UNP with almost ten years in government, the emergence of a new force under the powerful leadership of S. W. R. D. Bandaranaike offered a promising alternative which held out great prospects.

In the Singhalese provinces, therefore, the clash between the old and tried UNP and the new and promising SLFP was a battle between vested interests and the common man whose awareness of his rights has been roused. Bandaranaike appealed to the racial and religious pride of the Singhalese Buddhists and promised to pander to their exclusive nationalist aspirations. Not that the UNP was any the less ridden with racial and religious bigotry, but it was kept beneath the surface by the farsighted D. S. Senanayake. It was bound to surface and show up sooner or later, but Bandaranaike forestalled them and was first in the field. The Buddhist clergy gave him its powerful support.

On the language question, although the two parties wooed the electorate with promises of making Singhala the only official language, the electorate naturally weighed the credibility of the two parties in the background of the UNP's performance

during ten years in office. The electorate saw in the language question a most effective weapon with which to oust the Tamils from the position they held in the life of the country, grab their jobs and trade and keep them permanently out of bounds in the official and business and professional life of the country.

The contest, then, was one of convincing the electorate as to which of the two parties could do that work of ousting the Tamils better, quicker and more effectively. It became the standard contest in all the elections since 1956.

In the Northern and Eastern Provinces the upsurge of Tamil nationalism was phenomenal. In the intensity of its defensive purpose it matched that of the aggressive phenomeonon in the Singhalese provinces. More than any other party or individual politician, the Federal Party under the leadership of S. J. V. Chelvanayakam symbolised the resurgent Tamil nationalism.

The Federal Party nominated candidates to contest all the electorates in the Northern and Eastern Provinces. The Tamil Congress nominated candidates for some of the northern constituencies, while the former UNP Tamils ran as independent candidates.

Thus at Kankesanturai S. J. V. Chelvanayakam of the Federal Party was opposed by S. Natesapillai, an independent candidate. Dr. E. M. V. Naganathan of the Federal Party was opposed at Jaffna by G. G. Ponnampalam of the Tamil Congress.

At Kayts A. L. Thambiaiyah the sitting Member contested again as an independent candidate. I refrained for personal reasons from re-contesting this seat which I had contested unsuccessfully at the earlier election in 1952. Financial resources are a sine qua non to win this seat against any candidate with financial power. I arranged with V. A. Kandiah, a leading Advocate of the Colombo Bar, and recommended him to the Party for nomination. The Party hierarchy at first was not too enthusiastic about him, but they accepted my recommendation and nominated him for Kayts. He later proved to be one of the most ardent participators in the Party's campaigns. His faith in the people's cause was unbounded. On the floor of the House in Parliament he was devastating in his attacks on the Government. He disregarded his personal health to be in the forefront of every direct 'action activities' of the Party. All

sections in Parliament respected his abilities so much that at the time of his untimely death in 1963 he was Chairman of the Public Accounts Committee.

Likewise in Chavakachcheri Arunachalam, who had contested as the Party's candidate in 1952, stood down and recommended V. N. Navaratnam, then a young and upcoming Advocate of the Criminal Bar. He was nominated as the Party's candidate to contest V. Kumaraswamy of the Tamil Congress, the sitting Member and a Parliamentary Secretary in Kotelawala's Government. Although new to politics at the time, he later proved to be an outstanding accretion to the Party. He now holds the unique record of representing the Chavakachcheri electorate in Parliament for an unbroken period of 27 years. He has the distinction of being the first Ceylonese to be elected to the executive of the World Inter-Parliamentary Union.

The Party's new candidate for Batticaloa was C. Rajadurai who had been a journalist on the editorial staff of the *Sutantiran* weekly newspaper. His scintillating Tamil oratory from platforms, and unswerving loyalty to the Federal Party and its ideal so long as Chelvanayakam was its leader, were an asset to the Party in building up its image. His contribution was not little in forging a unity between the Northern Province and Eastern Province Tamils through the medium of the Federal Party, and in overcoming the traditional Batticaloa-Jaffna prejudice. He too holds the record of representing Batticaloa as its First M. P. for an unbroken period of 27 years.

Another new and loyal find for the Party was Alagakoon who was nominated as the Party candidate for Mannar. He was a respected senior member of the Mannar Bar. He was so innocent and truthful that he would declare from platforms that he knew nothing about federalism and leave it to other speakers to explain, but he had an unswerving loyalty and devotion to Chelvanayakam. He was mainly responsible for rallying the Roman Catholics and the Muslims of Mannar under the banner of the Federal Party.

But for these changes, the other candidates of the Party remained almost the same as in 1952. A development of great significance was the support which the Muslims of the Eastern Province now gave to the Federal Party. As a Tamil-speaking

minority themselves, they showed their solidarity with the rest of the Tamils when they saw their language being assailed and vast numbers of Singhalese colonists being settled in their midst. The Party nominated Mudaliyar M. M. I. Kariappar, a respected Muslim leader of the Batticaloa District, as its candidate for Kalmunai, and his son-in-law M. M. Mustapha, a young lawyer of the Batticaloa Bar, as candidate for Pottuvil.

The poll results showed that nationalism in both linguistic sectors of the country triumphed. Chelvanayakam and his Federal Party as representing Tamil nationaiism in the Northern and Eastern Provinces, and Bandaranaike and his SLFP as representing Singhalese nationalism in the Singhalese Provinces, were both given a clear mandate by their respective peoples to pursue their declared policies.

The election results also showed a development of the utmost significance to the future of Ceylon, it reflected the deterioration of the race relations between the Singhalese and the Tamil-speaking peoples. The Tamil-speaking people for the first time, more than a quarter of a century ago, made it unmistakably clear to the Singhalese people and their leaders through the medium of the ballot box that Ceylon is the home of two nations-a Tamil-speaking nation and a Singhalese nation, functioning in two geographically demarcated distinct regions, and that the Tamil-speaking nation is not going to accept Singhalese domination.

The Federal Party won 11 out of the 18 seats in the Northern and Eastern Tamil Provinces. S. J. V. Chelvanayakam at Kankesanturai defeated S. Natesapillai the former UNP Minister. V. A. Kandiah (Kayts), A. Amirthalingam (Vaddukkoddai), V. N. Navaratnam (Chavakachcheri), C. Rajadurai (Batticaloa), V. A. Alagakoon (Mannar), and others were all elected and became newcomers to Parliament. At Kalmunai and Pottuvil in the Eastern Province both Mudaliyar M. M. I. Kariappar and M. M. Mustapha were elected as Federal Party Members of Parliament. G. G. Ponnampalam the leader of the Tamil Congress retained his seat in Jaffna. C. Sundaralingam was also re-elected at Vavuniya, but he was no obstacle to the Federal Party since he was equally defiant on the language issue and colonization.

In the Singhalese Provinces S. W. R. D. Bandaranaike was

elected Prime Minister with an overwhelming majority. The UNP was routed to a mere eight seats. Its defeat showed that a People cannot be fooled by blatantly transparent opportunist politics. Philip Gunewardene and William de Silva, who broke away from the socialist Sama Samaja Party, joined Bandaranaike's Government which was thereafter called the Mahajana Eksath Peramuna (MEP) Government.

Bandaranaike lost no time in fulfilling his promise about the Singhala language. The Order Paper of the House of Representatives for the 5th of June, 1956, indicated that the Government was introducing the Official Language Bill on that day. The copy of the Bill circulated to Members showed that it was a single clause legislation laying down the law that Singhala shall be the only official language of Ceylon. It gave power to the Minister to make Regulations for the enforcement of the law and for provisions for the transitional period, but made no mention of Tamil at all. The Prime Minister was true to his word.

The Federal Party was not content to let it go with merely opposing the Bill in Parliament. It wished to do something which will demonstrate to the country and the world at large the intensity of the popular opposition and resentment of the Tamil-speaking people against the blatant discrimination.

A suggestion came from S. Nadarajah (later Senator), a leading lawyer of the Mallakam Bar and chief organizer of Chelvanayakam's election campaign in Kankesanturai, that the Federal Party Members of Parliament with a selected band of volunteers perform peaceful Satyagraha on the steps of Parliament House while the Bill was being introduced in the House on June 5th. It was a good idea, and was promptly accepted. I was asked to organize the campaign from Colombo. C. Sundaralingam, M.P. for Vavuniya, informed that he would also participate in the Satyagraha.

Contingents of volunteers from Jaffna, Trincomalee and Batticaloa arrived in Colombo in the morning of the 5th June. They were taken to a Temple compound in Bambalapitiya. N. R. Rajavarothiam, M. P. for Trincomalee, C. Rajadurai, First M. P. for Batticaloa, and M. M. Mustapha, M. P. for Pottuvil, brought contingents of volunteers from their respective areas by train. S. Nadarajah brought a large contingent from Jaffna.

My mind goes back to an interesting incident that occurred while I was waiting at the Colombo Fort Railway Station to receive the volunteers from Jaffna early in the morning which contained an element of irony in the light of later events. When the train arrived and the volunteers were crowding on the platform, S. Kathiravelupillai, then a young and promising Advocate of the Jaffna Bar, and Proctor S. Tirunavukarasu of Anaikottai, both well known to me, walked up to me with Nadarajah and said, they were not members or supporters of the Federal Party, but they would like to take part in the Satyagraha that day. I replied that the selection of volunteers had been limited to active Party members but I saw no harm in their joining, provided they made themselves subject to the control of the leaders, particularly in regard to the observance of strict non-violence.

None of us in the Federal Party had any intelligence that while we were making these arrangements for a peaceful and non-violent demonstration,some elements of the MEP Government were also active in their own way. Even if we did, it would not have made any difference except that the placards and banners which the volunteers carried might have been planned in a different way.

The volunteers assembled in the Temple compound, some 300 in number, were given a final reminder about how they should conduct themselves as true Satyagrahis and taken to the hotel end of the Galle Face Green. The programme was to march from there in double file to Parliament House at the other end of the Green and squat on the steps peacefully and in an orderly manner.

The moment the volunteers and leaders assembled at the hotel end, a waiting mob of more than a thousand Singhalese toughs fell on them like a pack of wolves in a most inhuman and cowardly attack. They were thrashed and felled prostrate on the ground. Their placards were seized and the wooden poles used as clubs. Some were trampled upon, kicked, beaten, and spat upon.

Not a single Satyagrahi raised his hand in retaliation - except Dr. Naganathan. Five ruffians singled him out and chased him to the edge of the promenade. He turned and met them alone with his fists and legs. They took to their heels to join

their comrades. Satyagraha or not, Naganathan by nature was one who would never brook an insult to his manhood.

Vanniasingham, more deeply immersed in the Gandhian philosophy and techniques, accepted all the indignities with fortitude. He was dragged by his feet for a few hundred yards along the turf, and his shirt and under-vest torn away. He had nothing on above his waist.

The mob appeared to recognize the well-known leaders and singled them out for special handling. As though on instructions, Chelvanayakam was only jostled about but not manhandled.

The Police arrived on the scene and sent mobs off the Green to the Galle Face Centre Road. The beleagured and exhausted Satyagrahis regrouped and marched towards Parliament House under a hail of stones, hoots and filthy abuse. To add to their misery, the clouds burst and a heavy downpour of rain soaked them to their bones.

As the day advanced, and the Colombo Harbour workers were let out, the mobs swelled until about mid-day and an estimated 100,000 crowded the entire length of the Galle Face Centre Road and around Parliament building. Tamils spotted on the road were beaten up and thrashed . Chelvanayakam's two sons, Manoharan and Vaseeharan, were caught and roughly tossed in the air repeatedly. Many prominent Tamil professionals and others were caught, stripped and thrashed. The violence spread throughout the City of Colombo, to the roads, public transport, shops, business houses; wherever Tamils were seen they were attacked.

I had a leaflet in the Singhala language printed and ready for distribution among the crowds which may gather while the Satyagrahis were squatting on the Parliament steps. It was entitled "dravida apey ayachanaya" (An Appeal By Us Tamils) and explained to the Singhalese people in their own language why we Tamils were opposing the Singhala Only Legislation. I entrusted my car and the leaflets to a friend and fellow-worker, S. Alagaratnam, for distribution of the leaflets as best he could. He parked the car somewhere on the Galle Face Centre Road and had run through three-quarters of the leaflets when a threatening mob surrounded the car. That was the end of the proceeding.

Looking back, it seems to me now that the whole attempt to reach the Singhalese common man was a ridiculous waste of time, money and effort. One can wake up a sleeping man, but not if he is pretending to be asleep. I say this, because I have heard quite a number of friends remark that the Federal Party never made any effort to explain the Tamil grievances to the Singhalese people in general in their own language.

The Police stopped the Satyagrahis at the northern end of the Galle Face Green and blocked their way to the precincts of Parliament House. The volunteers sat down peacefully where they were stopped, and remained there for the rest of the day. A prominent Singhalese lawyer of Colombo, Mr. Paranavitane of the law firm of De Silva & Mendis, and a Roman Catholic Priest, Father Xavier Thaninayagam the famous Tamil scholar, emerged out of the crowds and sat down with the Satyagrahis. The gesture did not pass unnoticed by the Press.

Shortly before Parliament Sitting was due to commence at 2.00 p.m. the Prime Minister appeared on the steps of Parliament House and addressed the crowds. He looked up at the skies and remarked that the rains were going to come down again and the demonstrators would cool off. He asked the people to go home peacefully.

A. Amirthalingam, M. P. for Vaddukoddai, was struck on the head by one of the stones thrown by the mob. At 2 p. m. C. Sundaralingam, M.P. for Vavuniya, took him with his bleeding head and entered the Chamber of the House of Representatives where the Official Language Bill was being introduced. They were greeted with derisive laughter and cries of "wounds of war", to which Suntharalingam retorted with some reference to the Singhala Lion and the tail between its legs at the sight of the Tamil Tiger.

The Satyagraha was called off at 5. 00 o'clock in the evening. About 18 injured volunteers and V. N. Navaratnam, M. P. for Chavakachcheri, were warded at Dr. Rutnam's Private Hospital at Union Place, Slave Island. Navaratnam was severely hurt in the legs. One of the volunteers had his ear bitten off. The Hospital provided beds and attended to all of them with loving care. Not only were they given proper beds but attended to all of them with loving care. Not only were they given proper medication and treatment, some of the volunteers

whose clothes were torn to shreds were even provided with new clothing. Dr. Rajadurai Rutnam refused to take any payment, not even to be reimbursed for the clothing he had purchased for the volunteers. I was deeply touched by the young Doctor's gesture.

Thus did the Tamils have their first taste of mass violence from Singhalese mobs. It was a novel and unexpected experience for the Tamils who never anticipated that the Singhalese as a people would resort to intimidation by violence for political purposes. For nearly a century and a half during British rule, when the two peoples happened to live in mixed societies, they had got along so well that there was never an occasion when there was friction in their race relations. On the contrary a sort of fraternal relationship had developed between them. Politicians might have debated each other's rights and interests, but the common people of both the races consorted in reasonable amity.

In the dark days of the Singhalese-Muslim riots in 1915, when Singhalese Buddhist mobs were shot at sight and leaders such as F. R. Senanayake, D. S. Senanayake, Baron Jayatilleke, A. E. Goonnesinghe, and others were locked up in jails,it was a Tamil leader from Jaffna, Sir Ponnampalam Ramanathan, who raised his angry voice of protest on behalf of the Singhalese Buddhists against the misdeeds of the British Police and the soldiery. He even braved the wartime minefields of the English Channel to reach London and plead for justice to be done to the Singhalese Buddhists and their leaders be released. Thereby he, and the Tamil people in general, earned the ill-will of the Muslims, a sister minority community, who are yet to forget and forgive.

It was another Tamil leader, Sir Ponnampalam Arunachalam, who pioneered the agitation for self-government and reform of the constitution, and organized the Singhalese intelligentsia to work for it through the Ceylon National Congress which he founded. It was Arunachalam again who kindled the interest of the Singhalese and pioneered the research in their own past history. It was yet another Tamil of international repute, Sir Ananda Kentish Coomaraswamy, who urged the Singhalese to take an interest in the study of the Arts and Crafts of their own ancestors. He pioneered research in this field and produced a monumental work to inspire them

for further study. These are all activities in which no educated Singhalese had ever shown any interest before these Tamils.

These and other contributions of the Tamils are some of the proofs of the fellowship and good relations that existed between the two peoples. They showed the universality of outlook and the absence of any prejudice on the part of the Tamils towards their Singhalese countrymen. Of course, the Tamils never looked for any gratitude for their contributions to the national weal, for they know that gratitude and altruism are not words to be found in the dictionary of politics and statecraft, but they at least have the right to expect civilized behaviour from their countrymen.

This new experience showed that times have changed. The days when the Singhalese and the Tamils regarded themselves as brethren of a common motherland were gone. An episode which occurred ten years later registered itself in my mind as further evidence of the change.

Soon after Prime Minister Dudley Sēnanayake formed his Government in 1965 with the Federal Party's help, the Federal Party arranged a reception in Jaffna for Minister J.R. Jayawardene and his Parliamentary Secretary C.A. Atapattu. It was followed by a mass meeting at Kankesanturai in Chelvanayakam's Constituency which was addressed by Jayawardene and Atapattu. Jayawardene called on me to interpret his English speech into Tamil for the benefit of the audience which was entirely Tamil. I had also to interpret Atapattu who spoke in Singhala. He commenced his speech saying in Singhala *"nonamahathruni mahathruni"* (Ladies and Gentlemen). By force of habit I translated in Tamil *"sahodarargale, sahodarigale"* (Brothers and Sisters), which was certainly not a direct translation, but which are words current in Singhala usage. Atapattu promptly protested "No, no". and then, as if realizing the implication, corrected himself immediately and said "Let it pass". It was a very trivial matter, but it showed an attitude of mind that was indicative of the change that was taking place in Singhalese-Tamil relations. His first instinct was not to be inclined to appear addressing Tamils as brothers and sisters.

It was symptomatic of the change among all the Singhalese leaders. No Prime Minister, from D. S. Senanayake downwards,

has ever used the inclusive "we" while addressing a Tamil audience in the North or the East. It has always been, and still is, the practice of every one of them to use the words "you" and "we", meaning, you the Tamils, and we the Singhalese. The audience was always made to feel that, though Prime Minister of the country as a whole, he or she was standing before them as representative of the Singhalese people only. It is, no doubt, an unconscious habit, but it springs from the inherent instinct of the Singhalese leaders.

Naturally and inevitably the Tamils were not slow to reciprocate. All the developments that have taken place in Tamil politics in independent Ceylon are phenomena of that reciprocation. As the Buddhist philosophy teaches, every action causes a reaction, and in that vicious circle the Government decided in June 1956 to behave like the schoolmaster who wields the rod to keep his class in order.

That precisely is the meaning of the incidents on the Galle Face Green and in the City of Colombo. They were not a spontaneous popular reaction on the part of the Singhalese people to the Federal Party's Satyagraha. It was an attack inspired and organized by elements in the Government. The thugs who attacked the Satyagraha volunteers at the start and then went on a rampage in the City of Colombo for two days were known to have come from the Siyane Korale and Avissawela area represented in Parliament by Minister Phillip Gunewardene. It must be remembered that Phillip Gunewardene, the reputed father of the Ceylonese brand of socialism, left the LSSP to become Minister in the SLFP Government of Bandaranaike and later in 1965 in the UNP Government of Dudley Senanayake. He learned his socialism in California along with Jayaprakash Narain, the socialist and Sarvodaya leader of Bihar in India who aligned himself with Morarji Desai.

The Galle Face Green attack not only inaugurated the new era of Singhalese mob violence against the Tamils, it also set the pattern for all the subsequent pogroms. Some Minister or other or some Member of Parliament of the party in power was known to have been associated with every one of them. Every one of them was organized and planned. Buddhist monks who worked for the electoral victory of the party also led the mobs in their attacks on Tamils.

Having thus physically thrashed and beaten up the elected representatives of the Tamil-speaking people the Government steamrollered its way through Ceylon's democratic Parliament and got its language Bill passed into law. It took its place in the Statute Book as the Official Language Act of 1956. It is popularly referred to as the Singhala Only Act.

The implementation of the new language law took a leisurely course in the beginning, particularly during Prime Minister S. W. R. D. Bandaranaike's lifetime. The administration was not geared to a sudden switch-over from English to Singhala. Most of the senior officers of Government, some of them though Singhalese themselves, were not sufficiently proficient in Singhala to carry on administrative work, and there were the Tamils to whom it was an alien language.

Nevertheless active preparations were made for an early switch-over. Tamil public servants, and all others who did not know Singhala sufficiently well to work in that language, were given three years to acquire proficiency in that language or the option to retire if they did not want to. Promotions in service and annual increments in salary were made conditional on proficiency in Singhala. Almost all Government notifications and advertisements relating to recruitment for jobs in the Public Services, state-owned Corporations and Boards and local government bodies stipulated proficiency in Singhala as a necessary qualification. It was another way of saying that Tamils need not apply.

CHAPTER 8

The passage of the Singhala Only Official Language Bill was a great blow to the Tamil-speaking people. If they submitted to the law it spelt their doom. It was not merely a language switch-over in Government offices. It was not even a question only of Tamil public servants learning the Singhala language and acquiring proficiency to work in it. It was much more than that, it invaded the life and the social and cultural fabric of the Tamils. The Act was pregnant with a million problems, both seen and unseen. It paved the way for quick assimilation into the majority Singhalese mainstream, and threatened the very survival of the Tamils as an ethnically and culturally distinct people.

The Federal Party continued its agitation against the law, but it all consisted of platform speeches to which people would come, listen, and then go their own way. That sort of activity was not going to have any impact on the Government.

I was not content to leave it with the Galle Face Green Satyagraha. It was necessary that sooner or later the Federal Party will have to force the issue with the Government, and a confrontation would be unavoidable to force the Government to recognize parity of status for the Tamil language. The people have to be made more politically alive and psychologically

ready for mass participation in any peaceful and non-violent campaign the Party may decide upon. How that is to be done was the question that agitated my mind.

I thought up the idea of a long mass march of volunteers and leaders on foot to end up with an ultimatum to the Government on behalf of the Tamil-speaking people. It seemed to me that it would be a feasible and effective way to carry the message of the Party to the villages and people throughout the length and breadth of the Tamil country. There was nothing original in the idea. I belong to a generation that has been watching the Indian National Movement for Independence as it unfolded from year to year and campaign to campaign. I had been following with great interest the day-to-day progress of Mahatma Gandhi's famous Dandi March and Salt Satyagraha. The way how the crowds that followed him grew day by day as he passed through village after village, and the tremendous national upsurge it created throughout India, were indelibly imprinted in my mind. It is this which made me think of a similar march through the Tamil country of Ceylon.

The Federal Party had decided to hold that year's (1956) Annual Convention of the Party at Trincomalee in August, and C. Vanniasingham, M. P., was elected President for the ensuing year. He would be inducted as President at the Convention. It occurred to me that the occasion would be the most appropriate one for the mass march I had in mind. Trincomalee is mid-way between the northernmost and southernmost points of the Tamil Country. The delegates and leaders would walk all the way from Kankesanturai in the north and from Tirukkovil via Batticaloa in the south to reach the Convention Hall in Trincomalee, and adopt a single Resolution demanding that the Government do take steps to establish an autonomous state for the Tamil-speaking people in their traditional homeland of the Northern and Eastern Provinces, and in the event of the Government failing to do so within one year, the Federal Party would launch non-violent direct action for its achievement.

I discussed the idea with Vanniasingham, the President-elect, and he was quite enthusiastic about it. Chelvanayakam, however, ridiculed it as impractical and a useless waste of energy. One has to understand Chelvanayakam if one was to get along with him. In the interest of the great national undertaking that we all had taken upon ourselves it was imperative that we knew our leader.

S. J. V. Chelvanayakam was a complex personality. He had some of the makings of a Gandhi, but not entirely. He was intensely religious. Like Gandhi, he worshipped truth. His dedication to the cause of the Tamil people, and his readiness to make any sacrifice in that cause, even a sacrifice of the most elementary creature comforts, were unswerving. His faith in the destiny of the Tamil people was unshakable. But he had no concept of the value of mass action in the politics of a freedom movement. He had no knowledge or understanding of the personalities of the Indian National Movement. He liked crowds and their adulation, but not beyond their value in Parliamentary politics. He was essentially a mid-Victorian English Liberal of the Gladstone type. He revelled in Parliamentary battles, just as he did in forensic battles in the Court Room. He had a childish belief in Parliamentary institutions. Yet, and in spite of his good Christian background and education, he was a Tamil nationalist to the core. When in a good mood and intimate company, he would break into a song, and sing a Thiagarajah Keerthanai strictly in accordance with the orthodox classical style. He was a great devotee of the Tamil national music of the Nadhaswaram. When he thought a thing was right nothing could stop him from pursuing it. He was once a schoolmaster in his early youth at Wesley College, Colombo. Wesley was a leading Christian missionary high school which produced men like Sir Oliver Goonetileke. One day Chelvanayakam appeared before the students in his class dressed in Tamil National costume with the shawl round his neck. Those were the days of colonial habits and customs when such things were taboo. The Principal summoned him to the office and expressed surprise that a Christian should behave like that. Chelvanayakam promptly tendered his resignation and walked out of the College. His strength, and at the same time his weakness, lay in the fact that he was amenable to being convinced. He never had a closed mind, and he never refused to listen. Once convinced and he takes a decision, he would go all out to carry it out.

To convince such a man it was necessary to satisfy him that the programme would get popular backing and be effective. I wrote an article outlining my programme for a Trincomalee march and the Annual Convention, and had it published in parts in two consecutive issues of the *Sutantiran* weekly. The response was tremendous. Hundreds of letters flooded the

Sutantiran office from all parts of the country urging that the programme be implemented. Two of the letters were written in the writers' blood.

I raised the subject again at the next meeting of the Party executive, and Chelvanayakam jokingly remarked, "Navaratnam has a bee in his bonnet, and his legs seem to be itching to walk." I placed the bundle of letters on the table and singled out the blood-written ones. Chelvanayakam was highly impressed. He himself started to urge that we go through with the programme. The Committee decided accordingly, and I was again entrusted with the responsibility of organizing and masterminding the programme.

Although I was in sole charge, the tremendous success of the undertaking could never have been made possible but for the invaluable assistance of C. Vanniasingham, the President-elect. I was not privileged to have the intimate knowledge and understanding of the personalities of the Batticaloa District that he had at that time. We travelled to Batticaloa together, and it was through him that I made the acquaintance of most of them. I remember particularly Thambimuttu, a respected Tamil teacher and father of Sam Tambimuttu (another pillar of the Federal Party and a leading member of the Batticaloa Bar), and Arianayakam of Tirukkovil (of Arappor Munnani fame).

The Party organization in Batticaloa under the leadership of C. Rajadurai, M. P., Thambimuttu, Arianayakam, and others was entrusted with the responsibility for all the arrangements along the march route from Tirukkovil to Trincomalee. The leaders, delegates and volunteers would trek along the coastal road which had several ferry crossings.

In Trincomalee a Reception Committee under the chairmanship of the Member of Parliament, N.R. Rajavarothiam, took charge of all the arrangements for the three-day Convention. More than 5000 visitors swarmed the town of Trincomalee for the occasion. They were people who joined the marching contingents from Kankesanturai and Tirukkovil along the two routes. Feeding, housing and caring for all of them for the three days of the Convention proved to be a stupendous undertaking for that not-so-affluent town. That it bore the strain magnificently is tribute to the people of

Trincomalee in general, and to the Reception Committee and Chairman and their patriotic band of voluntary workers in particular. The American Roman Catholic Priests of St. Joseph's College very kindly placed their spacious College Hall and the Playground at the disposal of the Reception Committee for the three days of the Convention proceedings.

The route to be taken by the northern contingent of marchers from Kankesanturai called for serious thought. It is still a problem that must agitate the minds of all Tamils for all time. Geographically and demographically it raised problems of security even at that time in 1956. Today, almost thirty years later, it is a hundred times worse owing to the colonization schemes and the TULF's conceding the Seruwawila electorate to the Singhalese.

My original plan for the march route was to take the usual highway to Trincomalee via Vavuniya - Horowapotana - Habarana - Trincomalee. From the Northern Province border to that of the Eastern Province the plan was to transport the marchers by trucks and buses to avoid a trek through Singhalese country.

Vanniasingham and I met the Superintendent of Police in charge of the Northern Province, A.A. Perera, in his office at Jaffna to notify him of the programme and the route for the march. He was a most high-souled and good-hearted Singhalese gentleman, and was one of the most efficient officers in the Police Force. He had covered the security arrangements for the Commonwealth Prime Ministers' Conference in Colombo. He advised us that the route we proposed had many risks, and suggested that we change the route. He asked us if our purpose would not be better served if we take the coastal route via Mullaitivu. He said he had been on the Mullaitivu-Alampil road several times and that it was a virtual paradise for bird watchers and nature lovers. His description of the route was so enticing that we readily accepted his advice. The tactful police officer in him secured the avoidance of unwanted incidents and problems for the Police, but it also suited our campaign better, although we regretted having to bypass Vavuniya.

The original route plan was therefore revised. The northern contingent would start from the leader's Constituency of Kankesanturai, reach Jaffna Town, and then take the Kandy

Road. At Mankulam they would turn east and proceed via Oddichuddan - Mulliyavalai - Thaniyootru - Mullaitivu - Alampil - Thennamaravady - Kokkutoduvai - Kokkilai - Tiriyai - Pulmoddai - Kuchchaveli - Nilaveli - and terminate at Trincomalee.

When eventually the marchers, over a 1000 strong under the able leadership of S. Nadarajah, traversed the route they were delighted at the type of the Tamil country which they were setting their eyes upon for the first time. The countryside, the landscape and vegetation, the richness of the soil, the bounty of nature as far as the eye could reach, all thrilled them. They felt proud and guilty at the same time - proud at the thought that they are the inheritors of all this country, and guilty because of the neglect they and their forefathers had condemned it to. They noted that the villages, habitations and man-made tanks were all called by pure Tamil names of birds and fragrant flowers.

The village Thaniyootru (water spring) is so called because even in the driest season the surface soil is still moist. On the morning of the day the northern contingent of marchers were due to arrive at Thaniyootru, the local Party volunteers dug a rectangular trench about 100 ft. by 50 ft. only to a depth of 2 ft. in a Hindu Temple compound. By evening when the marchers arrived the oozing sub-surface springs had filled it with fresh water to the brim, and the weary men washed themselves to their hearts' content.

The marchers also noted the landmarks of ancient habitations from where their forefathers were driven out by wars and the malarial mosquito and the failing seasons, now overrun with the ravages of time.

Above all, their pride and patriotism were rekindled by the historical memories associated with several places along the way recalling to their mind the many deeds of valour of Tamil heroes of bygone days. At Oddichuddan there is the spot, now marked by an inscribed stone, where Pandara Vanniyan, the last of the heroic Chieftains of the Vanni, defiantly gave battle to the British and fell to an English gunshot.

When they skirted the Kokkilai Lagoon they saw in their mind's eye the ships which once sailed in the Lagoon carrying commerce between the Pandyan Kingdom in South India and the Vanni Chieftaincies. They crossed the Ma Oya, which now

divides the Northern Province from the Eastern and North-Central Provinces, the perennial river that flows into the Kokkilai Lagoon.

At Tiriyai they saw the Neela Panikkan Malai and Neela Panikkan Kulam, the hill and tank named after the famous Neela Panikkan, another brave Tamil Chieftain of the Vanni. On the hill top there were the ruins of his fortress palace. The elders of Tiriyai are never tired of recounting to visitors the sad story of its last days. When the Portuguese invaders in the seventeenth century surrounded his hill, Neela Panikkan took his consort by a secret passage, put her on board a waiting ship in the lagoon, and then returned to take his place with his men defending the fortress. The Portuguese stormed the palace and succeeded in shattering its massive gates. Realizing that the end has come, Neela Panikkan climbed to the top ramparts, attached his signet ring to an arrow, and fired it towards the ship which was then sailing in the centre of the Lagoon, the arrow with the ring fell on the queen's lap.She took the ring, touched it to her eyes with reverence, and then holding it to her bosom jumped overboard. Neela Panikkan himself fell with his men defending the fortress to his last breath.

From Kankesanturai on the northern coast of the Jaffna Peninsula and from Tirukkovil at the southernmost point of the Eastern Province the two contingents of marchers commenced their march to Trincomalee led by Members of Paliament and other leaders with a lot of fanfare and amidst scenes of wild enthusiasm. As they progressed on their long trek and passed through towns and villages, more and more volunteers joined them and added to their numbers. It created such a stir and upsurge of mass enthusiasm that the Press took it up and gave it a prominent day-to-day coverage.

The reaction in Colombo was quick, and at the same time reflected a strange exhibition of intolerance. The diehard Singhalese Press demanded a ban of the march and to stop it from proceeding to Trincomalee. Some leaders were believed to have exerted pressure on the Government. The Prime Minister, however, refused to accede to the Singhalese clamour, saying that he would not interfere with the democratic rights of any section of the people. He ordered Sydney de Soyza, the Deputy Inspector General of Police, to proceed to Trincomalee with a squadron of Special Police and to ensure that law and order was maintained.

The northern contingent of marchers were transported by trucks and buses from Mankulam to Mulliavalai with a halt at Oddichuddan. That long stretch of the highway traversed through a thick jungle with no human habitation. There was no point in walking that distance.

The halt for a night at Mullaitivu was an exhilarating experience. Voluntary workers and prominent citizens of the area, irrespective of political party affiliations, under the guidance and leadership of people like J. M. Vincent, a schoolmaster and Federal Party's Parliamentary candidate in the Vavuniya electorate, T. Kumaravel, a leading merchant of Mulliavalai (and brother of T. Sivasithamparam, later the M. P. for Vavuniya),T. M. Sabaratnam, the veteran politician of Mullaitivu, Muhandiram Kanagasooriam, a retired Maniagar, X. M. Sellathambu, then Divisional Revenue Officer of Mullaitivu and later its Member of Parliament, and the Roman Catholic Parish Priest, had made excellent arrangements for the feeding and housing of the large number of marchers. It was a very demanding task and would not have been made possible but for the generous assistance of the Chammattis (proprietary leaders of the fishing industry) of Mullaitivu.

The marchers had a glimpse of the hospitality of the Muslims of the Eastern Province when they stopped for a night at Pulmoddai. It was a most touching and unforgettable experience. Pulmoddai was then (the Government had not yet set its eyes on its Ilmenite Sands at that time) a straggling village of a few Muslims on the eastern coast. The population was so small and so poor that it would have been a crime to expect them to feed the much larger crowd of marchers who poured into the village that night. Their only wealth was a few herds of cattle. And yet they would not allow the marchers to proceed on their way without tasting the village's hospitality. At 2 o'clock in the morning the milkers set out in the waning moonlight to spot their milch cows in the far flung grazing grounds and farms. It was an idyllic experience, in the midst of so much poverty, to hear them call out to each other across distances, in that semi-darkness and the gentle breeze of the pre-dawn morning, to check whether every one of their comrades was at work. They returned with gallons of milk, and insisted that every one of the marchers have a hot cup of coffee or tea before resuming the trek. That is all what the village

was able to give, and it gave with a good heart. That is hospitality.

An incident occurred at Nilaveli on the last leg of the march which proved the wisdom and foresight of A. A. Perera, the Superintendent of Police of the Northern Province. A band of Singhalese goons from the neighbouring colonization settlement at Paduvil (Padaviya) had reached the Nilaveli highway and waylaid a group of Convention workers who were engaged in maintaining liaison between Trincomalee and the lead column of the northern contingent. The Tamil workers retaliated, and a few young men on both sides were injured in the clash. Prompt action by the Trincomalee Police averted more serious consequences and saved the situation.

It may be of interest to mention that the clash took place in an area where R. G. Senanayake, who was a Minister in Bandaranaike's Government, purchased a 400 acre coconut estate from a Burgher gentleman many years later, and settled a few hundred Singhalese families on that land. All this area, which previously was part of the Trincomalee electorate, is now within the new Singhalese Constituency of Seruwawila.

Wild scenes of unbounded enthusiasm were witnessed when the two contingents of marchers from the north and the south approached the Town of Trincomalee. By synchronised timing the two contingents were made to meet in a confluence at Madathadi on the outskirts of the Town. Thousands of men, women and children joined the march at the approaches to Trincomalee, and when it ended up at the esplanade in the centre of the Town, the vast grounds presented a picture of seething mass of heads and the tricolour flags of the Federal Party.

For the three days while the Convention lasted, the streets of Trincomalee rang with the sound of patriotic slogans and breathed an air of Tamil national fervour. Almost every home hosted a delegate or a volunteer. At street junctions, on the roads, and at every place where people gathered,the topic of discussion was the new language law and the colonization schemes which were threatening Trincomalee and the whole of the Eastern Province.

The last item on the Convention programme for the third day was a public meeting at the esplanade which was scheduled

to commence at 6.00 p. m. Sydney de Soyza, the D. I. G., had contacted us to inform that he would not allow the meeting to continue after 8.00 p. m. That gave us only two hours for all the speeches.

S. Nadarajah and I met in private to prune down the number of speeches and the time allotted to each speaker. Readers with experience in such matters would know how difficult it is to disappoint speakers already on the list, and how speakers would love to mount a platform before a crowd of the magnitude as had gathered at Trincomalee esplanade that day. There was an estimated crowd of more than 25,000 people who had assembled long before the meeting was due to commence. We decided to limit the proceedings to the essentials only.

The situation demanded firmness. Shortly before 6.00 p.m. the squadron of Special Police arrived at the esplanade with wicker-shields, batons and all, and lined up behind the platform. The D. I. G. was present in person.

The meeting, presided over by C. Vanniasingham, the New President of the Party and M. P. for Kopay, commenced with usual singing of the Party's national song. Then N. R. Rajavarothiam, Chairman of the Reception Committee and M. P. for Trincomalee, delivered his welcome address. Next the President announced the one and only Resolution which was adopted by the Convention. The Resolution demanded the Government to take the necessary steps for the establishment of an autonomous state for the Tamil speaking people in their traditional homeland of the Northern and Eastern Province. It further said that in the event of the Government failing to do so within one year, the Federal Party would launch a campaign of peaceful and non-violent direct action for achieving the establishment of such a state.* The President was followed by M. M. Mustapha, M. P. for Pottuvil, who addressed the gathering for five minutes.

Finally the address of thanks was delivered. Sharp at the last stroke of 8 o'clock the President declared the meeting concluded and requested the people to go home in a peaceful and orderly manner.

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* *For a full text of the Resolution, see "Ceylon Faces Crisis".*

The D. I. G. walked up to me and Nadarajah and thanked us for our cooperation. He complimented on the splendid organization. S. J. V. Chelvanayakam called us both "The two tyrants". Nadarajah had led the northern contingent of marchers without any mishap. But for his wonderful talents of leadership and his firm enforcement of discipline, bringing such a large number of people on foot all the way over the vast distance from Kankesanturai to Trincomalee would have daunted any other leader.

CHAPTER 9

The national upheaval which the Trincomalee March and Convention had engendered in the Tamil country continued without abatement in the months that followed. There was a growing mood of expectancy as the deadline of the Resolution approached, and the Government was not showing any inclination to respond. The people had become accustomed to the belief that the Federal Party was always good for its word, and expected that it would definitely resort to action to implement the Resolution. The general situation could not have gone unreported to the echelons of power in Colombo.

Sometime before the deadline the Federal Party was invited to meet with the Prime Minister to discuss a possible solution to the Tamil problem. It was the result of a joint effort on the part of Stanley de Soyza, the then Finance Minister in Bandaranaike's Government and a brother of the D. I. G., and P. Navaratnarajah, the prominent Advocate of the Colombo Bar, now a Queen's Counsel. The initiative was probably taken by the Prime Minister himself through his Finance Minister. Navaratnarajah was known to enjoy a very close friendly relationship with S. J. V. Chelvanayakam.

A delegation from the Federal Party met with the Prime

Minister S. W. R. D. Bandaranaike at his ancestral country residence at Horagolla in Veyangoda. The delegation consisted of S. J. V. Chelvanayakam, C. Vanniasingham, V. A. Kandiah, N. R. Rajavarothiam, Dr. E. M. V. Naganathan and myself. Stanley de Soyza and P. Navaratnarajah, the friends who brought about the meeting were also present and participated in the discussions.

The Prime Minister had a knack of disarming any feelings of antagonism, and the discussions were carried on in the friendliest atmosphere. He initiated the talks by playing down the seriousness of the Singhala Only Act as if to give the impression that it is a political gimmick. He asked us not to be perturbed about it as it would take many, many years before English could be replaced in the administration and the law courts and that English would have to continue.

It may be that the Prime Minister was quite sincere when he said this. He himself could not read, write or speak Singhala, as he admitted when giving evidence in the Teja Gunawardene trial-at-bar case before the Supreme Court. But the Federal Party had a duty to look at the problem, not from the Prime Minister's point of view, sincere though he was, but from the standpoint of the Tamil-speaking people. The Singhala Only Act was a piece of legislation already occupying a place in the Statute Book for all time. The Party viewed it only as one of the symptoms of a more widespread and more deep-rooted malady for which Tamil autonomy alone could be a proper remedy.

When the talks turned to federalism, I reminded the Prime Minister that part inspiration for the Federal Party's objective actually came from his own early writings which advocated that a federal system of government would be an ideal solution to Ceylon's racial problem. He replied that that was indeed his opinion then, but he now had no mandate from his people to establish a federal state. Short of a federal state, could we not think of an alternative that would allay Tamil fears and satisfy their aspirations? That was what he was thinking about, he said.

Vanniasingham and Dr. Naganathan drew his attention to the Choksy Report on decentralization of the administration and his own Gazetted draft scheme for Regional Councils

when he was Minister of Local Government in the Cabinet of D. S. Senanayake. Their weakness was that both lacked "teeth", and both contemplated small areas. The Prime Minister agreed that those documents did have some very valuable ideas. He asked the delegation to submit a scheme for decentralization - "with some teeth" - which the Party may think necessary, but short of federal autonomy. He would study it and then meet again for further discussions.

The delegation left Horagolla wondering to what extent the Prime Minister would be prepared to go to satisfy the Federal Party. Throughout the discussions he had been quite sympathetic when the delegation expressed the concern of the Tamil-speaking people. There were moments when he was in his true element. On the difficulty of learning a new language rather late in life he cracked jokes about a certain prominent Singhalese politician learning French in Paris "under the sheets." In spite of all the friendliness that pervaded the conference room, it was not without some misgivings about the Federal Party having to whittle down its political stand at the very outset of coming to grips with the Government - at least that was how I felt personally. At the same time it was also true that the Federal Party could not hope to achieve a federal state in one leap at that early stage of political development.

Vanniasingham and I were asked to draft the proposals to be submitted to the Prime Minister. It was clear that the proposals could not be for a federal autonomous state. At the same time we were clear in our own mind that nothing that originated from the Federal Party should be for anything less, at least in substance. Even at this day while I am writing this it is a matter of great personal satisfaction to me that we decided to act on this line of thinking when we drafted the proposals at that time. Many years later, long after Bandaranaike's demise this document was unearthed from his personal files and fell into the hands of Dr. N.M. Perera who was in the Opposition along with the SLFP during Dudley Senanayake's 'National Government' (1965 - 1970). On one occasion when Perera was attacking the Government in Parliament, he read out excerpts containing some of the salient features of our proposals to illustrate the 'sinister aim' of the Federal Party whom the Prime Minister had taken into partnership in the Government. The proposals thus reached the Hansard as a permanent record for

posterity to see that even under stress the Federal Party of 1957 was not prepared to compromise its ideal.

Britto Muttunayagam, a Barrister and Principal of the Ceylon Law College, was a reputed constitutional lawyer. S.J.V. Chelvanayakam and I called on him at his residence and discussed the matter with him. Muttunayagam thought that the political pattern of Northern Ireland (Ulster) and its relationship to Britain offered us an ideal model. Its Parliament is subordinate to the British Parliament at Westminster, and yet it enjoyed a certain measure of autonomy in domestic affairs which was not federal in character. He pulled out a volume from the shelves of his private library containing the Northern Ireland Constitution Act and gave it to us. He referred us to the Article which provided that the Westminster Parliament shall have power to repeal, amend, modify or enact afresh any law of the Northern Ireland Parliament, thereby making the latter a subordinate legislature.

Chelvanayagam's son-in-law, A. Jeyaratnam Wilson, then a Lecturer in Government at the University of Peradeniya in Ceylon and now Professor at the University of New Brunswick in Canada, lent us a volume of the world's Constitutions for reference and gave us some very valuable suggestions.

There was no time to be lost as the Press was getting to be nosey. Vanniasingham and I worked day and night and produced our draft proposals. Within three days of the Horagolla meeting the document was in the hands of P. Navaratnarajah to be delivered to the Prime Minister.

The scheme was largely based on the Northern Ireland model. External affairs, Defence, Currency and Stamps, Customs, Inter-regional Transport, would remain with the Central Government in Colombo. The new subordinate state will have a unicameral legislature, and a cabinet responsible to it. The revenue will consist of block grants from the Central Government to be supplemented by domestic taxation. Policing will be a domestic responsibility. There will be a Minister for Tamil Affairs in the Central Cabinet. The people of the subordinate state will continue to be represented in the Central Parliament in Colombo.

The next meeting with the Prime Minister was at his Rosmead Place residence in Colombo. This time the Party was

represented by a smaller delegation consisting of Chelvanayakam, Vanniasingham, Naganathan and myself. The Prime Minister opened the talks by observing that he has studied the proposals carefully and thought they were not very different from a federal state. He suggested that the proposals be put down in points form to effect a decentralization of the administration, and to avoid the use of such words like 'Parliament' and 'Cabinet' which carried the notion of a separate state.

A few days later a revised document was delivered containing our proposals in points form but replacing 'Parliament' by the term "Regional Council" which was the Prime Minister's favourite term in his scheme for decentralization, and 'Cabinet' by the term "Board of Directors". Otherwise the substance of our proposals was retained intact.

A series of discussions followed between the Finance Minister Stanley de Soyza, P. Navaratnarajah, and the representatives of the Federal Party on changes proposed by the Prime Minister. The Prime Minister's main objection was to our proposal for a single Regional Council for the entire country comprising the Northern and Eastern Provinces. He suggested instead that the two Provinces be divided into several regions with a Council for each region. The Party was opposed to this.

A.C. Nadarajah, a well-known Advocate of the Colombo Bar and former member of Bandaranaike's Party (SLFP), met me at the Colombo Law Library and wished to talk to me on the ongoing negotiations. Evidently the Prime Minister had been advised that on the Federal Party side I was the most insistent on the single Regional Council principle. Nadarajah said that the Prime Minister was prepared to concede one Regional Council for the whole of the Northern Province, but the Eastern Province has to have many, at least south of the Verugal River there have to be two or three Councils. We had a long discussion, and in the end I suggested that if the two Provinces were given one Council for each with the right to amalgamate, perhaps it might be acceptable to the Federal Party.

The third and final meeting took place on the night of July 26 or 27, 1957, at the Prime Minister's Office in the Senate building. Many prominent Ministers of the Cabinet were

associated with the Prime Minister, and the Federal Party was represented by a fuller delegation led by S. J. V. Chelvanayakam. The common friend and mediator, P. Navaratnarajah, was also present. The discussions went on till past midnight.

Opinions differed very widely on the status to be accorded to the Tamil language. The Government side was very firm that whatever solution was going to be arrived at shall have to be without any sort of derogation to the Official Language Act. Finally it was Minister W.H. William Silva, who was well versed in socialist jargon, who suggested that Tamil may be given "the status of the language of a national minority." Whatever that term may mean in the actual application in the context of the Singhala Only Official Language law it was agreed to.

On the Regional Councils, the Prime Minister was prepared to concede one Council for the whole of the Northern Province, but insisted that there shall have to be two or more councils for the Eastern Province. He was willing to give the Councils the right to amalgamate. This also was agreed to.

The discussions then turned to the all important question of delegation of the Minister's powers to the Regional Councils without which there could not be any meaningful decentralization of administration. The Minister of Agriculture, Phillip Gunawardene, totally refused to delegate any of his powers. It caused a deadlock, and the Prime Minister appeared to be rather embarrassed. The Federal Party on its own retired for a while to enable the Govenment side to sort it out among themselves. On resumption all the Ministers agreed to the delegation of their powers over the subjects assigned to the Regional Councils.

The episode, however, raised considerable misgivings in my own mind. Phillip Gunawardene's silent acquiescence in the end was particularly striking. Could it be that the Government, or at least some elements on the Government side, had mental reservations about the eventual implementation of some of the terms? Or, could it be that the whole effort was merely intended to put the Federal Party off the track in its preparations for action in terms of the Trincomalee Resolution? Whatever my doubts were, there was nothing to be done about it at that stage.

I cannot say that similiar doubts did not register in Chelvanayakam's mind. If they did, he never said so at any time. It is quite possible that he looked at the situation from a different angle. The master tactician that he was, both in politics and in the Court Room, he might have wished to get the Prime Minister S.W.R.D. Bandaranaike and his Government to commit themselves to something on record to show that the Singhalese Government and people recognized the separate nationhood of the Tamils, that their policies have given cause to the Tamils for legitimate grievances, and that the Tamils were not intransigent or averse to settling their differences with the Singhalese by negotiation. That this may well have been his line of thinking was attested by what happened a little later that night.

Having disposed of the delegation of Minister's powers question, the discussions next went on to the problem of the Tamils of the hill country plantation districts. In its original proposals sent to the Prime Minister the Federal Party had proposed that these people be settled in the Northern and Eastern Provinces on lands to be given to them permanently. When we urged the proposal at the Conference, the Prime Minister said that it was a matter he intended to discuss and settle with the leaders of the people concerned, and that he would like the Federal Party to leave it at that.

Incidentally, it may be apposite to mention here, many years later Felix Dias Bandaranaike, Minister in Mrs. Sirimavo Bandaranaike's Government, happened to come across this document and is said to have remarked to his colleague C.P.de Silva, Minister of Lands, that the Federal Party's proposal contained an excellent solution to the "Indian Tamil problem". C.P.de Silva is said to have replied that he had a better idea for these people. He intended to settle them in small pockets wedged in between Singhalese colonist settlements under the Walawe Ganga Scheme in the South. C. P. de Silva was a great believer in racial assimilation. He once told some of us Tamil M. P.s: "Look at me. Four Hundered years ago my forefathers were Tamils who came from India. I am now a Singhalese. What is wrong with me?"

The conference drew to a close at about 2 o'clock in the morning. I had taken down full notes of the terms as each point was agreed to. The Prime Minister ordered the waiting Press

to be let in. Representatives of the local as well as the world Press trooped into the room. As their cameras and flashlights clicked, the Prime Minister announced the terms of the agreement from my notes.

S. J. V. Chelvanayakam announced that in view of the agreement he was withdrawing the Federal Party's campaign against the Government.

I went with Chelvanayakam to his residence when the conference was over. He knew that I was not happy. It was obvious that he was not either. He looked very grave, and would not utter a word of comment. I voiced my misgivings, and remarked that whatever the agreement was worth, we did not even have a document to vouch for what either side has agreed to. We shall have to rely solely on newspaper correspondents' reports. He looked bewildered and stared at me.

He then recovered his composure and said that he would make an appointment with the Prime Minister that day itself and get a record embodying the terms of the agreement signed by him. He asked me to take a little rest and prepare the document in duplicate. Chelvanayakam took the document to the Prime Minister's Office at noon and got it signed by both parties. He told me on his return that Phillip Gunawardene was with the Prime Minister when he called, and that the document was read over by Gunawardene before the Prime Minister and he (Chelvanayakam) signed it. This Agreement came to be known as the Bandaranaike - Chelvanayakam Pact of 1957.*

Within a few days of entering into it the Federal Party found occasion to invoke the Pact. Chelvanayakam and Vanniasingham saw the Prime Minister and protested against the settlement of Singhalese colonists in the Eastern Province under a colonization scheme that was being pushed through in haste although the scheme would be within the purview of the Regional Council of the area when it came to be established under the Pact. The Prime Minister agreed that it should not be done, and issued a statement declaring as his Government's firm policy that the instrument of colonization should not be used so as to alter the racial composition or pattern of any particular region. It must be said to his credit that this policy was faithfully honoured until his tragic and untimely death.

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* *For the full text of this Pact, see "Ceylon Faces Crisis".*

The B - C Pact may have staved off for the time being a crisis that had been brewing in Singhalese-Tamil relations ever since the new Constitution was introduced, but I had no doubt in my own mind that it was only a temporary respite. Sooner or later it was bound to erupt into something of a tragedy.

