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### Pirapaharan, Chapter 17

by T. Sabaratnam

(Volume 2)

All Party Conference

#### JR's Mischief

Until the invitation for the All Party Conference (APC) reached the TULF, everything looked fair and fine. Jayewardene met the leaders of all recognized political parties, except the JVP and NSSP which were under proscription, and briefed them about the decision taken at Delhi to hold an All Party Conference. He also consulted some Buddhist organizations.

TULF leaders, on their part, reciprocated. They met MGR, Karunanithi and other important Tamil Nadu leaders and briefed them about the Jayewardene- Parthasarathy proposals. They also briefed the leaders of the five militant groups - LTTE, PLOTE, TELO, EROS and EPRLF. The militants were unhappy about the unit of devolution and the powers to be devolved to the units.

The militant groups indicated their opposition to the TULF leaders. Pirapaharan, in particular, told them that they had no right to disregard the people's mandate. Amirthalingam placated them giving three reasons for negotiating with Jayewardene: Indira Gandhi wanted them to negotiate; showing to the world that the Sinhalese are not prepared to accommodate Tamil rights would justify armed struggle and that they would make use of the APC to highlight the plight of the Tamil people and the atrocities committed against them by the Sinhala state. The militants were not convinced. They warned Amirthalingam not to trust Jayewardene. They told him that Jayewardene was buying time to strengthen the army. He wants to crush the Tamils militarily, they warned.

Jayewardene summoned a meeting of the recognized political parties on 21 December 1983. Leaders of the following political parties attended the meeting: Sri Lanka Freedom Party (SLFP), Lanka Sama Samaja Party (LSSP), Communist Party (CP), Mahajana Eksath Peramuna (MEP), Tamil Congress, Ceylon Workers Congress (CWC) and Democratic Workers Congress (DWC).

Jayewardene told the party leaders the purpose of the meeting was to seek their opinion on two important matters. The first matter was about inviting the TULF for the talks. The answer he got was positive. SLFP leader Sirimavo Bandaranaike, who led her party delegation, said, "We have always said the TULF should be invited." The second matter was to decide the venue, date and agenda. The 90-minute meeting decided that the conference should be held on 10 January 1984 at the Bandaranaike Memorial International Conference Hall (BMICH).

Kumar Ponnambalam of the Tamil Congress asked Jayewardene how long the conference would take to complete its work. Jayewardene said the conference would meet day to day from 10 January and would complete its deliberations in ten days. He said he thought that 30 hours would be sufficient.



*Kumar Ponnambalam*

When the agenda for the meeting was discussed, Sirimavo Bandaranaike asked Jayewardene about the proposals that had been worked out in Delhi. Jayewardene promised to circulate the proposals within ten days.

Jayewardene telephoned Neelan Tiruchelvam and informally conveyed the decision to invite the TULF for the APC. Amirthalingam issued a statement in Chennai expressing the TULF's pleasure.

A hitch surfaced when the question of delivering the formal invitation to the TULF was considered. Neelan Tiruchelvam told the conference secretary, Felix Dias Abeysinghe, that the invitation should be sent to Amirthalingam in Chennai. The government did not want to send its representative to Chennai to hand over the invitation as it would amount to contravention of the cabinet decision banning direct dealings with the TULF. Indian High Commissioner Chhatwal, who was traveling to Delhi, on 30 December offered to help. He broke journey in Chennai and handed the invitation to Amirthalingam.

The invitation had two annexures. Annexure A contained five published documents.

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The first of those documents was the press release issued on 29 July 1983 about Narasimha Rao's visit to Colombo. The second document was the interview H. W. Jayewardene gave to the *Sunday Observer* on 14 August 1983 following his visit to Delhi as President Jayewardene's special envoy. The third document was the release issued by the Presidential Secretariat following Parthasarathy's first round of talks during 25-29 August 1983. The fourth document contained the press releases issued by the Presidential Secretariat and Parthasarathy following the November talks. The fifth document was the statement Jayewardene issued on 1 December 1983 when he returned from Delhi.

