

## Paper 24

### The Current Political Dynamics of the Tamil National Conflict in Sri Lanka

*by Mr. G. G. Ponnambalam*

Sri Lanka is in the throes of a crisis into which she descended, with her eyes wide open, almost two decades ago. It is a political crisis, concerning the Tamil national question – a conflict between the Sinhala nation, on the one hand, and the Tamil nation, on the other, both living together, at the moment, within the shores of an island.

The passing of the Sinhala Only bill in June 1956 by a Sri Lanka Freedom Party (SLFP) led government which made the Sinhala language the only official language of Ceylon, as it then was, was in itself a watershed in the history of the island and, in particular, in the relationship between the Sinhala and Tamil people. After the Sinhala Only bill, problems cropped up in Sinhala-Tamil relationships and the Tamils were quick to identify four areas of 'grievances.' The four areas were, firstly, the fact that Sinhala was made the only official language. Secondly, that there was discrimination in the matter of admission of Tamil students for higher education and that such admission was not done on the basis of merit. Thirdly, that there was discrimination in the filling of employment opportunities in the government sector. Fourthly, that there was an

invidious and insidious scheme of state aided colonization of traditional Tamil areas with Sinhala people from other parts of the island with the aim of changing the demographic complexion of the Tamil areas and to make them, with time, Sinhala majority areas.

This Tamil problem the Tamil leadership sought to solve by a bipartisan approach by which it was thought that if the largest Tamil party in parliament could come to terms with the government of the day, one could have a lasting solution to the Tamil problem. On this basis, the largest Tamil party in parliament in 1957, the Federal Party (FP), entered into a pact with the SLFP led government. This pact was called the Bandaranaike-Chelvanayakam pact of 1957 taking the names of the leaders of the two parties. This pact sought to set up regional councils and tackled some aspects of language and colonization. Because this pact was essentially one between two political parties, it did not take long for the other parties, both Sinhala and Tamil, to start casting stones at the pact. The United National Party (UNP), which was the alternate government, on the side of the Sinhalese, and the All Ceylon Tamil Congress (ACTC) the only

other Tamil party, were particularly hostile to the pact. Before long, Bandaranaike who could not resist the opposition to the pact, caved in to extreme Sinhala chauvinism and unilaterally abrogated the pact.

Tamil leadership should have realized by now that any agreement between two political parties was bound to run into hot water. But they persisted with this approach and also helped to form and stabilize governments without a corresponding *quid pro quo*. This happened in 1960 when the FP helped to form a SLFP government which did not, during its tenure, help in any way to solve the Tamil problem.

In 1965, the FP entered into a pact with the UNP called the Dudley-Chelvanayakam pact, again taking the names of the leaders of the respective parties. This pact made way for the setting up of district councils which was to provide some leeway for the Tamils to look after their own affairs in the north and east. Again because this pact was the result of an agreement between the UNP and FP, it attracted opposition from the SLFP, on the side of the Sinhalese and the ACTC, on the side of the Tamils and midway during the debate on the district councils bill in 1966, the UNP chose to abandon the bill due to widespread opposition. The Tamil problem stood unresolved in any way.

In 1970, the SLFP, with its allies the Leftists, came into power with a steam roller majority and was, therefore, not interested in the Tamils nor in the Tamil problem and absolutely nothing was done. In fact, the SLFP dominated government went for a new constitution where, not only did it ruthlessly reject all amendments the Tamils moved but also removed what little safeguard there was in the 1946 Soulbury constitution in the form of Section 29 and gave the Sinhala language and the Buddhist religion the

foremost place constitutionally.

This state of affairs went on and was made worse by a system of standardization that was introduced in late 1972 which stipulated that Tamil students had to obtain a higher aggregate of marks in order to vie with the Sinhala student for the same place in the universities. This did away with merit being the only criterion for higher education and almost made higher education inaccessible for the Tamils students.

Because of the complete impotence of the Tamil leadership to stem the tide through the parliamentary system, the Tamil youth effectively sidelined the Tamil parliamentary leadership, took over reins themselves and chose the militant path in 1972.

