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In the Shadows of Sattahip : The Many Faces of Peace

1. What the Rhetoric Left Out: Some Lessons from Palestine.....	2
A Comparative Look at Norway and Conflict Resolution.....	2
Being Fooled by Jargon.....	4
2.The Tortuous Road to 'Peace' Talks.....	5
2.1 Impatience and Doublespeak.....	5
2.2 The war drill and a change of tactics.....	6
3. The Mannar Bishop and Batticaloa clergy confront the LTTE on child conscription.....	7
4. Changing Patterns in Child Conscription:.....	8
4.1 The New Trends.....	8
The Effectiveness of the SLMM.....	9
4.2 Otunnu Deferred!.....	11
4.3 Child soldiers: The numbers game and public relations.....	12
4.4 The Numbers Mystery Deepens.....	14
5. Jaffna: The Prison Closes - Implications of the incident at Hartley College.....	16
5.1 Hartley :2 nd September 2002: The Charge of the Light Brigade.....	16
5.2 The Attack on the Hartley Principal: 21 st September 2001.....	19
6. The Apparatus of Repression and its workings.....	22
6.1 Policing the Realm.....	22
6.2 Mysterious non-disappearances in Jaffna.....	22
6.3 The 'Peacetime-War' against the Opposition.....	23
6.4 The Socialist Equality Party Threatened.....	25
6.5 Sweeping the Stage for the Peace Opera.....	26
6.6 The LTTE in Politics.....	28
6.7 The silence of the free media and catching the Tiger's tail.....	29
7. Amirthalingam's 75 th Birthday: 26 th August 2002.....	30
7.1 Jaffna: Seeing Banquo's Ghost.....	30
7.2 Toronto: Cracks in the Wall of Silence.....	32
Balasingam's mind and threats by free media.....	32
Toronto: the expected and the unexpected.....	33

8. Some Fallacies and the Case of Muslims.....	34
9. A History of Blood and the Problems of Age	36
10. The UNP: Past and Present	38
11. The LTTE's Violations, the Government's Authoritarian Impulses and the Impotence of Southern Civil Society	41
12. The Dangers of a Transfer of Power in a Legal Vacuum.....	43
13. Conclusion.....	44
APPENDIX	46

1. What the Rhetoric Left Out: Some Lessons from Palestine

The long awaited peace talks between the Government of Sri Lanka (GoSL) and the LTTE were held in Sattahip, Thailand, from 16th to 18th September. Media reactions ranged from disbelief to relief and cautious hope. The underlying issue at this initial stage is the proposed hand over of the North-East to an LTTE dominated Interim Administration (IA), with the carrot of development aid dangled for good behaviour.

The LTTE spokesman, Mr. Anton Balasingam, articulated openly the LTTE's strategy to win international validation of its self-acclaimed totalitarian charter. Playing to the liberal sensibilities of an international audience, Balasingam declared that the LTTE did not regard separatism to be the only route to self determination and accepted the UN's definition of self determination as that which could be attained by a people within a single multi-ethnic state. This was welcomed, optimistically, as an abandonment of the LTTE's 27-year quest to divide the country and a positive step to peace. However, much of what Balasingam says remains open to interpretation (see Appendix for other timely statements by Balasingam).

Leaving aside potential pitfalls, the fact that peace talks have commenced under the aegis of the International Community is most welcome. As a group that has regularly monitored developments in the North-East, we focus on the underlying realities at ground level in the present report. It is these that will determine, eventually, the outcome of the present peace process.

Experience has shown that when political ends are determined by narrow ideological premises, they can be used to justify very dangerous means. When actions and policies that flout basic human norms become entrenched in society, as they have in Sri Lanka, communities lose their ability to question themselves. This leads to a political order that is deranged and destructive. In the current euphoria over negotiations, this criticism may be dismissed as irrelevant. But if it is not addressed in time, the peace process may degenerate into pure strategic manipulation. Its main purpose would be the survival of actors who are rigidly circumscribed by their political history. This can hardly ensure peace.

A Comparative Look at Norway and Conflict Resolution

The Norwegian government's approach to facilitation pretends to be context free. All awkward questions arising out of its role are brushed aside with the plea that they are merely facilitators. It is left to civil society to deal with issues such as human rights. Anyone familiar with Norway's role in the Middle East knows well that the starting point was the Norwegian Labour Party's close relationship with its Israeli counterpart. Norway then cultivated a relationship with the PLO, consciously setting the stage for both sides 'inviting' its facilitation.

Norway's foreign policy was deliberately designed to seek for itself a role in conflict resolution. Such an aim cannot be faulted. The failure of the process in the Middle East and the ensuing tragic reality cannot be blamed on Norway alone. However, the Norwegians are duty bound to question the process set in motion by them. It helped the Zionist State to discredit and delegitimise the Palestinian cause that cries out for justice, and consequently gave extreme elements on all sides the upper hand.

Palestinian human rights activists faced many dilemmas during the process. They were concerned about the settlement policies of the Israeli government in the West Bank, the right to resettlement of refugees, and, moreover, the corruption and authoritarian bent in the PLO. Yet, public protest over the Oslo Accord on account of its silence on these issues was deemed tactically wrong. Such criticism was seen as giving strength to extreme forces on both sides intent on disruption. Today, with hindsight, they deem that silence to have been a costly error.

The Peace process relied exclusively on the Israeli Labour Party's and the PLO's willingness to compromise at that particular juncture. One crucial breakthrough was the Israeli government's acceptance of the PLO and the latter's recognition of Israel's right to exist. The two-state solution was envisaged as a viable means to resolve the deadlock. The development of Palestinian areas was discussed widely and the majority of Palestinians were prepared to give peace a chance and supported the PLO. The murder of Israeli Labour Prime minister Rabin and the frustration of Palestinians over continuing settlement activity with little real change in their living conditions, delivered the process its final blow. Israel, for its part, blamed the PLO of failing to control extremism and encouraging uprisings.

The PLO had made enormous compromises on its mandate and had confronted its hard-line adversaries. Nevertheless, it found itself left high and dry in the face of Israeli arrogance, failure of the International Community to provide adequate financial support and, not least, by US duplicity in the whole drama. The US interest in pandering to Israel was based purely on regional strategic interests and domestic electoral compulsions. The ironical postscript to the Oslo Accord is Israel acquiring a wide berth to deal with the Palestinians in a manner that brazenly taunts all the universally adopted norms of legality and humanity. These were once thought to be the cornerstones of a more just world order.

The other face of Western policy in the Middle East was its patronage of undemocratic regimes in furtherance of its strategic interests. Among its implications were repression, arrogance and driving of the wretched and angry into millenarian extremism that

frequently sought solace in Islam. Whether the denouement of September 11th has resulted in any qualitative shift in the outlook of the powers-that-be is questionable. Today, the Israeli sections that had supported peace and justice to the Palestinians have become weak and isolated in the wake of repeated suicide attacks on civilian targets by Palestinian groups. Looking back, the interim period envisaged in the Oslo Accord did not lay the foundation to strengthen moderation and justice, but rather weakened them. This is even truer in the case of the present process in Sri Lanka. Here the LTTE is the maximalist actor. It cultivated fear, the dread of non-compliance underscored by a suicide cult, as its main mode of operation and social control. Neither in its position with regard to the Sri Lankan State, nor in its relations with other groups, can the LTTE be compared with the PLO. By postponing the discussion on the political solution, the LTTE is being enabled to manipulate Tamil society and the International Community in the name of peace, while entrenching its grip.

The fatal flaw in the Norwegian approach to the Palestinian crisis can be seen to be its failure to bring justice to the fore. This would have had the virtue of being the binding focus to convince the majority among all the peoples to make practical compromises. Instead the process revolved around two isolated, albeit influential, actors, ignoring in practice the social and political agendas of the multitudinous forces at work. In the absence of binding values based on natural justice determining it, the process aided the more powerful, cunning and manipulative party to override the others, who were in turn condemned to the violence of despair.

In our case, the on-stage proclamations of good intention by both sides will not lead to a beneficent outcome, unless organised local groups exercise the will to make the key actors accountable for their misdeeds, past and present. Whether or not there is any qualitative shift in the overall approach of the actors can only be judged by their actions at ground level. This is where the real drama is taking place.

Being Fooled by Jargon

In today's world, the marketing of reactionary and virulent political agendas by giving them liberal and progressive facelifts, has become a lucrative industry. The technique is to generously invoke the jargon in vogue, with catchwords or phrases such as right-to-self-determination, democracy, socialism, human rights and peace.

But what are the nuances being communicated on the ground? What methods are being used to control people? What kinds of fear have receded and what new fears have emerged? These are the challenges for monitoring to secure peace that is tangible and lasting.

Rather than being cynical about on-stage proclamations, we must use them to apply pressure on the actors to prove their credibility. Our reports have persistently highlighted the fiendishly distorting nature of internal terror, in particular the culture of violence imposed by the LTTE over Tamil society. As we have said repeatedly, the present

monitoring mechanism is far too weak to defend the people or to encourage independent political development. Hence we anticipate a very long road to peace. It is our responsibility to raise these issues rather than whitewash a specious political drama by waving the "peace and development" flag, only to duck out after letting the people down.

2.The Tortuous Road to 'Peace' Talks

2.1 Impatience and Doublespeak

From the UNP's election victory in December 2001 until about April, it looked as though it was going to be a straight hand over of the North-East to the LTTE by the Government. By May, the LTTE was clearly getting irritated by the delay. LTTE leaders in the East and Pottu Amman - the chief of LTTE intelligence - started briefing the cadre that the final phase of the war was imminent. Addressing the European Parliament on 28th May, Prime Minister Wickremasinghe publicly voiced the President's position that primacy should be given to the 'core issues' at any negotiations. He also stressed the need for the constitutionality of any interim arrangement.

A UNP minister told his friends that the LTTE had conveyed their annoyance to him in unmistakable terms, adding that they know everything and cannot be fooled around with. According to this minister, the LTTE had named another minister very prominent in negotiations as earlier having promised them the North-East expeditiously without any fuss. Other messages too of a similar menacing import were reportedly conveyed from the Vanni. A game of staring the adversary out had begun.

The LTTE's *Eelanatham* of 26th July carried a write up about Minister Milinda Moragoda under the column '*Introducing the other face*'. It introduced him as Prime Minister Wickremasinghe's close associate and the brain behind him, who understands the Prime Minister's intentions very clearly. It spoke of his influence and wide overseas contacts. While being in the forefront of the Government's peace initiative, it said, he has also made arrangements for the Government to acquire all the weaponry needed for the operations of the Security Forces, until its term of office ends.

Milinda Moragoda, whom it said views all problems through the medium of economic advantage, when asked about the current strategy for peace replied evasively, '*Wait and see*'. It is notable, it added, that when Chandrika's deputy defence minister Ratwatte was posed a similar question [in early 1995], he replied in a like vein. Incidentally, Moragoda met Balasingam in London the following day!

Another article in *Eelanatham* analysing the present peace process, warned the people not to be hoodwinked by the UNP. Were the UNP truly interested in a political solution, it argued, it would have worked with the President to attain that goal! The LTTE organs and statements in English, in contrast, continuously drum the line that the President

remains the chief obstacle to peace, while goading the UNP to confront her and curtail her power.

