

Pirapaharan

By: T. Sabaratnam

Introduction

The story of the Tamil struggle for justice, beginning with the demand of the 1950s for adequate representation for Tamils in Parliament to today's civil war, is the subject of my previous three biographies – as it is of this one. They also expound the basic concern of the Tamils that they, as a distinct community, will face extinction in Sri Lanka if they fail to safeguard their territory, numerical strength, language - in short - identity.

The Tamil community has been subjected to a well thought out and carefully executed scheme of extermination. Through state-aided Sinhala colonization the extent of land under Tamil control was gradually eroded; through the disfranchisement of the Indian Tamils their numerical strength was severely reduced; through the enactment of the Sinhala Only policy they were rendered officially illiterate; through the enshrinement in the constitution of the unitary character of the state they were inextricably enslaved; and through repeated unleashing of state and mob violence they were denied the fundamental right of secure existence.

This is the story I was destined to report as a staff reporter in Lake House, Sri Lanka's leading publishing house, the citadel of Sinhala chauvinism. Since January 1957 when I joined the Tamil newspaper *Thinakaran* as a cub reporter to the end of December 1997 when I retired as a Senior Deputy Editor of English Language *Daily News*, I covered most of the major events concerning the ethnic conflict and mingled very closely with the main actors who played an active part in subjugating the Tamils.

The first biography, *Out of Bondage: The Thondaman Story*, is the story of the Indian Tamil leader Savumiamoorthy Thondaman, with whom I was fortunate to interact intimately during the entire period of 41 years of my journalistic life. He invited me in the end of November 1988 to do his biography which was published the following year. A decade later, he requested me to do an update. That work ended two days before his death and was serialized in the internet magazine *Asian Tribune*.

I kept out of Thondaman's biography two anecdotes that revealed the real Thondaman, his desire for the wellbeing of the Tamil race, fearing harm to his political standing among the majority Sinhala people. The first incident occurred on 1 December 1986, the day after the Liberation Tigers of Tamil Eelam (LTTE) attacked the Dollar and Kent Farms in the north-eastern Mullaitivu district. I entered his room in the Rural Industrial Development Ministry at Kollupitiya in the morning.

"Have you heard the news?" he asked.

I pretended ignorance.

"Some people think the State is supreme. There are others more powerful" he said and added, "Pirapaharan had taught them a lesson."

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Thondaman had reason to be pleased about the attack on the two agricultural farms that left scores of Sinhala people dead. The farms were started by Tamil voluntary organizations to settle Indian Tamils, the victims of the 1979 riots let loose on poor plantation workers, whose interests Thondaman's trade union, the Ceylon Workers Congress, looked after. Land and Mahaweli Minister Gamini Dissanayake organized the take over of the farms by the State in early 1986 after chasing out Indian Tamil settlers using the police and the army. The farms were converted into open prisons to settle convicted criminals and their families. Thondaman's protests in the cabinet and Parliament were of no avail. Thondaman was pleased that Pirapaharan had replied the way he could not do.

The second anecdote I kept out of the book occurred the next year. The Indo-Sri Lanka Agreement of 1987 had been signed and the Indian Peace Keeping Force was ordered to proceed to Jaffna. Personnel carriers with soldiers in them rolled out of the Indian Air Force troop carriers at the Palaly airport. They moved along the Palaly-Jaffna road to excited welcome. Then the mood suddenly changed when people heard that the Indian government was holding Pirapaharan a prisoner in Delhi. They turned hostile. They blocked the military vehicles. They demanded their leader brought back. Thondaman who watched this from Colombo marveled the hold Pirapaharan had on the people. He said, "Pirapaharan is blossoming into a people's leader."

I felt that this was a major change in Thondaman's assessment about Pirapaharan. His earlier view was that he was a master military strategist. His role ended with pressurizing the Jayewardene government to troop to the negotiation table where moderate Tamil leaders would take over the complex constitutional wrangle.

I asked Thondaman what caused him to alter his assessment. His reply was: "People are with him." And from 1989, he started a correspondence with Pirapaharan and when I did the update of his biography Thondaman wanted me to give special focus to that aspect of his life.