Annexure B had this headline;

**THE FOLLOWING MATTERS HAVE BEEN SUGGESTED FOR THE FORMULATION OF AN AGENDA BY THE ALL PARTY CONFERENCE.**

The document contained 14 items. They were:

1. The giving up of the idea of a separate state.
2. The merger of the District Development Councils within a Province after acceptance by the Councils' members and a referendum in the District. This proposal should be applicable to the whole island.
3. Regions that have Regional Councils to establish the convention that the Leader of the Party which commands a majority in a Regional Council would be formally appointed by the President as the Chief Minister of the Region. He will work with a Committee of Members of the Council constituted by him.
4. The President and the Parliament to continue to have overall responsibility for all subjects not transferred to the Region and generally for all other matters relating to the maintenance of the Sovereignty, Integrity, Unity, Security, Progress, and Development of the republic as a whole.
5. The list of subjects allocated to the Regions to be worked out in detail. With regard to these subjects the Regional Councils to be empowered to enact laws and exercise executive powers in relation thereto. The Council to have power to levy taxes, access fees and to raise loans and to receive grants and allocations from the Central Government.
6. The recognition of the administration of Trincomalee port as a central government function.
7. High Courts to function in each Region while the Supreme Court of Sri Lanka will exercise separate and constitutional jurisdiction.
8. The constitution of a Regional Service of those serving in the Region and those seconded to the Region.
9. Regional Public Service to be created for recruiting and disciplinary action.
10. The Public Services of Sri Lanka, the Armed Services to reflect the national ethnic composition.
11. The Police Services for internal security to reflect the ethnic composition of the Region.
12. A national policy on land settlement will be worked out.
13. The Constitution and other laws dealing with the Official Language, Sinhala, and the National Language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.
14. United opposition to the use of violence (terrorism) to attain political objectives.

**JR's Trick**

Amirthalingam was upset when he read Annexure B. He immediately telephoned Parthasarathy who was in Delhi. He told him with contempt, "The old fox is again up to his mischief." He told Parthasarathy that Jayewardene had placed as item one the giving up the idea of a separate state. "He is setting the boys against us," Amirthalingam added.

Amirthalingam also told Parthasarathy that Jayewardene had not placed the agreed Delhi proposals before the All Party Conference. He had prepared a new set of proposals. He had altered and watered down the agreed proposals.

The Delhi proposals had two sections dealing with the combination of District Development Councils. Section One was a general provision which permitted the combination of one or more DDCs to form Regional Councils. It stipulated that the decision to combine should be made by the members of the respective councils and approved by a referendum in the district. An exception to that procedure was made in the case of the DDCs of the northern and eastern provinces. In those

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provinces, if the DDCs were not functioning due to the resignation of a majority of members, their union within each province was to be accepted. In the proposals contained in Annexure B Jayewardene had removed that exception. He had also specifically stated that the general arrangement would be applicable to the entire island.

Parthasarathy invited the TULF leaders to Delhi to consider the matter. Amirthalingam and Sivasithamparam flew to Delhi the same evening and met Parthasarathy, Narasimha Rao, and Indira Gandhi in the night. Indira Gandhi was annoyed and angry. She took it that by going back on the word given to her Jayewardene had insulted her. She told Amirthalingam, "You don't worry. I will handle the matter."

*Foreign Minister Narasimha Rao*

Indira Gandhi took two actions. She telephoned Jayewardene the same night, 30 December, and told him of the genuine concerns of the Tamils and the TULF. She suggested that Parthasarathy visit Colombo for a trouble-shooting engagement. After a discussion with his cabinet of ministers, Jayewardene telephoned Indira Gandhi back, saying that his government favoured Parthasarathy's visit to Colombo.

She also summoned a top level conference the next day, 31 Decmber. Rao, Foreign Secretary M. K. Rasgotra, Parthasarathy and the top officers handling the Sri Lanka Operation – Kao, Shankaran Nair and Saxena - were present. Two important decisions were taken at that meeting. First, the External Affairs Ministry was to continue the negotiations. Second, RAW was to intensify and expand the Sri Lanka Operation.

Under the second decision, more funds were made available to RAW. It was also told to provide arms to the Tamil militant groups.

Tamil militant groups were thrilled when the decision to issue arms was conveyed to them. They were also told to increase the number of the trainees.

