CHAPTER II

INDIA'S RELATIONS WITH SRI LANKA FROM EARLIEST TIMES TO 1983

India's relationship with Sri Lanka is an age long history and over the years both the countries have been mutually benefited out of their geographical and cultural concord. This chapter covers the historical background of this aspect tracing the relationship of India with Sri Lanka and narrating the migrations of the Tamils to Sri Lanka from early times. While describing the history of Sri Lankan Tamil people, the circumstances, which were responsible for the ethnic conflict in the island country, the subsequent civil war, military intervention and the development of terrorism in the country are discussed.

GEOGRAPHICAL CONDITION

History of any country had always been influenced and powerfully moulded by its geography.¹ Sri Lanka (known as Ceylon until 1972) is a small tropical island state in the Indian Ocean, lying off the southeast coast of India. The island is pear shaped with a maximum length of 435 kilometres and a maximum width of 225 kilometres. It has an area of 65,610 square kilometres. A shallow strait separates Sri Lanka from India, and Mannar, one of the Sri Lanka’s islands is only 40 kilometres

away from Dhanushkodi on India’s Pamban Island. A line of shoals, the Adams Bridge, runs between Sri Lanka and India, joining these two regions. Sri Lanka, therefore, is very close to Southern India. The Tamil speaking people of Tamil Nadu and the people migrated from Tamil Nadu and settled in the northern and northeastern parts of Sri Lanka have been related since ancient times. The proximity of India, particularly Southern India, to Sri Lanka had made an impact on the political, social, economic, religious and cultural development of Sri Lanka.\(^2\) The 1981 census (no census operations had been held since then in Sri Lanka) placed the population of Sri Lanka at 14.85 million.\(^3\) However, according to United Nations Development Programme (UNDP) and Human Development Report of 2001, the population of Sri Lanka in 1999 was 18.7 million.\(^4\) Of this 74 percent are the native Sinhalese consisting of the upcountry and low country Kandyan, high caste Goigama and low caste Salagama, Karava and Durawa Buddhists. Sri Lankan Tamils constitute 12.6 percent of the population and they mostly live in the north and eastern parts of the island covering the areas of Mannar, Vavuniya, Kilinochchi, Jaffna, Mullaittivu, Trincomalee, Batticaloa. Another 5.6 percent immigrant Tamils\(^5\) are confined to southern part of central Sri

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5. 'Immigrant Tamils' or 'Indian Tamil' are those who had migrated from Tamil Nadu to work in the plantation areas during the British rule in India during 18\(^{th}\) & 19\(^{th}\) Century AD.
Lanka, and live in ghettos on the plantations of Nuwara Eliya, Badulla, Kandy, Kegalle, Ratnapura and Matale.

The following Demographic Table will explain the ethnic composition:

**ETHNIC COMPOSITION DURING THE PERIOD 1901 – 1981**  
(The Main Ethnic Groups)

<table>
<thead>
<tr>
<th>YEAR</th>
<th>SRIHIALESE</th>
<th>SRI LANKAN TAMILS</th>
<th>INDIAN TAMILS</th>
<th>MOORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1901</td>
<td>65.4%</td>
<td>26.7%</td>
<td>-</td>
<td>6.4%</td>
</tr>
<tr>
<td>1946</td>
<td>69.2%</td>
<td>11.0%</td>
<td>11.7%</td>
<td>5.6%</td>
</tr>
<tr>
<td>1953</td>
<td>69.3%</td>
<td>10.9%</td>
<td>12.0%</td>
<td>5.7%</td>
</tr>
<tr>
<td>1963</td>
<td>71.2%</td>
<td>11.1%</td>
<td>10.6%</td>
<td>6.3%</td>
</tr>
<tr>
<td>1971</td>
<td>71.9%</td>
<td>11.1%</td>
<td>9.4%</td>
<td>6.5%</td>
</tr>
<tr>
<td>1981</td>
<td>73.98%</td>
<td>12.6%</td>
<td>5.56%</td>
<td>7.12%</td>
</tr>
</tbody>
</table>

*Source: Government of Sri Lanka 1901 to 1981 Census (Population Denomination)*

Over the recent years a substantial number of the Sri Lankan Tamils live in Colombo and in other parts of the country in pursuit of their professions and livelihood. It may be pointed out here that it is among the Tamils living in the North and the East that the agitation for Tamil Eelam is confined.6

Relations between India and Sri Lanka during the Ancient Period

Trade was the main source of contact with the pearl island in ancient times and the abundant availability of precious stones and spices there attracted traders from India, Persia, China, Arabia and Greece. The Tamils who migrated to Sri Lanka from Tamil Nadu in search of their fortunes in the land settled there and later flourished in trade.

