CHAPTER - IV

THE TAMILS AND THE REPUBLICAN CONSTITUTION
[1970 - 1977]
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Srimavo Bandaranaike's Second Term:

In the General Election held in Sri Lanka in May 1970, the United Front, composed of Sri Lanka Freedom Party (S.L.F.P.), the Lanka Sama Samaja Party (L.S.S.P.) and the Community Party (CP) won by a large majority and Srimavo Bandaranaike became Prime Minister for the second time. In this election the United National Party got 17 seats, Sri Lanka Freedom Party got 91 seats, Marxists Parties 25 seats, Federal Party 13 seats (4.96 percent), and minor parties 2 seats. S.J.V. Chelvanayagam, the leader of the Federal Party lost support in his own Constituency. The real collapse of Sinhala Tamil relations brought about by the mishandling of the problem by Srimavo Bandaranaike's United Front Government in this period.

By this time the U.N.P. and the S.L.F.P. Government had reduced the Sri Lankan Tamils to second class status.

Now Sirimavo Bandaranaike wanted to confirm this situation by Constitutional provisions. Hence in her election campaign she had promised to draft a new Constitution for Sri Lanka.

The 'Sinhala Only' Act had effectively made the Sinhalese supreme, the declaration of Anuradhapura as 'Sacred City' and refusal to make Koneswaram a sacred precinct had given Buddhism pre-eminent position. Sinhala colonisation of land and racial riots instilled fear into the Tamils. Swabasha (Mother-tongue) hoodlums in Government and Corporations defied and ridiculed the Tamils in their work places. Hence, Tamils in thousands left Sri Lanka to work in Africa, America, Canada, Britain and Australia.

To defeat the capitalist U.N.P., Sirimavo Bandaranaike raised the slogan of socialism. She made electoral pacts with L.S.S.P. and C.P. and brought in N.M. Perera, Colvin R.de.Silva and Pieter Kueneman into the Cabinet. The C.P. had given up its 'principled stand' on parity of status for the languages. The Marxist Parties had shed their ideologies and started attending Buddhist 'pirith' and 'dana'.

Dudley Senanayake was constrained to talk of socialism. To win over the Christians, Sirimavo Bandaranaike made Saturday and Sunday as weekend holiday. To satisfy the Muslim sentiments, Sirimavo Bandaranaike made Badiuddin Mahmud, Minister of Education.  

On the very extreme fringe of Sinhala chauvinism R.G. Senanayake started Sinhala Mahajana Paksaya (S.M.P.) and called for priority for Sinhala everywhere. They called for repatriation of all Indian Tamil labour and colonisation of traditional Tamil lands by Sinhalese.

At the end of U.N.P. rule in 1970, the cost of living index rose from 112 to 122. Prices of goods were rising. Unemployment rose to 546,000, 14 percent more than in 1969. 65 percent of the people were below poverty line.  

To turn the attention of the Sinhalese from stark economic facts Sirimavo Bandaranaike raised racial animosities against Tamils.

During the U.N.P. capitalist regime the Young Sinhala educated youth were flocking around a Charismatic Sinhala Youth Rohana Wijeweera. He had studied in Russia, and was

7 Ibid., p.153.
8 A. SIVANANTHAN, op.cit., p.20.
preaching revolution. He had advised a scheme of five lectures on Sri Lankan politics. His last lecture was on the terror of Indian expansion and Tamil treachery. Most of Wijeweera's followers came from the lower castes in Sinhala society. All of them supported Sirimavo's socialism.

Sirimavo Bandaranaike came to power at the height of these critical situation. To please the Tamils Sirimavo Bandaranaike gave ministry to an unknown Tamil Engineer C. Kumarasuriyar who was ever ready to betray the Tamils. The U.N.P. and the S.L.F.P. always had recourse to such strategies to break up Tamil resistance to Sinhala hegemony.

Along with Kumarasuriyar, Sirimavo Bandaranaike brought in A. Thiyagarajah and A. Arulambalam, two Tamil Congress Members of Parliament to support her Government. Sirimavo Bandaranaike made Alfred Duraiappah, a defeated candidate in Jaffna, the Chief Organiser of Sri Lanka Freedom Party for Jaffna and heaped special privileges on him. He responded with enthusiasm.

Sirimavo Bandaranaike left no stone unturned to break


up the morale of the Sri Lankan Tamils and accept Sinhala Buddhist Supremacy in Sri Lanka. With the steam roller majority in Parliament she set out to demolish all obstacles before her. In utter disregard of minority sentiments, she along with her Marxist allies went to Dalada Maligawa in Kandy and offered obeisance to the Buddhist Sangha. This indeed was a symbol that Sri Lankan Tamils had become non-entities in Sri Lankan polity.

The Janatha Vimukthi Peramunai's (J.V.P. - Peoples Liberation Front) Coup in April 1971, was totally unexpected by Sirimavo Bandaranaike. The movement was in the making from 1965. The leader was Rohana Wijeweera from Kotegoda in the deep South of Sri Lanka. The following was mainly made up of lower caste groups. Karava, Durava, Whumpara, Batgum and other small castes. Rohana Wijeweera and his assistant Mahindra Wijesekera were Karava. Lower middle class teachers formed a powerful section of this organisation. Rohana Vijeweera went to Lumumba University in Russia at the age of seventeen to study Medicine. But within three years he was attracted by Chinese Communism and returned to Sri Lanka. At this time there were many Sinhalese boys and

girls unemployed after their education. He drew them all into his control through his famous five lectures (1) Economic Crisis in Capitalism, (2) Indian Expansion, (3) Independence, (4) The Leftist Movement, and (5) The Path of Sri Lanka Revolution.  