The Citizenship Issue

Through Thondaman's life and work, I dealt with one of the main grievances of the Tamils, the citizenship issue, the second act of weakening the Tamils in Sri Lanka by the Sinhala leaders through the reduction of their numerical strength. That was a major deception finagled on the Tamils to weaken them politically.

The Sinhalese leaders, D. S. Senanayake and Oliver Goonetilleke, persuaded the Soulbury Commission to leave the determination of nationality and citizenship to the Parliament of independent Ceylon. Six months after independence, they enacted a new law, The Ceylon Citizenship Act, to do just that and made use of it to deprive nearly a million Indian Tamils of their citizenship. They did that by creating two categories of citizens, citizens by descent and citizen by registration.

Sections 4 and 5 of the Ceylon Citizenship Act define citizenship by descent. Section 4 lays down that persons born before 15 November 1948, the date the Act was passed by Parliament, would acquire the status of the citizen of Ceylon by descent if his father was born in Ceylon or his paternal grandfather and paternal great grandfather were born in Ceylon. Section 5 lays down that a person born in Ceylon after 15 November 1948 would acquire the status of citizen of Ceylon by descent if at the time of his birth his father is a citizen of Ceylon. Citizenship by descent was conferred automatically on the Sinhalese, Ceylon Tamils and Muslims, but not on the Indian Tamils and Indian Muslims. Practically ninety-nine percent of the Indian Tamils were denied citizenship rights and rendered stateless.

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Sections 11 to 17 of the Act sets out the provisions relating to citizenship by registration. To apply for citizenship by registration one has to be of full age and sound mind, be a resident in Ceylon and intend to continue to reside in Ceylon and whose mother is or was a citizen of Ceylon by descent. The mother should prove that she was resident in Ceylon throughout the period of seven years preceding the date of application. These cumbersome conditions virtually ruled out the possibility of Indian Tamils registering themselves as citizens.

Spearheading the united Tamil opposition to the law S. J. V. Chelvanayakam, deputy leader of the All Ceylon Tamil Congress, said it definitely discriminated against the Indian Tamils. He warned:

Such discrimination carried to its logical conclusion could result only in the extermination of the Tamil linguistic group or in the creation of "Pakistan" in Ceylon."

Prime Minister D. S. Senanayake, replying, said Indian Tamils were temporary residents brought by the British to work in their plantations and they themselves acted in such manner returning to their villages in Tamil Nadu often. He argued that they looked towards India as their guardian and India kept a watchful interest in them. They really belonged to India and should be taken back by India, which demand India refused to do.

D. S. Senanayake took two steps to mute the local and Indian opposition. He weakened the united Tamil opposition by winning over an important section of the Tamils to his side and he introduced another law, the Indian and Pakistani (Residents) Citizenship Act, which laid down the qualifications for attaining Ceylonese citizenship.

G. G. Ponnambalam, leader of the All Ceylon Tamil Congress, was offered the Ministry of Industries and Fisheries and he joined the government with five of the seven Members of Parliament. They voted for the Indian and Pakistani (Residents) Citizenship Act arguing that the new law enabled the Indian Tamils who lost their citizenship to regain it. The new law laid down stringent conditions - seven years of continued residence for a married person from 1 January 1939 and ten years of continued residence from 1 January 1936 for unmarried persons. They were expected to have adequate means of livelihood. The phrase 'continued residence' was given the strictest interpretation, thus preventing even those who traveled to India on a brief holiday from acquiring citizenship.

The entire Indian Tamil population, estimated at 975,000, applied for Sri Lankan citizenship, but Sri Lanka insisted that India should take back the bulk of them. India declined. Prime Minister Sirimavo Bandaranaike signed two pacts, the Sirimavo - Shastri Pact of 1964 and the Sirimavo - Indira Gandhi Agreement of 1974, for the repatriation of a section of the Indian Tamils to India. Under the first pact, India agreed to take back 525,000 persons and Sri Lanka offered to grant citizenship to 300,000. Under the second agreement, India and Sri Lanka agreed to share equally the remaining 150,000 persons. India called for applications from 600,000 persons volunteering to return but only 504,000 persons applied. There was a shortfall of 96,000 persons. Of the 504,000 who were granted Indian citizenship, about 84,000 could not return to India due to the 1983 riots and they remained in Sri Lanka. Thondaman, making use of his political strength, won citizenship rights for the above two categories, a great achievement. The citizenship issue is now settled and Thondaman's persistent campaign had helped the Indian Tamils to keep more than half their number in Sri Lanka. They are now a force to be reckoned with in the hill country and may demand in the near future a suitable political structure that could help them to safeguard their identity.