We have here a replay of doublespeak that LTTE watchers have long been familiar with. On the one hand messages and deals are aimed at the main Sinhalese parties to ensure that they remain at loggerheads and do not get together and solve the Tamil problem. (In most cases the UNP, but in 1988 while already dealing with Premadasa, the LTTE had also given hopes through Kumar Ponnambalam, the late president of the All Ceylon Tamil Congress, soon to be disappointed, to the SLFP-led NDA as well.) On the other hand the Tamil people are given rational reasons for their supposedly Machiavellian alliance with the insincere UNP.

2.2 The war drill and a change of tactics

Around early August, Eastern military commander Karuna spoke to LTTE cadres who had undergone special military training at Sillikudiaru. He told them to bear with being confined to barracks and disallowed from seeing their families. It will not be long, Karuna said, before they see battle and they must fight with courage. Our Special Report No.14 indicates that similar messages had been given regularly from mid-May.

In the meantime, media reports claimed that LTTE spokesman Balasingam in London was not responding to messages from the Norwegians seeking to fix the dates and agenda for peace talks. Then suddenly in late-July, a meeting took place in London between Balasingam, Norwegian representatives and the Government's chief negotiator, Minister Moragoda. Ostensibly happy, Balasingam sounded a note of optimism and was full of praise and sweetness for Moragoda. It was the day before that the piece in the LTTE's *Eelanatham* presented a picture of Moragoda hinting that he had a sinister agenda. However, the London meeting heralded a change of strategy on the LTTE's part over the coming weeks.

On 2nd September, the families of girls recently taken by the LTTE, mainly conscripts, went on invitation to Korakali Madu Temple in interior Batticaloa to see their young ones. A number of girls were not shown and the families of those missing returned after screaming in protest and crying.

On this occasion, Karuna and the new political head Kausalyan addressed the crowd of thousands. In a notable shift from war rhetoric, Kausalyan said that it is the LTTE's policy to seek peace because the community had been devastated by prolonged war and the people cannot take more of it. He said that it is a time for reconstruction and reassured the families that their children will not be used in war, but to secure the North-East Provincial Council that would soon be in their hands. Karuna who had earlier repeatedly spoken about war remained silent on the subject. Kausalyan was fresh from a visit to the leadership in the Vanni.

It might appear that the LTTE leadership had decided to send clear signals to the lower ranks of its current strategy of using peace talks and the interim administration as a means to their ultimate end. In September 1987 the LTTE asked and secured majority

control over the envisaged Interim Council for the North-East under the Indo-Lanka Accord. The LTTE has been so cornered, it would seem, that after a bloody and destructive interlude of nearly 15 years almost to the day, it is ready to accept an interim council, also under the 13th Amendment! That would however be a wishful reading that ignores the subtler developments.

On the ground it appeared that there has been no stable change in the policy of child conscription and no change in the LTTE's determination to eliminate all opposition. On the same day that Kausalyan made his speech in Tharavai trying to reassure anxious parents, the LTTE also used unsuspecting children as young as eleven to attack and provoke the Army in Pt. Pedro 250 miles north. Had the Army reacted in panic killing a number of young children, the LTTE would have been in possession of political capital to bludgeon through a belligerent course of action. All that may be said is that the LTTE is tentatively ready to accept total territorial control under an innocuous sounding name, but with no checks on its exercise of power. The LTTE's tactics are closely related to internal developments that will be dealt with in the sequel.

In reporting the high order of child conscription, we have been critical of the failure of religious leaders and of leaders of civil society in the North-East in general for their silence that has the appearance of cruel complicity. There is however a most welcome, if temporary, change. The courage shown by a few religious leaders will help the peace process enormously if those in the South would reciprocate this concern rather than let it die a flower wasted in the desert air.

3. The Mannar Bishop and Batticaloa clergy confront the LTTE on child conscription

The Church in the North-East has been quietly aware of the gravity of the problem of child conscription and has during the last year raised it with the LTTE leadership from time to time. The *Daily Mirror* reported Bishop Rayappu Joseph of Mannar raising the issue with LTTE leaders in the Vanni during February this year. Except for some cases reported by Amnesty International, it was not quite realised that, while information was scarce, the problem was becoming increasingly acute in the Mannar-Vavuniya sector (see cases below).

On 8th August, Bishop Rayappu Joseph celebrated Holy Mass at the confirmation service at Periyakaddu near Cheddikulam. In the course of his sermon, before the massed gathering, he condemned the LTTE and its leadership for child conscription. Melavan, the LTTE's then political chief for Vavuniya, advanced to the platform, and stated that he wanted to reply. The Bishop refused, saying that this was not a political platform, adding that he had twelve concrete cases of children forcibly taken, along with instances of civilians tormented with ransom demands. This significant development was blacked out in the Tamil media.

The Church has long been criticised for its failure to stand up to violations by the LTTE. To be fairer by the Church, the arrogant, dismissive and sometimes threatening manner, in which governments have treated its complaints of grave violations by the State, made it difficult for the Church to criticise the LTTE. There had been a long series of massacres where the Church was the immediate or proximate party, beginning with the Murungan and Vankalai church massacres about the end of 1984. Since the shooting down of the Lionair flight in September 1998, the Church in Mannar has also been directly confronted by a series of violations by the LTTE in which scores of civilians died.

On 10th September, Kausalyan, Karikalan's replacement as political leader, spoke to a gathering of priests at Bishop's House, Batticaloa. The priests were forthright in raising the issue of child conscription, whose tragic effects they had regularly witnessed on the ground. Kausalyan listened in silence without betraying offence, but did not respond. On the other hand, he with such well-rehearsed pathos justified extortion and taxation on the grounds that their cadre had to be clothed and fed that many of the listeners were moved.

4. Changing Patterns in Child Conscription:

4.1 The New Trends

The evidence on the ground and the fact that the Bishop of Mannar felt impelled to lash out at the LTTE, strongly suggest that the LTTE is far from giving up on child conscription. It is simply being done in more inaccessible areas from where information will be slow in reaching the outside world. Reports on the ground indicate that the SLMM is now responding actively to complaints in areas where they are more accessible and appears to have influenced the release of some children recently abducted.

In Kasturi Nagar, Trincomalee, among several children aged 14 to 16 years removed by the LTTE in late July, some returned home a few days later, including Muthuraman Ramesh (14). In recent weeks the LTTE has been trying to blunt criticism with claims of releasing above a hundred children - a number that is tiny fraction of those taken in recent months. We learn that many of these claims pertain to Jaffna and are quite recent, and that most in the list were released the same day they were allegedly recruited or the following day!

The LTTE's claims that it is releasing children are indeed an admission that it had been recruiting them in considerable numbers. This is welcome. But the constantly downplayed fact that children were being ensnared in huge numbers for more than six months after the signing of the MoU, is an indictment on the Government of this country and on the Norwegians as facilitators. It is moreover one indication of the glaring inadequacy of monitoring arrangements

The Effectiveness of the SLMM

In Batticaloa the SLMM realised no real success in the 3 test cases it had pursued at length. During late July, Mr. Sinnaiah, the LTTE representative on the Local Monitoring Committee (LMC) delivered the glad tidings that the LTTE had released Rinson, the 15 year old boy with a weak chest (now 16), whose case the SLMM had pursued since April (see our Special Reports 13 & 14). On further inquiry it was found that the boy had actually escaped from the LTTE and the mother had quickly got him out of Batticaloa. In the case of the 13-year-old girl, the parents were allowed to visit her and found her carrying a gun. Nothing more has been heard about the young bride who was conscripted just after her marriage (see earlier reports).

On the other hand, since July, the parents and families of conscripts and those who talk about the issue have been coming under increasing threat as mentioned in our last report. The parents of the 13-year-old girl above were detained by the LTTE for two days for complaining.

In our last report, we said that soon after the SLMM met Karuna and Karikalan in interior Batticaloa on 10th July and made a strong protest about child conscription, Karuna issued new orders. The LTTE were instructed to use civilians in front organisations for the first stage of the dirty work. We give two instances below.

25th July 2002: Rs. 75 a child: Thanthamalai Murugan Temple festival: There was a large crowd at this festival in the interior. Theepan, an LTTE supporting thug with help from others caught hold of 44 boys and 23 girls in the age group 15-16 and placed them in a temporary enclosure. The parents of the children shouted and screamed. Theepan told them that he had done it on orders from Deputy Commander Ramesh and that the LTTE needed them. The children were then forcibly loaded into a lorry and handed over to the notorious Gadaffi at Panjimarathady. According to local sources Ramesh paid Theepan Rs. 5000, telling him that they were under pressure and it is persons like him who must now do the dirty work. However different leaders were doing things differently.

18th August 2002: Eravur Karumariamman Temple festival: 18 children, generally 15 and below were removed by area leader Wilson and handed over to Gadaffi at Panjimarathady.

26th August 2002: Getting civilian catchers to work: The LTTE it seems was not finding it easy to get civilians in front organisations to go out and catch other people's children. On this date the LTTE rounded up 35 boys and girls, generally in the 14-16 age group from an area including Eravur, Thalavai, Kaluwankerni and Orumalaichcholai-thivu. They were taken to Panjimarathady, Tharavai. Also taken on the same day was Pushparaj (15), the son of the Rural Development Society leader Konalingam. Konalingam approached Kalaivannan of LTTE Intelligence and asked for his son. Kalaivannan offered to release the son, provided he brought in 20 others.

Konlingam arranged a development meeting to which he invited several young persons. Those who came were taken over by Kalaivannan. Kalaivannan praised Konalingam, rewarded him with cash and released his son. What seems clear is that local leaders are working to quotas while improvising methods, where possible, to, at least in name, avoid direct involvement.

9th September: Pudur: The parents of **Mano Seenu** (17) run a teashop. In their absence Seenu was forcibly taken from home by Jim Kelly Thatha's men and taken to Thandiyady.

19th September: Thambiluvil 1: Mas. **Muhunthan Periyathamby** (16) of Thambiluvil Central College, the only male child of his parents, who was forcibly taken by the LTTE for training at the Rufus Kulam camp died of a gun shot injury. His body was brought home and shown to the parents the following day. The other parents in the area whose sons are with the LTTE have been allowed a visit on 1st October.

The following two instances point to a significant level of conscription around Vavuniya, while information is largely suppressed.

12th August 2002: Commotion at the Vavuniya LTTE office: A single family launched a public protest outside the Vavuniya LTTE office demanding their child abducted by the LTTE. They threw sand into the air, a traditional curse against injustice, and expressed their grief. A large crowd of bystanders gathered at the LTTE office. Feeling anxious about the bad publicity, the LTTE came out with weapons to chase the crowd. Word came that an army patrol was coming that way. The LTTE quickly hid the weapons they were not supposed to have. According to witnesses, the family left after the intervention of Mr. Kishore of the SL Red Cross. The LTTE, it is reported, agreed to release those aged 12 and below taken from the sizeable colony of Veerapuram in the Cheddikulam area from which this family hailed. The significant numbers conscripted from this colony would have remained secret had not one family dared to make it public.

The problem of conscription from refugee camps around Vavuniya has also tended to be played down. True, there has been government neglect of the refugees resulting in subhuman conditions leading to loss of family life and education. It is thus plausible to put down LTTE recruitment entirely to neglect, dehumanization and lack of entertainment. The other aspect of coercion is easily lost sight of by visitors. During last July, a number of people from Poonthottam refugee camp complained spontaneously of forced conscription by the LTTE before TV cameras during a visit by Minister Senarathne.

Late August: Vavuniya: Other uses for Cyanide: The LTTE took away 3 girls from Sithamparapuram refugee camp, with about 5000 refugees that had been in existence since 1990. Of these, Sasi and Uma who were sisters refused to be tamed and wanted to go home. The two were badly beaten and, this being an army-controlled area, were locked up in the house of a Sellakka, an LTTE supporter.