It is revealed in the sources of the past that the Tamils had migrated to Sri Lanka from South India as invaders, traders or as peaceful migrants. Particularly, the Tamil inscriptions of the Chola ruler Raja Raja I⁷ and the Ceylonese ruler Parakramabahu VI⁸ found in Jaffna and the archaeological remains discovered from Analkottai excavations give testimony to the early Tamil settlements in Sri Lanka. Further, some Tamil literary works of mediaeval and modern period also give some information about the migrations and settlements of Tamils in Sri Lanka. Among the early Tamil literary works compiled in Sri Lanka before the arrival of the Europeans, the Vaiyapatul written by Vaiyapuri

Aiyar sometime between the 14th and 16th centuries AD, is believed to contain some evidence relating to the history of the Tamils. Two other literary works, namely Muthukavirasar's Kailayamalai (16th Century AD) and Mayilvakanapulavar's Yalpanavaiapavamalai (17th Century AD) are valuable sources for the history of the Jaffna Kingdom. The historical writings of the British period include S. Casie Chetty's History of Jaffna (1884), Thuraiappapillai's Jaffna Today and Yesterday (1907), Muthuthambipillai's History of Jaffna (1912) and Veluppillai's Yalpana Vaipava Kaumutti (1918). Finally, Rasanayakam's Ancient Jaffna (1926), and Gananapirakasar's, Critique of Jaffna (1928), Sources of Yalpana Vaipava Malai, The Jaffna Kingdom, and The Ancient People of Sri Lanka are Tamils, Yalppana-purvika Vaipavam and Yalppana-Kutiyerram are writings of the early 20th century. More recently, K.Kanapathipillai's Ilankai-val-Tamilar Varalaru and C.S.Navaratnam's Tamils and Ceylon, have also contributed to the history of Tamils during the middle of the 20th Century. It is from these accounts that much information about the Tamils in Sri Lanka is derived. The Tamils then peacefully settled in the north and east of Sri Lanka until 10th Century A.D. when the Chola King

9. Munugar Gunasingam, op.cit. p-47
Raja I (AD 985-1012) captured the capital of Sri Lanka and set up a new capital at Polonnaruva.

But the process of migration received a set back when the migrants were harassed by the Sri Lankan King Vijayabahu in 1070AD. As a result of the declining influence of the Cholas in the island. During this period, many Tamils from South India migrated to the island country and they developed themselves as a separate community with an identity of their own in the new land. The Tamil inscriptions found within several localities which were of political, strategic and commercial importance clearly reveal that Tamils were prosperous and influential members of the host society during the 11th and 12th Centuries AD. The Tamil and the Sinhalese lived together as the subjects of the Sriankan monarchs during the Polonnaruva Kingdom, 1070-1215 AD. But the 13th Century witnessed the disintegration of the Polonnaruva kingdom and the emergence of two states - one, ruled by the Tamils and the other by the Sinhalese. This scenario lasted till the 16th Century when the Portuguese who were earlier powerful on the Malabar Coast of southern India intervened in the internal affairs of the Island State. However, the Portuguese activities did not last for long and by June 1658

Murugar Gunasingam, op. cit. p-52
Murugar Gunasingam, op. cit. p-53.
F. Queyrac, "The Temporal and Spiritual Conquest of Ceylon", Colombo, 1930, pp.47-58
they were expelled by more aggressive mercantile power, the Dutch.\textsuperscript{14} By then the common law of the island was based largely on the Dutch law. This situation continued until 1796, when the British took control of the island. Thus, in the 17th and 18th centuries, the administration of the Tamil-speaking territories of the north and the east had been maintained separately from the rest of the island, even though the Portuguese and the Dutch had ruled over the majority of the maritime districts of the island.\textsuperscript{15} But since 1833 both communities were united under the British for reasons of administrative convenience which continued after the attainment of Independence from Great Britain, on 4th February 1948 AD.

In the Post-Independence period, the country's governance was based on the Soulbury constitution\textsuperscript{16}, upon which the cabinet system of government was founded. This government introduced a bi-cameral legislature in which minorities also participated. Such was the confidence of all people in the integrity of the political leaders of the country at the time when the commissioners made no provision for the representation of minority interests which had been the case in the State Council of the

\textsuperscript{14} Murugar Gunasingam, op.cit. p-54.
\textsuperscript{15} Ibid. p-57.
\textsuperscript{16} Soulbury Commission gave the island a new constitution on the eve of the transfer of power at the end of the British rule which lasted until 1972 and this made a valiant bid to accommodate Tamil aspirations by providing certain safeguards.
country that had been formed due to the Donoughmore reforms of 1931. There were no constitutional guarantees or explicit terms by the government for safeguarding the rights of the island’s diverse peoples, especially in respect of the use of their language and practice of their religion.