Under Indian expansionism Wijeweera made Sinhala youth detest India. He spoke to his followers about (1) Connection between the Western and the Indian Capitalist, (2) The hegemony of India in the Indian ocean, (3) Indian elites and cultural expansion, (4) Conflict between Pakistan and China, (5) Indian armed power, (6) South Indian expansionism, connection with Eelam Tamils, (7) Indian proletariat, Indian Tamil Estate workers in Sri Lanka, (8) Kachchativu. Wijeweera brain-washed the Sinhalese youth and made them hate India.  

Wijeweera made a serious mistake, because his followers were mainly intellectual. When Wijeweera decided to strike the Sri Lankan Government his followers were ill equipped physically to undertake the massive task. On 5th April 1971, the J.V.P. attacked police stations in the South. They were successful but J.V.P. could not hold on to them because of the following developments.

13 ROHAN GUNERATNA, op.cit., pp.320-324.

14 Ibid.
Sirimavo Bandaranaike was in panic. She appealed to Britain and India. India rushed to help. The Navy, Army, and the Air Force was rushed to Sri Lanka. Within hours, Indian Forces took control of the situation and within days the Coup was smashed. According to the report of an enquiry committee set up by the Sri Lanka Government, J.V.P. had a membership of nearly 20,000 activists. Nearly 10,000 Sinhala boys and girls perished. Kalani Ganga on the North of Colombo was red with blood and corpses floated downstream to the Ocean. In this way Indira Gandhi saved Sirimavo Bandaranaike.

Colvin R.de.Silva, Minister of Constitutional Affairs, a Marxist to the Core said:

"The country was facing an unusual and unprecedented situation created by a group of narrow minded people, conspirationally organised who had launched an effort by force of arms to displace the duly constituted Government of the day in order to replace the entire system of Parliamentary democracy."
Colvin R.de.Silva who was the Chief architect of this Constitution, was a revolutionary Marxist who had earlier fought for the parity of status for the Tamil language in 1956. 19

It is interesting to note that an year ago another L.S.S.P. leader Lesile Gunawardene had said:

"The present Constitution in Ceylon aims at two ends - one to collect tax from the people and the other to suppress the people if they try to rise against the Government in power." 20

Having survived the unexpected 'Coup' with the help of India, Sirimavo Bandaranaike took up the task of drafting the 1972 Republican Constitution (Supreme instrument of State power) for Sri Lanka. This exercise was indeed a jugglery in Constitution making and deserves close study.

The wedge in the relations between the two communities began deepening with the passage of time and particularly after the adoption of a new Constitution by Ceylon in 1972. The secular name of the country was changed to a more Sinhalese name of Sri Lanka. Buddhism was given pride of

19 SRI LANKA HOUSE OF REPRESENTATIVES (CEYLON), PARLIAMENTARY DEBATE (HANSARD), 14 June 1956, C-1882.

20 SATCHI PONNAMPALAM, op.cit., p.1.
place in the Constitution, which proclaimed that "it shall be the duty of the State to foster and protect Buddhism." Although the Constitution allowed every citizen to practice his own religion, the position relating to Buddhism made the Tamils feel aliens in their own country. The phrase 'foster and protect' Buddhism also meant and permitted conversion of non-Buddhist into Buddhist and the Tamils feared conversions from the lower classes among the Hindu-Tamils to Buddhism.

When Sri Lanka became independent in 1948 a new Constitution was not prepared. Instead the Solbury Constitution of 1946, was adopted, Section 29(2) of this Constitution was a very vital provision in terms of rights of minorities. It said:

Section 29(1) Subject to the provisions of this order, Parliament shall have power to make laws for the peace order and good Government of the island.


*The post-colonial states of South Asia remain marked by the absence of separation of religion and politics. The classic cases are India and Sri Lanka. JAMES WARNER BJORKMEN (Ed.), Fundamentalism, Revivalist and Violence in South Asia, (Maryland, 1988), pp.5 & 10.

22 Ibid., p.168.

23 Ibid., p.158.
(2) No such law shall -

(a) prohibit or restrict the free exercise of any religion, or

(b) make persons of any community or religion liable to disabilities or restrictions to which persons of other communities or religions are not made liable, or

(c) confer on persons of any community or religion any privilege or advantage which is not conferred on persons of other communities or religions, or

(d) alter the Constitution of any religious body except with the consent of the governing authority of that body.

(3) Any law made in contravention of sub-section (2) of this Section, shall to the extent of such contravention, be void.

(4) In the exercise of its powers under this Section, Parliament may extend or repeal any of the provisions of this order or any other order of Her Majesty in Council in the application to this island.
Provided that no Bill for the amendment or repeal of any of the provisions of this order shall be presented for the Royal Assent unless it is endorsed on it a certificate under the hand of the Speaker that the number of votes cast in favour thereof in the House of Representatives amounted to not less than two-thirds of the whole number of members of the Houses (including those not present). 24

Even inspite of such stringent safeguards the Sinhalese have subjected the Sri Lankan Tamils to restrictions of use of their language and now they were preparing to make Buddhism the State Religion. 25

The way the Sri Lankan Government set about promulgating the 1972 Republican Constitution was strange indeed. Sirimavo Bandaranaike summoned the Constituent Assembly. All the Members of Parliament including the Federal Party attended it. 26 No one asked how Sirimavo Bandaranaike got the power to act in this summary fashion.

C. Suntharalingam had petitioned the Supreme Court

24 Ibid.
for a writ to prohibit this move. The Supreme Court refused to intervene. C. Suntharalingam appealed to Privy Council. The appeal to Privy Council was also refused in 1971.