I felt that it would help the Tamil cause if the world at large is kept informed of the existence of this ethnic conflict in Ceylon. A. Amirthalingam, M. P. for Vaddukoddai, was in England to attend a Commonwealth Parliamentary Conference meeting in the later part of 1957, and so was V. N. Navaratnam, M. P. for Chavakachcheri, in the United States to participate in a Moral Re-Armament Congress at Lake Success. Chelvanayakam and I decided to send them some literature for distribution among the delegates, press correspondents and other media men who would be at the two gatherings.

The Party had none to assist us at that time. So I sat down and wrote out a small booklet under the title *CEYLON FACES CRISIS*. S. T. Sivanayagam, Editor of the *Sutantiram*, designed the front cover for the booklet and got a block made for printing. Chelvanayakam gave instructions to the *Sutantiran* Press to rush through the printing. The press at the time was under the very efficient management of T. Navaratnam (now a lawyer) who had been brought in by Chelvanayakam to reorganize the establishment and eliminate corruption. He had the assistance of a young and able Master-Printer, M. Wilfred, who is now a successful businessman. With the cooperation of all of them the writing, printing, and dispatch by two Air Mail parcels to England and the United States were all accomplished within the space of two weeks. This was the first exercise by the Federal Party in foreign propaganda

The events which have overtaken the country since writing that booklet, and which occupy the following pages, are a vindication of the last and concluding paragraph of "Ceylon Faces Crisis". Those events began their career of disaster even as the B-C Pact was concluded.

The reaction to that Pact illustrated the unwisdom of transplanting the British model of Party system of government to the race-hate-infested soil of Ceylon. It was typical of the manner in which the system was taking root in the new soil. All the Singhalese parties jointly created the conditions which

gave rise to the Tamil problem. And then the Tamil problem became the plaything in their party politics and power games between themselves. They would never allow it to be raised to the level of a national issue in the interest of the country.

The UNP mounted a terrific campaign against the Pact and accused S. W. R. D. Bandaranaike of having sold the Singhalese to the Tamils. It called upon the Singhalese to repudiate the Pact. Its deputy leader, J. R. Jayawardene (later President of Ceylon), in what looked like an imitation of the Federal Party's Trincomalee March, organized a protest march from Colombo to Kandy. He led the march until it reached Gampaha on the Kandy Road, where it was broken up by pro-Government forces under the leadership of S. D. Bandaranaike, M. P. for Gampaha. Although the march was abandoned, Jayawardene enlisted the powerful support of Buddhist clergymen and continued the agitation demanding that the Pact be abrogated.

G. G. Ponnampalam, for his part in support of the UNP, also played his shortsighted Tamil Congress party politics. He accused the Federal Party of having surrendered the right (of his imagination) of the Tamils to settle and live in any part of Ceylon. He likened the Northern and Eastern Provinces to a ghetto, and called upon the Tamils to refuse to be confined to a ghetto.

The implementation of the Pact was the responsibility of the Government, and the Federal Party waited patiently for the Prime Minister to take the necessary measures. It kept on reminding him of the need to take early steps.

In the meantime, a Department of Government decided on a scheme which gave the impression of an attempt to force the pace of implementing the Singhala Only Official Language Act. Whether the Government allowed the step as a feeler, or the Department concerned acted on its own, it is impossible to say. But it triggered a new wave of resentment among the Tamils.

The Registrar of Motor Vehicles announced a new system of assigning registration numbers to be exhibited on the identification plates of motor vehicles. The current system was to have the English alphabetical letters from the name CEYLON prefixed before the numerals. Under the new system announced, the Singhala letter SRI would form an integral part of the new series of registration numbers.

SRI is the first syllable of the Singhalese name for the island. The Tamils had at no time during the past two thousand five hundred years of known history ever called the country by that name. Later in 1972, when the Republican Constitution was unilaterally adopted by the Singhalese, and the name of the country was changed from CEYLON to SRI LANKA, the Tamils not only refused to accept the new Constitution, they also refused to recognize the new name of the country. Even now most Tamils do not refer to the country as Sri Lanka, they continue to call it Ceylon only. In Tamil it has always been, and still is, ILANKAI.

The Tamil people, therefore, regarded it as an insidious attempt on the part of the Government to force the Singhala language down their unwilling throats. They considered it not only an affront to their national sentiment and self-respect, but a violation of their basic language right. They resented that they were being forced henceforth to exhibit the offending and insulting letter on their own motor vehicles, and to ride in buses carrying it.

It was, indeed, a trivial matter in itself. The people and their sole representative spokesman, the Federal Party, however,took it seriously as a clear violation of the B-C Pact. Registration of motor vehicles and assigning identification numbers would be within the purview of the proposed Regional Councils under the Pact. The action of the Registrar of Motor Vehicles was clearly an attempt to forestall it and make it impossible for the Councils to change it when they begin to function. If this was suffered to pass, there was no telling what next. The Federal Party lodged a strong protest with the Prime Minister and requested that the proposal be suspended until after the Regional Councils are established.

While the matter was under discussion between the Federal Party leaders and the Prime Minister, one fine afternoon the first bus of the state-owned Ceylon Transport Board made its appearance at the Grand Bazaar Central Bus Stand in Jaffna bearing the new number plate with the Singhala SRI. It was somewhat like a challenging call for a confrontation. Amirthalingam, M. P. for Vaddukoddai, leading a group of Party volunteers went up to the bus and obliterated the Singhala letter by applying tar on it.

News of the event reached us in Colombo. The Party President, Vanniasingham, was in Colombo at the time. After quick consultation, he rushed to Jaffna. Of course, there was now no question of any retreat. As more buses appeared at the Bus Stand with the Singhala SRI, batch after batch of volunteers under the President's on-the-spot leadership carried on the peaceful campaign of obliterating the Singhala letter. They were all arrested by the Police and remanded.

In view of what happened a few days later there were views expressed at the time that the first action should not have been taken without the Party considering the situation and taking a decision, particularly as the matter was being discussed at the highest level. But then, in politics sometimes situations do arise which demand quick action. It is not a question of finding scapegoats when one knows that the Government can always find one excuse or another for any of its actions.

A few days later, in February 1958, a large group of saffron-robed Buddhist monks occupied the lawn of the Prime Minister's residence at Rosmead Place in Colombo and demanded that the B-C Pact be torn up. The Prime Minister S. W. R. D. Bandaranaike appeared and, after parleying with them, announced that he was abrogating the Pact since the Federal Party has committed a breach of it by launching the anti-SRI campaign against the Government. It was so simple as all that. But it was no surprise.

Now, whatever its shortcomings might have been, the B-C Pact was in the nature of an international treaty between the Singhalese and Tamil nations. For, what is an international treaty if it is not an arrangement by which two or more nations, and therefore two or more peoples, solemnly agree to terms and conditions under which they settle their disputes, avoid future friction, and continue their separate lives in peace and mutual friendship? The aim of the B-C Pact was just that.

The Tamils and the Singhalese have been two sovereign independent nations for ages past, until a fortuitous course of history threw them together as fellow subject peoples in the same island home which came under the common rule of foreign powers. The withdrawal of the last power posed a great challenge to the leaders of both peoples - whether they were going to allow a revival of the medieval antagonisms and

constant warrings or, as enlightened men, settle down to the task of nation building by laying the foundation for a strong, prosperous and peaceful modern state. The first years of independence under UNP rule had made it unmistakably clear that the Singhalese opted for the former.

The Federal Party was not unaware of the long history of Singhalese betrayals of solemn agreements. Nevertheless, it entered into the B - C Pact as yet another attempt to explore if good sense would prevail among the Singhalese now that S. W. R. D. Bandaranaike has taken over their leadership. It was hoped that the Pact would provide a base from which the two peoples could evolve a way, consistent with their dignity and self-respect, to co-exist in peace and harmony without fear of domination by the one or the other, and to develop their respective identities and contribute, each in their own way, for the common good of the country as a whole. The Pact offered opportunities for the creation of conditions in which the two peoples would forget their historical animosities, shed their medieval outlook, and attune themselves to the global conditions of the modern world.

Had Bandaranaike been given a chance,it is quite possible, with his stature as a statesman and his personal qualities, that he might well have succeeded in building the foundations for such a future for Ceylon. But his political enemies, who still wallowed in the medieval world of the *Mahavamsa* and the *Culavamsa*, would not let him have that opportunity. Like Sir John Kotelawala before him, he failed to reckon with the power of J. R. Jayawardene and the UNP. Not having been born or grown up as a Buddhist, he had little understanding of the ways of the Buddhist clergy. These were forces who had different ideas from his for the future of the country, and different ambitions, and in whose political power play sanctity of a treaty had no place.

The drama on the Prime Minister's lawn, therefore, marked the victory of Bandaranaike's enemies. They forced him to treat the B-C Pact like Adolf Hitler treated his solemn undertaking which he gave to Neville Chamberlain at Munich. To them the B-C Pact was just as much a piece of paper as was the Munich paper to Hitler.

It is sometimes amusing to reflect on what a great value and importance the two major Singhalese parties really attached in their innermost conscience to this piece of paper, the B-C Pact, and make frantic efforts to cling to it when they found themselves drowning. There were occasions when the one or the other of them, the SLFP or the UNP, ran to the Federal Party with an offer to implement the Pact if only the Federal Party would help with its votes in Parliament to prop up a falling Government or to form a new Government. It happened in 1960, again in 1964, and finally in 1965. But that was because their reason told them it contained the germs of something which was beneficial to the country. And then it led to nothing because the lure of personal ambition and the desire for racial domination stepped in to overcome the dictates of reason.

The Federal Party continued its campaign against the Singhala SRI number plates ignoring the Prime Minister's charge that the Party had violated the Pact. The movement gathered momentum and spread to all the cities and towns in the Northern and Eastern Provinces. Thousands of volunteers were arrested and imprisoned. All Members of Parliament served short jail terms. Chelvanayakam was imprisoned in a Batticaloa gaol for a short term.

At one stage it was brought to the notice of the Party that tarring the Singhala letter caused offence to the Singhala language and was not in keeping with the tenets and spirit of Satyagraha. Tarring the Singhala letter was therefore given up, and it was decided to display the Tamil letter SRI alongside the Singhala letter. This change had the moral value of conveying the message that the Tamils were not against the Singhala language, and it symbolized their demand for parity of status for the Tamil and Singhala languages.

An eventful occasion was when the Tamil Congress joined the Federal Party in the campaign. Amidst scenes of wild enthusiasm G. G. Ponnampalam joined S. J. V. Chelvanayakam to lead a long motorcade through the streets of Jaffna carrying number plates with Tamil and Singhala SRI letters side by side. I was prosecuted in a test case for driving my car with both the Tamil and Singhala letters, but the Court held that there was no violation of the law and threw out the case.

CHAPTER 10

The Federal Party was now back in square one where it left the Trincomalee Resolution. It had agreed to the Prime Minister's invitation for a dialogue, not out of any weakness, but because of a genuine desire to come to terms with the Singhalese. It accepted the negotiated settlement in good faith, even though it was a climbdown from its ideal, trusting that the Government and the Singhalese people it represented had an equally bona fide intention.

The repudiation of that settlement conveyed only one message, namely, that the Singhalese people and their Government were in no mood to deal with the Tamil-speaking people except on terms of Tamil subservience. The Federal Party was left with no choice but to meet the challenge and take action in terms of the Trincomalee Resolution. The Annual Convention of the Party for 1958 was, therefore, summoned to meet in Vavuniya.

The Trincomalee Resolution's ultimatum to the Government was partially met by the signing of the B-C Pact. Three days after the signing the Party's Annual Convention for 1957 was held at Batticaloa in the Eastern Province. The occasion was therefore attended by popular rejoicings. Tamils and Muslims vied with one another in demonstrating their happiness

induced by a sense of achievement and in the expectation of something big. The Muslim rural folk in particular filled the Convention mess room with produce from their farms and dairies. A feeling of having averted a clash with the Government pervaded the Convention grounds.

In marked contrast was the Convention for 1958 held at Vavuniya. An atmosphere of tension, gloom and solemnity pervaded the two days of the proceedings. A feeling of grim foreboding gripped everyone in Vavuniya. For one thing, the gravity of the decision the Federal Party was about to take to launch direct action hung like a heavy cloud over the venue of the Convention. There was no knowing what an open confrontation with the Government would lead to.

Then there was another factor which aggravated the atmosphere of gloom. The air was thick with rumours that the Singhalese were preparing to unleash violence against the Tamils. In Batticaloa Tamil hamlets had already been burnt, and a Tamil Railway Guard murdered by the Singhalese. News reached Vavuniya that the body was being taken to Jaffna and that the Mail Train carrying it would be passing through Vavuniya in the small hours after midnight. Everybody in the town decided to stay awake to meet the train and pay their respects to the body.

The Subjects Committee of the Convention was in session the whole day, and continued through the night. Official resolutions from the Working Committee (the Party executive) would have to be passed in the Subjects Committee first before going to the plenary session of the Convention for final adoption. It is in the Subjects Committee that a resolution is really debated. Adoption at the plenary session is more a formality. At Vavuniya that night the Subjects Committee was engaged in a heated and boisterous debate over an important resolution. But it was interrupted every now and then by very disturbing rumours which reached the Committee room.

Reports were received that a band of armed Singhalese thugs were approaching Vavuniya to sack the town. Local Federal Party volunteers took up positions in groups to defend the town. Some townspeople alerted C. Suntharalingam, M. P., who was in residence in Vavuniya. He came out and dispatched his men to guard all the four approaches. He armed them

with firearms hurriedly collected from the surrounding farms. True to his party's name, he himself took up a position at the junction in the centre of the town directing operations. Vavuniya during the days of the Vanni Chieftaincies belonged to a territorial division known as the "adanga patru" (District that cannot be cowed down), and Suntharalingam had taken that name for his party.

The vigil was not relaxed until it was known at daybreak that the whole thing was a scare. All the same, it contributed to the tension in the Committee room.

The main business to go before the plenary session of the Convention was a resolution that the Federal Party would launch a peaceful and non-violent direct action movement of civil disobedience for the achievement of an autonomous Tamil-speaking state in terms of the Trincomalee Resolution. That resolution was approved in the Subjects Committee without dissent.

Flowing from that decision, as a necessary corollary, there was another question which had a bearing on the Parliamentary activities of the Federal Party. It appeared to me that this latter question seriously affected the credibility of the Party in relation to the decision to resort to civil disobedience.

The Party's demand, and the objective of the contemplated campaign, was for the replacement, and not a mere reform, of the unitary Constitution which was in force. The Prime Minister S. W. R. D. Bandaranaike had set up a Parliamentary Joint Select Committee on Constitutional Reform to examine and report on changes to the Constitution. The Federal Party was represented in that Committee by its leader S. J. V. Chelvanayakam. His continued membership in the Committee seemed somehow to be incongruous and inconsistent with civil disobedience, and would certainly detract from the force and earnestness of the campaign. His withdrawal from the Committee, on the other hand, was bound to carry a message of seriousness of the Party's decision. Moreover, it would also be the first "shot" marking the beginning of the civil disobedience campaign.

The difficulty was to persuade the Leader to look at the issue from this angle. His attitude to the work of the Parliamentary Joint Select Committee was well known. Quite apart from

his usual belief in the importance of Parliamentary institutions, he attached great value to the deliberations of this particular Select Committee, if not for any other reasons, at best to make sure that the Committee did nothing to undermine the strength of the Tamils in Parliament. He was greatly concerned that if he was not there the Select Committee might attempt to tamper with Tamil representation under the guise of a new scheme for the redistribution of Parliamentary Constituencies.

There is no doubt that the possibility was there. But we were at the cross roads between the Parliamentary forum of battle and a direct action campaign of civil disobedience for the replacement of the very Constitution under which that Parliamentary system worked. Civil disobedience implies that non-cooperation with the Government has to be total.

I discussed the matter with Vanniasingham, Nadarajah and Amirthalingam,and suggested that Vanniasingham propose a resolution requesting Chelvanayakam to resign his membership of the Joint Select Committee in view of the civil disobedience and non-cooperation campaign the Party has decided upon. All agreed that that was the correct step to take, but Vanniasingham showed reluctance to propose the resolution himself. He asked me to do it.

I knew why Vanniasingham was reluctant. He had once told me of a whispering campaign afoot in the Kankesanturai electorate to the effect that Vanniasingham was trying to supplant Chelvanayakam in the leadership of the Federal Party. It was a most malicious and preposterous lie. Nothing can be farther from the truth. It is difficult to find a more straightforward, upright, sincere and honest gentleman than Vanniasingham as a person. All his greatness as a leader, still treasured in the memory of people, was thrust on him, not that he sought after it.

As a matter of fact, thoughts of position and power were something that was alien to the Federal Party at the time. It was only during what may be called the "Tiruchelvam Period" of the Party that underhand manoeuvres and intrigues to get rid of possible and imagined rivals for positions and office became a characteristic feature of Federal Party politics. Until then all were fighters and lawbreakers in a freedom struggle.

In Constituency matters as in Parliamentary affairs,

Chelvanayakam never had a more loyal and trusted friend, adviser and colleague than Vanniasingham. He relied very heavily on Vanniasingham's judgement and his knowledge of men and affairs more than on anybody else's. Nobody knew by whom and why the lie was started, but both had political enemies who would love to drive a wedge between the two leaders. Vanniasingham, however, reacted by being wary of ever wanting to appear, even remotely, opposing Chelvanayakam.

I proposed the resolution,and a heated debate ensued. It dragged on till the early hours of the morning. Since neither side was prepared to yield-the matter was eventually pressed to a vote. The resolution was carried by a majority.

Chelvanayakam was stunned. He sat silent for a full five minutes. Then he made an announcement which fell like a bombshell: "In that case, I cannot lead the civil disobedience campaign. How can I lead if you have no faith in my judgement?" he asked. The meeting adjourned for the day on that note.

In the morning most of us were assembled for tea at the Rest House. While sipping his tea Chelvanayakam said, "I have given serious thought to the matter. I withdraw what I said last night. I will lead the campaign." His words took a great load off the heads of all those present.

About two months later, when we were all under house arrest, and some of us were taken to his residence under Police escort for a meeting, we were happy to see him well rested and looking fresh, and we said so. He smiled and said, "You might be more happy when I tell you that I have already sent my letter of resignation from the Select Committee to the Prime Minister. I am convinced that you were right and I was wrong." Therein lies the true greatness of Chelvanayakam as a people's leader. He never hesitated to admit it if he was convinced that he was wrong. His ability to win the confidence and affection of his colleagues was truly marvellous.

The Convention at Vavuniya concluded with the Federal Party girding up its loins for a long-drawn struggle. That struggle perforce was to be carried on in the Tamil country. The experience of the Galle Face Green and the City of Colombo was still fresh in the mind, and served as a warning that however

much non-violent that Party may try to keep its campaign the Singhalese side had no respect or appreciation for any such restraint. But notwithstanding all the peaceful intentions of the Party, the rabidly nationalist forces in the SLFP Government took to pre-emptive mob action immediately after the Vavuniya Convention ended.

It may be well to keep in mind again that the victory of S. W. R. D. Bandaranaike in 1956 marked the beginning of a new era in the political history of the country. It is the era of the common man. And the beginning of this new era of the common man, in terms of the revolutionary change it wrought in political affairs, was reflected in the new Parliament.

Whereas the first two Parliaments of independent Ceylon elected in 1947 and 1952, perhaps in the first flush of newly won freedom, managed to maintain at least the norms, if not the spirit, of the democratic ways of conducting Government and national affairs, the new era had no such inhibitions. Bandaranaike may have liberated the common man from his ignorance and made him conscious of his rights and latent power, but at the same time he also unleashed forces which had an evil potential. He himself was far too civilized and cultured to understand the true potentiality of the evil forces, and possibly he over-estimated his ability to contain them. Anyway, he was not permitted to live long enough to witness these forces taking control of the country, for he was the first victim of these very same forces.

The new era is a contemporary history of calamities--calamity to the Tamils, calamity to the Singhalese, and calamity to the country as a whole. The Singhalese are still not in a mood to admit the latter two calamities. But that is no more the concern of the Tamils.

The new era also saw the emergence of a new instrument of state power. Ultra nationalist Members of Parliament and political leaders among the Singhalese took to organizing mobs into private hoodlum armies of their own. For all intents and purposes they have virtually become a recognized institution for well over a quarter of a century since 1956. They were and are being used to crush the Tamils, and they have been used to destroy the trade union movement.

If the non-violent civil disobedience campaign contemplated

by the Trincomalee Resolution was rendered unnecessary by the signing of the B-C Pact in 1957, the Vavuniya Resolution to go ahead with the campaign in 1958 was thwarted by the Government unleashing mob violence and by invoking the Public Security Act to proscribe the Federal Party and place its leaders under preventive detention. It looked as though the intervening period of some ten months had been utilized to mobilize the hoodlum army and have them ready for action.

On the day following the Vavuniya Convention the goon squads of the Singhalese hoodlum army took over the task of dealing with the Tamils. They went on a rampage of senseless destruction and wanton brutality. Starting first with the Pettah in Colombo, where most of the Tamil business houses and shops were concentrated, they attacked, smashed, looted, applied the torch and destroyed shops, houses, buildings and vehicles. They beat up and thrashed every Tamil they could lay their hands on. By nightfall the mob violence spread out to every corner of the City of Colombo and its suburbs.

That night a mob of about 40 or 50 thugs attacked my residence at Hulftsdorp in Colombo although it adjoined the Ministry of Justice and Supreme Court Buildings and entrance had to be gained through the Court gates. They hurled at least 25 Molotov's cocktails (petrol bombs) calling out my name with every throw. The front part of the house was smashed, and the furniture, doors and frames caught fire and burned. My wife and I and a house- aid by the name of Muthusamy,a brave man of the Thevar clan of Tamils, were the only adults in the house. We gathered our little children, all 14 to 1 1/2 years of age, and telling them to run wherever they could if anything happened to us, we ourselves took our position by the door leading into the living room ready to face the worst. The mob, however, made no attempt to enter the house but passed on when their ammunition was exhausted.

I learned later from a mutual friend that the attack on my house was planned and organized by a Member of Parliament at a Buddhist Temple in Maradana. I guess he had instructed his men not to cause bodily harm to the inmates while attacking my house. This friend, himself a Singhalese Buddhist of the finest quality and refinement, had made several attempts to warn me in advance but was unable to contact me owing to my absence in Vavuniya.

The next day I noticed that the local thugs had taken over the situation and kept my house under observation,possibly for loot. With the help of a Singhalese lawyer friend of mine I escaped with the family to take shelter in a relative's home on the other side of the Supreme Court Building abandoning my wrecked house. The relative's house was in the Muslim quarter of Hulftsdorp and was therefore relatively safer.

Dr. E. M. V. Naganathan came to visit me in the evening with Balasubramaniam, a young officer in Government service with strong Federal Party sympathy. He insisted on going to my wrecked house to retrieve some essential articles without heeding my protests. An hour later he returned with his clothes drenched in blood that was streaming from head injuries. His car was smashed. A few hoodlums had attacked with burning bricks soaked in petrol. He and Balasubramaniam had given chase to the ruffians with hockey sticks in their hands, but the ruffians disappeared into the maze of the District Court Buildings.

I rushed Dr. Naganathan to Dr. Sulaiman's Private Hospital at Grandpass and had him attended to. In that Hospital I saw sights which God forbid any man to see. Victims of Singhalese mob violence were writhing in agony, not just fighting to retain life. They bore eloquent testimony to the type of horrible brutality and torture which some human beings could inflict on their fellow human beings. Who can help developing a bitterness of feeling against those who could inflict all this suffering for no reason except that the victims were Tamils?

In three days the mob violence against the Tamils engulfed all parts of the country and was not abated by any official action. It was not until the Prime Minister was prevailed upon by the Governor General Sir Oliver Goonetilleke, whom some prominent Tamil citizens of Colombo had interviewed, that action was taken. The Prime Minister S. W. R. D. Bandaranaike then invoked the Public Security Act and declared a State of Emergency under which the Army and Naval Forces were called out to restore law and order. An island-wide curfew was clamped down, and eventually the situation was brought under control by the firm and disciplined action of the then security forces.

By which time, as mentioned earlier in a previous chapter,

more than 20,000 Tamils had become homeless refugees-men, women, children and babes in arms, crowding in two refugee camps in the City of Colombo. Their lives were in such constant danger from the mobs that they were evacuated by ships to their homeland in Trincomalee and Jaffna to save their lives. A retired senior Police officer, who came to visit some of us later in our detention camp, tearfully described some of the things he saw on one of the refugee ships. In one place on the open deck he saw a father trying to force a small piece of dry bread down the throat of a month-old baby for want of any other nourishment. It was a piece from a half-loaf which the father had managed to save in camp for more than a week. Our visitor was so carried away by his anger against the perpetrators of the violence which caused so much misery that he said things which need not be repeated in print. But these are the feelings which gave rise to the Tamil freedom fighters one generation later.

Curiously, under the peculiar brand of democracy practised in Ceylon the perpetrators of the violence, those who organized and incited the mobs, continued to be beyond the reach of the long arm of the law, but the heavy hand of repression fell on the representatives of the victims. That is a pattern which is characteristic of all the Governments up to the present day, and they call it Democracy.

Under the Emergency Power which the Government armed itself with,the Federal Party was proscribed, publication of the *Sutantiran* newspaper was banned, and Party Headquarters and the *Sutantiran* Press and Office closed and sealed, and the Party leaders were all placed under arrest. The Members of Parliament belonging to the Party were arrested when they were on their way home after leaving Parliament.

Chelvanayakam, Naganathan and V. A. Kandiah, whose residences were in Colombo, were placed under house arrest in their own homes. Police guards were posted at their houses to guard the places round the clock. The leaders who resided in Mannar, Jaffna, Trincomalee and Batticaloa were similarly placed under house arrest and their homes guarded by the Police.

The Members of Parliament who were arrested on the road on their way from Parliament and whose normal residences

were not in Colombo, and I whose residence in Colombo had been wrecked and made uninhabitable, were all held in a special detention camp under heavy Police and military guard. A Government bungalow at Stanmore Crescent off Bullers Road in Colombo usually reserved as a residence for a Supreme Court Judge was converted into a Detention Camp for the seven of us, namely, C. Vanniasingham (M. P. for Kopay), N. R. Rajavarothiam (M. P. for Trincomalee), V. N. Navaratnam (M. P. for Chavakachcheri), C. Rajadurai (First M. P. for Batticaloa), A. Amirthalingam (M. P. for Vaddukoddai), G. Nalliah (Senator) and me.

We all occupied the upper storey of the house, coming downstairs only at meal times. The ground floor was occupied by the Police post and the Kitchen staff. The kitchen staff was entirely Singhalese, but one could not have wished for a more courteous and obliging team of men. Ceylon would indeed be a paradise if it were peopled by men of this specimen.

The house arrest and detention lasted for three months, June, July and August, 1958. During that time the voice of the Federal Party was not heard in Parliament. But there was one man who stood up to castigate the Government for its indifference and apparent tolerance of the violence and atrocities perpetrated against the Tamils and the injustices done to them. He was Edmund Samarakkody, a Singhalese Member of Parliament who belonged to the original Lanka Sama Samaja Party (LSSP). He was a true socialist in the real sense of the term.

Samarakkody's socialism adhered to the letter as well as the spirit of socialism, and therefore was different from the socialism of most of his colleagues in the LSSP who believed that socialism must become pliable as and when opportunist politics required it to bend - bend even to the extent of taking away the fundamental and human rights of the people, or denying worker's trade union rights of strike action, or participating in capitalist governments.

It is perhaps undesirable to generalize, yet when we look around the world one cannot help being inclined to think that votaries of socialism are mostly drawn to it more by its intellectual attraction rather than by the dictates of the heart, a sincere feeling for the plight of the toiling, underprivileged and downtrodden masses and a genuine desire to pull them out of

the morass. The youth in the universities and other places of intellectual activity, in that inquisitiveness characteristic of the questioning years of adolescence, get attracted by the intellectual thrill of discovering something new and different that offers a revolutionary challenge to the existing order of things they see around them. As maturity brings them face to face with the struggle to be somebody, they see the newly discovered philosophy of socialism only as an unfailing ladder to climb to the top, and not as something to be lived and practised so as to win the confidence of the masses whom they profess to help. They tend to lead a double life - a socialist on platforms, and a not-so-different-from-existing-order pattern in life off the platform.

This probably is one of the reasons why in the Ceylon of the present day the socialist movement has been virtually wiped out, and the trade union movement which depended on it almost crushed.

Edmund Samarakkody, on the other hand, practised what he preached even from his early youth. He and I have been good friends from our student days when we used to exchange notes on the theory and practice of socialism. Though coming from a rich aristocratic Singhalese family, he never twiched his nose while working in the slums and fishing villages of Mount Lavinia. As a true socialist he never saw any difference between a Singhalese and a Tamil or a Muslim or a Burgher. To him they were all human beings.

More than fifty years ago, in about 1932 or 1933, Dr. N. M. Perera had just returned from England and was campaigning to start the LSSP. He had a meeting in a school hall next to the Mount Lavinia Police Station then located at the Station Road. A group of young men including Samarakkody, Terence Fernando (Later M. P. for Kolonnawa), Vernon Gunasekera, myself and others, after attending that meeting which lasted till a couple of hours before midnight, went to the Police Station since one in the group had a complaint to lodge regarding a motor accident earlier in the day. After finishing the business we all got out in a bunch and walked straight across a large grass lawn not knowing the correct exit. It was pitch dark, and suddenly we heard a splash of water. One in our group had fallen into a well. The Policemen brought out lanterns but nobody would make any attempt to rescue the unfortunate

boy. Terence Fernando and I were in national dress with shawls on us. He borrowed mine, and knotting two ends together, tried to reach the struggling boy to make him hold it. In the attempt he dropped the shawls. Eventually the Police managed to take out the dead body with one hand clutching the shawl. At the inquest a Singhalese man in Arya Singhala dress cross-examined me closely with reference to the shawl trying to convey a veiled suggestion that after that political meeting a Tamil might have pushed a Singhalese boy into the well. I was the only Tamil in the group. Edmund Samarakkody pounced on him savagely and made him shut up.

It is no wonder that such a man could not contain his anger at what his people perpetrated against the Tamils in 1958. He lashed out against the Government while discussing the Emergency in Parliament. It is this universality of attitude to the Tamil-Singhalese problem which marked him out as a genuine socialist. When his fellow socialists of the LSSP would abandon their faith in socialism and decide to swim with the current of Singhalese nationalism because it was not in their interest to continue to swim against it, Edmund Samarakkody refused to deviate from his belief in true socialism and its principles.

The year 1958 also saw a revealing commentary on the true status of the Tamils in Ceylon after independence. The Government introduced a Bill in Parliament "for the reasonable use of the Tamil language" known as the Tamil Language Special Provisions Bill. It is a measure which gave one the impression that a situation has arisen in Ceylon which required an Act of Parliament to permit Tamil husband in Jaffna to speak to his Tamil wife in the Tamil language, and that too not until the Minister made regulations defining the spheres in which that could be done!

The Government chose to introduce the Bill when the Federal Party Members of Parliament were under preventive detention and Police custody. Someone raised a question in Parliament whether the MPs of the Federal Party would be allowed to participate in the debate on the Bill, to which the Prime Minister S. W. R. D. Bandaranaike replied that if they wished he was willing to allow them to be brought to the House under Police guard.

The Prime Minister's willingness was conveyed to Chelvanayakam, and he replied that he was unable to say anything without consulting his colleagues. The Ministry arranged to take our group in the Stanmore Crescent Detention Camp under Police guard to Chelvanayakam's residence for a meeting. Naganathan and V. A. Kandiah were also brought from their homes under similar Police guard. It was decided to inform the Prime Minister that the MPs will not participate in any proceedings of Parliament except as free men.

Parliament passed the Bill without the Federal Party Members. It remained without being implemented for many years. Several attempts were made to improve its provisions. It was even incorporated in the Constitutions which replaced the Soulbury Constitution. Today, with all that, it remains almost a dead letter, not wanted by either side. Because, basically it reflects an attitude on the part of the Singhalese which was most graphically put by a Buddhist monk many years ago that you can buy a Tamil with a cup of tea and a cigar.

CHAPTER 11

In the next year, 1959, the Singhalese and the Tamil peoples were hit by two calamities which changed the course of history in certain respects to the detriment of both the peoples. Both were sudden and unforeseen, and both had a profound effect on the politics of the country.

The Prime Minister S. W. R. D. Bandaranaike fell a victim to assassination in September, 1959. It was said at the time that the very forces he had unleashed in his thirst for power destroyed him in the end. He was shot by a Buddhist bhikku and died of the gunshot wounds. It was a new experience for Ceylon, for unlike some countries of the Far East the Buddhist priesthood in modern Ceylon had never been known to indulge in political assassination. Perhaps it was a portent of the active role which the clergy was beginning to play in affairs of state.

During the short time that he was Prime Minister, Bandaranaike was known to have been not too happy with the party system of government as had developed in Ceylon. The Government he headed was not a one-party government although his SLFP enjoyed an absolute majority in Parliament. He took in some socialist elements from outside his party and formed a coalition which was known as the Mahajana Eksath

Peramuna (MEP) - a People's United Front. The opportunist elements in his Government and the ruling coalition never gave him a comfortable term in office. It is, of course, a matter for a future historian to analyze the rise and fall of Bandaranaike and to assess his contribution. However, it would not be out of place to hazard an opinion that had he been vouchsafed a longer life to guide his people, he would probably have consolidated his position and drawn the strength to put into practice his ideas for a more equitable constitutional device and a more broadbased system of administration. The UNP, which had been reduced to only eight Members in the Parliament, could never have come back to power and might very well have disintegrated as did the old Ceylon National Congress. In any event, his assassination after only three years in office was indeed a calamity as far as the vast masses of the Singhalese common people were concerned and, perhaps, paved the way for Ceylon jettisoning democracy and slipping into the savagery and barbarism of the middle ages.

On the Tamil side, the people were dealt a mortal blow in the sudden passing away in December 1959 of C. Vanniasingham, deputy leader of the Federal Party and M. P. for Kopay. His colleagues all knew that he was suffering from hypertension, but nobody ever imagined that the end would come so soon. In the Stanmore Crescent Detention Camp he was frequently afflicted with giddiness and other symptoms, but he bore it stoically and put up a bold front. Thanks to the special instructions of the Prime Minister, S. W. R. D. Bandaranaike, he was given every care and medical attention that his condition needed. He was put on special diet and total abstention from salt. The Government Stores even purchased a special gadget for him to prepare skimmed milk(mor). The inexorable hand of Fate, however, snatched him away from our midst leaving a void in the Federal Party that was never to be filled.

In the death of Vanniasingham the Tamil people lost one of the wisest and most selfless leader they ever had in their history. Had he lived a few more years the Federal Party would certainly have weathered many of the crises which bedevilled the Party since his death and would most definitely have avoided the misfortune of what may be called the "Tiruchelvam Period" of the Party and the suicidal decisions taken during that period and leading to the final liquidation

of the Party. And, who knows? the Tamil people might even have been spared the horrors and slaughter of the Black July' 83.•

For the Federal Party now entered a new phase in politics. Until now, it was never cast in the role of king-makers, but now it was dragged into playing the game of "balance of power" in Parliamentary politics.

Until now the Party had never allowed itself to be swayed or influenced by any interests except those of the Tamil people in general. The leadership had always taken care to steer clear of vested interests or ambitious individuals. It did not matter that some of the leaders were resident in Colombo, others in Jaffna, and still others in Trincomalee, Batticaloa and elsewhere - Chelvanayakam, Naganathan, V. A. Kandiah and I were in Colombo; Vanniasingham, Amirthalingam and others in Jaffna; Rajavarothiam, Rajadurai and others in the Eastern Province. Scattered though we may have been, the leadership was so well-knit that no disruptive interests were allowed to influence Party policies and decisions. Although Vanniasingham had his home in Jaffna he was more often in Colombo than in Jaffna, so that the combined thinking of the leadership and consultation on important matters were always available to Chelvanayakam in Colombo. The episode of the Council of Elders and attempt to disrupt the Party had shown how important this was for the future of the freedom movement. Unfortunately, however, this team set-up received a setback and disorganization when Vanniasingham was removed from our midst by his death in 1959 and I shifted residence to Jaffna in 1958 consequent on the destruction of my home in Colombo and my incarceration. Chelvanayakam and other Party leaders in Colombo thus became exposed to the machinations of the English-educated Colombo Tamil intelligentsia.

It was the beginning of the new unhealthy influence. This Colombo Tamil intelligentsia is a class which consisted of a few individuals who had retired from high judicial and other Government office and whose vested interests are all centred in and around Colombo. Their understanding of politics is nothing more than what happens in Parliament and they had no conception of the basic fundamentals of what underlay the Singhalese-Tamil conflict, and therefore they believed it was

so simple as to be solvable by a shrewd manoeuvre of the Parliamentary process. The Federal Party's freedom movement was something of a foreign idea which was incomprehensible to them. They were so divorced from the grass-roots level electors in the Tamil country and so wedded to the aristocratic life of metropolitan Colombo that they spurned the hustle and bustle of the election process and would never want to condescend to mount the doorsteps of voters to gain a seat in Parliament. Many of them are known to have declared with pride that it was beyond them to visit villages and slums and open the gates of every Tom, Dick and Harry to beg for votes. And yet, in the situation that followed the deaths of Bandaranaike and Vanniasingham, and seeing that the Federal Party had been built up into a powerful force and grown to a dominant position, they began to bestir themselves in their retirement in Tamil politics. Some of these gentlemen, principally M. Tiruchelvam, Q. C., who had retired from the Attorney General's Department, made themselves self-appointed advisers and intermediaries between S. J. V. Chelvanayakam and one or the other of the two Singhalese parties. Unfortunately for the movement they had the ear of Chelvanayakam who, being afflicted by a debilitating illness, had already become weak in body and health. It was during this position in the Party's affairs that the country went to the polls in March 1960.

A by-election was announced for the Kopay vacancy caused by Vanniasingham's death and the Federal Party nominated his widow, Mrs. Komathy Vanniasingham, as its candidate. But the by-election was not held, for in the meantime Sirimavo Bandaranaike, who had succeeded her husband as Prime Minister, dissolved Parliament and called for a General Election.

The General Election held in March 1960 failed to give an absolute majority either to the SLFP or the UNP, but Dudley Senanayake became the Prime Minister of a minority UNP Government. He dilly-dallied over his having to face Parliament until he was in a position to muster some more votes to supplement his Party's strength. The SLFP under Sirimavo Bandaranaike was determined to prevent him from getting that extra support. The Federal Party held the balance of power. The UNP and the SLFP, therefore, vied with one another in wooing the Federal Party using some of the Colombo Tamil gentlemen as intermediaries and advisers.

It is most unfortunate that when the leaders of the Party in Parliament went into negotiations it never occurred to them that the men who directed and made policy decisions in the two Singhalese parties were still almost the same as in the three previous Governments of 1947, 1952 and 1956, if not much worse. What reliance could be placed on their word? Past experience should have warned them to keep clear of both the parties. Agreements were of no use. It never occurred to them that the more prudent course was to let the Government in power continue in office without any dialogue or agreement and put it on its behaviour as long as it lasts. The advisers of the Party in Colombo did not have the capacity to know what consequences another rebuff would bring on the Tamil people, and even if they did, know they were not likely to have cared so long as their interests were served. As a matter of fact the entire bargaining and balance of power exercise recochetted on the Tamils with a vengeance, as they were to realize very soon.

The SLFP promised to implement the B-C Pact if the Federal Party would help defeat the UNP minority Government and enable Sirimavo Bandaranaike to be appointed Prime Minister. The Federal Party agreed and Dudley Senanayake was defeated when he faced the new House. But contrary to what the Party expected on the assurances of its Colombo advisers, Mrs Bandaranaike was not called to form a new Government. Instead, Dudley Senanayake had, Parliament dissolved and forced another General Election.

The fresh General Election was held in July 1960, the second in the course of one year, at which Sirimavo Bandaranaike was returned to Parliament with an absolute majority for her party, the SLFP. She became Prime Minister in her own right and needed nobody's help to rule the country as she pleased for the next five years.

From the very outset of its term in office, the Government of Sirimavo Bandaranaike made it clear that the SLFP had not changed one whit from its well-known stance of extreme Singhalese nationalism. It had put on a veneer of accommodation of the Tamils only to inveigle the Federal Party into an agreement to suit its own political strategy to defeat its rival, the UNP. Once again it proved that honouring a solemn pledge given to an important sector of the nation was still not its way

of handling national affairs. The Federal Party made several attempts, in a series of meetings and discussions with the Prime Minister and some of her colleagues to get them to implement the B-C Pact as promised, but they could not be persuaded to keep their word. The government appeared to make the leaders and their Colombo advisers understand that it was now under no political compulsion to make peace with the Federal Party and that promises were given and broken according to the exigencies of politics.

To those among the Tamils, particularly some of the Federal Party leaders and their Colombo advisers, who believed in the game of balance of power politics as an instrument to win an honourable position for the Tamils in Ceylon, the SLEP taught an unforgettable lesson. That game may be profitably played in systems where Parliamentary parties are delineated and distinguished according to their social, political or economic ideologies which make them different from one another. There, a small party in a given situation can play the role of king-makers and benefit from it, or where, even if the small party happens to be racially constituted, its interest is only to get some privileges or small concessions. But the conditions in Ceylon are entirely different. The Federal Party represented the constitutionally power-deprived Tamil nation which will always be a perpetual minority in the Parliament of a unified Ceylon, and so long as the unitary constitution continued to be in force and so long as the Singhalese nationalist aim of racial domination persisted among the politically-minded Singhalese people in general, it did not matter into how many Parliamentary parties they were divided for the purpose of their own internal rivalries. They will all have to be reckoned as one party when it comes to a question of Tamil-related issues. To try to exploit a temporarily tight situation in which they may find themselves by exercising the balancing votes to bolster up one party among them against another is only to invite humiliation and rebuff when once the situation is resolved. Nobody respects unprincipled conduct even in politics. That precisely is the treatment the Federal Party received for listening to its Colombo advisers. Nor was it the last, as we shall see later.

As history would have it, the Tamils were fated to pay very dearly for their indifference to the prophetic warnings of the

immortal Ramanathan. That Fate appears to have come in the shape of the Colombo advisers who wormed themselves into favour with some of the Federal Party leaders in this phase of the party's existence. For there can be no other explanation for such a wise man like Chelvanayakam trusting the SLFP a second time.

If the SLFP Government of Mrs. Bandaranaike stopped with merely failing to honour their promise to implement the B-C Pact, the Tamils would not have been worse off than what they were already in. But they went further and resorted to oppressive legislation and administrative action which humiliated the Tamils and made their life more and more intolerable. The sinister intent of their language policy was brought home to the Tamils as never before. Whereas during the lifetime of its author, the late S. W. R. D. Bandaranaike, the Singhala Only Official Language Act saw only somewhat of a lukewarm implementation, his wife's Government began to enforce it with the utmost vigour.

All Government Departments and Corporations were ordered to perform their office work and maintain their records and files in the Official language only. All communication with the public was to be in Singhala. Government business in general switched on completely to Singhala in arrogant disregard of the Tamils and other non-Singhala speaking peoples.

Tamils began to receive letters from Government offices only in Singhala which they could not read or understand. As a people they had been credited until now with one of the highest rates of literacy in the world, but now the Government measures had the effect of making them all illiterate overnight. Even the most highly educated people like university professors, lawyers, doctors, engineers, accountants and other professionals were obliged to take their professional communications from Government on sophisticated and technical matters to Singhalese workers in bakeries to read and interpret the contents.

Government Gazette notifications and press advertisements calling for applications to fill Government Service vacancies began to stipulate that proficiency in the Singhala language was a pre-condition and necessary qualification to

apply. It was another way of saying Tamils need not apply.

Tamils already in Government Service were ordered to acquire proficiency in Singhala within a stipulated time. Their salary increments and promotions were ordered stopped until they passed the required examinations in the Singhala language to prove their proficiency. As an incentive to acquire this proficiency special classes were held for the Tamil public servants in each office to teach them Singhala.

The Federal Party countered all these measures by calling upon all Tamil public servants not to learn Singhala and to boycott the classes. It called on the Tamil-speaking people in general to speak or communicate with the Government only in Tamil and to send back to the Government office any letters that are not in Tamil.

It will not be out of place to recount here too, though out of chronological order, that it was during this term of Sirimavo Bandaranaike's Government in 1960 to 1965 that two of the most Draconian pieces of anti-Tamil legislation were enacted. They, of course, fell into the general overall pattern that had been planned to oust Tamil.

In 1963 the Government introduced a Bill to control alienation of land, but which, in practice, would have the effect of restricting the freedom of Tamils to purchase land. The Bill, under the guise of preventing foreigners from acquiring land in Ceylon, sought to lay down the law that no instrument of purchase of land shall be registered in any Land Registry of the Government unless the purchaser proved to the satisfaction of the Registrar that he is a citizen of Ceylon or, in the alternative, he paid to the Government a sum of money equal to the purchase price. It was obvious that the difficulties which a person with Tamil or Muslim name has in establishing his or her Ceylon citizenship under the Ceylon Citizenship Act, as explained in an earlier chapter, would be encountered here to get a deed of purchase registered.

I was then a Member of Parliament having been recently elected at a by-election for the Kayts Constituency consequent on the death of V. A. Kandiah. I opposed the Bill most vehemently pointing out the practical difficulty, and sometimes the utter impossibility, of proving citizenship. Even the usually pro-Singhalese Muslim leaders like Sir Razik Fareed

and S. A. Hamid (Minister of External Affairs in President J. R. Jayawardene's Cabinet) were alarmed because purchasers of land with Muslim names would be equally affected.

The Bill was passed and is now the law known as the Finance Act of 1963 under which all deeds of sale of land where the purchasers appear to bear Tamil or Muslim names are held up without registration pending proof of citizenship. Tens of thousands of such deeds began to pile up in the Land Registries without any prospect of registration for years.

The other legislative measure was the Language of the Courts Act which made Singhala the language for all proceedings and record in the Courts of Law throughout the country. It was said at the time that the Prime Minister, Sirimavo Bandaranaike, was in favour of incorporating some sort of accommodation of the Tamil language but that her Minister of Justice, Felix R. Dias Bandaranaike, was adamantly opposed to any such concession.

The Government's rigorous enforcement of the Singhala Only language law following the July 1960 General Election exposed the utter futility of the Colombo Tamil intelligentsia's approach or understanding of the Tamil Problem. The Federal Party now shifted its centre of activities from Colombo. Colombo diplomacy and its political opportunism having led the Party into a cul-de-sac it now turned to where it really belonged, that is, the two Tamil Provinces in the North and the East. It was in the North and the East that the impact of Singhala was sorely felt, and the popular resentment against its imposition at the highest.

The Government was moreover preparing schemes to send Singhalese school masters to all the Tamil Schools throughout the country including the Northern and Eastern Provinces to teach the Singhala language to Tamil-speaking children. To the Government it meant so many thousands of jobs for their G. C. E. (O/L) qualified Singhalese youths. To the Tamils it meant slow emasculation of the Tamil language. The danger of eventual assimilation into the Singhalese maintream thus passed from the realm of speculation and debate into something very real. What the Tamils had feared was now at their very doorstep.

The Federal Party had also to take note of another reality.

Not all the Tamil public servants responded favourably to its call for abstaining from the study of Singhala. Although the vast bulk of them, mostly the younger officers in the lower rungs of the Service, co-operated by refusing to study, there were large numbers who opted very reluctantly and with disgust to comply with the Government's requirements. These latter were mostly those who had put in long years in service and had large families to feed and care for. Understandably, they were driven by the necessity of having to preserve their jobs and the pensions they had earned over the years to acquire whatever proficiency they could. But their taking to the study of Singhala undermined the resistance call, and gave reason to the Government planners to be satisfied that by and by the others will fall in line. (If we may anticipate a later development, the Government planners were not far wrong in their assessment when we remember that even the Federal Party eventually fell in line, persuaded by M. Tiruchelvam.)

I was personally glad that the Party had been forced to extricate itself from the Colombo Tamil intelligentsia. It was now possible to put it back on the rails and to see that its attention is concentrated entirely on the attainment of its cherished goal –the freedom of the Tamil people. It gave me great satisfaction to think (rather prematurely, as it turned out to be) that the Party has had the lesson of its life and would never again allow itself to deviate from its character as the Tamil people's freedom movement. For two years it had wandered in the wilderness of opportunist politics which has only led to harsher measures to oppress the people. That was lesson enough to shun any more deviationist trends.

The Federal Party Headquarters had always been in the building at No. 25, Second Cross Street in the Jaffna Town. It was from here that the Party, starting from scratch, grew to be the most powerful freedom movement and the sole representative political organization of the Tamils; it was from here that the Party's great campaigns and political battles were successfully carried on; most of the outstanding Tamil leaders of the post-Independence period were nurtured here. The superstitiously inclined may call it an auspicious or lucky building, for the liquidation of the Federal Party and, inciden tally, the adoption of the resolution expelling me from the Par ty happened to be followed very soon by the abandonment of

the building itself as the Party's Headquarters. In 1960, however, following the breakdown of the efforts to persuade the Government to honour their promise to implement the B-C Pact, and as the Government went ahead with the Singhala enforcement measures, the Party Headquarters building at Second Cross Street in Jaffna began to buzz with activity again, and I was drawn into its vortex after two years of comparative indifference.

A number of protest meetings, processions and demonstrations were organized to voice the people's opposition to Singhala. Batches of volunteers led by leaders marched to every Government office and distributed leaflets asking the Public Servants not to learn or work in Singhala. Chelvanayakam led one such group despite his weak health and feeble frame. There was one particularly long procession which marched through all the busy roads of Jaffna and ended up at the Government Kachcheri where A. Amirthalingam, M. P. for Vaddukoddai, standing on a parapet wall, addressed the crowds and urged the people to stand firm in their resistance to tyranny. A bonfire was then made at the entrance to the Kachcheri of copies of the Singhala Only Act and the Constitution.

All this had little or no effect, however, on the Government which appeared to be unconcerned about the feelings of the Tamils. Once again I began to give serious thought to the situation which had become most frustrating. It was clear to me that unless we resorted to direct action with mass participation we could never hope to halt the spread of Singhala. Some action was necessary to bring home to the Singhalese Government and people that the Tamils were not prepared to tolerate tyranny. To do it, it was necessary to bring the Government to a halt in the Northern and Eastern Provinces by making it impossible for its Departments and Offices to function. Mass Satyagraha by non-violent and peaceful means was the only way in which this could be achieved.

I raised the matter in the Working Committee of the Party and proposed that we perform Satyagraha to paralyze the Government in the two Tamil Provinces. Chelvanayakam, as usual, was sceptical and frowned on the idea. This was no matter for debate, and unless he gave his whole-hearted blessing and approval a campaign of such magnitude could not be

ventured upon. The Committee therefore gave no further consideration to the proposal. In the following days, between processions and meetings, I persisted in pressing the idea for the mass campaign.

One evening, when a crowd of about 75 to 100 volunteers assembled at the Party office as usual, Chelvanayakam invited me to elaborate and explain what sort of campaign I had in mind. I knew he was unhappy about the way the SLFP had behaved and the situation the Government was now creating. Only, he had no idea how to meet the situation I told the volunteers that our task was to make it impossible for the Government Departments and Offices to work or function. Thereby we could bring the Government machinery to a standstill in the Northern and Eastern Provinces. We needed hundreds of volunteers who will be trained and instructed in the principles and code of conduct in non-violent Satyagraha. Batches of volunteers will picket and block the entrances to every Government office in the two Provinces and by peaceful means prevent the office staff and members of the public from entering the offices. Picketing will continue for the duration of the normal office hours. If they are arrested by the Police they will be replaced by fresh batches of volunteers. We will thus fill all the prisons in the two Provinces. If the Police resort to baton-charging, the volunteers will all lie down on the ground and take the beating. Injured volunteers will be replaced by fresh ones. The members of Parliament and leaders will take turns to avoid all being taken into custody together. A Kachcheri under a Government Agent is the nerve centre of a District's administration. Therefore, we will begin with the kachcheris first, and then extend to other offices in time. We will effect changes in the plan depending on the Government's reaction. This way, I said , we will make it known to the Singhalese Government and people that Singhala cannot be thrust down the throats of the Tamil-speaking people, that no Government in Colombo could ever hope to rule the Northern and Eastern Provinces except with the willing consent of the people of those Provinces, and that these Provinces would never willingly accept Singhalese domination.