**Sri Lanka’s Post-Independence Scenario**

At the time of Independence, the presence of the free India, the immediate neighbour, was considered as a danger to Sri Lanka’s security. Also, this was dominant in the Sir Lankan mind that the British found it to be a card of great advantage to extract strategic concessions while demitting power. The British were quite enthusiastic to agree with the Sri Lankan leaders with the view that an Independent India indeed had the potential to pose a danger to the security of the Island and that they would be happy to offer them any help.

17. The British had been treating Ceylon and Ceylonese as one land, one people and one race. But a large number of Tamils due to their advancement in education got preferred treatment from the British and took up employment in the Civil Services to emerge as a special privileged social class. The Sinhalese on the contrary remained a backward feudal class lacking in modern education engaged in agriculture and other rural jobs. Efforts to improve the position were attempted through Donoughmore Commission by the introduction of provincial councils whereby certain important and crucial functions of the central government were delegated to the councils. This commission failed to achieve the desired balance and objective. Another important recommendation of the Donoughmore Commission was related to the suggestion that the central legislature should meet not only in Colombo but periodically also in Kandy and Jaffna. But this was not implemented. It was not only the Tamils who were unhappy with the highly centralised set up, but also the Kandyans Sinhalese who were so much up set over this development. The latter had petitioned to the Donoughmore Commission for the creation of three autonomous regions representing the Tamil, Kandyans and other Sinhala interests but their request was not responded.

This can be accounted from the statement of the Joint Planning Staff of the Chiefs of Staff Committee of the British Government coincidentally in its assessment on 3rd June, 1947. It had noted that:

"A threat to the territorial integrity of Ceylon is likely to come only from India, although a full scale attack from that country is only likely to occur if she were overrun by, or had thrown in her lot with a hostile power."

The Sri Lanka's fear for her security from the north, which was rooted in her history and the repeated invasions by South Indian rulers in the earlier ages left a marked imprint on the psyche of the Island's people. Cashing on it, the British who had lost their hold on India wanted to have a defence base in the Indian Ocean. So before demitting power to the island, they entered into a Defence Treaty with Sri Lankan Government pledging its military assistance for the security of Sri Lanka "against external aggression and for the mutual protection of essential communication" etc. But what is more significant is that despite repeated invasions from India, the people of Sri Lanka never developed anti-Indian feelings. This is because of two reasons. The first one is that the Sri Lankans have great adoration for India as the land that gave them their religion the Buddhism, their greatest inheritance and the second is

20. ibid. p-xx.
that India is the land of their forefathers who must be given all the respect.

INDIA’S STAND WITH SRI LANKA

Contrary to what Sri Lanka’s view on India’s intentions, Independent India had neither any ambition nor an inclination to follow a policy that would endanger the independence or sovereignty of any country, least of all, of the new and emerging small countries in her neighbourhood. In fact, she pledged herself to a policy of peaceful co-existence with all the countries of the world particularly with the neighbouring countries. It must be pointed out here that this was the policy followed by India during the period when the Cold War swept in many parts of the world. Unfortunately political leaders of Sri Lanka, despite the Defence Treaty with Britain, continued to harbour fears of Indian invasion which arose out of the past historical experience. What troubled them more was that they now faced a much bigger and united India with much larger resources - both human and material. The big country-small country syndrome came to haunt them very much.

On the other hand it did not, however, take long for India’s neighbours to realise the dichotomy in Indian policy towards them. India while pursuing a policy of accommodating her smaller neighbours could hardly afford to give up the basic postulates of the policy pursued by the British in the past. It must be remembered that small states in the region
fell in India's security concerns in the area. They should not seek to invite distant powers. India wanted that if any one of them needed any assistance, it should look to India. Also, India's attitude and relationship with immediate neighbours depended on their appreciation of India's regional security concerns. Further, India expected that they would serve as 'buffer states' in the event of an extra-regional threat and not act as proxies of the outside powers. Under these circumstances Sri Lanka could not get out of India's security ring and follow any other independent course.  

**QUESTION OF KACHCHATIVU AND MARITIME BOUNDARIES**

After the Independence of the two countries, the question of the ownership of the Island of kachchativu, which is 20 kilometres away from India and 11 kilometres away from Sri Lanka came to the surface. The fishermen of Tamil Nadu had a sentimental attachment to this island because of the rich marine life on the coastal belt of the island. Also they were the enthusiastic participants of the annual festival at St. Anthony's Church built by a fisherman in the island in 1917. Also, during the British rule in India the island was the Zamindari territory of the Raja of Ramnad in the erstwhile State of Madras. Sri Lanka too claimed the island based on historical records of the 19th century. The claims and counter claims

of the two countries created some unpleasantness between India and Sri Lanka for some years since 1948.