Vickna, a brother of the girls, went to the LTTE camp, demanded his sisters and ended up having a fight. During the fight, he plucked off the cyanide capsule of an LTTE man, placed it in his mouth and threatened to commit suicide unless they released his sisters. The LTTEers telephoned their Vavuniya office and received instructions to release the girls.

On the brighter side, the SLMM in its report in mid-August, covering complaints up to July end has, in a change of policy, ruled 'underage recruitment' a violation of the cease-fire. Out of a total of 740 complaints, 576 were against the LTTE. Leading these were 180 for 'underage recruitment' of which the SLMM has ruled 55 as violations while the rest are under investigation. Of the 159 complaints against the LTTE for abduction under investigation, 43 have been ruled as violations. Complaints against the Army are of a minor nature, such as for restriction of movement. The SLMM has also made strong strictures on the conduct of the LTTE as violating international law and being 'also a hindrance to the restoration of normalcy in Sri Lanka'.

It must however be observed that while complaints of abduction would be fairly representative (some of political opponents, but mainly persons taken for ransom), those of child conscription or recruitment are not. Conscription in the strict use of the word has been massively concentrated in Batticaloa.

The total number of complaints from Batticaloa in ages ranging from 12 to 17 concerns about 44 boys and 23 girls. However, the LTTE's intake in recent months runs into thousands. (According to some sources, Batticaloa District was divided into about 25 areas and each area leader was assigned (an unattainable) target of 1000.) If the LTTE were inviting international censure for acquiring merely a 180 children, it is simply insane. Given that the LTTE had decided to put up with repeated censure, its intention was undoubtedly to go for the maximum before the international community got its act together.

4.2 Otunnu Deferred!

The reports above give an indication of the LTTE's attempts to negotiate mounting pressures from international organisations. The UN Secretary General's Special Representative dealing with Child Soldiers, Mr. Olara Otunnu, was scheduled to visit Sri Lanka on 18th August. Much painstaking preliminary work was done by his office and international organisations concerned over child recruitment in Sri Lanka contributed enormous groundwork. The visit would have raised awkward questions for the Norwegians and the Government on the eve of peace talks in Thailand. Out of the blue as it were, the visit was called off for the unexplained reason that Mr. Otunnu suddenly had an official engagement in Africa.

Nonetheless, well-placed observers following the developments are convinced that the LTTE got the Norwegians to have the visit deferred. Glossing over infelicitous ground realities and the deleterious political trends they portend has become the current vogue in conflict resolution. It is a context in which people become mere fodder not only for the

forces vying for untrammelled power, but sadly also for intellectuals thriving on superficial analyses of conflict scenarios.

4.3 Child soldiers: The numbers game and public relations

A meeting long avoided by the LTTE took place in London between its 'theoretician' Balasingam, the Norwegians and Minister Moragoda in late July. There were then signs that the LTTE was preparing for a public relations exercise claiming to release underage children.

In an earlier report we suggested that more than 5,000 had been conscripted by the LTTE and many have raised doubts about our numbers. In a fear-ridden society, which is very effectively manipulated by atomizing the community, monitoring violations in the classical sense loses all meaning. Despite child conscription being so widespread, many persons for the terror of knowing, would prefer not to know. We see below how visibly terror is eclipsing the willingness to face reality in Jaffna. The piece of homely wisdom that truth is the first casualty of war is, strange to say, glaringly truer of the current peace process! Many advocates of such processes are comfortable with the notion that clinching the peace is the priority, leaving these other issues to be dealt with in their time. So allowing the predator to grab thousands of children is a justifiable sacrifice! While they would not defend it openly in these terms, will, however, do everything to muffle and minimise it.

It is also notable that Norwegian and Sri Lankan officials have regularly played down the extent of child conscription. When questions are posed by international visitors, Norwegian officials first avoid the issue by pointing to their role as facilitators, adding that it is not they, but civil society organisations who must take it up. Then in passing they let it slip that it is not all forced conscription and that the issue is being exaggerated.

This line on child conscription is advanced in spite of the fact that many persons on the ground who have generally not confronted the LTTE have been moved to give it the highest priority and sometimes to be very open about it. The LTTE too has taken enormous pains to cover up a crime, which it knows is neither trivial in extent nor marginal. There is however inescapable testimony on the numbers involved from the horse's mouth that the Norwegians and the Government must face up to.

On 10th September an LTTE representative on the SLMM's Batticaloa LMC said at an LMC meeting that most underage children have been taken to Killinochchi in the North where they will be released. He gave the total number of underage children to be released as 12,000. The meeting was chaired by Mr. Lars Tidbeck of the SLMM and was to be his last in that position. Since the number struck the others as far higher than any so far suggested, the figure 12,000 underage recruits was repeated to this LTTE representative for confirmation at the next meeting. He assented, adding that there are even more! This meeting on 13th September was chaired by Tidbeck's successor and former understudy, Mr. Heiki Kulkonnen from Finland. This was virtually an official figure given to the SLMM and the Norwegians.

Surprisingly however, no such acknowledgement or intention of release was revealed by Kausalyan, Karikalan's replacement as political leader, when he spoke to a gathering of priests at Bishop's House, Batticaloa on 10th September. But Kausalyan's approach to the clergy was conciliatory, reflecting new orders from the top.

Father Harry Miller recalled how around June, the LMC had gone to raise a list of complaints received by the SLMM with Karikalan and Karuna. The list was given. Karikalan and Karuna were at the table. The expatriates were then led out on some other business. Karikalan, the apparent boss, told the locals with the full force of his arrogance, *"I am a busy man with far more important things to do, don't bother me with such trivialities. If people come to complain to you on such matters, just send them away!"* That approach too was from the top then. Fr. Miller interjected and told him, *"These are certainly not trivial matters. For a parent to have a child taken away is the most grievous loss conceivable. You must understand that."* Karikalan and the others were silent.

Figures given by other sources are sketchy and are of little help in pinning down independently the total number of children under the LTTE. The number of militants in battle readiness in Batticaloa and Amparai is placed at about 4000 in five regiments. Among them 2500 were reportedly acquired since August last year, about 75% of them minors. There are then a number of children in auxiliary units. A report from the interior speaks of 160 very young children (12 and under) at the 'Pannai' (Farm) in Kalapoddamadu.

The fact that 180 children, visibly very young, were recently brought to Batticaloa by the LTTE from the Vanni under army escort, to see their families, indicates that many of those acquired in Batticaloa have been sent to the North. (The number taken back to the North was about 300.) It is thus extremely difficult to track down the number of children pertaining to Batticaloa alone. Visitors to the Vanni have routinely sighted groups of very young LTTE children on the roads.

The time for the Norwegians and the Government to come clean on the issue of child conscription is long overdue. Just before mid-September's peace talks, the SLMM announced that the number of complaints had dropped by 40% during August - almost a pat on the back to say, 'Behold, the sun of peace is rising'! All this would pertain to a world of make-believe if the SLMM have on their files a statement from an accredited LTTE spokesman placing the number of underage recruits at 12,000, with no guarantee worked out for their release.

Talking about a 40% decline is grossly misleading in a context where, barring about 200 families who lost their children, thousands of others have lacked the confidence or the ability to complain to the SLMM. Why? This would indeed be a more meaningful qualitative measure of the peace process. The decline in complaints would also account for factors such as intimidation of complainants and loss of confidence in the SLMM's ability to protect those who complain. These factors are very real. On the ground those suspected of helping to report instances of child conscription have faced intimidation, beating and worse in recent times.

4.4 The Numbers Mystery Deepens

A report posted in the Lanka Academic on 30th September disclosed that the LTTE representative on the Batticaloa LMC, who was referred to above, had spoken of 12,000 children in the LTTE. The same evening the report in the Internet was cited by a journalist in posing a question at a press conference convened by the SLMM. According to journalists present, SLMM spokesman, Teitur Torkelson, answered in a lighter vein, observing that such a figure would be close to the LTTE's total strength. He also said that upon seeing the report in the Internet, they contacted the LTTE representative concerned. The latter is said to have denied that he spoke of 12,000 and had instead talked of about 2000.

The following day, this same LTTE representative denied at the Batticaloa LMC meeting that he had spoken of 12,000 underage recruits. He talked around it suggesting that it represented the LTTE's deployment in general and went on to catalogue numbers in various camps. He averred that strict instructions have been issued to LTTE personnel to turn away underage persons who want to join. He admitted that there were some children in camps, but they were those who ran away from their homes in view of poverty, ill treatment, breakdown of family relations, or fearing being hired out as servants. These children, he said, would be released when their families are ready to take them back. The LTTE, he maintained, took no one by force.

According to other sources, this representative came out with the number of 12,000 in a context where concern was expressed about the LTTE not providing the LMC with a list of underage recruits so that their parents could visit them. On both occasions the term underage was underscored, which was assented to by the representative, who also stated the LTTE's intention of releasing them at least on the first occasion. According to these sources, the only possible source of error is a colossal communication gap.

This raises a preliminary question. The figure of 12,000 children has been with the SLMM from 10th September. Coming from an LTTE representative it is an important piece of information for a monitoring mission, unlike speculation from a rights group. Why did the SLMM office in Colombo wait 20 days to check with the spokesman who made that statement and that after a report on the Internet? Are communications within the SLMM so unaccountably bad on such matters?

The LTTE representative is certainly not a loose cannon. He is a seasoned bureaucrat who carries out the LTTE's brief as best as anyone could. There have been no notable slips. He is the same man who handled the case of extortion from the 82-year-old Mr. Sithamparapillai that threatened to become very embarrassing (see our last two reports). While the LTTE used terror to intimidate the old man, the representative proffered a helping hand in a bid to prevent him from complaining to the SLMM. Where the LTTE is concerned he comes across clearly as an insider. The context in which the number of underage children arose is important.

Between mid-August and mid-September the LTTE was facing heavy international pressure concerning child soldiers. A UN visit led by Otunnu was on the cards and there

was a flurry of activity with the LTTE giving out lists of children it claimed to have released. It was at this juncture that the Batticaloa LMC representative tried to present a note of hope on the release of all children that has, from what he said on 1st October, completely receded.

The LTTE was undoubtedly then thinking hard about how to deal with international protests regarding children. The LMC representative would naturally have been part of the discussion as he was in the forefront of dealing with these pressures. It is quite plausible that the idea of sending a large number of trained children home was contemplated when the whole of the North-East came under LTTE control - a virtual LTTE camp. There were cases of trained LTTE children attending the same school from which they were picked up when the LTTE controlled Jaffna in the early 1990s.

What is new is that after the first round of talks at Sattahip, the pressure on the LTTE and the talk about children has receded. It enjoys a new allowance of impunity as will become evident below. This nuance is important. The LTTE representative is noted for saying what is most advantageous in a particular situation and colouring the meaning on a subsequent occasion.

A problem with rights groups like ours is that we tend to be terribly conservative in our estimates of the number of child soldiers. Fear of ridicule makes us shy of giving even a figure of 5000. We know that others immensely more influential, like Norway and the Sri Lankan government, have demonstrated a vested interest in playing down the magnitude of child conscription. So conditioned are we by caution that even when the LTTE gives us a figure higher than one we dared to mention, we try to circumvent it.

