

Interview

***The Ilankai Tamil Arasu Katchi*
(Federal Party) and the
Post-Independence Politics of Ethnic
Pluralism:
Tamil Nationalism Before and After the
Republic**



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How did the Federal Party come to be formed and why did some members of the All Ceylon Tamil Congress (ACTC) break away to form the Federal Party?

At the 1947 parliamentary elections, there were several members elected from the ACTC. In fact the whole of the Northern Province elected members from the ACTC to every parliamentary seat other than Kayts. Kayts was the only seat which the ACTC did not win. They lost by a very small majority – a couple of hundred votes – to Mr A.L. Thambiah, a leading shipping magnate, who became the first Member of Parliament for Kayts. The ACTC also won the Trincomalee seat in 1947. After they came to Parliament they functioned as one unit. The then UNP government under the Prime Minister-ship of the Hon. D.S. Senanayake introduced the citizenship and franchise laws one after another, under which over a million Tamil people of recent Indian origin in the plantation sector lost their citizenship. Eight Members of Parliament had been elected from the Indian community to Parliament at the 1947 elections. These Tamils of recent Indian origin had been given citizenship by the colonial rulers. It was a recommendation of the Donoughmore Commission that they be given citizenship. Therefore they lost something that they were entitled to at the time of independence. Mr S.J.V. Chelvanayakam, Q.C.² took a very strong view in regard to this matter. He regarded it as a deliberate disenfranchisement of Tamil people of recent Indian origin in order to diminish the political strength of the Tamil people in the then legislature. Mr G.G. Ponnambalam, who was then the leader of the ACTC, did not take that same strong view. Mr Chelvanayakam opposed the laws in Parliament, and differences arose between Mr Chelvanayakam and G.G. Ponnambalam on this question primarily. At about the same time, Mr Ponnambalam joined the government of Mr D.S. Senanayake and became Minister for Industries and Fisheries. A couple of other Members of Parliament also joined the government with Mr Ponnambalam, and some others remained with Mr

² **Editor's Note:** At this time, an ACTC Member of Parliament representing the Kankesanthurai constituency.

Chelvanayakam. These were the circumstances that led to the division of the ACTC.

Mr Chelvanayakam was also concerned with the colonisation of Tamil-speaking areas with Sinhalese people, particularly in the Eastern Province. At that time, colonisation was in full swing in the Gal Oya area in the Ampara District in the Eastern Province. Colonisation was also taking place in certain parts of the Trincomalee District, particularly in Kantale. By this scheme lands in the Eastern Province were given to Sinhala settlers from other areas on a preferential basis without preference being given to the Tamil-speaking people – the Tamil people and the Muslim people – who lived in those areas and who should have been entitled to preference. Mr Chelvanayakam considered this as a further step aimed at diminishing the political strength of the Tamil-speaking people in the Eastern Province. These were the main reasons why the ACTC broke into two and why Mr Chelvanayakam formed the Federal Party. The Federal Party was formed in 1949. Its inaugural meeting was held in Colombo and Mr Chelvanayakam was elected as the president of the party.

Beyond what you just said, what were the broader political circumstances of the period soon after independence, and what were the main political and constitutional challenges that the Federal Party intended to address?

The matters which I mentioned earlier were important political questions that were of concern to the Tamil-speaking people during the early part of the tenure of the first Parliament. The language issue had also come into focus as both Sinhala and Tamil had been accepted as the official languages in the State Council.³ That was the position when the country attained independence. The question of making Sinhala the only official language was very much in the political thinking of certain forces at that point of time. This also contributed to the growing disenchantment within the Tamil political leadership and the

³ **Editor's Note:** The legislature under the Donoughmore Constitution (1931-1947) was known as the State Council.

Tamil people. The Tamil political leadership prior to independence had not demanded a separate state, such as happened in India, when at independence the Indian people divided into two states as India and Pakistan. The Tamil political leadership had not even demanded federalism and they were prepared to remain as one people within a united Sri Lanka. But these new features that came into being in the political arena raised questions as to whether the constitution under which the country attained independence – the Soulbury Constitution – which only talked in terms of a legislature and an executive without any power-sharing between the centre and provinces or regions, would be adequate for the Tamil-speaking people in the long run. This was increasingly becoming an issue that Mr Chelvanayakam and the Federal Party wanted to address. Consequently in 1951, at the First Annual Convention of the Federal Party, held in Trincomalee, the Federal Party adopted as its main resolution the need to change the constitutional structure of the country to one of a federal nature, and that was an important political development and a constitutional issue which the Federal Party brought to the forefront.

What was the basis or the reasoning behind Mr G.G. Ponnambalam’s claim for ‘fifty-fifty’ before the Soulbury Commission?

Well, he wanted balanced representation. Mr G.G. Ponnambalam’s fear was that when there was a permanent majority of only the Sinhala people, all the minorities put together were a permanent minority, and that that could lead to injustice. His contention was that when there was balanced representation, by which the majority community had fifty per cent [of seats in the legislature] and all the minorities put together had fifty per cent, the prospect of injustice could be avoided. That was the position he took up and that is why he demanded fifty-fifty, within the framework of a united country. He did not demand separation nor did he demand federation but he demanded fifty-fifty: a balanced representation. One may agree with it; one may not agree with it. But that was the reason why he demanded fifty-fifty. During the earlier days of constitutional reform, the Tamil people

were not looked upon as a minority people. Even though they were numerically not equal to the Sinhala people, they were looked upon by the British and by even the people of this country as more or less equal partners with the Sinhala people.

That was the reasoning for it but of course it is a serious question as to whether fifty-fifty was a fair demand in the context of the numerical disparity between the Sinhala people and the Tamil people. But historically it must also be said that in this country there had been three kingdoms: one was the Kandyan kingdom, of the Sinhala people of the up-country areas; one was the low-country Sinhala kingdom of the low-country Sinhala people; and the third was the Jaffna kingdom. The Jaffna kingdom comprised not only of the Tamils and the people who lived primarily in the north, but it also included those who lived in the east. Because the north, including the Vanni area and the east, including Trincomalee and certainly the northern part of the then Batticaloa District had been under Tamil chieftains who owed allegiance to the king of Jaffna. There might have been situations in which they also had to make peace with the other kings but generally they owed allegiance to the king of Jaffna. So historically, too, there was this idea of parity between the Sinhala people and the Tamil people. Because they had their separate kingdoms and they lost their sovereignty – they lost their kingdoms – to colonial rulers at different times in the history of this country. The Jaffna kingdom was the first to fall, followed by the low-country Sinhalese kingdom; the Kandyan kingdom held on till 1815. These kingdoms were administered separately even after colonial conquest by different colonial rulers. They were unified only in 1833, as per the recommendations of the Colebrooke Commission. So there was also that historical reality, apart from the numbers, which probably influenced thinking at that early stage.

What was the Federal Party's assessment of the minority protection safeguards of the Soulbury Constitution?

There were certain minority safeguards contained in Section 29 of the Soulbury Constitution, which contemplated certain limitations on legislative power. In other words, Parliament could not enact any law which conferred on any community any advantage which was not conferred on any other community, or would subject any community to any disadvantage to which the other community was not subjected to. This was looked upon by the Soulbury Commission as an adequate safeguard for the minorities. History has shown us that it was not an adequate safeguard. But that safeguard remained under the Soulbury Constitution until the First Republican Constitution did away with the Soulbury Constitution. But that safeguard was not of much use to the minority people. Because despite that provision in the constitution, the government was able to enact the citizenship laws and the language law, even prior to the 1972 Republican Constitution. So although the Soulbury Commission recommended the safeguards that were incorporated in the constitution under which the country gained independence, the safeguards did not prove to be adequate and they were eventually done away with.

At the inception what were the main political objectives and policies of the Federal Party?

The main objectives and policies of the Federal Party were that in order to ensure equality and justice, and to ensure that the Tamil-speaking people, particularly in the Northern and the Eastern Provinces, also had a measure of political empowerment, the constitutional structure of the country had to be changed into a federal arrangement. The Federal Party wanted a federalist government where majoritarianism would not be the main factor in deciding on or implementing the policies of the state, where power would be shared between the centre and the regions so as to ensure that while the unity and territorial integrity of the country was preserved, political power was shared by different

people in different regions, and that consequently, the Tamil-speaking peoples in the Northern and Eastern Provinces were themselves able to have a measure of political power that would enable them to ensure that their future would be safe and largely in their hands, and that they would not be the victims of majoritarian policies of the government at the centre.