The first Prime Minister of India, Jawaharlal Nehru stated in the Indian Parliament on 14th April 1956 that:

"There is no question of the Government of India or the Government of Ceylon coming into conflict over a tiny little island. There is no national prestige involved in this matter, especially with our neighbour Ceylon".22

Yet, the problem continued in the midst of some bitter feelings for over two decades. The issue was finally resolved on the 28th June, 1974 when the two countries signed an agreement. This was "on the Boundary in Historic Waters between the two Countries and Related Matters", where India recognised Sri Lanka’s Claims.23 When this was placed before the Parliament, a lot of commotion developed and the Government was accused of surrendering and gifting away of Indian Territory to the surreptitious neighbour.

22. Parliamentary Debate, 14th April, 1956.
23. Studies based on Historical records by Late Dr. Urmila Phadnis, (JNU) claimed that there was evidence to support Sri Lanka’s claim to the island dating back to 1544. Records and maps of the Portuguese and the Dutch period too supported Sri Lanka’s claim to the island of kachchativu as part of the Jaffna peninsula. It may be recalled that initially after the capture of Ceylon from Dutch, the British had placed the administration of the newly acquired territories under the Presidency of Madras, which was subsequently placed under the independent charge of Governor of Ceylon under the Colonial Department in London and with that the islands in the Palk Strain including Kachchativu, which were part of the Jaffna peninsula stood transferred to Ceylon.
To this furore the then External Affairs Minister Mr. Sardar Swaran Singh stated that ...

“This Agreement marked an important step in further strengthening the close ties that bound India and Sri Lanka”.  

The agreement paved the way for a series of other related agreements between the two countries and they are:

(i) Agreement on boundary in the Gulf of Mannar and the Bay of Bengal on March 23, 1976.
(iii) Agreement along with Maldives on determining the Tri-junction in the Gulf of Mannar July 31, 1976 and
(iv) Supplementary Agreement on the extension of the Maritime Boundary between the two countries in the Gulf of Mannar from Position 13 metre to the Tri-junction point between the these countries on November 22, 1976.

Y.B. Chavan the Union Minister for External Affairs, stated in the Lok Sabha on March 24, 1976 as follows:

“...with the signing of the present agreement, the maritime boundary between India and Sri Lanka stands settled along its entire length..............both countries have agreed that after the determination of the maritime boundary, fishing vessels and fishermen of one country shall not engage in fishing in the waters of the other”.

People of Indian Origin in Sri Lanka

The post-colonial rulers of Ceylon used the authority achieved after independence to restructure the land and society of Ceylon. In the first place, they did not readily accept all colonial subjects as nationals. Despite their alliance with the Tamil elite, the Sinhalese elites’ were not ready to accept the plantation workers of Southern Indian origin who migrated during the beginning of the 19th century as Sri Lankan nationals. This is evident in their classification about them as Indian Tamils, reaffirming them as foreign people. Within two years of Independence under the United National Party government of 1948 the Sri Lankan Government deprived the plantation workers of Indian origin of their citizenship and voting rights.25

In the nineteenth century, the Indian Tamils took up residence in the Central and Southern Sri Lanka which is an area better known as the Kandyian country. It was here that the plantations were developed for the British capital interests and the Tamils were largely employed. Here, the Tamils lived in isolation and in clusters within the estates with little or no social interaction with the local Sinhala community. Their geographic isolation from the Tamils of the North and the East of Sri Lanka did not

25. This was carried out through the Parliamentary Elections Amendment Act (no.18 of 1948) and the Citizenship Act (no.48 of 1949).
allow any synergy of interests to develop between the two. Nor was there any clash of interests between them either. Two Tamil communities existed in these separate areas segregated from each other. Sri Lankan Tamils over the centuries of their existence in Sri Lanka had lost much of their roots and contacts with the Tamils of the Indian mainland, whereas the Tamil Estate workers the plantation labour kept their contacts in India alive through regular visits, matrimonial ties and other social relationships. In case of difficulties they looked up to India to bail them out. But the Sri Lankan Tamils due to their long residence in the island were determined to continue their settlements and also to fight for their civil and political rights in the island state. The growth of such a temperament among the Tamils caused some fear in the minds of the Sinhalese. The conquest of Sri Lankan territories in the past by the Tamil rulers reflected again in the minds of the Sinhalese and caused some apprehension. "With the growth of mass consciousness the Sinhalese wanted to dominate the scene. They feared that if large number of Indians were empowered to vote, they would side with the Old Tamils and hence the Sinhalese leaders tried to place some obstructions in the way of Indians getting the franchise". Thus, such a development had occurred in Sri Lanka from the middle of the twentieth century.