Arudpiragasam (Arular) of EROS captured the atmosphere among Tamil militant groups when arms were delivered to them. "We were electrified," he said. "We knew that the situation had changed," he added. He said boxes of new Russian weapons were given. "All were simply thrilled," he said.

LTTE men were no exception. Senior leaders were all excited. Kittu was keyed up. Pirapaharan was not so elated. He told them, "Now, we must buy our own weapons."

"Why?" queried Kittu. "India is giving us enough weapons."

*RAW offices in New Delhi 2001*

Pirapaharan gave two reasons for his decision. Reason number one: "India will control us through the weapons they give. And they will make use of us to achieve India's policy objectives. That means we will not be allowed to realize our goal of Tamil Eelam." Reason number two: "India is going to give the same type of weapons to all groups. We must have more advanced weapons to be a superior movement."

That was one of the major decisions Pirapaharan took in 1984, a year considered an important milestone in his life. I will write a separate chapter on that.

The invitation for the APC and the annexures were released in Colombo. Print and electronic media headlined the story: 'Government Proposals for APC.' All Party Conference secretary Felix Dias Abeysinghe issued a statement on 30 December. It said, "The matters referred to in Annexure B were not proposals of the Government or of any political party. The proposals that will be finally formulated by the All Party Conference will be considered by the political parties and the Government thereafter."

Abeysinghe's office telephoned newspaper editors and requested publication of Abeysinghe's statement. They were told that President Jayewardene was interested in the publication of Annexure B and the rest of the invitation.

Indira Gandhi's telephone call was the cause for the hurried denial. Jayewardene, who had distanced himself from the proposals he had negotiated with Parthasarathy in Delhi, started distancing himself from Annexure B also. He distanced himself from the Delhi proposals because he was told that the Buddhist priests were against it. He tried wriggle out of the Delhi proposals saying that he was not responsible because he did not sign it. When the story that he had offered to sign the document leaked, he changed his tune and said the Delhi proposals were in fact the TULF's proposals.

Jayewardene adopted this new tune in his interview to *India Today* of 30 April 1984. Amirthalingam denied that these were the TULF's proposals in a statement he made at the All Party Conference on 9 May. In that statement he traced the sequence of events beginning from Indira Gandhi's first telephone call on 28 July to her meeting with Jayewardene on 30 December and the three rounds of talks Parthasarathy had with him. Amirthalingam told the APC that Parthasarathy and Indira Gandhi had told him that Jayewardene had agreed to the Delhi proposals.

Jayewardene's distancing from Annexure B began after Indira Gandhi's 30 December call. Indira Gandhi told Jayewardene that the TULF would not participate in the APC if Annexure B was his proposals. He wriggled out saying that that was a conference secretariat document.

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Amirthalingam told the media in Delhi that Jayewardene had gone back on his word. He said the TULF's stand on the Eelam demand was very clear. The TULF, he said, had said time and again that they would be able to give up their demand for a separate state for Eelam only if a viable alternative acceptable to the TULF was offered. He also pointed out that item number two in the annexure, which mentions a referendum, was also objectionable.



*Sivasithamparam 2002*

In Chennai Amirthalingam called a meeting with the Tamil militant groups. He informed them that he wanted to consult them about the matters to be raised at the APC. The militant groups did not respond to Amirthalingam's invitation. They informed Amirthalingam through intermediaries that they were opposed to the TULF's participation. "What are you going to discuss? The giving up of the demand for a separate state?" they asked. They advised him not to go.

Parthasarathy arrived in Colombo on 3 January and met Jayewardene in the evening. He adopted a very tough line as decided at the Delhi top-level meeting. At that meeting Walters' second visit to Colombo and the infusion of foreign mercenaries and arms were considered as the reasons for Jayewardene's effort to dilute his agreement with Gandhi.

Parthasarathy told Jayewardene firmly that the Tamils would never give up their separatist demand unless and until their safety and security were ensured. He said the safety and security of the Tamils could only be guaranteed by creating an autonomous administration in the amalgamated North-East Province and by ensuring the safety and security of the Tamils

living outside the northeast.

Jayewardene relented in the face of Parthasarathy's tough talk. He agreed to circulate the Jayewardene- Parthasarathy proposals as Annexure C.