What were the reasons behind the Federal Party articulating the political aspirations of Tamil people in terms of nationalism?

Universal suffrage placed the Sinhalese in a particularly advantageous position. When universal suffrage was introduced, the Sinhalese virtually became the rulers and they could pass any legislation that they wanted to pass. The Sinhalese were always in a majority. That political empowerment of the Sinhalese people gave rise to Sinhala nationalism; because they began to feel that they were the ruling class. It also began to make the Tamil-speaking people, particularly the Tamil people, feel that in the new situation – after independence – that they were a powerless people. The Tamils at one time in history had their own independent kingdom and independent self-rule. In the country after independence, they had lost that position and they were a powerless people over whom the Sinhala majority people were able to enact any law and implement any law. That gave rise to Tamil nationalism. It was in a sense retaliatory to Sinhala nationalism, a reaction to Sinhala nationalism. So the aspiration of the Tamil people was that the linguistic and cultural identity of territories, which they have historically inhabited, must be preserved. This is not to say that the Sinhalese should not come and settle down or invest in those areas, but that the state should not use its power to implement policies that will result in changes to the cultural and linguistic identity of the areas which the Tamil-speaking people had historically inhabited. Aspirations in regard to their language, aspirations with regard to their safety and their security were important. The first racial riots took place in 1956 in Ampara, followed by racial riots in 1958. These racial pogroms against the Tamil people have been a continuous feature in this

country since 1958. All these factors contributed to the rise of Tamil nationalism.

What were the basic foundations of the claim that Tamils constituted a distinct nation? What is it about Tamils living in Sri Lanka that made them a nation? What are the historical and territorial bases for maintaining the claim of a distinctive nation?

The Tamil people are a distinct people with a distinct identity. They have their own customs, traditions, ceremonies, and civilisation. They have their own rich language; they have always lived together and historically inhabited a certain part of this country. The Tamil people by and large before independence, at the time of independence, and even thereafter, resided chiefly in the north and the east of the country. Some of them had come to other parts of the country in search of employment, but the fact of the matter is, they largely lived in the northern and eastern parts of this country. They had a will to live together; their economy was largely in the Northern and Eastern Provinces. They largely professed one religion, Hinduism. Some of them may have been Christians. So they had all the attributes of a nation, of a people. Now, even today, in the United Kingdom, the Scottish people consider themselves a nation, the Welsh people consider themselves a nation, and the English people consider themselves a nation. But all these nations live together in one single country, the United Kingdom as the British people. One must also remember the fact, and I have said this before, the Tamil people have had a history of a separate kingdom.

On the issue of the separate kingdom, some people would say that, yes, there was a Tamil kingdom, but it never exercised power continuously for a significant period of time and that it only existed when the Sinhala kingdoms became weak. So as soon as the Sinhala kingdoms became powerful again it was recaptured and reintegrated to the central kingdom of Sri Lanka.

The question of what territories these kingdoms controlled at different points of time may be a matter in regard to which questions can be raised. In fact, at some point of time, the Tamil kingdom went beyond purely the north, and even extended into other parts of the country. But the Tamil kingdom lost its sovereignty when foreigners conquered different parts of the country. The Tamil kingdom, the low-country Sinhalese kingdom and the Kandyan kingdom lost their sovereignty at different points of time: first the Tamil kingdom, then the low-country Sinhalese kingdom and then the Kandyan kingdom. So there is no question about whether there was in fact a Tamil kingdom. Kingdoms have been weak and strong depending on various factors at different points of time. At certain times in history, the Kotte kingdom or the Kandyan kingdom may have been stronger than the Tamil kingdom. In certain other points of history, the Tamil kingdom may have been quite strong compared to the Kotte kingdom for instance. But the fact of the matter is that the Tamil kingdom lost its sovereignty to foreign conquest and when they went under foreign rule, it was a separate kingdom. That factor also contributed to the identity of the Tamil people, as a distinct people. All these factors may not be relevant from the point of view of becoming one people within a united Sri Lanka. But these are historical factors that must be borne in mind when one is called upon to address questions as to why this happened.

The Federal Party's early rhetoric uses the term, 'Tamil speaking peoples.' What did the Federal Party mean by this?

When Mr Chelvanayakam, after he started the Federal Party, talked in terms of the rights of the people who spoke in Tamil, he referred primarily to the Tamil and Muslim people who spoke Tamil and who lived in the Northern and Eastern Provinces. He was also concerned about the Tamil people of recent Indian origin who lived in the plantation sector. But the expression 'Tamil speaking people' in regard to political rights referred primarily to the people who spoke Tamil – the Tamil people and the Muslim people – who lived in the Northern and Eastern Provinces. The fact of the matter is that during the earlier period of the Federal Party, several Muslim gentlemen contested on the Federal Party ticket and were returned to Parliament as Members of the Parliament of the Federal Party. There was Mr M.S. Kariapper who was returned from Kalmunai more than once. There was Mr Mustapha, a lawyer who was returned from Pottuvil and who was in fact a prominent member in the Federal Party. There was Mr Ahmad who was returned from Kalmunai. There was Mr Muhammad Ali who was returned from Muttur in Trincomalee. The Muslim people were also prepared to come into the Federal Party at a certain stage of the history of the Federal Party. If power-sharing had become a reality, more Muslim people would have come into the Federal Party, and the Federal Party would have been a party which represented not only the Tamil people but also the Muslim people. Mr M.H.M. Ashraff, who became the leader of the Sri Lanka Muslim Congress (SLMC), cut his teeth politically with the Federal Party. He was a great disciple of the late Mr S.J.V. Chelvanayakam. He spoke on Federal Party platforms. He came to understandings with the political leadership of the Federal Party in regard to future arrangements, particularly in the Eastern Province, as between the Tamil people and the Muslim people. So the term 'Tamil-speaking people' referred to this political reality that the Tamil and the Muslim people who lived in the Northern and Eastern Provinces had certain common concerns, certain common aspirations, certain rights that were common to each

other, and that in regard to these matters, there was a need for them to function together.

In the 1956 convention, the ITAK constitution was amended recognising the Muslim people as a distinct nation separate from the Sinhala and Tamil nations. Why then were the separate identities of the Tamils and the Muslims assimilated into a larger identity called the ‘Tamil-speaking people’?

The Federal Party has always clearly been of the view that just as much as the Tamil people had an identity to preserve and protect, the Muslim people also had an identity to preserve and protect. In fact, they have always been of the view, and this is their stated position, that the Muslim people should be in a position to exercise political power in an area in which they were a majority. The Bandaranaike-Chelvanayakam Pact contemplated one region for the Northern Province. It contemplated two or more regions in the Eastern Province. Two or more regions for the reason that, Trincomalee and Batticaloa, which were regarded as majority Tamil areas, would be one region. South of the Paddiruppu constituency, the area comprising of Kalmunai, Sammanthurai and Pottuvil, would be a majority Muslim region. And the area beyond that, further south, comprising of the Ampara electorate, largely created through Sinhala settlements under the Gal Oya scheme, could be a Sinhalese area which could be a region in the Eastern Province, or it could be annexed to the Uva Province. That is why when they talked about creating regions in the Eastern Province, the Bandaranaike-Chelvanayakam Pact contemplated two or more regions. The pact further contemplated that these regions could amalgamate beyond provincial boundaries in keeping with the wishes of the people. So you see, the Federal Party has all along proposed that the political arrangements that would come about under either a federal arrangement or an arrangement for political autonomy must be so drafted as to ensure that the Tamil-speaking Muslim people would also be able to enjoy a certain measure of political autonomy in areas in which they were a majority.

How did Tamil-speaking Muslims react to this? Did they generally accept that they were part of the Tamil nation? What kind of reassurances did the Federal Party offer the Muslims to feel secure within a broader category called Tamil-speaking peoples?

It all depends on one's thinking in regard to this question. The Muslim people would rather opt to come under the category of 'Tamil-speaking people' than be a part of the Tamil nation; because the Muslim people would not like to lose their distinct identity by becoming a part of the Tamil nation. And the Muslim people may take the view that they are a nation themselves. It might not be as strong a claim as the Tamil people whose history is different, but that is a matter for the Muslim people to decide. What the Federal Party was concerned about was that since the concerns of both the Tamil people and the Muslim people have been common concerns, and since political autonomy in our areas would have given us a measure of political power, we would have been able to ensure a better future for our people [the Tamil speaking-people of the northeast]. We were prepared to address the issue on that basis.

Can you elaborate on what you mean by 'common concerns'?