The Federal Party called for autonomous states for Tamil areas. They asked for provision of rights of language. But none of these were entertained. 'Federal Party' declared:

"Realising the futility of any continued participation, the Tamil representatives in the Constituent Assembly walked out. The Assembly meeting of 22 May 1972, which was summoned to pass the Constitution was boycotted by 15 out of 19 elected Tamil representatives. Hence it is obvious that the Constitution was rejected 100 percent by the Tamil people. The manner in which the unanimous opposition of the Tamil nation was ignored and how the new Constitution was imposed on them has only confirmed the psychology of the Sinhala imperialistic masters that they are ruling over a slave nation according to their own whims and fancies. They have done away with the meagre safeguards provided for the minorities in the Constitution left behind by the British ...... and through this Unitary
Constitution made the Tamils second class citizens without any share in the political power of this State."28

On 22nd May 1972, the Republican Constitution was promulgated. Sirimavo Bandaranaike went to the Dalada Maligawa in Kandy and offered obeisance to the Sacred Tooth Relic of Buddha.

The people of Sri Lanka were not consulted. Less than 125 members of Parliament imposed the Republican Constitution on the people of Sri Lanka.29

Section 29(2) of the Saulbury Constitution cannot be withdrawn without the consent of the Queen in Council. It is written this way because it refers to fundamental human rights. The Parliament was elected under this Constitution and agreed to uphold this clause when the members took oath of allegiance. The courts upheld this position. But Sirimavo Bandaranaike discarded this sacred provision. In the 1972 Republican Constitution this provision was totally removed. The repeal of the Saulbury Constitution was illegal.30

Sirimavo Bandaranaike made the members of Parliament

29 SATCHI PONNAMPALAM, op.cit., p.163.
in her Government form a "Constitutional Assembly". This action is not valid in law. Constituent Assembly to draft Constitution has to be specially elected for the purpose and in conformity with legal procedures. The 1972 Republican Constitution did not follow those procedures, therefore it is not valid. The foremost Constitutional authority in the Commonwealth, Professor S.A.de.Smirth has condemned the 1972 Sri Lankan Constitution.31

The New Constitution by Article 132 and 133, made all Judges take an oath to uphold it.32 Hence the Supreme Court cannot reject it. Constitutions around the world leave the power with judiciary to adjudicate. But in Sri Lanka this practice has been neglected. Sri Lanka is the only country in the world which has done this.

The 1978 Constitution was framed by J.R. Jayawardene. The oath of the Judges was made more rigorous to make the Constitution acceptable. The simple truth is that, the Sinhala Government of Sri Lanka have no respect for truth and law.

Rohan Edirisingha writes:

"A fresh approach breaking off the shackles of the language structure and legalistic orientation of both the 1972 and 1978 Constitutions should be adopted. These two Constitutions were both fundamentally flawed, failed to promote values and principles and fell short of basic principles of Constitutionalism."

There are few aspects that need attention in the new Republican Constitution:

1. The Sinhalese wanted to remove all safeguards given to the minorities in the earlier Constitution.

2. The Sinhalese wanted Constitutional approval to all the illegal acts they have taken so far and make Sri Lanka a Sinhala Buddhist country.

3. Judicial power was brought under control of Legislature.

4. Question of Federalism and Devolution of Power were effectively removed and Sri Lanka was made a unitary State.

(5) Buddhism was made State Religion.

(6) Individual fundamental rights were severely restricted to preserve national interests, which in reality is Sinhala interests.

(7) Sinhala was reaffirmed as the official language of Sri Lanka. Tamil was allowed limited rights.

(8) Sinhala was made language of Courts and Tribunals. All legal records must be kept in Sinhalese.

As the 1972 Republican Constitution of Sri Lanka is an illegal Constitution and the Members of Parliament had no right to act as Constitution makers, the Sri Lankan Tamils unanimously refused to take part in the Constitution making process and refused to accept its legality. The 1972 Republican Constitution of Sri Lanka made Sri Lankan Tamils second class citizens. They observed this day as a day of mourning.34

Sri Lankan Tamils, especially Jaffna Tamils were greatly attached to education. This was mainly due to the arid nature of their lands, where physical work was extremely hard.35


Also the early development of Christian Missionaries and Hindu Societies set up excellent schools for primary, secondary and higher education.\textsuperscript{36} The functioning of Medical Training Centre at Manipay (a place in Jaffna) and the proximity of Madras University, where some Tamil families sent their sons for higher education, and demand for educational facilities by the Tamils explains the predominance of Tamils in the bureaucracy. To the amazement of all, two of the first graduates to obtain the B.A. degree from the University of Madras were from Jaffna - C.W. Thamodharam Pillai and Carol Viswanatha Pillai. They were quite young hence they were called 'boy graduates'. Such was the prominence given to education in Jaffna society.\textsuperscript{37} During the time of British rule, English was made medium of administration and many Government jobs were available for English educated. The British 'divide and rule' policy also helped the Tamils. But now it was all taken from them and this made a bleak land bleaker still.

Hence when in 1948 Sri Lanka became independent the Tamils occupied many Government posts far in excess to the percentage of their population. This has been a deep seated


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envy of the Sinhalese. When after independence Sri Lanka Governments under S.W.R.D. Bandaranaike and Sirimavo Bandaranaike promoted Swabasha (Mother-tongue) education and the educated labour market was full with Sinhala educated, Sirimavo Bandaranaike Government in 1971, hit upon the idea of standardisation to give lead to Sinhala students. The Tamil students were required to score more marks than Sinhalese students to enter the University. The requirements for 1971 were as follows:

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<th>Tamil Students</th>
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<td>Medicine and Dentistry</td>
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<td>250</td>
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This scheme produced great hardship and pain of mind.

to Sri Lankan Tamil students. To make the situation worse, our different schemes were brought in a period of four years. They were:

(1) Standardisation 1973,

(2) Standardisation and District Quotas 1974,

(3) Standardisation and 100 percent District Quotas 1975, and

(4) Standardisation and 70 percent on marks and 30 percent on district quotas in 1976.