*J R Jayawardene*

Parthasarathy telephoned Amirthalingam and asked him to come to Colombo the next day, 4 January. Amirthalingam, Sivasithamparam, Sampanthan and Thangathurai arrived in Colombo as advised. They were driven under armed escort from the airport to Hotel Taprobane in Fort. They were accommodated in a wing in the second floor. An army unit was placed on guard. They met Parthasarathy soon after their arrival. Parthasarathy advised the TULF leaders to take part in the APC. He told them to raise all the matters they wanted to raise in the conference.



I met the TULF leaders at Hotel Taprobane. Amirthalingam was downcast. He said he was sad that he had to be kept under tight security. He said, "See to what level the country had degenerated. This is the city where we walked the streets day and night."

He asked, "How is my successor, Anura?"

He meant Anura Bandaranaike, the new Leader of the Opposition.

He then asked: "Will the SLFP participate?"

I told him that I had asked the same question from Anura Bandaranaike two days earlier. Anura's answer to my question was: "How can we trust a man who lacked courage to take a definite stand?"

Anura gave three instances to substantiate his answer. The first was Jayewardene's refusal to own the agreement he reached with Parthasarathy. The second was his distancing himself from Annexure B. The third was Jayewardene's statement to the press that he agreed to invite the TULF to the APC because Mrs. Bandaranaike wanted the TULF invited.

Amirthalingam smiled and his response was this:

"JR is a trickster. See how he has tricked Parthasarathy. He purposely refrained from signing the agreement and later denied such an agreement saying he had not signed. JR is the greatest curse of this country."

(Note: I have recorded Amirthalingam's comment in an article *Black July to Historic Consensus* which appeared in the *Daily News* of 25 July 2000.)

Amirthalingam also told me that no peaceful solution could be worked out for the Tamil problem till a Sinhala consensus emerged. He said the UNP- SLFP rivalry is the other curse of the country. "This has become a contest. This contest is the main cause for Tamil frustration."

The APC conference secretariat circulated the Delhi proposals to all political parties invited for the 10 January meeting as Annexure C.

It read;

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**Annexure C**

In terms of paragraph six of the President's statement of December 1<sup>st</sup> 1983, the following proposals which have emerged as a result of the discussions in Colombo and New Delhi are appended for the consideration of the All Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka, and will form a basis for formulating the Agenda of the All Party Conference.

1. The District Development Councils in a Province be permitted to combine into one or more Regional Councils, if they so agree, by decisions of the councils and approved by a Referendum in that district.
2. In the case of the District Councils in the Northern and Eastern provinces, respectively, as they are not functioning due to the resignation of a majority of members, their union within each province to be accepted
3. Each region will have a Regional Council if so decided. The convention will be established that the leader of the party that commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region. The Chief Minister will constitute a Committee of Ministers of the Region.
4. The President and the Parliament will continue to have overall responsibility for all subjects not transferred to the Regions and generally for all other matters relating to the maintenance of sovereignty, integrity, unity and security and progress and development of the Republic as a whole.
5. The legislative power of the region would be vested in the Regional Councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of Internal Law and Order in the Region, the administration of justice, social and economic development, cultural matters, and land policy. The list of subjects to be allocated to the Regions will be worked out in detail.
6. The Regional Councils will also have the power to levy taxes, cess or fees and to mobilize resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendation of a representative Finance Commission appointed from time to time.
7. Provision will be made for constituting High Courts in each region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.
8. Each Region will have a Regional Service consisting of: (a) officers and other public servants of the Region, and (b) such other officers and public servants who may be seconded to the Region. Each Region will have a Regional Public Service Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.
9. The armed forces of Sri Lanka will reflect the national ethnic composition. In the Northern and Eastern Provinces, the police force for internal security will also reflect the ethnic composition of these Regions.
10. A Port Authority under the Central Government will be set up for administering Trincomalee Port and Harbor. The area which will come under administration of the Port Authority, as well as the powers to be assigned to it, will be further discussed.
11. A national policy on land settlement and the basis on which the government will undertake land colonization will have to be worked out. All settlement schemes should be based on ethnic proportion so as not to alter the demographic balance subject to agreement being reached on major projects.
12. The Constitution and other laws dealing with the official language Sinhala and the national language Tamil be accepted and implemented as well as similar laws dealing with National Flag and Anthem.
13. The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide a secretariat and the necessary legal offices.
14. The consensus of opinion of the All Party Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other parties as well before being placed before Parliament for legislative action.