State-aided Colonization

My second biography, *Thanthai Chelva*, was the story of the founder leader of the Federal Party, Samuel James Velupillai Chelvanayakam. I wrote that series for Thinakaran Varamanjari, to cover his birth centenary year, a historical event for Sri Lankan Tamils, which his party, the Tamil United Liberation Front, failed to celebrate in a fitting manner. In that series I highlighted the other main grievances of the Tamils, state aided colonization, the denial of a fair share of power and the dethroning of their language.

I also traced in detail the non-violent resistance movement Thanthai Chelva assiduously built up and the treatment it received in the hands of the Sinhala leadership and the mob. I dealt in detail with Thanthai Chelva's failed attempts at accommodation, the tale of the fate of the agreements he signed with two Prime Ministers and the story of his defeating, making and collaborating with Sinhala governments. The eleven years – 1957 to 1968 – of experimentation at cooperation ended in intense frustration, causing his moving the famous 1976 Vadukkodai Resolution which proclaimed the right of the Tamil people to carve out a separate state called Tamil Eelam where they could live in peace and security.

Thanthai Chelva warned as early as 1947 about the twin dangers Sri Lankan Tamils faced in independent Sri Lanka. He told a public meeting in Jaffna that state aided colonization and the unitary constitution would endanger the future of the Tamil people. He termed state aided colonization 'land grabbing' and the unitary constitution 'power stealing.' He cautioned that both would eventually lead to the enslavement of the Tamils by the Sinhalese. He saw in the deprivation of citizenship of Indian Tamils yet another step in the process of exterminating the Tamils.

Thanthai Chelva believed that a federal constitutional structure was a safeguard to the independence and identity of the Tamils. To spread that view he formed a new political party called the Federal Party. Inaugurating the new party on 18 December 1949, Thanthai Chelva said the unitary constitution is ill suited for a multi-ethnic country and advocated a federal structure that accommodated the interests of the different racial, religious and cultural groups.

Under the unitary constitution, he said:

We were first denied our share in the government. Next, our electoral strength was reduced by the denial of citizenship to our Indian Tamil brethren. They have started reducing territory by state aided colonization. The federal structure will get the Tamils their legitimate share in the government and put an end to the Sinhala attempt to grab our territory.

Safeguarding Tamil territory was Thanthai Chelva's major concern and he sloganized: *suvar irunthalthan cithram varaiyalam* which means the wall must be retained so that you can paint on it. From the time a Tamil village, Paddipalai, was renamed Gal Oya and converted into a major Sinhala settlement scheme, he started an agitation for the protection of the Tamil territory. He made the stoppage of the colonization scheme the cornerstone of the two agreements he entered into with two Prime Ministers.

In the Bandaranaike–Chelvanayakam Pact (the B–C Pact) he signed with Prime Minister S. W. R. D. Bandaranaike on 25 July 1957, he ensured that the administration of the colonization schemes would be brought under the regional councils to be set up under the agreement. The relevant section in Part B of the Pact reads:

6. It was agreed that in the matter of colonization schemes the powers of the regional councils shall include the power to select allottees to whom land within their area of authority shall be alienated and also power to select personnel to be employed for work on such schemes. The position regarding the area at present administered by Gal Oya Board in this matter requires consideration.

In the Senanayake–Chelvanayakam Agreement he signed with Prime Minister Dudley Senanayake on 24 March 1965, he incorporated further safeguards so that the Tamil territory would be retained by the Tamil people. The final part of the agreement deals with this. It reads:

4) The Land Development Ordinance will be amended to provide that citizens of Ceylon be entitled to the allotment of land under the Ordinance. Mr. Senanayake further agreed that in the granting of land under colonization schemes the following priorities be observed in the Northern and Eastern provinces.