All these schemes adversely affected the Tamil students' chances of higher education. This had also snatched away the opportunities of better employment of the Tamil youth and it was too much to bear. The psychological effect on Tamil youth was the major cause for the rise of militancy among the Sri Lankan Tamil youth.

They lost faith in their politicians and took a militant path, allegedly with support from their co-linguists in the state of Tamilnadu of Southern India, across the Palk Strait.

The percentage of Tamil students entering Engineering

SATCHI PONNAMPALAM, op.cit., p.174.

V. MOHAN, op.cit.

SATCHI PONNAMPALAM, op.cit., p.175.
by discriminatory measures against the minorities is considerable. Unlike in the case of the struggle for the schools take over the hostility and suspicion between the Sinhalese and Tamils is unlikely to die away .... Unlike the Roman Catholics whose religion was the only factor which distinguished them from the rest of Sinhalese (or Tamils) the Tamils of Sri Lanka have developed feelings of nationalism on their own and the question of educational opportunity only aggravated the conflicts that had risen owing to questions of language and employment."

"Nevertheless, the question of University admissions is clearly one which mobilized the youth of Jaffna and prodded the Tamil United Front leadership to declare in favour of a separate State."\(^{43}\)

The 1972 Republican Constitution made it very clear that Sinhala Buddhism was given prime importance in Sri Lanka. The safeguard given to minorities was removed and their future was uncertain.\(^{44}\) Hence all Tamil parties came together to

\(^{43}\) Ibid.

\(^{44}\) THE CONSTITUTION OF SRI LANKA, (Ceylon, 1972).
protect their rights. The Federal Party, Tamil Congress, Ceylon Workers Congress, Eela Tamilar Otrumai Munnani and several other youth groups. All met together in Trincomalee on 14th May 1972, and formed the Tamil United Front. S.J.V. Chelvanayagam, G.G. Ponnambalam and S. Thondaman came together to protect Tamils politically. But the smaller Tamil youth groups had no faith in political moves, and were preparing for violent confrontation with Sri Lankan Government, to achieve their aim called 'The State of Eelam'.

The Federal Party put forward a five point programme, they were:

1. A definite place for Tamil language.
2. Sri Lanka to be secular State.
3. Fundamental rights of minorities to be guaranteed by Constitution.
4. Citizenship to all who apply for it.
5. Caste system to be abolished.

These points were good enough for a political negotiation

46 SATCHI PONNAMPALAM, op.cit., p.178.
but fell very much short of aspirations of the Tamil people. Federal Party was drifting away from the Sri Lankan Tamils.

Federal Party and Tamil Congress came together only in name but no joint action was taken up.

S.J.V. Chelvanayagam registered his protest to the 1972 Republican Constitution by resigning his Kankesanthurai Constituency on Mahatma Gandhi's Birthday on 2nd October 1972 and challenging Government to contest again. The Government did not dare to hold election for nearly three years. Sri Lankan Government proclaimed emergency from 1971-'77 and kept down any resistance from Tamils.

Sirimavo Bandaranaike, kept away from the Federal Party. She appointed A. Thiagarajah and S. Arulambalaiam to distinct political authority and tried to break up Tamil resistance by divide and rule tactics. She entered into alliance with Muslim parties and made Badudin Mahmud to work against Tamils.

Sirimavo Bandaranaike sent C. Kumarasuriyar a Tamil Minister, N.M. Pereira and Peter Keuneman to Jaffna to pacify the Tamils. The Tamils took up black flag demonstrations to express their opposition to the Government. Tamil students were arrested. In protest, Tamil students boycotted schools and

All Government servants were compelled to take oath of allegiance to 1972 Republican Constitution. Several Tamils, specially poet Kasit Ananthan, refused and quit their posts.

As Sinhala repression mounted, Tamil United Front under the Chairmanship of S.J.V. Chelvanayagam met in Valvetiturai in 1973 and called for a separate State for Tamils of Sri Lanka. They adopted "Uthaya Suriyan" (Rising Sun) as their emblem of their flag.

The fourth International Tamil Research Conference was held in Jaffna on 10th February 1974 to celebrate their Tamil language and culture. Many Tamil scholars from all over the world attended and Jaffna put on festive look. Sirimavo Bandaranaike tried hard to sabotage this conference, but the Tamils fought resolutely and made it a great event. On the last day, when Nainar Mohamed, from South India was addressing a large gathering, Sri Lanka police attacked the crowd and cut off overhead electric wires. Nine people were killed and many women and children injured by this police brutality. The Government refused to hold inquiry or express sympathy. The Tamils, especially the youth, took this incident...
The Bye-election for Kankesanthurai seat was held in 1975. Chelvanayagam asked for mandate for a separate seat for Tamils and won by a majority of 16,000 votes. After the elections were over Chelvanayagam said:

"Throughout the ages, the Sinhalese and Tamils in the country lived as distinct sovereign people till they were brought under foreign domination. It should be remembered that the Tamils were in the vanguard of the struggle for independence in the full confidence that they also will regain their freedom. We have for the last 25 years made every effort to secure our political rights on the basis of equality with the Sinhalese in a United Ceylon. It is a regrettable fact that successive Sinhalese Governments have used the power that flows from independence to deny us our fundamental rights and reduce us to the position of a subject people. These Governments have been able to do so only by using against the Tamils, the sovereignty, common to the Sinhalese and the Tamils. I wish to announce to my people and to the country that I consider..."
the verdict at this election as a mandate that the Tamil Eelam nation should exercise the sovereignty already vested in the Tamil people and become free. On behalf of the Tamil United Front, I give you my Solemn assurance that we will carry out this mandate."  