Look at other material factors. The LTTE announced in Batticaloa a programme of at least one child per family for its ranks and has been carrying it out ruthlessly for more than a year now. There are in the region of 50,000 Tamil families in the district. How far the LTTE has gone is anyone's guess. We do know that some villages like Kothiavalai were almost cleaned out, where on 10th October 2001 alone 67 children were picked up. Batticaloa is just one of seven districts in the North-East and a figure of 12,000 children for the entire province does not appear outrageously high. Even if the number were smaller now, there is no cause for complacency, even though the LTTE and those who manage its public relations like our good representative keep assuring us that the bad days are over.

There was a lull from mid-August to mid-September as the paucity of reports indicates. The reasons for the lull have been given above. But it is a grave error to suppose that the LTTE has abandoned its programme of one child per family in Batticaloa. On 1st October, Children's Day, the LMC dealt with 11 cases of child conscription. One was an 11-year-old girl removed by the LTTE because the parents had hidden the brother. (The representative said that she was only called for an inquiry, but she had not returned home.) Deceived by the lull, several parents in rural areas brought back their children whom for fear of conscription they had sent to relatives in Batticaloa town or elsewhere. We have authoritative reports that several of them were abducted by the LTTE in the last

two weeks. One of them is **Kandasamy Kannan** (17) of Sethukuda who was abducted from his home on 23rd September by **Jothipalan**, area leader for Thimilativu.

Since the commencement of peace talks, we have also received a fresh crop of reports from Batticaloa of confiscation of property from those who avoided giving children, and of criminal extortion. On 17th September, the LTTE went to the home of **Seenithamby Master** of Eravur Ward 5, a father of two boys and a girl. When Seenithamby refused to give a boy, Jim Kelly Thatha's men went on to confiscate his land of 15 acres in extent in Karadianaru and his 50 cows.

On 19th September, the LTTE went to the house of **Veeranathan** of Kurativu and asked for his 240 tractor. When he refused the LTTE threatened to shoot him. His wife and sister came running, screaming and crying and fell protectively around him. The LTTE left after injuring his head by assaulting him with a pistol butt. He was warded in Batticaloa Hospital.

On 24th September, the LTTE went to the house of **Jesu** of Uppodai who works in a garage and makes some extra money by hiring out a sound system. The LTTE demanded Rs.1 lakh, although he had been forced to pay a lakh earlier. When he refused, there resulted a fight in which an LTTE man's head was injured. Another group of the LTTE arrested him and took him to Tharavai.

This is the fallout in Batticaloa of the euphoria generated by talks in Thailand. The LTTE may slow down a programme at a particular juncture for tactical reasons, but will not abandon it. Governments in Colombo lack historical memory and reverse programmes their predecessors had improvised by learning from mistakes, without any thought for the consequences. The LTTE's programmes are in contrast designed with diabolical clarity and are long term in nature. Only the public posturing may change. Kausalyan who assured the parents of girls in Batticaloa in early September that they would not be used in war, is now, in late September, saying that they must be militarily strong to succeed at negotiations. The same line is being put across now by spokesmen throughout the North-East.

If the LTTE does not have 12,000 children now, it is only a matter of months before they have more than this number. These numbers, far from being an academic game, or surmises of 'experts' to suit the public relations of the peace process, are for us a question of survival as a civilised people.

5. Jaffna: The Prison Closes - Implications of the incident at Hartley College

5.1 Hartley :2nd September 2002: The Charge of the Light Brigade

The incident at Hartley College, Pt. Pedro, clearly revealed the frightening extent to which the LTTE has used covert terror in Jaffna to impose totalitarian structures under

the guise of 'political work'. We had pointed out earlier that turning a blind eye to extortion and enforced contributions from wages by the LTTE would be the first stage in accepting totalitarianism. It is an acceptance of the right to coerce, terrorise and regiment people for sinister purposes. In bringing collectives of traders, communication centres, teachers, fishermen, lorry and minibus owners under its wing for purposes of extortion, it has also mustered them to come out in numbers, much against their will, for 'people's protests' against the security forces.

Army Brigade 524 was originally occupying a section of Hartley College. Under the terms of the MoU the Army had to vacate the school premises, while the LTTE was applying pressure on the Army to move out of Pt. Pedro altogether. The Army relocated in several houses and disused government buildings alongside the school and kept the old sentry points for its security. These were manned casually. A short stretch of the coast road was blocked. Students and staff of the school were allowed free movement along College Road. But parents and visitors had to surrender their identity card at the checkpoint and enter their name in the visitors' book.

The attack on the morning of 2nd September was '100%' organised by the LTTE according to local sources. Associations of transporters were ordered to send given numbers of vehicles to various schools in Vadamaratchy to transport the students to Pt. Pedro.

The 'demonstration' was in fact a Charge of Light Brigade - a military operation with an ambulance at hand for evacuation. What happened at Hartley College itself reveals important aspects of the organisation behind the event. Many students were unaware of what was going on. During the third period they saw students filing out of classrooms and followed in confusion. They noticed a number of outsiders in the school premises wearing school uniform. Under the direction of these outsiders the school prefects marched the students on to the road and then past the sentry point to join the main body of demonstrators.

The organisers ensured that no student remained in school. Students who attempted to leave with their bag and bicycle were made to leave them behind. The youngest students from Hartley forced to join the 'demonstration' were 11 years old, from grade six, the lowest class in school.

The role of the school authorities and staff appears to have been passive. The Principal of Hartley College told the *Sunday Island* (8.9.02) that they had allowed the students to leave the premises for the demonstration as they had done before, not knowing that it would turn violent this time. He also said that he had kept back at home that day his daughter at Methodist Girls' School nearby. This suggests that he knew in advance and had no choice.

The LTTE had also compelled members of the fishermen's and traders' associations to be at hand. Some agent provocateurs had also come with cans of fuel. The action started half an hour after the students at Hartley were brought out. While a section of the crowd threw

stones at the Army, the school children who were wedged into the crowd were carried along as it surged forward.

The soldiers left the sentry points and withdrew without firing back. These sheds were set on fire by those coming behind. The identity cards were carefully spared. Along College Road, the mob entered the house of former MP Jeyakody that was used by the Army and smashed belongings, including a television set. The mob also urinated on provisions of sugar and dhal found among stores in another house. It was when the mob got too threateningly close that the Army reacted by firing into the air and also launching canisters of tear gas. A girl from Methodist Girls' School who collapsed with breathing difficulties due to tear gas was evacuated by ambulance.

Hartley lay within the Army's security zone and when the Army began firing into the air, the children ran into the school in panic. Finding soldiers also in the school they scattered wherever there was some prospect of getting into the neighbouring houses. Finding their way blocked by bladed wire defences installed earlier by the Army, they looked for places to climb a pole and jump over. (Those who went later to collect their belongings found army sentries around.) Many of the children broke down crying when they met their parents who rushed there on hearing the shooting.

Sivajilingam, MP, was seen cautiously pleading with the organisers to go easy and also trying to calm the security forces. Shoes and slippers left behind by the fleeing crowd were later collected and piled in neighbouring houses. After things eased off, 'fierce looking' army commandos with black scarves were seen guarding the approaches. The next day boards came up in Tamil with the warning that those entering without permission will be shot. Had not the Army acted with restraint, a march on an army camp of this nature could hardly have ended with zero casualties. The demonstration fizzled out for two reasons. One was that there was no bloodshed. The other is that the LTTE's 'Director of Student Affairs', Ilakkian, was prominently seen at the 'people's protest'.

In fact Ilakkian was photographed by reporters covering the demonstration and his picture appeared in the next day's *Valampuri*. The LTTE also called a *hartal* in Pt. Pedro the next day as a result of Ilakkian supposedly having sustained an injury in a brush with the Army. An inciting speech was also heard being broadcast over speakers carried by trishaws. It accused the Government of talking peace and being warlike, while its Army continued deliberately to ruin the educational advancement of Tamil children as it always did. Suddenly, however, the whole thing was called off.

According to well-placed sources in Jaffna, the LTTE leadership was angry and embarrassed when Ilakkian was pictorially shown exercising his office as 'Director of Student Affairs' on the infamous occasion that was supposedly a spontaneous people's protest. He was, we reliably understand, given a scolding for his tactlessness and asked to call it off.

But the media coverage of these events by outsiders illustrates a danger created by this kind of peace process. Namini Wijedasa reporting in the *Sunday Island* (8.9.02) says:

"Because of their [i.e. Vadamaratchy people's] close links with the LTTE top brass, the people of the area are doubly hostile to the army presence". Those who visited the area when Larry Wijeratne was brigade commander would have carried away a very different impression. Today the Government and the Norwegians have handed over the people to the LTTE bound and gagged.

If after a series of such lethal gimmicks by the LTTE, the Army were pushed into war carrying such impressions, what would be the plight of the people? The Norwegians will not be around if and when that happens. Have they not after all left behind the Palestinians to the whims and fancies of local belligerents and international power brokers to be kicked around as disposable material?

The truth is that far from being supportive, the people in Jaffna were horrified with the way the LTTE used their children. Also when a meeting of old boys, parents and teachers of Hartley was called to discuss the reopening, several parents were afraid to go. They feared that in the heat of the moment they might be moved to express themselves frankly on the LTTE's conduct! Indeed, nineteen days later the Hartley Principal was attacked at home by night raiders (see below). As was true of the Nazis, the LTTE is using the decay and destruction suffered by the society to strengthen its repressive apparatus.

Ironically, according to leading sources in Pt. Pedro, before the demonstration, the Army on its own had decided to open the coast road in a few days. Surely, the LTTE must have known it! On Thileepan memorial day, the LTTE's Chief Commissar for Jaffna, Mr. Aanjaneyar (Ilamparithy), was overheard taking to task those who urged restraint at the 'demonstration' to protect lives. He contended that if not for them, they could have flattened the army camp!

On 1st October, Children's Day, the LTTE staged a similar 'demonstration' at the Valaichenai Police Station, again using school children with similar results, and also no casualties. The issue was opening the road in front of the police station 24 hours a day rather than during daylight hours as allowed then. The organiser of this 'people's protest', we reliably learn, is Commander Karuna's brother, Reggie!

5.2 The Attack on the Hartley Principal: 21st September 2001

Traditionally the Principal of Hartley College, Pt. Pedro has been among the leading citizens of Jaffna and a commanding figure in the Principals' Association. About April, after the LTTE returned to Jaffna, some LTTE men tried to remove the video cassette from a rival group that was filming a school function at Hartley. The Principal intervened and ordered the cassette to be returned asking, *"Who is conducting this function, you or the school?"* Sripathy also resisted the LTTE taking children out as they pleased and insisted on letters of consent from the parents when he could.

Following the recent incident above, Sripathy was quoted in the media praising the restraint shown by the Army and made a transparently implied criticism of the LTTE at the school assembly. He criticised the Press for reporting what happened on the occasion

as a demonstration by the students, adding that they should check their facts correctly. He also said that there are proper ways of protesting for what is right, but endangering the lives of children by getting them to invade an army camp is utterly irresponsible. In these sentiments the parents were fully behind the Principal. Namini Wijedasa, writing in the *Sunday Island* of 29th September, said that Sripathy's communication with her after her feature of 8th September, indicated that he had come under pressure from the LTTE.

Sripathy's house was in a lane off a cross-road linking VM Road and College Road, terminating to the north at the boundary of his school, where there was an army guard point less than 75 yards from his home. On the evening of Friday, 20th September, a youth unknown in those parts came close to Sripathy's home and inquired for the Principal's house from some masons working nearby. On being shown the 'Hartley' Principal's house, he went away. About 9.30 PM the next day, a group of 15 to 20 young men came to his place in a van and a motor cycle and called him out. There was then in the house his nephew with five other young men on holiday. Sripathy went out with one young man. It was a day after full moon and quite bright. The newcomers started attacking Sripathy and the young man ran into the next house.