Chelvanayakam was converted. Once he gave his blessing; it did not take much time for the Working Committee of the Party to meet and take the decision to go ahead with the

Satyagraha Campaign. As in the case of the Trincomalee March, I was again called upon to be in charge of this Campaign and to direct it. An Action Committee consisting of some of the top-ranking leaders was set up for consultation and assistance.

As the year 1960 drew to a close,the Federal Party was thus poised for a peaceful confrontation with the SLFP Government of Sirimavo Bandaranaike. Like every other Government since the so-called independence,this Government too made it unmistakably clear that its duty as a Government was only towards the Singhalese people, and a long-drawn struggle on the part of the Tamils, therefore, was inevitable.

CHAPTER 12

The two Tamil Provinces welcomed the New Year of 1961 girding up their loins for the struggle.

The Federal Party made simultaneous preparations through its branch organizations in all the five Kachcheri towns - Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa. Literature was printed and sent to all the centres containing detailed instructions to volunteers on Satyagraha. Every Satyagrahi volunteer was enjoined to observe strict non-violence (ahimsa) and non-retaliation under the gravest provocation and in all circumstances. Thousands of volunteers– men and women, young and old– flocked to the branch offices in response to the Party's call. They were all registered and their identities recorded. In Jaffna the chief clerk at the Party Headquarters was Paramanathan who had at one time been in the Ceylon Police Force. He put the volunteers through formation-marches and drill to instil discipline and orderly conduct.

It was arranged that the different centres fix their own dates for the commencement of the Campaign according to their convenience and local conditions. Jaffna led the way by fixing a day towards the end of January.

Accordingly, the Satyagraha Campaign of 1961 began in Jaffna as scheduled amidst solemn and emotional scenes. It was to shake the very foundations of the Government. For three months the Colombo Government's writs could not run in any part of the two Tamil Provinces.

The first day passed without incidents. Early in the morning, before the Kachcheri offices opened for the day, a batch of about 100 volunteers marched in procession from the Party Headquarters at Second Cross Street to the Kachcheri Building in Chundikuli and took up positions on the road blocking the entrance to the offices. The offices of the District Administration were then housed in the Old Kachcheri Building situated in the extensive grounds known as the Old Park, in the centre of which stands the Government Agent's Residency. The entrance to the offices is on the main Jaffna-Kandy highway, and a separate gate on the same highway gave access to the Residency. Opposite the offices and across the Kandy Road there was a large plot of almost vacant land, in the centre of which stood a big shady tree. It is on this vacant land that the present two-storey Secretariat Building for Jaffna was built later.

When the Government Servants of the various offices arrived for work in the morning they found the entrance blocked by the pickets. Four or five of the less brave managed to creep through gaps between volunteers and enter the offices, while the vast majority stood on the road. An hour or so later the Residency gate was opened and the staff received instructions from the Government Agent to enter the Kachcheri Building via the Residency gate. As for the members of the public who came on business, the pickets pleaded with them and sent them away. At the end of the day the Kachcheri staff trouped out through the Residency gate, and the volunteers were withdrawn.

On the second day the Satyagrahi volunteers were instructed to block the residency gate as well. But before they arrived,the Police had taken control of the entrances in force. Policemen formed a lane through which the Kachcheri employees were asked to enter their offices. Any Satyagrahi who attempted to throw himself in the way was roughly pushed back. It was obvious that the Government Servants walked

in like robots,their resentment at being forced to enter in this way writ large on their faces. Their resentment was against the Government Agent, M. Sri Kantha, himself a Tamil, who had summoned the Police and made this arrangement. It is not known what his personal feelings were, if he had any, but he belonged to the old school of British Civil Servants who strictly followed the tradition that they must personally identify themselves with whichever government that was installed in power. The Satyagrahis sat down peacefully on the roadside along the whole length of the Kachcheri and Residency wall. They sat there the whole day singing national songs. The Police was thus forced to maintain the entrance lane and keep the Residency gate clear until the end of the working day.

It requires no imagination to say that no work whatsoever was done in the Government offices on the two days, but that was not the objective of the Campaign. Government had to be forced to close its offices. A change of tactics was needed. I, therefore, asked the Satyagrahis to spend the night at the Party Headquaters.

On the third day, before 6 o'clock early in the morning, a large force of Satyagrahis who had spent the night in the Party office rushed to the Kachcheri and occupied the long front verandah, the corridors, the entrance and the Residency gate. They all sat on the ground crowding closely. The Kachcheri staff assembled as before and stood waiting on the road. The Police arrived and ordered the squatters to vacate the places they were occupying. Seeing no response, they charged into the crowd of Satyagrahis, dragged some of them out of the way, and cleared a narrow passage to enter the building. They then asked the staff to enter the Kachcheri through that passage. The staff refused. The Satyagrahis lay prostrate on the ground even closing the passage that had been forced. The Police thereupon began to assault them with batons, boots and hands.

The situation demanded greater strength. I called the Party Headquarters and asked for more volunteers. They came promptly and reinforced the belaboured Satyagrahis.

In the meantime word had spread throughout the town and reached the shopping centre of Grand Bazaar, the Central Bus Stand, the General Hospital and other busy centres. Shop workers, owners, shoppers, bus commuters, drivers, conductors,

hospital attendants, bystanders, people in all walks of life-all abandoned their work and rushed to the Kachcheri. The crowds grew as the day advanced. The Police continued to belabour the prostrate Satyagrahis. The crowds booed, yelled, hooted, and abused the Police. Some even kept up a hail of stones on the Police despite all pleas from the leaders to desist from stone throwing. By noon the crowds had swelled to more than 5000. The scene resembled a battle-ground in a conventional war.

The Police appeared tired and exhausted. But the Satyagrahis, many of them wounded and bleeding and their clothes in tatters, refused to yield ground. They were beaten mercilessly, trampled upon, dragged by their legs, lifted bodily and thrown on the ground violently, but still not a single Satyagrahi showed the slightest sign of retaliation.

No words of tribute could be adequate enough to place on record for the benefit of posterity the bravery and heroism, the sense of dedication, the willingness to suffer and sacrifice for the sacred cause of the Tamil people without looking for any form of reward, which these selfless Satyagrahis displayed on that memorable day. A tinge of pride swept through my whole being. Their faithful adherence to ahimsa that had been enjoined on them, their disciplined bearing throughout the entire ordeal, the way crowds of people flocked to the scene of beating to demonstrate their solidarity with the Satyagrahis, all showed that the Tamil country in Ceylon need have no doubts about the fighting mettle and spirit of its people.

It is said that four hundred years of foreign rule and subjugation and generations of life in political bondage had killed the spirit of independece and left the Tamil people effeminate. It was proved to be not true. That eventful day in early February 1961 gave the lie to that belief. The people's will to resist tyranny and achieve freedom is not extinct, it is there, and they will achieve it provided sound and unselfish leadership is there to guide it. What is most deplorable is that a leadership came by in due course who were so unscrupulous that they exploited the gains which these selfless Satyagrahis had achieved with their blood, sweat and suffering and led the Party astray, once again, for their own selfish ends. In their quest for self-glory and personal advancement they not only had no qualms about thriving on the sacrifices of these

Satyagrahis, but eventually destroyed the movement itself. That is the tragedy of Tamil politics.

To get back to the scene at the Jaffna Kachcheri, the Police was withdrawn in the afternoon leaving the Satyagrahis where they were, blocking all the entrances to the building. I consulted the Action Committee, and a quick decision was taken not to withdraw the Satyagrahis for the night. Instead, picketing will continue round the clock. The wounded were withdrawn and attended to. Arrangements were made for food, refreshments and tea. It must be borne in mind that not a single Satyagrahi had taken a morsel of food or a sip of water since the previous evening. Petromax lanterns were installed along the road to supplement the insufficient road lights. Relief batches of volunteers were organized. MPs and leaders were all on the spot mingling with the Satyagrahis.

On the fourth day, Police made their appearance in small numbers only to patrol the area but made no attempt to interfere with the Satyagrahis. The staffs of the several Government Departments housed in the Kachcheri Building, who had until now been helpless spectators but fretting with their own silent emotions, marched away from their usual standing position on the road led by a senior public servant, K. Murugupillai of Tellipalai. Over 200 in number, they assembled under the shade of the large tree in the centre of the Crown land opposite the Kachcheri and held a meeting at which they took a decision which gave expression to their pent-up feeling. They decided not to gain entry with Police help and not to enter except by the main entrance. They communicated this decision to the Government Agent in the Residency. Murugupillai met me privately to warn that the Government Agent might ask them to enter via a rear gate and suggested I do something about it. That is a disused and permanently padlocked gate which provides access to the Residency grounds from the Old Park Road. Some volunteers were promptly sent to picket that gate also.

In the forenoon of the fifth day, a contingent of Police arrived under the personal command of Superintendent of Police Arndt. Arndt who was in a Police jeep ordered the Satyagrahis at the Residency gate to make way for his jeep to enter Residency. When nobody moved, Policemen dragged them away and the jeep drove in with Arndt.

It was suspected that the Government Agent was going to get away. Sri Kantha had been a virtual prisoner in the Residency during the five days, and it would not have been surprising if he made the attempt to flee the house. The Satyagrahis under the leadership of Dr. Naganathan and the MPs V. A. Kandiah and V. N. Navaratnam crowded at the Residency gate to block the exit of the jeep if Sri Kantha was in it. The jeep came up with the Government Agent and the Superintendent of Police. The Satyagrahis threw themselves on the ground in its path. Dr. Naganathan was almost under its front wheel when the jeep stopped. V. A. Kandiah sat leaning against the radiator. The others lay prostrate on the ground. The Police beat them all with batons indiscriminately. Many received baton blows on their heads. One blow fell on Dr. Naganathan's arm, and the Policeman's baton broke in two. Sri Kantha sat in the jeep watching all the proceedings with apparent unconcern. The Police finally succeeded in clearing a way by dragging away all the Satyagrahis by their feet. The jeep fled from the scene followed by the Police Party marching away. That was the last time the Police was seen at the Kachcheri site for the next three months.

The Kachcheri premises and its environs were now completely in the possession of the Satyagrahis. It was now time to extend the campaign to the other Government offices. Batches of volunteers were sent to picket each and every one of the offices scattered throughout the City of Jaffna in all directions and far removed from the Kachcheri - the Education Office, the Public Works Department, the Customs, the Office of the Superintendent of Post Offices, the Land Registry, the Excise Station etc. All the offices were forced to close down, and Government business came to a standstill.

When conditions in Jaffna permitted, Chelvanayakam, Amirthalingam and I motored down to Vavuniya, Trincomalee and Batticaloa. In each one of these centres we could see that the morale of the Satyagrahis was sky-high. Their grit and determination had not been second to that of their counterparts in Jaffna, and all the Government offices were completely closed. In Batticaloa we had reason to feel proud of the Satyagrahis' ingenuity there. They had even mobilized a fleet of fishing boats to picket the waterfront of the Kachcheri building to prevent entry by way of the lagoon. In Mannar the

campaign was equally effective under the leadership of S. Kathiravelupillai and Sir Kanthiah Vaithianathan.

Civil Government was thus completely paralyzed in the two Tamil Provinces for the three months February, March and April: no revenues collected, and no disbursements either; no arrack bottles came into or went out of the Excise Stations - a revenue-earning Government monopoly; no issue of rice and sugar rations, no distribution of foodstuff, infant food, fuel, etc. In short, there was no agency through which the Colombo Goverment's writ could run in the two Provinces.

We may never know why the Government did not use superior force or why they did not make arrests or what their calculations were, but if their intention was to tire out the Satyagrahis and the Tamil people in general they were to be proved mistaken. Not a single murmur of complaint was heard from any quarter despite the tremendous privations the people were going through - without food, fuel, hospital drugs, state's wages, etc. Only superior force could have broken the spirit of the Satyagrahis and the people. In fact, that was the purpose of the Campaign - to demonstrate that the Singhalese could never hope to impose their rule over the Tamils except by the use of military force. And that is what the Government did to break up the Satyagraha Campaign after waiting for three months. Even today, twenty-nine years after that Campaign of 1961, the position has not changed, for the two Provinces are being ruled by the Colombo Government only by military occupation.

The Satyagraha was, of course, controlled and directed strictly by the Federal Party, but in time, after the initial breakthrough, other parties, organizations, associations, groups and individuals were drawn to it either out of conviction or because some felt it politically prudent to show their solidarity by some form of participation. They represented every shade of political opinion in the Tamil country. Their participation gave the Campaign the character of a national uprising.

For example, prominent Tamils who would ordinarily not have liked their names to be associated with the Federal Party's politics or its objective for the solution of the Tamil problem began to make common cause with the Satyagraha Movement.

M. Sivasithamparam (M. P. for Udupiddy) and T. Sivasithamparam (M. P. for Vavuniya), both leaders of the Tamil Congress and always opposed to the Federal Party, Sir Kanthiah Vaithianathan, a retired Permanent Secretary of the old Ceylon Civil Service who had also been a Minister in Dudley Senanayake's UNP Government and who at the time was devoting his retired life in the service of the Tiruketheesvaram Temple Restoration Society's activities at the site near Mannar, M. Tiruchelvam, Q. C. and retired Solicitor General, Edirmanasinghe, Mayor of Batticaloa, Rajan Selvanayagam (later Second M. P. for Batticaloa) of SLFP persuasion in Batticaloa are some of the names which come to mind. All of them identified themselves with the Campaign in one way or another. Lawyers belonging to the unofficial Bars of Jaffna and the other towns, whose political views were not always in tune with those of the Federal Party, made it a point to march in procession to the Kachcheri sites and sit with the Satyagrahis in token participation. Alfred T. Duraiappah, a former Mayor of Jaffna who had always been ideologically at variance with the Federal Party, marched in a body with his followers and knelt in prayer in front of the Satyagrahis at the Kachcheri. Such was the irresistible compulsion of conscience that most people deemed that they would be failing in their duty to the Tamil race if they could not claim some sort of association with the Satyagraha. But all this was not to take place until after about a month.

When the Campaign was about a fortnight old and there were no signs of the Government wanting to step in, the Satyagrahis dug in for a prolonged campaign to ensure that the Government offices remained closed for ever, if necessary. Either the Government had to come to terms with the Federal Party or use the military to take over the offices. Till then it was necessary to be assured of an uninterrupted supply of disciplined volunteers.

A new scheme was therefore drawn up broadening the basis of recruitment. Each M. P. of the Party was assigned a particular day in advance. It was his responsibility to provide a minimum number of volunteers for a twenty-four-hour duty on the day assigned to him. In constituencies where there were no Party M. P.s this responsibility was entrusted to the Party candidates who contested unsuccessfully. The system worked quite efficiently until the last as it generated a healthy rivalry

between constituencies to put up the best show. Large numbers of women and schoolgirls formed part of every contingent of volunteers now and provided colour and liveliness.

Feeding the several hundreds of Satyagrahis scattered throughout the City at the various office centres was an immense undertaking, but thanks to a team of spirited voluntary workers it posed no problem. Food parcels were taken to the sites morning, noon and night from a central mess where it was cooked. On occasions, voluntary organizations came forward to ask for the privilege of suppplying the food at their own cost.

The Mayor of Jaffna, T. S. Durairajah, not known for any Federal Party sympathies, got his Municipal Departments to provide extra illumination for the Kachcheri area and to construct special separate privies for the use of the male and female Satyagrahis. The Government threatened to surcharge him, but he refused to be intimidated.

It need hardly be told what a tremendous cost in money a campaign of this magnitude would have entailed. In the past, adequate funds were always a problem in financing the Party's activities. Some of us in the Party, usually Chelvanayakam and myself, used to go round among the business circles of Colombo, Jaffna and other towns begging for contributions. But this time, thanks to the national awakening generated by the Satyagraha, we were spared that trouble. Contributions kept coming to the Party Headquarters voluntarily and unasked. One particular contribution was strikingly heart-warming. The businessmen of the Jaffna Grand Bazaar, led by some leading merchants, marched in a procession to the Kachcheri site and handed over a cheque for Rs. 100,000/- to Chelvanayakam. There were many donors who contributed in kind—bags of rice, sugar, potatoes, tea packets, chillies, onions, condensed milk etc. The honorary administrative secretary in charge of the Party Headquarters, S. Sinnadurai, was present in the office at all hours, day and night, to attend to these contributions and donations. He is a retired Postmaster from Palaly who had dedicated his entire retired life in the service of the Federal Party and movement. He received them on behalf of the Party and maintained punctilious documentation and accounting.

There were unforeseen problems too. The three months of Satyagraha helped to bring home to the people the stranglehold which Colombo had over Tamil life in the two Provinces. Supplies of everything from essential commodities to consumer articles had to come from or through Colombo - People's food, fuel, clothing, and all other such necessities of life. Even so essential an article like a box of matches that is needed to light the home fire had to come from Colombo because Government policy would not permit an industry to be established in the Northern or Eastern Province. Before the British withdrawal the northern and eastern ports of Jaffna, Kayts, Kankesanthurai and Trincomalee were open for shipping and cargo handling, and food and other commodities were imported through these ports, warehoused, stored, and distributed to neighbouring areas at comparatively less cost. As a matter of fact, in the first quarter of this century the volume of cargo handled at the port of Kayts was so large that the Customs collection at Kayts was second only to that of Colombo. Since the so-called independence, however, these ports were all closed and imports were centralized in Colombo.

It is hardly surprising, therefore, that such dependence on Colombo made it possible for an ill-disposed Colombo Government to create an artificial famine in the two Provinces. The people went through just that, the Satyagraha Movement only made the people conscious of it as never before. For the first time the people were confronted with the challenge: submit or starve.

Those were the days of rationing when rice, flour, sugar, infant foods, subsidiary food-stuff and other articles were all issued to the population on Ration Books. The rationing was effected through co-operatives and authorized distributors who normally stocked not more than a week's or at the most two weeks' supplies at a time. They exhausted all their stocks in a week or two and had no means of replacing since the Food Control Department office housed in the Kachcheri building was not functioning. No supplies came into or went out of the granaries. Inevitably the people had no food to buy, and yet they bore it all with gritted teeth. A few cases of extreme hardship were brought to my notice. Little children were going hungry in some acutely poverty-stricken families, and I had

given instructions that some rice and flour be issued on the children's ration books out of the Party's stocks.

Then, another unexpected problem was brought to me concerning the Government Servants who were kept out of their offices. They had not drawn their salaries for two, and in some cases three, months in a row. Most of them were maintaining their families by pawning jewellery, but there were some cases with large families which were in very dire circumstances without any means even to borrow money. Murugupillai spoke to me and begged that some relief be granted to officers whose families were suffering most. It was a very delicate subject involving the use of funds contributed in trust for the Satyagraha Campaign. I discussed the matter with Chelvanayakam and the other leaders. Much can be said for and against using such funds for giving relief to a few while it was true that a vast majority of the general population was putting up with similar or worse privations. However, a distinction was made in this case and it was decided to pay half a month's salary (as an advance to be repaid later) to the most suffering out of the hard-hit families. Murugupillai was entrusted with the responsibility of picking out the deserving cases using his discretion and intimate knowledge of the personnel and their family conditions. The total amount used for this purpose was rather substantial, but it certainly helped to build up the trust and confidence of the entire body of Tamil public servants in the Federal Party's leadership and its sense of responsibility.

The protraction of the Campaign forced the other Satyagraha centres in the two Provinces to make calls on the Party Headquarters in Jaffna for financial assistance, which was never refused. For all I know, they too had given similar relief to hard-hit public servants in their areas.

When the Campaign was several weeks old,the centres of Satyagraha came to be looked upon as places of pilgrimage. There was hardly a man, woman or child who did not regard it as his or her sacred duty to visit the places at least once. People came from far and near, even from distant places like Colombo, Kandy, Galle and Negombo, they came by rail or in cars and vans merely to have a look. Crowds of people just stood on the road and watched. The Satyagrahis, for nothing better to do, occupied themselves by singing devotional and national songs in groups. There was never an hour, in the daytime or

at night, when the places were not filled with spectators. In time, the places began to present the appearance of carnival grounds. Of course, there were no gambling booths or frolics or games. But the omnipresent hawkers and street-vendors invaded the places in their numbers and took up positions of vantage on the road. They, with their piles of sweetmeat and peanuts and cool drinks, and the throngs of people had the effect of giving a carnival feeling.

March gave way to April, and there were still no signs that the Government wanted to establish its authority in the Tamil Provinces. The South-West Monsoon setting in posed a grim prospect which caused not a little anxiety in my mind. Nobody could be so unfeeling as to have these self-sacrificing men and women exposed to torrential rains and make them sit in pools of water or sodden or muddy ground and allow their clothes to dry on their bodies even though their morale was so high that they were prepared for these and still worse things. On the other hand withdrawing them was also out of the question. Quite possibly the Government themselvés were placing reliance on the Monsoon rains to make the campaign fizzle out by itself without their having to use force.

All these thoughts agitated my mind and I was convinced that the situation called for a drastic turn to be given to the Campaign which will force the Government's hands to act and fill their prisons. I proposed to the Action Committee that we now resort to Civil Disobedience of a selected Law. The Post Office Ordinance gave a state monopoly to the Government over carriage of letters and Postal Service, and I suggested that we break that law by running a parallel postal service of our own with our own 'Tamil Arasu' (Tamil State) stamps and post offices. M. Balasundaram, who had succeeded Vanniasingham as M. P. for Kopay at the General Election in March 1960, came to the Action Committee meeting carrying large volumes of law books. He was a Barrister of standing at the Jaffna Bar. He opposed my suggestion and argued that it was a serious matter to break the Post Office Law and the consequences would be incalculable. The Action Committee, nevertheless, suggested that Balasundram might keep out of the law-breaking if he wished and decided to go ahead with my programme.

This idea of breaking the Post Office Law and running a parallel postal service as part of a mass civil disobedience

was not conceived by me on the spur of the moment in the midst of the Satyagraha in 1961. Five years earlier, following the Trincomalee Resolution in 1956, I had planned on this programme as part of the direct action contemplated by that Resolution and made preliminary preparations. I discussed the feasibility of my proposal with my friend S. T. Sivanayagam, who was then the Editor of the *Sutantiran*. He is a man who had dedicated all his talents as a brilliant journalist to the service of building up the Federal Party to the great heights it achieved in later years. Besides being a journalist, he was also an accomplished photographer and design artist. I had given him a rough sketch of my concept of a 'Tamil Arasu' stamp, and he had improved on it and given me a final drawing. It was a beautiful design and contained all the symbolic features I had wanted—agriculture, industry, shipping and trawling. He then made photographic plates of 100 stamps for a sheet in the denominations of 10 cents, 5 cents and 3 cents, and for Post Cards. In the end all this effort came to nothing at that time. The materials were all packed up and stored away in consequence of the conclusion of the B-C Pact.

Now once my proposal had received clearance by the Action Committee, I got Sivanayagam to send me all that material and the printing blocks. The one man in the Party who could be trusted to do an excellent job of organizational work was S. Nadarajah. I asked Nadarajah to function as "Postmaster-General" and organize the machinery for the Civil Disobedience. He set up Tamil Arasu "Post Offices" at important centres throughout the Jaffna Peninsula and appointed trusted personnel to man them. S. Sinnadurai, who was a retired Postmaster, designed the Post-mark seal with a device to change dates and arranged with a goldsmith in Jaffna to turn out a few of these seals.

The most important item in the law-breaking was the "Tamil Arasu" stamps, postcards and stamped envelopes. To get our requirements printed posed a problem. Although the printing blocks were ready no Printing Press could be expected to undertake the job for fear of Police seizure of the press and possible imprisonment of the proprietor, printer and workmen. Nadarajah eventually found a master-printer in the Kankesanthurai electorate who was patriotic and brave enough to do the work. He agreed to do the printing in the utmost secrecy and

keep up a steady supply of all our requirements as the campaign proceeded. Nadarajah and I kept his identity and the location of his press a close secret between the two of us for obvious reasons. Nobody else in the Party or outside had the slightest notion of from where we were getting our supplies. Because of the excellence of the design and printing and the beautiful colours of the stamps and not less due to the general tendency underestimating local talent, they all believed that they were being manufactured in India and brought into Jaffna by clandestine means. It was arranged that Nadarajah and I alone would be visiting him to collect our supplies. We never called on him except at midnight. The printer himself worked on the stamps only by night, and never allowed a second person near him. Even the simple operation of perforation was done by his own hands.

I need hardly stress that this anonymous but unselfish man regarded the work he undertook to perform more as his dutiful and patriotic contribution to the Postal Civil Disobedience campaign and the Tamil people's struggle for freedom than as a source of income for himself. But, like the thousands of other Satyagrahis, he too became a classic example of the tragedy of Tamil politics which has the habit of drawing in noble souls into a national struggle and then permitting self-seekers to trample on them. I do not know whether he is still alive or not, but many years later it was my misfortune to learn from Nadarajah himself that this courageous and self-sacrificing man has been very shabbily treated by people who claim to have inherited the mantle of Chelvanayakam. Nadarajah might well have added an autobiographical addendum to the experience of the printer.

On the day fixed for the commencement of the new campaign in Jaffna, Chelvanayakam took his seat as 'Postmaster' behind a counter of the 'Post Office' in a booth in the Kachcheri Building. Beside him was seated his assistant, V. A. Kandiah, M. P. for Kayts. There was a milling crowd clamouring to get to the counter to buy stamps. Chelvanayakam committed the first act of Postal Civil Disobedience by selling across the counter a Tamil Arasu stamp of the denomination of 10 cents to M. Sivasithamparam, M. P. for Udupiddy, and thereby inaugurating the parallel Tamil Arasu Postal Service in contravention of the Post Office Ordinance. This was

followed by a brisk sale of stamps, post cards and stamped envelopes. Within a few minutes the 'Post Box' provided for the purpose was filled to capacity with letters.

The letters were collected, sorted, stamps cancelled with the Tamil Arasu post-mark and date, and then entrusted to several 'Postmen' for delivery at the addresses. M.P.s and leaders acted as Postmen. Sivasithamparam insisted that he would be the 'Postman' to deliver the first letter addressed to the Superintendent of Police, Jaffna. V. N. Navaratnam was the next 'Postman' to deliver another letter addressed to Major Udugama of the Ceylon Army who was stationed in Jaffna as Co-ordinating Officer. The contents of both the letters conveyed information to the addressees about the breaking of the law.

All this was symbolic and token action, of course, but given time and if left alone it could have developed into a genuine and efficient parallel postal service in the Tamil Provinces. The 'Post Boxes' that had been hastily installed in selected places throughout the Jaffna Peninsula were full almost every day, and the volunteers saw to it that the letters were collected, sorted, and faithfully delivered to the addressees. The 'Postmasters' were scrupulously correct in maintaining records and accounts of their stocks and sales and paying the cash collections to the Headquarters.

The Postal Civil Disobedience attracted wide publicity in the Press and among the people throughout the country. It was a unique and unheard-of action in a people's freedom struggle. It generated a feverish rush for the stamps and postcards and stamped envelopes. Several groups of European, American and other foreign visitors and tourists drove down to Jaffna all the way from Colombo and purchased large stocks of them to take home. Most of them got some first issue covers cancelled with the Tamil Arasu 'postmark'. In conversation I found that all of them understood the significance of what they were purchasing.

I was told at the time that there was a noticeable drop in the sale of normal inland postage stamps at the Government Post Offices in Jaffna during the week the Postal Civil Disobedience campaign was proceeding. Although about a week had passed the Government showed no signs of any reaction.

The Ceylon Daily News and its sister papers of the Lake House Press in the Singhala and Tamil languages then carried a news item that the Federal Party, emboldened by the success of the parallel post offices, was now contemplating the recruitment of a Tamil Arasu 'Police Force' in contravention of the Police Ordinance. The newspapers gave great prominence to the news as though it was a clever piece of investigative journalism on the part of the Jaffna correspondent of the Daily News, but it was perhaps no more than a "leaked" information. But the Government reacted quickly.

Two days after the newspaper report, at about 9 o'clock in the night, the Army swooped down on all the five Satyagraha centres in the Northern and Eastern Provinces simultaneously and broke up the gatherings. They arrived in Army trucks fully armed with modern weapons and beat up the peaceful Satyagrahis, men and women, right and left, and thrashed them all without mercy. They bundled them into the Army trucks; wailing women and screaming girls were lifted bodily and hurled into the trucks. Army leather belts, rifle butts and iron chains were freely used on all these unresisting people without discrimination, whether they be old men and women or young girls, with a savagery never seen in civilized countries. Incidentally, these "battle scenes" of the Ceylon Army also helped to prove, if proof is necessary, the existence of two divided nations in Ceylon. Those were the days when there were at least a few Tamils in the Defence Forces. In the midst of the blood-curdling bestiality indulged in by the striking force at the Satyagraha sites, a couple of Tamil soldiers were seen to shelter some elderly women Satyagrahis from their Singhalese colleagues raving mad, comfort them with kind words and gently assist them to climb into the high Army trucks. In contrast to the mad violence of their Singhalese colleagues these Tamil soldiers urged the crowds, in the best traditions of a British trained Army, to peacefully leave the place and go away.

All motor cars, bicycles and other vehicles found at the sites were smashed to pieces. The trucks drove away with the Satyagrahis. They were taken to distant places and left on out of the way roads to find their way home as best they could. Army guards were posted at every Government office. All M.P.s, leaders and prominent workers were arrested and taken

away. A State of Emergency was declared and a dusk-to-dawn curfew imposed. A rigorous censorship of all news was clamped down. The military completed the occupation of the two Tamil Provinces, and the Government armed itself with extraordinary emergency powers under the Public Security Act to enforce effective control.

Major Udugama of the Singha Regiment was placed in charge of the Military Administration. I have no notion how many days after the break-up of the Satyagraha the five Kachcheris and the other Government Departments were opened for normal functioning or when their staff re-entered the offices to perform their work. At any rate, Civil Government was not restored until after a long time and the Administration continued to be in charge of the Army Major for several months.

The M. P.s, leaders and workers who were arrested were flown to Colombo and held in custody at the Army Cantonment at Panagoda in Maharagama near Colombo. There were about 90 of us from both the Provinces, all lodged in the upstairs apartments of a large two-storeyed building which had been recently built and completed for Army barracks. It occupied a central position in a maze of buildings comprising the Army camp. We were not charged or brought to trial for any offences but arbitrarily detained in custody on the orders of the Permanent Secretary to the Ministry of Defence under Emergency Powers.

The Satyagraha, as must be clear to all, was necessarily limited to the Northern and Eastern Provinces and the participants were therefore predominantly people of the two Provinces. But it does not mean that the hill country plantation Tamils were unaffected by it. There is a saying among the Tamils that even if your ego does not permit you to feel (for others' misfortune) the flesh and blood in you will not fail to respond. As though to prove its truism several groups of well-wishers from the plantations visited the Jaffna and other centres during the progress of the Campaign and consorted with the Satyagrahis in a show of their flesh-and-blood feelings. The final break-up by the Army and the mass arrest and imprisonment of the Federal Party leaders created a ferment in the plantations. Reports reached us in the Detention Camp at Panagoda that their clamour for retaliatory trade union

action was so insistent and widespread all over the estate area that their leadership was forced to agree and that the CWC under Thondaman had decided on a plantation workers' strike for an indefinite period until the Government was forced to concede their demand for the release of the detenus. But it was not to be, for eventually it turned out to be a half-hearted one-day token strike. It was said that the Prime Minister, Sirimavo Bandaranaike, had happened to meet Thondaman in the meantime at a social function in Colombo.

The CWC leadership under Thondaman - a unique and most peculiar phenomenon in the world where the employer of labour is also leader of the labour - is no less besotted and unimaginative than the Federal Party leadership of the Tiruchelvam period. Like the Tiruchelvam coterie it could never see far ahead. It was so in the fight against the Citizenship laws, and it has always been so in all the subsequent crises. Whatever Thondaman tried to preserve or safeguard by making common cause with Singhalese governments was eventually taken away by those Governments, anyhow.

Despite the strict censorship of all news the events in Ceylon did not fail to attract the attention of the international Tamil community. South India seethed with vociferous mass demonstrations in support of the Tamil cause in Ceylon. The Tamils of Mauritius conveyed their support and solidarity in cables received at the Party Headquarters. From Malaysia Manickam Saravanamuttu, the eldest of the well-known Saravanamuttu brothers, came all the way to Colombo to try to persuade the Ceylon Government to see sense. He had at one time been the Ceylon Government's representative in Malaysia and was the doyen of the Malaysian Tamil community. Although his efforts proved to be infructuous he visited the Panagoda Camp to have talks with the Federal Party leaders. The Government, however, persisted in its repression without heeding international opinion.

In the course of the detention at Panagoda S. J. V. Chelvanayakam's health and physical condition gave cause for concern. Friends and well-wishers in Ceylon and abroad made arrangements for him to proceed to England for specialized surgical treatment. The Prime Minister, Sirimavo Bandaranaike, was considerate enough to release him from detention for the purpose. While convalescing in England after

the surgery he wrote to me a letter which reflected his happiness at being able to wield a pen with his own hand after several years of disuse. Next, I was suddenly taken ill and the Army Doctor of the Singha Regiment, Captain Perera, diagnosed it as a mild heart attack and had me admitted to the Government General Hospital in Colombo. Thanks to the efforts of Professor Dr. A. Sinnatamby, Dr. Walloopillai, M. Sivasithamparam, M. P. for Uduppiddy, and many anonymous friends, I was warded in a special room in a first class ward. Nonetheless, it was indeed a nightmarish experience to lie in a hospital bed with two armed Police guards seated by your side day and night. I was happy to get back to the Panagoda Detention Camp when discharged from Hospital after a little more than a month.

The detention lasted for a little over six months. The detenus were all released from custody in October.

CHAPTER 13

Now that more than two decades have elapsed since the Satyagraha Campaign it would be rather illuminating to look at it in retrospect and examine the impact it has had on the Tamil-Singhalese relationship - its gains and achievements, the lessons it taught to both the Singhalese people and the Tamils, the steady polarization of the two peoples and their no-return attitudes which have taken a firm hold. If we were to draw up a balance sheet of the Campaign with the credit and debit columns it would be a perfect key to a clear understanding of Ceylon of the 'Eighties'. It would show that the Tamil-Singhalese conflict is not just a minority-majority problem as the British had persuaded themselves to think, but a far more serious international issue between two nations.

In the first place, the Federal Party achieved what it set about to achieve by launching the Campaign. For three months one-third of the country - close upon 9,000 sq. miles of territory out of a total of 25,000 - had no government, because the population of that one-third part would not consent to being ruled by the Singhalese Government in Colombo. Withholding that consent is the only way in which the Singhalese part of the country could be made to realize that they are wrong to regard themselves as the successors to the

British colonial power. That the Tamils could effectively withhold that consent and paralyze the Government in their territory was made unmistakably clear. Like the British in India, the Singhalese in Ceylon were made to realize that only military force could help them to rule over the Tamil third of Ceylon.

If the Singhalese had any illusions before that by forcing the Tamils to adopt the Singhala language and Buddhist religion, by making it difficult for Tamils to prove Ceylon citizenship, by taking away the franchise rights of the Tamils, by seizing the Tamils' land and colonizing it with Singhalese settlers, by depriving the Tamils of their jobs, by denying higher education to Tamil children, by all these and other devious means they could coerce the Tamils to submit to the sure process of assimilation into the Singhalese milieu, the Campaign made it abundantly clear to them the Tamils are not prepared to walk into the Singhalese parlour and they are determined to protect and preserve their separate and distinct national identity and nationhood. Everything that goes to make up that nationhood - the Tamil language which they had preserved from prehistoric times, their theistic religions, their ancient culture, their ancestral land, the heritage of their glorious past - all these which gave them the sense of oneness were clearly shown to be not negotiable. The Campaign showed that it was no mere party politics but a national mass-uprising on the part of the Tamil-speaking people as a whole against the arrogant tyranny of the Singhalese.

There is no doubt that the Government in Colombo got the message. It is also clear that every Government which was elected to office since then was equally impressed with it. But how they all reacted constitutes some of the blackest pages in Ceylon's chequered history. It is the story of a series of Nazi style pogroms and mob and military action spilling rivers of Tamil blood, which we need not recount here.

For centuries the Singhalese chronicles, *Mahavamsa* and *Culavamsa*, have helped to breed a 'Tamilophobia' by their tales of endless feuds between the Tamils and the Singhalese. One would have thought that those were tales of a bygone age and have no relevancy in modern times. It is, of course, said that history has a perverse habit of repeating itself. But the Satyagraha Campaign of the Tamils gave the Singhalese an

opportunity to prove that saying wrong and adapt themselves to the modern world setting. An enlightened leadership could have seized the opportunity to lay the foundations for a united, strong and prosperous nation out of what the European powers bequeathed after centuries of foreign rule. In contrast to divisive politics aimed at sectarian racial domination, it could have concentrated on nation-building activities in equal partnership with a contented Tamil people. Such a wise leadership could have averted the situation which led to the rise of the Tamil demand for complete separation. A close parallel in contemporary history would help to illustrate the opportunity which the Satyagraha presented.

Mahatma Gandhi challenged the might of Imperial Britain in a series of Satyagraha campaigns which, on occasions, paralyzed the British Government in India. Like the *Mahavamsa-Culavamsa* tradition of hatred of the Tamils, it was well known that Indian independence was anathema to Winston Churchill. At the end of World War II, Clement Atlee was elected Prime Minister with a commitment to grant independence to India. He chose Lord Louis Mountbatten to negotiate the transfer of power. When Mountbatten presented a plan Atlee asked him to meet Churchill and obtain Conservative acquiescence. Mountbatten, knowing Churchill's views only too well, was sceptical of success. Atlee is said to have remarked that if the great-grandson of Queen Victoria could not succeed with Churchill then nobody else could. Mountbatten met Churchill and encountered the difficulties he had anticipated. He then played his last trump card: "If we miss this last opportunity I do not think we can ever keep India within the British Commonwealth". Churchill turned to him in amazement and asked, "Do you think you can get India to be in the Commonwealth?" Mountbatten nodded in the affirmative. After a pause Churchill is said to have told Mountbatten: "Tell Atlee that he will have my support." That is how India came to be within the British association of free and independent nations which is now called the Commonwealth of Nations. Paradoxically, India still continues to remain within the Commonwealth while Churchill's pet child Pakistan is out of it.

That is an outstanding example of wise statesmanship and enlightened leadership. Nobody can deny that England is the richer for having won the willing friendship and goodwill of

her former colonies as equals instead of trying to keep them down with her armies.

In the aftermath of the Satyagraha Campaign the Singhalese had it in their power to display similar statesmanship for the greater good of Ceylon. Had they done so, Ceylon would be occupying a distinguished position among the comity of nations today, not because of her military power or her riches but because of the moral stature that might have been hers as an enlightened democracy. If she rose to speak, her words would have been listened to with respect in any international gathering. She need not have to spend four hundred millions of badly needed rupees to wash and clean up a tarnished image and unsavoury reputation as she is reported to be doing today. People would not be shunning her shores, and her tourist industry would not be famishing and withering away as it is today. She need not have to insert costly advertisements in world magazines about the "Paradise Isle of Sri Lanka" which nobody believes nowadays after the bloodletting and burnt-flesh smell of 1983. Such a sober and friendly newspaper as *THE GAZETTE* of Montreal (July 30, 1983) would not have been driven to comment editorially that "Sri Lanka's claim to being civilized is drowning in the blood of its Tamil minority that the Singhalese majority slaughters and burns."

But unfortunately for Ceylon, and perhaps, in the ultimate analysis, it is the Tamils' good fortune, the Singhalese chose to tread the Nazi path. The lesson of the Satyagraha made them so unbalanced as to throw all their pretensions of being civilized to the four winds and take up a stance of extreme Singhalese Chauvinism. It made them more hardened in their determination to enslave the Tamils and exclude them from every aspect of national life.

The SLFP Government of Sirimavo Bandaranaike did not stop with using the Army to break up the Satyagraha and imprisoning the Tamil leaders. Not content with the rigorous implementation of the Singhala Only Act it went further and legislated new Draconian laws making Singhala the only language for the Courts of Law (Language of the Courts Act) and restricting the freedom of Tamils to purchase and hold land (Finance Act of 1963). Under the guise of a so-called standardization policy for admissions to the University, a Tamil

student was required to score considerably more marks than his Singhalese counterpart to gain admission to the same course of studies in the same University.

The Singhalesization measures of successive Governments were accompanied by a parallel phenomenon in the Universities. The new generation of Singhalese students who entered Universities came with an awareness of the potentials of their Governments' policies vis-a-vis the Tamils. They organized slogan-mongering campaigns of "Tamils Go back to Jaffna", sometimes taking violent forms, in the various campuses. To them Jaffna is synonymous with the Tamil Provinces and therefore Tamil students have no right to enter the Universities of Colombo, Peradeniya or Kattubedde which are all situated in the Singhalese part of the country.

The Satyagraha Campaign, the reaction on the part of the Governments and their Singhalese electors, the campaigns and activities of the Singhalese student population of the Universities-all these were only signposts of an otherwise imperceptible direction in which Ceylon had been led from the time the British left the shores of Ceylon. It was all tantamount to telling the Tamils to confine themselves to the North and East for all purposes (minus, of course, the political right of ruling themselves), thus recognizing the historical and de-facto division of the country into Tamil and Singhalese parts. If it was counter-productive of a movement on the part of the Tamils to give the political clothing of a state for the factual division, the Singhalese cannot be heard to complain about it. It is their own creation.

The process of Singhalesization and aggrandisement, which was quickened and aggravated after the Satyagraha, proceeded with unabated momentum until the SLFP decided to ignore even the semblance of democratic government and the rule of law. In blatant violation of the Supreme Law of the Constitution then in force, it ignored the Constitution, along with its Article 29 which was supposed to contain minority safeguards and which had been declared by the Privy Council to be an unalterable and entrenched provision, and had it replaced by a totally illegal constitution which declared Ceylon a Republic.

No useful purpose will be served by discussing here the

illegality of the SLFP's tampering with the Constitution. The assertion that ignoring the British-given Constitution of 1948 is illegal and its replacement by the new Republican Constitution of 1972 equally illegal is a constitutional issue. At the same time it is also an international issue. It cannot be solved purposefully unless the Ceylon Government as the perpetrators of the illegality and the British Government as the givers of the original Constitution, and the Tamils having the right of being heard, agree to submit it to an impartial tribunal of jurists, like the International Court of Justice, and to abide by their decision. There is no other legal machinery available to test it. The SLFP saw to it that no avenues were left open for anybody to question their actions. They acted on the footing that they were in complete control of the sanctions which were necessary to enforce their interpretation of the law, and that was all that mattered.

So, a discussion of the illegality now has no practical relevancy. If it is mentioned here it is only because the Singhalese and their Governments claim all righteousness to be on their side and try to be sanctimonious. Quite a volume of legal jargon and shibboleths have been indulged in to maintain that the Republican Constitution of 1972 is not illegal and that the parliaments and governments which were constituted under that constitution are not illegitimate. They have even invented an international law myth of a "Legal Revolution" to give these parliaments and governments a legal status in international law and contend that there is no lack of continuity of state power from the Government under the old Constitution of 1948 to the ones under the new constitution. If the protagonists of the new constitution have the right to claim to insist on this unproven legitimacy, so have the Tamils the right to claim with equal, if not greater, force that the British-given Constitution of 1948 is the one and only legal Constitution that is still in force in Ceylon, that all other subsequent constitutions are illegal, that all parliaments and governments constituted under these illegal constitutions including the administrations under Presidents J. R. Jayawardene and R. Premadasa are illegitimate, that all legislation passed by them including the Prevention of Terrorism Act are void and no laws, that there are no legally constituted courts of law and therefore no administration of justice, that the army and other uniformed forces are illegal and their activities are nothing but

terrorism, that in short what is prevailing in Ceylon today can only be classified as "Anarchy" in international law with no legitimate government in control of the country. This is no argumentativeness, the right of the Tamils to make all these claims is reinforced by pronouncements of no less an authority than Her Majesty's Privy Council in England.

It is indeed an irony of history that Srimavo Bandaranaike and her SLFP-LSSP-CP coalition and all her constitutional law pundits had no notion at the time that the product of their labours (in the so-called constituent assembly) was going to be used against themselves at the very first opportunity. The demon they raised, thinking they were doing something to finsh off the Tamils, claimed them as his first victim and finished them off as a political force in the country. With the little vestige of democratic safeguards and rule of law that was in the old Constitution gone, the SLFP was crushed by a ruthless UNP to whom it handed over power under the new constitution of its own creation. Its leader was stripped of her civil rights and shut out of politics. The socialist Movement, represented by the LSSP and the CP and their trade unions, was eradicated. The architect of the new republican constitution, Colvin R. de Silva, was driven into political wilderness. All this was made possible because of their lopsided and misconceived ideas of democracy and constitution-making. That the persecution and aggrandisement of the Tamils reached its zenith at the same time is only a corollary of the UNP's master-blueprint for the country's future.

After the Satyagraha, as the Tamil people were increasingly becoming more and more convinced of the inevitability of having to separate from the Singhalese, I have heard many a friendly critic ask in despair why the Federal Party failed to take the next logical step, that is to say, when the Colombo Government was brought to a standstill in the Tamil Provinces why no steps were taken to set up a free government of the Tamil-speaking people with the aid of a para-military police force. The answer is simply the Campaign was not planned for it. Moreover, the question fails to take account of the situation and circumstances in which the Satyagraha was conceived and resorted to and of the political thinking at the time.

The Federal Party in 1961 was wedded to three fundamental principles in its mission of protecting and safeguarding the

Tamil-speaking people's interest. In the first place, it believed firmly that federalism provided the best constitutional device to enable the Tamils and the Singhalese live side by side as two free peoples consistent with the unity and territorial integrity of Ceylon as a whole. Secondly, notwithstanding the trend in post-independence legislation and government policies, it was still of the opinion that once they realized that the Tamils could not be coerced into acceptance of a subordinate status and it was futile to rely on the perpetual use of force to perpetuate domination the Singhalese would be sensible enough to settle for friendly co-existence on equal terms. Thirdly, it was an article of faith with the Federal Party to use no other methods to achieve its objectives than the Gandhian means of peaceful and non-violent struggle, principally because it leaves no legacy of bitterness.

That the Satyagraha Campaign eventually proved all three to be wrong is a later experience. In 1961 the Federal Party or the Tamil-speaking people had little reason to suppose that they were pitted against anything but democratic, decent and civilized opponents. It was still campaigning in the belief that a sensible people do reach a point when they realize that lies and oppression cannot go on for ever, and that the Singhalese were bound to reach that point sooner or later.

The Singhalese reaction to the Campaign in all the years that followed, however, shattered all that. It made federalism appear laughable and absurd as a hope for honourable co-existence. Federalism is only feasible in a country where there is a spirit of tolerance and a respect for diversity; no inhabitant should be allowed to feel that he is a second-class citizen, that he is unwanted, or that he is a stranger in his own country. The Satyagraha and its aftermath has made it unmistakably clear that Ceylon was not such a country. The Tamils were made to understand in no ambiguous manner that the Singhalese Buddhists considered themselves as the masters of the country and that if the Tamils ever dared to raise a voice of protest against the supremacy of the Singhalese, the latter would not hesitate to resort to genocide.

Now, 'genocide' in modern international usage is not a word that is to be used lightly. Many writers used it rather hesitatingly even to describe the holocaust of the Black July '83. But there is no other word, not only to describe those killings, but to refer to what the Tamils are warned to expect in the future. Only a few months after those events President J. R. Jayawardene is reported to have told his people: "I want to be a hero and not a traitor. Of course I can get the Army to kill all the Tamils, but I will not do it." * His Minister of Agriculture, Gamini Dissanayake, did not think one need be so subtle to convey the same message. He is reported to have publicly announced that it would take fourteen hours for Indian troops to reach Ceylon for the protection of Tamils. but "in fourteen minutes the blood of every Tamil in the country can be sacrificed to the land by us.** Whatever the subtlety of the phrasing may be the utterences mean only one thing, that the extermination of the Tamil race in Ceylon is certainly in the thinking of responsible Singhalese leaders wielding power.

When Adolf Hitler declared, on the eve of the outbreak of World War II, in reference to the Sudetenland question in Czechoslovakia, "I have no territorial ambitions in Europe", Britain, France and their allies were not lulled into any false sense of security. Who can blame the Tamils if they, knowing that the ways of tyrants are always the same, similarly decide not to be lulled? To talk of federalism now, which means federating with a people harbouring such thoughts of genocide, can be nothing but suicidal.

Mahatma Gandhi was of course the Federal Party's mentor when it organized the Satyagraha Campaign on peaceful and non-violent lines. It was not unaware that the Indian conditions were different from those in Ceylon. There, Britain from 6000 miles away ruled India and her population of more than 400,000,000 people with the aid of a few thousands of British troops, and Gandhi used the non-violent Satyagraha method to rouse those millions and shake off that rule. His success was helped by the fact that he faced a Britain where the empire-building outlook of the old days had given place to a new culture that was beginning to be liberalized by an

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* *WEEKEND newspaper, Colombo.*

** *Samantha Perera in the TAMIL TIMES, London, December 1983.*

emergent Labour Movement. But in Ceylon about 8,000,000 Singhalese people, inhabiting a defined two-thirds part of the country, had recently become entrenched with absolute political power over the whole country and were in effect ruling the two and a half million Tamils of the third part. They were just beginning to build up an imperialist-style dominion over the Tamils for all time, and the Federal Party was resisting it. Despite this difference, the Federal Party chose to follow in the footsteps of Gandhi in the belief that the Singhalese would be no less influenced by the type of culture which made the British to deal with Gandhi in the manner they did.

Why then were the Tamils disillusioned with the peaceful and non-violent method of struggle? Because it is one of the many lessons which the Satyagraha Campaign taught them.

Sir Richard Attenborough produced a film called GANDHI portraying the life of Mahatma Gandhi. When it was shown in the United States and Canada it set off a spate of letters to the editor and articles in the press, all praising the film as a great cinematographic production. But most of them were devoted to the controversy about the feasibility of Gandhi's technique of non-violence (ahimsa) as a substitute for wars with weapons. One viewpoint by a certain Alexander Cockburn, a great-grandson of a former British Governor of Ceylon, was quite interesting. He was so convinced of the efficacy of the Gandhian method that he ventured to give advice to some American politicians whom he accused of taking a double stance of being Democrats while holding views similar to those of Republican President Ronald Reagan about armaments. He counselled the Democrats to go and view the film *GANDHI* and see the virtues of believing sincerely in peace and freedom and in fighting for both". *

There were others, on the other hand, who were thoroughly sceptical. Non-violence might have succeeded against gentlemen like the British, they said, but would it be practicable against dictators like Adolf Hitler? Can anybody be sure that the world has seen the last of Hitlers? The controversy was particularly interesting to me in view of my personal experience with Satyagraha.

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* *WALL STREET JOURNAL. New York, April 14, 1983.*

I saw the film at a theatre in Montreal in Canada. The scene depicting the Jallianwalla Bagh Massacre, in which hundreds of peaceful and innocent men, women and children trapped within four high walls were mowed down by gunfire, was quite realistic. It was so horrifying that a Canadian gentleman in the next seat turned to me and asked whether all that was true. I said it was. He then asked what happened to that Army officer. I told him that General Harry Dyer was recalled to England, and so was O'Dier the Governor of the Province. He grunted his obvious pleasure. I did not have the heart to spoil his happiness by telling him that a fund was raised for Dyer in England after his recall. In the row behind me one man was heard to reply to his companion, "Oh no Thank God, I am not an Englishman, I am an Irish." All of these give the impression that a generation is growing up in the West which is genuinely ashamed of the doings of its ancestors during the days of empire-building - in sharp contrast to what is unfolding in Ceylon.

Another scene depicts a detachment of the South African Mounted Police charging headlong at a batch of Satyagrahis blocking an entrance. The volunteers throw themselves on the ground. The horses come rushing, but pull themselves up abruptly as they come to the prostrate bodies of the Satyagrahis and refuse to trample them even though urged on by their riders. This is, of course, an acted scene for the purpose of the film. But Alexander Cockburn, in his article in the *WALL STREET JOURNAL*, recalls a similar experience of his own when he was participating in a demostration before the Belgian Embassy in Eaton Square and confirms that this is a natural trait in animals like horses. My mind could not help but go back to an incident during the Satyagraha Campaign of the Federal Party in Ceylon.