No sooner the elections were over, the TULF not only went to the parliament in Colombo, which they decried so vociferously during election time, but also accepted the post of the leader of the opposition in what they described during the hustings as the 'Sinhala Sri Lankan parliament.' As if this was not bad enough, the Tamil political leadership, once again made the mistake of tagging along with the UNP government in power in order to find a solution to the Tamil problem by going into a commission set up to find a solution. The commission came up with the recommendation to set up district development councils. There was no participation of the other Sinhala opposition parties in the commission and the proposed system was again opposed by a vast section of the Sinhala and Tamil masses. Though the district development councils system became a legal reality and elections were held for these bodies, the system came to a grinding halt even before it could effectively get off the ground. This was due to the tremendous opposition to this system from the majority Sinhala nation which the UNP government in power

could not effectively resist and allowed the system to be non-workable by withholding finances.

Having learnt bitter lessons at finding a solution to the Tamil problem through a bipartisan approach, the UNP government came up with the idea of calling an All Party Conference in 1984 to settle the Tamil question after the government engineered disgraceful pogrom against the Tamils in July 1983. At this conference the chauvinist Sinhala opposition parties started playing politics and left the conference, for one reason or another, leaving behind only the UNP, the Tamil parties, the Muslims and the Buddhist clergy!

A year later, the UNP came along with another attempt to get all parties to the table by calling it the political parties conference which again failed after the first sitting.

This process, then, of either the UNP or the SLFP shooting down what the other proposes to do has been going on for far too long and far too often. It all stems from the urgent requirement of the two principal Sinhala parties, the UNP and the SLFP, not wanting to loose the vast Sinhala vote base in an endeavor to solve the Tamil national conflict regarding which no Sinhala party has the political will, even today, to do the correct thing.

In the context of this scenario, it becomes imperative today that if ever there is to be a solution to the Tamil national conflict, then all the parties representing the Sinhala nation, if one were to spell out their names, the SLFP, UNP, Mahajana Eksath Peramuna (MEP), the Janatha Vimukthi Peramuna (JVP), the Communist Party (CP), the Lanka Sama Samāja Party (LSSP), the Nava Sama Samāja Party (NSSP) and the Democratic United national Lalith Front (DUNLF) must all come together themselves, in the first instance, and decide

amongst themselves what their common position is on the Tamil national question. Without this stage being put into motion, one could not expect a movement forward in finding a solution.

It would seem that this stage is imperative in view of the fact that none of these Sinhala parties, except, of course, the NSSP, have a policy of their own on the Tamil issue. Whilst the NSSP, one of the smaller parties, has over the years been forthright in its policy towards the Tamils, the bigger and more well known of the Sinhala parties have not put so much as a line in their manifestos, even at election time, regarding the Tamil problem. The Sinhala party forming the government tries to salve its conscience by distributing its largesse to a handful of Tamils in the way of positions in the establishment and think they have done their bit with regard to the Tamil issue.

Till about the mid 1970s, the Tamil national conflict was very much a low key affair and confined within the shores of the island. With the passing of the Tamil Eelam resolution at Vadukoddai in 1976 and the Tamil Eelam mandate given to the TULF by the Tamils of the north and east in 1977 and the official break between the traditional Tamil leadership and the Tamil youth at the TULF's convention in Vavuniya in August 1980 and the disgraceful pogrom against the Tamils in 1983, the conflict had become sufficiently 'internationalized' to warrant an attempt at conflict resolution being made in Bhutan, a neutral ground chosen by the government of India. This was at the Thimbu talks of July 1985 where the government of Sri Lanka and the delegation of the Tamil people comprising of six Tamil parties sat down to talk at a meeting under the aegis of the government of India.

By this time, the Tamil nation had graduated to wanting the recognition and acceptance



of their aspirations as opposed to concessions, rights, etc. and had abandoned worrying not only about grievances, discrimination, but also about looking at itself as a community or minority, etc. It was to be henceforth aspirations and nationhood.