27. Nehru’s report to the Congress President Dr. Rajendra Prasad dated 9th August 1939.
After a long discussion between Jawaharlal Nehru, the Prime Minister of India and Senanayake the Sri Lankan Prime Minister Ceylon Citizenship Act of 1948 was passed which provided two types of citizenship. The first one was Citizenship by descent and the second was Citizenship by registration and this led to a great number of persons of Indian origin being deprived of their citizenship since the Act was interpreted as narrowly as possible. The new Act sought to provide citizenship by registration on the basis of their past residence rather than on the basis of birth or domicile. The primary qualification for citizenship was uninterrupted residence in Ceylon for ten years for the unmarried, widowed and divorced and seven years for the married immediately prior to January 1946. The immediate effect of this provision was that those Indians who had migrated to the Island after 1936-39 were debarred with one stroke from acquiring Sri Lankan Citizenship. Under the act, applications were hastily filed for Sri Lankan citizenship by the end of two-year period that is by 5th August 1951 and the number was 2,37,000 on behalf of 8,25,000 Indians. But large number of applicants was denied citizenship on one pretext or the other. On the other hand Indian Government received 1,82,292 applications out of which 1,55,292 were granted citizenship and decision on 27,000 was pending due to some

official procedures and defects in the application. High rate of rejections on the Sri Lankan side was criticised by the Indian Government.

In January 1954 an Agreement was signed in New Delhi between the Prime Ministers of both the countries, under which Sri Lanka agreed to the expeditious registration of stateless persons and place them on a separate register with voting rights, while others not registered would apply for Indian citizenship under the Indian citizenship laws. They agreed on measures to curb illicit immigration from Tamil Nadu. The initial reaction to the Agreement was quite favourable but later Sri Lanka clung to a stand that those who were not qualified to be Sri Lankan citizens were to be Indian citizens. The Government of India decided to react and hence held the position that those who did not qualify for citizenship of either of the two countries were to be classed as “stateless” whose status would be determined by the two Governments at a later date. This “stateless” is considered as “one of the unspoken assumptions of the Delhi Agreement”.29 On the note of the failure of the January 1954 Agreement, the October 1954 Agreement was signed and both the countries agreed to expeditiously proceed to give citizenship to those who were eligible and were then determined to decide about others who failed to fall in either of the two categories. To induce a large number of persons to apply for Indian citizenship, Ceylon agreed that all those who
obtained the Indian citizenship would be allowed to work in Sri Lanka in their existing jobs until the age of 55 years when they would be required to go back to India.  

In the meantime, Prime Minister of Sri Lanka Sir John Kotelawala was defeated at the 1956 polls. The United National Party lost control of power to S.W.R.D. Bandaranaike and his Sri Lanka Freedom Party with more strident Sinhala chauvinist agenda left little room for any possible accommodation towards the persons of Indian origin. S.W.R.D. Bandaranaike was assassinated due to some internal conflict on 26th September 1959 and after a brief period of interregnum of about nine months his wife Sirimavo Bandaranaike assumed the power as the Prime Minister. Both the husband and wife followed generally non-aligned policy in foreign relations and Ceylon became an important member of the Non-Aligned Movement. A few differences between the foreign policies of the two countries kept the problem of persons of Indian origin dormant for some years.

**Shastri-Bandaranaike Pact (1964)**

After the death of Jawaharlal Nehru there was a qualitative change in New Delhi in the perception of the Indo-Ceylon problem under the Prime Minister Lal Bahadur Shastri and the External Affairs Minister

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Swaran Singh. By then it had become clear that the old stand that ‘India would accept only those who are qualified for Indian citizenship under her laws and no more’, was no longer tenable and an amicable solution was to be found. The 1964 Agreement or the Shastri-Bandaranaike Pact as it was popularly called, accepted a figure of 9.75 lakhs of stateless persons in Sri Lanka and it was decided that out of this 3 lakhs were to be granted Sri Lankan Citizenship along with their natural increase. India agreed to grant citizenship of about 5.25 lakhs along with their natural increase and they would be repatriated to India. That would leave out 1.5 lakh in the stateless category and it was decided that their fate would be discussed later. To ensure simultaneous implementation of the agreement by both the parties, it was agreed that the grant of Sri Lankan citizenship and repatriation to India would have to be in the ratio of 4:7. The entire process was agreed for completion in 15 years.\(^{31}\) C.N. Annadurai, the Dravida Munnetra Kazhagam leader described the agreement as a “betrayal of the interests and human dignity of millions of persons of Indian origin in Ceylon”. There was a clear division in the appreciation of the agreement between Madras and Delhi based press. “The Hindu” in Madras reflecting the Tamil sentiments did not agree with the views of the Delhi based newspapers “The Indian Express”, “The Times of India” or “The Hindustan Times”. The Delhi press felt both the parties

\(^{31}\) *Ibid* p-19
gained without a sense of defeat and that the Pact represented a document of goodwill. "The Hindu" argued that much of "the giving had taken place on the Indian side" and it represented "weakness and indecision in yielding to pressure and succumbing to a policy of appeasement".