It was a day in February or March, 1961. The Permanent Secretary to the Ministry of Defence, N. Q. Dias, paid a visit to the Kachcheri site in Jaffna to see for himself. He came surrounded by a bevy of Policemen and officials. He stood before the Satygrahis who were seated on the roadside, and looked for a gap amcng them to enter the Kachcheri building. Sensing his intention the satyagrahis, both men and women, stretched themselves prostrate on their stomachs. Dias was angry. He stepped on their bodies and, planting his well-shod feet

firmly on their backs and bottoms, walked on them up to the wall and vaulted over into the Kackcheri yard. He told the Government servants he could not understand why they should not gain entry in the same way and work in their offices; they had no reason to fear bodily harm.

Now N. Q. Dias was no member of a riotous Singhalese mob. He was a university-educated man who entered the old Ceylon Civil Service of the British days when entrants to the Civil Service were regarded as the cream of a country's intellects. He was now at the head of the bureaucracy which was running the Government. And yet he did what animals like horses would not do. If the incident taught anything, it was that non-violent Satyagraha was out of place in a struggle against people of whom Dias was a representative specimen. The essence of Satyagraha is that it appeals to the conscience of man to do right. It therefore presupposes the existence of two minimum conditions in the society against which it is sought to be employed: firstly, there must be a sense of moral values and a conscience to be obeyed, a respect for the dignity of man and an appreciation of the universal principles of right and wrong; and secondly, there must exist a fear of consequences for going against them. Where these are absent non-violence, like federalism, can only prove to be suicidal. This is not a dogmatic assertion, but what the Satyagraha Campaign and its aftermath has taught.

In the ultimate analysis it is doubtful whether it is entirely correct to say that India's independence was won wholely by non-violent means. It is also true that Gandhi roused the nation by Satyagraha campaigns adhering strictly to non-violence and prepared India for the final event. But the last push which made the British to depart was by no means non-violent.

In 1942, while World War II was still being waged and Japan had penetrated into the Indian Ocean after occupying Malaya and Singapore, Gandhi raised the famous "Quit India" cry calling on the British to leave India. Another patriot of India, the immortal Subhas Chandra Bose, had raised and armed a fighting force in the Far East called the Indian National Army to invade India. He had marched up the Malay Penisula and penetrated into India through the North-East frontier seizing Manipur. The Government of India under the Viceroy Lord

Linlithgow arrested all the Congress leaders such as Mahatma Gandhi, Pandit Jawaharlal Nehru, Sardar Vallabhai Patel, Chakravarti Rajagopalachari, Moulana Abul Kalam Azad, Rajendra Prasad, and hundreds of thousands of Congress freedom fighters all over India and locked them up in jails.

It was the signal for spontaneous mass violence to break out throughout the length and breadth of India despite all the teachings of Gandhi. India rose in rebellion as one man, and seething masses of people indulged in an orgy of violence. Crowds sacked and burned Police Stations, Government Offices and buildings and property, destroyed telegraph lines, ripped up railroads, bridges and culverts, derailed trains and burned the carriages. Devoted disciples of Gandhi like Jayaprakash Narain, Aruna Asaf Ali, and others, who belonged to the youthful and radical section of the Congress, eluded arrest and went about the country organizing violence and sabotage from under ground. British Officials were assaulted and some killed. Transport and communication became a serious problem in wartime India. Linlithgow's writ could not run in any part of India. He tried to get the imprisoned Gandhi to condemn the violence. It was said that he even sent emissaries to persuade Gandhi to go before the All India Radio microphone and call on his people to stop the violence. Gandhi refused to do any such thing. The British Official classes in India became thoroughly demoralized.

Against this open rebellion and violent uprising of a whole nation, even Churchill's last-ditch attempt to hold India by sending Lord Wavell, one of the topmost British military commanders who at the time was locked in battle with Rommel in the Eqyptian Western desert to prevent a German breakthrough to India, as Viceroy and Commander-in-Chief of India could be of no avail. This rebellion contributed not a little to turning British public opinion even to go against their war hero, Winston Churchill, and decide that India could not be held any more. For the final act of relinquishing India no Satyagraha or non-violent campaign was responsible in persuading Clement Atlee to send the Cabinet Mission of Lord Pethick-Lawrence, Sir Stafford Cripps and A. V. Alexander to discuss transfer of power.

Non-violence is indeed an ideal, and a noble one at that, and it certainly can effectively be used in given circumstances.

But history knows of no instance where it has been a cent per cent substitute for other and conventional forms of fighting and struggling to wrest freedom from a determined and intransigent usurper of state power. Like Jesus of Nazareth and Siddhartha of Kapilavastu, Gandhi of Porbandar also taught an ideal in an effort to correct an imperfect world. If the world is determined to be imperfect and Buddhist Ceylon is determined to be un-Buddhistic, the Tamils of Ceylon cannot be blamed if they chose to follow the ways of the world to achieve their freedom.

CHAPTER 14

The Kodeeswaran Case is another example of how the Tamils were driven to utter frustration in every one of their attempts to seek justice and peaceful solution to their grievances by lawful and constitutional means. It showed how ready the Singhalese were to prostitute the legislative machinery to deprive Tamils of every avenue of seeking redress so as to perpetuate their domination. It also showed, ironically, how Tamils make the sacrifice and the Singhalese step in to reap its benefits.

One of the many ramifications of the Singhala Only Law was its impingement on the trade union movement of public servants in Government employment. It introduced the element of rabid Singhalese nationalism into what was once a socialist-inspired movement with an egalitarian philosophy and outlook, and split it across the middle. That is the story of the Government Clerical Servants Union's (GCSU) betrayal of the Tamils and of the birth of a separate union of the Tamils, the Arasanga Eluthu-vinaignar Sankam, to protect the interests of the Tamil public servants.

The GCSU was one of the earliest trade unions which were organized under the inspiration and guidance of the LSSP. The early Trotskyist socialists of the LSSP cast their eyes on the

vast body of Government clerical servants serving in every part of the country and saw in them a pragmatic potential for the class struggle they contemplated to wage against the Establishment. Progressive-minded young clerical servants came under their spell and helped to organize the Government clerks into this their first trade union. It was a common union with the membership consisting of both Tamil and Singhalese clerks. Their working language at the time was English, their service problems were common to all irrespective of language, and so the organization grew on purely trade union lines.

As in the case of the country's political movement in the first quarter of the century when the Tamil leader Sir Ponnampalam Arunachalam founded the Ceylon National Congress, organized and spearheaded the national movement for constitutional reforms and paved the way for eventual independence of Ceylon, so it was with the CGSU in the 'Thirties and Forties' when it was the young Tamil clerical servants who laboured to make it the powerful public service trade union it came to be. The untiring and ceaseless efforts of Tamil clerks like K. C. Nithiyanantha, K. Vaikunthavasan, A. R. Asirvatham and many others built up the GCSU as an influential and powerful trade union arm of the LSSP. T. B. Ilangaratne was one of the very few Singhalese clerks who worked with them. They travelled to all parts of the country and organized GCSU branches in almost every Government office. They worked in the belief that the benefits of organized trade unionism accrue to all public servants and the Union would fight when necessary to protect the rights of all without considerations of race, caste or creed. As a matter of fact, they had no reason at the time they were organizing to foresee anything otherwise either from the Union or the LSSP leaders who were their mentors.

Again like the country's national freedom movement in which the Ceylon National Congress ousted Arunachalam and other Tamils and came under a pan-Singhalese leadership which saw to it that Tamils were kept out of the benefits of freedom and independence, so also the GCSU was taken over by a pan-Singhalese leadership and transformed into an organization which served the interests of Singhalese clerks only. The Government dismissed M. C. Nallathamby, Vaikunthavasan, Asirvatham and Ilangaratne for their trade union activities. It was a Tamil organizer of the GCSU, Kandasamy

by name, who sacrificed his life for the cause of the GCSU: he was shot dead by the Police while leading a procession alongside the LSSP leader N. M. Perera in protest against Dudley Senanayake Government's increase of the price of rice, an issue which affected the entire population irrespective of race. Whereas Ilangaratne became a Minister in S. W. R. D. Bandaranaike's Government subsequently and was compensated with a substantial sum of money as damages for the dismissal, his two Tamil colleagues in the dismissal, Vaikunthavasan and Asirvatham, went into the wilderness without a penny.

All these were early indications of the fragile nature of the GCSU's continued pretensions of being a common trade union of both the Tamil and Singhalese clerical servants. Yet most Tamils continued with their membership. The test came when Sirimavo Bandaranaike's Government ordered the strict implementatation of the Singhala Only Act and all work in Government offices switched over to the Singhala language replacing English altogether. The Tamil officers were ordered to acquire proficiency in Singhala within a stipulated time. Their salary increments were stopped pending proficiency. They were overlooked for promotions which they had already earned. Rank juniors were pushed up over their heads, their only qualification for such promotion being that they were Singhalese and therefore proficient in their own mother tongue. Many Tamils were thus forced to put up with the humiliation of having to serve under officers who had been their subordinates earlier.

The lot of the Tamils in Government Service thus became intolerable and precarious. It is precisely for the espousal of workers' rights in situations such as this and to seek redress for their grievances that a trade union is meant to exist, but the Tamil clerical servants were now faced with a dilemma about the usefulness of the GCSU in their case. It was the only union which was in a position to take up their cause, because it was the one and only trade union they had organized for the purpose with so much labour and sacrifice and which they were still financing to maintain by letting their subscriptions to be deducted out of their monthly salaries. But the Union was now completely dominated by a pan-Singhalese leadership which was well aware of the tremendous advantage of the Government's language policy to the Singhalese and therefore

welcomed it with enthusiasm and co-operated with the Government in the implementation. It was obviously useless to expect it to take up the Tamils's plight and fight with the Government. Yet the Tamils urged the GCSU hierarchy, but the latter, as expected, turned a deaf ear. Inevitably it led to the Tamils leaving the GCSU en masse - very much reminiscent of the Tamil leaders walking out of the UNP after the Kelaniya resolution on language.

Unlike the Tamil workers of the plantation industry in the hill country who had the largest trade union in the country, workers among the Ceylon Tamils until then had never interested themselves in trade unionism in a separate way, that is to say, they never regarded their interests or problems as anything distinct or different from those of the Singhalese or other communities so as to warrant a separate identity. Government Service was their biggest source of employment, and there they had swallowed the socialist professions of the LSSP about the universality of workers' rights and allowed themselves to be beguiled into a deceptive sense of oneness with the Singhalese. Except for a comparatively small union of workers in the cigar and other cottage industries organized by C. Tharmakulasingham, a school friend of mine and lawyer of Point Pedro, in the predominantly Tamil North of Ceylon, there were no all-Tamil trade unions as such. The betrayal by the GCSU and the LSSP now drove the Tamils in Government Service to think in terms of Tamil and Singhalese even in trade unionism, as in the national political scene.

A team of spirited young clerical servants led by Chelliah Kodeeswaran, K. Sivanandasundaram, R. Balasubramaniam, T. Somasundaram, Adiapatham, Iyer, and many others who left the GCSU, founded a separate Government Clerical Servants Union for the Tamils under the Tamil name of Arasanka Eluthu-vinaignar Sankam (AES). They organized branches in offices all over the country. The AES was the signal for the beginning of general linguistic trade union movement of Tamil workers in other services. Tamil workers' unions were organized in the Postal Department, the Railway, the Harbour, the Ceylon Transport Board, etc., all of which looked to the AES as the parent Union.

The AES was registered as a recognized Trade Union under the law and became the sole spokesman for all Tamil public

servants. It took up their problems and grievances with the authorities but encountered difficulties and innumerable obstacles. It was rebuffed at every turn. Although, in trade union terms, it had great strength by virtue of its large membership, its effectiveness was circumscribed by the very nature of the national conflict between the Tamils and the Singhalese.

Unlike the GCSU, the AES could never contemplate trade union action to back up its demands. It had perforce to rely on interviews, persuasion and negotiations. Any success depended entirely on the goodwill and good sense of the Government, and the Governement's response could not be anything but tendentious since the problems were its own calculated creation.

Conditions of employment, terms of recruitment, public service and financial regulations, pension minutes, everything pertaining to Government Service were unilaterally altered and new terms and conditions introduced to compel obedience to the SinghalaOnly Law. The Government was utterly callous to the hardships and sufferings of the Tamil public servants and their families. All that the Government would do in response to AES's representations was to give assurances to alleviate the hardships, but it never honoured even the assurances. To a Government that had set its mind on coercion of its Tamil employees it was useless to keep on making representations.

The AES, in despair and frustration, began to think of the possibility of seeking redress and justice in courts of law. No other remedy was available to them.

Legal opinion was very strong that the Official Language Act of 1956, which made the mother tongue of the Singhalese community alone as the only Official Language of Ceylon, was a clear violation of Article 29 of the Constitution. Nobody could be heard to argue that the Singhalese were not a "community"as contemplated by article 29 or that the Ceylon Tamils (as distinct from the Tamils of the plantation districts against whom the Privy Council had made a ruling in the Kodakanpillai Case) were not such a community, or that the Official Language Act has not conferred a benefit or advantage on the Singhalese community while denying the same benefit or advantage to the Tamil and other communities, or

that the Act has not made the Tamil and other communities subject to a disability while not making the Singhalese community also subject to the same disability. If one could ever imagine a piece of legislation which was most patently discriminatory and violative of the prohibition in Article 29, it was this Official Language Act. If it was not, then the authors of the Article must have been in cloud cuckoo-land when they imagined they were providing safeguards for the minorities against discriminatory legislation.

In ordinary circumstances this would have been an appropriate constitutional issue pre-eminently suited for resolution in the Courts of Law. But in the peculiar back-drop of the Tamil-Singhala conflict and the history of the legislation it was essentially a political issue. Unless there was a political settlement between the two peoples, the problem of the Tamil in Government Service could never be resolved. The AES was not unaware of this true nature of their problem. But in their utter exasperation with an impervious and perverse Government they consulted S. J. V. Chelvanayakam.

The Tamil linguistic trade union movement drew its inspiration and derived encouragement from the Federal Party, and functioned as a parallel movement in close liaison with the latter. The AES naturally turned to it for advice and guidance. As for the Federal Party, it had lost all faith in political litigation and courts of law as a means of fighting national oppression. It has had a long and bitter experience with political cases, starting with the Town Hall Case against the Mayor of Jaffna in connection with Lord Soulbury's first visit to Jaffna as Governor-General, then through the three election petition cases against G. G. Ponnampalam, S. Natesapillai and V. Kumaraswamy, and finally the Kodakanpillai Case all the way up to the Privy Council. All these had convinced the Federal Party that the national oppression of Tamils by a fascist-minded Government was not a matter which could be solved in courts of law.

However, Chelvanayakam put the AES in touch with M. Tiruchelvam, Q. C., who might examine the public servants' problem from a purely legal angle unaffected by the convictions and experience of the Federal Party. On his advice the AES decided to sue the Government challenging the legality of its actions.

Taking a decision to sue was one thing, but to get a person willing to bell the cat was quite a different proposition. It was not a simple matter for a public servant still in service to sue a hostile and vindictive Government and be brave enough to face the risks involved.

Chelliah Kodeeswaran, then a clerical servant attached to the Labour Department and an Arts Graduate of the University of London, volunteered to file the action in his own name as plaintiff. A salary increment which was due to him in the normal course had been withheld pending proof of his proficiency in the Singhala language. He was one who could not distinguish the Singhalese alphabet from the Chinese alphabet.

Kodeeswaran therefore sued the Government in the District Court. It was a declaratory action asking the Court to declare that the Government's order stopping the payment of the salary increment of Rs. 10/- per month which he had already earned was illegal since it was made in pursuance of a Treasury Circular which was itself illegal, because the Treasury Circular purported to implement a law which was no law at all, that is to say, the Treasury Circular sought to implement the Official Language Act of 1956 which was void in terms of Article 29 of the Constitution.

The Government, in reply, contended that the Act did not contravene the provisions of Article 29. They raised a point further, as a preliminary objection, that in any event Kodeeswaran as an employee of the Government (Crown) had no right to sue his employer for wages on the legal principle that a servant of the Crown could not sue the Crown for wages since he held office "at the Queen's pleasure".

The District Court, and later the Supreme Court in appeal, held with the Government on the preliminary objection and dismissed the action. The Supreme Court further said that in view of their finding on the preliminary objection there was no need to go into the main case relating to the constitutional issue of the validity or otherwise of the Official Language Act.

Upon the decision of the AES, Kodeeswaran appealed to the Privy Council against the Supreme Court's judgement.

A Privy Council appeal involved costly and heavy work. Leading Counsel and Solicitors had to be engaged in England.

Security had to be deposited. The AES was very keen that C. Renganathan, Q. C., who had argued the case before the Supreme Court, should proceed to England to assist Senior Counsel there. All this required an enormous sum of money. The AES launched a country-wide campaign for funds, and persuaded every Tamil public servant to contribute a month's salary. It is difficult to imagine a more determined and unselfish band of young men, belonging only to one section of the community, working with so much devotion for the common good of all as the AES did in the Kodeeswaran Case. They weathered all the obstacles and difficulties until the appeal was listed for hearing before the Privy Council.

Senior Counsel from the English Bar in London who were retained in the case had the benefit of Renganathan's intimate knowledge of the case. When the appeal was taken up for hearing before the Judicial Committee of the Privy Council, London, Counsel argued some aspects of the case and then requested Renganathan to argue the law relating to a public servant's right to sue the Crown for wages. This was the main point of appeal since it was the only point that had been dealt with by the Supreme Court in Ceylon in its judgement dismissing the case.

After hearing Renganathan Their Lordships of the Judicial Committee agreed with him and allowed the appeal. They held that a public servant had the right to sue his employer (Crown) for unpaid wages. They set aside the judgement that was appealed against and sent the case back to Ceylon with a direction to the Supreme Court to hear arguments and decide on the main constitutional issue in the case, namely, whether the Official Language Act was intra vires or ultra vires of Parliament under Article 29 of the Constitution.

It may not be out of place to digress here to mention a gifted talent of Renganathan which made him the outstanding and pre-eminent appeal court lawyer that he was during his time and which may be of particular interest to lawyer readers. He once told me that it was a judgement of the Supreme Court of Ceylon, decided many decades ago in the early part of this century in a very old case, which helped him immensely to make his point that eventually convinced Their Lordships of the Judicial Committee to hold with him. It was so characteristic of Renganathan that he always took great pains

to research and delve into precedents and case law authorities when he studied his brief before getting on his feet to argue. He had an inborn ability to make a discerning use of case authorities in the most appropriate context however insignificant the old decision of court may appear on the face of it. It sprang from his other gifted talent to argue from first principles and then introduce old authorities judiciously. There was once a case of mine where a man had sold a land belonging to his brother-in-law who was resident abroad. He had no valid notarially-attested written authority from his brother-in-law to act as the latter's agent as the law seemed to require. Renganathan successfully argued before the Supreme Court that even verbal authority was sufficient in certain circumstances, and the sale was upheld. He told me that he had unearthed a reference to an old and unnoticed decision from out of the footnotes in Weeramantry's "Law of Contract" and made capital use of it. His achievement in the Kodeeswaran Case was only a stamp of recognition of that quality from the highest judicial tribunal.

The Privy Council decision was received with natural jubilation in the AES circle and among the Tamil-speaking people in general. But this jubilation was regretfully short-lived, for it was counter-productive of a most wicked reaction on the part of the Singhalese. It led to a conspiracy to do away with every semblance of authority outside the Singhalese, whether legislative or judicial or executive.

The Kodeeswaran Case was one in a series of decisions of the Privy Council which rang the alarm bell to leaders who were hell-bent on entrenchment of Singhalese power. The most important of them was the case of the Bribery Commissioner vs. Ranasinghe in which the Privy Council had held in emphatic terms that Article 29 was an unalterable and entrenched provision of the Constitution, that is to say, Article 29 could not be altered, amended or repealed under any circumstances even by following the amending procedure laid down in the Constitution.

Then there was the attempted coup case of Liyange & Others vs. The Queen in which the Privy Council held that the Parliament of Ceylon was not a sovereign legislature but was a creature of the Constitution and therefore its law-making powers were circumscribed and limited by the scheme of the

Constitution. Their Lordships therefore declared the Special Criminal Law under which the coup suspects were tried ultra vires of Parliament.

These cases were unmistakable signs to the Singhalese leaders that the Privy Council they were now having to contend with was a far cry from the one which had let them get away with their toying with the Constitution in the Kodakanpillai Case. They were signs which gave them a clear idea of what would happen to the main constitutional issue in the Kodeeswaran Case if the latter were to go before the Privy Council once again.

All these cases arose out of the SLFP's handling of the country's affairs during Sirimavo Bandaranaike's Government (1960 - 65) in which Felix R. Dias Bandaranaike held office as her Minister of Justice. But when the Privy Council decisions began to reach Ceylon one after another Dudley Senanayake's UNP-FP Government (1965 - 70) was in power, and the SLFP-LSSP-CP Alliance was in the Opposition. It is quite conceivable that a conspiracy to axe down the obstructing Constitution was probably hatched within the inner echelons of the Alliance at this time with the secret connivance of some, if not all, of the UNP leaders.

Echoes of what was being proposed were heard very often on the floor of the House in Parliament during this time. Speakers from the Alliance Opposition seized every opportunity to launch a scathing attack on Article 29 and swore to have it removed at the very first opportunity they got, while the UNP maintained a studied silence. People who had begged and implored the Tamils to unite with the Singhalese and accept the Soulbury Constitution and to give them a chance to prove their goodwill and sincerity of intention were now most vociferous in denouncing it as a British-given document. Lawyer M. P.s and constitutional pundits of the Alliance began to talk of the sovereignty and supremacy of the people - by people, of course, they knew it meant only the Singhalese people - and to condemn the foreign-made Constitution which limited it as though they had discovered its foreign-make only after the Privy Council was found to stand in the way of their perverse manipulation of the Constitution.

The Alliance got their opportunity at the General Election

of 1970 when they were elected to power with an overwhelming majority. It was the Members of Parliament returned at this election who put on board the comic opera of the constituent assembly which led to the so-called repeal of the "British-given" Constitution of 1948 and the replacement by a new one of swadeshi-make in 1972. But before staging the opera they took steps to ensure that their illegal activities would never have to go for a scrutiny by the Privy Council. They passed an Act of Parliament in 1971 abolishing appeals to the Privy Council. This manoeuvre not only ensured their repealing the Constitution with impunity, it also effectively shut out any prospect of the Kodeeswaran Case ever going back to the Privy Council once again for a final pronouncement on the constitutional issue.

It lay in the Supreme Court without being attended to despite the Privy Council's direction to hear arguments and decide on the main issue of the case. After the abolition of Privy Council appeals the AES and Kodeeswaran saw no point in proceeding with the case and abandoned it. What tremendous costs and what a waste of labour! Thus the curtain was wrung on the Kodeeswaran Case finally without achieving the purpose for which it was launched.

But that is not all. There is a poignant and ironical side to the AES's whole enterprise. The real beneficiaries of the AES exercise now turned out to be the GCSU and the Singhalese public servants. That is the most unkindest cut of all. Whereas before the Case (that is, before the GCSU drove the Tamils from their trade union) they did not possess the right to sue the Government for their wages, now those very Tamils have got them that right on the highest authority of the Privy Council. It was a windfall for the Singhalese public servants for all time. Since government service has now become almost out of bounds to the Tamils the ruling is hardly of any use to them. As a matter of fact, many a grateful Singhalese friend of his have congratulated and thanked Kodeeswaran for the Privy Council decision.

Thus the Kodeeswaran Case is one of Fate's mocking tricks on Tamils who have always been suffering, and are still continuing to suffer, from a goodly dose of intellectual snobbery. As history would have it, they masterminded the national agitation for constitutional reforms and political freedom from

the British, and it was the Singhalese who eventually were the beneficiaries to the total exclusion of the Tamils. They built up the GCSU as the leading public service trade union, and it was ultimately the Singhalese public servants who took possession of it driving the Tamils out to enjoy the fruits of the Tamils' labour. They fought the Kodeeswaran Case right up to the Privy Council, and it is the Singhalese public servants who reap the benefits of it.

But did the Tamils learn any lesson even from the debacle of the Kodeeswaran Case? Unfortunately it has never been one of their strong points to learn lessons from history. Generation after generation of leaders after Ramanathan, for over half a century, have persisted in ignoring his warnings and the lessons of history. Be it negotiation, entering into pacts, political manoeuvre, Parliamentary manipulation or court litigation on political questions, every generation has persisted in trying their hand at what were proved to be mistakes or untrustworthy, has insisted they could do better than their predecessors, and led the Tamils into a blind alley. Politics to them was more a pastime for self-glorification than something in the service of the people. That will be our subject in the next chapter. Even the leadership that came into being after Chelvanayakam's death, though elected on the slogan of a separate state for the Tamils, was cast in the same mould with the same traditional weakness, or perhaps the correct word is selfish arrogance, for negotiations and pacts. It can hardly be doubted that the Tamils paid a heavy price for it in the Black July '83. A cynic once said that a people get the leadership they deserve. However, the great hope is the Tamils have a resilience which will ensure the emergence of a new leadership that will bring about their deliverance.

CHAPTER 15

Before an honest, sincere, and selfless leadership could emerge,the Tamils were destined to go through a winter of suffering, sell-out, and deception. In a system that works the parliamentary form of government a people can do no more than place their trust in the professions of a particular leadership and show their acceptance by casting their votes. If the leadership betray that trust, it is the people who pay the price, and there is nothing they can do about it except to watch the men they trusted enjoy the fruits of betrayal and deceit. And that is precisely what befell the Tamil people after the 1965 General Election. To say that a people get the leadership they deserve is only partly true.

The events leading to that General Election, and the developments which followed it, contained unmistakable forebodings of disaster as regards the future of the Federal Party. But its leader, Chelvanayakam, did not either see them, or was prevented from seeing by calculated scheming. It is possible that a combination of factors contributed to it: he was probably worn out after years of struggle; he did not enjoy the robust health that he was once blessed with; at this time he was surrounded by ambitious place-seekers who hid their real motives behind professions of solicitude for his position as the

undisputed leader of the Tamil people; he was a man who sometimes allowed his heart to rule his intellectual faculties. These are conditions which are ideal for those with unscrupulous ambitions to exploit. Whatever it was, at a critical period in their history the Tamil people were denied the benefit of his once sober judgement, and the Federal Party went down the hill.

In the Nineteen Sixties the UNP, the SLFP, and the Lanka Sama Samaja Party (LSSP) together represented the voice of almost the entire Singhalese part of the country. The LSSP was the third largest Singhalese political party. Although it was predominantly Singhalese party, its leadership was comprised of intellectuals whose political philosophy was somewhat sensitive and responsive to Tamil grievances.

Originally the LSSP commenced its activities with leaders like N. M. Perera, Phillip Gunawardene, Colvin R. de Silva, Edmund Samarakkody, Leslie Goonewardene and wife Kusuma, Bernard Soyza, T. B. Subasinghe, W. H. William Silva, Terence de Zylva, and many others. They all professed to be adherents of the Trotskyst school of international socialism, and therefore the Party was supposed to view problems with an international outlook and eschew narrow nationalism or sectarian politics.

The LSSP's first test of sincerity in their professions came when S. W. R. D. Bandaranaike was swept into power in 1956 on the crest of a wave of unbridled Singhalese nationalism. The first to break away from the LSSP and traditional socialism was Phillip Gunawardene. He joined Bandaranaike's Government with W. H. William Silva and other followers and became a party to all the anti-Tamil and anti-socialist measures of that Government. Still later, he joined Dudley Senanayake's so-called National Government (1965 - 1970) and was one of those who obstructed the implementation of the Agreement which Dudley Senanayake had entered into with the Federal Party in 1965 and which enabled Dudley Senanayake to form a Government at all. It is obvious that Phillip Gunawardene was a Singhalese intellectual to whom socialism was nothing more than a veneer to cover up his political ambitions, but essentially and in reality he was a diehard Singhalese nationalist.

So it was with the rest of the LSSP leadership with the notable and noble exception of Edmund Samarakkody. It did not take long for the rest to follow the example of Phillip Gunawardene. In 1964 it coalesced with Sirimavo Bandaranaike's SLFP Government, and N. M. Perera became that Government's new Finance Minister. This was indeed an unexpected political somersault for a party which professed itself to be socialist. It naturally outraged the truly progressive forces in the country. At the same time it confirmed the Tamil belief that in the ultimate analysis there would not be a single group from among the Singhalese politicians who could be trusted to stand up for the Tamils.

The Secretary of the LSSP explained the reasons for the volte-face in a Singhala language newspaper. The purport of the whole explanation was that the Party had come to the conclusion that it was futile to swim against the popular current (of Singhalese Nationalism) any longer. They had tried to follow the true precepts of socialism and opposed anti-Tamil policies and measures of successive Governments, which had only earned them unpopularity with the Singhalese people; it was no longer possible to resist the upsurge of Singhalese nationalism; if they were to have an effective voice in the governance of the country,they had no choice but to swim with the current and not against it. Shorn of all rhetoric, the LSSP leaders wanted to be Ministers in the Government, and it did not matter if the hue of the Government was green or blue, and the devil take the red.

I once happened to ask one of the LSSP leaders, a fellow M. P. who had been at school with me, why their leader N. M. Perera had been in a hurry for Ministerial office. The country had so far been choosing the Senanayakes and the Bandaranaikes alternately, showing its disillusionment with one or the other every time there was a General Election. Did he not think that the electorate might want to try Dr. Perera once for a change? His reply was quite honest though very illuminating. He said they did not believe they had the ghost of a chance.

All this add up to an ironical commentary on the wisdom of transplanting the British party system on to the politically unfertile and multiracial soil of Ceylon. The only two parties that emerged under the system were both conservative and far

right of the centre, though one of them could be said to be less distant from the centre in comparison with the ruthless exploitation of the other, but both highly and recklessly racial. The one and only third party, small though it was, but which held out promises of a platform of progressive thinking and racial reconciliation and which could have checked the excesses of the other two, had the sod cut under its feet by a leadership which allowed itself to reverse its role by lure of office - instead of leading the people, it allowed to be led by the rabble.

The result was inevitable and is not surprising. In the two decades that followed the working class movement was progressively weakened and eventually destroyed, and the trade unions which derived their strength and support from it were crushed. Perhaps this is a phenomenon that is intrinsic in the situation where intellectuals who come forward to lead a class of people do not belong to that people, or having sprung from that people consider themselves different and superior by reason of values which material advantage might give them. They tend to exploit the credulity of the people to advance their own position in society. This is not to say that they set out on their careers with a preconceived and calculated scheme to that end. They might have taken off from the starting point with all the earnestness and sincerity characteristic of youth, but a variety of factors and circumstances put ideas into them as they plod along on their path. Presumably the LSSP leadership went through such a crisis and succumbed.

The British Labour Party was a natural development in industrial Britain after the First World War. It sprang out of the anguished voice of a downtrodden and long-suffering working class and peasantry. In the second quarter of the century it grew to great heights under the propulsion of its own sons and daughters, but in the process it also elevated the levels of material well-being of some sections, which in turn produced an intellectual elite that never needed to go through the mill of working class life. But it is this intellectual elite, from within and without, which took over the affairs of the Party and generated a clash of intellectualism divorced from the grassroots. Now the close of the century witnesses an undoing of all the social benefits and advantages which their predecessors had earned for the people. Why should this happen?

Perhaps the answer is in another question, what rules the minds of men in politics? A long time ago the famous English novelist Howard Spring wrote a satirical novel on a theme based on the early days of the British Labour Movement when Keir Hardie was struggling to make labour realize the benefits of organization. He gave his book the tell-tale title of "Fame is the Spur". He could hardly have chosen a better title to drive home, even without reading the book, the point he was making, namely, the motivations of some people who get drawn into popular political movements. It may be a variety of motives, but very rarely is genuine service one of them. Another famous English writer, Dr. A. J. Cronin of more recent times, spotlighted another aspect of British Labour in his "The Stars Look Down" conveying the message that leaders of trade unions would serve the workers better if they remain king-makers rather than become kings themselves.

What is true of British Labour should apply with equal force wherever the same system is emulated. Genuine service can only come from leaders who are thrown up by the concerned people themselves, not from leaders who are foisted on a people from outside, nor from those who force themselves on the people. Unless the leaders are a part and parcel and sharers in the community life of the people whom they serve, and therefore are capable of naturally and instinctively having a genuine concern for their sufferings and privations, there can be no true and unselfish service, and it is the people who pay a heavy penalty for having allowed themselves to be duped.

The chain reaction resulting from the LSSP debacle taken with other factors had a tremendous impact on the country, and its effect in the long run cannot be overestimated. It caused a severe setback to the progressive forces and true democracy. It eliminated all possibility of checking misgovernment and abuse of power. Not a single LSSP candidate was able to get elected to Parliament at the 1977 General Election, and therefore the workers and trade unions have no representation in Parliament since then, except for a solitary Communist member, leaving the chauvinist extreme right to have a field day. Workers have been denuded of all rights of trade union action, which has naturally led to an intense labour unrest and a disgruntled workforce straining at the leash. Add to it the

seething discontent in the Tamil one-third of the country and the mass violence to which it is subjected, and you have a picture of Ceylon in the Eigthies. Certainly this is not the picture that encourages investment or attracts tourism. All grandiose schemes for development can only be a chimera.

The LSSP was not the only movement to suffer this fate. Unfortunately for the Tamil part of the country, the Federal Party itself was led into the same evils we are discussing - the two evils of foisting a leadership on a people to whom they do not belong and where they are not welcome, and the lure of office. Let us take the first of these for the present.

As already explained, the Ceylon Tamils (sometimes referred to as Jaffna Tamils) and the Tamils of the hill country plantations had always remained as two distinct groups never knowing any common social life or commingling although both belonged to the same ethnic stock, spoke the same language, professed the same religions, and had the same culture. It is deplorable, but that is how it was. When, however, the leaders of the Satyagraha Campaign (all Ceylon Tamils) were arrested and detained at Panagoda in 1961, some spirited sections of the hill country Tamils pressured their leader S. Thondaman of the Ceylon Workers Congress to organize a protest strike in the estates. Thondaman agreed and called a strike. Had they gone through with a prolonged strike as planned it would have paralyzed all the estates and caused a serious problem to the Government. Thondaman later made it a token one-day strike observed in an indifferent manner. It was rumoured at the time that the Prime Minister Mrs. Bandaranaike had successfully persuaded Thondaman against anything more than a token strike.

Though the Federal Party was disappointed there was nothing it could have done about it. But it took it on the rebound, as its were, and reacted in a most imprudent manner telling the hill country Tamil leadership that it was not an exclusive preserve of theirs. The architect, of course, was the new Federal Party enthusiast M. Tiruchelvam.

In 1962 the Federal Party met for its Annual Convention at Mannar. This Convention turned out to the one which saw the emergence of a new era in Federal Party politics, an era which may be called the era of Tiruchelvam Politics. Following

his retirement from Public Service M. Tiruchelvam had wormed himself into the Colombo group of Party activists earlier, but it was at Mannar that his first public participation in politics identified him with the Federal Party. He is not known to have formally joined the Party. As a matter of fact, in later years, whenever it suited him, he was wont to declare in the Senate and outside that he was not a member of the Federal Party. At Mannar he acted and spoke as though he was spokesman for the leader of the Party, S. J. V. Chelvanayakam, and that was sufficient to invest him with Party status. Nobody cared to raise technical questions, and he was accepted into the fold by general acquiescence.

Tiruchelvam appeared to be the person most hurt by Thondaman's let-down. Under his influence the Colombo group proposed at the Convention that the Party start its own trade union of Tamil plantation workers in the hill country notwithstanding the existence of the Ceylon Workers Congress led by S. Thondaman and the Democratic Workers Congress led by Abdul Aziz. Surprisingly this proposal was brought up after having invited Thondaman and Abdul Aziz as special invitees to the Convention. Thondaman did not attend, but Aziz did. Tiruchelvam was convinced that by organizing Federal Party trade unions in the plantation districts, and with Chelvanayakam's image and charisma, Thondaman and Aziz could be ousted from leadership of the Tamil workers.

I opposed the move pointing out that we would never succeed in any attempt to foist Ceylon Tamil leadership from the North on those people. Any attempt was bound to rake up old memories, and past history was not helpful either. May be, Thondaman and Aziz were wealthy property and business owners and not plantation workers, but the fact remained that they, as well as the divisional and section leaders behind them, belonged to those people whereas the Tamils from the North never identified with them. It would never do to try to reach those people over the heads of their own leaders who were part of their identity. It was not only practical, it was wrong in principle and as strategy. I cited the example of the Indian National Congress which at one time, frustrated by the failures of negotiations with Mohamed Ali Jinnah and his Muslim League, and brushing aside the advice and warnings of C. Rajagopalachari who pleaded with his colleagues to meet Jinnah

half way and avoid a partition of India, decided to woo the Muslims of India over the heads of Jinnah and the Muslim League. The result was disastrous. Rajagopalachari was proved to be right. It drove Jinnah further away and made him more adamant on having Pakistan and nothing less.

The new leadership that was emerging in the Party had no use for other people's experiences or lessons of history. Tiruchelvam's harping on the respect which a new generation of plantation workers had for Chelvanayakam was enough. The Party decided to go ahead with the proposal. I fell from grace as a result of my determined opposition, but later events proved that I was right. That was also the occasion when I got my first suspicion that people were going to trade on Chelvanayakam's name and reputation.

It did not take long for the Party's trade union offices in the plantation districts of the hill country to be closed and further activities abandoned. But not before the whole adventure had cost the Party a tidy sum of money out of the Satyagraha Fund. It was an ill-conceived adventure from the very beginning, and, perhaps, as the incident next described would show, Government leaders were watching the development with keen interest. The one thing the Singhalese feared was the emergence of a firm sense of solidarity of all the Tamils in Ceylon, without such divisions as Ceylon Tamil section and plantation Tamil section or Eastern Province Tamils and Jaffna Tamils, and so on. The Federal Party by its misadventure in the plantation districts helped to make the Singhalese leaders convinced as ever that that was an impossibility - which knowledge they used to the maximum wherever they had to deal with Tamil issues, particularly when the question of shipping away hundreds of thousands of Tamil plantation workers and their families under the Sirimavo-Shastri Pact came up.

The incident was a comedy of errors having to do with my persistent opposition to the Party decision which, incidentally, also showed up an aspect of the nature of parliamentary party politics peculiar to Ceylon. Shortly after the Mannar Convention I issued a statement to the press in which I regretted the Party's decision and said that going into the plantation areas in competition with the established trade unions was bound to undermine the solidarity of the Tamil workers and weaken them. The statement was indeed capable of being

construed as criticism of a Party decision from within and could have created an impression that a rift was in the offing among the Federal Party ranks. On the day it appeared in the papers, my namesake V. N. Navaratnam, M. P. for Chavakachcheri, happened to walk into the office of P. B. G. Kalugalle, then Mrs. Bandaranaike's SLFP Minister of Education (later Ceylon's High Commissioner in Ottawa under a UNP Government), on a mission to ask for the Minister's intervention in the transfer of a school teacher in his constituency, which was one of the most vexing duties of an M. P. in Ceylon. The Minister was reading the Times of Ceylon at the time, greeted Navaratnam amiably with a beaming face, listened to the request, and readily acceded to it. He then told the Tamil M. P. that he had just been reading the latter's "excellent" statement and complimented him for his courage. Navaratnam just smiled and left the Minister's office having got what he wanted.

Trivial though it was, the episode was an exhibition of just a mini-version of the machinations which Government leaders were ready to employ at every slight opportunity to drive a wedge in its leadership and destroy the Federal Party, if only one had eyes to see. Unfortunately for the Tamil people, however, the leadership that emerged after Mannar had not the eyes or the competence to see even when major machinations came, as events were to prove in the subsequent years.

The LSSP's coalition with the SLFP came toward the tail-end of Mrs Bandaranaike's Government (1960 - 65), and therefore did not enjoy office for long. The Government fell in December 1964 after four years in office. The LSSP had to wait another five years to enjoy the fruits of that coalition.

The fall of the Government was attributable to a serious split in the SLFP where a powerful section probably resented the LSSP's infiltration into their ranks. This section, led by a Senior Minister, C. P. de Silva, was strongly opposed to the coalition. C. P. de Silva was President of the SLFP, Leader of the House in Parliament, and Mrs. Bandaranaike's second in command. With her husband the late S. W. R. D. Bandaranaike, he was a founder of the SLFP. Following the coalition, however, he was removed from the office of Party President.

Then came the Throne Speech inaugurating the Parliament's Session for 1964 which contained the Government's

proposal to nationalize the Lake House group of newspapers owned by a family which was closely connected with and traditionally supportive of the UNP. These newspapers by their unrestrained attacks and questionable journalism had certainly given offence to the Prime Minister Mrs Bandaranaike, but it was an undemocratic step nevertheless. The C. P. de Silva faction in the SLFP opposed this move also.

On the day of the voting on the Address of Thanks to the Throne Speech C. P. de Silva and 13 of his followers crossed the floor of the House and sat with the UNP on the Opposition benches. Nobody may ever know what talks or bargaining between them and the UNP had preceded the crossover. The ruling coalition was reduced to a minority, and the Government faced certain defeat. Even as the last speeches were being made and the debate was drawing to a close in the Chamber frantic efforts were made by Government members to win some votes from the Opposition.

The Federal Party was the only group which was in a position to save the Government if it wished. Prominent leaders of the Government came over to the Opposition Lobby to plead with it. First, Felix R. Dias Bandaranaike, the Minister of Justice who had been the most unrelenting in regard to the anti-Tamil Language of the Courts Act even though the Prime Minister Mrs Bandaranaike was disposed to accommodating the wishes of the Federal Party, came over and started unashamedly pleading and giving promises. Then Dr. Colvin R. de Silva of the LSSP pleaded with the Federal Party to give the Government a chance to survive to implement the B-C Pact. He gave his personal word to see that the Pact was implemented. The Federal Party which was in a very bitter frame of mind with its memories of the past turned down the offer.

The Government was defeated amidst great excitement. It submitted its resignation, and Parliament was promptly dissolved.

CHAPTER 16

The last moments in the life of the Government of Mrs Bandaranaike proved the potentiality of the balance of power politics presumably foreseen by the architects of the 1948 Constitutional Scheme and legislative representation. It was certainly the Tamil element in the House of Representatives (the Federal Party) which brought down the Government. Had they not voted against the Government en bloc, even the crossover of C. P. de Silva and his thirteen followers could not have defeated the SLFP-LSSP combination, for the defeat was brought about by a majority of only one vote. The message was clear, that even after the elimination of the hill country plantation Tamil representation in Parliament the Tamil strength was still an obstacle to the free play of any Singhalese party government.

The defeat produced different reactions in different quarters as we shall see in the events that followed. As far as the Federal Party was concerned, it was an event which gave it a sense of strength. Such moments come but rarely in the life of a nation, and if the opportunity is seized and used with wisdom and statesmanship for the general good of the people it is more than likely to pay rich dividends. In the situation that was developing after the Government's defeat, had the Federal

Party chosen steadfast to adhere to its principles and policies and to its commitment to save the Tamil people from Singhalese domination, which alone made the electorate to respect and trust it in preference to the Tamil Congress of G. G. Ponnampalam, there is little doubt that subsequent history would have taken a different course.

But the new leadership chose instead to exploit it for the advancement of self-interest and individual ambitions - for the second time in independent Ceylon. This brings us to the second of the two evils discussed in the last chapter, the lure of office. It not only brought about the undoing of all that had been achieved for the Tamils till then, it also led to the downfall of the Federal Party itself.

Parliament having been dissolved, a General Election was announced for March 1965. The principal parties contesting in the national scene were the UNP on the one side and the SLEP-LSSP-Communist Party (CP) coalition on the other. In the Northern and Eastern Provinces the main contestants were the Federal Party and the Tamil Congress as usual.

As the parties got into the field and campaigned in their electorates, it evidently became clear to both the Singhalese alignments that their support in the country outside did not warrant any optimism for any significant change in their respective strengths in Parliament as at the time of dissolution and that the contest was pretty close. Both sides probably foresaw a situation where neither might be in a position to form a Government after the election by themselves. Even before the election date both began to woo the Federal Party for support in the event of one or the other needing it—a tendency which had now become a regular habit with them.

It was well known that M. Tiruchelvam had the ear of Chelvanayakam and enjoyed considerable influence with him. He was not a participant in the election either as a candidate or as a campaigner, and was thus available to both sides in Colombo. Both sides approached him in secret to secure the support of the Federal Party in advance. Tiruchelvam carried on secret negotiations, now with the one and then with the other, presumably with the knowledge and blessings of Chelvanayakam. Esmond Wickremasinghe of the Lake House Directorate conducted the negotiations on behalf of the UNP,

while N. M. Perera and Abdul Aziz tackled him on behalf of the SLFP coalition. At one stage, obviously when negotiations had reached a point satisfactory to Tiruchelvam and the UNP, he and Wickremasinghe visited Jaffna to meet with Chelvanayakam and A. Amirthalingam personally.

This is, of course, a reconstruction of mine of the pre-election goings-on from subsequent events and exchange of accusations and statements by the concerned personalities, for I had no personal knowledge of them until after the election. I have no doubt that, unlike in the past, the whole affair was kept away from coming to my knowledge calculatedly for obvious reasons. Tiruchelvam had by now come to know enough about my views and attitude on these as to steer clear of opposition from me. It is true that had I known what was going on I certainly would have done everything in my power to thwart Tiruchelvam's manoeuvres. Our role in Parliament was not to help either of them to govern, nor to barter away our independence of action for any price. As a matter of fact the Federal Party, from its very inception, had set out to make the Constitution unworkable and to wreck it whenever posible. Our duty by the people was to be vigilant about any attempts to encroach into Tamil interests and to resist them by every means available to us in the Parliamentary system. In my view cooperation with any Singhalese Gevernment to govern was not one of such means.

Of all the people on the Tamil side the Federal Party was the one group which had had enough and direct experience of the unreliability and the untrustworthy nature of the Singhalese parties. And yet, why did the Federal Party agree to parley with them even before the election? The people have never been told why. It may have suited Tiruchelvam to ignore that experience, but one cannot imagine how Chelvanayakam and Amirthalingam, and whoever else may have participated, allowed themselves to do so. It might be possible to explain away Chelvanayakam because of the almost parental relationship that existed between him and Tiruchelvam, but how Amirthalingam allowed himself to be carried away passes one's comprehension. Later, however, as the scenario began to unfold, it did not remain any longer so difficult to understand.

Prior to the election day, when Tiruchelvam and Esmond Wickremasinghe paid the visit to Jaffna, I happened to be out

in the field campaigning in the Kayts electorate where I was contesting. The Kayts electorate consisted of far-flung islands and I was in Delft, the farthest of them, separated from the mainland by something like 25 miles of ocean. This accounted for my want of intelligence about the visit. By the time I came to know, the agreement with the UNP was probably a concluded fact, if not all the terms, at least a broad outline,and the all-important promise to support the UNP to form a government in return for a Ministry has already been agreed to.

What remained to be done was only a formal endorsement by the accredited leaders after the election. I came to know on the day following the conclusion of the election when things began to move fast. All I came to know was that the Federal Party's support to form a government was to be given to the UNP on some terms.

Tiruchelvam had arranged for a Federal Party delegation under Chelvanayakam's leadership to meet the UNP leaders in Colombo immediately after the announcement of the election results. The meeting was to be at the residence of Dr. M. V. P. Peiris at Turret Road in Colombo. Shortly before leaving for the meeting Tiruchelvam, who was playing a leading role in the matter, said that the delegation was to consist of not more than four, that is, S. J. V. Chelvanayakam, leader of the Party, Dr. E. M. V. Naganathan, deputy leader, S. M. Rasamanickam, President of the Party and from the Eastern Province, and himself as negotiator.

The younger elements of the Party who had assembled at the place led by such stalwarts as K. Sivanandasundaram, K. Kanagendran, and many others who, after all, were the live wire of the Party and the most dedicated and active adherents to the Tamil people's cause, insisted that I should also be in the delegation.

I was in a very embarrassing position. It was obvious that Tiruchelvam did not want me to be in the delegation. Nor was I keen to go and be involved in what appeared to me to be a sell-out of the Tamil people. Somehow I had the feeling that there was nothing to discuss, that the final sell-out had already been effected, and this delegation was going merely to place the seal.

It was too late to interfere with a process which the whole

country was watching. The General Election had failed to give an absolute majority either to Sirimavo Bandaranaike(the incumbent Prime Minister)or to Dudley Senanayake, and neither of them was in a position to form a Government by themselves as had been foreseen before the election. The Press had come to know that the Federal Party's support was being sought by both sides. They had also got wind of the UNP meeting the Federal Party that evening, and a strong contingent of reporters was besieging the place. It was hardly the time and place when such weighty matters like the fundamental issue of the Federal Party's role in Parliamentary politics or even the question of the advisability of steering clear of both the Singhalese parties could be debated and decided upon. The position was too delicate for anybody to venture to upset what had been arranged.

Even so, I would have made the attempt if I had the slightest hope of making Chelvanayakam amenable to persuasion at that stage. He appeared to be perfectly convinced about the correctness of the step he was taking and showed an earnestness to get on with it. What is more, his personal reputation for integrity would certainly not have permitted him to back out of a deal that had been made in his name. Several options flitted across in my own mind. But in the end I agreed to join the delegation in deference to the pressure from the young elements of the Party.

The conference with the UNP leaders proceeded in a very cordial atmosphere, hosted by Dr. M.V.P. Peiris. With Dudley Senanayake were associated J. R. Jayawarderne, V. A. Sugathadasa, and Esmond Wickremasinghe. There was not much to be discussed or argued as all that had been done between Tiruchelvam and Wickremasinghe previously. There were no disagreements which had to be thrashed out until, of course, I found it necessary to raise a matter of very great importance.

I was writing down a draft of the terms as Tiruchelvam and Wickremasinghe recalled them. For all intents and purposes it appeared to follow most of the points covered by the B-C Pact but somewhat whittled down in the process of rewording. However, I found one of the most vital issues missing, an issue which had been causing the gravest apprehension on the part of the Tamil people ever since Ceylon gained independence,

an issue on which the Federal Party had been fighting every Government ever since its inception - the issue of planned state-aided colonization of Tamil country with Singhalese settlers from the South. What was going to be the attitude of the Dudley Senanayake Government in this matter? Will he stop it?

It turned out to be an embarrassing moment in the talks. From the look of surprise on the faces of Dudley Senanayake and Wickremasinghe when I raised the matter and the look of displeasure on Tiruchelvam's face, it was obvious that the matter had not been raised during the negotiations, or, if raised, Tiruchelvam had been talked out of it. They looked at each other in bewilderment at a new matter being raised at this stage. It seemed to me that Tiruchelvam had been using the original text of the B-C Pact as his guide when he conducted the negotiations. S. W. R. D. Bandaranaike's undertaking that colonization would not be used by the Government as an instrument to tilt the composition and pattern of population in the Northern and Eastern Provinces against the Tamils was a later addition, as has been explained in a previous chapter, and Tiruchelvam obviously had no knowledge of it.

When the question was raised now, Dudley Senanayake threw up his arms and cried, "Then where are my people to go for land?" That is it, that was the crux of the problem. Under the pretext of giving lands to a so-called "landless" the UNP had always followed the calculated policy of grabbing Tamil lands and planting them with Singhalese settlers uprooted from the South. They always ignored the protest that it would inevitably lead to the elimination of Tamil representation in the legislature. Even as I write these lines today (in 1984)there are reports that the UNP Government of J. R. Jayawardene is using its regular Army to kill and chase away Tamil families from their homesteads and villages in the two Provinces.

Bandaranaike's formula was not acceptable to Dudley Senanayake and his colleagues. Dr. E. M. V. Naganathan backed me very forcefully and insisted that that was an issue on which the Federal Party would not give in. There was thus a deadlock in the talks.

Just then - it was past midnight - Dr. Peiris came in to say that Mrs. Bandaranaike was reported to be on her way to the Queens House to tell the Governor General that she had the

support of the Federal Party and was in a position to form a government, and she should be invited to do so. What basis Mrs Bandaranaike had to make such a claim was not clear to anybody. The one person who could have thrown some light, Tiruchelvam, never did - at least, not until Mrs Bandaranaike and her coalition colleagues accused him of double-dealing. The information caused a tense atmosphere to prevail, and there was a sense of urgency. Dudley Senanayake telephoned the Governor-General to say that the Federal Party was with him at that instant and he would be calling on the Governor General in a few moments with the Federal Party's support to him in writing.

The deadlock was eventually resolved by Esmond Wickremasinghe suggesting a formula which was reluctantly accepted by the Federal Party delegation. Wickremasinghe himself wrote down the formula in my draft.