The questions and concerns in regard to our own security, our respective cultures, our respective religions, the language rights which are common, the land rights which are again common, the occupational concerns in regard to farming, fishing and so on and so forth, concerns pertaining to education. You see they are all educated in the Tamil language whether it is in Tamil schools or Muslim schools. There are socioeconomic concerns and also cultural concerns. After all, many facilities are common to both Tamil people and the Muslim people, be it in the field of health or in the field of education or in other fields. All these have been under attack as a result of majoritarian policies and these were the common concerns that we wanted to address.

Can you give a broad account of political developments in regard to relations between the Sinhalese and the Tamils between 1948 and 1970 from the perspective of the Federal Party?

When you talk of Sinhalese and Tamils, I think we should all endeavour to preserve unity amongst the different peoples who live in this country. Between the Sinhalese people and the Tamil people, the Tamil people and the Muslim people, the Muslim people and the Sinhala. But insofar as the actions of successive governments are concerned, between 1948 and 1970, there was a steady deterioration and the Tamil people had not looked upon successive governments with any favour. Since 1956, the Tamil people have consistently voted for changes in the structure of governance. They insisted upon an arrangement that was federal in character, which would give the Tamil people and the Muslim people – the Tamil speaking-people of the north and the east – a substantial measure of autonomy in regard to their governance and in regard to access to powers of governance. This has been the democratic wish of the Tamil people in particular, definitely from 1956 without any question. This was the verdict of the people in the 1956 general elections, the verdict of the people in March 1960, and the verdict of the people in July 1960, the verdict of the people in 1965, and was the verdict of the people in 1970. At all these general elections, five general elections, the Tamil people have overwhelmingly supported a change in the structure of governance. But that has not been respected. That democratic decision of the Tamil people has not been accommodated. So the people have been ruled without their consent; the people have been ruled against their will. The government – whichever government – by virtue of being able to obtain a majority in the whole country (particularly from other parts) imposed upon the Tamil people in the north and the east a structure of governance which they have not accepted democratically.

I told you that there was the question of citizenship. There was also the question of land settlement policies – colonisation – which led to changes in the demographic composition [of the Northern and Eastern Provinces] in a radical way. There were questions

with regard to language, questions in regard to education, questions in regard to employment, and questions in regard to economic development, which clearly indicated that there was a deterioration in this situation, certainly between the Sinhala-dominated *governments* and the Tamil people. The law and order enforcement machinery has not been effective when the Tamil people faced violence in 1956, in 1958, even thereafter in 1961, 1977, 1981 and 1983.

There was a massive *satyagraha* campaign in 1961 conducted by the Tamil people by which they paralysed the government administration. At all the Government Agents' offices (*kachcheries*) in the north and the east, the Government Agents and their staff were not able to enter their offices. This civil disobedience campaign was carried out by the Tamil people led by the Federal Party. It was against the rule by the majoritarian government in Colombo without the consent and against the will of the Tamil people as per their democratic verdicts. Tamil leaders were arrested and detained in Panagoda. As a young lawyer – I was just twenty-eight years of age – I was also arrested, and I was in Panagoda in the present army camp, which was then a new building that had just been completed. We were all kept there. There had been other campaigns at different points of time against the government. So the relationship between the governments of the day and the Tamil people between 1948 and 1970 saw a steady downward trend.

Certain people argue that the Tamil people misunderstood attempts made by the Sinhala people to assert the sovereignty they lost to the colonial rulers. A very strong argument is made that the Tamil people were favoured, particularly by the British, and that they enjoyed pride of place within the government structure, and that after independence, the change in the dynamics of the state structure allowed more and more Sinhala people to come in. This was misinterpreted by the Tamil people as discrimination, which led to the deterioration of the relations between the two

communities. What would your response be to that argument?

My response is that after the country attained independence, if the Sinhala people had not been treated equally during the British rule, that certainly had to be remedied. There was no question about it. Not because they were Sinhala people, but because all people have to receive just and equal treatment under a government which was their own government in an independent country. But that does not mean that because you received unfair treatment under the British you should practice unfair treatment on the Tamil people or the Muslim people after you have attained independence because you happen to be a majority. That is not acceptable. And that treatment has continued. Does it mean that merely because you are of the view that the Tamils received some favoured treatment during colonial rule that the Tamils have got to live in this country as second class citizens or inferior citizens forever? That is not acceptable.

How can you justify standardisation, where a Sinhala child can enter university with seventy marks and where at the same examination, a Tamil child will have to get eighty marks to enter university? How can you justify discrimination in state sector employment where the Tamil people have a proportion much lower than their ethnic proportion in the country? How can you justify settlement of Sinhala people on land in the north and the east, in the east in particular, in a way that is manifestly unjust? I will just give you a figure. Between 1947, when the country attained independence and 1981, which was the last available census for the entire country, the natural increase in the Sinhala population countrywide was two hundred and thirty-eight percent: approximately two-and-a-half times. In the same period, the Sinhala population in the Eastern Province increased by eight hundred and eighty-eight per cent: about nine times. This was as a result of state-sponsored settlement of Sinhala people from outside the Eastern Province in the Eastern Province in violation of the Bandaranaike-Chelvanayakam Pact, in violation of the Dudley Senanayake-Chelvanayakam Pact. Leaders of the stature of Mr S.W.R.D. Bandaranaike and Mr Dudley Senanayake, two of the tallest political leaders of this country, entered into agreements with the Tamil political leader Mr S.J.V.

Chelvanayakam to ensure that this practice would not continue. But it has been practiced and it has been continued. Is that fair?

If something wrong has happened, it must change. We are now sixty-five years after independence. Things have not changed and things continue in the same old way. How is that acceptable? The Sinhala language and Tamil language have parity of status in this country as of today, since 1987. Has this parity been observed? Has this parity been implemented? What is the percentage of Tamil-speaking employment in the public service today? The Tamil people, the Muslim people and the upcountry Tamil people put together do not have even five or six per cent. They are twenty five per cent of the country's population. Is that fair?

The Tamil people have been subjected to racial violence in 1956, in 1958, in 1961, in 1977, in 1983, continuously thereafter. Long before the birth of the LTTE, they were subjected to racial pogroms. They were killed, hurt; their properties and businesses were burnt. For reasons of their safety and security they had to seek refuge abroad. Over a million Tamil people have left this country and have lived abroad for reasons of safety and security, not only for economic reasons. A part of them may have gone for economic reasons. But even those who left for economic reasons also had questions of security and safety that would have concerned them. Is this fair? Are not Tamil people fleeing from the country even today? Is that fair? Why are the ordinary LTTE cadres, who were arrested or detained for petty matters still in custody? Vinayagamoorthy Muralitharan, an LTTE commander, is a minister of the government. Sivanesathurai Santhirakanthan, another LTTE high official, was a Chief Minister; today he is a member of the [Eastern] Provincial Council. Kumaran Pathmanathan, who was an arms procurer for the LTTE, has been given royal treatment and, according to newspapers, is going to be given a release. Some of the young persons are detained for many years. How many Tamil people have disappeared in recent times? How can you say that Tamils are not being treated badly? Are not Tamils fleeing the country even today? So we want all of this to change. The war was fought and we had a difficult period. That is all over, now we have to change. There has to be genuine reconciliation based upon genuine action on the part of the government if we are to live together.

During the same period (1948 to 1970), what were the political dynamics within Tamil politics? What alternatives other than the Federal Party's position were offered to the Tamil electorate?

There was the ACTC, which was generally with the government. They had no particular political philosophy which challenged the political philosophy of the Federal Party. Then of course, there were individuals who were supportive of the governments. The leftist parties did try to win the support of the Tamil people based upon socialism. There were persons of some stature from the left parties who did play a vital role in politics at certain stages. By and large the Tamil people were always stating through their democratic verdicts that they wanted a measure of political empowerment in the territories which they had inhabited.

By the late 1960s, after the failure of the Bandaranaike-Chelvanayakam and Dudley Senanayake-Chelvanayakam Pacts and the National Government (and even before), Tamil nationalists like C. Suntharalingam and V. Navaratnam were already calling for a separate state for the Tamils. What was the Federal Party's reaction to these calls?

The Federal Party at that point of time opposed the demand for a separate state. Mr C. Suntharalingam and Mr V. Navaratnam did demand a separate state. The Federal Party's election manifesto in 1970 specifically opposed a separate state and said that it was bad for the Tamil people, and it was bad for the country, and called upon the Tamil people not to support any candidate who sought their votes on a separatist platform. I will quote to you from the election manifesto of the Federal Party in 1970. Here is what was specifically stated in the manifesto of the Federal Party:

"It is our firm conviction that division of the country in any form would be beneficial neither to the country nor to the 'Tamil speaking people'. Hence we appeal, to the 'Tamil speaking people', not to lend

their support to any political movement that advocates the bifurcation of the country.”