Sripathy received four severe blows on his head with wooden objects, and his lip cracked when he was struck on the face with a hand. The newcomers seemed taken aback when blood started pouring out of his nose and drenched his white *verti*. Sripathy ran into his house and barred the door. Unable to break down a good old fashioned door, two of the thugs made their way in through the roof, and opened the door. Four others then came in to take Sripathy out. Sripathy went out without resistance and signalled the males in his house not to resist. Sripathy was clumsily blindfolded, and just two persons took him with them on the motor cycle along VM Road, Thambasiddy Road and Jaffna Road to a cemetery a quarter of a mile past Manthkai Hospital. The van did not follow them.

It may be noted that the fifteen or so thugs spent a little under two hours at Sripathy's house, during which time those at home, including his wife and daughter, were screaming. The Army that was nearby said later that they were aware of the commotion, but had no orders to leave the premises at that late hour. Nor had they evidently alerted the Police. The thugs had taken Sripathy two miles south to Manthikai, again without any fear of being checked.

The thugs who had shown themselves were certainly not persons of that area. Their brief was evidently to cause hurt and to terrorise, but not to kill. There was also a perverse orderliness about them. They removed the bulbs on the outside of the house without breaking them and carefully put them on the ground. Some had even inadvertently addressed Sripathy as, 'Sir'. The two who climbed into the house broke a mercury bulb. Then they politely cautioned Sripathy's wife who had a limp, "*Amma, there is broken glass on the floor!*"

At the cemetery, the thugs forced Sripathy into the pit and beat him quite harmlessly below the head with branches from *erukkalai* bushes found at such places. They warned

him not to go to the school and to quit the area in a week. Sripathy then walked to the hospital.

It was here that Sripathy encountered the first clear signs of the new order being ushered in by 'peace'. A society conditioned by fear was reacting instinctively to the scarred face of internal terror. The MO Dr. Sivarajah and the medical staff knew Sripathy extremely well. But the sight of a bruised and bleeding Sripathy soaked in blood made them behave as though he were a total stranger. No one offered to take him home or arrange for someone to drop him by bicycle. Pt. Pedro's leading citizen had in an instant become a social leper. He walked home without delaying to relieve his family's anxiety. Some friends later had him warded at Valvettithurai Hospital. The SLMM and the Police called on him. The LTTE too commiserated with him and promised to find the culprits!

Slowly the society gained its equipoise and a stream of people began calling on Sripathy. Starting with Pt. Pedro Hospital, the initial reactions made it clear that the people had no doubts about who was behind the attack. Again at Hartley College, several of the teachers decided that the least they could do was to boycott classes on Tuesday. In conformity with the logic of internal terror some other teachers maintained that the issue was one man's personal problem! (Protests and motions of condemnation poured in subsequently, helped by the fact that the LTTE denied involvement.) On the Jaffna Road in Pt. Pedro, where the night traffic had been heavy and lively in recent times, the road became silent and lifeless as though an invisible hand had imposed night curfew.

The incident took place soon after the conclusion of the first round of peace talks in Thailand and came in the wake of several sinister happenings. Again in Pt. Pedro, just ahead of the attack on Sripathy, a man with a knife accosted 65-year-old Mr. Selvanayagam and his newly married son of 29 and badly beat them both. The son had to be warded in hospital. The old man used to let off steam about the LTTE with Vadamaratchy bluntness. In the early 1990s he was detained by the LTTE, warned and let off.

The normal reaction of the man on the street in Pt. Pedro about the stream of mysterious events is, *"Thamby, if these things are not being done by these chaps, it is by someone having their complicity. But you will do well not to talk about these"*.

On 25th September a large number of hand written posters in black and red, signed by 'The People and Students of Vadamaratchy' appeared in public places. These called upon all EPDP members to stop their activities and get out of Vadamaratchy by November, or to face severe consequences. By contrast whenever the EPDP puts up posters, the LTTE quickly sends local gangs to remove them. In one instance an armed LTTE girl was seen following such a gang at work when a police vehicle came that way. The next moment the armed girl was not to be seen! We have in the preceding a picture of the fallout from the Thai peace talks on Jaffna.

The LTTE's pledge to identify the persons who attacked the Hartley Principal was largely seen as empty after the passage of an uneventful week. Knowledgeable sources in the

area said that the identity of those who carried out the attack is roughly known. They are said to be persons closely identified with the LTTE. The van, which took the goons for the attack, had proceeded from Nelliady.

6. The Apparatus of Repression and its workings

6.1 Policing the Realm

We pointed out earlier that the LTTE is using in Batticaloa local thugs and persons in Rural Development Societies functioning under it to conscript children. An incident illustrative of this phenomenon of local control is the LTTE appointing Ponniah Perinpam as village head for development in the Vellavelly area at the end of July. The man had a reputation for being a thug against whom there was also a recent complaint of rape. Acting under the LTTE's authority Perinpam badly beat up a family man who smoked *ganja*, in the name of drug prevention. The man was admitted to Batticaloa Hospital. The Vellavelly Police then arrested Perinpam on routine instructions from the Batticaloa Police. The LTTE got villagers to march on the Vellavelly police station and threw stones from behind. The STF and an armed unit of the LTTE then came separately. However talks were held and an explosive situation was defused.

In Jaffna the LTTE is mobilising layabouts to function as informants and to exercise some power and entertain themselves by forming vigilante groups to uphold 'cultural purity'. They harass young people smoking cigarettes and recently publicity was given to their hauling up an old man found in the company of a young adult woman.

Unemployed youths are being canvassed for the LTTE police force. They are being offered a take home wage of just over Rs 3000 now, which they are told would be more than doubled under the interim administration. They have been promised not to be called upon to fight and that their main task is to stop prostitution and vice.

6.2 Mysterious non-disappearances in Jaffna.

At the same time there is an orchestration of incidents and rumours to create fear among the people in government-controlled areas that the law and order situation is deteriorating out of control. Soon after the LTTE's arrival in Jaffna, there was a series of mysterious murders. The issue went away without any conclusion being reached. What has frightened people even more is a series of 'white van' abductions. Rumours are flying about a group having entered Jaffna as visitors from the South that is abducting people for the lucrative trade in body parts. Police investigations too are apparently lukewarm because no one has been reported permanently missing and perhaps some incidents are not being reported at all.

In one case we have authentic testimony pertaining to a 16-year-old boy in Moolai during early September. He was riding his bicycle along a lonely road near home when he saw a stationary white van with tinted glasses. Two men who came on to the road

stopped him, quickly blindfolded and gagged him and took him into the van. He was driven and held in an unknown place and not given any food or drink that night. The next day he asked to be allowed to visit the toilet. He was untied and allowed. When he finished he found the place completely deserted.

Looking around, he found his bicycle. Instinctively he rode out and discovered that he was near Chunnakam. He also met his uncle who had complained to the Police and to other parties and was out on a motorcycle looking for him. The boy screamed and cried. In another instance about the same time, persons in a white van attempted to abduct a girl of 16 in Siththankerni, not far from Moolai. The girl shouted and alerted neighbouring shops and managed to escape with her school uniform torn. Although the number of vehicles in Jaffna is small, our sources suggest that the vans used in such incidents are bound to have false number plates and moreover the number of vehicles now entering and leaving Jaffna is very large.

The *Uthayan* of 13th September reported the case of a boy from St. John's abducted on 9th September from Chetty St., Nallur. He was evidently taken by road to Vavuniya and later found himself put up from deep sleep in a Colombo-bound train by a railway guard. He later, the report goes, contacted his parents by telephone from Fort with the help of the railway authorities. His voice came through to the parents in what is described as an agonised entreaty. However, people now tend to dismiss the story as a non-event. The next case illustrates how difficult it is to find out what is really going on.

About 8.00 AM on 12th September, two Standard 4 boys K. Vimalraj (10) and E. Vijitharan (11) of Balasubramaniam School, Aanaikottai, reported having seen two boys and a girl being abducted on their way to school. Panic spread through the whole area and shops were closed. The Police, the Army and the LTTE came and questioned the boys who stuck to their story. However by evening no missing children had been reported. A sudden spurt of robberies was also reported in Chundikuli near town.

6.3 The 'Peacetime-War' against the Opposition

The LTTE has in the past shown itself adept at using to its advantage fears induced by rumours and some calculated actions, and putting the blame on other Tamil groups. It did this in 1986 to discredit the TELO before and after launching a bloody attack on it. During the early days of the IPKF presence, there was a widespread rumour of a "Grease Man" robbing during the night, who, like Oily Duckham of old, literally gave the slip to anyone trying to hold him down. A local paper once even gave the address of a place allegedly burgled by this man. University students following it up found the address to be a hoax.

On 7th September 1987, a van carrying visiting evangelical clergy was ambushed at 10.00 PM near Dutch Road junction in Uduvil. Four died on the spot and three were injured. A local priest came with a van from the neighbourhood to take primarily the injured to Jaffna Hospital. Then Thileepan (who was just about a week later ordered by the Leader to starve to death) arrived driving a van. He told the priest, "*They have done this crime to*

holy men of peace and goodwill". Unmasked, he loaded the injured into his van volunteering to take them to hospital. The priest quickly followed with the dead bodies in the local van.

At Maruthanamadam Junction instead of turning right to go to Jaffna, Thileepan turned left and took the injured to Tellipalai Hospital that was further away, where he quickly dumped the injured and left. There was no operating theatre or facilities there to deal with surgical cases and the medical officer was furious with the priest. After some confusion the injured were sent by ambulance, retracing much of the way, to Jaffna Hospital. They survived. Without wasting time, the LTTE in a well-orchestrated manner announced over mobile public address systems that the ENDLF was behind the killing and that the IPKF was bringing back these anti-social forces! It was many years later revealed independently by two of those involved that the LTTE were the killers.

In a recent incident in Kaluthavalai south of Batticaloa, the body of a young girl Tharman Sumathy was brought from the beach on 10th September 2002. A man told the coroner's inquest that Sumanthy's suspected murderer was her husband, Elilventhan, whom he claimed, was a member of the Razik Group, a breakaway group of the EPRLF that was working with the security forces. The suspect, he testified, for whom the LTTE had arranged the marriage, was in the custody of the LTTE police! This claim was given publicity in the Tamil media. The Razik Group has issued a statement denying that the alleged suspect, supposedly married off by the LTTE, had any connection with them. It further demanded that the man, evidently a native of Jaffna, be handed over to the Sri Lankan Police for a proper inquiry.

We may also note the bomb thrown at the 82-year-old Mr. Sithamparapillai's house in Batticaloa on 22nd May 2002, following threats shouted at his house the previous night. The old man had been resisting extortion demands by the LTTE. The LTTE blamed the bombing on the Police, as the Eelam Web blamed the attack on the Hartley Principal on the Army.

Another ruse to get the Tamil opposition parties out of the scene is to make the Government postpone local council elections, dissolve the existing councils in the North-East and hand them over to a commissioner. This is being orchestrated through the Tamil National Alliance (TNA)¹ of which the TULF is the main constituent. Incomes that legitimately accrue to many local councils are now being collected by the LTTE without providing any services in return, while starving these councils of funds.