In spite of the urgency, I had to raise another question of great moment at the time and which too, apparently, had not been raised by Tiruchelvam during his negotiations - the issue of the Tamil Public Servants who had not acquired proficiency in the Singhala language and who were, therefore, facing dismissal. Dudley Senanayake was willing to make certain concessions. As I started to write them down, both Wickremasinghe and Tiruchelvam suggested that the Tamil Public Servants' grievances could be adjusted administratively and it was not necessary to burden the agreement with lengthy paragraphs. The agreement was thus left incomplete on that subject, and the talks were concluded.

Dudley Senanayake initialled my draft and proposed to keep it with himself. I suggested that a fair copy be made in duplicate and exchanged between the two sides. For want of secretarial assistance, I had to type a fair copy in duplicate as J. R. Jayawardene read out from the draft. It was signed by Dudley Senanayake and Chelvanayakam, each keeping a copy. Chelvanayakam also gave a writing informing the Governor-General that the Federal Party was supporting the UNP.

Thus was added one more "Pact" to a series of illfated pacts which had tried to seek solutions to the differences which plagued Tamil-Singhalese relationship before and since the British pull-out. Did it solve the problem? Alas. No, what

became of it is another shameful chapter in the history of that relationship as we shall shortly see.

Returning after the conference, some of us were at Tiruchelvam's residence in the small hours of the morning when he let fall a remark which confirmed my worst fears. He said that the Federal Party had better accept a Ministry now and try to win the lost rights of the Tamils from within the Government. Though he made it appear as a casual remark, it confirmed a suspicion that had been roused in my mind little earlier at the time he and Esmond Wickremmasinghe said that the grievances of Tamil Public Servants could be adjusted administratively, which had seemed to imply that the Federal Party would be part of the Government.

Suffering as I was from pent-up resentment at the direction in which the Federal Party was being led, I jumped on him and said that the Federal Party could not even dream of ever doing such a thing. Tiruchelvam laughed it off for the moment saying it was only a suggestion of his which the Parliamentary Group might do well to consider when it met later in the morning, but, I dare say, he made a mental note of the type of opposition that was going to be encountered and he had sufficient time to prepare the leader for it.

Another diversion lent colour to the episode at that moment. Abdul Aziz of the Democratic Workers Congress was ushered into the house while his companion, Dr. N. M. Perera, remained in the car parked on the roadside near the entrance. Even before Aziz started talking, Tiruchelvam blushingly told him that the Federal Party was supporting the UNP. Aziz left immediately without saying a word, but with a glum face and down-cast head.

Nobody will ever know for sure why the two gentlemen should have called on Tiruchelvam at that ungodly hour of 2. It showed that the movements of the Federal Party leaders had been watched. Evidently they had had intelligence that the Federal Party was meeting the UNP that night, and they had come to find out what Tiruchelvam had to say to them. What, if ever, hopes had Tiruchelvam held out to them?

Soon after Dudley Senanayake's so-called national Government took office, Mrs Bandaranaike accused Tiruchelvam of double-dealing and said that he had turned to the UNP only

because she had turned down his request for a Ministry. Tiruchelvam denied it. How much truth there was in either the accusation or the denial the world will never know. What is of interest is that, as far as the Tamil people were concerned, the Federal Party had in its hands a piece of paper in token of their abject surrender, like Neville Chamberlain's Munich paper,—in return for what? That was to be made clear as the day dawned and the Federal Party Parliamentary caucus met in Tiruchelvam's residence in the morning.

The importance of this meeting cannot be over-emphasized, for it is this event which, leading from one step to another and from one blunder to another, culminated in eventually opening the eyes of the Tamil youth to the true character of the leadership which had been holding the Tamil people in thraldom by false slogans and alliterative rhetoric. True, this awakening did not come for another fifteen years, but when it came, the resurgence of the youth burst forth with a bang. This meeting thus assumes such historic importance that it is desirable that its story should be told in full.

It was the day on which Dudley Senanayake and his Ministers were going to be sworn in as the new Government. The elected Members of Parliament of the Federal Party were assembled in the morning at Tiruchelvam's residence for what turned out to be a superfluous meeting. The whole proceeding from the beginning presented the appearance of a comedic farce for somebody's benefit.

Even as he entered the house and took his seat, S. J. V. Chelvanayakam looked round and announced that he has decided that the Federal Party must accept Cabinet office and join the Government under Prime Minister Dudley Senanayake. He was anxious to make sure, he said, that the agreement just concluded was implemented faithfully and quickly. To that end the Federal Party should have its own man as a Minister in the Cabinet to see that it was done. He could think of no one better able to perform that function than Tiruchelvam who had negotiated the agreement. Having said it, he directed his gaze towards the ground in a gesture indicating that what he had said was final.

His words sounded hollow as if they carried no conviction even to himself. The short speech appeared to be pre-planned

so as to forestall any opposition. This was certainly unlike the Chelvanayakam that we had known all those past fifteen years in the existence of the Party. At no time in the past had he ever confronted the party, or its executive, or even the Parliamentary group, with a decision of his own and indicated that it was unalterable. Of course, we all loved him, and respected him- no one ever referred to him by any other term than the endearing "Periyavar" meaning "the boss" - and gave him the unswerving loyalty that no other man or woman ever received as leader of a people. More often than not we respected his judgement in most matters. And he on his part had never once taken advantage of it. But this day it was quite a different Chelvanayakam. Who or what had changed him, and why? It is futile to waste words in explanation, for that was the course history was to take. The party which he created was destined to disappear in his own lifetime while he himself watched helplessly. The saddest thing is that he allowed himself to be made the instrument.

What started as murmurs of dissent by and by grew into a babel of voices all around the sitting-room. Somebody said it was against the long-established policy of the party. Some others asked how they could face their voters to whom they had given promises from platform after platform that the Federal Party would never seek office or Ministries as opposed to G. G. Ponnampalam's Tamil Congress. Tiruchelvam said that the agreement with the UNP made a difference and it was in the best interest of the Tamil people to make sure it was implemented fully. He said that Chelvanayakam was the leader of the Tamils and he alone was competent to decide what was in the best interest of the Tamil people.

The voices began to subside little by little, when the discussion was taken in a different direction. Tiruchelvam said that Dudley Senanayake had agreed to reserve three Ministries for the Federal Party (?) and he would suggest that Amirthalingam, Rasamanickam, and he accept them. Amirthalingam and Rasamanickam were all smiles but formally said "No, no." Somebody again said that it was highly improper for elected M. P.'s to take office, to which Tiruchelvam replied that he was not an elected M. P.

Whether because of prior knowledge or in deference to Chelvanayakam, I am unable to tell, but the objection was not

seriously pursued by the M. P.s. One by one the objectors dropped out and became silent. The entire proceeding gave the appearance of play-acting as though to cover up some secret arrangement. I found myself left alone to persist in the opposition to the proposal.

I must say that I was, indeed, furious that the toil of a lifetime was being thrown away and the edifice of a people's freedom movement that had been built up with so much sacrifice, suffering, and tears was being destroyed for the ambition of one man. Scenes of the beatings and sufferings of innocent and unsophisticated men, women, and children during the Satyagraha Campaign and on the Galle Face Green mocked at me in my mind's eye. The fate of the Tamil people was being pushed back to the position they were in when G. G. Ponnampalam succumbed to the machinations of the old veteran D. S. Senanayake. I was forced to raise my strongest voice of protest against Chelvanayakam's decision. Not that I had any illusions about the ultimate outcome, but I did not want to let it go unchallenged by an honourable, and at the same time workable, alternative.

It was true, I said, we have pledged our support to the UNP to form a government. Let us honour that pledge by all means, and continue to extend that support and help to maintain the Government in power so long as it took meaningful steps to implement the agreement and so long as it refrained from adopting measures harmful to the Tamil people. That did not require our holding a Cabinet portfolio or being in the Government Parliamentary Group. We could function as effectively from being outside the Government as from within—in fact, more effectively—and still vote with the Government generally. We would thus retain our independence and freedom of action, and put the Government on its best behaviour towards the Tamil people. We could not be sure at this stage to what extent the UNP would have the freedom and ability, or even the will and determination, to implement the terms of the agreement. Was it not this very same UNP that organized a protest march from Colombo to Kandy against the implementation of an almost identical agreement, the B-C Pact, when they were in the Opposition? What guarantee was there that its then leaders, Dudley Senanayake and J. R. Jayawardene, had since changed? Next, we did not know what the present

Opposition, the SLFP-LSSP-CP coalition, was going to make of it. What was more, by becoming a part of and taking office in the UNP Government we would be undermining the credibility of the Federal Party and the bona fides of our professions for the establishment of an autonomous Tamil-speaking state as insurance against Singhalese domination. The proposed step would certainly be a betrayal of the people's trust in the Federal Party, and may perhaps spell its doom, and with it bury any hope of building a sincere freedom movement. I was sure the Party would not survive this betrayal. What was there for the Tamil people to trust the Federal Party for in preference to the Tamil Congress and its leader G. G. Ponnampalam? I reminded Chelvanayakam of his own words when he delivered his inaugural address to the Federal Party fifteen years before in which he said that the bane of the Tamil leaderships in the past had always been the craze for office and gave the undertaking that the Federal Party would never seek office in any Singhalese Government until the objective of a federal state for the Tamil-speaking people was achieved. What was to become of Chelvanayakam's reputation for trustworthiness and honest politics?

At this, Tiruchelvam repeated his declaration that he was neither a member of the Federal Party nor an elected Federal Party Member of Parliament, and therefore the question of violation of the undertaking did not arise. It was strange logic from a man who was an eminent lawyer. If he honestly believed in his statement, then what he was doing was nothing less than exploitation of the Federal Party for his own ends, which made it all the more reprehensible.

My lone opposition, as expected, had no impact on what had already been decided, except that nobody attempted to defend the decision or to refute whatever I had said. Chelvanayakam had been sitting through all the morning quite immobile and without saying a single word after his opening announcement. He now looked at his watch and said it was time for the swearing in of Ministers, and asked Tiruchelvam to get ready to go.

There was nothing more that I could do. I walked out of the meeting, and left the house.

Sometimes arguments and reasons prompted by practical

experience and lessons of history may prove to be irksome and unpalatable truths if they stand in the way of a decided course of action. On a later occasion when I was opposing the Party's support to the Sirima-Shastri Pact, Tiruchelvam remarked, "Navaratnam is far too idealistic and theoretical, he is incapable of adjusting to practical politics." Whether one regards a particular point of view as theoretical or pragmatic depends on one's capacity for perception. A people's representative has a heavy responsibility placed on his shoulders to speak out against any course of action if he is convinced that it is vitally injurious to the Tamil people whether it emanates from a hostile Singhalese government or from his own ranks. It becomes all the more necessary when his own ranks deliberately close their eyes to their own practical experience.

In politics as in other fields any step, however self-motivated and unprincipled it may be and whatever improper reasons may lie behind it, can always be defended at the time of taking it by invoking the argument of pragmatism. Any reasoned objection however irrefutable, if inconvenient, can always be dismissed as theoretical. In taking a wrong step without heeding better counsel it is the people who pay the price, not those who ignored better counsel.

In the Nineteen Thirties Arunachalam Mahadeva and Subbiah Natesapillai disregarded the sage-like wisdom and counsel of the illustrious head of their own family, Sir Ponnampalam Ramanathan, co-operated with the Singhalese leadership, accepted office, and helped to work the Donoughmore Constitution though the Tamil people were against it as demonstrated by the Boycott. In 1946, again going against that better counsel, they joined the Singhalese in welcoming the Soulbury Constitution. In 1947, C. Suntharalingam went against the better counsel of G. G. Ponnampalam and S. J. V. Chelvanayakam, accepted Cabinet office under D. S. Senanayake, and helped the Singhalese to wrest absolute power into their hands which enabled them to exercise complete dominion over the Tamil people.

Are all these theoretical? On the contrary, they are hard practical experiences which Chelvanayakam himself had lived through and, in some cases, engaged himself to resist most actively. They cannot suddenly become theoretical because they appear to condemn your present politics.

Then again, in 1948 G. G. Ponnampalam, the most uncompromising resister of all, himself went against the better counsel of Chelvanayakam and his co-rebels, accepted Cabinet office under D. S. Senanayake, and looked on while the Singhalese consolidated their power and sat securely poised to exercise domination over the Tamils. Chelvanayakam even rebelled to the extent of splitting the Tamil Congress.

To be sure, in all these perfidies the Tamil leaders gave their cooperation to the Singhalese Governments in the name of practical politics. Opponents were branded as theoretical and out of touch with the reality. In this exercise of practical politics, while the leaders got away with their Cabinet portfolios it was the people who paid a very heavy price. The Tamil people found their cherished rights and their lands being taken away from them step by step. They found themselves second-class citizens and stateless people in their own country.

To protect them they turned to Chelvanayakam. For fifteen years Chelvanayakam led them to resist Singhalese encroachments into the remaining vestiges of the Tamil people's heritage. He led the fight against the Governments employing all known peaceful means. He always said that the Singhalese Governments would never hesitate to use the Army to back their oppression of the Tamils. He grew old and feeble and ill, carrying on this crusade.

Then, in the present crisis in 1965, as though the Tamil people were suffering under the spell of a malevolent curse, that very same Chelvanayakam suffered himself to be advised against the lessons of his own experience and his usually sound judgement, and was made to follow the same course of action which he had condemned his predecessors for. It was also done in the name of practical politics. Nobody need wonder if cynics say that practical politics sometimes is another name for opportunist politics. What price the Tamil people have been made to pay for it in consequence is still being unfolded, day after day, in the course of the twenty years since that perfidy, and we need not go into it here.

I would not be human if I do not admit that what sustained me during these twenty years is the feeling of personal satisfaction that I have been proved to be right. In public life, not infrequently, that is the only reward one gets for his labours. One

should not expect even a thanks from the people. Whether on the issue of starting rival trade unions in the hill country plantations, or on this present question of office acceptance, or on the several questions to be recounted in the next few pages, it fell to my lot to put up a lone fight against Tiruchelvam and the new leadership, pointing out that the course they were following would prove to be disastrous to the Tamil people. Though there is nothing to be happy about, I recall with a feeling of personal satisfaction that I did the right thing in opposing them, that events and devèlopments since have vindicated the corrections of my stand, and that I have been proved to be right.

Perhaps it is also true that the eventual repudiation of the surviving remnants of that leadership (renamed TULF under A. Amirthalingam) by a resurgent Tamil youth and a frustrated people is in no small measure due to the resistance I have been putting up. Regrettable though it is, if they have chosen to tread the path of violence in carrying on a revitalized freedom movement, perhaps also it is because they do not know there is any other way that is peaceful to shake off oppression. For well over thirty years they had scrupulously adhered to the path of non-violence with a fanatical belief in it like religion.

It may be of use to refer here to another pertinent aspect relating to the mechanics of negotiation and dialogue to solve national differences.

I have always held the view that in negotiations you should never commit your side to the approval of any terms when you have even the slightest reason to doubt the sincerity and readiness of the other side to implement an agreement when concluded. In most cases, negotiations involve bargaining in which you are likely to be forced into whittling down your original demand, and you will go on record as appearing to have abandoned your claim which will be quoted against you for all time. That is what happened to the B-C Pact and the D.S.-C. Pact, which were never implemented, and paved the way for the still watered-down and substanceless District Development Councils which the TULF under Amirthalingam accepted at a later time.

More than a decade after the D.S.-C Pact, I had the satisfaction of knowing that I had been in good company in this belief.

During the days of the campaign for the establishment of a Jewish State in Palestine, there was a respected leader by the name of Berl Katznelson. Ben-Gurion, who became the first Prime Minister upon the creation of the State of Israel, held this leader's views in such high regard that he always kept a photograph of Katznelson on his working desk. Golda Meir, a later Prime Minister, says of Berl Katznelson: "In 1937, when Ben-Gurion favoured the Royal (Peel) Commission proposal to partition Palestine, Berl opposed our giving our consent to the Peel plan on the grounds (which turned out to be correct) that the British would never go through with it, whereas our agreement would forever be on the record and would certainly be held against us".*

This should, indeed, serve as a very salutary piece of advice to leaders who find themselves in situations where they have to negotiate for deciding a people's destiny.

It may serve no useful purpose to speculate on the might-have-beens. We cannot rewrite history. But yet, one cannot help but recall with a forlorn feeling of regret that the Tamil people missed yet another opportunity. Had the Federal Party been allowed to steadfastly maintain its unblemished record of principled politics and unswerving loyalty to the cause of the people, steering clear of both the Singhalese parties at this very critical stage in its struggle for its stated objectives, and, what is more, if those who took the Party and married it to the UNP had been as unselfish and as free from improper ambitions as that veteran negotiator P. Navaratnarajah, who in 1956 brought Chelvanayakam and S. W. R. D. Bandaranaike to the negotiating table, had been, the story of the Tamils after 1965 might well have been a totally different one.

The UNP in all likelihood might not have survived. A party which was reduced to a bare eight Members in the 1956 Parliament, and which could not get a working majority in the next three consecutive General Elections (March 1960, July 1960, and March 1965) might almost certainly have disintegrated and ceased to exist. It might not have been alive twelve years later in 1977 to assume absolute power and unleash slaughter and savagery on innocent men, women, and children of the very people, the Tamils, who helped it to survive.

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* *Golda Meir in MY LIFE, Futura Publications Ltd., London, (1976), Page 101.*

The Tamil people might not be having to live through a nightmare as they are doing now.

Who can gainsay that it was the ambition-ridden and unscrupulous leadership which had taken control of the Federal Party at Mannar that gave the UNP a new lease on life in 1965, thus making it possible for it to continue to function as a force to be reckoned with, draw in new elements, regroup its forces, and, after twelve years, take absolute control of the machinery of government with all the potential for destruction—destruction of democracy, destruction of human rights, destruction of the minorities, destruction of all known canons of civilized conduct, destruction of democratic political opposition, and, of course, destruction of the very image and fair name of Ceylon among the civilized nations of the world?

CHAPTER 17

Dudley Senanayake's Cabinet constituted in March 1965 is sometimes referred to by some writers as a "National Government. "It was not truly a national government in the sense in which the term is used, say, in England for example. Winston Churchill's war-time Cabinet is known as a National Government because it embraced all the Parliamentary Parties in Britain - not only the ruling Conservative Party, but the Labour and Liberal Parties which were the Opposition were also taken in so as to make the Government reflective of the voice of the nation as a whole.

Senanayake's Cabinet was not such a Government. Writers presumably chose to call it so merely because the Tamil Federal Party and Tamil Congress were associated with the Singhalese UNP in a sort of coalition government.

The SLFP-LSSP-CP coalition still functioned as a formidable official opposition in Parliament, and they could claim to have received the support of more than 50% of the electorate in terms of votes as demonstrated at the elections. The term, then, is inappropriate to characterize the 1965 Government.

It was in reality, for all intents and purposes, a one-party minority government supported in office by a temporary and

opportunist prop. The moment the prop was withdrawn it would tumble to the ground like a house of cards. Both the UNP and the Opposition coalition have had sufficient experience of that in the past.

So the UNP was astute enough to see that the prop was in place as long as it was needed. It was able to do that by seeming to satisfy petty demands. At the same time it was also farsighted enough to make use of the opportunity, while the prop was in position, to consolidate and entrench its own position as a strong national political party in the country. During the process it also infused a sort of clout into the popular power of the Singhalese people in general so that the future should have no doubts about that power.

This coming together of a one-time pair of imcompatibles, the UNP and the Federal Party, produced diverse reactions in different quarters. We are here concerned with the impact it had on the country's Tamil element, and we shall confine ourselves only to that.

Tiruchelvam was duly sworn in as a Minister, and was allotted the minor portfolio of Local Government. He was given a seat in the Senate as a Government-appointed Senator. All Tamil Members of Parliament, whether elected on the Federal Party ticket or on that of the Tamil Congress, and all Tamil Senators joined with those of the UNP to form the ruling Government Parliamentary Group.

M. Sivasithamparam, the Tamil Congress M. P. for Uduppiddy(later President of the TULF), was elected to the office of Deputy Speaker of the House of Representatives on the combined vote of the Government Parliamentary Group. Whether this election was the result of any bargaining on the part of the UNP and the Tamil Congress was never known. It was said at the time that on the morning after the Federal Party-UNP meeting at Dr. M. V. P. Peiris' house V. A. Sugathadasa called on the Tamil Congress leader, G. G. Ponnampalam, to get the latter's support for the UNP, and that Ponnampalam would not give it until he was shown the Federal Party's agreement with the UNP. He is not known to have asked for any office. It is quite possible that Dudley Senanayake offered it on his own and Sivasithamparam accepted it out of the regard they had for each other.

The first display of a trial of strength between Dudley Senanayake's Government and Mrs. Bandaranaike's Opposition coalition came early in 1966. As I had already warned my colleagues, it was on the question of the implementation of the D. S.-C. Pact. The Federal Party Parliamentary Group had been pressuring the Government through Minister Tiruchelvam to hasten the implementation of the Agreement at least to begin with, the language part of it, lest they lose face with the Tamil people. The Government for its part was also keen to mollify them with a show of sincerity.

After much chopping and changing performed on a draft set of Regulations prepared by Tiruchelvam in consultation with his colleagues in the Party, the Government tabled the final Regulations in Parliament in January 1966. This was the subsidiary legislation contemplated under the Tamil Language (Special Provisions) Act of 1958 for the "reasonable use of Tamil"which the late S. W. R. D. Bandaranaike had left unfinished.

This proved to be the signal which the SLFP and its coalition partners were waiting for. They wasted no time to gird up for a showdown with the Government.

Whereas in 1956 the UNP led a march from Colombo to Kandy against the SLFP's B-C Pact, this time it was the turn of the SLFP and its partners to organize a marathon two-mile long procession through the streets of Colombo against the UNP's D. S.-C. Pact. If in 1956 the Kandy march was broken up at Gampaha by the SLFP's goons, this time the UNP administration's Police opened fire on the coalition demonstrators. A yellow-robed Buddhist monk in the procession was killed in the shooting.

While all these exchanges of mutual compliments were, as was well known, symptoms of the in-fighting among the Singhalese themselves that was going on under influential family banners between rival camps for supremacy, the fact of the matter is, if we may permit ourselves a slang, neither side cared two hoots for their respective "Pacts" which they were ostensibly trying to uphold. What followed the Police shooting spoke eloquently about the common denominator for them all—the much-hated word "Tamil".

After the shooting the demonstrators and the crowds wended their way to the Victoria Park opposite Dr. M. V. P. Peiris' bungalow and there, at the foot of the Vihare Maha Devi statue (which had replaced that of the British monarch Queen Victoria), held a vow-taking ritual before dispersing. The significance of this ritual can only become clear by reference to Singhalese history as told by the Buddhist Pali Chronicles, particularly the *Mahavamsa* (the Great Dynasty).

Vihare Maha Devi is the legendary Queen Mother of King Duttugemunu, the Singhalese hero who is said to have vanquished the Tamils in the second century B. C. At that time the greater part of the island of Ceylon constituted the Tamil kingdom of Anuradhapura ruled by an aged Tamil King by the name of Ellala Singhan (Elara in Singhala). Along the southern coast of the island was a narrow strip of territory which comprised the small Singhalese principality of Ruhunu. Duttugemunu was born and grew up in Ruhunu.

The Chronicle narrates that as a young prince yet in his teens Dutta Gamini, as he was then known, had been urging his aged father to take up arms against the Tamil kingdom in the north. The father was averse to any such venture. One day the mother happened to see her son lying crouched in his large bed with his hands and legs drawn and tucked up under his torso. On being asked for the reason, the prince replied: "To the north are the hated Tamils, in the south is the great ocean, where am I to stretch my legs and sleep comfortably?" The mother comforted him with the assurance that he would one day conquer the Tamils. In time, the prince raised an army, sent his father a set of women's apparel in token of his contempt for the father's cowardice, marched on Anuradhapura, killed Ellala Singhan in single combat, and became master of the Tamil kingdom.

History books are never tired of telling this story from the Pali Chronicle. Every Singhalese child, from nursery upwards, grows up thus imbued with a sense of racial pride. The Chronicles imparted not only racial pride, but racial hatred of the word "Tamil" This hatred is sometimes made to take the form of fear. It is a well-known Singhalese village custom even to this day that when a little child whimpers and refuses to be fed the mother threatens with the words, "There comes a Tamil, eat dear." The child is made to obey in terror.

It was to this pride and hatred that the ritual sought to appeal. A vow taken in the spiritual presence of King Dutugemunu's mother could not fail to fire the imagination of the Singhalese people with a longing for a return to the times and deeds of Dutugemunu himself.

There is nothing wrong, of course, in reminding or recalling the valorous deeds of your ancestors, nor is it unnatural or unusual. Most nations of the world and most peoples do. As a matter of fact, if you take away such accounts of heroic deeds, whether mythological, legendary or historical, there can be no national history that a people can cherish and be proud of. They are usually excellent material to kindle patriotism.

The harm, therefore, lies in the motivation. The misuse lies in trying to exploit it and make an attempt to perpetuate ancient racial enmities (in this case, twenty-two centuries old) with a view to making political capital out of it in a modern plural society. The other side, too, has its own equally valorous deeds and a martial history to recall. The other side also has memories of a glorious past when they were masters of the whole country. Ceylon history does not show that military conquest was the monopoly of either the Singhalese or the Tamils. It has always been a ding-dong affair, the tongue of the bell hitting now this side and then the other.

In trying to grapple with the problems of a plural society in modern times, problems which are the direct result of an artificial union into which both sides were thrown together by a gratuitous quirk of history, if both sides have to hark back to the past and revive ancient feuds, then you reach a point of no return, and the country is ready for untangling that artificial union. That precisely is the course events have inevitably taken, for which the politicians who have been responsible for the government of the country have themselves alone to blame.

To get back to the Regulations, the Government was able to outvote the Opposition coalition and to have the Regulations approved by Parliament. But the great question is, did it serve any useful purpose? Did it help to bring a solution to the Tamil-Singhala problem including language any nearer?

It certainly served the Federal Party leadership well. That leadership, now dominated by Tiruchelvam and Amirthalingam

on whom had fallen the onus of defending the decision to join the Government, was able to dangle the Regulations before a credulous electorate and justify their decision. They were now content that the Tamil electorates were satisfied and their votes in the future assured. They were so obsessed with votes and Ministerial office that they developed an inability, or perhaps a disinclination, to see anything outside their immediate preoccupation with Parliamentary responsibilities.

From the point of view of the real Tamil problem, however, as one year succeeded another it became increasingly clear, if not to the general Tamil public at least to the knowledgeable section of them, that it was much more than a mere question of language of communication with the Government. They began to see that neither the Tamil Language Regulations nor the D. S.-C. Pact, not even the presence of a Minister in the Cabinet, touched even the fringe of the real problem notwithstanding the Federal Party leadership's assurance to the contrary. Signs were not wanting for anybody to see that the Government was determined as ever to pursue the traditional UNP objectives. Only the Tamil leadership, in their concern for the Government's stability and their eagerness to cling to the Ministry, refused to see them.

If anybody had expected the Tamil Language Regulations to make any meaningful change in the position of the Tamil language, they did not have to wait very long to be made wiser. All Government offices throughout the country continued to work in Singhala only as before. Even in the Northern and Eastern Provinces where the Regulations provided for the administration to be carried on in Tamil there was no change, because another provision in the same Regulations required all inter-departmental and all inter-Governmental business and communications to be in Singhala only. Consequently, it was compulsory for all Tamil employees in Government Service to be proficient in Singhala as before theRegulations. The only concession was that the Government gave them an extended time to acquire that proficiency. Penalties for default remained the same as before.

The Official Language Department, charged with the responsiblity of making the entire administration switch over to Singhala completely, took measures for the rigorous enforcement of the Official Language rules. Tamil Government

Servants were given warnings of the consequences for failure to acquire proficiency within the time given to them.

Some Tamil Public Servants met the Federal Party Minister and made representations that it was in pursuance of the Federal Party's call they had refrained from studying Singhala, and urged that it was his duty as the Party's Minister to see they were not victimized for obeying the call. Tiruchelvam told them that the Federal Party has now settled with the Government and there was no reason to persist in the refusal to study Singhala any more. He has got them an extension of time, and they had better start studying and pass the Singhala proficiency tests as quickly as they could. Apparently this was the "administrative adjustment" Tiruchelvam and Esmond Wickremasinghe had been talking about at Dr. M. V. P. Peiris' house.

It was the most unkindest cut of all Fate's tricks on the Tamil people. The Federal Party, which had been the most formidable obstacle, having thus been neutralized,there was nothing to stand in the way of complete Singhalesization of the administration. Whereas previous Governments had been unable to impose the Singhala language on the Tamil people against their determined opposition, Dudley Senanayake's Government in partnership with the Federal party succeeded in achieving it with the active support of Tiruchelvam.

Road signs in some city streets and nameboards in a few Government institutions and offices were repainted depicting Tamil lettering alongside Singhala to silence some of the Federal Party M. P.s to whom pre-occupation with such things was more convenient than to risk their positions by taking interest in serious questions of substance. To avoid their questions in Parliament other similar changes of a trivial nature were also carried out. Otherwise the Regulations made hardly any improvement in the status or the use of Tamil. On the other hand the Official Language Department was able to forge ahead more vigorously with its task of enforcing Singhala as the official language throughout the whole country.

Tamil Public Servants now felt themselves helpless and let down. The majority of them who had families to support took to the study of Singhala to save their jobs. A few of them who

were unable to reconcile their conscience left Government Service to fend for themselves as best they could. A handful clung to their jobs and at the same time persisted in their refusal to learn Singhala.

Three principled and courageous young men named Pathmanathan, Surendranathan, and Kulamani belonged to the last-mentioned category. The Language Department selected them to be served with notices of dismissal probably as a feeler to test the reaction.

These three were bright, intelligent, and capable young men in their twenties. Learning and acquisition of knowledge was like second nature to them. If I remember correctly, one of them was able since to collect an Arts Degree of the London University. It was thus principle and not inability which was the cause of their not acquiring proficiency in Singhala.

They knew that without political intervention all odds were against them. They were resisting the Government while being its servants. They turned to Chelvanayakam and appealed to him. He referred them to Minister Tiruchelvam. Tiruchelvam washed off his hands saying he could do nothing because they were obstinate about learning Singhala.

Eventually Pathmanathan, Surendranathan, and Kulamani were dismissed from Government Service for non-proficiency in Singhala. They were the first Government Service casualties that fell as fruits of the Federal Party's settlement with the Government.

Pathmanathan is no more, and it is only fitting that a word of homage to his memory should be placed on record while we are on this topic of the Tamil Language. He hailed from Chelvanayakam's constituency, and that was responsible for inspiring him to dedicate himself to a life of service to the Tamil cause espoused by the Federal Party even while he was yet a young student at school. He was a lad with an intense feeling about the Tamil problem. He never recovered from the shock of the Federal Party's betrayal. He was not a man of means and suffered several years of privation after his dismissal. He died in 1982, and let there be no doubt that he died in the cause of the Tamil people. If he wanted to, he need not have brought on himself misery and privations by refusing to learn Singhala. His was the first young life that was sacrificed at the altar of

opportunist politics to be followed, of course, by many more in the years to follow. No words of praise can be adequate enough to pay tribute to his courage and iron will,in spite of the frail frame which contained it, and to his high sense of patriotism and nobility of character.

Looking back to the nearly thirty years since the language question was started, one can clearly see how systematically language was used to squeeze the Tamils out of the Public Services and Government employment. Recruitment of Tamils was almost stopped. In the extremely rare event of one or two being taken in they were required to sign on the dotted line undertaking to acquire proficiency within a specified period of time and work in the Singhala language. Those already in service were made to leave. The Tamil Language Regulations made no difference whatsoever. Government service, which had been one of the important avenues of employment on which thousands of Tamil families depended for their livelihood for well over a century and a quarter, was thus closed to the Tamils.

What is important is not the closing of this avenue of employment to the Tamils, but a far more significant objective towards which the Singhalese leaders were aiming. Singhalesization of the administration was only a means or an instrument for the achievement of a more important political objective.

With the bureaucracy and the Public Service completely Singhalesized, Singhala has become a fact of life and a fact of Government throughout the entire country including the Tamil homeland of the Northern and Eastern Provinces, so much so, that today a law is not needed to lay down what is the official language of Ceylon. It might have been considered necessary at a time when Ceylon was going through a process of transition from British rule to vest the Government with authority of law (illegal and unconstitutional though it was) to divest Tamil of its lawful status and English of its dominant position. It was necessary until those who considered themselves the sole rulers of the whole country were firmly in the saddle. Once that is achieved an official language law becomes superfluous. For example, even if in the most unlikely and hypothetical event of the Official Language Act of 1956 and the language provisions in the present constitution being

repealed today, the language in which the Government functions would still be Singhala, and Singhala only.

It cannot be otherwise, for it is like in the old colonial times. During the one hundred and fifty years of their rule the British never needed a law to make English the official language of Ceylon. English was the language of their government because English was the language of the rulers. The political objective underlying the entire language policy is thus to make the Tamils, and with them the Muslims and all other minority groups, have no illusions about who the real successors to the British power are.

Language was only one of the fronts in which Singhalese power had to be asserted. The success which attended the full enforcement of Singhala only throughout the whole of Ceylon and the Federal Party's inane acquiescence must certainly have helped to embolden the UNP to attempt further inroads, for they now turned their attention to another subject which was next on their list of priorities. They naturally had good reason to calculate that the neutralization of the Federal Party was an opportune moment to be exploited.

There is a Tamil proverb which cites the example of a foolish parrot that sat perched on a silk-cotton (kapok) tree for days on end for the fruits to ripen so that it could feed on them, and in the end found itself cheated when it saw the ripe fruits burst and the fibrous contents blown away by the winds. While the Federal Party, like the Proverbial parrot, waited and waited for the D. S.-C.Pact to be implemented, Dudley Senanayake next took up the UNP's project for the port city and harbour of Trincomalee which was one of their most deeply-laid plans to trick the Tamils out of the Eastern Province.

This was the Nationalization of the Trincomalee Harbour. This subject has already been discussed in an earlier chapter. If it is mentioned here again, it is only to keep to the chronology of events, and also to focus the reader's attention to the calamity of how in those fateful days in the destiny of the Tamil people the obsession about Tiruchelvam's Ministership clouded the judgement of even a wise leader like Chelvanayakam. No price could be considered to save Trincomalee and yet the Federal Party leadership considered a

single Cabinet post too big a price to be paid to save an entire half of the Tamil people's traditional homeland.

When the nationalization proposal was mooted it fell to my lot once again to put up a lone fight against it and to urge the Minister to oppose it. I told my colleagues I had no doubt if Tiruchelvam was prepared to resign on the issue the Government would not risk the Federal Party's withdrawal of support and proceed with the measure. Chelvanayakam listened in silence. Tiruchelvam put forward all manner of specious arguments playing down the importance of the proposal and justifying his acquiescence. Amirthalingam acted as spokesman for Chelvanayakam. Not that he was unaware of the potential dangers, but the Government seemed to be bent on pushing ahead with their scheme. If we carried our opposition to its logical end Tiruchelvam would have to resign from the Cabinet, and that he did not want. His continuance in the Cabinet was necessary to get the Pact implemented fully.

Thus Trincomalee was another victim to be bled at the altar of Ministership and opportunist politics. The consequences have been tragic indeed. Taken with the subsequent carving of the Seruwavila electorate for the Singhalese in the Trincomalee District, it has led to the Tamil population nearing virtual extinction. They are living through an experience which proves the truth of the Tamil proverb:what could have been pulled out with the help of a needle, if time is allowed to lapse, would require a crowbar to do it.

Nothing could have been more clear during this phase that the old fire that was in the Federal Party was dying out. It had ceased to be a champion and protector of Tamil interests, let alone a freedom movement. Trincomalee was by no means the last of the victims of political opportunism. More betrayals were still to come.

Prime Minister Dudley Senanayake's Government was now nearing the end of the term for which it was elected (1965-1970). Barring the Language Regulations, not a syllable in the D. S.-C. Pact had been touched by way of implementation. And yet, the Federal Party kept on waiting. The way the two partners in the Government acted during this time, the Federal Party and the UNP, is quite an interesting study in contrasts best illustrated by proverbs. If the Federal Party emulated

the parrot in the fable, the UNP followed the well-known adage: strike while the iron is hot. To deal with issues involving Tamils no time could be more propitious than when a possible opposition by the Federal Party is kept under freeze.

The Prime Minister next took up for implementation the Indo-Ceylon Agreement, also known as the Sirimavo-Shastri Pact. It was an agreement entered into by his predecessor in office, the SLFP's Sirimavo Bandaranaike, with Lal Bahadur Shastri, Prime Minister of India. This will be the subject discussed in the next chapter.

CHAPTER 18

To understand the haste with which the Prime Minister gave such top priority to the implementation of an SLFP achievement, while a number of matters promised in the UNP's own election manifesto still awaited his Government's attention, it is necessary to keep in mind that it was the UNP, when it functioned as the united leadership of all the Singhalese forces in the first years after independence, which sowed the poisonous seeds from which sprouted the Tamil-Singhala problem tree. It was the UNP which masterminded three of the most machiavellian pieces of legislation in the very first year of independence, 1948, namely, the Ceylon Citizenship Act, the Indian and Pakistani Residents Citizenship Act, and the Ceylon Parliamentary Elections Order in Council Amendment Act.

As previously explained, it was with these first acts that the UNP launched the Singhalese leaderships and all subsequent governments on a career of Tamil-baiting which plunged the country into the turmoil from which Ceylon has still not recovered. Although S. W. R. D. Bandaranaike seceded from it and founded the SLFP, the political philosophy of the original undivided UNP held good and inspired all Governments. The Indo-Ceylon Agreement was thus a logical and

necessary follow-up action if the principal aim of the three Acts of Parliament was to be achieved.

It is not surprising, therefore, that Dudley Senanayake, a UNP Prime Minister, gave it top priority and was anxious to get legislation passed to hasten the process of implementation of the Agreement and to set up the necessary machinery with teeth for doing it while he still enjoyed the support and confidence of the Federal Party. What is really surprising is that the Federal Party leadership refused to take note of the significance.

The principal aim of the three Acts of Parliament was to hit Tamil-speaking population in Ceylon, as was once foreseen by Chelvanayakam when he was more alert and was free from the influence of motivated counsel. Their combined effect had been either to take away the Tamil people's citizenship status altogether or make it doubtful in the eyes of the law. We need not go into the other consequences and ramifications.

The worst hit were the Tamil plantation workers labouring in the tea and rubber estates in the hilly parts of central Ceylon, because their citizenship and identity in Ceylon dated only from the time when British planters established the plantation industry and opened up the estates. By the operation of the three Acts they lost their citizenship, and all the other rights which went with it. The second Act, however, purported to make a gift of citizenship if they applied for it. After an unsuccessful attempt to oppose this iniquity, they applied. The applications numbered several hundreds of thousands.

Through bureaucratic control and other devices only an infinitesimal minority out of this vast number of applicants was able to get past the rigid standards of processing and to be granted the citizenship they had lost. The rest were left high and dry.

According to the new laws these Tamils whose citizenship was not restored belonged neither to Ceylon where they were physically living and working to produce the country's wealth as part of the permanent population of the country after having been made to make it their home and enjoy citizenship and franchise rights for generations, nor to India where their ancestors had been lured from, nor to Britain which was the culprit and creator of their present predicament. Having

created a new "problem" for themselves by their unilateral and arbitrary laws and administrative actions, the Governments in Ceylon called it the "Indian Tamil Problem". The people who were involved were arbitrarily referred to as "the stateless".

With this problem of their own creation on their hands, successive Ceylonese Governments approached India to solve it for them. They made repeated efforts to persuade the Government of India to accept these people as citizens of India. India's Constitution and laws would not permit any such recognition. So long as Pandit Jawaharlal Nehru was Prime Minister of India he refused to countenance Ceylon's request. He consistently maintained that they were Ceylonese citizens and therefore they were Ceylon's reponsibility.

Jawaharlal Nehru died in May 1964 and was succeeded by Lal Bahadur Shastri. Mrs Sirimavo Bandarnaike, who was then in the last lap of her term as Prime Minister of Ceylon (1960 - 65), lost no time to take up the matter with the new Prime Minister of India.

Sometime in June or July 1964 the two Prime Ministers met in New Delhi and concluded an agreement called the Indo-Ceylon Agreement of 1964 concerning the aforesaid Tamils of Ceylon. It is also sometimes referred to as the Sirimavo-Shastri Pact.

Taking the number of the so-called stateless Tamils in Ceylon as one million, the two Prime Ministers agreed that India would take 525,000 persons with their natural increase, while Ceylon would absorb and grant citizenship to 325,000 and their natural increase. The balance 150,000 was left over to be decided later. A fifteen-year time limit was fixed to complete the process. These were the substantial terms of the agreement. (A few years later the two countries agreed to split the balance 150,000 into two equal halves, each to take 75,000 persons with their natural increase.)

It is an unprecedented international agreement between the two countries, India and Ceylon. Such international treaties for the forced movement of masses of people from one country to another, except perhaps when accompanied by a division of territory, are unheard of in any other part of the world. This treaty between India and Ceylon sought to apportion more than a million of the permanent population of

Ceylon between the two of them as though they were as many chattels having no human rights or feelings of their own. They were not even consulted. The vast majority of them did not even know where India was, had not even seen the sea. All their lives from birth, from generation to generation, they had known nothing but the tea bushes and rubber trees of central Ceylon around which they lived and laboured. By this agreement the two Prime Ministers decided to wrench them from their homes, root and branch.

Evidently the mild-natured new Prime Minister of India had allowed himself to be coaxed into the agreement by history's first woman Prime Minister. Or, he may not have had time to acquaint himself with the true nature of the legacy the British Empire had left behind - the problems of people of Indian origin overseas. It is also possible that he may not have been adequately advised that Ceylon was not the only country among the far flung possessions of the old Empire to which the British had taken poor working-class families from India and made them an integral part of the populations of those countries. Lal Bahadur Shastri never had the experience of Mahatma Gandhi who was personally involved in the problems of such people in Africa. Nor was he so well informed as Jawaharlal Nehru who had an intimate and first-hand knowledge of the conditions of such people in Ceylon, Malaysia, Fiji, etc. Shastri, perhaps, never realized that he was creating a precedent which might prove to be disastrous to millions of people similarly placed in other lands and cause grievous hurt to them. It is not inconceivable that this deal with Ceylon, showing somewhat of a post-Nehru weakness on the part of India, contributed not a little to Idi Amin's decision to deal similarly with the descendants of Indian settlers in Uganda a few years later.

The agreement was hailed in the Singhalese part of Ceylon as a personal triumph for Mrs Bandarnaike, as indeed it was. Where previously such stalwarts like D. S. Senanayake, S. W. R. D. Bandaranaike, John Kotelawala and others had tried and failed, this inexperienced lady who was a novice in politics and diplomacy had succeeded. It was undoubtedly a monumental achievement on the part of Mrs Bandaranaike for the benefit of her people.

In the Tamil part it was rejected out of hand as an inhuman horse deal between the two countries. It was attacked for the

human suffering and misery the operation was bound to result in. It was seen as a diabolical device to weaken the bargaining power of plantation labour. More significantly, the Federal party opposed it. At its Annual Convention held in 1964 at Trincomalee the agreement was condemned in a strongly-worded resolution and the Government of India was urged not to implement it. It was one of the many factors which influenced the Federal Party to vote against and defeat Mrs. Bandaranaike's Government in December 1964.

All this, however, was forgotten when a unique opportunity presented itself to the Federal Party to deal a death-blow to the agreement. Forgotten also was the past when for this very cause Chelvanayakam and others split with G. G. Ponnampalam twenty years earlier, broke up the Tamil Congress, and founded the Federal Party. Forgotten also were the sanctimonious professions of solicitude since the founding of the Federal Party for this long-suffering, oft-attacked, and most vulnerable section of the Tamil population in Ceylon. And the opportunity was thrown away.

Early in 1968 Prime Minister Dudley Senanayake introduced a Bill in Parliament for the implementation of the Indo-Ceylon Agreement. In Cabinet, obviously, the Bill had received the support of Tiruchelvam.

In my view, to support this Bill was the very nadir of degradation for any Tamil party, let alone the Federal Party. I could never persuade myself to be party to this betrayal. So once again I found myself at variance with the rest of the Party's Parliamentary leadership, and another clash seemed to be unavoidable.

By now it must be clear to the reader that my relationship with them has never been too happy ever since I took upon myself the duty of opposing the Federal Party's joining the Government and Tiruchelvam's becoming a Minister in it. As time passed my presence came to be a source of uneasiness and irritation to Tiruchelvam and Amirthalingam, and to their supporters. It became more manifest during the discussion in committee of the Trincomalee Harbour Nationalization question at the Party headquarters in Jaffna. A party of more than hundred harbour workers had travelled all the way from Trincomalee to voice their protest. They besieged the Party office

and stormed into the meeting in a rather unruly and boisterous demonstration. Amirthalingam found himself unceremoniously jostled about in the melee. Angered by this treatment, and finding me as the sole champion of the men's cause, he so lost himself as to refer to me as a "low fellow". It was not language expected from a man like Amirthalingam, but it only reflected the prevalent attitude of the Tiruchelvam clique towards me. Intolerance of any opposition had become a ruling principle with them in carrying on the affairs of the Party.

Perhaps for this reason, so momentous a question as the Party's support for the Sirimavo-Shastri Pact, which involved a radical reversal of a long-established and oft-declared fundamental policy, was never brought up before any of the organs of the Federal Party, not even before the Parliamentary caucus, before Tiruchelvam gave his consent to the Bill in Cabinet committing the Party. No more evidence is necessary to show the authoritarian and autocratic tendency that had newly crept into the Party leadership. I was not inclined to let it go without a challenge, even though the only forum left for me was Parliament.

I decided to defy the Whip and to speak and vote against the Bill when its Second Reading was taken up. I knew, of course, that my opposition was not going to make any difference as the Bill was certain to be passed by Parliament by an almost unanimous vote. But I was determined to have at least one Tamil voice of protest go down on record lest posterity should point an accusing finger. From my point of view it was a moment that outweighed all considerations of discipline. What claims can the disciplinary rules of an undisciplined party have to obedience? I had no doubts about the propriety or the correctness of the step I contemplated.

The Party Parliamentary caucus was hurriedly summoned for a meeting at Chelvanayakam's residence on the eve of the Debate on the Second Reading of the Bill. Its only purpose was to persuade me not to defy the Party Whip.

I told them I could not in conscience support the Bill. I did not wish to hurt Chelvanayakam's personal feelings by recalling the very noble example he once set for all of us over a Bill that was far less wicked and outrageous than the one now before us, but concerning the very same people. But I did tell

them I found it impossible to reconcile myself with the Party's recent trend to indulge in opportunist politics abandoning all its ideals, principles, policies, stated objectives, and everything it had so far valued. Even if they did not have the human feeling to revolt against the inhuman attempt on the part of the Indo-Ceylon Agreement to treat the Tamils of the hill country like a herd of cattle and to uproot 525,000 of them and more from their homes and ship them away to India, at least considerations of self-interest should tell them it would prove to be disastrous to the Tamil race in Ceylon. If the people voluntarily wished to go to India of their own free will nothing on earth should stop them. But to fix an arbitrary figure of 525,000 and to make laws (as set out in the Implementation Bill we were being asked to support) to requisition ships in harbour, seize helpless men, women, and children in their homes, put them on board, and ship them away to be dumped on the opposite shore, could not be for anything if not in contemplation of forcible and compulsory expatriation of Tamil people out of Ceylon. It was obvious that unless there were laws to authorize the use of force and compulsion, the Agreement could not be worked. How else could the target of 525,000 be achieved? What if the number of persons who voluntarily applied to go to India fell short of 525,000?

Tiruchelvam and Amirthalingam intervened to say that they were quite certain the Bill and the Agreement did not contemplate compulsory expatriation. Both were lawyers, and they maintained that there were differences between the Agreement and the Implementation Bill which made the Bill more acceptable. Those differences were not visible to my eyes even though I was myself a lawyer.

It may not be out of place if I mention here, though not known at the time of our discussions, that even the Government of India's Foreign Secretary Shri Jha had agreed that there was an element of compulsion in the Indo-Ceylon Agreement. A day or two after the Bill was passed in the Ceylon Parliament such a moderate newspaper as THE HINDU of Madras, reputed for its conciliatory opinions on Indo-Ceylon relations, editorially commented that there was force in my reasons for objecting to the Bill. But these opinions, of course, would have made no difference for my wise colleagues even if they had known them.

Then the root-cause of the real malady that was afflicting the Party came to the surface again - "If we oppose the Bill Tiruchelvam will have to resign from the Cabinet." Tiruchelvam himself pleaded with me that if I opposed the Bill it would be the end of the Party which I had helped so much to build. That might be true, but I could do very little to help it. The issue was one which involved the future of the entire Tamil race in Ceylon. It transcended all considerations of parties and personalities. Though my solitary opposition could have little impact, it might at least salvage the fair name of the race.

When all attempts at persuasion failed, Chelvanayakam in the end requested me to absent myself from the Debate and to abstain from participating in the voting. It was a request which seemed to carry an undertone of admission, at least on the part of his conscience, that what he was suffering the leadership to do might not be the right thing after all. Was it also an avowal of his helplessness? I don't know. It was a compromise that was hard to reject with reason. After considerable thought I agreed, but reserving the right to issue a public statement explaining the reasons for my abstention.

Throughout my battle with the Parliamentary Group there was one other Member who took up the same stand as I did and stood by me to the very end. He was my friend the late Senator M. Manickam from Batticaloa, the Federal Party's elected Senator in the Upper House. No words of tribute can ever be adequate to praise this noble son of the Eastern Province for his courage and his unselfish devotion to the Tamil cause. He had a grievance that he was not given the same right as I was given. He addressed a long letter of complaint to Chelvanayakam, and resigned from the Party in protest.

Next day the Bill was passed in Parliament without opposition. I issued a statement to the Press explaining the circumstances under which I abstained from the Debate and voting, and my reasons for it. It did not matter whether I registered my protest and opposition to the Bill on the floor of the House in Parliament or through the media. Both served my purpose equally well.

My opposition to the Bill and open defiance of the Government Whip thus became a matter of public knowledge.

I suppose, in the ordinary course of enforcing Parliamentary discipline, the Prime Minister would have called for an explanation from Tiruchelvam and the leader of the Federal Party Parliamentary Group why I, still supposed to be a member of the Government Parliamentary Party, was given the right of free vote and allowed to publicly declare my oposition to the Bill. I do not know what explanation was given, nor did I care to find out.

An account of this infamous episode would be incomplete without at least a broad sketch of the human tragedy that followed the enactment of the Indo-Ceylon Agreement Implementation Act of 1968. Circumstances do not permit anything more than a bare outline but even the outline would be sufficient to show how politics made the Federal party leadership impervious to human misery.

No time was lost in setting up the machinery to work the Agreement. After a period of wrangling between the two Governments on the one hand over questions such as how much savings and what personal belongings were to be allowed to be taken away, etc., and between the Central Government in New Delhi and the several State Governments of India on the other hand on problems of receiving and rehabilitating the expatriated families,the expatriation process got under way.

The interests of the Tamil plantation workers on whom the axe was to fall were supposed to be looked after by their own leaders, Thondaman and Annamalai, two M. P.s of the C. W. C. who owed their seats in Parliament to appointment by the Government. Wedged in between the Governments of the two countries and a disinterested Ceylon Tamil leadership, there was precious little these two could do except to soften and minimize the hardships ensuing from the catastrophe.

In the years that followed, the Central Railway Station in Colombo and the ports of Talaimannar on the Ceylon side and Rameswaram on the Indian side bore eloquent witness to the human misery which always accompanied such mass transfers of population. Thousands of people in pitiful rags, their homes and jobs taken away, were huddled in railway platforms and make-shift tents and camps waiting to be transported. Men and women, young and old, and babes in arms were being bundled out of the only country they had known. None of them

knew why. None of them knew where they were going or what home awaited them at the journey's end.

They left with tears and a longing for the land of their birth, for the homes where their fathers, and their father's fathers, lay buried among the tea bushes. I once met three of them at a Government Tourist Bungalow in South India in 1976. They worked as servant boys in the Bungalow. They spotted me as the man who raised his voice on their behalf in Ceylon. They talked incessantly about the homes where they grew up and which they had left behind. They were in their early twenties, and expressed their yearning to return some day when a Tamil government would give them protection. I dare say they voiced the feelings of almost everyone who was forced out of the country under the Sirimavo-Shastri Pact.