In 1967, amendments to the Indo-Ceylon Agreement (Implementation) Act were sought to offer the grant of Sri Lankan citizenship to number of persons actually repatriated to India. The offer cannot be made simply with their registration in Sri Lanka as Indian citizens. Sri Lankan Government prescribed deterrent punishment to those employers who clandestinely retained the services of repatriates overstaying in Sri Lanka illegally. Strangely but understandably Dudley Senanayake and the United National Party which was then in opposition, quietly acquiesced to these changes. The Indian Tamils were left to fend for themselves with no support from any quarter. Even the Government of India could not help them since it maintained that the steps were not essentially anti-Indian and were in accordance with the Indo-Sri Lanka Agreement of 1964. India averred that it was the relevant document as far as India was concerned. Also, India maintained that the implementation of the Indo-Ceylon Agreement (Implementation) Act, 1967 was an internal matter of Sri Lanka.

It may be pointed out here that in 1978 the two countries decided to set up a Joint Committee of officials to periodically review the progress
in the implementation of the 1964-Agreement and to remove difficulties that were to arise in the implementation. Indians faced problems in the rehabilitations process of the repatriates. But this could not be sorted out internally. Within Sri Lanka, the dynamics of domestic politics turned the fortunes of the Indian Tamils for better. The Sinhala parties, which were greatly in need of the support of the Tamils, sought the support of the Ceylon Worker’s Congress whose President was S. Thondaman. This Tamil leader found a place in the Central Government’s Cabinet since 1978. In 1981 the stiff opposition from the Sri Lanka Freedom Party, brought yet another amendment to the Indo-Ceylon Agreement (Implementation) Act of 1967. This repealed the Amendment of 1971 thus restoring the Status quo ante, whereby the grant of Sri Lankan Citizenship was once again linked to the conferment of Indian Citizenship and not to their actual repatriation to India. The Shastri-Bandaranaike Agreement of 1964 ran out on October 31, 1981 after the extended life of 17 years. New Delhi now took an uncompromising stand that it was the end of the road as far as India was concerned and that neither the existing document would be extended nor another agreement on the lines of the lapsed one initiated. However, Sri Lanka pleaded that the Agreement should not be allowed to lapse until the repatriation of the required quota of people had been completed. On 15th January, 1986 Sri Lanka and India held a meeting and after a period of 4-day of talks in Colombo they
agreed to a proposal that in exchange for India's granting of Indian citizenship to all those who had applied before October 1981, the Government of Sri Lanka would grant citizenship to all the remaining persons of Indian origin. But in the meantime, fears arose in the minds of the Tamils and Sinhalese about their conditions in Sri Lanka and this resulted in ethnic violence in the island. However, the talks continued between the leaders of two groups every now and then to seek solutions for their problems. The talks in Colombo were preceded by talks between S. Thondaman, who was the President of the Ceylon Workers’ Congress and a Minister in the Jayewardene Cabinet and Rajiv Gandhi the Indian Prime Minister. The Sri Lankan Government was able to effectively handle the situation arising out of the ethnic problem. India’s good offices were used to bring out solution to both the Tamils and the Sinhalese. The long standing problems of persons of Indian origin was also moving towards some solution. By 31st March, 1995 the Indian Missions in Colombo and Kandy had registered and granted Indian citizenship to 5,92,919 persons of Indian origin (accountable 4,20,319 plus natural increase of 1,72,600). As per the scheme, the number of persons who were repatriated to India was 4,61,999. As far as the citizenship of Sri Lanka was concerned under the various agreements she was to grant citizenship to 4,69,000 accountable persons of Indian origin. Out of this figure up to 31st December 1988, 3,37,620 (accountable 2,37,151 plus
natural increase of 1,00,469) had been granted Sri Lankan citizenship. The balance of 2,31,849 stateless persons of Indian origin were absorbed as Sri Lankan citizens under the agreement arrived at in January 1986 and the legislation was passed to implement it viz., “Grant of Citizenship to Stateless Persons (Special Provisions) Act No. 39 of 1988”. In principle this meant that there were no stateless persons of Indian origin left in Sri Lanka.  