What were the main policy platforms of the Federal Party in the general election campaign of 1970? To what extent were these influenced by the constitutional reform promises offered by the United Front (UF)?

In 1970 when the Federal Party contested elections, their policy platform was basically for a change in the constitutional arrangements so as to accommodate a structure of governance that was basically federal in character. They wanted political empowerment for the Tamil-speaking people. The United Front at that point of time was also seeking a mandate to revise the constitution and to bring a new constitution. Between 1965 and 1970, the Federal Party had been in the National Government with the UNP. Unfortunately, Mr Dudley Senanayake had not been able to implement his agreement with Mr Chelvanayakam, although they did bring about some changes with regard to language. So the Federal Party's policy platform basically continued to be that central governments were not able to cater to the aspirations to the Tamil-speaking people in the north and the east. The Tamil people through their democratic verdicts had clearly wanted structural changes with regard to governance, and the Federal Party wanted the verdict of the Tamil people to be respected.

During the 1970 election, what alternative options other than the Federal Party were available to the Tamil people who were voting in constituencies in the north and east?

There was the ACTC, which as I have said before, was merely critical of the Federal Party without having any clear-cut policy of its own, and there were some individuals who were supportive of the main political parties. But by and large, the Tamil people

continued to be supportive of the Federal Party and its political demand for power-sharing under a new structure of governance.

What was the Federal Party's response to the constitutional argument of the UF that a 'complete break with the past' was necessary?

The United Front sought a mandate to have a complete break with the past. They wanted to abolish the existing constitution and bring into being a new constitution. They wanted the country to become a republic. They did not want the country to be a dominion – having a Governor General representing the Queen as the head of government any longer. They wanted a President – he may have been a ceremonial president initially –for the republic.

The Federal Party did not have a problem with the approach of the government *per se* with regard to the abolition of the Soulbury Constitution. But the Federal Party had a problem with what happened in the process. The safeguards of the minorities under Section 29 of the Soulbury Constitution were completely done away with. The Soulbury Constitution did not define the state as being unitary in character. But the republican constitution framed in 1972 after the elections of 1970 defined the structure of the state as being unitary in character and entrenched that provision. Sinhala had been made the only official language in 1956 by ordinary legislation. Sinhala was entrenched as the only official language under the 1972 Constitution. The country was secular in character. Under the 1972 Constitution, Buddhism was given the foremost place. That was a violation of the secular character that the country claimed to maintain until then. The break with the past may have been achieved or there may be a claim that a break with the past was achieved. But there were also new features which were brought in that entrenched majoritarianism and which placed the minority peoples, the Tamil-speaking people, in a more inferior position than what prevailed earlier.

We proposed amendments to the Basic Resolutions in the proceedings of the Constituent Assembly at the time the

republican constitution was being framed. We proposed that the structure of the state should be federal in character. That was not accepted. Several Members of Parliament (who were also members of the Constituent Assembly) urged the reasons for the demand of a federal constitution, and clearly articulated the position that in a multi-ethnic, multicultural, multilingual society such as Sri Lanka, governance would be just and fair and reasonable only under a federal arrangement. The examples of Canada, India and Switzerland were pointed out. They are arrangements that were federal in character and had ensured that the different peoples who spoke different languages and who had different cultures were able to live in unity. But unfortunately those proposals made by the Federal Party were not accepted.

Since these proposed amendments were not accepted, the Federal Party did not continue to participate in the proceedings of the Constituent Assembly. Subsequently, Mr Chelvanayakam resigned his seat having made a statement in Parliament recounting all the injustices perpetrated on the Tamil people since the grant of independence to the country: the disenfranchisement of the Tamils of recent Indian origin and their consequent political disempowerment, the language policy pursued by the government, both in regard to general administration and in the courts. And of course the harm inflicted by the 1972 republican constitution by the provisions detailed above. Mr Chelvanayakam said that despite the Federal Party opposing that constitution, the government was claiming that the constitution had the backing of the Tamil people, and that he was therefore resigning his seat in order to give the government an opportunity to contest him under this issue at the by-election that would ensue, and that if he was able to retain his seat, the government should accept that the Tamil people have rejected the 1972 Constitution. Accordingly Mr Chelvanayakam resigned his seat, but the by-election was not held for almost three years. When the by-election was eventually held, Mr Chelvanayakam was overwhelmingly successful in demonstrating that the Tamil people rejected the 1972 Constitution.

Why was the by-election delayed for such a long time?

The government did not want to hold the by-election because they knew they would lose. They knew they would lose and they did not want an endorsement of Mr Chelvanayakam's position that the Tamil voters were opposed to the 1972 Constitution.

Once the UF had won the election and set up the Constituent Assembly, what was the Federal Party's strategy with regard to constitutional reform?

They had discussions with the leadership of the government and other political parties. I think the government was bent on pursuing its agenda. It was unfortunate that the person who pursued the agenda vigorously on behalf of the government was Dr Colvin R. De Silva, who was the Minister of Constitutional Affairs. It was Dr Colvin R. De Silva who said during the language debate in 1956: 'two languages, one nation; one language, two nations.'⁴ But he became the proponent of the 1972 Constitution, which did not only make Sinhala the only official language, but also entrenched that provision. So the Federal Party did make every effort to ensure that the 1972 Constitution was framed in such a way that it would accommodate Tamil aspirations and find a solution to Tamil aspirations. Although the formal amendment moved by the Federal Party proposed a structure of government based on a federal arrangement, the speeches [of Federal Party members in the Constituent Assembly] were clearly indicative of the fact that they were prepared to accept some form of regional autonomy which would give to the Tamil people some opportunity of power-sharing in the areas in which they were a majority. But unfortunately, there was no accommodation from the government and the constitution went through in the way it wanted.

⁴ **Editor's Note:** The reference is to the parliamentary debate in June 1956 on the Bill that eventually became the Official Language Act, No.33 of 1956, popularly known as the 'Sinhala Only Act.'

You outlined the proposals made by the Federal Party to the Constituent Assembly in 1970-72, and you described how these proposals were rejected. What were the reasons given for the rejection of these proposals?

By and large the government's position was that they were opposed to federalism or to any form of power-sharing. They seemed to think that there was a tension between realising socialism and achieving unity amongst all the peoples, and that while the Federal Party contended that unity would be achieved only by restructuring governance, government spokesman seemed to take the view that socialism had to be first achieved and implemented, and only thereafter could unity be achieved on the basis of restructuring governance. There were arguments of this nature; rather than face the reality that this country was essentially a multi-ethnic, multilingual, multicultural and pluralistic society with a certain history, and that in this situation there had to be sharing of political power and political empowerment of different regions or provinces to achieve unity amongst its peoples. Take the Scottish people in the UK – they have their own Parliament and they have their own measure of political power. They have been with the British state for more than three hundred years. We have been with the Sri Lankan state for a much lesser period. We have been one only since 1833, which is less than two hundred years.

So you see, there was no will on the part of the people in authority. If they were thinking in terms of a new constitution, the Constituent Assembly should have been structured in such a way that it would not have once again been an imposition of a majoritarian view, but rather comprise of different leaders from different sections of Sri Lankan society, to ensure that they were able to come up with a formula which was a compromise between the different demands of the different peoples in such a way that it would be acceptable to all. Both the 1972 Constitution and the 1978 Constitution have been rejected by the Tamil people. They were not parties to the making of the constitution either in 1972 or in 1978. As a result, the Tamil people today are being ruled under a constitution which they have not accepted or subscribed

to. This is unfortunate, and that is why governments up to now continue to disrespect the democratic verdicts of the Tamil people for political empowerment or power-sharing. Effective power-sharing has not been respected by successive governments, and today, the Tamil people are being ruled against their will and without their consent by majoritarian governments in Colombo.

What political consequences ensued from the Constituent Assembly process and the 1972 Constitution as far as the Tamils were concerned? What long-term effects did this have on Tamil nationalism?