The political programme of Sri Lankan Tamils is crystal clear. The young Tamils who were arrested detained and tortured under emergency had a different programme.

In Jaffna, Alfred Duraiyappah a former Meyor of Jaffna who had been specially selected by Sirimavo Bandaranaike's Head of S.L.F.P. was openly assisting the police and working against Tamils. Tamil youth shot him dead in 1974. The government rounded up 100 Tamil youths and held them in detention for over a year. No one was charged for murder.

The Sinhala police went on the rampage in 1975 and early 1976, in Puttalam they shot dead seven Muslims who were praying in the Mosque. Houses and shops were set on fire. Riots started between Muslims and Sinhalese. Two Muslim youths were burnt alive. Government refused to hold


A. SIVANANDAN, op.cit., p.22.
inquiries, Sinhala chauvinism was on the move 53

Sirimavo Bandaranaike also took stern action to separate Eelam Tamils from Tamils of Tamilnadu. She was mortally afraid of 50 million Tamils across the Palk Strait. Dravida Munnetra Kazhagam came to power in Tamilnadu in 1967. Anti-Tamil agitation and demand for a separate State was in full swing. Tamilnadu newspapers, magazines, books, radio talks were alive with the D.M.K. ideology.

First Sirimavo Bandaranaike banned all newspapers, journals and books from Tamilnadu entering into Sri Lanka. She gave the lame excuse, that it was to conserve foreign exchange. Sirimavo Bandaranaike also refused to give visa to Karunanidhi, one of the greatest champions for the cause of the World Tamils to visit Sri Lanka. She was in constant touch with Indian High Commissioner in Colombo and Indian Central Government to restrain Tamils of Tamilnadu having connection with Eelam Tamils. 54

Eelam Tamils were now convinced that Sri Lankan Sinhala Government was all out to crush them to submission. Therefore they resolved to free themselves from the clutches of the Sinhalese. T.U.F. made preparations to meet the Tamils

54 LOK SABHA DEBATES, Vol. XV, No. 21, (April 1972), Col. 54.
and prepare them to demand a separate State for themselves.

The T.U.F. met at Vaddukkodai in Jaffna and reconstituted themselves as the T.U.L.F. on 14th May 1976. S.J.V. Chelvanayagam presided at the first convention held at Pannakam. The resolution passed at this convention was as follows:

"The First National Convention of the Tamil United Liberation Front, meeting at Pannakam (Vaddukkodai Constituency) on the 14th day of May 1976, hereby declares that the Tamils of Ceylon, by virtue of their great language, their religions, their separate culture and heritage, their history of independent existence as a separate State over a distinct territory for several countries till they were conquered by the armed might of the European invaders and above all by their will to exist as a separate entity ruling themselves in their own territory, are a nation distinct and apart from the Sinhalese and their Constitutional announces to the world that the Republican Constitution of 1972 has made the Tamils a slave nation ruled by the new colonial masters, the Sinhalese, who are using the power they have wrongly
usurped to deprive the Tamil nation of its territory, language, citizenship, economic life, opportunities of employment, and education and thereby destroying all the attributes of nationhood of the Tamil people.

And therefore, while taking note of the reservation in relation to its commitment to the setting up of a separate state of Tamil Eelam expressed by the Ceylon workers Congress as a Trade Union of plantation workers, the majority of whom live and work outside the Northern and Eastern areas.

This convention resolves that the restoration and reconstitution of the Free, Sovereign, Secular, Socialist State of Tamil Eelam based on the right of self-determination inherent in every nation has become inevitable in order to safeguard the very existence of the Tamil nation in this country.  

The above words are a whole-hearted declaration of mill people of Sri Lanka, to win the sovereignty and of the Tamil nation.

The successive Sinhala Governments in Sri Lanka, ally Sirimavo Bandaranaike's S.L.F.P. has pushed the Tamils to the wall. The Tamils had lost everything except lives. J.R. Jayawardene set out to exterminate the Tamils during his rule, which will be discussed in detail in Chapter V.

**Ion in Tamilnadu:**

When Annadurai passed away in 1969, Kalaignar Karunanidhi succeeded as a Chief Minister of Tamilnadu. He had always shown continued support for the aspirations of Eelam Tamils especially for the language issue. As a prominent member of the D.M.K., he had been involved in the struggle of the Tamils and was now an acknowledged leader of the International Tamil community. He was also a very fluent speaker, writer and powerful politician in Tamilnadu, so, when he came to power Tamils flocked round him. His accession to power in Tamilnadu was rightly accepted by the Eelam Tamils, and looked forward to for the support.


SUTHANTHIRAN – 4 June 1972.

LOK SABHA DEBATES, Vol. XV, Nos. 36-40, 10 April 1968, Col. 3268.
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**Agitation in Tamilnadu:**

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57 SUTHANTHIRAN - 4 June 1972.

58 LOK SABHA DEBATES, Vol. XV, Nos. 36-40, 10 April 1968, Col. 3268.
But Kaiaignar was a seasoned politician and was well aware of the compulsions of the politics of the Centre. Hence, he didn't antagonise the Indian Centre, Kalaignar went all out to organise massive agitations in Tamilnadu, whenever the Sri Lankan Government tried to suppress the rights of the Eelam Tamils. When Indira Gandhi handed over Katchchathivu to the Tamilnadu Legislative Assembly, it did not fail to protest at the action of Indira Gandhi. Every time there was a racial riot in Sri Lanka, especially in 1977, Kalaignar brought all the parties together and carried out State Bandh which was supported by the Central Government employees. By his clever handling of political factors, he was able to bring Indira Gandhi in support of Eelam Tamil struggle.