Ethnic Conflict in Sri Lanka:

In the meantime as indicated earlier Sri Lanka was facing a new problem on another Tamil front. This is from the Sri Lankan Tamils living in the Northern and the Eastern Provinces. The failure of the two principal communities (Sinhalese and Tamils) to find a common hero in history to inspire both of them equally was a major contributing factor in preventing them from being welded together as a nation. Absence of common heritage drove the two apart as foes. The British treated Ceylon as one single unit of administration under one Central Authority. A large number of Tamils due to their advancement in education and due to the special treatment from the British took up employment in the civil services to emerge as a special privileged social class. On the other hand, Sinhalese remained a backward class lacking in modern education,
engaged in agriculture and other rural jobs. The Soulbury Commission, which gave the island a new Constitution on the eve of the transfer of power and lasted until 1972, made a valiant bid to accommodate Tamil aspirations by providing certain safeguards. However, it failed to estimate the inevitable majority factor of the Sinhala community having a full play in the post-independent Sri Lanka. It was feared that at any time that any spark would ignite the situation for bad. Generally, this haunted the two communities since then. This however, did not prevent S.J.V. Chelvanayakam, father of the Tamil nationalism in Sri Lanka, from moving an amendment to the motion of thanks to the Governor-General for his address in the House of Representatives on 26th November 1947. He asked in categorical terms, "why the Tamils should not have the right to secede from the rest of the country if they desired to do so".

"Sinhala Only" Policy:

The Prime Minister D.S.Senanayake, backed his son Dudley Senanayake, to succeed him as Prime Minister. To this S.W.R.D. Bandaranaike led objected and this situation to the split in the United National Party in 1951. What appeared to be a battle for succession in the ruling United National Party (UNP) was to prove fatal for the ethnic peace of Sri Lanka. S.W.R.D. Bandaranaike formed a new party called

Sri Lanka Freedom Party (SLFP) which failed in the 1952 elections. Its entry again in the 1956 elections was on the slogan of “Sinhala Only” and it worked very well. He had encashed his victory with this new slogan and technique. This certainly aggravated the situation by widening the gap between the Sinhalese and the Tamils. This was a major turning point in this process of Sinhalese consolidation of state power with the programme of “Sinhalese Only”. Further, Sinhalese was made the official language within ‘twenty-four hours’ of their victory. This policy tremendously alienated the Tamils and Muslims and also the Burghers, the descendants of European settlers. The official language before that time was English.

After some time, Bandaranaike pressurised by the feelings of the Tamils had accepted in principle the views that the Tamils in their area needed to have their own rights, to use their Tamil language in official transactions and to hold and possess lands for colonisation by land-hungry Tamil peasants. He did this in a pact that he made with Chelvanayakam the Tamil leader, so as to lessen the negative impact of his policy of ‘Sinhala Only’. Although Bandaranaike abrogated the pact later in 1958 shortly after it was made, his own supporters accused him for his double standard in convincing Sinhalese on one hand and offering rights to the Tamils on the other hand. However, he turned a deaf ear to the pact that he signed with Chelvanayakam. This resulted in the race
riots of 1958. But he took little efforts to quell the riots. Mrs. Sirimavo Bandaranaike who succeeded him as Prime Minister also followed his way. Both, in fact, took little interest in their times to implement the terms of the pact.

When Mrs. Bandaranaike took over the reins of government in 1960, following the assassination of her husband, she never took much interest in offering equal positions to the Tamils. Even the United National Party whenever it returned to power followed the same policy. However some parties like Sri Lanka Freedom Party when they came to power took some steps over the years to recognise and respect Tamil identity and rights, and to make Tamil an official language in the Constitution of 1978.\(^{34}\)

Another major contributory factor for the discrimination against Tamil minorities was the economic policy. Beginning in 1956, the economic policies of the government were directed towards a common economic structure. By 1975, around 65 percent of the economy was directly apportioned in the state sector. The power holders of the state continued an archaic patron-client policy in allocating jobs, resources, government loans, contracts and export-import licenses. But, anyone who

was outside the pale was disadvantaged. It is in this context that the minorities felt a major burden of the situation since they remained far from the patron-client policy. While there had been considerable primary accumulation of capital in the hands of the Tamil businessmen, their further progress was retarded because of their lack of state power or power sharing in the Central Government. A struggle for an independent state or a reasonable share of state power was the logical outcome.

The picture of an exclusive Sinhalese state became categorically clear by 1983, when Tamil representatives were forced to leave the National Assembly, the main legislative body of the state. The indubitable dominance of the Sinhalese ethnicity in the state and the powerful exercise of Sinhala Buddhist rights by the Sinhalese majority in detriment to the rights of the minorities were mainly responsible for this development.  