Local councils are important for the survival and security of the opposition parties. Since the MoU, the Government is being urged to do away with some basic facilities they had previously provided to these parties. They are not in a position to collect subscribing party members despite having a considerable support base, nor do they have the security to earn a living. Indeed, after recent attempts at abduction by the LTTE, many of them

¹ The TNA is a coalition of parties formed at the recommendation of the LTTE, which supports the LTTE's claim to be the "sole representative of the Tamil people".

dare not sleep at home (see 11.3.2 of our last report where the LTTE upon failing to abduct an opposition member, brutally assaulted his pregnant wife).

The LTTE is using this newly enhanced fear and uncertainty to force several opposition members to sign pledges to keep out of politics and to refrain from talking about our recent bloodstained history. It is notable how Anton Balasingam, once the warm friend of the late Sri Sabaratnam (former head of TELO, killed by the LTTE in 1986) now publicly rewrites history for the benefit of the international media with short memories, denigrating the role of other Tamil groups in the struggle.

By getting elected to local councils, the Tamil opposition parties receive an income as well as significant formal public standing. Councils controlled by opposition parties, including the Municipality of Jaffna, have in recent times passed resolutions condemning unlawful actions by the LTTE such as arbitrary taxation. In addition to passing such a resolution on 18th September, the Jaffna Municipal Council in a further resolution calling for wider participation in the peace process, referred to 'sole representation as a concept affiliated to violence'. The Press in Jaffna has generally been scared to mention these even as news.

The LTTE has long tentacles and reaches into every nook of society to ensure that no semblance of opposition or independent political activity can survive in the North-East.

At least 4 members of the EPRLF (V) have been abducted by the LTTE in the East during the course of the year. They include Anthony Claire (24) of Ariyampathy taken from the home on 9th January, Vijayanathan Vijitharan (29) of Navatkuda taken on 16th January, Raju Suman of Valaichenai taken on 21st February and Chelliah Kandasamy of Pandiruppu, a father of two. The last, who suffered from a physical handicap, was taken from home in the night of 19th July and the worst is feared. Several members of the EPRLF(V) narrowly escaped abduction as reported by us earlier.

We also gave details in our last report of several EPDP members and former members being abducted by the LTTE, particularly on the road to Jaffna along the LTTE-controlled A9, contrary to pledges made to the SLMM. On 31st August we also had LTTE goons in Jaffna defacing and damaging the new council building built in the EPDP-controlled local council at Malisanthy, Jaffna. In Jaffna the LTTE is starting from the most vulnerable.

6.4 The Socialist Equality Party Threatened

The LTTE not only militarily annihilated many other armed movements that they perceived as military threats to them, but banned even such small Left organisations as the NLFT, PFLT, Pathukappu Peravai and the Theepori.² These never posed a military

² The fate of the *Theepori* (The Spark) is revealing of the LTTE's character. The *Theepori* comprised a group of PLOTE dissidents, who in the mid-1980s at tremendous risk exposed the inner depravity in their

threat to the LTTE, but were politically critical of its absolutist militarism. Many of the cadres of these small organisations were arrested, tortured and killed, particularly in the early 1990s.

The LTTE's intolerance of independent activity has not changed one whit although its tactics may have changed. After investing in terror for many years, the LTTE has paralysed society to a point where it rarely has the need for open spectacular displays of violence to reinforce its control. In its approach to the Socialist Equity Party (SEP), a very small Trotskyite party linked to the International Committee of the Fourth International, the gun and sword are not on display, but the LTTE's menacing nuances are clear to any insider. The Socialist Equality Party (SEP) has a small presence in the North-East. It supported the Tamil struggle from its socialist perspective and worked towards a Socialist United States of Sri Lanka and Eelam.

According to the SEP, in early September, Semmanan of the LTTE's political wing issued what amounts to a death threat against members of their party on Kayts Island, off Jaffna. The immediate intention, the statement adds, is to terminate their political activities in the North and to seize the fishermen's union organised by them. Semmanan reportedly told a meeting of the Ampihainagar Firshermens' Cooperative Union on September 6th: "*In our history we have not allowed this type of party to exist. What happened to Rajiv Gandhi who sent armies to Sri Lanka? Very soon we will find out the disease and give the proper medicine. The LTTE has medicines for all diseases*" (for more details see the Word Socialist Web Site). Semmanan's comments were made just over a week prior to the commencement of peace talks between the LTTE and the Sri Lankan government, and a day after the Government formally lifted the ban on the LTTE.

The SEP has had previous run-ins with the LTTE. In 1998, four of its members were arrested by the LTTE in Killinochchi for pasting posters calling for an end to the war and Tamil-Sinhala working class unity. Three of them were detained for almost two months, the fourth for seventeen days. An account of their time in detention can also be found on the WSWS.

6.5 Sweeping the Stage for the Peace Opera

Mysterious deaths, suicides, the attack on the Principal of Hartley College and other like developments are troubling hints of the 'peacetime' *modus operandi* of the LTTE. Such mysteries even seem to follow the LTTE's free access to Colombo. Subramaniam Muthulingam, a 45-year-old engineer from Australia was stabbed to death by three

former group in the book, '*A New Kind of World*'. The LTTE even distributed the book to discredit the PLOTE, which it prudently avoided confronting militarily at that time. The *Theepori* remained an informal alliance, intending to enter the political scene in the North-East. In the general crackdown following the outbreak of war in 1990, several *Theepori* members including the main author of the book were picked up by the LTTE and are since missing!

Tamil-speaking youths at his Colombo residence at dinnertime on 9th September. LTTE elements had earlier attacked the Hindu temple where he officiated in Australia for standing up to the group's extortion demands. The incident reportedly featured in the Australian government's case to ban the LTTE. In the face of such deviousness, even the world's more sophisticated monitoring missions are fated to impotence. It appears that "accidents", "suicides", "attacks by thugs", are all going to become entrenched as means of social control and engineering compliant attitudes.

We see clearly the ingrained weaknesses of the MoU, which is fundamentally anti-democratic and anti-people. It functions as a means to legitimise a totalitarian order in the name of peace, where checks cannot work. Whatever the limitations and weaknesses of parties such as the EPDP and EPRLF(V), they are the only political organisations that have withstood the LTTE's terror and are attempting to function in the North-East within a formal democratic framework. Any peace process should aim at creating conditions for independent political activity to evolve rather than to suppress it. Knowing the history of the LTTE and its politico-military strategy, it is incumbent on any peace process to ensure that the values of democracy are instilled and the people encouraged in exercising them.

The MoU is an agreement between military actors, not a human rights pact. It is inherently biased towards military forces that have shown a lack of concern for the people and an antipathy to democratic principles. In its hierarchical approach to making judgements about other actors, it is not their political potential that matters, but rather their destructive capacity to make a nuisance of themselves. Its outcome would necessarily be skewed.

Take the current developments in Jaffna for instance. Soon after the first round of successful peace talks, the LTTE has moved to clear Vadamaratchy of all potential opposition. The Hartley College Principal has been attacked and warned to get out. The EPDP has been threatened to clear out by November. The SLMM will rule the attack on the principal a police matter and not a cease-fire violation, since there is no evidence that the LTTE was involved. The Police who with the Army have standing instructions to sleep through such affairs and not get involved will hardly get any wiser, even though the IGP designate is actually an old boy of Hartley.

After the first round of 'successful' peace talks the LTTE clearly feels that it has received license to flex its repressive muscles further, and even breaking a few heads will be covered up. As for the Government and Norway, too much has been invested in reputation and stakes for such things to matter - rock the lake if you must, but keep the peace boat steady on course, and who cares about the people?

The LTTE's first thrust is to clear Vadamaratchy of 'traitors' in time for 'Great Heroes Day' in November. The LTTE's version of *Sturm Abteilung* or Brown Shirts have already defaced an EPDP built local council building in Vadamaratchy and attacked a non-compliant principal. The LTTE is also said to be wild with the Jaffna Municipal Council for observing the 'successful' peace talks with a resolution against exorbitant unlawful taxation.

On 27th September, the Mayor of Jaffna, Mr. Kandian, was summoned by the LTTE's chief commissar in Jaffna, Mr. Aanjaneyar. The Mayor reportedly explained his inability to nullify the resolution that had been passed. The Commissar then wanted him to issue untruthfully, a statement to say that the TULF had nothing to do with it. The Mayor, a worried man wondering what to do, has so far not issued such a statement.

The Mayor, Mr. Kandian, is from the TULF, and although one TULF councillor questioned the resolution when it was proposed, no TULF member had opposed it. It was passed unanimously. Mr. Kandian's courage had kept the Jaffna TULF office running after the LTTE murdered Mayors Mrs. Yogeswaran and Mr. Sivapalan along with some senior party officials in 1998. The clash of functions between the Lord Mayor and the Chief Commissar is one between the rules of democracy and the compulsions of fascism.

While using the TULF to try to get the Government dissolve the local councils, the LTTE has devastated its leader, Mr. Anadasangari, by ordering him not to attend the UN with a delegation of parliamentary leaders and steal some limelight. By the time the peace talks end, only the sole representatives intend to be around.

6.6 The LTTE in Politics

The effects of the LTTE's political wing in Jaffna explain their insistence on being the sole representatives. Except where compulsion was used, their rallies have been a failure. Their political cadre is good at reciting formulae, but cannot face the most basic questions. A political spokesman, Arasanna of Udupidy, was addressing a meeting in Anaikkottai in early September. A member of the audience asked a blunt question: *"In 1989 you made a deal with Premadasa's UNP to get the IPKF (Indian Army) out. Then you went to war with the Sri Lankan government and Premadasa was killed. When (President) Chandrika presented a political package in Parliament, Ranil's UNP opposed it saying that it gave too much to the Tamils. Now you are working closely with and supporting Ranil's UNP. Can we seriously expect a solution to the problem this time?"* Arasanna replied to the horror of the audience that it would finally be solved by war!

Around July the LTTE summoned the Justices of Peace for a meeting at the Old Co-operative Hall in Jaffna. Chief Commissar Aanjaneyar presided over the meeting, while a girl from the political wing too spoke. The high point of the meeting was when many of the JPs were asked individually, *"Who is our leader?"* Like Sunday school children, they gave the one answer that would have been tolerated. Some of the JPs described their experience, *"We sat through with our heads bowed in shame, and came out grumbling among ourselves!"*

Aanjaneyar arranged for Thileepan's 15th death anniversary which fell on 26th September to be celebrated at Kandasamy Temple on a grand scale. Thileepan, one time political chief for Jaffna, died a horrible death fasting on orders from the Leader, watched by the LTTE hierarchy. The event was given a contrived religious aura by placing the dying

man's virtual bier at the same temple. On the morning of the anniversary heads were asked to close government offices at 10.00 AM and come with their subordinates to the Temple. The heads had little choice, but most others went home. From the schools students were transported *en masse*, to form the overwhelming bulk of the audience.

Contradictory messages came from the main speakers. If Aanjaneyar has hidden resources of originality and political acumen, he has wisely kept this a closely guarded secret. He stuck to his usual line of heaping epic praise on the Leader and asserting that the people had spontaneously accepted the Tigers as their superhuman saviours. Were he haunted by the thought that being in Thileepan's office, he too may be one day compelled to re-enact the same feat being celebrated, he gave no signs of it.

In his speech, Puthuvai Rathinathurai, a one-time veteran communist, stated that the people had not yet accepted the LTTE. The next incident deals with another novel development reflective of the atmosphere.