It was this radical change in the concept of the Tamil nation that found expression in the four 'Thimbu Principles' which articulated the 'aspirations' of the Tamil nation. The four Thimbu Principles were:

1. recognition of the Tamils of Ceylon as a nation
2. recognition of the existence of an identified homeland for the Tamils in Ceylon
3. recognition of the right of self determination of the Tamil nation
4. recognition of the right to citizenship and the fundamental rights of all Tamils in Ceylon

The delegation of the Tamil people comprising of a group of six Tamil recognized political parties – the Liberation Tigers of Tamil Eelam (LTTE), the People's Liberation Organization of Tamil Eelam (PLOTE), the Tamil United Liberation Front (TULF), the Tamil Eelam Liberation Organization (TELO), the Eelam peoples Revolutionary Liberation Front (EPRLF) and the Eelam Research Organization of Students (EROS) – further emphasized that any political solution in the future to the Tamil national conflict could only be after the acceptance and recognition, in *toto*, of the Thimbu principles, in the first instance.

The Sri Lankan government would not hear of this and the talks broke even before it could start. But however unpalatable the Thimbu

principles may be to the Sinhala nation, only total acceptance of these principles today can bring the Tamils to the table to discuss a political solution to the Tamil national conflict.

Soon after the Sri Lankan government engineered disgraceful pogrom of 1983 directed against the Tamils, G. Parthasarathy authored a document called Annexure C for the Indian government which President J. R. Jayawardena was to place before the contending parties as a solution to the Tamil national conflict. For this purpose, he summoned an All Parties conference in January 1984 and whilst he placed Annexure C before the conference, he did not commend it and from that moment every body at the conference started speaking for the record and this process went on till December 1984 and the conference ended with the Tamils rejecting all that took place at the conference with President Jayawardena making the startling announcement that 'The Tamils want regional councils and nothing less and the Sinhalese agree to district councils and nothing more' or words to that effect.

Till about the mid 1980s, the Tamils were either largely taken for granted by the Sinhalese or were subjected to physical violence till an organization called the Liberation Tigers of Tamil Eelam (LTTE) comprising of a band of dedicated and disciplined youths, shedding blood and sacrificing their young lives for a cause – the cause of liberation and of freedom for their oppressed people and the dawn once again of their once cherished homeland of Tamil Eelam – came along and gave the battered Tamil nation dignity and self-respect that has made them the darling of the Tamils and the pride of the Tamil nation. After 1985 the Tamil national conflict and indeed the history of Sri Lanka is largely the story of the LTTE.

The UNP, when it was in power for seven-

teen years, from 1977 till 1994, did not have the political will to solve the Tamil national problem. This is shown by the fact that President Jayawardena very indifferently placed Annexure C before the All Parties conference in 1984. Even as regards the Indo-Lanka Agreement of 1987, prepared again by India and given to President Jayawardena, he went out of his way to placate the Sinhalese by saying that he will campaign against the merger of the north and east at any referendum that may be held on the question of the merger. If this was his position, he should have been honest not to put his signature to the agreement. Even though the UNP Manifesto for the 1977 general elections promised an All Parties conference to solve the Tamil problem, it took President Jayawardena six and a half years to summon such a conference. But the one thing President Jayawardena succeeded in doing was to make all the Tamil militant groups, recognized political parties and get all of them, except the LTTE, to dance to his tune. This phenomenon of the Tamil militant groups, now turned recognized political parties, dancing to the tune of successive Sri Lankan governments is continuing unabated to this day.

President Jayawardena's successor, President Premadasa, too, was not really interested in solving the Tamil national conflict. He had his own agenda. He was against the Indo-Lanka agreement of 1987 to such an extent that when the time came for the signing of the agreement in Colombo, President Premadasa, whilst being the prime minister, removed himself to Japan. So when he came into power, with the obsession to see the Indian Peace Keeping Force (IPKF) out of the country, he found common ground with the LTTE to see that the IPKF left the shores of the island. This he was able to achieve.