Further, the nature of the Government in Sri Lanka during 1956 - 1987 can clearly be characterised as a machinery geared up more by ethnic pressure. It was not a fascist regime, yet the minorities were driven from pillar to post. Coercion came through both structural and direct violence. The years 1956, 1958, 1978, 1981 and 1983 were major

landmarks of ethnic violence against the minorities. As a result, the minorities were pushed to a subordinate position in society and polity. This caused further inter-communal hatred and the violence further created a situation in which the Tamil minorities had to face the great ordeals from the hands of the Sinhalese administrators resulting in the destruction of schools and libraries and destruction of churches and temples, by the Sinhalese army, loss of employment, loss of educational career and loss of residential areas by the Tamils due to colonisation by Sinhalese at the instance of the Sinhalese administrators. In addition, there were also great losses such as loss of lives of thousands of Tamils, serious physical injuries and loss of capacity to earn, loss of personal wealth viz., houses, jewellery, durable goods, and financial assets such as cash deposits and savings and loss of factories and commercial establishments on the side of the Tamils. This led to the emigration of hundreds and thousands of Tamils from the island to the Tamil country.

However, a balancing factor to the ethnic nature of the state was its parliamentary character which accommodated the interests of the minorities. But in later times it became restrictive under the presidential system of government since 1978. Under an ostensible democracy since 1972 when the State became Republic certain concessions had to be made to the minorities for electoral gains. This mechanism fortunately balanced the state which otherwise would have moved towards fascist regime.
Under these circumstances, the Tamils, particularly, the youth were determined to safeguard their position and interests. For this objective they were prepared to do anything. They also decided to fight against the Sinhalese atrocities violently. When the Tamil youth took up arms in the late 1970s, it was done against the Sinhalese ethnic state to assert the rights of the Tamils to self-determination. The Liberation Tigers of Tamil Eelam (LTTE) was formed on 5th May 1976 under the leadership of Velupillai Prabakaran.36 There were also other groups formed during the same period similar much ideologies, principles and leadership traits. The Tamils started questioning the validity of the political structure of the country37 and carried on violent agitation against the Sinhalese government which did not care much for the wellbeing of the minority Tamils.

Soon, number of militant groups emerged and intensified their activities. But, most of them had either fizzled out or had taken to parliamentary politics. The Liberation Tigers of Tamil Eelam alone had remained the sole militant outfit fighting for a Tamil homeland (Tamil Eelam) in the North and East. The spate of violence unleashed by the Janatha Vimukthi Peramuna (JVP) in 1971 and again in 1988-90, had contributed to the ‘culture of violence’ in Sri Lanka. This was retaliated

by the Sinhalese and Sri Lanka became a land of Civil Wars. The island was more shattered by devastation, consternation and calamities which were the outcome of the ethnic war. As a result, innocent people in both the sides were greatly affected. Many of the minority Tamils who were in the grip of fear of extermination decided to move to the Tamil country which was once their motherland. Within the framework of ethnic conflict, the causes of displacement could be identified as:

1. Overt violence had been the most tangible and immediate cause of migration. Conventional estimates show that the total number of deaths in the war up to 2000 range between 55,000 and 60,000, out of which civilian deaths were likely to be between 30,000 and 40,000. Apart from this, there were reports about bomb blasts, injuries, disabilities, disappearances of people etc. These were mainly due to the serious clashes between the Sri Lanka Freedom Party and the Liberation Tigers of Tamil Eelam and between different militant groups.

2. Psychological factors have been of two kinds, the first one is the sense of emotional distance from state and society over the years, and the second is the fear and insecurity that had set in as a result of the ongoing conflict. Gradual dehumanization, erosion of the value system, loss of freedom of movement and the fear of the youth of forceful conscription by the Liberation Tigers of Tamil Eelam.

Further, the Economic factors including the war expenditure with additional military expenses which was approximately Rs.213.32 billion spent during 1985 – 1998 and loss of livelihood, business, fishing activities and tourism have also been responsible for the migration of the
Tamils to the Tamil region in India. International factors and geographical proximity with India did work as a ‘pull’ factor on this exodus and the ethnic affiliation with Tamil Nadu was another reason for choosing India as the first destination for migration.

The above information gives a picture of the situation under which the Sri Lankan Tamil refugees came to the Tamil country from Sri Lanka. They were scared to face the genocide in the island country. Also, many of them had been terrified by the atrocities of the Sinhalese army. The courage and fortitude infused in them by the terrorist outfits were strongly shattered by the Sinhalese forceful attacks on them. Hence, these distressed Tamils moved out from Sri Lanka and sought asylum in the Tamil country as refugees.
CHAPTER III

INFLUX OF SRI LANKAN TAMIL REFUGEES IN TAMIL NADU BETWEEN 1983 – 2000