It was after the passing of the 1972 Constitution that the Vaddukoddai Resolution was adopted when there was a demand for the restoration of sovereignty and the creation of a separate state. If the 1972 Constitution had not been enacted, it is my view that the Vaddukoddai Resolution would not have been passed. The 1972 Constitution was an unequivocal rejection of the political demands and aspirations of the Tamil people as demonstrated through their democratic verdicts. But even after the Vaddukoddai Resolution was passed in 1976 – and on that mandate the TULF was returned to Parliament in 1977 winning all but one predominantly Tamil seat in the north and east – the TULF was prepared to compromise, largely on the basis of advice given to the TULF leadership by leaders of neighbouring countries, particularly Shrimathi Indira Gandhi, the Prime Minister of India, that we should be prepared to compromise for a solution that would enable political power-sharing and political empowerment. Mr Amirthalingam, the leader of the TULF, both in Parliament and outside it, proclaimed publicly that the Tamils would be prepared to compromise, and if there was a solution which could be worked out, that we would take it to the Tamil people and seek their mandate to work that solution. But unfortunately that never came about.

Then there was the 1983 genocidal pogrom against the Tamil people. Thereafter the acceptance of India's good offices, and the Indo-Sri Lanka Agreement followed. The Thirteenth

Amendment to the Constitution was enacted. This was not Indian inspired, but was as per the discussions that took place between the government and the TULF in 1986. These were discussions that took place prior to the signing of the Indo-Sri Lankan Agreement. The Thirteenth Amendment to the Constitution has not yet been fully implemented. And there are presently demands for the annulment of the Thirteenth Amendment to the Constitution. The merger of the Northern and Eastern Provinces on the basis that they were areas of historical habitation of the Tamil-speaking people has been set aside by a judgment of the Supreme Court, which we do not accept. The judgment merely states that there was a procedural flaw in regard to the manner in which the merger was effected. It does not say that the merger was wrong, or that it could not have been done. The merger had been accepted for eighteen years by successive Presidents. It has been accepted by President J.R. Jayewardene, it had been accepted by President R. Premadasa, and President Chandrika Kumaratunga. Money had been voted for a merged North-Eastern Province under the budget for eighteen successive years. At present, the President has committed the government to the full implementation of the Thirteenth Amendment and to build upon the Thirteenth Amendment so as to achieve meaningful devolution. But nothing has happened as yet.

Reflecting on Tamil nationalism in the present, after the conclusion of a long armed conflict, what lessons can be learnt from the way in which Sri Lanka became a republic?

The somewhat long armed conflict was not the commencement of the ethnic conflict. The ethnic conflict commenced way back in the late 1940s and the early 1950s. The armed conflict assumed an important role only after the genocidal pogrom against the Tamils in 1983. The armed conflict came to an end in 2009 but that does not mean that the root causes of the national conflict have been resolved or have been addressed.

After the enactment of the Thirteenth Amendment to the Constitution, different governments under the different Presidents

have taken action to improve upon the Thirteenth Amendment and to make devolution more meaningful and thereby bring about an acceptable political solution. During President Premadasa's time, there was the Mangala Moonesinghe Select Committee that deliberated and came up with proposals. During President Chandrika Kumaratunga's time, there were the 1995 and 1997 proposals, there was the 2000 proposal, and the 2000 proposal was brought to Parliament in the form of a Bill.

During President Mahinda Rajapaksa's time, he appointed the All Party Representative Committee (APRC) and he appointed a multi-ethnic committee of experts to assist the APRC. In his address at the inaugural meeting, he wanted the APRC and the Experts Committee to study all proposals from the time of the Bandaranaike-Chelvanayakam Pact, study the models of other constitutions including of our neighbour India, and to come up with a proposal that suited Sri Lanka. He wanted people living in different territories to be enabled to determine their destiny. He wanted the maximum possible devolution and socioeconomic empowerment. He wanted people to be able to preserve their identity. These were his own words when he addressed the inaugural meeting of the APRC and the multi-ethnic Experts Committee. The multi-ethnic Experts Committee appointed by him has come up with a Majority Report where they have recommended certain proposals. President Rajapaksa had been a party to all the proposals that came up during President Chandrika Kumaratunga's time as he was a member of the Cabinet which approved those proposals.

So when one looks at the immediate past history from the time that the country became a republic in 1972 – we have constitutions which state that we are a republic, and we may feel proud or important simply because we are a republic. But I do not think the constitutions have done the country any good.

I do not think the executive presidency has done the country any good. I think the executive presidency is a downright disaster from the point of view of the country. All Presidents have campaigned on the basis that they will abolish the executive presidency. Chandrika Bandaranaike Kumaratunga campaigned on that basis, Mahinda Rajapaksa campaigned on that basis, but

none of them have abolished it. Independent institutions have been done away with by the annulment of the Seventeenth Amendment and the enactment of the Eighteenth Amendment. Leave aside the Tamil question. We have no independent Elections Commission, so how can elections be free and fair? The Eastern Provincial Council election [held on 8th September 2012] was neither free nor fair.

The democratic rights of the people of the Northern Province have not been restored. They do not want to have elections in the Northern Province. Steps are being taken to bring about some changes in the Northern Province before elections are held. There is no independent Public Service Commission, there is no independent Police Commission, and there is no independent Human Rights Commission. How can there be democracy in this situation? Provisions of the constitution have been amended to enable the President to seek office even beyond two terms. Why has all this been done?

This is a matter that should concern all the people in this country: the way in which we are moving under these so-called republican constitutions, which give us a false sense of pride. I think it is time for us to put these constitutions behind us and frame a new constitution if this country is to survive and prosper. A new constitution based on new values, based on new principles, based upon new policies, which can bring all the people together – which while enabling the people to preserve their identity, would also enable the people to come together as one Sri Lankan nation in a united, undivided Sri Lanka. If there is justice and equality, and if there is a sense of belonging, if people are able to live in dignity and self-respect, we would all be looking towards a Sri Lankan nationalism and a Sri Lankan nation, where you can be a Tamil but nevertheless a true, proud Sri Lankan. In India, everybody is first an Indian and only thereafter a Punjabi, a Bengali or a Gujarati. We need to bring that about in this country too, where every citizen in this country is first a Sri Lankan whilst he is also able to preserve his own identity. We do not say that Sinhalese should become Tamils or Tamils should become Sinhalese. But they must all be proud, equal Sri Lankans. That is the first thing we have to do to be able to overcome all these competing nationalisms. They will recede into the background if

we are able to build the concept of a true Sri Lankan nation.
Therein lies our only hope.

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Interview

From Federalism to Separatism: The Impact of the 1970-72 Constitution- Making Process on Tamil Nationalism's Ideological Transformation



*D. Sithadthan*¹

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From a Tamil perspective, what were the broad political issues of the post-independence period and what were the main political and constitutional challenges that the Tamil people faced?

Opinion was divided at that time among the Tamils. Some sections were advocating for a federal state but people like Mr G.G. Ponnambalam were for a unitary state. I think he believed that, at that time since the Tamils were in an advantageous position, that within a unitary state, Tamils could have a major portion of the cake. There was a belief that if the Tamils ask for a federal state they will be confined to the north and east only and will have no share of the power in the central government. The Tamil people's opposition was on an issue-by-issue basis. For example, there was opposition to the design of the national flag because the Tamil people felt it is a symbol of the Sinhala people only. Later the green and orange stripes were added to signify the Muslim and Tamil people, but to this day the Tamil people are not willing to accept the national flag as ours.

Furthermore, in spite of Section 29 of the Soulbury Constitution and the famous *Kodeeswaran Case*, the Sinhala Only Act was passed. In Sri Lankan history, all three constitutions never considered the Tamils' aspirations or Tamil demands, or to put it directly, all the constitutions were detrimental to the aspirations of the Tamil people.

What were the aspirations of the Tamil people immediately after independence?

At that point of time, I do not think that Tamil nationalism was in the forefront. The main concern was the protection of the Tamils. In 1948, the Citizenship Act was passed and it deprived about one million people of their voting rights. This was a major catalyst in the creation of the Federal Party. Thereafter the demand for federalism started and it went to the grassroots of the Tamil community. Yes, there was a demand for federalism earlier, but after the Citizenship Act, it strengthened and gained credence. The people started talking about federalism and the Federal Party managed to get into the grassroots level and create a political

awareness among the Tamils at the grassroots level. Before that, politics was mainly confined to the upper class. In Jaffna, people from Colombo would come and contest the election and go back to Colombo. They would have some agents for the people to stay in touch with the M.P. But the Federal Party created a culture of leaders from among the people of the area. These people were also educated and from the high community, but still they were not based in Colombo. This is exactly like what happened with the SLFP [Sri Lanka Freedom Party], which also had a strong base at the grassroots level. The emergence of the Federal Party started creating a political awareness among the community, which gradually gave rise to Tamil nationalism. Even though it was not a demand for a separate state at first, Tamil nationalism was coming up.