If one is to consider the current position of

the Tamil national conflict in Sri Lanka, an appropriate date would be August or November 1994. That was when the present government of the Peoples Alliance (PA) and President Kumaratunga was voted into power.

President Kumaratunga came to power with 64% a popular vote on a mandate of peace and a mandate to have talks with the LTTE. We are into the fifth year of her six year reign and Sri Lanka is too far away from any prospect of peace. In fact, her reign so far has been the bloodiest in the history of Sri Lanka. She did not have so much as a line regarding the Tamil national conflict either in the 1994 general elections manifesto of the PA on her own manifesto for the 1994 Presidential elections. She started talks with the LTTE through some of her people with no idea of what she was going to offer by way of a political solution. The talks dragged on laboriously till April 15, 1995 with the actual meetings being only on four occasions, but 43 momentous letters were exchanged between Kumaratunga and the Leader of the LTTE. These letters referred to the plight of the Tamils and discussed the imperatives of alleviating the distress of the Tamil people before anything else. The Talks broke because the government did not meet the requests made by the LTTE to actually implement on ground what were agreed upon (viz the lifting of the embargo on the basic food and medicine, on fishing and ban on the freedom of movement.). LTTE set a deadline and later extended it to April 15, 1995. Cessation of hostilities ended by April 15, 1995, following the failure of the government to meet the LTTE's demands.

So, it is in the backdrop of such a sad scenario that the present Regime went through the motions of finding a so-called political solution to the Tamil national conflict, whilst crying from roof-tops that Sri Lanka was embroiled in a 'war



for peace' which clearly showed that the Kumaratunga regime was going for a military solution rather than a political solution.

Its attempts at finding a solution was only to put out three documents, strangely calling each of them the 'peace package.' If nothing else, these three documents have compounded the conflict and have been a far cry to bringing about peace or a political solution to the Tamil national conflict.

The first document styled the '1995 peace package' was put out on August 3, 1995. It was devoured by the Tamil parliamentarians from the north-east. The document was put out to distract the Tamil nation from the war Kumaratunga had started on July 15, 1995 against the Tamils. She started the war in order to distract the Sinhala nation from the solemn promise Kumaratunga gave them at the time of the 1994 presidential election. The promise finds a place in her manifesto for the presidential elections, that before July 15, 1995 she would see that the executive presidential system is abolished. So, the '1995 peace package' was put out even though Kumaratunga did not mention a word about the Tamil national conflict in either the manifesto of her party for the August 1994 general elections or the November 1994 presidential elections!

It must not be forgotten that Kumaratunga's representatives started talks with the LTTE on January 8, 1995. The talks went on till about April 1995, during which time forty three letters were exchanged between the head of state and government of Sri Lanka and the leader of the LTTE. Never was the '1995 peace package' that was eventually put out on August 3, 1995 put before the LTTE. In other words, was the so-called '1995 peace package' on such a momentous subject as the Tamil national conflict only

a rushed job which commenced after April 1995 and ended by July 1995? If it was so, it must be a disgraceful document. And so it was, when we come to consider the subsequent events.

The '1995 peace package' may have been an unhappy reaction to the breakup of the government-LTTE talks. But at the very first public meeting after the '1995 peace package' was put out, Prof. G. L. Pieris, the minister in charge of things subject, at a meeting under the aegis of the *sudu nelum* movement at the Sugathadasa indoor stadium in August 1995, said that as a result of putting out the '1995 peace package,' the government was able, not only to rally round the international community to the side of the government, but was also able, as a result of the international community coming round, to get military hardware cheaply in order to fight the war against the Tamils!

The euphoria with which the misguided section of the Tamils was seized as a result of the '1995 peace package' was short lived because on January 16, 1996 the present regime put out another peace package – the '1996 peace package' that earned the bitter criticism of that section of the Tamils that hailed the '1996 peace package.' What necessity there was to put out another document so soon after the '1995 peace package' – in fact, only five months later – has not been adequately explained. This seemed to accept the fact that the earlier document was only an ill-conceived and hurried bit of trash.