And then a time came when, presumably because the required number had not applied to go to India, Singhalese goons, the Police, and the Army happened to take turns in having a field day in the hill country tea estates. They attacked and terrorized the Tamil workers, both men and women. The workers succumbed to the natural instinct of self-preservation, and begged to be sent to India.

These activities appeared to be a form of reply to the wise lawyers who had contended that the Agreement and the Implementation Bill did not contain any element of force or compulsion. They seemed to teach them that reality of life was something outside the pale of legal arguments.

By the year 1983 the implementation process appeared to be all one-sided. It is clear that Ceylon failed to keep to its part of the bargain. Let the figures speak:

> "According to the available figures, 406,000 people of Indian origin and a natural increase of 149,200 had been granted Indian citizenship and repatriated up to December 31, 1982. Sri Lanka had reciprocally granted citizenship to 176,000 persons plus a natural increase of 54,000."
>
> "A total of 400,000 stateless people of Indian origin are estimated to be in Sri Lanka today." *

★ *SRI LANKA NEWS of Thursday, July 28, 1983, a Weekly News Digest of the Lake House Group of Newspapers owned and published by the Government of Ceylon.*

Taking these Government statistics for what they are, it may be a safe guess that the 406,000 who had been granted Indian citizenship were all that had applied to go to India up to the end of 1982, whether voluntarily or under compulsion of conditions deliberately created in the plantation districts. This gives a shortfall of 194,000 to meet the Agreement's total target of 600,000 made up to the 525,000 originally fixed plus the 75,000 agreed to later. How are they to be made to go to India? There can be no other way except to use force or compulsion.

Ceylon's quota, on the other hand, is 325,000 originally fixed plus the 75,000 agreed to later making a total of 400,000 and their natural increase. It has granted Ceylon citizenship only to 176,000 and their natural increase, thus leaving a large shortfall of 224,000 and natural increase, still to be met. Inspite of this lagging far behind India's performance, it claims there are 400,000 stateless persons still in Ceylon.

It is not unlikely that this 400,000 is made up of the 224,000 still waiting to be granted Ceylon citizenship and their natural increase. It may also possibly include some persons who did not apply either to India or to Ceylon in a genuine belief that they were Ceylonese citizens by every standard and that the law did not apply to them. It is even possible that it may include a few persons who opted for India but whose applications are held in abeyance by the Government of India to see that Ceylon granted citizenship to a number matching with their 406,000 (roughly 66%). We do not know. The question naturally arises, why has Ceylon failed, even by the end of 1982, to close the shortfall of 224,000 by approaching to anywhere near its quota of 400,000? One is left to wonder, in view of the situation developing in the country, whether it was in the secret hope that they could be got out of Ceylon one way or another. This was the position at the beginning of 1983.

At this stage the Ceylon Workers Congress apparently took up the matter with the President of Ceylon. Its leader, S. Thondaman, was a Minister in the Government of President J. R. Jayawardene. To quote from the same news story in the SRI LANKA NEWS:

"President Jayawardene has told a C. W. C. delegation which interviewed him recently that the problem of stateless people of Indian origin will be resolved within the next three months, Rural Industrial Minister S. Thondaman told a Colombo meeting."

Apparently Thondaman was satisfied that the problem would be solved very soon. This was in July 1983.

In August Singhalese goons and mobs attacked and killed Tamil plantation workers in the hill country tea estates, and burnt and destroyed their homes. The presence of the Government's Security Forces had no restraining effect. Tens of thousands of terrified workers fled from their estates and sought sanctuary in temples, schools, refugee camps, and whatever safe places they could find.

According to a Tamil daily newspaper, latterly with a reputation for a pro-Government stance, more than 20,000 Tamil plantation workers from Passara and Moneragala presented a petition to Minister Thondaman begging that they and their families be sent to India immediately.* Another 30,000 from Haputale and Bandarawela estates were reported to have made a similar request to the Minister.

These are figures taken at random from a newspaper. Nobody will ever know how many thousands more made such frantic appeals to escape to India. Perhaps the Minister's C. W. C. Party office may be better informed. In the absence of authentic information one is left to rely on unoffical estimates that between 200,000 and 300,000 found their way into India and became refugees in that country. Given the circumstances in which they fled Ceylon, perhaps no authentic figures are possible. We only know that the late Prime Minister of India, Shrimati Indira Gandhi, was reported to have expressed concern about this mass exodus of Tamil refugees from Ceylon.

One inescapable conclusion to be drawn from this mass exodus that resulted from the Black July-August 1983 is it was

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* *THE VIRAKESARI of August 29, 1983, published from Colombo.*

of tremendous assistance in a way to a sort of "implementation" of the Sirimavo-Shastri Pact. Whether it was intended or not, whether the Government had knowledge of it or not there is no denying that the vast majority of the people who fled to India, if not all,were out of the 400,000 whom Ceylon claimed to be stateless persons of Indian origin still remaining in Ceylon, and who themselves were waiting in Ceylon with an uncertainty about their future status.

It is also an undeniable fact that as against its commitment under the Indo-Ceylon Agreement to grant Ceylon citizenship to 400,000 persons and their natural increase, Ceylon got away with granting citizenship only to 176,000 persons and a natural increase of 54,000. For all intents and purposes the Agreement itself may now be regarded as a dead letter.

If the Singhalese Government could treat their Agreement with a sovereign country like India in this fashion, it is not surprising that they showed a far worse cavalier attitude to solemn agreements with Ceylon Tamils. It is by such bitter experience that the Tamils have come to the conclusion that these Governments can never be trusted to honour agreements, as the Federal Party itself was to learn within a short time.

Is it any wonder that a new generation of leaders have come up among the Tamils who refuse to have any dialogue or negotiations with Singhalese Governments?

CHAPTER 19

1968 was quite a productive year for the UNP in the matter of achievements. Its honeymoon with the Federal Party yielded rich dividends, because that was the year in which Prime Minister Dudley Senanayake's Government was able to rush through with ease a number of measures which, in earlier times, would have met with stiff opposition from the Federal Party.

We have discussed some of them in the previous chapters. We shall now turn to yet another which, also by reason of its anti-Tamil intent, was as much dear to the opposition comprised of the SLFP-LSSP-CP coalition parties as it was to the UNP. Its passage through Parliament was therefore, equally assured.

Ever since the Indo-Ceylon Agreement Implementation Bill was disposed of,the Federal Party was urging the Government through its Minister Tiruchelvam to take steps without delaying any further to implement the District Councils part of the DS-C Pact. The Party laid great store on District Councils as a means of securing some measure of participation in the administration of the Tamil Provinces under a decentralization scheme. It was therefore anxious to see this part implemented as quickly as possible.

Besides, the Party leaders around Tiruchelvam may have had reasons to begin to entertain doubts about the prospect of the Pact being implemented at all. They alone would have known how far Tiruchelvam was effective in the Cabinet, or even in his relations with the Prime Minister.

About this time, that is, in the closing years of Dudley Senanayake's Government, there were rumours suggesting that Tiruchelvam's presence in the Cabinet was beginning to be resented by certain extreme elements among the UNP. It was even talked about in Parliamentary circles that on one occasion he had been insulted by a Singhalese M. P. from a southern Constituency in a rather vulgar exhibition in the very presence of the Prime Minister. Whether there was any element of truth in these rumours or not, it was becoming increasingly clear that the Federal Party's participation in the Government was beginning to be regarded by the less experienced and less calculating sections of the UNP as something of a mill-stone round their necks and affecting their standing in their electorates.

In this background situation it was not surprising that the Federal Party leadership was getting to be rather nervous about the Pact. But, even as they were pressuring the Government to bring forward a scheme for the establishment of the District Councils the Prime Minister had his own order of priorties. He alone knew how long Tiruchelvam was going to be in the Cabinet and how long he was going to have the Federal Party's support. And so he decided to act decisively and quickly to get what he wanted while he still had the Federal Party with him. He next took up another proposed law which the UNP considered as a necessary weapon to arm governments with.

The Prime Minister obtained the approval of his Cabinet for a Bill for the Registration of persons resident in Ceylon, and introduced it in Parliament. Needless to say, Tiruchelvam, who was supposed to be the Federal Party's watchdog of Tamil interests in the Cabinet, had given his approval.

At no time was the Party's Parliamentary caucus ever consulted for its views on the Bill. It was not surprising, because at this time the Party's method of functioning was such that

Tiruchelvam's judgement, right or wrong, was substituted for that of the Party and all its organs, whether executive, consultative, or Parliamentary.

The Bill was a most extraordinary measure for a country which professed to be democratic and with a heterogenous population of close to fifteen millions. It proposed a law under which every person in Ceylon 18 years of age or over, and every person upon reaching the age 18, was required to register himself or herself at a prescribed Government Department and obtain an Identity Card with the photograph of the holder displayed on it. The Identity Card must be carried on his or her person at all times and whenever he or she goes anywhere. It must be instantly produced whenever demanded by a Policeman. Failure to produce would result in the immediate arrest of the person on the spot. The Rule-making powers of the Minister were so wide that it was possible to make the Identity Cards spell out the citizenship status of the holder administratively on the decision of a bureaucrat.

A more sinister piece of legislation for a country like Ceylon was hard to imagine - a Ceylon with its perennial ethnic feuds and problems, with a majority race and a Government ever on the watch for an opportunity to pounce on those who do not belong to their race. Quite apart from the humiliation, stigma, and the insult of having to wear dog's tags tied round their necks, it contained a world of potential for disaster to the Tamil-speaking population. It put into the hands of a predominantly Singhalese Police Force an instrument of oppression and persecution with which all those who did not have Singhalese names could be subjected to indiscriminate arrest, ill-treatment, and even torture.

The Prime Minister explained that the law was necessary to curb the influx of (Tamil and Muslim) illegal immigrants from South India. It was by that very token that the law spelt danger to all persons in Ceylon bearing Tamil or Muslim names or speaking the Tamil language. If he had said it was a necessary corollary to the Indo-Ceylon Agreement Implementation law there might have been some semblance of logic. To suggest that people from a more developing and prosperous India would want to immigrate illegally into an impoverished and backward Ceylon was the height of absurdity. And yet,that was the argument with which he asked a parliament which needed no convincing to approve the Bill.

Obviously the illegal immigrants explanation had gone down with Tiruchelvam and his cohorts in the party leadership. They were so simple as to believe that the law was not aimed against Tamils in Ceylon or that it would not hurt them in any way. They were even naive enough to argue that the law applied equally to all the people in Ceylon, to the Singhalese people as much as to the Tamil-speaking population. It could not have been that they did not know that no policeman would ever dare to arrest a Singhalese person for failing to carry his Identity Card. The truth probably was that they had become such a set of namby-pambies that they had forgotten their common sense and were ready to trot out any excuse to shield Tiruchelvam.

I felt very strongly about the prospect of a great calamity which the Tamils were going to face. It would be a terrible catastrophe if the Bill became law. Chelvanayakam was the only man who was in a position to avert the calamity. I decided to see him and try to persuade him to intervene. Of course, I had no illusions about my chances of success, but I had to try nonetheless.

I met him alone and tried to convince him that it was unthinkable for the Federal Party to help put such a manifestly Tamil-baiting law on the statute book. I pointed out the inherent and lurking dangers and said that we could not be party to a law which was almost certain to expose the entire Tamil-speaking population to untold harassment and persecution. I suggested that he should try and get the consideration of the Bill put off at least until after meaningful steps were taken to implement important parts of the DS-C pact.

To my sorrow, Chelvanayakam's response was most disappointing though not unexpected. The pity is that he was able to see the potential mischief in the Bill.

He agreed that the dangers I pointed out were there. He was honest enough to concede that the law might prove to be a dangerous weapon in the hands of the hostile Singhalese police. (This admission of Chelvanayakam's was in sharp contrast to Amirthalingam's cheap gibe two years later, at the hustings in 1970,that I was prone to seeing a genie in every dark shadow at night.) Chelvanayakam, however, felt it was now too late to make any changes in the Bill (as if any number

of changes could make it any the less sinister) and there was no choice but to put up with it and deal with any situation that may arise if and when any attempt were to be made to misuse the law against the Tamils of Ceylon. He added that Tiruchelvam (a Queen's Counsel) had looked into the provisions very carefully before agreeing to the Bill.

It was now abundantly clear that Chelvanayakam had got into a frame of mind to interpret any criticism of the leadership's handling of Parliamentary matters as a criticism against Tiruchelvam, and he appeared to resent it. More so if the criticism came from me. It seemed as if he had been made to think that any criticism or opposition coming from me, no matter how reasonable the grounds and what the merits were, was motivated by a vendetta against Tiruchelvam. The obsession with Tiruchelvam's security of office seemed to overshadow any inclination to weigh the pros and cons of a problem himself. He seemed to have forgotten that in the early days of building up the Federal Party and in fighting the Tamil Congress policies he and I had together stood up for certain principles which G. G. Ponnampalam likewise resented and interpreted as Chelvanayakam's personal vendetta against himself. When a leader is in such frame of mind no amount of persuasion could have any chance of success. The more one tries to wean him from his chosen path the harder is the resistance, even though he sees the reality of the dangers lurking in the path.

I ended the interview by telling Chelvanayakam that I intended to oppose the Bill come what may. I said he was making a mistake to let the Bill,become law now when he had the chance to prevent it and then hope to deal with situations in the future. I told him I would rather prefer to go into political wilderness than prostitute my conscience and betray the trust which the people had reposed in the Federal Party.

I was not unaware of the consequences. Everybody has to render accounts for his actions to posterity. Let posterity know what downright selfish ambition on the part of some leaders can do to bring about the destruction of a people. Such leaders knew that I was an obstruction in their pursuit of selfish ends, and they were not going to tolerate me in the Party when I defy their will. The party itself had ceased to be the Tamil people's liberation movement and the leadership, therefore, no longer

needed the team work of all types of talent. That is a requirement only for the achievement of an ideal like freedom. A cynic has been heard to remark that, after all, a people get the leadership they deserve. It may be a cynical remark, but its truth is precisely what the last days of the Federal Party and the gullibility of the Tamil electorates seemed to prove.

This interview with Chelvanayakam was a sad occasion, for me at least, for it was the last time the two of us discussed problems of the Tamil people together. It also marked the parting of our ways. It ended a twenty-year comradeship in the struggle for a noble ideal. We had not got anywhere near the ideal yet. In some inexplicable way, this break with a man, who had once been a great and farsighted leader of our people, after a long and intimate association in a common cause seemed to me to be something of a symbolic premonition of dark days awaiting the people.

There was no mistaking the leadership into whose hands the Party had passed and the character of that leadership. Of course, Chelvanayakam was still the nominal chief and undisputed leader of the Tamils. But the misfortune is, just when his position demanded the exercise of a dynamic and forceful leadership to steer clear of the dark clouds which were already gathering on the horizon around the Tamil people his ill-health and infirmities, both phyical and mental, made him a helpless symbol. Indeed, he confessed to this helplessness when a trusted friend asked him about the formation of the TULF a few years afterwards. Of this, later.

On the day of the Second Reading of the Bill, the Prime Minister opened the Debate with a short speech explaining the need for the law as already mentioned. He was confident of a smooth passage without opposition, and there was no need for a lengthy speech.

When I rose from the Government Benches and spoke opposing the Bill, there was consternation in the House because it was not anticipated. Nobody had known that the Federal Party was having difficulties over the Bill. Among the opposition ranks the initial surprise gave way to unrestrained jubilation. They were all themselves supporters of the Bill, but they saw in my action the first crack in the Government.

I was followed immediately after by Amirthalingam.

His rising so hurriedly to speak gave the impression that the Federal Party leadership thought they had a duty to perform at the earliest opportunity, the duty of assuring the Prime Minister, the UNP, and the House that all was well with the UNP-FP partnership. Lest some wrong conclusions may be drawn, it was perhaps thought prudent to give a prompt indication that the unruly sheep would be suitably dealt with in the Federal Party and it would not affect the rest of the flock. He started his speech by saying at the very outset that only God could now save the Hon'ble Member for Kayts.

Amirthalingam then went on to deliver a speech which was most uncharacteristic of him and which sounded as the very acme of servility. He spoke in Tamil, and paid a glowing tribute to the Prime Minister. To highlight his praise of the Prime Minister he quoted a sacred hymn from the Tiruvacakam by Saint Manikkavacakar. The hymn is an exposition of the Saiva Siddhanta doctrine of philosophy relating to soul's complete surrender to God and the ultimate losing of its identity in God. In his ecstasy of God-realization the Saint enters into an imaginary but reverential banter with God. Freely translated, the quoted hymn is:

"What I gave You is me (a mere nothing),
What I am rewarded with is You (the Supreme God),
Oh Lord, who is the cleverer?"

The hymn, of course, has no relevancy in a debate on a Bill for the registration of persons and identity cards to be worn like dog's tags, but the relevancy becomes clear when the analogy is applied in the context of the praise of the Prime Minister: "What we (the Federal Party) surrendered is us (a mere minority people); what we got in return is you (the Prime Minister of Ceylon); Oh Mr. Prime Minister, who is the cleverer?" It was thus hyperbolical thanks for the DS-C Pact. I cursed my lot for having had to sit and listen to this pinnacle of Tamil shame.

What was the need for all this? Why this new-found endearment for the leader of the UNP whose policies had been subjected to the severest criticism by the Federal Party throughout its entire existence? It was not difficult to see the purpose.

For one thing, there was the growing resentment against the Federal Party Minister's presence in the Cabinet.

Tiruchelvam could hardly have found a better occasion or an abler advocate to plead his cause with the Prime Minister and make him see under what difficult circumstances he (Tiruchelvam) was helping to maintain the integrity of the UNP-FP partnership and the stability of the Government. Then there was also the need to condemn the Member for Kayts for attempting to break that partnership without appreciating the value of the "great achievement" of the DS-C Pact.

After a couple of more speeches and the Prime Minister's reply, the Bill was put to the House and passed with my solitary vote cast against.

I was sipping tea in the Cafetaria of the House after the voting when Amirthalingam came in and sat opposite me at the same table. Without any preliminaries, and with all the arrogance of a potentate, he said: "We have no choice but to expel you from the party." It was rather provocative, but I was in no mood to oblige. I was not interested in the politics which made him say it, nor was I in need of anybody to tell me about the consequences of what I did. I had weighed all that in my mind before I decided to oppose the Bill. What struck me most was the change that had come over Amirthalingam to make him behave as if he were the whole Party and as I a hireurning in the Federal Party. Quite apart from politics, there is always the human side to any relationship. I was human enough to take mental note of the withdrawal of the usual warmth of friendship that had previously existed between us. Leadership consciousness had transformed a friend into an unfeeling automaton. No wonder, history has seen many a man take to politics not out of any idealism or the finer human feelings of love, pity and compassion for oppressed fellow countrymen but driven simply by a thirst for power. Ambition never listens to the dictates of conscience or reason. Obviously Amirthalingam has of late imbibed ideas under the tutelage of Tiruchelvam.

I could not help contrasting this incident at the tea table with the reaction of the Tamil Congress leader, G. G. Ponnampalam, who had all the reasons in the world to regard me as one of his political enemies and to harbour an animosity. He happened to run into me in the Lobby before he was due to speak on the Bill. He asked me: " You used the word double-barreled. I agree one barrel is Section - what is the other?"

I explained to him pointing out the provisions which I feared could be used to harass the Tamils. He kept his word, for when he spoke, he attacked the wording of the Minister's powers to make Rules and elicited an assurance from the Prime Minister that Identity Cards would not mention the citizenship status of the holder. After the voting he told a mutual friend referring to my voting against: "I had no choice but to vote with the Government, but I admire that fellow's guts. I have a feeling he may prove to be right."

One may not always agree with G. G. Ponnampalam's political views, as I never did, but one thing he cannot be accused of is political dishonesty. In the case of this Bill he was honest enough to acknowledge what was right even though circumstances did not permit him to vote for the right. He never made a secret of his UNP leanings when he sought election, and he stood by the UNP Government. Unlike the Federal Party, he did not try to apply white-wash over the Bill for a purpose.

Indeed, this element of sincerity and consistency had characterized G. G. Ponnampalam's political career all throughout although his egoistical ways did not help to show it out. For example, we may never know the real truth about what made him to give up his relentless fight against the Soulbury Constitution and absolute power being handed over to the Singhalese and to accept a Ministry in D. S. Senanayake's Government in 1948 - whether it was the lure of office as his opponents made it out, or because of a sincere change of views and a genuine belief that there was no use in clashing with the Singhalese for ever but the prudent thing was to co-operate with them and try to improve the lot of the Tamil people as he told the Tamils and advised them to do. We may not have any sympathy for either reason. The undeniable fact, however, is that Ponnampalam never deviated from this course to the end of his life in spite of the many fluctuations in his political fortunes. Even his political enemies cannot stint paying due respect for this sincerity and consistency.

We will have occasion to refer again to the contrasting inconsistencies of the Federal Party leadership when we touch on the so-called Constituent Assembly. Here it will suffice to say that within a couple of days after the voting on the Second Reading of the Registration of Persons Bill,I received a letter

from the Federal Party informing me that I have been expelled from the Party. I was not interested in technicalities and formalities, but I did take note that not even the courtesy of a formal show-cause notice was given to me, nor were any of the Party's committees and councils given an opportunity to consider the expulsion of a founder General-Secretary. It was a sign of the autocratic attitude of the personalities who had taken over the leadership of the Federal Party and who were going to constitute the leadership of the Tamil people after the demise of the Party.

My twenty-year connection with the Federal Party was thus brought to an end. But not entirely. Chelvanayakam continued to send cheques to me for my signature, since our joint signatures were needed to operate on the Party's bank account. I co-operated without hesitation until the account was closed with the closure of the Party itself.

When Parliament met for the Third Reading of the Bill I crossed the Floor and took a seat on the Opposition Benches of the House. The Bill passed through the Third Reading also and became the law known as the Registration of Persons Act of 1968 which compelled every person to carry an Identity Card. This time, surprisingly, S. D. Bandaranaike, the SLFP Member of Parliament for Gampaha, joined me in voting against the Bill.

The significance of this chapter lies, not in my opposing the Bill nor in my expulsion from the Federal Party on account of it, but in the effects of the law. No Tamil can fail to be concerned about the impact the law is having on the life of the Tamil population in Ceylon. It is even far worse than what I had feared as early as 1968.

This law has been in operation for over fifteen years. Even the Government will not deny that not even half the country's population have been issued with Identity Cards. The Commissioner in charge of the Registration has said a number of times that his Department was not adequately funded or staffed. And yet, the Police and the Security Forces behave as if every person had been issued with an Identity Card.

The havoc which the law has played on the Tamil popula-

tion bears no description. Whole villages in the Tamil areas are reported to have been rounded up to gather in one spot with their Identity Cards, and those who did not possess one, particularly Tamil youths, were taken away by the Security Forces and not heard of since.

Cases have been reported where Identity Cards were snatched and destroyed, and then the youths taken away for non-production of Identity Cards.

Applicants for passports or other travel documents are reported as being turned away for not being able to produce their Identity Cards.

The full extent of the mischief caused by this machiavellian piece of legislation, particularly in the years after 1982, will not be known for some time. The scenario is still unfolding, and reports are continuing to reach the international press and mass media which show that Identity Cards are being used against the Tamils as offensive weapons, no less lethal and destructive than rifles and machine guns.

Even well-known personalities in public life and innocent people on the roads are unable to move about freely on legitimate business. By no stretch of anybody's imagination could they be accused of being illegal immigrants from South India. The mere fact of their being Tamils and not in possession of Identity Cards is enough to be picked up by the Security Forces and subjected to persecution and harassment. To give two illustrations from the international press:

"The leader of the All-Ceylon Tamil Congress, Mr Kumar Ponnampalam, was briefly detained by the Lankan army on September 3, 1984.

"Mr Ponnampalam, when returning with his wife from Tirukoneswaran Temple in Trincomalee was stopped by the Army. His car was subjected to a search and he was asked to produce his identity card. He said that he did not have his identity card in his possession but produced his wife's card. The Army was not satisfied and Mr Ponnampalam was taken to the Army camp at Trincomalee and later to the Police Station. After subjecting him to questioning, he was released.

"Mr Ponnampalam, a lawyer and leader of the Tamil Congress and son of the late Mr G. G. Ponnampalam, is not an unknown person. In spite of that fact, the action of the Army on this occasion is typical of the harassment to which all Tamils are subjected day in and day out." *

The London magazine might have also added that Kumar Ponnampalam was only recently a Presidential candidate who contested J.R. Jayawardene for the office of President of Ceylon. It was an all-island election held only two years earlier in 1982. No Army personnel could have pleaded ignorance or that Ponnampalam was a suspected illegal immigrant from South India.

Two senior civil servants in the Justice Department of the Government of Switzerland, Mr. Pete Hess and Mr Urs Hadorn, were reported to have visited Ceylon in 1984 to study the situation there for the purpose of dealing with the Tamil refugee problem in Switzerland. Writing about their report on the conditions which the Tamils face in their country, a British newspaper correspondent in Geneva reported:

"Mr Pete Hess and Mr Urs Hadorn spent eight days on the island in August. Their 24-page report states that anyone without identity paper is picked up by security forces." **

No useful purpose will be served by my saying "I told you so" to those that are still alive out of that Federal Party leadership who helped to put this disastrous weapon into the hands of the Security Forces despite my warnings, nor do I feel any pleasure from the fact that I have again been proved right. Nobody can derive any pleasure from the misery and sufferings of one's own people. But what is most deeply deplorable is, it was in the power of these Tamil leaders to have effectively refused to give this weapon, and they wilfully rejected all pleas to exercise that power. The people need not be going through all these sufferings.

While deploring the leadership, it has also to be said that the people themselves are not without a share of responsibility for their plight. Electorates have to be enlightened enough and politically mature for the democratic process to function beneficially. If this is lacking it is the people who suffer. If the Tamil electorates had been more vigilant and enlightened, much of the suffering might have been avoided. But they

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* *TAMIL TIMES, London, September 1984.*

** *Iain Guest from Geneva in the DAILY TELEGRAPH, LONDON.*

repeatedly endorsed (1970 and 1977 General Elections) what the Federal Party leadership had done during their shortlived honeymoon with the UNP and in their handling of the so-called constituent assembly. They never could get out of the habit of swallowing platform rhetoric. They could never see through deceitful jargon even when warned. It is part of their character to be swept off the feet by substanceless alliterative rhetoric. It is a strange weakness in a highly literate people.

This weakness on the Tamil side, an ambition-ridden and inept leadership and a politically immature electorate were very astutely taken advantage of by a *Mahavamsa*-type Singhalese nationalism with an endemic hostility towards everything Tamil. The result is the trauma which afflicts modern Ceylon. The Tamil struggle for an honourable and equal place in the country has been taken away from the voters and out of the hands of professional politicians who were in the habit of regarding Parliament as a career.

The contribution from the Singhalese side is no less deplorable. Lacking in enlightened and farsighted statesmanship, the Singhalese leaders were only interested in the pursuit of power. They seemed to care little even for the well being and economic prosperity of their own people—the Singhalese youths rebellion 1971 was an inevitable consequence of this indifference. Whether it be inter-racial harmony, economic growth, full employment, industrial peace, a contented labour, etc., which alone can take a country on the road to progress and prosperity, they pursued policies without any consideration for the effect on their own people. In the process they destroyed the very foundations which sustain a prosperous nation.

If the Singhalese people themselves should become impoverished by the mis-government of their own leaders, there is no way that the Tamils can do anything to mend it. At the same time, there is no reason why the Tamil part of the country should share in that impoverishment through policies over which they have no control.

This was the general picture when I made the declaration in Parliament calling for the creation of a Tamil State in the traditionally Tamil homeland in Ceylon. The circumstances in which it was made will be discussed in the next chapter.

CHAPTER 20

At long last the much-heralded and long-awaited Proposals for the establishment of District Councils were tabled in Parliament in a White Paper.

The District Councils, it will be remembered, was the centre piece in the DS-C Pact (though undefined) for the establishment of which the Tiruchelvam clique in the Federal Party leadership had been sitting through for more than three years, hopefully waiting like the parrot in the fable. It was the principal attraction with which they sold the Pact to the Party supporters in the country and justified their joining the Government and accepting office. From public platforms they raised the hopes of the people to believe that it was something big, and the future of the Tamils depended on it. They set so much store on it that they had refused to be deflected from the Government even when the Government resorted to measures which made harmful encroachments into vital Tamil interests.

When eventually the White Paper spelt out the proposals in detail the whole thing turned out to be a damp squib concerning the main feature which was of interest to the Federal Party, viz., sharing administrative power and responsibility in the two Tamil Provinces. It was claimed that Tiruchelvam had a hand in drafting the White Paper scheme.

It was a scheme for the whole country, that is to say, it applied to all the twenty-two administrative districts into which Ceylon is divided. There can therefore be nothing specially Tamil about it.

Far from decentralizing the administration, the Proposals envisaged transforming the twenty-two Kachcheris in the island into elected bodies (District Councils) with all the trappings of a legislature - sans power and money. Like the existing Kachcheris, these Councils were to be directed and controlled from Colombo by a Minister. Like the Kachcheris, their finances were to be allocated and received from Colombo. The Government Agents, answerable only to the Minister, were to be the chief executives of the Councils. In other words, the District Councils were in effect the same old Kachcheris called by a different name.

Nothing could have been a greater betrayal of the DS-C Pact, or a more calculated fraud on it, than this document. Of course, I cannot claim to know what transpired between Tiruchelvam and Esmond Wickremasinghe when they negotiated it and whether this was all they agreed to. The Pact itself contained only a nebulous reference to District Councils as a means of decentralization of administration. But this was a parody of even the least that had been held out as the contemplated powers of the Councils.

In my view, if it was merely a harmless exercise in administrative decentralization by a rehash of the Kachcheri machinery it would not have made much of a difference. What made it most obnoxious from the Tamil standpoint was its attempt to introduce the Official Language of Singhala in the administration of the Northern and Eastern Provinces far more effectively than even the Official Language Act itself or the Tamil Language Regulations.

The White Paper Proposals required the District Councils in the two Tamil Provinces to conduct their affairs in Tamil and Singhala. Even elected Local Government institutions at the village level, like Village Councils, Town Councils, etc., would have to work in Singhala and Tamil, making a mockery of local democracy at the lowest rung of the ladder. According to the White Paper, therefore, the Federal Party was agreeing to

conduct the affairs of their District Councils in Jaffna, Mannar, Vavuniya, Mullaitivu, Trincomalee, Batticaloa, Kalmunai, etc., as well as those of all the Tamil Village Councils, Town Councils, etc. in Singhala and Tamil.

It was a very cunning device on the part of the UNP Government. What they themselves could not do, thanks to Tiruchelvam, they were getting the Tamils themselves to enforce the Singhala Only Act in the Tamil Provinces. What a fall for a Party which had waged a "war" on the Galle Face Green, in the Trincomalee March, before the Kachcheris and the umpteen number of Government Offices, and forced the Government to a standstill for three months in the two Tamil Provinces in its fight against the imposition of Singhala.

The SLFP-LSSP-CP coalition Opposition, on the other hand, condemned the White Paper Proposals as paving the way for a division and fragmentation of the country. They further raised the usual cry that the UNP was trying to sell the Singhalese people to the Tamils, a cry that comes very handy to both the Singhalese camps for alternating use or rather abuse. To them it was again an excellent tool to play politics with.

The White Paper was duly taken up for consideration in Parliament one day. The moment Mr. Speaker announced this item in the Order Paper, the entire Opposition got up and staged a walk-out in demonstration of their protest. One Opposition Member, Prins Gunasekera, the soft-spoken and socialistic-minded Member of Parliament for Habaraduwa, set fire to a copy of the White Paper and hurled it into the well of the House on his way out of the Chamber. Such was the contempt for the White Paper which we all on the Opposition side shared, I for my own reasons and the rest for theirs.

I stayed behind as I did not wish to miss that unique opportunity to proclaim the real Tamil viewpoint. So that, when I rose to speak the Opposition seats were all empty, and there remained only the UNP and the Federal Party and Tamil Congress Members on the Government Benches to listen to what I had to say. It was not only an occasion to declare that the White Paper Proposals were totally unacceptable to the Tamils, whatever the Federal Party may think of them, it was also an opportune moment to tell the Government and the country at large that Singhalese Governments and political leaders

could no longer be trusted to honour their plighted word to the Tamils, and that the two peoples have reached the parting of the ways.

There comes a time when the plain truth has to be told. The DS-C Pact, despite the motivations on either side and its deficiencies even as an interim solution to the Tamil problem, was essentially an agreement between the Singhalese and the Tamils to try and meet some of the grievances which were agitating the minds of the Tamil people at the time. To treat it as merely an exercise in political opportunism for one Singhalese party to get the better of another to capture power, and then to dump it as junk in utter disregard of the Tamil element, was the most indecent and grossest betrayal in national affairs. The Pact had served the UNP and the Singhalese people in general more than was expected of it, but on the Tamil side it was worse than a dead letter. The White Paper was the last nail in the coffin of Tamil hopes for an honourable peace with the Singhalese.

There can be no doubt that the White Paper Proposals were a calculated repudiation and betrayal of the DS-C Pact without appearing to be one. It made a show of implementing the District Councils part of the Pact, and yet it was no implementation at all. A more cunning way to wriggle out of the obligations of a solemn agreement was hard to imagine.

And yet, it was not an isolated occurrence but followed a familiar pattern which had already been set. It was quite characteristic of the way in which in the long history of similar attempts to reconcile Singhalese-Tamil differences agreements were made and then unceremoniously broken by the Singhalese. That history spanned a period of more than half a century.

In the Nineteen Twenties Sir Ponnampalam Arunachalam, a Tamil, laboured hard to bring all the splintered Singhalese political groupings and the Tamil associations under the umbrella of one common national organization called the Ceylon National Congress to press for constitutional reforms from the British Government on the understanding that the benefits of the reforms would be shared by both the peoples in an equal partnership. When the time came to formulate demands, the Singhalese leaders went back on their undertaking and used

their majority in numbers to force the Tamils and the Congress president Sir P. Arunachalam to leave the Congress.

A Singhalese delegation of prominent leaders went all the way to Jaffna to meet with Tamil leaders and negotiate for an agreed common demand to be presented to the British concerning the basis of legislative representation. The resulting agreement was called the "Mahendra Pact". It was repudiated in due time by the Singhalese leaders on the ground that the name of their organization had since been changed into Ceylon National Congress and the agreement was no longer binding on the new name Congress - vide "Handbook of the Ceylon National Congress" by S. W. R. D Bandaranaike, Secretary of the Congress.

Important leaders representing the pan-Singhalese Ceylon National Congress entered into a similar agreement with Sir Ponnampalam Ramanathan, leader of the Tamils, to be placed before the Royal Commission under the chairmanship of Lord Donoughmore which was due to visit Ceylon. While giving evidence before the Commission, however, noting that the Commissioners were inclined against the principle of communal representation, they went back on the agreement and told the Commission that they should not be held bound by that agreement. It made the Commission to report to the Imperial Government that they were not concerned with agreement between parties for communal representation - vide Report of the Donoughmore Commission.

In the Forties, after the conclusion of World War II, when the Soulbury proposals for a new Dominion Status type of Constitution were being opposed by the Tamils, and the British were insisting as a pre-condition that all the communities in the island must accept the new scheme, Singhalese leaders in their speeches in the legislature promised the Tamils to work the new scheme fairly and not to the detriment of the Tamils and pleaded with a credulous set of Tamil leaders to trust their word of honour and help them to take advantage of the British offer. The Tamil leaders trusted and voted for the acceptance of the Soulbury scheme - vide Hansard of the State Council debates, 1946. And then, when the first Prime Minister under the new scheme was negotiating with the British to advance the Dominion Status into complete independence and the British again insisted on a consensus of all the communities

as a pre-condition, Prime Minister D. S. Senanayake made the same promises on behalf of the Singhalese and persuaded a friendly and trusting Tamil Minister in his Cabinet (C. Suntharalingam) to join in the unanimous request to the British. Suntharalingam trusted his friend, and Ceylon became fully independent. After independence all these promises were thrown to the four winds, and laws after laws were pushed through by the Singhalese-dominated Governments hitting the Tamils.

In the Fifties, Prime Minister S. W . R. D. Bandaranaike as representing the Singhalese entered into the B-C Pact with the Federal Party seeking to solve some of the Tamil grievances arising out of these laws. Within a few months he tore it up unilaterally at the behest of the Singhalese Buddhist clergy.

In the Sixties, Sirimavo Bandaranaike and her SLFP-LSSP-CP coalition partners sought the co-operation of the Federal Party to defeat Dudley Senanayake's UNP minority Government promising to implement the B-C Pact. After the defeat, and when she obtained an absolute Parliamentary majority which enabled her to govern on her own strength, she ignored her promises to the Federal Party and her Government resorted to more anti-Tamil measures.

Then we have the last of the pacts in this series, the DS-C Pact, and the last of the betrayals in the White Paper.

Who can say that the Tamils in Ceylon have ever been wanting in a sincere desire and willingness to settle their disputes with the Singhalese by negotiation and dialogue? Who in the world would have gone for dialogues again and again in the face of betrayal after betrayal?

It is always a fashion to advise disputants to sit round a table and solve disputes by dialogue and discussion, and not to resort to violent confrontation and wars. Whether in national disputes or in international conflicts parties are being constantly advised to avoid wars and to negotiate, while governments continue to oppress, persecute, and even commit genocide.

No doubt, it is a very salutary advice and a noble ideal, quite often well-meaning, too. Nobody fights a war for the pleasure of it. But the trouble is, it has never been a pragmatic ideal, and never will be so long as governments being what

they are and the tyranny of the majority and armed might being the ruling principle of democracy. Governments, the stronger of the disputing parties, never allow idealism to govern their attitudes nor altruism to influence their diplomacy. They rarely approach the negotiating table in the spirit which the exercise requires for success. The weaker is left to its own devices to shake off tyranny and oppression.

If the weaker side listened to this idealistic advice and waited till the end of time for a solution to its problems there would have been no wars of independence. If the American colonies of George III's England listened to such advice and continued to be governed by England and to pay taxes to England without representation in the Parliament at Westminster, there would have been no American War of Independence, no American Declaration of Independence, and there would be no United States of America today. By a queer coincidence, under President J.R. Jayawardene's Government, the Tamil people inhabiting their own homeland in Ceylon are being advised by well-meaning friends, including the United States of America, to continue to be governed by the Singhalese Government in Colombo and to pay taxes to Colombo without representation in Ceylon's Parliament in Colombo.

Dudley Senanayake's treatment of the D. S-C Pact left no room to doubt that the Tamil problem could never be solved by dialogue. No Singhalese leaders could be trusted to honour any agreement conducive to an honourable co-existence of the Singhalese and the Tamils in a unified Ceylon. None of them could ever be statesmen enough to rise above Singhalese ultra-nationalism's insatiable thirst for complete and total domination and create the necessary climate to make such honourable co-existence possible.

When, therefore, I was addressing the House on the White Paper Proposals for District Councils, I traced the history of the ill-fated pacts between the Tamils and the Singhalese and told my listeners within and outside the House that never again would the Tamils want to have any more pacts. Let the D S-C agreement be the last pact, and the last betrayal. My speech was constantly interrupted by Prime Minister Dudley Senanayake and J. R. Jayawardene. They belonged to the UNP, and it was not difficult to understand their reaction. What was

rather incongruous were the interruptions from a Tamil M. P. in the House, S. M. Rasamanickam of the Federal Party.

Turning to my erstwhile colleagues of the Federal Party, I urged them to abandon the District Councils Proposals and to give up any hope they may have to get their Pact implemented in the letter and spirit in which it was entered into. I also appealed to them not to take on the task of enforcing the Singhala Only Act in the Tamil Provinces.

Finally, I made the declaration that it was now time for the Tamil people to wake up and re-establish the ancient Tamil State in their hereditary homeland in Ceylon's north and east which they lost to the European colonial powers. I issued an earnest call to the Tamil-speaking people to strive hard and struggle for the establishment of the Tamil State, since that alone would ensure their continued existence as a respected and distinct people in Ceylon and preserve and protect their glorious cultural heritage, language and religions. Only then would the Tamil-speaking people be able to live in an equally free State in their part of the island on terms of amity and friendship and absolute equality with the Singhalese State and the Singhalese people.

My call for a free Tamil State did not imply that the Tamils have any animosity towards the Singhalese people in general. They have no feelings other than sincere sentiments of friendship and fraternal feelings towards their Singhalese neighbours. What they resented and what they will not tolerate was the attempt on the part of the Singhalese politicians and Governments to exercise dominion over them under the cloak of democracy.

There was nothing new about the idea. Long before me, Sir Ponnampalam Ramanathan had predicted the possibility. In his last memorable speech in the old Legislative Council before an audience of British Officials and Singhalese leaders, he warned that in view of the British attempt to betray the trust reposed in them by the Tamils by their partisan attitude and the Singhalese leaders' transparent manoeuvres and intrigues to gain complete dominion, a cry for Tamil separation would one day become inevitable. He was voicing his opposition to the Dounghmore Commission's proposals for reforms towards self-government. In the course of it he was also condemning

the shortsighted intrigues of the Singhalese leaders and warning them of the possible consequences.

More recently C. Suntharalingam had been toying with the idea from public platforms, in somewhat non-committal speeches.

What was novel about my declaration is, it was the first time a positive and emphatic call for the establishment of a free Tamil State was ever made in Parliament. Its importance lies in the fact that it reflected the thinking of a whole new generation which was getting frustrated and losing all hope, which was beginning to be genuinely apprehensive about the future of the Tamil-speaking people in Ceylon. It conveyed a message of hope to a long-suffering people, and infused a feeling of confidence that they were not without a remedy against the imperialist-style outlook of Singhalese Governments.

I knew that the whole world would laugh at me and I would be ridiculed, but I was not concerned with what the world thought. So did the world laugh at Theodore Herzl and Mohammed Ali Jinnah. By world, one only refers to the unintelligent and the unthinking part of it. The intelligent and thinking part does not laugh but pauses to think about the circumstances and the inevitability of a particular development in the affairs of a country and about the possibility of that development proving to be the right course.

As I had foreseen, I did not have to wait long for my share of ridicule. The then Deputy Speaker of the House of Representatives, M. Sivasithamparam, and I happened to be travelling in the same train back to Jaffna after my speech on the White Paper. He asked me: " What is this separate Tamil state you are talking about, Sir? If their Navy's H. M. Cy. S. Wijaya takes up position off Kayts or Kankesanturai and fires ten shells, wont your Tamil state sink to the bottom of the Indian Ocean?" Indeed, the ridicule has now turned out to be an intelligent anticipation of what was to happen. Sixteen years later, in 1984, the Ceylon Navy's gunboats did shell the coastal villages from off Kankesanturai. Only the Jaffna Peninsula still continues to hold its battered head above the waters of the Indian Ocean, thanks to the intrepid fighters of Vadamaradchi. And Sivasithamparam has since become president of the Tamil United Liberation Front, a parliamentary party of sorts supposed

to be working for a Tamil state. It is not suggested that politicians should not change their opinions, except that it is the trusting Tamil people in general who suffer loss of life, limb and property and pay a heavy price for the lack of sincerity, integrity and farsightedness in politics on the part of their leaders.

The need for a Free State to protect the Tamil-speaking people was far too urgent to pay heed to any possible laughter or ridicule, the leaders whom the people trusted had betrayed them, and I felt that no time should be lost to appeal to the patriotism and inborn intelligence and common sense of the Tamil people and call on them to wake up and bestir themselves in time to achieve the goal.

I am glad that the Tamil country has taken it up, and a strong and meaningful struggle is being seriously carried on toward that end. I have not the slightest doubt that the Tamil state will be a reality in the not-too-distant future. It is to be hoped that the people will carry on the struggle with a single-minded devotion to the objective without flagging and without wavering.

Not long after the debate on the District Councils White Paper, Tiruchelvam left the Cabinet. The Federal Party also withdrew from Dudley Senanayake's Government.

Whether Tiruchelvam left of his own accord or was asked to leave and for what reason is difficult to say. The stated reason may not necessarily even be the truth. Tiruchelvam claimed it was because of his differences with the Prime Minister over some Hindu rights to perform funerary rites at a Hindu Temple in Trincomalee. It will always remain an open question whether a Minister, who had clung to his office like a leech when far more momentous Tamil interests and vital rights were being eroded, would have quit on a comparatively trivial issue like this.

Tiruchelvam's quitting office, or the reason for it, is of no consequence or of interest. What is more important is that the Federal Party at long last realized the great blunder they had committed. They broke off from what had proved to be a most calamitous and costly partnership with the UNP. Though the four years of that partnership had been the cause of some irreparable and lasting damage to the Tamil nation in Ceylon,

this belated wisdom was at least a welcome development. They crossed over to the Opposition in Parliament where they rightly belonged and took their seats beside me in the Opposition Benches.

Nothing more was heard of the White Paper on Proposals for District Councils for the duration of Dudley Senanayake's Government. It was shelved for good. With it was also buried the D S.-C Pact in traditional style. Like the genie (vethalam) in the Tamil tale, both the UNP and the FP, after performing respectively their allotted tasks, climbed back on their respective branches of the thorny tree - the UNP going into a temporary eclipse because of a Singhalese electorate unable to appreciate the importance of what they had done, and the FP climbing back to Federalism and Parity of Status for Singhalese and Tamil languages because of a Tamil electorate ever prone to be votaries of platform rhetoric.

There was another duty which I felt called upon to perform when Parliament was nearing the end of its term and the Federal Party was in the Opposition. It merits recalling here because of the lesson it imparts of how petty personal animosities among elected representatives can harmfully affect weighty matters of public interest.

It was sometime before the Federal Party's quitting the Government that the Tamil Public Servants who had refused to learn Singhala were dismissed from Government Service as discussed in a previous chapter. It was done with the acquiescence of Minister Tiruchelvam, and the Federal Party was thus a party to the dismissal. Perhaps because of this reason there was not much of a protest which was articulate enough to make any impression in the Tamil country or to bring home to the Tamil people, not only the injustice caused to the dismissed individuals, but the implications of the action to future generations. I decided to force a debate in Parliament on the matter.

I introduced a Motion of Address to the Governor-General condemning the Government for perpetrating racial discrimination in the Public Services by dismissing three Public Servants, namely, Pathmanathan, Surendranathan and Kulamani, for the reason that they were Tamils. It is a well-known Parliamentary procedure, but it required a seconder

besides the mover. I relied on the Tamil M. P.s'sense of duty they owed the Tamil people to second the Motion and force a debate.

However, when I moved the Motion of Address it failed to provoke a debate for want of a seconder. None of the Tamil M. P.s rose to second the Motion even though they were all present in the House in full strength. No explanation has ever been given for this unpardonable, shall we say, indifference, if it was not a calculated hostility to the subject of the Motion.

It is a recognized Parliamentary tradition to get up and formally second a motion for purposes of discussion even though the seconder is opposed to the subject matter of the motion. Several friendly Singhalese M. P.s, prominent among them being Mudiyanse Tennakoon, the kind-hearted and sympathetic Member of Parliament for Nikawaretiya, told me afterwards that had they known that the Tamil M. P.s would be so unconcerned about a matter that affected the Tamils themselves they would have made it a point to be present in the House and seconded my Motion.

The Federal Party M. P.s must have had their own reasons for their attitude. Perhaps they were still smarting under the trauma of defeat to think of doing the right thing or performing a public duty. Perhaps they had feelings of revenge towards me in a personal way. Or, it may be they felt awkward and ashamed because the Motion by implication condemned the Federal Party equally. Whatever the reason might have been, I was not a little surprised when I was told some time later that Chelvanayakam had said, when confronted by a friend, that he would have seconded the Motion if I had asked him, thus giving a personal slant to our Parliamentary duties and our obligations to the Tamil people.

The breakaway of the Federal Party exposed the Government to the risk of being defeated at any moment. But there was no need to wait to face any such eventuality. Parliament in any case was nearing the end of its term. So it was dissolved, and the country went for another General Election early in 1970.

The new trend of the Party leadership had driven away a large number of strong and sincere believers in the true ideals of the old Federal Party. They had all been patriotic minded

and very active workers in the Tamil cause. They all became despirited, frustrated, hopeless, and without any sense of direction. With my leaving the Federal Party some more came out. We all got together to form a new loose group, and met frequently to consider the need for a sincere movement to counter the false leadership of the Federal Party and lead the Tamil people to complete freedom.

This group no longer believed in federalism as a solution to the Tamil problem. Even at that time, in 1969, the group was convinced of the utter impossibility for the Tamils to co-exist in any type of political association with the Singhalese. It, therefore, proposed that the new movement should set the ideal of a completely free Tamil State before the people and lead them towards its achievement.

The new organization, *TAMILAR SUYADCHI KAZHAKAM*, was accordingly inaugurated in 1969 with a free and self-governing Tamil State in Ceylon as its objective. It visualized a Constitution for the Tamil State on the model of the British Statute of Westminster. The same Sovereign and Queen would be the head of state for the new Tamil State as she already was for the rest of Ceylon. The Tamil State would thus have a status similar to that of Canada, Australia or New Zealand.

It seemed at the time of the inauguration of the Suyadchi Kazhakam that this concept would be a reasonable scheme under which the two races could co-exist peacefully in their respective ancient homelands in Ceylon as free and equal peoples, respecting each other's independence, and with treaties for mutual defence and the defence of the whole country. Since then, however, events have completely changed the picture.

A series of illegalities started by the Government that was elected at the General Election of 1970-experiments with constitutions in utter disregard of the fact of the Tamil people in Ceylon, an unprecedented contempt for the rule of law, blatant violations of human rights, a despotism that is totally alien to the democratic system-all these combined to give rise to a Tamil uprising that the country had never known in its

recent history. It is something which is contrary to Tamil nature. If it is a fact today, it could only have been generated by having been driven to the wall.

The resentment against Singhalese domination has, of course, been building up over a period of years ever since the British left. These acts of misgovernment only helped to burst the banks of patience. It is important to remember that a new generation of Tamil Youth has come into being and taken over, a generation which has never met its Singhalese counterpart either in the classrooms or on the playing fields. They were deliberately kept apart by Government policy, and the inevitable result then is confrontations and uprisings.

I ceased to be a Member of Parliament after the 1970 Election. I was therefore not a participant in the events which led to the Tamil Uprising. A brief analysis is all that is possible in the circumstances. We shall attempt it in the next and last chapters of this book.

CHAPTER 21

Colebrook in 1833 and Tiruchelvam in 1965 mark the two extremities of the period of time, a century and one-third, which saw the sowing of the seeds for the post-colonial revival of the historical Singhalese quest for the exercise of dominion over the Tamils,the one marking the beginning of the process and the other its fruition.

Before Colebrook Ceylon was never one politically. The Dutch ruled the Tamil Kingdom of Jaffna in the north and east of the island and the Singhalese Kingdom of Kotte in the maritime provinces in the west as two seperate entities for a little more than a century, and before them from about 1621 the Portuguese had ruled in a like manner. The second Singhalese Kingdom of Kandy in central Ceylon still held out as an independent nation ruled by a dynasty of rulers having strong South Indian Tamil connection. The question of any aspirations for dominion, therefore, did not arise.

The annexation of the Kandyan Kingdom by the British in 1815, and the political unification of the three kingdoms into one Ceylon by Colebrook in 1833, changed the scenario completely in favour of the Singhalese. British rule of the whole island as one colony inevitably led to a mixing of the population and political institutions in course of time. The stage was

thus set for a revival of the old Singhalese ambition for domination of the Tamils which had lain dormant during the Portuguese and the Dutch occupation and the first hundred years of British rule.

That Colebrook of the nineteenth century and Tiruchelvam in the twentieth played an almost identical role in making it possible for the Singhalese to achieve their ambition is one of the most stinging ironies in the history of modern Ceylon. It is possible that this result may not have been a calculated one by either of them, but, in retrospect, they cannot escape being seen as the instruments which brought it about in their respective times, the one in the service of his country and the other oblivious of the conflict of interest in the role he played.

Colebrook jumbled the peoples of the three ancient Kingdoms together and pooled them into a hotch-potch, thereby laying the foundation for a future counting of heads and vesting the Singhalese majority with the potential for dominant political power. A century and a half later Tiruchelvam rounded it off by taking the Federal Party into a coalition government with the pan-Singhalese United National Party, thereby giving a fresh lease of life to a dying Singhalese anti-Tamil political party and providing added momentum to the most diehard and reactionary elements among the Singhalese. What is far more tragic is the effect this action had in reducing the Federal Party into a moribund movement, a Party which had emerged as the first and only effective Tamil resistance to the Singhalese juggernaut in the entire period of a century and a third. Its militancy, though non-violent, was the only Tamil force which the Singhalese feared because it did not let them govern in peace.