The attempt by Jayewardene to disown the Delhi proposals and the special mission Parthasarathy undertook to force him to release it had made the entire APC exercise suspicious. The TULF was upset. So was the main opposition SLFP and the Sinhala extremist MEP.

The Central Committee of the SLFP decided on 7 January, after a 2-hour session, to seek clarification from Jayewardene regarding Annexure C. Most of the central committee members expressed the fear that Jayewardene was trying to trick

them. Sirimavo Bandaranaike told the media after the meeting: "The President says that he invited the TULF for the APC because I asked him to do so. Now he wants all political parties to submit their proposals for a solution before the APC. But the UNP has not presented its proposals. He is tricking us to make the proposals so that he can tell the country that, because we asked him to give the Tamils Regional Councils, he gave that to them. Let the President and the UNP come out with their proposals first."

Opposition Leader Anura Bandaranaike said, "President Jayewardene, by disowning the proposal he worked out with Parthasarathy, was so deceptive that he was not only trying to trick Parthasarathy, but also the entire country."

Jayewardene, as usual, had planned to outsmart the SLFP. He had a meeting with the delegation of the Supreme Council of the Maha Sangha on 8 January. Top Buddhist monks attended the meeting. They were: Ven. Palipane Chandananda Maha Nayaka Thera of Asgiriya, Ven. Madihe Pannasiha Thera, Ven. Thalella Dhammananda Thera, Ven. Walpola Rahula Thera, Ven. Henpitigedera Gnavansa Thera. Rev. Bellanwila Wimalaratna Thera and Rev. Maduluwawe Sobhitha Thera. All of them were Sinhala hardliners.

*Ven. Walpola Rahula Thera*

They told Jayewardene that they had rejected the Delhi proposals contained in Annexure C and would block any attempt by the government to give the Tamils anything more than the DDCs.

The SLFP and MEP also announced on that day, 8 January, their decision to boycott the APC which was to be inaugurated on 10 January, a Tuesday. They gave Jayewardene's failure to provide the clarification they called for as the reason for their boycott decision.

While Jayewardene was skillfully assembling the Sinhala extremist forces to do his work of torpedoing the peace process, TULF leaders were struggling to get out of the eye of a violent storm. Amirthalingam, Sivasithamparam and Yogeswaran visited Jaffna on 8 January to meet their supporters. They were greeted by posters asking them not to attend the APC. When they visited the University of Jaffna campus they were hooted.

Colombo newspapers splashed that story with relish. They were pleased that Amirthalingam was accorded that reception. But they never gave thought to the reason for such a reception. *The Island* that played up that story printed a cartoon on 10 January about Amirthalingam attending the APC. The cartoon showed Amirthalingam leading the militants into the conference hall! In Chennai militant groups asked Amirthalingam not to attend the APC. In Jaffna the people hooted him because he wanted to attend the APC. And in Colombo Sinhala journalists said that Amirthalingam was leading the militants into the conference room! That was the depth of the knowledge of the Sinhala journalists about the Tamil problem.

I met Amirthalingam and Sivasithamparan at the BMICH just before the inauguration of the conference. I covered the function for the *Daily News*. They were upset about the Jaffna incident. Amirthalingam told me: "I was their (youths) hero throughout my life. Now they regard me a traitor. But the path they have chosen would bring suffering and destruction to my people. I am trying to avoid it. I don't think Jayewardene will help me in this task. He wants to weaken me and strengthen the boys and destroy them militarily."

That was exactly Jayewardene's plan. He had decided to make use of the APC to implement his plan. He was able to buy a year through this strategy. From January 10 to December 21 he dragged the conference on without yielding anything substantial to the Tamils. During this time, he strengthened the military and colonized a vast extent of Tamil homeland with Sinhalese.

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**Chapter 18. Tamils lose faith in talks**

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