6.7 The silence of the free media and catching the Tiger's tail

The regional paper *Thinakkathir* published in Batticaloa was closed after being raided by LTTE men during the night of 8th August. The raiders burnt documents and took away equipment such as computers. According to local information, the raiders came from the Valaichenai area office of Senathy who had just been made Deputy Political Leader for Batticaloa. The paper's controller, Mr. Rajasingam, had been present at the wedding on 27th June where Senathy's men abducted two Muslim cooks who were then tortured before being murdered. The paper had also been the first to break the news of Karikaln's removal from the post of political chief at the end of July.

The *Thinakkathir* was published by persons from the NGO sector who were earlier associated with other groups, but later embraced the LTTE's position. The *Tamilnet* too is in the group's circle. The *Thinakkathir* was toeing a pro-LTTE line. The editor of *Tamilnet* was hurt at the *Thinakkathir* office in a drunken brawl last December with local Christmas revellers. The event was shot into a great deal of publicity after being given a sinister twist and international support was sought. This time when the *Thinakkathir* was really attacked, *Tamilnet* in its story claimed that it happened in a security zone and pointed to other Tamil groups being responsible in connivance with the security forces. *Tamilnet* followed the next day with a news item of a local protest against the attack and nothing further was written about the incident. The LTTE's political wing for its part denounced the attack and was 'distressed' that sinister elements had attacked 'independent media persons' during a time of peace!

Standing out curiously alongside civic organisations in Batticaloa that staged 'a half an hour passive protest' on 9th August was the Auto Union (*Sunday Times*, 11.8.02). The company of an auto dealer's son was the other party involved in the Christmas brawl at the *Thinakkathir* office, where both parties rushed to Batticaloa Hospital to stake their case. It led to a melodrama where the media party, which had delayed trying to get the hospital ambulance, abused the doctor on duty upon discovering that the auto party had been treated first.

As soon as it became clear that the LTTE was responsible for the attack and the equipment removed had been taken to the LTTE-controlled area, all protest ceased. There was neither local nor international condemnation. Neither the Free Media Movement nor any other organization in the South campaigned against this outrage.

What happened here is that a paper, which quite faithfully toed the LTTE line, was ransacked and banned. All that the SLMM and other defenders of freedom did was to be blind and deaf. When individuals beat Semmanan, the LTTE representative, arriving in Kayts in June, the SLMM was quick to ask for a commission of inquiry, which the Government appointed. No one can quarrel with that. But when the LTTE does worse things, the general approach seems to be to look the other side. The same Semmanan is now threatening everyone else in demonstration of the LTTE's true agenda.

Journalists in the North-East with a conscience and professional integrity are today frightened and very unhappy. All the measures described above against independent political activity and the slightest flicker of independent news reportage have been taken with total impunity. Even more revealing is the LTTE's paranoia over even a glimmer of dignity from what is in effect the moribund carcass of the TULF awaiting pronouncement of clinical death. The LTTE reduced the party to total subservience through the serial murder of more than ten of its leading luminaries. A tiny ember of dignity stirred within the party to celebrate its murdered leader Mr. Appapillai Amirthalingam's 75th birthday, which fell on 26th August.

7. Amirthalingam's 75th Birthday: 26th August 2002

7.1 Jaffna: Seeing Banquo's Ghost

The LTTE had regarded the TULF so much in its pocket that it first took little notice of the event. The first sign of alarm appears to have been upon discovering that Mr. N. Ram, editor of the *Frontline* and a leading member of the Indian establishment, was to be the guest speaker at the main celebration in London. The LTTE views Ram a sworn enemy and distributed notices in London asking people not to attend. The LTTE was then assured that Ram would confine himself to the man and his contribution. Several meetings planned in other Western cities had to be cancelled. Nevertheless, a crowd of 300 attended the London meeting.

In Jaffna itself the LTTE was late to act. On the evening of 25th August, the LTTE summoned TULF officials in Jaffna and told them not to do anything to observe the occasion. According to journalists in Jaffna, Prof. Sittrampalam of the University of Jaffna declined and pointed out that advertisements and appreciations to appear the following day had already been given to the local press and would have been printed by that time. Finally a compromise was reached that a secluded meeting will be held at the TULF office, but the Press should not report it.

Next morning, the writings in appreciation of the man appeared in the press. So portentous is the LTTE's intelligence apparatus that it failed to intercept these. The LTTE political office in Jaffna then called up journalists and warned them not to report the evening's meeting. A crowd of about 150 attended, many of them stragglers cautiously arriving late after making sure that others were already at the meeting. This is a public meeting that made history. After the heartfelt encomiums to the late leader gunned down 13 years ago, the organisers entreated and pleaded with the press men not to report anything that transpired.

The drama did not end there. Alarm bells rang in London leaving the LTTE leadership in the Vanni extremely angry. Several TULF leaders attended the London celebrations in which a book or two about the late leader had been released. They have referred to Amirthalingam as historically a key leader of the Tamil liberation struggle. The worm had turned without permission from the one and only leader.

We reliably learn that the LTTE has communicated its displeasure in very strong terms to a leading MP in the East. The man who always shows a pro-LTTE face in public, while struggling with his conscience, was a sad man indeed when he confessed to his close friends about the verbal lashing he had received from the LTTE. The manner in which some TULF officials are shifting the blame and undercutting each other when confronted by the LTTE over issues such as Amirthalingam's birthday, has led others to ask whether it would not be more dignified to close their Party than to go on in shame.

A postscript to Amirthalingam's subdued birth anniversary is further revealing about the kind of order that is taking shape in Jaffna. Amirthalingam it seems stood in the way of other claimants to a prominent place on the Tamil nationalist pantheon and the competition was decidedly unequal. Arrangements were made to release in Jaffna a book by Adele Balasingam about herself and her husband, not forgetting Prabhakaran, with awkward silences (e.g. the premeditated murder of the Balasingams' dear friend and TELO leader Sri Sabratnam is described as a shoot out). The grand release was to be in Kailasapathy Hall, University of Jaffna, on 31st August. Invitations were sent out to heads of educational institutions, co-operatives etc telling each invitee how much money to bring to purchase a copy. There was no choice.

An LTTE spokesman reproached the distinguished audience, pointing out 'there are many professors here who know English, but it was left to Adele Aunty to write such an important book'. The invitees were summoned by name to come forward and purchase the book. Several of them hated the LTTE's politics. This was indeed a doubly captive audience, having to pay for their enforced presence at regular functions to satisfy one man's ego. Ironically, the book was titled *The Will to Freedom*.

By contrast, compliments paid to Amirthalingam came from the heart. The columnist D.B.S. Jeyaraj, widely regarded as pro-LTTE, was crossing the red line when he wrote of the late leader (*Sunday Leader* 1.9.02): "*Such was his stature that the void caused by his murder is yet to be filled...a man whose only fault was that he loved his people and hazarded all types of risks to serve them.*"

A particular argument coming frequently from persons backing the assumptions of the present peace process is a pointer to the prevailing level of intellectual honesty. It is argued that the large number of MPs elected from the TNA is an acceptance of the LTTE as sole legitimate representatives of the Tamils. However, given that the votes were largely those polled by veteran TULF leaders, does it also signal the voters endorsing the LTTE's murder of senior TULF figures? The LTTE's alarm over the 75th birthday of 'traitor' Amirthalingam gives us interesting answers from the horse's mouth. The observance of the anniversary in Toronto is perhaps most revealing of the Tamil community's disquiet about its current direction.

7.2 Toronto: Cracks in the Wall of Silence

Many members of the community were reflecting on the murder of its erstwhile leader and its implications during the first round of peace talks compounding the LTTE's nervousness.

Balasingam's mind and threats by free media

Following Balasingam's masterly liberal performance in English at Sattahip, the liberal veneer was completely eclipsed when he was subsequently interviewed by Sakthi TV in Tamil. Balasingam reprimanded the nonplussed interviewer for wanting to interview the other Tamil parliamentary parties. They are non-entities, he averred, whose only task is to take instructions from the LTTE and to perform in parliament as they had been told. He denied them any role in the interim administration. He did not mince his words when he asserted the LTTE's totalitarian claim, whether it is war or peace it is the LTTE alone and no one else that decides. It was again a change of nuance from Sattahip where he presented the LTTE as a people's organisation.

Feeling deeply upset, and utterly humiliated, several TULF members admitted that they brought this upon themselves by backing opportunistically the LTTE as the Tamils' sole representatives at the last elections. As Balasingam's interview indicates, the LTTE continues to harbour a deep inner fear about the TULF. This is not because of the merits of its present leaders, but because of the deep historical imprint it has made on the minds of the Tamil people over generations. More menacing, however, was the threat delivered, quite transparently, through the columns of a regular newspaper published in Colombo.

The immediate concern was the present TULF leader Mr. Anandasangari being part of a parliamentary delegation to the UN as we mentioned earlier. The columnist *Pasupathan*, writing in the *Sudaroli Weekly* of 1st -7th October, described the TULF leader's proposed visit to the UN on 'government charity' as a stratagem by the present government. It was supposedly meant to discredit the LTTE's status as sole representatives of the Tamil people. It spoke of 'advice' having been given to Mr. Anandasangari not to go to the UN and mentioned others who had similarly been given 'advice' and wisely took it. One was Mr.C.V.K. Sivagnanam who declined acceptance of President Jayewardene's appointment as chairman of the Interim Council in 1987. The other is Jaffna's present

Additional GA, Mr. Vythilingam, who declined his recent appointment as GA on 'advice' given.

The columnist *Pasupathan* observed that Mr. Anandasangari has taken off to Canada and wondered if he would slip across to the UN in New York against sound 'advice'. He also noted the LTTE's impatience at having to put up with 'traitors' during a truce that is really between adversaries, but which the 'traitors' are taking advantage of. The columnist also pointed a finger at a young MP who was supposedly encouraging Anandasangari to defy the LTTE. This young MP, the columnist said, was known to be grumbling that while they were around as leaders, a white woman was sent to Sattahip to represent the Tamils at negotiations. How effectively the LTTE could say through the 'free media' what it dare not say openly even in Tamil. That weekend, however, Mr. Anadasangari was participating in an Amirthalingam commemoration meeting in Toronto.

Toronto: the expected and the unexpected

What surprised many about the meeting held on Saturday 28th September was that the crowd of 500 exceeded the expectations of the organisers who had arranged a hall for 300. Many were standing or were seated on the floor. The intention of the organisers was to keep the meeting apolitical and free of controversy in relation to the LTTE. Most speakers obliged.

The speech of Mr. Mavai Senathirajah, MP, was laced with hypocrisy and went on emotionally, DMK style, for more than half an hour. He spoke of the blood spilt by Amirthalingam during the Galle Face *satyagraha* in 1956 and of his feat of speaking for four hours in Parliament to resist the 'Sinhalese Flood'. But he did not drop the slightest hint of the blood spilt when Amirthalingam was murdered in 1989! The burden of his speech was to argue that the politics of the Tigers is the logical culmination of the politics of the TULF. Many would agree with that, but it is a double-edged compliment to the LTTE, which makes it all the time nervous even of the TULF's shadow. History is now being rewritten. However, the TULF's rewriting may not always be flattering to the LTTE. Many found Mr. Senathirajah's speech disgusting.

While D.B.S. Jeyaraj played both sides, he made the point that it was continuity from the TULF's work of many years that enables the LTTE to justify its struggle for Eelam. If not this struggle would have been regarded as mere terrorism. He also said that it was Amirthalingam, Sivasithamparam and NeelanTiruchelvam (all victims of LTTE violence) who educated the Indian leaders and public about the Tamil struggle in Sri Lanka. S. Navaratnam (Karikalan) made a down to earth speech about Amirthalingam's work.