Colebrook at least could claim to have served his country and government well with his proposals for a unified administration and an efficient system of tax collection at a time when his country was commencing the rule of a newly conquered colony. He could not have foreseen that the empire he was helping to build would come to an end in the manner it did. The Tamils of his time were so unsophisticated and medieval that they could not have known any other method of resistance except to take up the sword and fight—and perish at the receiving end of the foreigners' fire-arms, as did the

brave Pandara Vanniyan and other Chieftains of the Vanni. They were a conquered people. In their scramble for survival, what plans were being made by the conqueror to rule them would have been the least to agitate their minds, an ignorant simple folk in 1833 with none to guide them in the ways of western politics.

The same cannot be said of Tiruchelvam on the other hand. He was a highly educated man of the Twentieth Century and a professional, profoundly knowledgeable in the ways of modern statecraft and politics. He had all the intellectual attainments and qualifications to serve his countrymen well when he made his entry into Tamil politics. Maybe, he was not a people's leader and never experienced the impact of the Tamil people's aspirations in the sense that he had never sought or faced elections to have himself chosen as a people's elected representative. But he represented the Federal Party, the acknowledged sole voice of the Tamil people. The people looked to him to have an intelligent understanding of Singhalese stratagems and to provide them with farsighted and patriotic leadership to guide them clear of all pitfalls.

Instead, Tiruchelvam and the Federal Party fell into the snares of Singhalese machinations. That is the story of the 1965 General Election and after. We have already seen the disastrous consequences. The Federal Party was no more the resistance movement of the Tamils that it once was.

But this is not all, the worse was yet to come. It came when Sirimavo Bandaranaike got together a so-called constituent assembly in the wake of the 1970 General Election. It is a safe guess that the constituent assembly idea is an offspring of the under-cover intrigues and the clandestine political wheeling and dealing around the 1965 General Election. The idea was probably conceived in the circumstances and atmosphere surrounding Tiruchelvam's taking the Federal Party into the UNP camp and thwarting Sirimavo Bandaranaike's Prime Ministerial chances. The SLFP-LSSP-CP alliance, conceivably, made up their minds to make an assault on the power of the Tamil strength in the constitutional framework. The vow-taking ritual at the Vihare Maha Devi statue could have fuelled that determination. Even then, it is possible that their plans had not taken any definite shape.

Another development in the constitutional field, however, must have clinched matters for them and driven them to decide on the constituent assembly idea.

About this time the Judicial Committee of the Privy Council in London handed down two judgements which had a far-reaching effect on the interpretation of Ceylon's 1948 Constitution in force. The decisions provoked the ire of the power-conscious Singhalese leaders and pricked their pride. Both decisions were concerned with the interpretation of Article 29 of the Constitution.

The leaders were aware that Article 29 laid down certain restrictions on the law-making powers of Parliament. Nevertheless, they had trusted on the special procedure prescribed in the very same Article for amendment of the Constitution, that is, upon a certification by the Speaker that an amendment has been passed by a two-thirds majority in the House of Representatives.

It had therefore been thought that Ceylon's Parliament was a sovereign and supreme legislature. The Privy Council now ruled in the two judgements that it is not so sovereign and supreme, after all.

The decisions were in two cases arising out of laws enacted during Sirimavo Bandaranaike's 1960-1965 Government. That Government had rushed through Parliament two pieces of hasty legislation which affected the judiciary and the administration of justice. They had nothing to do with minority rights or discriminatory legislation. One law was concerned with appointment of Bribery Tribunals and the other was to deal with suspects in an alleged attempted coup. Both were impugned in the two cases on the ground that they were in violation of the Constitution and therefore ultra-vires of Parliament.

The two cases went up in appeal to the Privy Council which was the highest court of Appeal at the time. The Judges of the Judicial Committee made a very exhaustive and learned analysis of the scope and effect of Article 29 for the purpose of Their Lordship's Judgements.

I have already discussed this Article 29 in some of the previous chapters. Nevertheless, in view of the bearing on the

proposed constituent assembly, I may be excused for repeating what it is all about.

Ceylon's Parliament consisted of the Sovereign and the two Houses of Parliament, namely, the Senate and the House of Representatives. It was not a sovereign legislature in the sense, unlike the British Parliament at Westminster, it was creature of the Constitution. It was established under the provisions of the 1948 Constitution, and derived its law-making powers from that Constitution. This law-making power was woven into and formed part of the fabric of the general scheme of the Constitution.

The corner-stone on which the scheme of the Constitution rested was the well-recognized constitutional principle of separation of the state's three main powers, viz., legislative, executive, and judicial. Accordingly, under this Constitution:

(a) Legislative power was vested in Parliament;

(b) Executive power was vested in a Cabinet of Ministers answerable to Parliament; and

(c) Judicial power was vested in the Judiciary,

The independence of the judiciary to exercise judicial power without political control or interference was ensured by the requirement that Supreme Court Judges could not be removed from office except on impeachment in Parliament and by vesting control of the minor judiciary in an independent Judicial Service Commission consisting of Supreme Court Judges.

Article 29 spelled out in sub-section (1) the legislative power of Parliament in the most comprehensive language (almost identical with the wording in most written constitutions): "Parliament shall have power to make laws for the peace, order, and good government of Ceylon." By sub-section (2) and the rest of the Article this power was made subject to two types of limitation and restriction:

(a) Any law which discriminated against any community or religion– that is, a law which conferred a benefit or advantage on one community or religion but not on the others, or which made one community or religion

subject to a disability or disadvantage but not the others – was declared void by the Constitution itself. This was an absolute and emphatic prohibition.

(b) The provisions of the Constitution may be amended, but only if the amendment were passed by a two-thirds majority in the House of Representatives.

This Article, therefore, was supposed to contain the much-flaunted safeguards for the minorities. The Soulbury Commissioners were satisfied that by this provision they were ensuring the protection of the minorities and, because of it, they rejected the Tamil demand for balanced representation in the legislature.

The Singhalese leaders agreed to this limitation when they accepted the Soulbury proposals. But there is no doubt that they had mental reservations when they showed enthusiasm for the proposals. They would seem to have laid much store on the amending power contained in Article 29.

As time passed, it became abundantly clear that they were waiting for an opportune moment when a Government would be in a position to command a two-thirds majority in the House of Representatives. They would then invoke the amending power and either do away with the entire Article 29 keeping only sub-section (1) or amend it suitably by incorporating some provision that would fortify the dominant and privileged position of the Singhalese people under the guise of the democratic principle of rule-by-majority decision.

The Privy Council decisions intervened to upset the apple-cart. The earlier of the two cases, I believe, was decided in 1964. It is the case of The Bribery Commissioner vs. Ranasinghe in which the issue was the constitutionality or otherwise of a law to establish Bribery Tribunals. Bribery Tribunals were special courts of law for the trial and punishment of persons charged with bribery and corruption. The law was passed by a simple majority in the House of Representatives. The Privy Council ruled that establishing these Tribunals was in the exercise of the judicial power of the state which, under the Soulbury scheme of separation of state powers, was not vested in Parliament. The state's judicial power was vested in the

judiciary by a charter of Justice from the Sovereign in the wake of the Colebrook unification of the three conquered territories into a single Crown Colony in 1833. Parliament which derived all its powers only under the Constitution was not competent, therefore, to take away that power from the judiciary except by amending the Constitution in accordance with the procedure laid down in Article 29. The Bribery Tribunals law was accordingly declared ultra vires of Parliament.

The other case was decided about two years later. It is the case of Liyanage and others vs The Queen out of a Criminal Law Act passed by Parliament to deal with suspects in an alleged attempted coup d'etat during Mrs. Bandaranaike's 1960-1965 Government. This Act vested the Minister of Justice with powers exclusively belonging to the judiciary. The Privy Council declared it also ultra vires of Parliament on the same reasoning.

The issue in both cases, it would thus be noted, was only the question whether the impugned laws were within the power of Parliament to make. If the Privy Council Judgements had been confined to a mere finding on that issue, perhaps they might not have roused the ire and peevish resentment of the Singhalese leaders as they did.

What really caused the wild flutter in the dovecotes of power in Colombo was the further most emphatic and unequivocal pronouncement in the earlier case of The Bribery Commissioner vs. Ranasinghe on the restricted scope of the law-making powers of Parliament. It was this pronouncement which shattered all their dreams of absolute power and complete dominion.

Analysing the law-making powers of Parliament as contained in Article 29 of the Constitution, their Lordships of the Judicial Committee of the Privy Council pronounced as their considered opinion that the limitations contained in Subsection (2) paragraphs (a), (b), (c), and (d) constituted an absolute prohibition of all discriminatory legislation against any of the communities and were entrenched provisions which cannot be altered or amended even by having recourse to the amending procedure prescribed in that Article. The provisions of sub-section (2) paragraphs (a), (b), (c), and (d), said Their Lordships,

"represent the solemn balance of rights between the citizens of Ceylon, the fundamental condition on which inter se they accepted the Constitution, and these are therefore unalterable under the Constitution."

This interpretation of the 1948 Constitution, coming as it did from the highest Tribunal of Appeal, certainly seemed to lend justification to the Soulbury Commissioners' thinking that the Article 29 which they were writing into the Constitution would provide a safeguard for the minorities. If applied to the Kodeeswaran case appeal then awaiting disposal before the Privy Council it was almost certain that the Official Language Act of 1956, which made the language of the Singhalese community alone as the sole official language of Ceylon to the disadvantage and in discrimination of the Tamil-speaking communities, would have been pronounced violative of this entrenched provision and declared void.

There were people in legal circles in Colombo who took the view that this pronouncement on the entrenched provisions of Article 29 was not binding on judges in future cases because it was in the nature of what in legal parlance is called an obiter dictum, that is, an expression of an opinion by the way in the course of a judgement, and not a finding on which the determination of the issue in the case rested. But the more experienced and astute lawyer members in the SLFP-LSSP-CP alliance knew better. The forthright and unequivocal nature of the pronouncement by a Bench of very eminent Judges made it clear that it was more than certain to be followed by the Judges of the Judicial Committee who could be hearing Kodeeswaran's appeal. Unless the appeal was prevented from being heard by the Privy Council it was going to undo all the Singhalese gains which the Singhala Only law had earned and put the clock back. Not only that, it was going to be a permanent obstacle to all their future plans.

And so, never an opportunity was missed by prominent Members of the SLFP-LSSP-CP Opposition during the entire lifetime of the 1965-1970 Parliament to denounce the "undemocratic" fetters of Article 29. They were never tired of declaring that they would do away with this "obnoxious" provision of the law at the very first opportunity they get. Article 29 was not the only offending culprit. The Constitution as a whole was a standing shame. They talked about the indignity

of having to be governed under a British-given (not that they had forgotten it was the draft of their own Board of Ministers, but it was convenient to ignore it since it had served their purpose) Constitution; it militated against the sovereignty, the Singhalese people; not only it imposed fetters on that sovereignty, it even obstructed the cultural development of the people and impeded the progress of the country. They would have to devise a way to give themselves a brand new constitution free from the shackles of the British-given Constitution.

It was in pursuance of this line of thinking that the constituent assembly idea was conceived as the brainchild of the SLFP-LSSP-CP alliance. In formulating their plans for such an assembly the constitutional law pundits in the alliance could not have been unaware of the legal obstacles. They must be taken to have examined the proposition from all angles.

They must have known that a constituent assembly would have no legal or constitutional standing. The Constituent Assembly of India which gave the people their present Constitution was set up in pursuance of the Declaration of Indian Independence, and the several Constituent Assemblies in France had a legal basis. To copy them in the situation in which Ceylon found itself was an absurdity. They must have known that theirs was a device to do something which was prohibited by the Law of the Constitution as interpreted by the Privy Council and would be declared a nullity by any free and independent judicial tribunal. Of course, it is a well-known principle of law that what cannot be done directly according to the law cannot be done in an indirect way. So, what of it? Evidently the SLFP-LSSP-CP alliance leaders (and lawyers) were not worried about these nice questions of legality and constitutionality.

What, after all, is legality? It is merely an abstract concept. In practical terms the concept of legality, or the rule of law as it is called in civilized societies, has no meaning unless there are sanctions to back it. Even courts of law are no more than intermediary institutions in the process of applying sanctions to enforce the rule of law. In the ultimate analysis it is the state's police and armed forces which are the real sanctions. So long as a government is in command of these instruments of sanctions it can, if so minded, resort to any number of illegalities short of publicly flouting courts of law, if the government is

sensitive to international gaze and scrutiny. The alliance lawyers were well aware that an independent judiciary would be the only bulwark against such illegalities by governments and that was precisely why the Soulbury Commissioners had preserved the principle of separation of powers in their scheme of the 1948 Constitution and kept the judiciary out of political control. But they had no time to waste over such considerations. Their determination to strip the Tamils and other minorities of the power which that Constitution gave them was far too overpowering for any such considerations.

In all the alliance's plans to give birth to the constituent assembly and to tamper with the lawful Constitution, therefore, the Privy Council loomed in the distance as the biggest obstacle. As long as the right of appeal to the Privy Council remained the constituent assembly and its creations would not be able to survive even a minute's scrutiny by that august Tribunal. The decision in the case of The Bribery Commissioner vs. Ranasinghe has made that quite plain. Not only that, equally compulsive was the need to save the Singhala Only law. Kodeeswaran's appeal case (which had been partly decided by the Privy Council in his favour and sent back to the Ceylon Supreme Court for further hearing) must be prevented from going back to the Privy Council at any cost. This question, thus, appears to have been given priority in their plans.

Judging from the nature of the constitution eventually churned out by the constituent assembly and their legislative programme, the SLFP-LSSP-CP alliance would appear to have paid little attention to anything else other than the legal aspects of their constitutional exercise and their effects vis-a-vis the Tamils and the minority communities. Either from an enthusiasm to achieve something spectacular or from a lack of capacity or forethought to look far ahead they do not appear to have given any thought to the necessity to provide for possible situations that may arise among Singhalese political elements inter se. As subsequent events would show, Sirimavo Bandaranaike and her alliance became the first victims of their own exercise. There is an interesting story in Hindu Mythology which best illustrates Mrs Bandaranaike's efforts and fate.

Bhasma Asura was one of the patriarchs of the Asura clan endowed with supernatural powers. He was a mighty warrior and had enslaved all the Devas. In his supreme arrogance and

boundless ambition, he conceived the idea of usurping Siva (Hindu word for Almighty God) and becoming Lord of the Universe. He performed penance invoking Siva for a boon. Relenting to the severe austerity of the penance Siva appeared before him in human form and asked what he wanted. Bhasma Asura asked to be blessed with the power that whosoever's head he touchedwith his hand would be blown to smithereens. The boon was readily granted. Bhasma Asura wanted to test it on the head of Siva himself to see whether the power was effective, and stepped forward to touch Siva's head. Siva took to his heels and ran for dear life. He ran to Vishnu and begged for help. Vishnu assumed the form of a lovely damsel with divine beauty and took her position in the path of Bhasma Asura. The latter on seeing her lost his head, forgot about his test, and ran forward to seize her in his arms. "Tut, tut, wait," said the girl, "let us first dance a duet together. If I find you imitating me exactly as I do, step for step, movement for movement, gesture for gesture, I will then yield to your desires." The foolish Asura agreed and the dance began. She danced and swirled and raised her right hand little by little and held it over her head, and Bhasma Asura did the same. The girl then slowly brought down her hand and touched her head. Bhasma Asura followed suit and touched his head. Bang, burst his head into little bits.

Moral: Unbridled arrogance and ambition will only lead to the destruction of the possessor. The SLFP-LSSP-CP alliance asked for a boon from the electorate and got it. They misused it and wished to test their power (1977 General Election). J. R. Jayawardene (the damsel in the myth) appeared and destroyed them.

To get back to the alliance's plans, it is clear that they realized that their scheme depended entirely on their success at the forthcoming 1970 General Election. It was of the utmost importance that they should win the elections–not merely win, but win with a two-thirds majority in the House.

The General Election of 1970 gave Sirimavo Bandaranaike and her SLFP-LSSP-CP alliance an unprecedented landslide victory. They secured more than the two-thirds majority they worked for. The UNP was trounced to an ignominious defeat. During the election campaign its partnership with the Federal Party in Government was ceaselessly played up as a sign of the UNP's potential for betraying Singhalese interests. Even more

telling was the campaign that the UNP-FP Government had done nothing to ease the hardships of daily life for the Singhalese masses. In contrast, Mrs Bandaranaike made the vote-catching promise that she would restore the two measures of subsidized rice to the people if she were elected to power with an overwhelming majority. It is not surprising that such a platform gave the alliance the victory they planned for.

Prime Minister Sirimavo Bandaranaike and her coalition Government of the SLFP-LSSP-CP alliance took office early in 1970. Nobody can be accused of exaggeration if one says that the turmoil and turbulence which Ceylon is passing through in the '80's is directly traceable to what this Government did during the seven years it was in power. The calculated machiavellianism of this Government has no parallel in any country professing to be democratic.

All the same it is true that what they did was only the crowning act to what had been planned by the pre-polarization leadership of the Singhalese people in the '40s—what had been a sort of Master Plan intended to be followed by whichever Singhalese party that may happen to run governments after transfer of power from the British.

The Government lost no time in taking action upon the blueprint they had made for a new Ceylon of their vision, a Singhalese Ceylon where no other community would have any voice in the affairs of the country. Obviously they had a legislative programme to be followed.

First, the Upper House of Parliament (Senate) which could hold up legislation was abolished. As a result, Parliament now consisted only of the Queen and the House of Representatives. Next, the right of appeal to Her Majesty's Privy Council was abolished by another Act of Parliament. Constitutionally, Parliament's power to enact the two measures could not be questioned.

Having thus set the stage to carry out their plans effectively and without any chance of being successfully challenged, they declared that all Members of Parliament of the lawfully elected House of Representatives would also concurrently be members of a parallel body which they called a "constituent assembly'. That is to say, by a simple diktat from the SLFP-LSSP-CP hierarchy every single constitutionally-elected M. P. was

endowed with an alter ego for extra-constitutional purposes. This body named the "constituent assembly", they announced, would draw up, enact, and promulgate a new constitution for Ceylon to supersede the 1948 Constitution in force.

The constituent assembly was convened by the Prime Minister, and formally set up at an impressive inauguration ceremony at the Navarangahala, a school hall, far away from the regular Parliament Building. Colvin R. de Silva, M. P., Barrister-at-law, and distinguished criminal lawyer of the Colombo Bar, was appointed Minister of Constitutional Affairs and put in charge of the assembly's work. He is the author of the well-known history book "Ceylon Under British Occupation", a well-documented thesis for which he was awarded the Doctorate in Philosophy by the University of London. The new constitution which eventually emerged from the constituent assembly is reputed to bear his imprint in every clause.

Polemics and rhetorics which accompanied the drafting and proceedings notwithstanding, nobody made any attempt to make a secret of the real purpose that lay behind the constituent assembly enterprise. It was to do away with the 1948 Constitution lock, stock and barrel, including the entrenched provisions of its Article 29 which protected all the communities of Ceylon against discriminatory legislation, by unconstitutional and illegal means on the strength of the steamroller majority which one community alone (the Singhalese) had given them, and have a new one in its place. From the Tamil standpoint, therefore, nothing is gained by examining the provisions of the assembly's product. The Tamils simply are not interested in the so-called new constitution. Yet, in view of the events that followed and the general consequences to the country as a whole, it may be of some use to have a look at its main features.

Ceylon is to be renamed the "Republic of Sri Lanka". It would be a republican unitary state with a constitutional president to replace the Queen as head of the state. He will owe his office to appointment by the politicians in power. The new legislature, to be called National Assembly, would consist of elected representatives with an enlarged membership. The constitutional doctrine of separation of powers, which had been the corner-stone of the 1948 Constitution, was ignored, and all three categories of state power (legislative, executive

and judicial) were vested in the National Assembly. Thus the National Assembly would be at once the lawmaker, the interpreter and enforcer of the laws, and the chief executive. Courts of law from the Supreme Court downwards would only in effect be agents of the National Assembly. Their holding office would be conditional on their swearing an oath to uphold the constitution. It would be a constitutional duty and special concern of a majority of the Singhalese people. There was nothing akin to the provisions of Article 29 of the 1948 Constitution for the protection of ethnic or religious minority rights. Imitating the Constitution of India, some rights called Fundamental Rights were spelled out, but in the same breath they were declared to be subservient to "state policy", whatever that term may mean. State policy, therefore, would over-ride every other right, whether individual, collective, or human, and whether protected by the law, or the constitution, or international Covenants.

Thus all the safety valves which the 1948 Constitution contained for the protection of the people and the individual citizen against abuse of power and autocratic governments, let alone safeguards for the minorities, were swept away. This constitution of the SLFP-LSSP-CP alliance, a product of their blind obsession to make it as fool-proof as human ingenuity could make vis-a-vis the Tamils and other minorities, would be an excellent instrument in the hands of authoritarian-minded elements among the Singhalese themselves. There was nothing to prevent its use for infighting, as time was to prove.

It is sometimes an interesting pastime to imagine a mental picture of an astute politician like J. R. Jayawardene wending his way to Navarangahala to vote for the adoption of the new constitution. What thoughts would have been passing through his mind? Would he not have been chuckling in his sleeves at the vanity of these learned constitution-makers? Would he not have said to himself that he had only to bide his time?

The so-called new republican constitution was promulgated in May 1972. From that time onwards the country's lawful name of "Ceylon" was changed to the illegal name of "Republic of Sri Lanka." The lawfully-elected Parliament transformed itself into the illegal body known as the National Assembly. Sirimavo Bandaranaike gave up her lawful office of Prime Minister of a lawfully-constituted Government and

transformed herself into an illegal prime minister of an illegitimate government. Thenceforward every government, and all government measures, and every legislature, and all the purported laws made by these legislatures, and all courts of law, and all their judicial decisions, and all police and military actions in obedience to the orders of such governments, all carry the stain of illegality.

But there is no forum or tribunal before which the illegality could be established. There is no court of law which has the independence or the judicial power to make pronouncements on the constitution, since, by their very oath of office, judges are sworn to uphold the constitution. There is no constitutional or legal process or peaceful means by which the illegality could be proven and the Government brought to book.

This, of course, is the Tamil view on the constituent assembly and the constitution it produced. The Government leaders were not concerned with what the Tamils and others thought, nor would they be deterred from their plans by considerations of illegality of the course of action they had decided on.

Moreover, judging from the constitutional law jargon the Government leaders, particularly the Minister of Constitutional Affairs, indulged in to justify their course of action, one could see that they had imbibed new ideas from constitutional law theorists in the West. Inspired by these theorists, they appear to have discovered that, after all, sovereignty resided in the people and not in a withdrawing colonial Empire – a discovery which they did not wish to make because it would have been self-defeating to make at the time of the transfer of power from the British, and not until after the Privy Council decisions. They also discovered that the stigma of illegality that may attach to the constituent assembly exercise could be repelled by taking shelter behind the newly-formulated concepts of the theorists. Thus we see the Minister of Constitutional Affairs, Dr. Colvin R. de Silva, making pontifical perorations about "sovereignty resides in the people", "constitutional autochthony", "legal nationalism", "legal revolution", and such like convenient legal theories which served his purposes.

Such propaganda might have helped the Government to cover up their illegal exercise in the eyes of the world and legal theorists, but they need not have taken all these pains if it was intended for consumption by the Tamils. The Tamils have no illusions about the usefulness, in practical terms, of legalistic arguments to save them from Singhalese domination. The Tamils have been nurtured in the wisdom of a proverb of their own dating from the earliest times: "The stronger determines the irrigation channel". They know that it is still true in the Twentieth Century. As if to confirm that it still holds good in modern times the late Professor S. A. de Smith of the University of Cambridge, a distinguished authority on the subject, while discussing illegal constitutions with particular reference to this 1972 republican constitution of Ceylon, has the following down-to-earth observation to make:

> "The vague concept that ultimate 'sovereignty' resides in the 'people' is widely acceptable because of its political overtones. Even where a constitution has been overturned from above or below by manifestly illegitimate means, it is commonplace for the de facto holders of power to assert that they derive their mandate from the people, because it is awkward to be stigmatized as an undemocratic usurper. And by producing a constitution approved by or on behalf of the people, the accolade of legitimacy is achieved. Or is it?
>
> "It is one thing to say that government should rest on the consent of the governed; it is another thing to proclaim that a constitution has acquired the force of supreme law merely because it has obtained the approval of an irregularly convened Constituent Assembly or of a majority of the electorate or both. Yet to assert that all constitutions (or constitutional amendments) procured in a manner inconsistent with the pre-existing legal order are legally invalid will land one in a morass of absurd and insoluble difficulties.....
>
> "Once questions such as these are asked, one must acknowledge that in certain circumstances a breach of legal continuity, be it peaceful or accompanied by coercion and violence, may have to be treated as superseding the constitutional and legal order and replacing it by a new

one. Legal theorists have no option but to accommodate their concepts to the facts of political life. Successful revolution sooner or later begets its own legality. If, as Hans Kelsen has postulated, the basic norm or ultimate principle underlying a constitutional order is that the constitution ought to be obeyed, then the disapperarance of that order, followed by acquiescence on the part of officials, judges and the general public in laws, rules and orders issued by the new holders of power, will displace the old basic norm of ultimate principle and give rise to a new one. Thus, might becomes right in the eye of the law".*

Thus, it is might, exercised in brazen contempt for the law and what is just and right, which is the basis for every Government that came into being in Ceylon since May 1972. The very argument which condones their ill-gotten constitution and illegal right to govern also vests the Tamil's fight and uprising, ten years later, with the virtue of right. Those who are themselves bloodied with the stigma of undemocratic usurpers of power cannot have the right to call the Tamil fighters as "terrorists."

At the time the constituent assembly was convened, there was scope for a challenge in the Courts which then were vested with independent judicial power. Although the Tamils had learnt by experience that political litigation could never be a solution to their problem, the plain and naked illegality vested the occasion with a special importance. It was unique opportunity which could have been availed of, if not successfully to prevent the convening of the assembly, at least to expose the tyranny of the Singhalese Government. But thanks to the supinely inept leadership of the Federal Party leadership, it was lost.

It was left to C. Suntharalingam to make the attempt. He instituted proceedings in the Supreme Court to prevent the convening of the constituent assembly and unlawfully tampering with the lawfully established Constitution. The Supreme Court refused the application on the ground that it was premature.

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* *S.A.de Smith, Constitutional and Administrative Law, Penguin Books (1974), PP. 67-69.*

This abortive attempt on the part of Suntharalingam gives rise to a pertinent question for speculation purely as an academic exercise.

What would have been the result if, instead of a single private individual, however eminent and distinguished a Ceylonese citizen he may be, the whole body of the elected representatives of the Tamil people (say, the fifteen or sixteen Federal Party M. P.s) had gone before the Supreme Court upon receiving the Prime Minister's notice requiring them to assemble at Navarangahala to meet as a constituent assembly with a petition to prohibit the Prime Minister and all the Members of Parliament from committing any extra-Parliamentary act which would affect the lawfully-established Constitution of Ceylon to the detriment of the people represented by the petitioning M. P.s? It was within the competence of the Tamil Members of Parliament to do it.

These questions were never tested and, therefore, any speculation on these lines is no more of any help to the Tamils in practical terms. They arise while deploring lost opportunities. The Supreme Court might very well have refused even an application by the M. P.s. But it would have helped to strengthen the case for a complete Tamil boycott of the constituent assembly.

Boycott was another option open to the Tamil leadership. There was every reason in the world to keep away from the constituent assembly and refuse to participate in its proceedings in any manner. Nobody could have had any doubts about the outcome of the exercise. Tamils in particular could have been under no illusions about the purpose. The alliance claimed that they had a "mandate" from the people for the constituent assembly. The fact was they neither sought nor received any such "mandate" from the Tamil-speaking one-third of the country, because they prudently avoided contesting elections in that one-third part. The Federal Party, on the other hand, was returned on a platform of opposition to the alliance's politics.

There was a strong opinion in the Tamil country which urged the Tamil M. P.s to have nothing to do with the constituent assembly, because to participate only to be outvoted and defeated would undermine the moral strength of the Tamil

people's case in the eyes of the world. I myself tried by every means available to me to make them stay away. C. Suntharalingam likewise made great efforts to dissuade them. But the Federal Party could not be deflected from their resolve to participate. On one occasion when Suntharalingam and I met them in informal conference at the residence of S. Nagarajah, Mayor of Jaffna, A. Amirthalingam made it clear rather forcefully, "Nobody can dictate to the Federal Party whether to go to the constituent assembly or not." And so was lost another opportunity to expose the SLFP-LSSP-CP alliance's naked racism.

The Federal Party Members of Parliament were in full attendance when the constituent assembly met for its inaugural session. One of them went so far as to deliver a speech praising the enterprise as a memorable event in the history of the country. They continued to participate in the proceedings month after month until, of course, they realized - for the first time probably - that they were a small number in a largely Singhalese assembly.

The way they handled the Tamil problem during that short time they were in participation would confound even the rawest student of politics and diplomacy. They could not understand that longstanding national disputes and festering ethnic problems which have baffled many generations of leaders are never solved by raising them in open sessions of an assembly. Sensible leaders would discuss and hammer them out first in private meetings behind the scenes, and if an agreement is reached between the disputants it is only then that the agreed formula would be placed in open sessions for the assembly's stamp of approval. The Federal Party leadership did no such thing. Of course, no such course was open to them, since there was no other party willing to talk things out. Yet they had come to the constituent assembly, however, like a lawyer taking the view that he should not allow a case to go by default, to raise certain matters for the sake of raising, and they had to act the part out to the end.

The Federal Party leaders were therefore reported to have made two bids concerning the Tamil problem in the assembly:

ONE, the Government leaders proposed that Ceylon should become a republic retaining the unitary structure of

the state. The Federal Party leaders moved an amendment that the republic be a federal union of linguistic states. The Party was outvoted by the Singhalese majority, and the amendment was rejected. It was never a secret that any type of political regionalism, worse still on ethnic basis, was anathema to the Singhalese. What else is the meaning of the fates of the B-C and the D. S.-C Pacts?

TWO, the Government was proposing to incorporate into the new constitution the language laws currently in force, including the reasonable-use-of-Tamil language regulations. The Federal Party leaders demanded that both Singhala and Tamil be given parity of status and made the official languages throughout the country. Colvin R. de Silva is reported to have turned it down. The utter inconsistency and political expediency of a party which had climbed so far down to the last rung of the ladder in its language demands as to thankfully accept the watered-down Reasonable Use of Tamil Language Regulations at the hands of the UNP and now climbing back to parity of status could not have been lost on a man like Colvin R. de Silva of the SLFP-LSSP-CP alliance leadership which organized the march to the Vihare Maha Devi statue.

The Federal Party leaders could not have had even in their wildest dreams the smallest hope that these demands would be accepted. They were all leaders who had been in the game for more than twenty years and should have known that there was not a single member in the whole assembly outside their group who would support them.

Why, then, did they have to raise them? Making the demands with the full knowledge that they will be rejected, and having them eventually rejected, was surely not the way to advance the cause of the Tamils. Then, Why?

Critics of the Federal Party's participation in the hostile Singhalese alliance's exercise said that the Members of Parliament were indulging in what they called the Federal Party leadership's gimmick of playing-to-the-gallery politics – for home consumption–with an eye on the next elections. To call it a gimmickry may sound rather as a cynic's sneer. Yet there was no other conclusion to be drawn in view of the Party's subsequent politics.

Following the rejection of their demands, the Federal Party

Members of Parliament withdrew from the constituent assembly. The remaining Government parties and the UNP completed the work of the assembly and, as mentioned earlier, had the new constitution promulgated in May, 1972. Thereafter, the co-operation between the SLFP-LSSP-CP coalition Government and the UNP in the work assembly which had been very evident during the proceedings ceased, and each went their way.

The promulgation of this so-called republican constitution of 1972 had the effect of extending the term of the Members of Parliament from five to seven years. Parliament's term under the lawful 1948 Constitution (which has not been repealed at any time) was five years. The new constitution also fixed the life of the legislature it created with the name of National Assembly as five years, but this five years to run from the date of the promulgation of the constitution. The result was that those persons who were elected as M. P.s at the 1970 General Election would end up their legislative careers as MNAs in 1977.

The next General Election was thus due in 1977. All parties made feverish preparations for the contest.

While the Government parties concentrated on reshaping the state's establishments and administrative machinery to suit the new republican status, and in the process on consolidating their own political strength, and the UNP under the new leadership of J. R. Jayawardene was busy reinforcing and revitalizing its organization with more forceful and aggressive elements, the Federal Party likewise busied itself with reorganizing the Tamil part of the country, shedding their idealism in favour of purely parliamentary politics. None of the leaders of the three groupings seem to have been aware whither they were taking the country. In their obsession with personal power, each in their own, they do not appear to have seen the impending catastrophe looming in the distance.

Taking the Singhalese parties first, they would not see the writing on the wall even when their own youth rose up in an armed rebellion in 1971. That rebellion was the result of the youth's disillusionment with their political leaderships of whatever hue-green, blue, or red.

In 1970 the Singhalese youth believed the blue-red

alliance's promise of subsidized rice for the family and employment for the educated young and laboured to put the alliance in power. For one whole year they waited patiently and only witnessed the alliance leadership bogged down in a constitutional exercise but saw no signs of rice or employment. Before that they had witnessed a green stewardship (UNP) spending five whole years in another exercise against Tamils but with no corresponding benefits to the Singhalese educated youth, whether in terms of employment or any other propects.

Small wonder, then, that the youth came to the conclusion that their leaders were only interested in personal power and not in them or the people or the country. They showed their resentment in open rebellion and violence.

Even then the Singhalese leadership does not appear to have learnt any lesson from that youth insurrection. Power politics is too heady a wine to abstain from. It is a truth which stands confirmed by Singhalese politics after the inauguration of the new republican constitution.

The first elections for the newly created National Assembly were held in 1977. The SLFP-LSSP-CP alliance parties were all bundled out in a most humiliating defeat, and the UNP was installed in power with J. R. Jayawardene at its head. Not a single LSSP or CP candidate, including Colvin R. de Silva, was elected. That House had a single Communist Member (Sarath Muttettuwegama), but, if my memory is right, he was elected at a bye-election later. His election is probably attributable more to his endearing personal qualities and a more enlightened and liberal outlook on national problems than to his Party influence. Even the major party of the alliance, Mrs Bandaranaike's SLFP, was reduced to a number smaller than that of the Tamil membership.

Prime Minister J. R. Jayawardene, once installed in the seat of power, lost no time in ensuring that he and his UNP would no more be troubled and harassed by opposition parties. Perhaps the UNP had persuaded themselves to believe that there should be no possibility of any alternative government. Perhaps they believed that the British institution of a "Her Majesty's Opposition" was a British Parliamentary luxury, and Ceylon's brand of republican democracy had no use for it. So they set about the task of rooting out all traces of opposition,

first among the Singhalese political forces. Tamils could be dealt with later.

It is, indeed, a strange quirk of irony that the very makers of the unlawful 1972 constitution were the first to taste the poisonous fruits of their own creation. The Jayawardene Government made use of the same constitution to destroy its makers politically. J. R. Jayawardene had his only national rival, Sirimavo Bandaranaike, expelled from the National Assembly, her civic rights taken away, and banned from voting or standing as a candidate at any election or taking part in political activities in any manner – all because she refused to appear before a commission of inquiry into alleged abuse of power which, she claimed (Oh, Mores Oh, Tempora), had no legal basis. Her political party, the SLFP, was splintered and made powerless and ineffective. The socialist movement as represented by the LSSP, the CP, and the powerful trade unions, of which Colvin R. de Silva was a prominent front-rank leader, was crushed, and all labour strikes and other trade union activities were prohibited or broken up.

None of these would have been possible while the 1948 Constitution was in force and there was an independent judiciary free from political influence. But those whose hands were tainted with illegality cannot, of course, claim any right to grumble.

This UNP Government, of course, did not stop with these actions in their pursuit of unchallenged power. It is axiomatic that when those in power launch on a career of illegalities it does not stop with the first. One illegality leads to another, and to another, and to another without end. To perpetrate an illegality is not the privilege of one group and not of another. One illegality is as good - or as bad - as another. When Mrs Bandaranaike and her alliance leaders launched on their illegality of a constituent assembly to give form to their vision of a Ceylon rid of the power of the Tamils and other minorities, perhaps it never occurred to them that others might come after them with a different vision to bring Ceylon under an autocracy rid of all types of opposition even from among the Singhalese. That is what the UNP Government did after immobilising the SLFP-LSSP-CP opposition forces.

They made use of the alliance's illegal 1972 constitution to have it replaced by another brand-new and equally illegal

constitution providing for a totally different structure of government under an executive president who would be the head of the state as well as the head of the government. This is the constitution of 1978 which is currently in force giving the president unlimited powers. J. R. Jayawardene became the first President, first as one of the interim arrangements for the transition from one constitution to another, and later endorsed by popular vote in a presidential election held in October, 1982.

While all these developments were taking place on the Singhalese side, signs were not wanting that resentment and fear were building up in the Tamil Provinces - resentment against the entrenchment of Singhalese dominion in contemptuous disregard of all other communities, and fear for the future of the Tamil-speaking people in Ceylon. The situation called for a wise, dynamic, and decisive leadership. The Federal Party was the single largest political force which enjoyed the support of the majority of the people. They were in a pre-eminent position to provide such a leadership. But, did they?

There are many ways of interpreting the role they chose to play during this time. The most charitable would be to think that they were trying to organize a peaceful non-violent resistance movement to solve the Tamil problem. But even a sympathetic scrutiny of their politics at this time would hardly bear out even that.

Following their pull-out from the constituent assembly, the Federal Party leaders busied themselves with reorganizing the Tamil leadership. All their efforts were to bring about a merger of the Federal Party and the All-Ceylon Tamil Congress, ostensibly with the view to putting up a united front against the Singhalese. They raised the slogan of unity.

Understandably, unity was a saleable and popular slogan among the Tamils. For long the people had deplored the disunity among the Tamils in being divided between the Tamil Congress and the Federal Party. In their simple understanding they believed that if only the two leaderships under the charismatic personalities of G. G. Ponnampalam and S. J. V. Chelvanayakam could unite they would be able to prevent the Singhalese from riding rough-shod over the Tamils. Maybe the two leaders had lost their old fire, maybe their respective party

hierarchies had come under other influences, but still the very idea of unity, if only in theory, caught the imagination of the people and the efforts to merge became a very popular move.

The outcome was the formation of the Tamil United Liberation Front (TULF). It was greeted with a great acclamation by the people.

To heighten the popular enthusiasm the architects of the merger did two things at the very outset which had a great mass appeal:

(1) Chelvanayakam and Ponnampalam, as well as the C. W. C. leader S. Thondaman of the hill country plantation workers leadership–all three were made Joint Presidents of the TULF.

Ponnampalam was not present at the election. Whether his consent for the election was ever obtained, and whether the merger had his blessings, will always remain a big question mark. He himself neither accepted it nor disclaimed it. But he never appeared on any TULF platform to the end of his life.

(2) Emulating the pioneering example of the Tamilar Suyadchi Kazhakam, they declared that they stood for a free Tamil state.

It is a view among some political commentators in the West that "The ability to steal good ideas is one of the first requirements of successful politics". Whatever be the justification for this view it is, of course, true in the case of the TULF. Even so, they never spelled out the TULF's objective without equivocation. They always referred to a resolution passed at a meeting in Vaddukkoddai as setting out the party's objective. That resolution was a skilful piece of draftsmanship which merely recited that the TULF might be driven to take up the posture of a separate state, but stopped short of positively making it the objective. They were in command of an efficient publicity machine which, however, made people believe that the TULF was working for a separate state.

Unity, indeed, is a most desirable, and sometimes a very necessary, condition as a means to achieve some noble ideal or objective. But the difficulty is, it is sometimes an abused slogan to shield some dishonourable expedient, and the people are easily misled. People seldom stop to ask: Unity for what? Leaders sometimes unite for the achievement of some common

personal ambition. And leaders very often unite for a negative purpose of destroying something which they cannot hope to do individually, as in the case of the notorious Jayaprakash Narain-Morarji-Charan Singh combine to oust the Indira Gandhi leadership in India. It is not in the nature of the common people to look behind a political manoeuvre and try to see the why and the wherefore. Disillusionment comes when it is too late and they realize that they have been taken for a ride.

So it was with the TULF and the Tamil Youth. Making use of their propaganda machine, and trading on the charisma of the leaders, they impressed the people with their new slogan and, more regrettably, they enticed the Tamil youth. The youth rallied round them believing that the TULF leadership had undergone a genuine change and was going to lead them to the promised land. Even college students were taught to shout "traitor" at those who refused to line up with the TULF. People failed to see the truth behind the facade of slogan and platform rhetoric.

This is not to say that all the Tamil people fell for the merger manoeuvre. There were a discerning few who were able to see the TULF for what it really was, but they were a minority which got swept away in the tide of mass hysteria for the new-found unity.

This minority was able to see that the TULF in reality was nothing more than a device to ensure the re-election of all the sitting M. P.s belonging both to the Federal Party and the Tamil Congress without any contest between the two parties. They only saw it as an opportunistic Electoral Alliance between the sitting M. P.s of the Federal Party and those of the Tamil Congress. These were the only two parties which have always been the principal contestants at election. The next elections were due in 1977. The sitting M. P.s of the Federal Party, in particular, had good cause to fear facing the electorates after their dismal showing on the constituent assembly question and after.

Apart from this common interest of the sitting M. P.s, there was no common political programme or common ideal between the two parties which could have inspired or motivated the merger. Their respective views on the Tamil problem and

their approach to any solution were still as divergent as ever. That made it all the more suspect.

A number of circumstances confirmed this estimate of the TULF as an opportunistic Electoral Alliance and not a serious movement for a Tamil state, if confirmation is needed at all:

(1) G. G. Ponnampalam and the Tamil Congress always believed in the right of both the Singhalese and Tamil peoples to settle and live in any part of the whole of Ceylon. Ponnampalam never changed from this belief to the end of his life. This is in direct contradiction to the fundamental position of the Federal Party that the Northern and Eastern Provinces were traditional Tamil homeland and belonged exclusively to the Tamil-speaking people. They have always been opposed to Singhalese colonization of the two Tamil Provinces. Even after the merger the followers of the two parties never changed their views on this fundamental question, their election rhetorics about the Tamil's right of self-determination notwithstanding.

(2) One of Chelvanayakam's trusted followers from Mavidapuram in the Kankesanturai electorate, who had been a devoted and unselfish activist of the Federal Party from its inception, asked Chelvanayakam why he (who had been unmistakably accepted by the Tamil people as their trusted leader in preference to others) agreed to be only one of three co-Presidents of the TULF, Chelvanayakam is reported to have replied, "What can I do in my present state of health? They arranged everything and asked me to come (for the meeting at which Presidents were elected), and I went. I am not sure I am happy about this Front. I don't know what will be the fate of the Federal Party." It is possible he was in this frame of mind for some time before his last illness. In 1976, that is, eight years after my denunciation of Singhalese-Tamil pacts in Parliament, he chose a platform in Vavuniya to echo my words and declare that he would have no more pacts with Singhalese leaders. He was not alive for the 1977 General Election, but Amirthalingam, after winning that election, promptly started to negotiate for another pact with Prime Minister J. R. Jayawardene.

(3) The moment TULF announced its Vaddukoddai resolution, its third Joint President, S. Thondaman, promptly dissociated himself in a public statement and declared that the

plantation districts Tamils would never subscribe to the idea of a separate state. Rules of party discipline, which were so stringently enforced on me, were never invoked in the case of Thondaman. Obviously, there must first be a settled party objective before he could be accused of breaching any and so no action was taken.

(4) G. G. Ponnampalam never once appeared on a TULF platform nor did he ever identify himself with the TULF up to the time of his death. He was not a sitting M. P. at the time, and he probably knew what the TULF was really for. After his death his son, Kumar Ponnampalam, was refused TULF nomination for the 1977 elections although the Tamil Congress was then under his leadership. Evidently, he could not be relied on to be an unquestioning follower. The All-Ceylon Tamil Congress still continues to play its role in Tamil politics under the leadership of G.G. Ponnampalam (being a pet name by which the son is known), and it does so in direct confrontation with the TULF.

(5) The only Tamil Congress men who went into the TULF leaving their leader were the three sitting M. P.s. One or two persons who were assured of TULF nomination for the 1977 elections were the only others who went with them.

(6) The Federal Party, on the other hand, was abandoned and virtually closed. For some time before then, it had become a haven for men with parliamentary ambitions after spending all their working lives in secure Government jobs until retirement age or in successful business or other fields. Whatever else they lacked, they had the two essential qualifications for parliamentary nomination which the Party leadership looked for, viz., financial strength to fight an election and win a seat, and willingness to give unquestioning subservience to the top leadership. By closing the Federal Party the TULF was able to be rid of the "troublesome" elements of the old Party which had taken the leadership's platform professions too seriously.

(7) The 1977 General Election results showed that the merger enterprise did pay off and fulfil the purpose according to plan. All the sitting M. P.s of both the parties were re-elected without exception. If one or two were missing it was because they had been dropped at the nomination stage. One of the

dropped M. P.s belonged to the defunct Federal Party and was known to be a severe critic of the new leadership.

(8) After the election, the only survivor of the TULF's three Joint Presidents, S. Thondaman, joined Prime Minister Jayawardene's Government and became a Cabinet Minister with a minor portfolio.

(9) While the president took office as a Cabinet Minister, TULF's general-secretary and top leader, A. Amirthalingam, took the prestigious office of Leader of the Opposition. This was an astounding step for a party which vowed to wreck the 1972 republican constitution. The TULF won the election on the platform of a free and independent Tamil State after campaigning for a mandate from the people to convene a Tamil constituent assembly to draft a constitution for the State in the exercise of their right of self-determination. How to reconcile all this with the holding of an office of great functional importance in the successful working of the republican constitution of 1972 is something which is beyond anybody's understanding. What is more, a Tamil to hold the office of Leader of the Opposition, by implication offering to provide an alternative government to that of Prime Minister J. R. Jayawardene in an overwhelmingly Singhalese parliament, in the peculiar circumstances of Ceylon politics is a laughable idea. In a similar situation on an earlier occasion S. J. V. Chelvanayagam refused to accept this office even when pressed by other parties in opposition. The difference showed the TULF for what it was — a group of parliamentary careerists and nothing more.

(10) There was an occasion in the National Assembly when Felix R. Dias Bandaranaike pointed to the ranks of the TULF and accused them of attempting to divide the country by demanding a separate state. The late S. Kathiravelupillai, M. N. A. for Kopay, promptly interrupted to deny it: "No, no, it is not we. It is V. Navaratnam of Kayts and Suntharalingam of Vavuniya." The date of the Hansard is not available to me as I write, but it was certainly after the TULF's so-called Vaddukoddai resolution. Later, however, he became one of the most ardent supporters of the idea, and was reported to have fallen from grace in the TULF leadership for taking the idea too seriously. This leadership never regarded the objective of an independent Tamil state as anything more than a ploy to win the elections.

No people ever won freedom, or ever achieved anything of lasting value, on the strength of a spurious unity of the type that was struck between the M. P.s of the Federal Party and the Tamil Congress. The Tamil people would not see it then, but it was left to the Tamil youth to realize it, though belatedly, almost a decade later. For the moment, on the eve of the 1977 general election, however, the TULF was well set for achieving the true purpose of the unity exercise, viz., the re-election of the sitting M. P.s of both parties.

CHAPTER 22

Ceylon has had seven parliamentary general elections since the British handed over their ruling power to the Singhalese and quit Ceylon, and none of them ever failed to bring some misfortune or other to the Tamils. The eighth general election held in 1977, however, is a left-handed exception. While it did not fail to bring its quota of multiplied misfortunes, it has done a distinct service to the Tamils, though unintentionally. It has helped to wake up the Tamil youth from the long spell of hypnotic slumber they had fallen into.

They have never been organized as a body, or been politically active, since the time of the old Jaffna Youth Congress of the early 'thirties. Not that they showed no interest in politics. But, barring the great part they played in the Federal Party's direct action movements and Satyagraha campaigns, all their politics had been confined to listening to speech-making, participation in rallies, and campaigning at elecions. They were not an organised force with strength to act on their own or to influence politics. The events surrounding the 1977 General Election, before and after, changed that attitude radically and galvanised the student community into a spirited upsurge.

The politically articulate youths of the 1977 election period belonged to a generation which had no first-hand knowledge

of the politics and campaigns of the Federal Party. They were either not born or were little children when the Party was actively fighting the Singhalese governments. They had not witnessed the Party's activities when it laboured to rouse the Tamil-speaking people to the dangers they faced, to forge the will of national resistance, to make the people yearn for freedom, and to work for an ideal. When they reached early adulthood the only audible politics they were exposed to were the grandiloquent platform speeches of the Tamil United Front, precursor to the Tamil United Liberation Front.

By then the old idealism and principled politics of the Federal Party had been abandoned for politics of the Tiruchelvam vintage. The youths were not mature enough to see that the abandoning of the idealism of the Federal Party and its merger with the Tamil Congress which stood for co-operation with the Singhalese in a unitary government was only a ruse to get the sitting M. P.s of both parties re-elected to Parliament without contest.

Quite early in the Front's leadership, however, rumblings of discontent began to be heard from some youthful elements. They clamoured for action as Singhalese governments kept on pursuing their anti-Tamil measures in utter concern of the Front's hollow protests and speeches. They pointed out that the 1961 Kachcheri Satyagraha which brought Mrs Bandaranaike's Government to a stand-still for three months in the Northern and Eastern Provinces was the last show of opposition and resistance. They complained about the inaction of the leaders since then while the Tamils were being systematically driven to the wall.

One was able to see that the youth was in a ferment. Cracks were beginning to appear in its faith in the United Front leadership. Some youth leaders were farsighted enough even at that time to have doubts about the professions of the Front.

To recall some of the apparent signs:

Sometime in the early 'seventies Maha Uttaman, a student leader then in the Advanced Level class at St. John's College, Jaffna, organized a Senior Students,meeting at the College and invited me and Amirthalingam to address them from the same platform. In winding up the proceedings Maha Uttaman launched an attack on the Front pointing out the wide gap between

its professions and its practice of politics, and the whole house applauded in endorsement.

On another occasion Siddharthan, a student leader of Skandavarodaya College, Chunnakam, and son of my friend V. Dharmalingam, United Front M. P. for Uduvil, invited me to address the Senior Students of his College. I urged the students to work for the early establishment of an independent Tamil State. Siddharthan would not openly condemn his father's party but was highly critical of its policies. I certainly know that the father himself was very much concerned about the direction in which the Front was being taken and the authoritarianism that had developed in the leadership, but he would not carry his difference to the point of a break with the party.

At the height of the controversy over the issue of the Tamil M. P.s, participation in Sirimavo Bandaranaike's constituent assembly exercise another student leader Muthukumaraswamy (friends call him Kumar), son of my friend retired District Judge T. Thambidurai, approached me and pleaded with me to gatecrash into a meeting of the M. P.s and persuade them not to attend the constituent assembly - which, of course, I refused to do. Not that he was unaware of the impracticality of his request, but he was so carried away by his feeling and conviction on the issue that he would clutch at even the impossible in the hope that some miracle would happen to prevent the M. P.s from participating in so blatant an anti-Tamil exercise. His father, a long-time sympathiser of the Federal Party, was an important member of the United Front, though, perhaps, not wholly happy with its recent trend.

Muthukumaraswamy was later arrested by the Police a number of times and tortured. Even while in prison he pursued his law studies assiduously and became a lawyer.

One day young Sivakumaran of Urumpirai visited me and discussed at length my call for the establishment of a free and independent Tamil State. It was then that I learned that he was organizing the youth for a militant struggle. He was a handsome lanky youth not yet out of his teens and still in shorts. He had never handled a firearm in his life, nor did he have even the foggiest idea of what a militant struggle meant. It was only the fire of Tamil pride that was burning within him and the

feeling of anger and resentment against Singhalese tyranny, which made him think of such a course.

Not many months afterwards the inevitable happened. The inexperienced lad was caught and mericlessly tortured. Sivakumaran achieved martyrdom and joined the ranks of those other immortals in the Heaven specially reserved for Heroes who knew no fear in defending their motherland - Keppitipola, the Singhalese chieftain of Kandy, Pandara Vanniyan, the Tamil chieftain of Adanka Pattu (Vavuniya-Mullaitivu), and Kattabhoman, the Tamil chieftain of Panchalankurichi in the Tamil country of South India.

