

# Sri Lanka & the Tamils

## Understanding the National Conflict



The island called Ceylon had three kingdoms, each with its own sovereignty, and territorial integrity and ruled by different kings, before the arrival of European colonialists. The British were the first to combine the three kingdoms under one administration in 1833. On independence in 1948, the British handed the entire island to the majority nation, the Sinhalese.

The Tamil war of liberation concerns the right of Tamils to exist on the island as equals, with Justice and Dignity. Since independence the Sinhalese have dominated politics and the economy, controlling Tamils militarily and discriminating against, and committing human rights abuses against them.

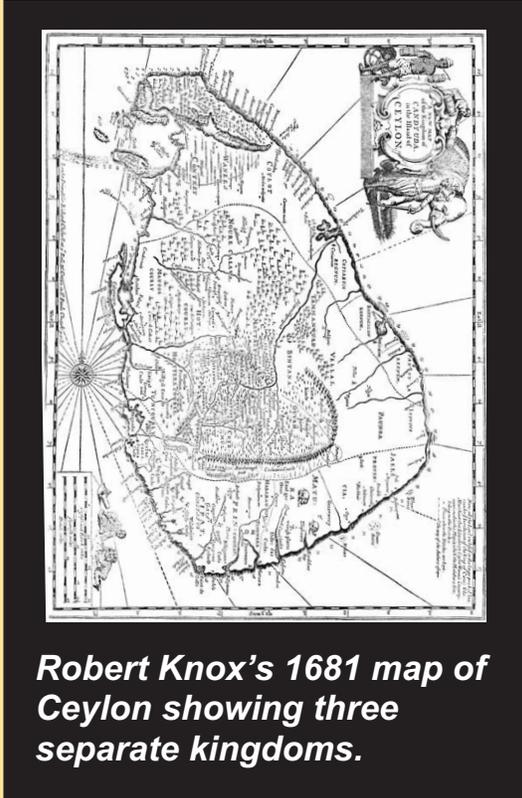
Till 1956 Tamils opted to live in a united country with the Sinhalese. Then they were prepared to live in one country under one federal system. It was in 1976 (28 years after independence) that they wanted to separate because of continuous abuse.

The Tamils have a distinct language and territory, over 5,000 years of history, and their own religion and culture, fulfilling the requirement to nationhood.

Would it not be better for the two nations to live in peace on the island, rather than having two nations at war?

## Background

When the first colonial power came to Ceylon in the 1505, there were three separate kingdoms in the country. The Portuguese first conquered the maritime Sinhalese Kingdom and, more than 100 years later, the Tamil Kingdom. The



***Robert Knox's 1681 map of Ceylon showing three separate kingdoms.***

Dutch took over from the Portuguese, and eventually the British took over from the Dutch. The first British Colonial Secretary to visit Ceylon wrote the much quoted Cleghorn Minute in 1799, which describes the people living in the country and the boundaries of their places of habitation. Sinhalese historian Paul E. Peiris has said that when Vijaya, the mythical founder of the Sinhalese race, came to Ceylon, Tamils were already there, and referred to the existence of five ancient Hindu temples or *Eeswarams* in various parts of the country.

It was in 1815 that the British conquered the Sinhalese Kandyan Kingdom. All three colonial powers **administered the three Kingdoms separately until, in 1833, they were united under one administration by the British for their convenience.**

The Sinhalese as well as the Tamils, have all the attributes of **nations or peoples, which, according to the covenants of the**

**United Nations, have the right to self-determination.**

## Independence from Colonial rule

Britain granted independence to Ceylon in 1948 and implemented a unitary Constitution with a second chamber (the Senate), Section 29 which gave a modicum of protection to minorities, and appeals to the Privy Council of Britain against decisions of the Supreme Court of Ceylon. The Westminster type of first-past-the-post voting system gave the Sinhalese, with 74% of the population of the island, an in-built majority in Parliament.

One of the first initiatives of the independent government was the Citizenship Act, under which almost a million Indian-origin Tamils\* lost their citizenship, resulting in the reduction of Tamil representation in Parliament by **about 40%**.

*\* The Tamil community is made up of Tamils who have lived in the North East for thousands of years and Tamils brought in the 1800s by the British to work on the tea & rubber plantations of the central highlands.*

## Sinhala hegemony

Directly after independence the Sinhalese started exercising their control in every sphere of activity. Discrimination in employment, education, development, and state-assisted colonization of the Tamil homelands by Sinhalese became state policy. Discrimination and efforts to change the demography of the Tamil areas continue to this day. The Sinhalese population in the Eastern Province, an important part of the Tamil homeland, a little over 4 % in 1924, is currently estimated to be over 30% and growing due to the latest maneuvers. Tamils make up 12% of the island's population, but hold only 5% of government jobs.

Tamils tried to get redress after independence by democratic and parliamentary methods, as well as by Gandhian satyagraha [non-violent protest].