(a) Land in the Northern and Eastern provinces should in the first instance be granted to landless persons in the district.

(b) Secondly, to Tamil-speaking persons resident in the northern and eastern provinces.

(c) Thirdly, to other citizens in Ceylon, preference being given to Tamil citizens in the rest of the island.

The failure of both pacts knocked out the safeguards Thanthai Chelva tried to build into the solution he reached with the two Prime Ministers. That left the way open to the Sinhala leadership to alter the demography of the Tamil majority North East and to carve out chunks of Tamil territory for Sinhala electoral districts. Demographic change brought about through state aided colonization in the north-eastern province during the one hundred years 1881 to 1981 is given in the following Table. Here Jaffna district includes the Kilinochchi district also. The population of the Ampara district, which was created in 1965, is computed separately to help the comparison easier. Earlier, Ampara was part of the Tamil-majority Batticaloa district.

Table-1 Demographic Change in the North-East Province 1881-1981

Year	1881			1946			1981		
	S	T	M	S	T	M	S	T	M
Jaffna	0.3	98.3	1.0	1.07	96.3	1.3	0.60	95.3	1.7
Mannar	0.67	61.5	31.1	3.76	55.1	33.0	8.10	50.6	26.6
Vavuniya	7.4	80.9	7.3	16.6	69.3	9.3	16.6	59.9	6.9
Batticaloa	0.4	57.5	30.7	4.0	69.0	27.0	3.2	70.8	24.0
Ampara	18.24	30.0	50.4	16.7	28.3	54.9	37.6	20.1	41.5
Trincomalee	4.2	63.6	25.9	20.7	40.1	30.6	33.6	33.8	29.0

The most significant change was in the Ampara District.

Table 2- Demographic Change in the Ampara District – 1911- 1981

Year	Sinhalese	Tamils	Muslims
1911	4762	24733	36843

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	7.0%	37%	55%
1921	7285	25203	31943
1953	26459	39985	37901
1963	62160	49220	97990
	29%	23.5%	45.6%
1971	82280	60519	126365
	30.%	22%	47%
1981	146371	78315	126365
	38.01%	20%	47%

Next comes the Trincomalee district.

Table 3- Demographic change in the Trincomalee district 1901-1981

Year	Tamils	Muslims	Sinhalese	Others
1901	17069	8258	1203	1921
	60%	29.90%	4.2%	6.8%
1911	17233	9714	1138	1700
	57.8%	32.6%	3.8%	5.7%
1921	18556	12846	1501	1179
	54.5%	37.7%	4.4%	3.5%
1946	33795	23219	15706	3501
	44.1%	30.6%	20.7%	4.7%
1953	37517	28616	15296	2488
	44.7%	34.1%	18.2%	3%
1963	54050	42560	39950	1600
	39.1%	30.8%	28.9%	1.2%
1971	71749	59924	54744	1828
	38.1%	31.8%	29.1%	1.0%
1981	93510	74403	86341	2536
	36.4%	29.2%	33.4%	1.10%

The rise in the population of the Ampara district was due to the Gal Oya scheme and in the Trincomalee district was due to the Allai, Kanthalai, Morawewa, Mahaduwlwewa and other smaller schemes. The Padaviya settlement was the main cause for the increase in the Sinhalese population in the Vavuniya district.

Sinhala settlement in the traditional Tamil territory was followed by the creation of exclusive Sinhala electorates. Two Sinhala electorates – Digamadulla in the Ampara district and Seruvila in the Trincomalee district –

were carved out in 1976. This resulted in the Eastern Province returning two Sinhalese Members of Parliament in the 1977 election. The number increased to five with the introduction of system of Proportional Representation in 1978. Vavuniya is now returning an additional Sinhala Member of Parliament.

Since Thanthai Chelva's death in 1977 state-aided colonization has been given a more virulent politico-military orientation by the creation of a military buffer zone in Manal Aru (Sinhalized into Weli Oya) in the Mullaitivu district to isolate and confine the Tamil militants within the north and to destroy the very basis for the claim of Tamil Eelam by breaking the contiguity of the Tamil homeland. That will be part of the Pirapaharan story.