Why did some members of the All Ceylon Tamil Congress (ACTC) breakaway to form the Federal Party (FP)?

The Citizenship Act was the main reason; this is where it started. There is an argument that the Citizenship Act was not against the Tamils as such, but that it was against the working class. This is because leftist political parties such as the Lanka Samasamaja Party (LSSP) were the main political parties supported by the upcountry Tamils. So some upper class politicians, both Sinhala and Tamil, wanted to neutralise this support. This is the argument now being put forward, but considering the Tamil and Sinhala leaders at the time, I think it is a plausible and reasonable explanation. But that was the start of the Federal Party. I believe the Federal Party's emergence created a Tamil feeling, not only among the northeast Tamils, but also in the upcountry Tamils. In upcountry Tamils of course the Citizenship Act also played a big role, as they felt that they are being deprived of their citizenship. But the Federal Party was still not able to connect with the upcountry Tamils and they became mainly a dominant force in the northeast only.

What were the reasons behind the FP's articulation of the political aspirations of Tamils in terms of 'nationalism'?

I believe that after the Citizenship Act, Mr Chelvanayakam genuinely felt a threat to the future of the Tamil community. Even in Parliament when he spoke about the Citizenship Act, he has said very clearly: today it is for the upcountry Tamils, tomorrow will be for us (the northeast Tamils). I think he foresaw that this discrimination would be against the northeast Tamils as well, and as he anticipated, the Sinhala Only Act was passed in 1956. I think it is this foresight of Mr Chelvanayakam which led to the creation of the Federal Party and influenced its nationalist thinking.

There is a suggestion that the 1956 Sinhala Only Act was a result of the emergence of Sinhala nationalism. Are you suggesting that Tamil nationalism was a reaction to Sinhala nationalism?

I think it is mutual. It is mutual in the sense that Sinhala nationalism feeds the growth of Tamil nationalism and Tamil nationalism feeds the growth of Sinhala nationalism. The same situation exists today between the TNA [Tamil National Alliance] and President Mahinda Rajapaksa. They are what we would call *anukulasatru* in Sanskrit, which means 'favourable enemies'. Both of them are favourable to each other and one form of nationalism pushes the other. Under British rule, especially in the upper class of society there was cordiality between the Tamils and the Sinhalese. Even now if you talk to elderly people, they talk about the cordiality between Sinhala and Tamil friends and how they behaved in their schools, and how they studied together. There was no strong anti-Sinhala or anti-Tamil sentiment. These sentiments started only with the Sinhala Only Act.

Prime Minister S.W.R.D Bandaranaike tapped into Sinhala nationalism with the aim of coming into power. I do not seriously believe that he believed in it [Sinhala nationalism] because he was Oxford educated and they say he used to think in English and talk in Sinhala. The same was true of a lot of our leaders like Mr G.G.

Ponnambalam or even Mr Chelvanayakam or Dr Naganathan, all of them used to think in English and talk in Tamil. I think especially when the Sinhala Only Act was brought in, or during his election campaign, when he [Bandaranaike] took up the position of 'Sinhala Only' it was purely for political expediency. But there is a feeling among the Sinhala people, which I must accept, that under British rule the Tamils were favoured. The Tamils were favoured and in prominent government positions, and even lower ranking government positions, there were a large number of Tamils occupying these positions. This was not just because they knew the English language, but it was also a result of the divide and rule policy of the British. Earlier, even in Batticaloa, there was an anti-Jaffna Tamil feeling. This was because a lot of government positions, even the minor grades, were occupied by Jaffna Tamils. So the ordinary Batticaloa man sees him [the Jaffna Tamil] as a threat to his advancement. Today, the Batticaloa man is happy because a large number of people from Batticaloa are also in positions in teaching and education, government services, etc. So, rather than any sort of racial hatred, it was a situation where everybody was looking for their individual advancement. This has collectively become a racial issue. This is how I see it today. However, I do not think this justifies, the approach of successive governments to do away with this perceived imbalance. This is because these actions led to a fear among the Tamil people that their basic rights are being taken away.

What were the basic foundations of the claim that the Tamils constituted a distinct nation? What is it about the Tamils living in Sri Lanka that made them a nation? What are the historical and territorial bases for maintaining the claim of distinctive nationhood?

Historically, the north and the east, especially the north, was ruled by the Tamil kings until the foreign invasions and there was a separate Jaffna kingdom as well. So we feel that we are a separate people, a nation of people.

But I do not believe that because we once ruled the Jaffna kingdom we must rule it again. The fact today is that we are predominant in the northeast, I am not asking for a separate state today, but we must have a reasonable [degree of] devolution, which will allow us to look after our own affairs in our part of the country within a united Sri Lanka. We have to study our history and learn about it, but we cannot just cling onto that forever. We can talk about our history and the Sinhala people can talk about their history and we can go on for another fifty/sixty years and destroy the country as a whole, but we cannot achieve by clinging onto history.

So is Tamil nationalism a reaction to Sinhala nationalism or is it based on the historic understanding that Tamils constitute a separate nation?

Firstly, I believe it [Tamil nationalism] is a reaction to Sinhala nationalism, and certain historical facts are used to justify it. Secondly, factually even though Tamils were a separate entity and we have a separate culture, or separate nation, had the Sinhala Only policy not materialised, or if both Sinhala and Tamil were the national languages or the official languages, I think the problem would have been solved at that time. I genuinely believe this because in my school there was a *bikkhu* who was teaching Sinhala. A large number of schools in the north were teaching Sinhala. But when Sinhala was forced on us, only then did the people refuse to study Sinhala. Otherwise they would have studied Sinhala, they would have worked in Sinhala, and they would have done everything in Sinhala. There are about 1.5 million Tamils in other countries and they work in those languages be it French, English, Dutch, etc. So then you may ask, in your country why didn't you study Sinhala? But the problem is this is our country and nobody should be able to force anything on us. Therefore if the Sinhala Only policy was not there I don't think there would have been so much trouble – because, as I told you, when the first constitution was made, the demand for federalism was not there in a big way. It was actually Mr Bandaranaike who first articulated the demand for federalism in the early 1920s.

Tamil nationalism's early rhetoric used the term 'Tamil-speaking peoples.' What was meant by this?

That was to bring in the Muslim community, because at that time there was no concept of Muslim nationalism. The Muslims had a separate identity but still they associated very closely with the Tamils, and there were no serious differences in the north where a large number of Muslims voted for either the Federal Party or the ACTC. But in the east, there were occasional differences because of economic reasons, because in the east, Tamils depended on Muslim lands and the Muslims depended on the Tamil lands. However in the north and east, several Muslims were elected on the Federal Party ticket. There was a good relationship between the two communities so the Muslims never felt they were separate from the Tamils.

How did Tamil-speaking Muslims and Indian Tamils react to this? Did they generally accept that they were part of the Tamil nation?

Now they will never accept it, but during the 1980s, a large number of Muslim youth willingly joined Tamil militant organisations. Muslim leaders like Mr M.H.M Ashraff were part of the TULF [Tamil United Liberation Front]. Mr Ashraff once told me that during the 1977 elections he openly said that if Mr Amirthalingam failed to liberate Eelam, 'I, Ashraff, will do it'. So even in the 1970s there was a very a good relationship between the Muslims and the Tamils. Although there were minor frictions because of economic reasons, politically there was a good understanding between the Tamils and the Muslims. Even though outside the north and the east Muslims would support the UNP [United National Party] or SLFP, in the north and the east a large number of them supported the Federal Party and its ideology. In 1985 just before the Thimpu talks there was a Muslim delegation from Sri Lanka which was supportive of our cause even though they said they could not openly support us. But Tamil militant movements, particularly the LTTE, made mistakes which alienated the Muslims. Also under Minister Lalith

Athulathmudali the Special Task Force (STF) used the Muslims effectively against the Tamils. Thereafter certain riots took place and a large number of Muslims were killed and in retaliation some *kovils* were burnt and Tamils were killed. This led to a divide and thereafter to a very strong feeling on the part of the Muslims that they were a separate people.

In the 1956 convention the ITAK constitution was amended recognising the Muslim people as a distinct nation separate from the Sinhala and Tamil nations. Why then were the separate identities of the Tamils and the Muslims assimilated into a larger identity called the ‘Tamil-speaking peoples’?