Unfortunately on 31st January 1976, Kalaignar also fell a victim of the emergency inaugurated by Indira and he was removed from power. But still when he was out of power, he took keen interest in Eelam Tamil affairs and used the massive support he got from Tamils of Tamilnadu for the support of Eelam Tamil struggle.


M.G. Ramachandran succeeded Kalaigned in 1977 as Chief Minister of Tamilnadu. Although he took interest in the cause of the Tamils, and he was not as a charismatic figure in the eyes of International Tamil World. But he was shrewd politician himself and while pacifying the leaders of the Indian Centre, he quietly extended support to Eelam Tamil youth who were already flocking into Tamilnadu, running away from the consequences of the inhuman Prevention of Terrorism Act, promulgated by J.R. Jayawardene in 1979. G. Ramachandran's support to the Eelam Tamil cause is clearly indicated by various prompt actions taken by him.

Being a very shrewd observer of talent he picked Velluppillai Prabhakaran as his choice to lead Eelam Tamils and fearlessly supported the L.T.T.E. with large amount of government funds. In comparison to which, Rs.50,000/= was given by Kalaigned to each of the Eelam Tamil militant groups is a paltry sum. No wonder L.T.T.E. refused to take this share and this led to serious misunderstanding between Kalaigned and the L.T.T.E.

Tamils from Tamilnadu and Sri Lanka, spoke of the unity of the Tamil race and culture and demanded the greater autonomy from both the Central Governments for the administration of Tamils. 62 This state of affairs caused worry...
Sri Lankan Government. They thought:

"The D.M.K. Party would lead a secession from India and the Federal Party could lead a secession from Ceylon and the two would join to form a United Tamil Nation and State." 63

Annadurai denied this charge but still the fear continued to exist in the minds of the Sinhalese. When Karunanidhi came to power his popularity was high in Lanka. His portrait was smuggled to Sri Lanka, but was confiscated by Sri Lankan customs. 64 Indira Gandhi refused to intervene as it was an internal affair of Sri Lanka.

Sri Lankan Tamil newspapers hailed the succession of Karunanidhi and called for close contact between Sri Lankan Tamils and Tamils of Tamilnadu.

Sirimavo Bandaranaike banned the entry of Tamilnadu newspapers, journals and books into Sri Lanka. She got C. Kumarasuriyar to do all dirty work in this connection. She gave lack of foreign exchange as a cause and said this will help Sri Lankan Tamil dailies to grow. India asked for relaxation, but Sirimavo Bandaranaike refused. 65

64 LOK SABHA DEBATES, Vol. XV, Nos. 36-40, 10 April 1968, Col. 3268.
65 LOK SABHA DEBATES, Vol. XV, No. 21, 11 April 1972, Col. 54.
D.M.K. took great interest in the language struggle in Sri Lanka and compared it to the anti-Hindi struggle in Tamilnadu. At the function to celebrate the birth day of S.J.V. Chelvanayagam, Karunanidhi said:

"Look to us for support; when we ourselves are fighting for autonomy there is no way but except to sink together." 66

As he settled down as Chief Minister Karunanidhi began to cool down his support to Sri Lankan Tamils. He knew if he want far he will fall foul of the Indian Central Government which was keen on maintaining good relations with Sri Lankan Government. When in 1972, S.J.V. Chelvanayagam visited Tamilnadu to seek their help for autonomy of Eelam Tamils, he did not get the expected help. 67 D.M.K. took the position as it was an internal affair of Sri Lanka. 68

But, the D.M.K. members in Parliament called for Indian help to Sri Lankan Tamils:

"How blind can the Government be to the Indian

66 PATRIOT, (New Delhi), 7 April 1975.


68 G. PALANITHURAI & K. MOHANASUNDARAM, op.cit., p.75.
realities, can be seen on the question of Centre State relations ...... the slogan raised is very subtle. They say Muzibur Rahman fought against Urudu, we fought against Hindi, Muzibur Rahman demanded provincial autonomy, we are demanding provincial autonomy. Muzibur Rahman got Bangladesh as to whether that will happen to us, we leave it to you to understand. There is not only a Muzibur Rahman in Tamilnadu in the person of Karunanidhi there is also a Muzibur Rahman in Ceylon in the person of Chelvanayagam. These Muzibur Rahmans are raising the slogan because they knew that the Central Government is blind to this question of Central-State relationship."

The above statement clearly indicates the stand taken by the Government in Tamilnadu, i.e. while being cool to Sri Lankan Tamil demand for autonomy they were pressing Indian Centre for autonomy. But as a Government to look into the due process of law three Sri Lankan Tamils were arrested in November 1973 for violation of Passport Laws. They were members of Liberation Tigers of Tamil Eelam. The

Tamilnadu police with the approval of Indian Central Government arrested the three persons and handed them over to Sri Lankan government. 70

T.B. Ilangaratna, Sri Lanka Minister of Trade and Public Administration came to India in 1976 and noted the attitude of Tamilnadu and India towards Sri Lanka. He spoke to the Prime Minister of India about D.M.K., links with Federal Party and was assured if D.M.K. went too far the Indian Central Government will take action against D.M.K. 71

T.B. Ilangaratna's visit coincided with the dismissal of D.M.K. Government in Tamilnadu. K.K. Shah, the then Governor of Tamilnadu told Ilangaratna the dismissal was due to -

(1) misuse of emergency powers
(2) widespread corruption
(3) veiled threat of secession. 72

Sri Lankan Government was thus doubly assured by the Indian Central Government, that it will keep the D.M.K. in check. The Sri Lankan Government was happy about the

70 INDIAN EXPRESS - 11 September 1982.
71 CEYLON DAILY NEWS - 20 September 1967.
dismissal of D.M.K. and the assurances of "Cordiality and Confidence" of the Indian Centre.\(^\text{73}\)

It was very clear that the D.M.K. in power had to be more responsible and sober in their supportive expressions to the Sri Lankan Tamil issue. Inspite of this the D.M.K. was always suspected for the Tamils cause by the Indian Central Government and hence dismissed the D.M.K. Government in 1976.