Over the years Tamils have regularly been the victims of pogroms by Sinhalese hoodlums either aided by, or watched in silence by the armed forces, who are 99% Sinhalese and the police who are 95% Sinhalese.

Tamils first tried to live together in a unitary form of government with the Sinhalese community. When the Federal Party stood for **elections in 1952, Tamils overwhelmingly voted for the Tamil Congress which supported a unitary state.**

After much discrimination and oppression, Tamils voted overwhelmingly for the Federal Party in 1956. Two parliamentarians who stood for separation in that election were soundly beaten. **At that time, therefore, Tamils preferred a Federal form of government to separation.**

**In 1956 a bill to make Sinhalese the only official language of the country was passed in parliament over Tamil protests.** This was followed by islandwide pogroms against Tamils in 1956 and 1958. The Prime Minister described the permanent posting of the armed forces in the North East after 1960 as an **'army of occupation.'** The national flag was chosen with a prominent Sinhala lion and the national anthem is in Sinhalese.

Two pacts to provide autonomy to the Tamil areas, signed between the Tamil Federal Party and the Sinhala party in power at that time, were abrogated unilaterally by the respective governments following protests by the Sinhala party in opposition in 1957 and 1965.

In 1972 a new constitution was enacted without Tamil participation. The new constitution made the country a Republic, made Buddhism the foremost religion and eliminated the Senate, appeals to the Privy Council, and Section 29 which had given some protection to minorities.

Due to their inability to obtain any redress, and continued discrimination and numerous anti-Tamil pogroms, **in 1976 all Tamil parties joined together and passed a resolution asking their Parliamentarians to seek the formation of a separate Tamil state in the Homelands of the earlier Tamil Kingdoms. This was the Tamil people's mandate to their representatives.**

At the next elections in 1977, and ever since then, this mandate has not been changed.

The Government enacted a new Constitution in 1978 creating an all-powerful executive president. Again the Tamil representatives did not participate in the constitution's drafting. President Jayawardena said that under this constitution he had the power to do anything except change a man into a woman. **The UK's Daily Telegraph quoted Pres. Jayawardena as having said "I do not care what the Tamils think, but my Sinhalese people will be happy."** He also



***Sri Lankan Tamil refugees arriving in India 2007.***

introduced the Prevention of Terrorism Act, described by International Jurist Paul Seigart as the worst act of its kind in the world, including apartheid South Africa.

The majority Sinhalese government passed the Sixth Amendment to the Constitution in 1983 which made even speaking of separation an offence. Following this, any reference to the Government of Sri Lanka refers to the Sinhala majority government. The Tamil representatives in Parliament went into exile in India.

The years that followed have made life intolerable for the Tamils of the island with the security forces doing whatever they want with impunity. The country has been under emergency rule for most of the time since the early

1980s, with almost unlimited powers given to the security forces to terrorise and subjugate the Tamils.

A third of the Tamil population has fled the island and another third have been displaced from their homes, often many times. A hundred thousand Tamils have been killed or disappeared. The Tamil areas are now the poorest on the island and are ruled by military or ex-military governors with the help of the armed forces.

## **State-sponsored colonization for demographic change**

Successive Sinhalese governments have carried out demographic changes in the Tamil homelands at will and the Tamils have not had the political power to prevent such abuse. State-aided colonization of Tamil areas has settled Sinhalese in newly irrigated lands and also in lands from which they have ethnically cleansed Tamils and Muslims.

Settlements have been specifically placed between the Northern and Eastern provinces of the Tamil homeland to break up the contiguity between them. Names of places and streets are being changed to Sinhalese names, new Buddhist temples are being built and new Buddha statues erected. Gerrymandering of areas colonized by Sinhalese has significantly reduced Tamil representation in parliament.

Large areas in the North East have been declared High Security Zones, including a third of the agricultural area in the Jaffna Peninsula, and almost the entire coastline of a community whose main protein source is fish. Restrictions on movement, agriculture, fishing and commerce, along with corruption by the occupying army and the destruction of war have reduced the economy of the North East to a shadow. The population survives on remittances from family members abroad.

## **Anti-Tamil pogroms**

**It was after anti-Tamil pogroms 1956,1958,1961,1974, 1977, 1979, 1981 and the pogrom of genocidal proportions of 1983 that the Eelam War started.**



***July 1983 anti-Tamil pogrom in which 4,000 died & 95% of Tamil industrial property destroyed.***

In the run-up to her first presidential elections Chandrika Kumaratunga catalogued the problems faced by Tamils and said “so much so, that almost 800,000 Tamils left the country as external refugees and over a million remain as internal refugees displaced a multiple number of times “. This number is quite a big percentage of the around three million indigenous Tamils.

Since then, more of the same has happened. Abductions, torture, rape, killings, disappearances, carpet bombing and shelling from the seas have become part of the life of

Tamils. These abuses have been carried out with impunity by members of the armed forces, special task forces, police, home guards and pliant paramilitary forces.