Share of Power

Thanthai Chelva was also concerned about the denial to the Tamils their legitimate share in the government. The unitary system of government conferred the entire power on the numerically strong Sinhalese. They used that power to discriminate against the Tamils. He moved a resolution at the inaugural session of the Federal Party urging the Government to replace the unitary constitution, that helped the Sinhalese to reduce the Tamils to an inferior status, with a federal system of government. Within the federal union the resolution urged;

... the establishment of an Autonomous State for the Tamil-speaking People of Ceylon within the structure of the Federal Union of Ceylon...

The First National Convention of the Federal Party held in Trincomalee during 12-15 April 1951 adopted the federal solution – the establishment of an autonomous region for the Tamil areas within a federal Ceylon – as the only viable solution to the Tamil problem.

The Federal Party placed the federal solution for the consideration of the Tamil people for the first time in the 1952 parliamentary election and called upon them to reject the unitary constitution. In that election, Tamil people did not heed the Federal Party's call, but in 1956, they endorsed it. In that election the Federal Party contested 14 seats in the north and east and won 10 of them, securing an overwhelming endorsement for its call for the rejection of the unitary constitution. Since then the Tamil people have reaffirmed their rejection of the unitary constitution in four elections – 1960 March, 1960 July, 1965 and 1970.

In the next election, 1977, they voted for the establishment of a separate state.

Aware of the Sinhala-Buddhist resistance to a federal solution, Thanthai Chelva adopted the strategy of laying the foundation for a federal structure during the period 1957 to 1968. In the B-C Pact, he persuaded Bandaranaike to agree for the formation of regional councils. The Pact makes provision for the formation of a regional council for the north and two or more regional councils for the east. Provision was also made for the amalgamation of two or more regional councils even beyond provincial limits. This, and the acceptance that the administration in the north and east would be done in Tamil, was a clever foundation for a merged north-east.

The relevant section of the Pact reads:

1. Regional areas to be defined in the bill itself by embodying them in a Schedule thereto.

2. That the Northern Province is to form a regional area whilst the Eastern Province is to be divided into two or more regional areas.

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3. Provision is to be made in the Bill to enable two or more regions to amalgamate even beyond provincial limit; and for one region to divide itself subject to ratification by Parliament. Further provision is to be made in the Bill for two or more regions to collaborate for specific purposes of common interest.

4. Provision is to be made for the direct election of regional councilors.

The B-C Pact was abrogated by Bandaranaike on 9 April 1958 following a demand by a gathering of Buddhist priests who staged a satyagraha opposite his private residence at Rosmead Place. In March the opposition United National Party (UNP) started the opposition to the Pact with a march to Kandy. The contest between rival Sinhala candidates for capturing power by showing that they are the better protectors of the Sinhala people intensified thereafter.

The assassination of Bandaranaike and the ensuing rivalry between the two main contenders for power – the UNP and the Sri Lanka Freedom Party (SLFP) – gave Thanthai Chelva the opportunity to play the political game of bringing down governments and making governments. In March 1960 he helped defeat the Dudley Senanayake Government by relying on the SLFP pledge to implement the B-C Pact if it was elected to office. When he found that SLFP leader Sirimavo Bandaranaike failed to honour the undertaking, Thanthai Chelva switched sides and helped Dudley Senanayake to form a National Government in 1965.

In the agreement he signed with Dudley Senanayake Thanthai Chelva incorporated a provision to lay the foundation for an autonomous region for the Tamils. In the agreement the name Regional Councils was altered to District Councils.

(3) Action will be taken to establish District Councils in Ceylon vested with powers over subjects to be mutually agreed upon between two leaders. It was agreed, however, that the government should have power under the law to give directions to such councils under the national interest.

The Federal Party joined the National Government in the hope that Dudley Senanayake, respected as a gentleman, would honour the agreement. He delayed the implementation for three years and let down the Federal Party. Thanthai Chelva was frustrated. He said the Sinhala people lacked leadership with foresight. Tamil youth had become restless. They were pressurizing for a change of course. The youth told the Tamil leadership that they had lost faith in the Sinhala leadership and that the formation of a separate state was the only option available to the Tamils.

(Introduction, Part 2)



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