Unlike the racial riots of 1958 which provided ample scope for the D.M.K. to demand direct action by Indian Centre, in Sri Lanka, there were no serious riots during the rule of D.M.K. in Tamilnadu. Sirimavo Bandaranaike used Constitutional methods to reduce the Sri Lankan Tamils to second class citizens in Sri Lanka. The D.M.K. had to balance its own ideologies for Tamils in India and the interest of Sri Lankan Tamils. The Sri Lankan Tamil leaders visiting Tamilnadu were told by D.M.K. that their problem was an internal affairs of Sri Lanka and they took note of D.M.K's limitations in the Indian context.\(^\text{74}\)

The Sri Lankan Government was given clear indications

\(^{73}\) CEYLON DAILY NEWS - 18 February 1976.

\(^{74}\) URMILA PHADNIS, 'Keeping the Tamils Internal' in Far Eastern Economic Review, 75; 13, (25 March 1972), pp.21-22.
Indian Government that Sri Lankan Tamil problem was an internal affair of Sri Lanka and Indian Government will keep check D.M.K. and the Indian Centre itself will not intervene in Sri Lankan Tamil problem.

Emboldened by Indian assurances, J.R. Jayawardene set loose a reign of terror on the Sri Lankan Tamils from 1977-’87. India was forced to intervene and make a mess of the Sri Lankan Tamil problem.  

**Action by Indian Centre:**

There was support for Eelam Tamils from Indira Gandhi at the Centre. Because of the keen interest taken by the Tamilnadu people in the struggle of the Eelam Tamils, and the political compulsions in Tamilnadu, made Indira Gandhi to take interest in the cause of the Eelam Tamils.

She had all the time maintained that India will support only a unitary State in Sri Lanka. But at the same time she wanted greater autonomy for Eelam Tamils, especially in their language rights. Indira Gandhi was also greatly troubled by the racial riots in Sri Lanka in 1956 and 1958, where the Eelam Tamils were mercilessly murdered by the Sri Lankan Government supported hoodlums. She was also

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75 A.P. VENKATESWARAN, 'Indian Government had betrayed its Own Culture and Ethnics', in N. SEEVARATNAM (Ed.), The Tamil National Question & the Indo-Sri Lanka Accord, (Delhi, 1989)

not very happy about the content and the method in which S.W.R.D. Bandaranaike introduced the Sinhala Only Act.

She also experienced a strong emotional agitation against Hindi in Tamilnadu. Hence she was looking for an opportunity to obtain greater autonomy under a unitary form of Government in Sri Lanka. She was in a good position to bargain with the Sri Lankan Government for greater autonomy for Eelam Tamils.

But instead of being greatful to Indira, for her continued help, Sirimavo Bandaranaike was introducing legislations to suppress the Eelam Tamils. One of the most serious obstacles Sirimavo Bandaranaike placed against the Eelam Tamil youth was the standardization of marks for higher studies in 1971. This led to widespread political agitations by Eelam Tamil youth.

In 1972, Sirimavo Bandaranaike introduced the Republican Constitution and made Buddhism a State religion. There by wounding the feelings of the Eelam Tamils, who are largely Hindus. The Federal Party did not take part in the introduction of the Republican Constitution. All these high handed actions by the Sri Lankan Government against the interest of the Eelam Tamils made the people of Tamilnadu agitate against the actions of the Sri Lankan Government. And Indira Gandhi began to be more sympathetic towards Eelam Tamils.
When J.R. Jayawardene came to power with landslide victory in 1977, and within a month of the victory, racial riots was unleashed throughout Sri Lanka. Eelam Tamils were killed in thousands, Eelam Tamil women were raped in hundreds, and Eelam Tamil property worth millions were looted and burnt.

These incidents led to widespread agitation in Tamilnadu. All the Parties including Congress showed their support to the cause of the Eelam Tamils.

When Indira came to power in 1979, she was still continuing to be sympathetic with the tragic position of the Eelam Tamils. The 1981, racial riots in Sri Lanka were directed specially against the up-country Tamils or plantation Tamils and they sought refuge in the Northern and Eastern provinces. The precious collections of the Jaffna Library were burnt to ashes under the direct supervision of Minister Cyril Mathews and the Sinhala Army and the police forces. All these tragic incidents reached the climax in the brutal racial riots from July 1983, when fifty three Eelam Tamils detained in Welikade jail for brutal murder. There was great commotion in Tamilnadu and Tamils in Tamilnadu were crying for strong action against Sri Lankan Government. To pacify the Tamils of Tamilnadu, Indira Gandhi sent G. Parthasarathy to talk to Jayawardene and bring about a
tlement for the Eelam Tamils.

Indira Gandhi wanted to avoid the 'spill-over effect' in Tamilnadu from Sri Lankan Tamil militants. But she also did not want to lose her supporters in Tamilnadu. In order to capture the majority votes, she wanted to toe the line thinking of Tamils of Tamilnadu with the problems of Tamils in Sri Lanka.