Because of the very harsh stand taken by the Sinhala governments in all aspects. Whether they liked it or not, the Muslims especially in the north and east had to face all the difficulties which the Tamils faced. For example, the policy of standardisation [for university entrance] was a problem for both the Tamils and Muslims studying in Tamil medium schools. During the colonisation carried out from 1948 onwards through the Gal Oya scheme, a lot of Muslim lands were grabbed; in fact the Muslims lost more lands than the Tamils. Because of that I think they felt they had to stand together in order to win some of their own demands. Even today there is a feeling that if Muslims and Tamils are divided there is no way we can solve the northeast problem.

But unfortunately now they support any government that comes into power. This is because they feel even though they cannot win their rights directly, at least they can work for the betterment of their lives. In fact it has had positive benefits for the Muslim community. If you see, most government offices have a large number of Muslims occupying Tamil-speaking positions.

During the post-independence period, what were the political dynamics within Tamil politics? What alternatives other than the FP’s position were offered to the Tamil electorate?

If you consider the 1970 elections, even though the Federal Party was a predominant force, every electorate was won by a slim margin. My father [V. Dharmalingam, MP for Uduvil] won by two thousand four hundred votes. Mr Thurairatnam won by six hundred votes; the Jaffna electorate was won by fifty-six votes. So you cannot just say that the ACTC was completely wiped out, it was fifty-fifty! If the elections were held under the present [proportional representation] system, the ACTC would have got almost an equal number of seats. So the ACTC was also a political force. But because of the Federal Party's non-violent movement – *sathyagraha* and other demonstrations – because they were seen as championing the Tamil cause, they were considered as the force to reckon with. But as the 1970 election results prove, the Federal Party was not the only force in the northeast.

Furthermore, even before the emergence of the TULF, individuals like Mr V. Navaratnam contested the [1970] election on the platform of a separate state but he lost the election and even lost his deposit. Mr C. Suntharalingam contested on the same platform long before that and he too lost. So the Tamil people never supported the cause of a separate state before the emergence of the TULF. Even after the emergence of the TULF, in 1981, the Tamil people voted in the District Development Councils elections. That shows that the Tamils, even though they had given a mandate for a separate state [in the 1977 election], they were ready to go for a settlement far less than the demand for a separate state.

If one were to consider the rhetoric at that time – even in the Federal Party – the rhetoric was maximalist. However as you said, the Tamil leadership in negotiations were willing to settle for far less. Do you think this gap between the rhetoric and reality led to disenchantment amongst the Tamil youth?

That is right. That is what happened. Before 1983, the few TULF leaders, who knew the militants directly and who were dealing with them, always believed that this militancy would serve only a limited purpose. They never even dreamt that it would escalate to

the extent it did. Even people like us who were in militant groups thought that militancy only served a limited purpose and that it cannot go beyond that. Knowing the mentality of the Tamil people, who are not fighters but people who are generally willing to compromise, I never dreamt that any Tamil militant group could go to the extent the LTTE did.

I still, even today, am unable to understand, how a Tamil boy or girl can become part of a militant movement. When I was a youth in the 1970s, my parents would not allow my sister to be at home alone. If she wanted to go to the temple just about two hundred yards away, she was not allowed to go alone; either I or someone else had to escort her. This was the normal Tamil mentality at that time. See what happened thereafter to people like Thamilini? And how they were involved in the militancy? I do not understand how this – this change – occurred in such a small period of time.

But the circumstances were such that it did. I always believed that violence on the part of Tamils was a reaction to the violence of the government, because even the non-violent means of protest like demonstrations and *satyagraha* were oppressed by brutal force. This was a gradual process which led to the youth believing that we cannot be successful unless through a militant struggle. They believed that only then would the Sinhala governments recognise the rights of the Tamil people. As member of PLOTE, I would say ‘Sinhala government’ but would never say ‘Sinhala people’, because as Marxists we oppose governments, we are not against the Sinhala people. In fact, about six hundred Sinhala youth were in our organisation. We never did anything which harmed the ordinary Sinhala civilian. We will never do that.

You explained the evolution of Tamil nationalism from a desire to share power in a unitary state to a claim of a separate state through even the use of military force. But even by the late 1960s, after the failure of the B-C and D-C Pacts and the National Government, and even before, Tamil nationalists like C. Suntharalingam and V. Navaratnam were

**already calling for a separate state for the Tamils.
What was the basis for these calls?**

It may be that a few individuals believed that whatever we do, there cannot be a settlement, or that we cannot expect successive government to come up with a reasonable solution. At that time the 'reasonable solution' was something different to what it is today. If you consider the 'Six Point Plan' put forward by the Tamil United Front (TUF) in 1972 [a constitutionally defined place for the Tamil language; Sri Lanka to be a secular state; decentralisation of administration; fundamental rights of the minorities to be enshrined in the constitution; abolition of the caste system; and citizenship for all upcountry Tamils who seek it] it never advocated for a separate state. It was only after 1976 that there was a demand for a separate state. Before that everything points towards the settlement within the unitary/united Sri Lanka. Even the merger of the north and east became part of the discourse just prior to the Indo-Lanka Accord. Even though we were talking about Eelam as the north and east, the merger of the north and east was seriously discussed only during the Indo-Lanka Accord or a few years before the Indo-Lanka Accord.

What is your assessment of the minority protection safeguards of the Soulbury Constitution?

Even though Section 29 (2) was there, it never protected us. The Sinhala Only Act, the Citizenship Act, were passed by Parliament in spite of Section 29(2). I really do not understand why we talk about Section 29 (2) as a protective measure for the Tamil people. I do not think it was effective at all.

What was the FP's response to the constitutional argument of the UF that a 'complete break with the past' was necessary in order to establish a republic? Was the FP in agreement with the argument that the Soulbury constitution was 'unamendable' in whole, and therefore an extra-constitutional method was needed in order to establish a sovereign republic?

They agreed with that argument, but they were expecting something else from the constitution-making process. A complete break with the colonial past, and a new constitution to include all the communities. That is why they participated and proposed amendments in the Constituent Assembly.

As you know my father [V. Dharmalingam, MP for Uduvil] was one of the speakers for the FP in the Constituent Assembly proceedings. He told me that the FP had some faith in people like Colvin R. de Silva because the LSSP had opposed the Sinhala Only Act. Colvin famously said that if you have two languages, you will have one country, but if you have one language, you will end up with two countries. This faith turned out to be misplaced. They were in fact really shocked and surprised at how the leftists treated the Tamil demands in the making of the 1972 Constitution. This was the starting point of Tamil militancy.

In the Constituent Assembly the Federal Party makes the argument for a federal Sri Lanka. What were the principal arguments against federalism during that time?

Generally I think the Sinhala people felt that this was the first step towards a separate state. I think that is the only argument they have. That is the underlying fear in all the arguments they make. Even when you talk to members of the Jathika Hela Urumaya (JHU), they genuinely feel that it is the first step to a separate state. But there are also those who use it as an excuse. If you look at what happened during the Bandaranaike-Chelvanayakam Pact, even Mr Chelvanayakam when he was explaining the Pact in Jaffna said that it is the first step. So the opposition UNP also used this to say that the Pact was only a first step to achieve a larger goal. Even when we talk about a solution now, we made a mistake in saying this is a first step. Even during the Indo-Lanka Accord, we said it was a starting point. Then the Sinhala people ask themselves: a beginning for what? And they interpret it as a beginning to a separate state. I used to think that this idea amongst the Sinhala people was just an excuse, but after entering Parliament I had the opportunity to meet a large cross-section of the Sinhala politicians. Even well-educated, genuine people who

just want to see this problem settled, have that fear. As I said, this fear is the underlying factor in all the arguments made against federalism.

Why did Mr Chelvanayakam resign his parliamentary seat in 1972? What was he trying to demonstrate?

The reason was simple. At that time they first thought all of them should resign and contest to prove to the world and to the country that Tamils are opposed to the new constitution and the constitutional process. Then they decided that, as a token, Mr Chelvanayakam would resign, and thereafter the rest would all resign one by one. That was the decision. When Mr Chelvanayakam resigned, they expected the by-election would be delayed but they never expected for it to be delayed for three years. Because of this delay until 1975, the others didn't want to resign.

What was the reason for this delay of 3 years?

I think the government felt that they would lose very badly. I think even their candidate Mr V. Ponnambalam was not sure, so I think he must have told them to delay it. Even if he didn't ask them to delay it, but only said that it is not possible to win, then they would have delayed it.

You earlier said that 1972 was 'the start of Tamil militancy.' Could elaborate on that?