The Tamils who support this regime said that the '1995 peace package' took away much of what was given in the '1995 peace package.' But the Tamil political parties are so beholden to this regime, that they could only sulk in corners and not put up a fight.

Then, a third document of sorts – the '1997 peace package' – was put out in October

1997. This, the Tamils supporting Kumaratunga charged, was even less than what was offered by the '1996 peace package.' Perhaps their disgust has been so great that they have not pushed for what this document or the others has offered and we see that there has been absolutely no movement about the 'peace packages' for almost twenty months. Of course, it has been said that the principal opposition party and the alternate government, the UNP, is stalling the process by not giving the government the two-thirds majority it needs in parliament to effect the necessary changes. But this cannot be any excuse at all because this matter was considered at the very outset and the government pundits pompously stated that they knew how to bring about the necessary constitutional changes even without the support of the UNP. With all these assurances to assuage Tamil sentiments, the Tamil supporters of this regime and its 'peace package' are keeping quiet because they are decidedly unhappy about what is on paper.

If there is one matter on which there is some unanimity or consensus in Sri Lanka at this moment, it is that the LTTE is a *sine qua non* for any peaceful political solution to the Tamil national conflict. This is a fact that seems to pervade and dominate the Sri Lankan political scene since 1984. This fact has become such a truism, that even the international community are falling over each other in offering their good offices in helping to bring the LTTE and the 'other side' to the table. The role that is being offered by the international community ranges from being mediators, through facilitators, to being mere observers. But some or most of the countries who have offered their good offices in bringing together both adversaries have been found to be totally unacceptable, certainly from the point of view of the Tamils, because

they have either been vociferous in denouncing the LTTE or have been guilty of supplying hi-tec military hardware or technical know-how to the Sri Lankan government.

Anyway, the Sri Lankan government does not seem to fancy any role by the international community on the grounds that the Tamil national conflict is only an internal affair. And, as if to forestall any such offers in the future by the international community, the Sri Lankan government sent a group of members of the Buddhist and Christian clergy into the jungles of the Vanni to meet the political High Command of the LTTE on a date in early February 1999 to discuss political matters.

The LTTE, has always favoured a third party mediation to find a negotiated settlement. The LTTE wants a third party to ensure primarily a conducive atmosphere for talks, which is that the army of occupation must be removed from the Tamil areas so that the Tamils could meet the Sinhalese on an equal footing. Thereafter, the Tamil aspirations as embodied in the Thimbu principles must be accepted, after which talks could commence towards a political solution to the Tamil national conflict.

So, whilst the LTTE is clearly one side of the equation, who comprises the other side? There is a crazy belief all around that any Sri Lankan government alone can bring about a solution to the Tamil national conflict. Nothing can be further from the truth. This is a conflict between two nations – the Sinhala nation and the Tamil nation. Not between a government and a couple of Tamil political parties in parliament or outside. The Sinhala nation must be represented by the Sinhala political parties – the SLFP, UNP, MEP, JVP, CP, NSSP, LSSP, DUNF. The Tamil nation must be represented, in today's context, by the LTTE as the sole representative of the



Tamil nation. I count the LTTE as the sole representative of the Tamil nation for a number of reasons. Firstly, it is only the LTTE that is *in situ* and with the Tamil people in the north and east. Secondly, it is only the LTTE that is consistently towing the line agreed to by all Tamil parties at Thimbu whilst the other Tamil political parties have abandoned the Thimbu principles and are part and parcel of the government and establishment and therefore cannot be taken to have the interests of the Tamil nation at heart. Thirdly, it is the LTTE, to the total exclusion of all other Tamil political parties, that is carrying on the struggle and shedding blood and sacrificing lives in the north and east for so long.