The prolonging ethnic conflict in Sri Lanka might result in a direct involvement of other countries which was not to the liking of India and its much desired policy of keeping the Indian Ocean a zone of peace. 77

Apart from the above factors another factor was 'little love lost between' Indira Gandhi and J.R. Jayawardene. This made her to support the Eelam cause in Sri Lanka.

At the Indian Centre, Indira Gandhi was Prime Minister from 1971 to 1977. S.W.R.D. Bandaranaike was a great admirer of Pandit Jawaharlal Nehru. Bandaranaike supported Nehru's Non-aligned Movement and Panchaseela. He also removed the British Naval base at Trincomalee and Air Force base at Katunayake and moved closer to India. Bandaranaike was an Oxford scholar and Nehru was from Cambridge. Hence

here was close agreement on political matters. In time this developed into family friendship.  

When S.W.R.D. Bandaranaike made 'Sinhala Only' the official language and plunged the island into racial riots, Nehru did not intervene. Indira Gandhi and Sirimavo Bandaranaike carried their friendship to still greater heights. When Indira Gandhi visited Sri Lanka officially, she assured the Sri Lankan Government "that the victory of the D.M.K. would not in any way influence the policy of the Government of India towards Sri Lanka." She also assured "that a State in the Indian Union cannot go against the friendly policies maintained by the Government of India with its neighbours."  

When Sri Lankan Government appealed to the Government of India against the agitation of 'Nam Thamilar', the Indian High Commission in Colombo gave facts and figures to calm Sri Lanka.  

Two classic cases took place in 1971 and 1974 which prove beyond a shadow of doubt that India will back Sri Lanka to the hilt to retain its friendship. In fact, circumstances give the impression that Indira Gandhi and Sirimavo Bandaranaike had assured political understanding and were looked together in personal and family friendship.  

In 1971 the Janatha Vimukthi Peramuna (J.V.P.) started 'Coup' against the Sri Lankan Government. Sri Lanka government was totally unprepared. She called for help from Britain, India and Pakistan. Within hours, the Indian Navy, Air Planes and Helicopters started for Sri Lanka, took strategic position and broke up the 'Coup' in a matter of days.  

But it is also necessary to remember that in 1971 Sirimavo Bandaranaike gave assistance to Pakistan to take arms and personnel to Bangladesh through Sri Lanka. Sri Lankan history from the ancient times is full of such betrayals.

In 1974, the question of territorial waters cropped up. The small barren and uninhabited island of Katchchativu in the Palk Strait came into political controversy. The island is only 3/4 sq.miles in extent. It is 10½ miles from India and 12½ miles from Sri Lanka. In other words lying almost midway between Pamban, on the Southern Coast of India and Delft an island off the Northern Coast of Sri Lanka. No one lives on the island but, Indian and Sri Lankan fishermen and Catholics from India and Sri Lanka come to the island for short stay.

It has been argued in the Lok Sabha that Katchchativu belonged to Ramanathapuram Samasthananam, but it was taken
When the dispute between Sri Lanka and India was brought to the notice of Nehru, he advised the matter to be taken to court. In course of time India wanted first six and later 12 miles of territorial waters. Sri Lanka made the same claim, at last a median line was drawn as Palk Straits and Gulf of Mannar leaving Katchchativu on the Sri Lankan side. The fate of Katchchativu was not decided.

In January 1974, Sirimavo Bandaranaike visited India and talked to Indira Gandhi who graciously gave Katchchativu to Sri Lanka on a Silver Plate with some special provisions on fishing rights, navigation, pilgrimage and mineral rights. 82

In India opposition parties had protested, Hukan Chandrawai tore off the agreement in Parliament. A.B. Vajpayee said, "friendship cannot be bought by batering away our territory." 83 K. Mahonaran of A.I.A.D.M.K. called the Act unpatriotic Act." 84 P.K. Maokkiah Devar of Forward Bloc said, "betraying the nationality giving away the island


Ibid.
which is a part of the entire country."  

Both Houses of Tamilnadu criticised the handing over of Katchchativu to Sri Lanka."  

Subsequent events have shown the gravity of the personal decision taken by Indira Gandhi. The Deputy Minister of Defence Foreign Affairs Sri Lanka Lakshman Jayakody told that, the police unit have posted to maintain the law and order only in the time of annual catholic festival. Tamil fishermen have been arrested, detained, tortured and killed by the Sri Lankan Navy. This incident in a nutshell shows the cordiality of Sinhala Sri Lanka and the Indian Centre and the antagonism of Indian Centre towards Tamilnadu and Tamil Eelam.

The second term of Sirimavo Bandaranaike (1970-'77) caused the greatest harm to Sri Lankan Tamils. By promulgating an illegal Republican Constitution in 1972, she removed all safeguards to minorities. She made Buddhism supreme and wounded the religious sensitivities of Hindus. She introduced standardization and frustrated Tamil youths.


86 A Resolution was passed by the Government (D.M.K.) in the Tamilnadu Legislative Assembly against the handing over of the Island Katchchativu by the Central Government.

She applied 'Sinhala Only' vigorously and drove Tamils away from Government and Cororation jobs. She diverted all foreign aid to Sinhalese and economically starved the Tamils. She befriended Indira Gandhi and cut off Tamilnadu Tamils from Tamils of Sri Lanka. She located puppet betrayers among Tamils and divided Tamil society. She took particular care to control riots and attacks on the Tamils, thus giving a sense of calm and peace of Sri Lanka. In contrast, Jayawardene started genocide of Tamils. This will be discussed in the next two chapters.

Inspite of all these undemocratic actions of Sri Lanka, India was very particular in maintaining friendly relations with Sri Lanka during this period.