There is a common heroic pattern in the manner in which unconquerable spirits defy superior might. Sivakumaran cheated his Singhalese captors by swallowing cyanide, Keppitipola hurled defiance at his British captors and cheated them of any pleasure by nonchalantly placing his neck on the block, Pandara Vanniyan fell to a cowardly British sniper's gunshot from behind a bush while he was fighting a gang of English troops with his sword, and Kattabhomman spat contempt and defiance telling his English captors that they had sneaked in as merchants and traders and turned into land-grabbers. He snatched the noose from the hangman and put it around his neck with his own hands.

Possibly it is Sivakumaran's infectious patriotism and undaunted spirit that inspiried scores of youthful leaders and hundreds of youngsters to take up arms in the early days of the militant movement. Some of them, such as Kuttimani and Thangadurai of Valvettiturai, also courted martyrdom while in custody in later years. Their deaths attracted world attention because of the cruel manner in which they were done to death in prison. Fellow prisoners, some of them suspected to be government jail guards in prisoners' dress, are reported to have indulged in a gruesome orgy of ceremonial killing in which they gouged the victims' eyes, ripped open the abdomens, drank the blood, and danced with the entrails draped around their necks. It is this horrible cannibalism which created the impression among international observers that the Tamils in Ceylon are fighting a Government of savages.

Governments and leaders who covet other people's lands and territory will do well to pay heed to the lesson of history

that none of the captors of these immortal heroes have succeeded in holding on to the lands which they stole from them. Instead,their victims are now legendary heroes in the lands to which they gave their blood.

There were occasions when I addressed small compact gatherings of activists at Valvettiturai and Point Pedro who were campaigning for the Tamilar Suyadchi Kazhakam candidate at the 1970 General Election. As was my wont in that campaign, I exhorted them to work ceaselessly for an independent Tamil State. I asked them to develop and foster the navigational skills of their ancestors, regardless of breaking revenue laws, and to keep alive the seafaring tradition of their towns. Many of those in the audience were young lads in their early or mid teens. I still remember their young eager faces and shining eyes burning with fire as they listened. In later years I used to wonder if some of them might have been Kuttimani and Thangadurai and Velupillai Prabhakaran and the many other heroes of Vadamaradchy whose names later became household words throughout Tamil Ceylon.

These, then, were welcome signs of an awakening at a time when the Tamils were facing an extremely critical situation. It showed that the student world was beginning to do some independent thinking on its own and was being stirred by a concern and fear for the future. They appeared to be veering round to my view that the future could only be made secure through a free and independent Tamil State. I was happy to see them ready to differ even from their parents and elders and strike a revolutionary path.

Sometime before the 1977 General Election the Tamilar Suyadchi Kazhakam invited the TULF to work on a joint programme to fight the Singhalese usurpation of power. The lawful Constitution had been violated and renounced, and an illegitimate government was exercising the power to rule. The Kazhakam's proposal was to make use of the elections, not to go to Parliament, but as a plebiscite to obtain a mandate from the Tamil people for a separate Tamil State. The candidates would be required to give a solemn undertaking that when elected they would not attend or take their seats in the illegal National Assembly in Colombo.

All that the Kazhakam got for its trouble was an arrogant reply.

After spurning the Kazhakam's proposal,the TULF was not averse to adopting the idea as a slogan for its election campaign. Its election manifesto asked for a mandate to exercise the right of self-determination through a constituent assembly of the Tamil-speaking people. So the TULF in 1977 fought the elections on the promise of a separate independent state for the Tamils.

The Tamilar Suyadchi Kazhakam also contested the elections, not because it had any interest in Parliament, but it believed it to be of vital importance that there must be some voice to warn the people against TULF's politics. It is an unfortunately peculiar trait with the people in Tamil Ceylon that a person must be an M. P. if his voice is to be heard or if his views are to carry any influence.

I had believed that Sirimavo Bandaranaike's constituent assembly exercise, the renouncing of the country's legal Constitution which contained at least the semblance of a safeguard for the Tamil people and other minorities, the proclamation of the illegal republican constitution in 1972 without corresponding safeguards of any kind whatsoever, and the TULF's bungling display of its political inanity in the entire business, would have sent a message to the Tamil people, that the younger generation would have been put on notice of what to expect. Any other people in the world would have ignored such a clear message only on their peril. I had hoped that the discontent which had been apparent among the Tamil youths and their disenchantment with the TULF would hold and be demonstrated in some positive way. They were the citizens of tomorrow, and it is their future which was under a threat.

But I was wrong, perhaps a little hasty in expecting too much from the youths and the student community. As it turned out, the vast majority of them, led by the more vocal elements, were still addicted to hero-worship of the charismatic orators of the Front. When speakers boomed from platforms "We would fight for our right of self-determination" or "Elam is our birth-right" or "We will fight until we establish our separate state" they cheered. They were simply swept off their feet. It did not matter that neither they nor the speakers had the haziest idea of what the right of self-determination meant. The cliches and slogans were good enough. Now that the Federal Party and the Tamil Congress have united in a Liberation

Front, they in their innocence believed that the combined wisdom of the two parties would win for them what the leaders promised.

So they worked as a body for a total TULF victory. They did most of the house-to-house canvassing for the Front. Wherever Suyadchi Kazhakam workers went canvassing, batches of University and Technical College students would follow them hot on their heel, enter every home that they leave, and tell the voters, "Navaratnam is a traitor. He will not join our TULF because he is against a separate Tamil state. Don't vote for the Suyadchi Kazhakam." It may be true that ethics and respect for truth take a back-seat in election politics. But when youngsters are wilfully brainwashed and tutored to distort truth and carry on false propaganda, and electors fall for such propaganda, it is an unmistakable symptom of a sick society.

There was yet another line of propaganda by older people: "What Navaratnam says is no doubt true, but what can a single individual do? A single tree does not make a woods". Some others who were votaries of the unity slogan said; "Let us show our unity on the demand for a separate Tamil state by sending the TULF as a team.".

On election day at the General Election in 1977, therefore, all the Tamilar Suyadchi Kazhakam candidates were defeated, including myself. The TULF was given a massive victory. It was abundantly clear that the people preferred to trust the TULF leadership. My warnings to the country not to trust the TULF went unheeded. My pleading with the Tamil electorate – that the TULF was adopting the Suyadchi Kazhakam's platform of a free and independent Tamil State only as a slogan for the sole purpose of winning the election and not because they believed in it or intended to work for it – was not believed.

This is not to say that there were not saner people, thinking men and women, who were able to see through the double-image posture of the TULF. Indeed, many thousands of voters, including a substantial section in my own electorate of Kayts, were able to withstand the power of wealth, platform rhetorics and empty election promises, and to oppose the TULF. But they counted for nothing in the face of the TULF hysteria which took hold of the Tamil electorates.

I had faced electoral defeats in the past, and am no stranger

to the vicissitudes of public life. But this defeat in 1977 was hard to take, not so much because of me personally, as it was because of the likelihood of the TULF taking the disastrous political course which Tiruchelvam had started in 1965. Now there was not a single voice to challenge them. I was immensely troubled by the prospect of further damage to the Tamil people and their territory. However, I reconciled myself to the people's verdict with the same resignation as that of another infinitely greater man a century and a half ago when he said; "If the good people in their wisdom shall see fit to keep me in the background, I have been too familiar with disappointments to be very much chagrined." *

From then on there was nothing much one could do except to sit in the grandstand and watch the game as it is played in the arena. One may not know what goes on backstage or in dressing rooms, but the spectators' gallery affords a vantage place from where one can have a good view of the progress of the game and of the shrewd tactics and manoeuvres which the players resort to.

1977 saw a rejuvenated leadership. The older leaders of both the Federal Party and the Tamil Congress had been eliminated by death or otherwise and the TULF was being led by a comparatively younger generation of leaders. The youths and the student community which made the most contribution to the election victory belonged to a still younger generation. So that the onus of leading the Tamil resistance movement had passed on to a new and younger leadership, and the people had a right to expect the TULF to provide a stronger and more dynamic and virile leadership.

It was a unique opportunity for the TULF to provide that leadership. For the first time in more than half a century, in an unparalleled show of unity and solidarity, the entire Tamil country was solidly behind a single political party. The people have given an unequivocal mandate for an independent Tamil state. They have endorsed in no ambiguous manner the convening of the Tamil constituent assembly promised in the TULF election manifesto and from election platforms. If the TULF meant business this was the time to put it into practice.

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* *Abraham Lincoln in a speach on March 9. 1832.*

If it was a moment of opportunity for the TULF it was also its testing time. The situation was pregnant with immense possibilities for a party with a commitment to launch and lead a people's struggle for a Tamil state — a perfectly peaceful struggle with no involvement of violence at all. We may be excused if we permit ourselves to indulge here in an exercise of academic speculation. Of course, it is of no consequence today, but it would be rather interesting nonetheless. What would have happened if. the TULF had the guts and the political wisdom to convene the promised Tamil constituent assembly of the M. P.s of the Northern and Eastern Provinces elected at the 1977 General Election to match Sirimavo Bandaranaike's Singhalese constituent assembly in the wake of the 1970 General Election? What would have happened if this constituent assembly drafted a constitution for the Tamil homeland state, pitted it against Sirimavo Bandaranaike's republican constitution of 1972, and proclaimed it as the constitution of the independent Tamil State?

To be sure, the TULF would have been outlawed, and orders issued for the rounding up and arrest of the Tamil leaders. The peaceful Tamil freedom fight would then have started in real earnest. Some leaders would have been arrested, and, perhaps, still be languishing in prisons like Nelson Mandela of South Africa. Others would have fled the country to set up liberation committees or councils in exile in foreign countries and joined the ranks of similar organizations in exile like the African National Congress, the Palestine Liberation Organization, the Irish Republican Army, etc. The Tamil organization in exile might even have made a successful attempt to obtain observer status in the United Nations Organization like the one accorded to the P. L. O.

Those who may be inclined to talk law may be interested to know that but for the illegitimate government's control of the Army and defence forces Sirimavo Bandaranaike's constituent assembly would have been in no different position from that of the Tamil constituent assembly. If the Singhalese sector of the population had an inherent right to disown a lawfully enacted but British-given Constitution and give themselves an autochthonous constitution, the Tamils had an equally inherent right to give themselves a self-governing constitution in the exercise of their inherent right of self-determination.

If Sirimavo Bandaranaike's republican constitution had any claims to validity, so would have been the constitution proclaimed by the Tamil constituent assembly for their homeland state. If the constitution of the Tamils would have been illegal, equally illegal is her republican constitution of 1972. At the time of the constituent assembly exercise Sirimavo Bandaranaike and her constitutional affairs minister claimed that legality and validity accrued to their republican constitution from the revolution they had carried out. Precisely. It is no doubt the attempt and the object of the revolution. But who says that their attempt succeeded and the revolution came to an end with their declaring a document to be a constitution? The Tamil position is that it did not. The Singhalese youth armed rebellion of 1971, J. R. Jayawardene's purported proclamation of yet another revamped constitution in 1978, making another revolutionary change in the state system by introducing a presidential form of government, stripping Sirimavo Bandaranaike who started the revolution of her membership in Parliament and of her civic rights, the armed uprising of the Tamil youths in 1983, the government instigated Singhalese mob violence against the Tamils in Black July-August 1983, the mass killings and destruction of property of the Tamils by revolutionists, these are all but different stages and incidents in the ongoing continuation of that same revolution. What is still more significant is that that revolution has now developed into a fullscale civil war. The resulting situation is that in law there is no legitimate government in Ceylon today, nor are there any legally valid institutions of state since Sirimavo Bandaranaike started her revolution. The fact that foreign governments accorded recognition to Srimavo Bandaranaike's Government and the successor government under J. R. Jayawardene and have dealings with them has no bearing one way or the other on their legitimacy. They will continue to be illegitimate so long as the revolution lasts. And that revolution which has escalated into a civil war is not likely ever to come to an end until and unless the independent Tamil State is founded, and is recognized as such.

No doubt, these are legalistic arguments which have no relevancy now, and they do not take us anywhere except to remind ourselves what a chance the TULF missed. They would have been of use to hold up to international judgement the credentials of the so-called governments of Sirimavo Bandaranaike

and J. R. Jayawardene when they talked about "terrorists" and "seperatists". They would have helped to debunk their claims to be champions of democracy and upholders of the rule of law.

In the ultimate reckoning the bottom line is, as Professor S. A. de Smith concluded, might becomes the law.

This principle of might becoming law may reflect the reality we see when we look around in the world. But it can hardly be claimed to be in keeping with the equality, liberty, justice, and fairplay which are supposed to be the most cherished distinguishing characteristics in a democracy. When these are denied to a people might generates challenges.

It is this challenge that we see today in the fight of the African National Congress under Oliver Tambo in exile against President P. W. Botha's government by a white minority people in South Africa, in the fight of the Palestine Liberation Organisation under Yasser Arafat in exile against Israel where the unwanted peoples of Europe were dumped driving out the permanent inhabitants of Palestine, in the fight of the Irish Republican Army in exile against England which persists in clinging on to a bit of Ireland as if that bit is the last remaining piece of land on a shrinking planet. If a Tamil liberation organization in exile had been set up as part of the TULF-led struggle to fight the Singhalese government in Ceylon, they would have joined this brave and distinguished company, and the problem of the Tamils of Ceylon would have been added to all these other unresolved problems which continue to bedevil international politics and world peace. Some day all these problems are going to be solved, for in every one of these cases the challengers are ancient peoples who have had the resilience to survive the vicissitudes of history. And the Tamils would have willingly waited for that day.

All these great possibilities were inherent in the proposal when the Tamilar Suyadchi Kazhakam invited the TULF before the general election to discuss a joint plan of action. Although the Kazhakam was rebuffed, at least the TULF election manifesto promised the plan for a course of action which would have led to a realization of these possibilities. Why was it not pursued?

Had they been true to their election manifesto and faithfully honoured their promises and pledges,there is every reason

to think that the Tamil Youths are not likely to have been roused to anger and resort to arms. We need not have had recourse to war. We need not have sacrificed thousands of innocent Tamil lives, or suffered colossal loss of property. The intriguing question why they ignored the program so explicitly promised in the manifesto once the election results made them the largest single party after the ruling party in Parliament, and why they chose instead to pursue a totally different path, will always remain unanswered and open to all manner of interpretations. We need not go into them here.

At the general election the SLFP of Sirimavo Bandaranaike, which had made the country a republic and given it a new constitution, was trounced to third place in the new legislature. J. R. Jayawardene who led the UNP to victory became Prime Minister, an office he had been patiently waiting for all his life. A. Amirthalingam who led the TULF to victory and to the unexpected position of the second largest party in the legislature was elected to the prestigious office of Leader of the Opposition.

In the euphoria and celebrations and fanfare which usually follow election victories, the implications of these developments passed unnoticed. The Tamil people in general appeared to be unconcerned. The Tamil youths showed no signs of having realized the ominous significance of taking Parliamentary office. Even so sound a judge of constitutional matters like Professor A. Jayaratnam Wilson of the University of New Brunswick, Canada, who happened to be in Ceylon shortly afterwards, would not agree with me when I pointed out to him the incongruity and inconsistency of holding the constitutional office of Leader of the Opposition vis-a-vis the role which the TULF had taken upon itself to play and promised the people. It was a clear portent of things to come, which but very few people were prepared to admit.

And then when the euphoria and fanfare of victory began to recede, and after a friendly long-distance repartee in which Napoleon Bonaparte and Nelson figured prominently, the Prime Minister and the Leader of the Opposition sat down for talks. They called it Singhalese-Tamil dialogue. It was perhaps at these early meetings that the two leaders prepared the ground for the all too familiar strategy of parleying. The Tamils have more than half a century of intimate experience with it.

Whenever Tamil politics threatened the peace of Singhalese governments, "talks" have always been the hotline they used to sober down a vocally sword-brandishing Tamil leadership. Likewise on the Tamil side "talks" have been the straw which Tamil leaderships clutched at to cover up their political inanity and bankruptcy. When talks go on people are lulled into a mood of expectancy and hope, and the immediate danger of trouble fizzles out. It is an effective psychological weapon to blunt the momentum of brewing trouble.

The eagerness with which the TULF leaders rushed to sit down for talks with the Prime Minister made it clear that they were in no mood to listen to the counsel of history. To them all the past history of Tamil-Singhalese politics just did not exist. Else they could not have failed to hear the message which the lessons from that history imparted over a period of more than half a century. That message was loud and clear, and had been repeated over and over again every time some rapproachment was made and then repudiated by the Singhalese - starting from Sir Ponnampalam Arunachalam's ouster from the Ceylon National Congress, the disowning of the Mahendra Pact, then Sir Ponnampalam Ramanathan's warning never to trust the Singhalese leaders through all the exercise which went into the making and breaking of the Bandaranaike-Chelvanayakam Pact and the Dudley Senanayake-Chelvanayakam Pact, to my recounting the history of a long line of Pacts and their repudiation and my call never again to trust the Singhalese leaders and to work for the establishment of a free and independent Tamil State as the only alternative for the Tamils, down to Chelvanayakam's declaration that he would have no more Pacts. In the face of all this record of warning, and with the ruling United National Party and Prime Minister J. R. Jayawardene being the very people who were behind the repudiation and failure of the Bandaranaike-Chelvanayakam and Dudley Senanyake-Chelvanayakam Pacts and who were always against parting with any meaningful rights to the Tamil, it is unimaginable that any leadership of the Tamil people with any sincerity of purpose and any sense of responsibility would want to walk into the trap of parleying set by the very same people.

No rational explanation could be thought of why election promises are ignored or bypassed in parliamentary politics or

why leaders go through the same old motions of negotiating pacts despite negative experience and warnings. Perhaps it is to explain such situations that the New Testament Parable of the Sower and of the Seed teaches us that among mankind there are people who are to be likened either to the stony ground upon which some seeds fell - they hear the message(seeds) and receive it gladly, but it does not sink deep into them, they believe only for a while, but when the time of testing comes they fall away - or to the thorn bushes among which some of the seeds fell — they hear the message but "the cares of this world and the deceitfulness of riches and the lusts of other things entering in, choke the word, and it becometh unfruitful". (Mark,4:19)

And so, the "talks" went on ceaselessly during all the time the new 1978 constitution was being forged and enacted, and J. R. Jayawardene was elected President of the Democratic Socialist Republic of Sri Lanka on October 20, 1982—a five - year exercise.

Talks about what? Nobody knows, because the talks were kept a closely guarded secret during all the five long years, not even the Tamil people were taken into confidence. Shortly after the presidential election, however, President Jayawardene announced a proposal to set up what was called an all-party parliamentary committee for national unity. To the surprise of many political observers the TULF made no bones about its enthusiasm for the President's proposal. A political correspondent reported to his paper in London:

> "The Opposition Leader and TULF General Secretary, Mr. A. Amirthalingam, is said to have described the proposal for an all-party committee as one worthy of consideration, but added that it was for the Working Committee of the TULF to decide on the matter.
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> "Will the TULF collaborate in a 'national government' under the leadership of J. R. Jayawardene?is the question that is being debated in political circles in Sri Lanka. The TULF leadership's indirect support to J. R. during the Presidential election campaign in not putting up a candidate against him or campaigning against him, and the protracted negotiation it has had with the government prior to the campaign, lend credence to the speculation that the TULF,

at least at leadership level, might view the proposal for a national government with favour." *

At last the cat was out of the bag. This is precisely what I had feared and repeatedly warned against. While those who had worked for the election victory of the TULF were expectantly looking forward to their mandate for an independent Tamil State being carried out, the TULF leaders were doing nothing of the kind. Instead, they had been carrying on secret negotiations with J. R. Jayawardene to participate in a 'national government' - a la Tiruchelvam. Evidently they decided to follow Tiruchelvam's example in preference to the lessons of history and past experience.

This could not have failed to cause consternation in the Tamil youth circles. Realization must have dawned on them for the first time that the leaders whom they had hero-worshipped at one time and who had roused them with stirring speeches from platforms have indeed used them to ride to power on their shoulders. They had refused to listen when someone else with better experience told them not to trust. Now that they have themselves personally lived through the bitter experience of deceit, it must have delivered a rude shock. It is possible that this disillusionment and frustration with parliamentary politicians and the lack of faith natural to youth in the traditional methods of political action which have proved useless drove them to take up arms and to assume the leadership of the Tamil freedom struggle themselves.

The armed struggle really surfaced only in July 1983 when the youths are reported to have attacked a government army convoy in Jaffna, but they would appear to have been arming themselves as early as 1982 or even 1981, for there were sporadic incidents in which arms were involved. Did they, then, have early intelligence about the nature of the TULF's secret negotiations and of any possible deal or understanding with the Prime Minister to support J. R. Jayawardene's plans for a presidential form of government as well as his candidature for the office of president and then for the TULF to join a national government? Possibly they had. If the political correspondent of the *Tamil Times* had sufficient information to make his report quoted above, it is certain that the Tamil youths had, too.

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* *TAMIL TIMES London January 1983. page 1.*

Moreover, a few weeks before I left Ceylon to live abroad in what turned out to be a self-imposed exile, in the spring of 1982, the late Dr. S. Rajasundaram, who was done to death in the Welikade Jail massacre the following year, accompanied by his co-worker S. A. David of the Gandhi Ashram, called on me at my home in Jaffna and conveyed a message to me from one of the top militant youth leaders. It was to ask me to get out and organize the people against the TULF and assuring me of full and united support from the entire youth and student body. It showed what an about-face the youths have been taking all the while the TULF was carrying on secret negotiations with the government. It was the first indication to me that the Tamil youths have begun to accept my views and decided to take up in real earnest the call I had made fourteen years earlier in 1968 to work and strive for an independent Tamil State. I appreciated the assurance of support now being made and I welcomed it, but unfortunately it was five years too late. Had this support been given to me in 1977 I have no doubt in my mind that events and history would have taken a different course. However, that is typically in keeping with our national character. Tamils have always been prone to let slip opportunities and then become wise when it is too late. That is our unfortunate history.

Despite these early signs of disenchantment with the TULF and the youths getting restive, its leaders were not deflected from the path of negotiating with the government. They still pursued their "talks" with a determination that is rather surprising. Perhaps they were encouraged by the fact that the beginnings of the militant movement were marked by an unfortunate confusion, the youths being splintered into several groups, some of which apparently supporting the TULF still. They were so desperately addicted to negotiations that they would not disengage themselves nor stop talking about a 'national government' even when the parliamentary term of five years for which they were elected expired, or even when J. R. Jayawardene had legislation passed prohibiting them from sitting in Parliament except on conditions, or even when the Government's armed forces turned the Tamil Provinces into occupied territory and the Tamils in Colombo and its environs were subjected to the killings and violence of the Black July-August 1983.

It was not until they saw signals that the dominant groups of the militant movement have turned hostile to them that the TULF realized they have lost the loyalty and confidence of the youth. Then they made belated attempts to mollify the youth. In a surprisingly naive but sanctimonious statement issued after the September 30, 1984, meeting of the all-party conference in Colombo the TULF said, among other things,:

"From our mandate for an independent State, we agreed to Union of States. The President suggested Regional Councils. Though it may not fully satisfy the aspirations of the Tamil people, we were willing to recommend it to our people subject to the unit being the Tamil linguistic region consisting of the Northern and Eastern Provinces, with devolved legislative and executive powers over specified listed subjects, including the maintenance of internal law and order in the Region, the administration of justice, social and economic development, cultural matters and land policy.

"The present proposals are based on District Development Councils as the unit and only permit inter-district co-ordination and collaboration in defined spheres of activity. There is no provision to devolve any legislative or executive power to this co-ordinating unit. There is no indication that this unit will be a legal person. The members of this unit are not to be directly elected by the people. The attempt to link devolution to the second chamber is only calculated to defeat the objective of devolution.....

"I must also refer to the deliberate policy of driving out Tamils and settling Singhalese that is being pursued in Vavuniya, Mullaitivu and Trincomalee".

But the youths were not taken in, fortunately. They must have surely seen in it an illustration of Sir Walter Scott's famous words:

"Oh, what a tangled web we weave
when first we practise to deceive".

The statement is woven in the web of a jargon that resurrected a thirty-year old long-forgotten and long-buried exercise relating to regional autonomy and the old Federal Party's

persistent opposition to Singhalese colonization of the Tamils' traditional homeland. Apparently it was intended to dazzle a young generation which the TULF wishfully assumed to be ignorant of that exercise, or of the TULF's acceptance of District Development Councils over which TULF chairmen presided, or of its role in the creation of the Singhalese parliamentary constituency of Seruwavila in the middle of Tamil Trincomalee condoning state-aided Singhalese colonization, or of its own motivated division of Vavuniya into the two weakened electorates of Mullaitivu and Vavuniya making it easier for Singhalese colonization. Its hypocrisy is so transparent that it does not seem to have fooled the youthful leaders of the militant movement who are far better informed of the TULF's liking.

The destiny of a nation is something which no power on earth can deflect from its inexorable direction and destination. Some people in their vanity imagine that by scheming and plotting they could manipulate events to suit particular ambitions. If history has any lessons to teach, it is that destiny throws them by the wayside and rolls on in its onward march. Its path may be rugged and rough, there may be many pitfalls, there may be snakes under the grass in its path, but its advance can never be arrested.

The Tamil nation in Ceylon has been in existence from prehistoric times. It has experienced ups and downs in its fortunes, it has survived many a crisis, but through it all it has preserved its distinct identity and individuality. Fortuitous circumstances and European colonialism made it go under foreign occupation for over three hundred years. But today it had resumed its onward march. Let there be no doubt that the destiny of this nation is to rise again as a free, independent, and sovereign State, and that it will be a reality in the not too distant future.

It is a sign of this destiny that the Tamil youths have seized the leadership of the people rejecting the TULF. They have taken charge of the freedom struggle and made it a militant movement fighting a civil war. Their conduct of the war is gathering momentum, and the movement is growing from strength to strength. It is a happy augury for the future of the Tamil race in Ceylon that the Tamil people in general stand solidly and firmly behind this leadership.

Armed warfare is a novel experience for the Tamil People. Their fathers, and their father's fathers for generations, had never seen, let alone handled, a gun. The Tamils by nature have traditionally been a peaceloving people to whom unprovoked violence has never been a characteristic display of their manhood. What, then, made the youngsters take to arms?

The reason is not far to seek. Successive Singhalese governments have been mulishly impervious to peaceful and nonviolent methods of political agitation. They never understood the British liberal type of civilized reaction to the Satyagraha method of campaigning for people's rights. They believe that possession of an Army is all that matters in the art of government. The Jayawardene Government's contribution is not a little. It set up violent mobs and goondas to commit genocide of the Tamil population and destruction of Tamil property. It turned the Tamil Provinces into an occupied country. Its armed forces invaded schools and molested and harassed children in their classrooms, thus forcing boys and girls to abandon their books and schools and universities and join the militant movement in their thousands. Children in their teens would appear to have defied even their parents to take up arms. How do other peoples in the world, similarly oppressed and tyrannized, react? No wonder, then, the Tamil youths resorted to the only language which oppressors and tyrants understand — the language of the gun.

Two hundred years ago, at the time of the French Revolution, Thomas Paine in a forthright defence of the Revolution wrote:

> "....the strength of government does not consist in anything within itself, but in the attachment of a nation, and the interest which the people feel in supporting it. When this is lost, government is but a child in power; and though, like the old government of France, it may harass individuals for a while, it but facilitates its own fall." *

It is the misfortune of Ceylon that its governments have always been just what Paine said they should not be. Pursuit of personal power, and never the well-being and contentment of the people, has always been, and still is, the driving force of governments. Witness the Singhalese youth rebellion in 1971 which

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* *Thomas Paine in RIGHTS OF MAN, Pelican Books, England, 1976 p. 210.*

proclaimed in no uncertain manner its lack of interest in supporting the government. And now, after almost 40 years of anti-Tamil misrule, what reasons do the Tamils have to feel any interest in supporting Singhalese governments?

The Singhalese government insists on calling the Tamil uprising and withdrawal of support as "terrorism". International observers, however, see in it, as one newspaper columnist in Canada put it, "a battle" no longer between a handful of terrorists attacking police posts and engaging in shootouts with army patrols. "The civil war label applies".* Another wrote: "New civil wars showing considerable promise of longevity got under way in Sri Lanka and ... "** Whether one calls it an uprising of an oppressed people, a rebellion, continuation of a revolution, or a civil war, it is in reality the Tamil War of Independence. It is a War that the Tamil people have been driven to the necessity of having to wage in order to liberate their homeland from Singhalese rule, and it will continue to be waged no matter how long it takes to achieve independence.

Having resolved to be free, and formed the determination to revive the former independent sovereign statehood which was lost to the European colonial powers as the only means of preserving and perpetuating their distinct identity, leaderships of the Tamil people, whether it be the present militant youths who are conducting the Tamil War of Independence or those who may succeed them in the future, have a duty which is of paramount importance. It is to carry on the War of Independence without flinching, faltering, or wavering, whatever obstacles may have to be encountered in the course of it.

A note of warning will be most appropriate in this context. It has become a fashion in the modern world for those who are in power, and therefore in enjoyment of the benefits of liberty, to advise others who are struggling and fighting for regaining of freedom and liberty to stop fighting and to settle differences by dialogue and negotiation. Because they are in power it never occurs to them that they too at one time have had to carry on a fight for their own freedom. So, from time to time in the course of the struggle Tamil leaderships are

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* *THE TORONTO STAR, Canada, January 27, 1985.*

** *THE GAZETTE, Montreal, December 27, 1984.*

likely to be subjected to tremendous pressure from friends and foes alike, both domestic and international, to sit down to talks and settle by negotiation. The leaders must have the strength of will to resist any such attempts with the utmost firmness. It is hard to imagine what there remains to talk or negotiate about. Have not the Tamils talked enough about every imaginable solution? Have they not agreed to every possible formula for co-existence which accommodated the Singhalese concern for the political unity of the island country? Now talks are not needed any more, for the sovereign State of Tamil Elam is not something for the Singhalese government to give at the negotiating table.

Far too many innocent lives have been slaughtered at the altar of Singhalese ambition for dominion over the Tamils, far too great is the flood of Tamil tears shed by grieving mothers and widows and orphaned children, far too numerous is the number of Tamils who have been driven out of their homes and hearths to roam and wander throughout the world from country to country in search of asylum to cling to life, that it is now idle to talk of federalism, devolution of power, autonomy, regional councils, district development councils, second chamber, and such-like absurdities. All these have now become irrelevant.

Seventy-five years of fruitless discussions and agreements about every one of these devices have vindicated in no uncertain manner the farsighted wisdom of Sir Ponnampalam Ramanathan's prophetic admonition "Never trust the Singhalese leaders". With political power and control of the purse-strings firmly in the hands of Jayawardenepura Kotte, no makeshift device could ever be a solution. Human ingenuity has not yet devised any machinery which could make sure that that power will not be used again to repeat Singhalese tyranny and oppression, and even genocide. Nor can the Tamils rely on assurances of third countries, however well-intentioned and friendly they may be. And no country in the world would be foolish enough to come forward to underwrite the good behaviour of Singhalese governments.

Yet another danger is the temptation of high office. Enough has been said before to show that it is this curse of the lure of office, the thirst to become a Cabinet Minister, or a Leader of the Opposition, or a Speaker, or other office or position of

power, which has been the bane of every leadership and ruinous to the Tamil people. Chances of the present new leadership of the youths falling prey to any such temptation are, of course, very remote and unimaginable, but it is not beyond the cunning and ingenuity of Singhalese leaders to make attempts to exploit this well-proven weakness of Tamil leaderships.

The survival of the Tamil race in Ceylon demands, therefore, that every Tamil leadership, present or future, will always make it absolutely clear that no "settlements", no halfway devices, no offices under Singhalese governments would ever be acceptable, and that the independent and sovereign State of Tamil Elam is not negotiable under any circumstances.

INDEX

Adanka Pattu, 321
Adiapatham, 200
Adigar Keppitipola, 343
Africa, 251
African National Congress, 326, 328
Alakeswara, 27
Alampil, 118
Alexander A V, 195
Ali Aruna Asaf, 195
Allai Kulam, 76
All Ceylon Tamil Congress, 78, 84, 89, 91, 228, 230, 232, 237, 268, 271, 311, 314, 315, 317, 325
Amirthalingam A, 63, 79, 89, 104, 108, 132, 147, 161, 221, 306, 316, 319, 329, 331
Anarchy, 189
Angles, 2
Anuradhapura, 23, 27, 239
Anytus, 3
Arappor Munnani, 116
Arasanga Eluthuvinaignar Sankam, AES, 198, 200, 201
Arianayakam, 116
Army Cantonment, 180
Arulampalam C, 89
Arunachalam, 89
Arunachalam Sir Ponnampalam, 109, 198, 277
Aryans, 7, 23
Asirvatham A R, 198
Asoka, 23
Attlee, Clement, 185
Attenborough Sir Richard, 192
Australia, 66, 71
Avissawela, 111
Azad Moulana Abul Kalam, 195
Aziz Abdul, 215, 221, 226
BC Pact, ii, 144, 155, 156, 161, 176, 218, 223, 224, 229, 233, 238, 279
Balasubramaniam R, 145, 200
Balasundaram M, 175
Bambalapitiya, 105
Bandaranaike Felix Dias, 130, 206, 218, 316
Bandaranaike Maha Mudaliyar Sir, 92
Bandaranaike S D, 133, 270
Bandaranaike Sirimavo, 9, 10, 130, 155, 161, 181, 189, 206, 223, 247, 279, 290, 291, 298, 301, 320, 323, 326, 327, 329
Bandaranaike S. W. R. D., ii, 35, 38, 65, 69, 78, 92, 93, 101, 104, 125, 130, 133, 135, 136, 140, 143, 145, 149, 151, 152, 157, 199, 210, 217, 224, 234, 238, 248, 251, 279, 299

Bandaranaike-Chelvanayakam Pact, 131, 330
Basnayake Justice, 45
Basques, 22
Batticaloa, 67, 74, 76, 80, 86, 99, 139, 146
BBC, 50
Ben Gurion, 234
Beschi Father, 21
Bhasma Asura, 297, 298
Bihar, 23, 111
Bose Subhas Chandra, 194
Boycott, 231
Brahui, 22
Britain, 5, 11, 12
British Commonwealth, 185
British Labour Movement, 213
Buckingham Palace, 40
Buddhism, 23
Burghers, 9, 42, 66
Burma, 5, 30
Caldwell Bishop Robert, 21
Canada, ii, 2, 64, 67, 71, 193, 334
Canagarayer T, 57
Ceylon Army, 178
Ceylon Citizenship Act, 17, 47, 56, 158, 248
Ceylon Civil Service, 171
Ceylon Daily News, 179
Ceylon Government Railway, 69
Ceylon Indian Congress, 58
Ceylon Law College, 63
Ceylon National Congress, 13, 93, 198, 277, 278, 330
Ceylon Parliamentary Elections Order in Council Ammendment Act, 56, 248
Ceylon Transport Board, 69
Ceylon Workers Congress, 60, 214, 258,
Chamberlain Neville, 136, 227
Chauvin Nicholas, 3
Chelvanakayam S J V, 35, 39, 40, 42, 48, 55, 56, 62, 63, 88, 89, 93, 94, 102, 104, 115, 123, 124, 125, 129, 131, 137, 140, 154, 202, 215, 227, 231, 266, 311, 312, 314, 316
Choksy, 125
Churchill Winston, 185, 195
Civil Disobedience, 175
Cockburn Alexander, 193
Colebrook, 28, 289, 294
Colombo Fort, 106
Conservative Party, 236
Constituent Assembly, 269, 300, 304
Constitution, 8, 56, 188, 201, 204, 206, 207, 250, 286, 291, 293, 294, 295, 296, 300, 301, 304, 310, 326
Coomaraswamy Sir Ananda Kentish, 109
Cripps Sir Stafford, 195
Cronin A J, 213
Culavamsa, 25, 136, 184, 185
CWC, 181, 312
Cyprus, 5
Czechoslovakia, 191
Dandi March, 114
David S A, 333
Delimitation Commission, 81, 82, 83, 85
Desai Morarji, 111, 312 ———
Dharmalingam V, 320
Dias N Q, 193, 194
Dissanaike Gamini, 191
District Councils, 262, 276, 280
District Court, 203
District Development Councils, 334
Dominion, 10, 278
Donoughmore Constitution, 13, 31
Dounghmore Commission's Report, 14, 281
Dravidians, 6, 22
DS-C Pact, ii, 233, 238, 241, 245, 261, 264, 267, 268, 274, 277, 280, 284, 307
Duval, 22
Dudley Senanayake-Chelvanayakam Pact, 330
Duraiappah Alfred T, 171
Durairajah T S, 172
Duttugemunu, 25, 239
Dyer General Harry, 193
Egyptians, 22
Ellala Singhan, 239
England, 38
European Russia, 2
Fareed Sir Razik, 158
Federal Party, ii, 78, 83, 89, 90, 95, 96, 97, 102, 105, 114, 126, 137, 139, 141, 146, 152, 154, 155, 156, 160, 164, 169, 171, 179, 183, 189, 192, 214, 215, 218, 220, 224, 225, 226, 227, 230, 235, 237, 242, 246, 249, 264, 267, 270, 273, 283, 284, 286, 289, 304, 305, 306, 307, 311, 312, 314, 315, 318, 319
Fernando Terrence, 148, 149
Fiji, 30, 251
Finance Act, 159, 186
Gajabahu, 24, 74
Galle Face Green, 106, 111, 113, 229
Galle Face Hotel, 98, 108
Gal Oya, 75, 76

Gampola. 27
Gandhi Ashram, 333
Gandhi Indira, 71, 259, 313
Gandhi Mahatma, 33, 115, 185, 191, 192, 194, 195, 196, 251
Gantalawa, 76
GCSU, 198, 199, 200, 201, 207, 208
General Election, ii, 159, 209, 220, 234, 298, 308, 322
Germany, 40
Gibraltar, 22
Gladstone, 115
Goonasinghe A E,13, 109
Goonetilleke Sir Oliver, 115, 145
Goonewardene Leslie & Kusuma, 210
Government Clerical Servants Union, 63, 197
Grandpass, 145
Greece, 3
Gunawardene Phillip, 105, 111, 129, 131, 210
Gunawardane Teja, 125
Hadorn Urs, 272
Hamid S A, 159
Hess Pete, 272
Hindu The, 254
Hitler Adolf, 136, 191, 192
Horowapotana, 117
House of Representatives, 11
Hulftsdorp, 63, 144, 145
Identity Cards, 264, 270, 271
Ilankai Tamil Arasu Kadchi,, 55, 63
Ilangaratne T B, 198
Indian Muslim League, 38
Indian National Congress, 38, 58
Indian National Movement, 115
Indian and Pakistani Residents Citizenship Act, 48, 60, 248
Indo-Ceylon Agreement, 254, 256, 260, 263
Inginiyagala, 76
Irish Republican Army, 328
Israel, 69
Italians, 22
Jaffnapatnam, 73
Jaffna Public Library, ii
Jaffna Youth Congress, 318
Jallianwalla Bagh, 193
Jayaprakash Narain, 111, 195, 313
Jayatilleke Sir Baron, 109
Jayawardene J R, 9, 41, 92, 94, 133, 188, 223, 224, 225, 229, 258, 272, 280, 298, 301, 308, 309, 310, 314, 316, 327, 328, 329, 331, 332
Jayawardenepura Kotte, 27
Jennings Sir Ivor, 15, 16, 50
Jesus Christ, 196
Jewish State, 234
Jinnah Mohamed Ali, 282
Judicial Service Commission, 292
Jutes, 2
Kalkudah, 86
Kalugale P B G, 217
Kanagaratnam K, 89
Kanagasooriam Muhandiram, 120
Kanagendran M K, 222
Kanchipuram, 24
Kandiah V A, 104, 125, 146, 150, 153, 158, 169, 177
Kandy, 28, 74, 75, 321
Kandyan Singhalese, 14
Kankesanthurai, 69, 70, 89, 98, 104, 105, 116, 117, 282
Kannada, 22, 26
Kantalai, 73, 76
Karens, 5
Kariappar Mudaliyar M M, 104
Kathiravelupillai S, 106, 170, 316
Kathirgamar S N, 90
Kattabhomman Veerapandya, 321
Katznelson Berl, 234
Kautilya, 2
Kayts, 89, 101, 158, 222, 267, 282, 316
Kegalle, 57
Kilinochchi, 86
Kodakanpillai, 56, 57
Kodeeswaran Chelliah, 78, 200, 203, 205, 207, 208
Komathy Vanniasingham, 154
Kopay, 89, 152
Kotelawala Sir John, 26, 41, 88, 91, 93, 251
Kotte Kingdom, 27, 28
Kulamani, 243, 284
Kulasingham A V, 45
Kumaraswamy V, 42, 55, 90, 95, 103, 202
Kumar Ponnampalam, 271, 272, 315
Kuttimani, 321, 322
Labour Party, 212, 236
Lafayette, 2
Lake House, 218
Language of the Courts Act, 186
Lankapura General Dandanayaka, 26
Lanka Sama Samaja Party, 105, 210
Layton Admiral, 33
Legislative Council, 13, 14
Liberal Party, 236
Lincoln Abraham, 2
Listener, 50
Liyanage, 205, 294

Lord Linlithgow, 195
Lord Louis Mountbatten, 33, 185
Lord Pethick Lawrence, 195
Lord Soulbury, 10, 15, 16, 33, 41, 43, 202
Lord Wavell, 33, 195
Low Country Sinhalese, 14
LSSP, 211, 213, 214
Lycon, 3
MacEachen Allan, 67, 86
Machiavelli, 2
Maduru Oya, 75, 86
Mahadeva Arunachalam, 34, 35, 38, 40
Mahajana Eksath Peramuna, 105, 151
Mahanama, 25
Maharagama, 180
Maha Uttaman, 319
Mahavamsa, 25, 32, 136, 184, 239, 273
Mahaveli Developnment Board, 67
MahaveliGanga, 75, 86
Mahendra Pact, 278, 330
Malay, 9, 42
Malayalam, 22
Malaysia, 30, 71, 181
Mallakam, 105,
Manickam M, 255
Manikkavacakar Saint, 267
Manipur, 194
Mannar, 169
Mannar Bar, 103
Manoharan, 107
Maradana, 63, 144
Mark 4:19, 331
Mauritius, 30, 181
Mendis G C, 27
Mediterranean, 6, 22
Molamure A F, 38
Moneragala, 259
Montreal, 22, 186, 193
Moral Re-Armament Congress, 132
Motha George R, 58, 59
Mount Lavinia, 148
Mudannayake, 57
Mullaitivu, 83, 84, 321, 334, 335
Munich, 136
Murugupillai, 168, 174
Mustapha M M, 104, 105, 122
Muthaiyan Kaddu Kulam, 77
Muthukumaraswamy T, 320
Muthunayagam Britto, 127
Muthusamy Thevar, 144
Mutur, 81, 82, 83, 84
Nadarajah A C, 128
Nadarajah K V, 56
Nadarajah S, 105, 118, 122, 176
Nadesan S, 57
Nagalingam C, 98
Naganathan E M V, 39, 42, 55, 63, 89, 102, 104, 125, 145, 153, 169, 222, 224
Nagarajah S, 306
Nallathamby M C, 198
Nalliah G, 147
Napoleon Bonaparte, 329
Natesa Iyer, 58, 59
Natesapilai S, 35, 38, 39, 40, 41, 89, 94, 102, 104, 202
National Assembly, 300, 301, 308
National Government, 210, 236
Navarangahala, 300, 301, 305
Navaratnam T, 132
Navaratnam V, 316, 324
Navaratnam V N, 90, 103, 108, 132, 147, 169, 178, 217
Navaratnarajah P, 124, 125, 128, 129, 234
Nawalapitiya, 49
Neela Panikkan Kulam, 119
Neela Panikkan Malai, 119
Nehru Pandit Jawaharlal, 58, 195, 250
Nelliah H, 58, 59
Nelson, 329
New Brunswick, 127, 329
New Delhi, 250, 256
New Testament, 331
New Zealand, 71
Nilaveli, 121
Nintavur, 81
Nithiyanantha K C, 198
Normans, 2
Official Language Act, 112, 201, 202, 203, 244, 295
Official Language, 275
Official Language Bill, 105, 108
Oliver Goonetileke, 41
Oliver Tambo, 328
Padaviya, 77, 121
Paduvil Kulam, 77, 121
Paine Thomas, 336
Pakistan, 185
Palestine, 234
Palestine Liberation Organization, 326, 328
Panagoda, 180, 214
Pandara Vannian, 290, 321
Parakramabahu, 24, 25, 26, 74
Paramanathan, 164
Paramanayagam V K Dr, 55
Passara, 259
Pathmanathan, 243, 284
Pattinappalai, 75
Pattipalai Aru, 75, 82

Peiris M V P Dr, 222
Pereira F X, 58, 59
Perera A A, 117, 121
Perera Captain, 182
Perera N M, 126, 148, 199, 210, 211, 226
Peri Sundaram, 58, 59
Perinpanayagam Handy, 39
Periyavar, 228
Point Pedro, 200, 322
Polonnaruva, 24, 25, 27, 73
Ponnampalam G G, 34, 35, 36, 38, 40, 42, 48, 52, 53, 54, 77, 89, 91, 95, 96, 99, 102, 104, 133, 137, 202, 220, 228, 229, 230, 231, 232, 265, 268, 272, 311, 312, 314, 315
Pope Rev G U, 21
Port Cargo Corporation, 79, 80,
Portugese, 74
Premadasa R, 188
Privy Council, 58, 60, 201, 202, 203, 205, 290, 293, 294, 297
Pyreness, 5
Quebec, 5
Rajadurai C, 104, 105, 116, 147, 153
Rajagopalachari C, 195
Rajalingam, 56, 60
Rajasundaram S Dr, 333
Rajavarothiam N R, 90, 91, 96, 105, 116, 122, 125, 147, 153
Rajendra Prasad, 195
Ramanathan College, 13
Ramanathan Sir Ponnampalam, 13, 109, 278, 281, 338
Ramanujam, 56, 60
Ranasinghe vs Bribery Commissioner, 209, 294, 297
Rasamanickam S M, 95, 222, 281
Reagan Ronald, 192
Regional Council, 128
Renganathan Q C, 204
Rose Sir Allan, 57
Royal College, 68
Sabaratnam T M, 120
Salt Satyagraha, 114
Samarakkody Edmund, 147, 148, 149, 210
Sandberg Carl, 86
Saraswathy Hall, 68
Saravanamuttu Manikkam, 181
Saxons, 2
Scott Sir Walter, 334
Sellathambu X M, 120
Selvanayagam Rajan, 171
Senanayake D S, 15, 17, 33, 34, 38, 39, 40, 41, 43, 46, 49, 52, 53, 54, 75, 76, 77, 78, 85, 88, 89, 92, 93, 101, 109, 110, 126, 229, 231, 232, 251, 279
Senanayake Dudley, 41, 78, 89, 91, 94, 110, 111, 155, 199, 210, 223, 224, 225, 227, 228, 229, 237, 249, 252, 280
Senanayake F R, 109
Senanayake R G, 121
Senanayake Samudra, 76
Seruwawila, 84, 85, 86, 117, 121, 335
Shastri Lal Bahadur, 250, 251
Siddharthan D, 320
Silva Colvin R de, 189, 218, 300, 302, 307
Silva C P de, 75, 77, 130, 210, 217, 218, 219
Silva L M de, 80
Silva William de, 105, 210
Silva William W H, 129
Singapore, 71, 194
Singha Regiment, 180
Singhala Maha Sabha, 93
Singhala Only Official Language Act, 112, 133, 197, 241, 281
Singhala SRI, 135
Singhalisization, 78, 187, 242
Sinnadurai S, 171, 176
Sinnathamby A Dr, 182
Sirimavo-Shastri Pact, 216, 231, 231, 253, 257, 260
Sittampalam C, 94
Sivagnanasundaram N, 57
Sivakumaran, 320, 321
Sivanandasundaram K, 200, 222
Sivanayagam S T, 132, 176
Sivapalan, 55, 90
Sivasithamparam M, 171, 177, 182, 237, 282
Sivasithamparam T, 120, 171
Siyan Korale, 111
Skandavarodaya College, 320
SLFP, 155, 156, 157, 171, 186, 187, 188, 189, 329
SLFP-LSSP-CP Alliance, 189, 206, 220, 230, 236, 261, 276, 279, 290, 295, 296, 297, 298, 301, 306, 307, 308
Smith S A de, 303, 328
Socrates, 3
Somasundaram T, 200
Soulbury Commissioners, 293
Soulbury Constitution, 32, 45, 150, 269
South Africa, 2
Soyza Bernard, 210
Spaniards, 5
Spring Howard, 213
Sri Kantha M, 166, 169
Sri Lanka Freedom Party, 93

Sri Lanka News, 258
Sri Lanka Shipping Corporation, 70
Stanley de Soyza, 124, 128
Stanmore Crescent, 147
State Council, 39
St. John's College, 319
St. Joseph's College, 117
Subasinghe T B, 210
Subbiah S N, 56, 60
Sugathadasa V A, 223, 237
Sundaralingam C, 42, 43, 77, 95, 104, 105, 107, 139, 231, 279, 282, 304, 305, 306, 316
Supreme Court, 46, 292, 304, 305
Surendranathan, 243, 284
Sutantiran, 59, 115, 116, 146, 176
Switzerland, 64, 272
Sydney de Soyza, 119, 122
Tambimuttu Sam, 116
Tamil Arasu Police Force, 179
Tamil Arasu Postage Stamps, ii, 176
Tamil Arasu Postal Service, 177
Tamilar Suyadchi Kazhakam, 286, 312, 322, 323, 324, 328
Tamil Times. 332
Tamil United Front, 319
Tamil United Liberation Front, 82, 282, 319
Telugu, 22, 26
Tennakoon Mudiyanse, 285
Terrence, de Zylva, 210
Thambiaiyah A L, 45, 46, 91, 94, 102
Thambidurai T, 320
Thambimuttu, 116
Thangadurai, 321, 322
Thaninayagam Xavier, 108
Tharmakulasingham C, 200
Thiagarajah Jeganathan, 38, 40 o 7 3
Thiagarajah Keerthanai, 115
Thondaman S, 54, 56, 57, 60, 181, 214, 215, 259, 307, 314, 316
Tiruchelvam M, 79, 154, 160, 171, 202, 214, 215, 220, 283, 289, 319, 325, 332
Tiruchelvam Period, 152
Tiruketheesvaram, 171
Tirukkovil, 114
Tirunavukarasu S, 106
Tiruvacakam, 267
Trevelyan G M, 7
Trincomalee, 69, 71, 73, 77, 78, 79, 80, 83, 84, 86, 90, 96, 114, 115, 116, 117, 122, 124, 138, 146, 153, 283, 334
Trincomalee Harbour, 245, 252
Trincomalee Resolution 1956, ii
TULF, 266, 312, 313, 314, 317, 322, 323, 324, 325, 326, 329, 330, 331, 332, 333, 334, 335
Tulu, 22
Turks, 5
Udugama Major, 178, 180
Udupiddy, 320
Uduvil, 320
Union of States, 334
United Kingdom, 11
United National Party, 330
United Nations Organization, 326
United States of America, 2, 280
UNP, 44, 200, 206, 218, 220, 222, 226, 229, 230, 234, 236, 237, 241, 245, 248, 267, 269, 273, 284, 298, 307, 308, 329
UNP-FP Government, 206, 267, 268, 299
Vadamaradchi, 282
Vaddukkoddai, 89, 312
Vaikunthavasan K, 198
Vaithianathan Sir Kanthiah, 170, 171
Valvettiturai, 321, 322
Vanniasingham C, 42, 55, 64, 81, 89, 98, 116, 122, 125, 147, 152, 153
Vaseeharan, 107
Vavuniya, 83, 84, 139, 142, 334, 335
Vellayan, 60
Velupillai C V, 55, 60
Victoria Park, 239
Victoria Queen, 239
Vihara Maha Devi, 239, 290, 307
Vijayabahu, 24, 25
Vincent J M, 120
Virakesari,, 59
Walloopillai Dr, 182
Weermantry, 205
Welikade Jail, 333
Wells H G, 22
Wesley College, 115
West Germany, 71 o 7 3
West Indies, 30
Westminster, 127, 286, 292
Wheare K C, 64
Whitehall, 11, 15, 33
White Paper, 274, 275
Wickremasinghe Esmond, 220, 221, 223, 225, 226, 275
Wijaya HMCyS, 282
Wilfred M, 132
Wilson Jeyaratnam A, 127, 329
Zahira College, 35

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