What then is the basis on which a lasting and peaceful political solution could be had to the Tamil national conflict in Sri Lanka. This state can be reached only through the acceptance and recognition of the Thimbu principles by the Sinhala nation, in the first instance, and have them spelt out finally in a politico-legal instrument. The Thimbu principles clearly lays down the 'aspirations' of the Tamils. At this time, when successive presidents of Sri Lanka have thought it fit to describe the island as 'Sinhala land' and as 'Buddhist country' and one of them describing the Tamils as 'creepers and vines on the Sinhala tree,' whilst another suggests that the 'Tamils are not the original people of the country' and also saying that 'Sri Lanka is one nation with one people,' it immediately becomes necessary to determine the status and standing of the Tamil nation in the island first. It is for this reason that it has become imperative, at least since 1993, to have the status, standing, identity and aspirations of the Tamil nation first established once and for all. And this, only the Thimbu principles can do.

So the time has come for the Sinhala nation

to get its act together. Let the Sinhala nation, through its political leaders or representatives, disclose its hand on the Thimbu principles. Once this position is disclosed will it be possible for the Tamils to decide whether there could be talks to discuss a political solution. If there is a possibility for talks can one say, with any degree of correctness, that the 'peace process' has commenced. Not till then. In other words, we are still far away from commencing any kind of a 'peace process.'

If the Thimbu principles are accepted and recognized in a politico-legal document, one could think of giving flesh and blood to the Thimbu principles. But never on the basis of the three documents that have been put out as 'peace packages' for the simple reason that these documents go counter to the Thimbu principles in some instances, and are silent about some of the Thimbu principles, in other instances. For example, the concept of the Indissoluble Union of Regions goes counter to the principle of the right of self-determination and the provision to truncate the eastern province goes counter to the principle regarding the traditional homeland of the Tamils. Besides these, none of the documents have recognized that the Tamils are a distinct and separate entity or that it is a nation. For these reasons, the 'peace packages' are a non-est to the vast majority of Tamils.

Instead of what these lop-sided 'peace packages' say, if any meaningful content is to be given to the Thimbu principles and cloth it with flesh and blood, only a confederation, in the strictest sense of the word, can be a lasting political structure which will not only give vent to the aspirations of the Tamils but also make it possible for the Tamils and Sinhalese to live together again like in the times before 1956.

It is now left for me to advert to certain spe-



cific matters lurking in the background that may be useful in analyzing the current political dynamics of the Tamil national conflict. What is the position of the Sinhala political parties on the Tamil national conflict? In considering this question, it is necessary to divide the so-called Sinhala parties into groups or categories. The first group will be the SLFP and UNP. Each of these parties are likely to form a government in the foreseeable future, either by itself or in coalition and therefore will be very sensitive to the huge Sinhala vote base. Therefore, neither of these parties will be willing to antagonize the Sinhala voters and will keep its ears to the ground to assess the voters' views on the Tamil national issue. For this reason, the SLFP or the UNP will be unlikely to break drastically with the past on this issue and will always only 'play politics.' Kumaratunga who came to power with 64% of the popular vote and with a large support from the Tamils, is today beaten and broken, if the provincial council elections are anything to go by. During the last four years or so, certain Tamils sitting in Colombo went out of their way and saw to it that her every racist pronouncement against the Tamils was highlighted to such an extent that not only did she lose the support of every Tamil, barring some who could be named on the fingers of a hand, but was also unable to get one Tamil to contest on her list for the western province where there are about 100,000 Tamil voters. As it is not bad enough, even her hill-country Tamil ally, contesting along, was able to poll only a poor third of what support they had four years ago in the western province. In fact, they polled a very poor 12,000 votes only.

The second category are the leftist parties – the CP, LSSP and NSSP – who are sympathetic to the Tamils and can be counted upon to support the Thimbu principles *in toto* perhaps in a

very positive way.

The third category are the hard-line Sinhala parties such as the MEP, JVP and DUNLF who say there is no Tamil problem and that there is only a terrorist problem. So one could count on them as being parties who will always disrupt any attempt at solving the Tamil national conflict.