## Tamil aspirations

At the India-sponsored talks in Thimpu, Bhutan in 1985, all Tamil militants groups and all Tamil political parties jointly spelt out their aspirations openly. If there is to be a solution, **anything short of that will never be acceptable.**

**The Thimpu Principles are:**

- (a) Recognize Tamils as a nation.
- (b) Recognize the concept of a Tamil homeland and
- (c) Recognize the right to self-determination of the Tamils.



***Tamil IDPs July 2008. One third of the Tamil population are IDPs, another third have fled overseas.***

The 13th Amendment to the Constitution, introduced after the Indo-Sri Lanka Accord of 1987 that recognized the existence of the Tamil homeland and provided some autonomy for the provinces, has still not been implemented in full. The merger of the Northern Province with the Eastern Province has recently been declared invalid by a pliant Supreme Court. In addition, Tamil may have been declared an 'official' language, but the policy has not been implemented in practice.

## Terrorism or freedom struggle?

Tamil youth took to arms in the late 1970s to –

- A. Liberate their homeland in keeping with the mandate given by the people.
- B. To fight against state terrorism.

**It is incorrect to brand these youth as the terrorists in this conflict.** Of the civilian deaths thus far, it is widely acknowledged that 95 % have been Tamils killed by the armed forces or their paramilitary proxies.

Throughout the centuries, liberation fighters have been fighting for freedom, including George Washington. History is replete with **people who were first called terrorists, and later 'His Excellency.'**

It was Patrick Henry of Virginia who first said "Give me freedom or give me death."

It suits the Government (GoSL) to brand Tamil freedom fighters as terrorists, particularly in the aftermath of the 9/11 attacks on US targets by Al Qaeda. The GoSL has wasted no time in demonizing their antagonists and has deceived the international community with false propaganda and downright lies.

### **Tamil fighters are freedom fighters, not terrorists.**

**They are not asking for one inch of territory outside of the Tamil Homelands and have not threatened any international interest.**

**Their fight is to allow the Tamil people to exercise their political rights within their traditional homeland.**

### **Democracy or majority rule?**

We all think we know what democracy is. Is it not democracy when a people almost unanimously decide to be free and get back their land that they lost to colonial rulers?

The GoSL tries to persuade the world that they are a democratically elected government, but **the Parliament of Sri Lanka has and will always have a permanent Sinhalese majority.** If the island had been a homogeneous country, a party in power at one time could be voted out, and be in the opposition and vice versa. In a heterogeneous country such as Sri Lanka, Sinhalese representatives are elected democratically by the Sinhalese Nation (people) and, similarly, the Tamil representatives are elected democratically by the Tamil Nation (people). **Because of the population of the two communities, there can never be a Tamil president, prime minister or commander of the military.**

### **All Party Representative Committee**

Tasked with finding a solution to the 'ethnic conflict,' today's APRC is representative only in name. The major Tamil party with 22 Parliamentarians was not even invited to participate. At best, the APRC is a Committee of Parliamentarians of the Southern parties. The Committee's report has been postponed numerous times. Few expect recommendations that will be productive or original, and consider the APRC another in a long line of attempts to cover up efforts at a military solution with a political fig leaf. Under pressure

from India in 2008, the President set up another All Party Conference with the same goal and again excluding the main Tamil party.

### **Future Peace Talks and Negotiations**

Requests for peace talks, whether from the GoSL or other countries are purely cosmetic. What is there to negotiate? **On what basis will there be any talks or negotiations? Tamils should know that before starting negotiations.**

Many clauses of the 2002 Cease-Fire Agreement, and other agreements reached with this government and the previous one were never implemented. Would the talks be based on the Interim Self-Governing Authority submitted by the freedom fighters and the counter-proposal of the previous government, or will this government give a new outline of what any talks will be based on?

**If the talks are to impose the GoSL's solution on a weakened Tamil people, one could forget about progress occurring. It is essential to hold talks, if any, under the auspices of an international organization or major country which should guarantee any decisions made.**

**Tamils want Justice, and total Equality in every respect, with Dignity.**

**If Tamils cannot have such rights, they would want a separate sovereign country.**

### **Two States in Peace instead of One State at War**

In the last few decades, several new countries have been established, such as East Timor, Kosovo, the Czech and Slovak republics, Eritrea, Bangladesh, and the many successor states to the Soviet Union. Seventy countries have less people and 60 countries less land area than the proposed state of Eelam.

**N.B.** Anyone interested in the figures of the latest casualties, human rights violations, rapes, forced disappearances, abductions, killings, etc. of the Tamil community can get the information provided by the Tamil Center for Human Rights of Paris to the sixth UN Human Rights Commission meetings in Geneva.

*Sangam!*

**Association of Sri Lankan Tamils in the USA**

[www.sangam.org](http://www.sangam.org)

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Further topics forthcoming.