After the 1972 Constitution was passed, there were demonstrations and other activities against the constitution. Tamil militancy started generally in the 1970s, because in 1971 the government introduced standardisation in education. Because of this standardisation, a lot of Tamil students felt they were deprived of higher education. So they joined the militant organisations but of course up until 1983, even the main militant organisations only had a maximum of twenty or thirty cadres. It is only after 1983 that the numbers increased. I wouldn't say that with standardisation all the students dropped out and joined the

militant organisations. No, that is not true. Only a few joined. But still, it gave rise to militancy. First you had groups like the *Manavar Peravai* [Tamil Students League] who engaged in protest marches and anti-government activities. This was not really a militant movement but it was a sort of militancy. Then you had the militant groups.

At the inception, these militant groups thought they were independent of the TULF/FP. But still, even the people involved in militant groups were involved in the TULF or the Federal Party, therefore personal contacts were there – even Uma Maheswaran and Prabhakaran had links to political leaders. Thereafter the military oppression intensified. Some boys were killed and put under culverts, a large number of them were arrested; people like Kasi Anandan and Mavai Senathirajah and forty-two others were arrested. All these incidents triggered the emotions of the people. During that time, Uma Maheswaran was a surveyor, but he was dragged into the militancy because of these emotions.

Did the Federal Party lose their political credibility with the masses after the 1972 Constitution?

No, after the 1972 Constitution was passed the Federal Party joined with the ACTC to form the TUF [Tamil United Front, which became the Tamil United Liberation Front (TULF) in 1976]. The TULF won the election in 1977 with a large majority. This is because they were able to convey to the Tamil people that they [the TULF] could not do anything about the passing of the constitution, as they did not have power in the Parliament. Also added to this, the arrests and the harassment by the police of especially the young boys gave emotional support to the TULF in a big way. Because of this the TULF contested the 1977 general elections asking for a mandate to establish a separate state. But the TULF started losing their credibility, I would say, after 1977.

After 1977 Mr Amirthalingam became the Leader of the Opposition, people started to feel that they are doing nothing and were just enjoying the perks of parliamentary office. That is a natural feeling among people. Even now people say similar things about the TNA. The other factor in the decline of the Tamil

political leadership was the rise of the militancy; the militant groups tried to discredit the TULF covertly and openly in a big way. But still they were able to survive, and still Mr Amirthalingam was respected by Indira Gandhi and India as the leader of the Tamils.

What political consequences ensued from the Constituent Assembly process and the 1972 Constitution as far as the Tamils were concerned? What long-term effects did this have on Tamil nationalism?

Politically it created an anti-government feeling amongst Tamil people, because the people felt that nothing can be done, and that these Sinhala governments would do nothing for the Tamil people. The 1972 Constitution was an outright rejection of the Tamil demands; the government didn't even accommodate them. The 1972 Constitution was the first to include the unitary word in the constitution, it gave the foremost place to Buddhism, and the Sinhala Only policy was incorporated into the constitution. All these things made the Tamils take a hard line stance. They started to feel that nothing can be done within the existing set up and this gave rise to the demand for a separate state among the masses. Before that the demand for a separate state was not part of the popular discourse. The Federal Party's proposals to the Constituent Assembly didn't call for a separate state, and neither did the Six Point demands put forward by the TUF. I really do not know whether everybody in the Federal Party or the TULF believed in the idea of a separate state for the Tamil people. It may have been a crude strategy – if you aim for the moon you might be able to hit the roof! But some of them, especially the youngsters, believed it could be achieved. So I think because of the 1972 Constitution specifically and because of the way the UF government acted in general, the people felt nothing could be done within a united Sri Lanka.

You talked about the fear of the Sinhalese community that federalism is a stepping-stone to a separate state. And many Tamil leaders have stated that separation should be the ultimate goal.

So how do you think Tamil nationalism should respond to this challenge of articulating the aspirations of the Tamil people whilst also addressing the fears of the Sinhala community?

Personally, I feel the terminology does not matter – I do not expect the constitution to say it is a ‘federal’ constitution. But the Tamil people must be able to look after our own affairs in our part of the country; there must be devolution of power. There is no need to use the word federalism because there is no point in creating a suspicion among the Sinhala people, and achieving nothing as a result. Whether we like it or not, the problem of the Tamil people has to be settled within a united Sri Lanka. Whether we like it or not, we have to speak to President Mahinda Rajapaksa and settle it, there is no other way today. But by this I do not mean that whatever the Sinhala people say is correct and we have to just abide by that. No, that cannot be done. But there must be a compromise between both extreme positions. So I feel the constitution must be amended to ensure reasonable devolution to the peripheries with the features of federalism.

Many Tamil politicians talk about ‘reasonable devolution.’ Can you explain what this means? What are the specific issues that need to be resolved for any sort of devolution to be recognised as reasonable devolution?

Land power is one. Secondly police powers, to a certain extent. I am not talking about Tamil Nadu level, but at least to a certain extent because there is a fear among the Sinhala people that if you have a Tamil force they themselves will start a Tamil struggle. That I understand. For the time being at least, a mechanism must be worked out, because in the past the reason we asked for police powers is to ensure the atrocities committed by the police during the 1960s, 70s and 80s won’t be repeated. So there must be a mechanism by which the authorities in the Provincial Councils can have a say in the police affairs in those areas. But land power is a must. Thirdly there must be a mechanism to prevent the central government from poking their fingers in relation to the powers which have been devolved. Under the Thirteenth

Amendment, as Pillaiyan [Sivanesathurai Santhirakanthan, former Chief Minister of the Eastern Province] complains, the Governor rules the Eastern Province, not the Chief Minister. That too cannot be accepted. The Thirteenth Amendment, as it is, is only a white elephant. Therefore the amendment must be very clearly drafted to ensure the administration of the provinces must entirely be in the hands of the Chief Minister, with certain provisions for the central government to oversee.

At present there is a lot of talk on the part of the government about building a Sri Lankan identity, and that seems to be a certain degree of resistance on the part of a lot of Tamil political parties to this idea of a Sri Lankan identity. Why is this?

The resistance is based on the fear that a Sri Lankan identity would mean an assimilation of the Tamil people's identity within the identity of the majority community. I also think we have the fear that there is an ulterior motive on the part of the government to use this to reject all the demands of the Tamil people. The argument being made is: you and I are equal, we all are Sri Lankans, and so there is no need to talk about devolution. This would have worked in 1948 if we had a concept of a 'Sri Lankan' identity where all are equal and both languages could be used as the official languages. But today there is mutual suspicion among communities and there is no trust. Therefore to start this process [of building trust] we have to have a clear devolution of power which will enable Tamil people to look after their own affairs. Then there can be reconciliation between communities. Now we talk about reconciliation, but nothing is done in practice. In fact if you go to the northeast almost everything is done against a reconciliation process.

Reflecting on Tamil nationalism in the present, after the conclusion of a long ethnic conflict, what lessons can be learnt from the way in which Sri Lanka became a republic? How should Tamil nationalism move forward?

We have failed. We started with the non-violent struggle, then it developed into a violent struggle. Because of the intervening intensity in fighting and because of our arrogance, when we were able to achieve something, we refused. I definitely know that in the 1990s when Chandrika Bandaranaike was president, or even when Mahinda Rajapaksa came to power, they really believed that the war could not be won. Even the Sinhala people believed this and they were prepared to go for a reasonable settlement. But I think because of the arrogance of especially the LTTE, they never realised the limits of their capacity or power. They really believed that they can achieve this [a separate state] and they could do wonders with it, but they never understood their real capacity. Because of that, we have failed a large number of Tamils, who now have this defeatist mentality. I do not seriously believe any Tamils who live in Sri Lanka feel that a resurrection of the armed struggle is possible. They really hate it and they really do not want it to happen. I have spoken to a lot of people and they feel they have suffered enough and have lost enough. But at the same time, as I told you, they have a Tamil nationalist feeling. That does not mean that they are for a separate state. As I said, a reasonable solution which can ensure that they can live peacefully in their part of the country is what they are asking for. They say that they are not living peacefully even after the war is over. They feel as though they are an occupied people. Because for everything you have to go to the army for permission. Even if you have a wedding you have to tell the army. Even if a school wants to have a small function they have to inform the army. So Tamils in the northeast have a fear. That fear must be removed. If this is done and if they are allowed to live with dignity, I think there won't be a demand for a separate state. Tamil nationalism does not necessarily mean the demand for a separate state. Nationalism is a common feeling all over the world. Every human has that feeling. Therefore nationalism means that we are a nation of people and we must live peacefully with dignity and equality. So if this is achieved, if the government realises this, and if they work towards this, then I think this country can prosper.