There is also another factor, the Buddhist clergy. President Jayawardena gave them a place in the 1984 All Parties conference. No one knows on what basis they were brought in. But they have come to stay and they have become high profile political beings. With the role they play in politics today, it is unlikely there will ever be a political solution to the Tamil issue.

One has also to consider whether there is a political will on the part of the Sinhala masses to solve the Tamil conflict. Today, the feelings are hardened and positions are polarized. Whilst the Sinhala masses might want the war to stop because they are affected at their doorstep, they may not be prepared to concede that there is a Tamil problem which needs to be addressed immediately.

What is the position of the Tamil political parties on the Tamil national conflict? It would seem that even they do not know what they want. Certainly this has been the situation since as far back as 1977 when they were given the mandate for Tamil Eelam. They have blissfully forgotten about that mandate, about the Sixth Amendment to the constitution, about the very important Thimbu principles, about the merger of the north and east concerning the traditional homeland of the Tamils and about the right to self-determination, the corner-stone of Tamil politics. The role of the Tamil political parties today is the darkest chapter in Tamil history. The least said about them the better, because

they do not have the slightest perception of their political imperatives. But one thing stands out, *vis-à-vis* the Tamil parties, and that is the role they wish to play. The role they wish to play is to play second fiddle to the government and sing hossanas in their name.

The government tacitly accepted failure to handle the Tamil issue and sometime in 1998 handed over the matter to the private sector and thereby 'privatised' the Tamil national issue. The high profile business community had a meeting with much fanfare which ended the moment it started. With the abduction, a month ago, of a very high profile chief executive of a very well known mercantile company where a Rs. 20 million ransom was obtained, the business community has gone into its shell and into a huddle with the lament that the present government is even impotent to ensure the safety of the business community which feeds the government with so much undisclosed material benefits.

One of the most important questions asked in contemporary Sri Lankan politics is whether, or how far, the LTTE is serious about a political solution or in peace. It must be appreciated, forthwith, that the LTTE is primarily a political organization. It took to arms to liberate its oppressed people – the Tamils. It has legal authority, under international law, to take to arms when its people are under fire. The Tamils have been the victims of state terrorism and Sinhala terrorism from 1956 till 1983 – a quarter century or more. The LTTE has been a joint signatory – together with five other Tamil political parties – to the Thimbu Principles in July 1985 again decrying the misconception that it is a fascist organization. That is the last political document to which it has subscribed and has consistently said during the last two years, at many fora, that if the Thimbu Principles are

accepted by the Sinhala nation and incorporated in a fitting politico-legal document, that it will go to the table to discuss a political solution to the Tamil national conflict. A more forthright and clear statement can not be had.

The Sinhala parties are unwilling to negotiate with the LTTE for a number of reasons. First, they say that the LTTE must lay down arms. The Tamils will not allow the LTTE to lay down arms. They say that the LTTE took to arms in order to protect and liberate the Tamils who are being oppressed by the Sinhalese and until this was achieved, the LTTE cannot eschew arms. Secondly, the Sinhalese want the LTTE to make a public statement that the LTTE does not stand for the separate state of Tamil Eelam. That, too, the LTTE cannot do, because, in the last free and fair elections held in the north and east which was in 1977, the Tamil people gave an overwhelming mandate to the TULF for the setting-up of the separate state of Tamil Eelam.

Another matter that has cropped up is the query in many quarters as to why successive Sri Lankan governments have refused to accept third party mediation. One of the glaring reasons, if not the only reason given by the governments, is that they do not want any foreign mediation in the internal affairs of Sri Lanka and that the two sides can sort out matters themselves as they are capable of doing so and have the resources to do so. This is taken by the Tamils as meaning that there is no political will on the side of the Sinhalese and that the Sinhalese are so intransigent that if there is third party mediation, there is a danger that the mediator will soon find that it is the Sinhalese who do not want a political solution and peace.

If nothing else, by putting out these three 'peace packages,' Kumaratunga has certainly created an image, though a false one to those



who know who she really is, that she is a genuine 'peace maker.' This, together with her slogan that she is 'waging a war for peace' has certainly bowled over a section of the gullible West to acclaim her as a 'peace maker.'

What is the current political dynamics? Firstly, there is no 'political will' on the part of the government or the Sinhalese to solve the Tamil National conflict. This is due not only to the fact that here is a sizable section of the Sinhalese who say there is no Tamil problem but only a terrorist problem. There is also a question of priorities and the Sinhalese do not care about the Tamils or their problems at the moment. Most of the Sinhalese are not in favour of any kind of mediation nor with having any talks with the LTTE. The Sinhalese want to place many conditions which will make the LTTE hesitant to go to the table. Then there is the completely divergent position with regards to the basis for a political solution. There is a section of the Sinhalese who are quite happy with what is mentioned in the various 'peace packages.' But, as far as the Tamils are concerned, their basis for any talks is entirely different. The LTTE, who are the Tamils who matter, have their own approach which is also based on positions concerning the army and the Thimbu Principles.

What is the Sinhalese perception about the Thimbu Principles? If I am permitted to strike a personal note, I have had separate discussions with the leaders of the DUNLF and the UNP who, in turn, were associated with some of their own members. Their position is that they will have no problems with the first and last principles but have strong reservations about the right to self-determination and the concept of the traditional homeland. The NSSP does not seem to have any problem with either the right to self-determination or the traditional homeland the-

ory. But what position the other parties hold on the Thimbu Principles, is not known.

What can the international community do? First and foremost, the international community can see to it that the prohibition of the international and local media persons from visiting the war zone in the Tamil areas be lifted forthwith. Because, as a result of this total prohibition, it is only the point of view of the Sri Lankan government which is being dished out to the outside world in a very dishonest way so much so that the world is unreasonably against the Tamils at the moment. Thereafter, the international community can get the Sinhala nation to accept the Thimbu Principles by reasoning things out with the political leaders of the Sinhala parties. As there are about 150,000 Tamils in Canada, it would be Canada's bounden duty to play a high profile role and the Sinhalese will be duty bound to listen to Canada.

There is an urgent and crying need for the Tamil diaspora of about 500,000 persons from the north and east of Sri Lanka, spread over about 15 countries, to play an immediate, positive, political and high profile role, even at this very late stage, to complement the do or die battle that is going on in the war area which is the traditional homeland of the Tamils in the north and east of Sri Lanka. Since the north and east is a war zone, the political voice of the Tamils coming from there is drowned. Whilst the Tamils in the Colombo district could play their part in a significant way and voice the political aspirations of the Tamils, it would seem that their priorities leaves much room for regret. This leaves only the Tamil diaspora to play its part. The Tamil diaspora counts within its ranks the intelligentsia, the professionals and those who have done well in their chosen vocations. They are equipped to play a part consistent with their standing.

So, where do we go from here? We cannot go on as we have done to date. There is a limit to everything in life. There are so many lives and so much blood being sacrificed because much is expected from us Tamils. It behooves us to rise to the occasion. If we cannot help the situation, let us, at least, have the strength of character to say so. If we fail, we must reconcile ourselves to allow events to overtake us. Perhaps these events will lead to the inevitable establishment of Tamil Eelam. Perhaps this would be the most acceptable political solution to the Tamil national conflict, after all.

**About the Author:** Mr. G. G. Ponnambalam is an Attorney-at-Law who has practiced criminal law in Colombo for 28 years and is General Secretary of the All Ceylon Tamil Congress, the oldest Tamil party in Sri Lanka. He is also an Advocate, High Court in Tamil Nadu, India.

He received his LL.B. Degree from the University of London and an M.A. degree from the University of Cambridge.

He has addressed the UN Commission on Human Rights in Geneva in 1997 and 1998 and the European Parliament in Brussels in 1998. He has represented the Tamil Diaspora in a number of international conferences and read papers on the Tamil national problem in Australia, Canada, Belgium, England, Netherlands and Switzerland.

He takes a significant number of pro bono cases to do with Sri Lankas Prevention of Terrorism Act and Emergency Regulations