Kanaka Manoharan's speech came as a surprise and the audience was electrified. He went into the attack asking, "*Who are the traitors, was it Amirthalingam or those who killed him? Where were all these people during the last thirteen years since Amir was killed?*" Manoharan, a lawyer from Valvettithurai, was a regular speaker on TULF platforms during his early youth, and would have known Prabhakaran as a junior boy understudying senior militants.

The Chairman sent Manoharan a note, probably asking him to cool off. He threatened to cut off the microphone when the speaker exceeded 10 minutes, although Mavai Senathirajah was allowed to carry on for more than half an hour. It was the most wonderful moment of the meeting for many, when the crowd shouted back, "*Let him speak, let him speak*".

The fact is that the crowds did come and many Tamils want to show their support for something that is even remotely non-LTTE. They want to hear alternative voices like Kanaga Manoharan's. With talk of peace in the air many of them want to participate and to open up. The TNA politicians in this country are, on the contrary, trying to rewrite history to justify their craven politics and marry it to that of the LTTE's. But they will convince neither the older generation nor the LTTE. Many speakers spoke of the TULF's links with India. Even this, the LTTE would find double-edged, though it desperately wants to mend fences with India.

More surprisingly, however, many people still regard the TULF as the alternative to the LTTE, which again explains partly Balasingam's bile. But the strength of the TULF does not lie in its present servile leadership. Its political legacy, which gave birth to the LTTE, is a dead end.

The TULF's strength lies in a social base which is also a repository of historical memory, evoking nostalgia for what might have been. It can occasionally summon a powerful outburst like Kanaga Manoharan's, and there are many of them in that age group. They are there in every nook of the North-East, harbouring a sense of betrayal of the Tamil cause by the LTTE, while imposing enormous and needless suffering on the people. The murder of Amirthalingam personifies these feelings. Given today's reality of the TULF, the kind of party loyalty demonstrated by a number of simple people like the Mayor of Jaffna, at considerable risk, should provoke thought.

8. Some Fallacies and the Case of Muslims

The sudden replacement of Batticaloa's political leader Karikalan and his deputies, Visu and Thurai, at the end of July came as a sensation. Analysts gave varied reasons. Among them are Karikalan discrediting the Leader by continuing extortion of Muslims and unleashing violence against them last June; mounting a regional challenge to the Leader; bringing the organisation into disrepute by continuing with child conscription, and corruption. The evidence on the ground does not support any one of these contentions.

The Muslims: There is no change of policy on the harassment of Muslims especially around Valaichenai. It must also be pointed out that Senathy, who has since been promoted to deputy political leader, was in charge at Valaichenai during the June violence when 12 Muslims were killed. This makes Senathy directly answerable and responsible for the murder of two Muslim cooks in the area, who were abducted by persons under him.

Moreover, the policy of cramping the Muslims and isolating them economically that was begun in June, still continues. On the night of 26th August, Pathinian and Ravi of the LTTE covered an area including Valaichenai, Petthalai, Nasivantivu and Kalkudah making a loudspeaker announcement. This warned the Tamil people not to go to Oddamavady or to have trade or other relations with Muslims. Those acting in breach of this order, the announcement went, would be regarded as traitors and punished. The LTTE has opened a ferry service from Petthalai so that the Tamils going to Nasivantivu would skirt Oddamavady, a largely Muslim town. The economic isolation is affecting the town badly.

All this was done after Karikalan's removal. On the day of the violence, 27th June, it was Jim Kelly Thaththa's men who were manning the road at Kiran where two Muslims disappeared. Jim Kelly comes under Karuna. That Muslim traders exploit Tamils is a silly myth that has not been contradicted by NGO delegations that visited the area. Tamils traded with Muslims because the latter offered better prices for their goods and produce. Tamil people in Vaharai have complained (see last report) that they are severely exploited under an imposed LTTE monopoly over their produce. This monopoly will now extend to the nearby government-controlled area and one of the main beneficiaries would be Karuna's brother Reggie!

Reports also speak of the eviction of hundreds of Muslim families at gunpoint from Paalai Nagar, two miles from Valaichenai, after the recent violence (e.g. Rauf Zain in the *Mirror*, 5.9.02). How convenient to lump this too on Karikalan!

This is in good measure a policy orchestrated from the top to make the Sri Lanka Muslim Congress (SLMC) subservient like the TULF. The LTTE cannot control the Muslims at the grassroots as it does the Tamils. The Muslims are still free to talk in their villages and in their mosques, and to take positions without individuals being targeted. For this reason many Tamils regard them the last hope for democracy in the East.

If the LTTE's sinister actions under the name of 'peace' and 'political work', and moreover in areas under government control, go unchecked, the next targets will be Eravur and Kattankudy..

Child conscription: Again no change after Karikalan's removal. Those reading our last report will notice that the new political head Kausalyan and his new deputy Senathy were both harsh practitioners of this crime.

Corruption: Certainly not limited to Karikalan, Visu and Thurai. Very common in the LTTE, a charge used selectively when it is time to purge someone.

Batticaloa vs. Jaffna?: Karikalan is a creature of Prabhakaran and was never regarded one to challenge him. The allegation of regionalism is based on an interview with Karikalan published in the *Virakesari* of 21st July. The background to this was the SLMC leader not answering in person an invitation to meet Karuna in interior Batticaloa, on the

valid grounds that it was the LTTE leader with whom he had signed an MoU. What Karikalan told the paper has the innocuous interpretation (from the Leader's point of view) that the SLMC leader who insisted on going to the top must not think himself too high to discuss local problems at local level.

In fact it is from Tamils in Batticaloa that complaints against the three who were removed originated. Some of the complainants had a long association with the LTTE and told the top leadership about the unbecoming conduct of the three. Their former circumstances and their present wealth and ostentation, as well as those of some of their close relatives were compared. These persons were supposed to behave better than Sri Lankan ministers.

An important reason for Karikalan's removal is likely to do with the military leader Karuna. Since the commencement of the peace process the political wing had largely eclipsed the military wing. In dealing with the public and traders in the newly opened government-controlled areas, the leaders of the political wing realised enormous power. Karuna had notably been talking of a quick return to war. It is important to note that Mahattaya who headed the political wing enjoyed much prominence during the cease-fire of 1990 and was, after the commencement of war, isolated and eliminated.

There is indeed a most tragic problem confronted in particular by the people of Batticaloa. The LTTE leadership has relied very disproportionately on Batticaloa for its cannon fodder. Organised conscription on the basis of at least one child per family has not been enforced anywhere else. This too is pure instrumentality, not regionalism, just a matter of what the LTTE can get away with. The crime has moreover been enforced through leaders from Batticaloa, who are, in turn, Prabhakaran's creatures. The LTTE gets away with it because doubts in the East about the intentions of the Sinhalese polity remain enormous. There is no evidence of Karikalan's removal having anything to do with a Jaffna-Batticaloa conflict within the LTTE leadership.

Having ruled out the most commonly given reasons for the leadership changes in Batticaloa, we are driven to look for answers in what is going on within the LTTE. It also has an intimate bearing on the fate of the peace process.

9. A History of Blood and the Problems of Age

For many years now, approaching the span of a generation, the LTTE has spurned opportunities for peace and prosecuted war much to the dismay of the population. The LTTE leader has pursued the cause of a separate state single-mindedly, cultivating and using the adversary's brutality and political procrastination. But whether the rank and file and second level leaders would share indefinitely the same zeal for a struggle that is being progressively deserted by the people, has seldom been asked.

Although being maligned today, the antecedent PA government's inexcusably dilatory moves towards a political settlement, and to some extent making the security forces feel answerable for violations, had a benign effect. The Tamil people silently began to feel

that there are less costly ways of winning their rights than an endless suicidal war. The current cease-fire too helped to release some pent up frustrations.

With many members of the LTTE entering government-controlled areas and visiting their families, there is mounting testimony to war weariness among them. During the past years senior cadres who wanted to quit and settle down were held back. These too are among the reasons for the LTTE to press ahead with child conscription, the very young especially for units groomed for confidential assignments such as protecting the Leader.

With the passage of a generation the organisation has aged and is very remote from an idealistic band of youthful guerrillas. The removal of Karikalan was revealing in several respects. It sent shock waves among the political wing in distant places. When the news appeared in Jaffna's local daily *Uthayan*, the leaders of the LTTE's political wing there charged that the paper was lying. When they verified it, they wondered to persons close to them whether this would be their fate too.

On the one hand the leadership kept accusing those posted in the political wing of poor relations with the public. But those in the political wing wondered with justice how they can improve relations with the public when they are ordered to drag children away from their parents and to torture the public with gigantic extortion. The leadership must have got the message.

Despite the initial reports of grave charges against Karikalan and associates, no punitive action was taken. Karikalan is reportedly back in his office without duties. As happened with Mahattaya, there was no weeding out of his supporters. Thurai who was blessed with a child during late August was seen running around in his usual pick-up. People in Palugamam had complained to the Leader about Ramanan who had been breaking Hindu temples. No action was taken against him despite the senseless ill feeling it caused.

The LTTE has not issued any public statement about the removal of Karikalan. There appears to be instead a move to disguise it by shifting many members of the political wing (e.g. Melavan has been moved out of Vavuniya). Since it came after a period of uncertainty about whether to continue the peace process, it may also be seen a move to placate the military wing.

What we have is a picture of a leader unable to act against senior persons in his organisation with the same freedom he ruthlessly exercised in earlier years. A generation on since 1975, a small tightly controlled guerrilla band has become an oligarchy with all the vices inherent in such a body. They are also leaders acquiring one by one the common ailments heralding old age that are also the portents of mortality. Many are now like persons who, after thankless years in a novel political or religious cause, or in largely gratuitous social service, long for a settled family life with urban comforts and respectability that come with position and wealth.

There is a further problem that is particularly acute in the LTTE. Soon after charges against Karikalan were leaked, leaflets containing allegations against his apparent rival

Karuna were circulated. A leading allegation was that in the early 1990s, Karuna used one Kaleel to assassinate his senior and rival Lt. Col. Joy during an engagement with the Sri Lankan forces. Only Karuna's close bodyguards allegedly knew this. One of the latter, PODEES, the leaflet claimed, sent the Leader a letter regarding this murder, which was intercepted by Thurai. Detailed allegations were also made of Karuna's personal life.

The leaflet may be a piece of sophisticated fiction, but because it reflects too well the atmosphere within the LTTE, it is unlikely to be disbelieved.

There is an eerie atmosphere of distrust pervading the LTTE where in a host of deaths the ostensible cause is not believed. The cease-fire may have accentuated a phase of temporary paralysis in the group. There is however a hackneyed argument lending support to the Leader. It goes like this: *The violently obdurate Sinhalese State will never give the Tamils their rights. Hence only a separate state - Eelam - will allow the Tamils to enjoy rights and dignity. Prabhakaran is a unique leader who has single-mindedly pursued the cause of Eelam and there can be no turning back after all the sacrifices made. There can be no room for weaker spirits who undermine the struggle or want to compromise with the Sinhalese State. If Prabhakaran believes that they must be eliminated for the common good, so be it!*

Its appeal has made the Leader a cult figure among sections comfortably removed from the scenes of violence and suffering. Moreover, it is easy to see why compromising on Eelam would demolish the only plank supporting the Leader's politics and his position. Even as he uses the peace process to strengthen his grip on the North-East, he will go on fishing for events, such as the unrest at Hartley College, in a bid to make his case - that he is the only answer to the Sinhalese polity.

Even as Balasingam pays glowing compliments to Milinda Moragoda in English, the LTTE's Tamil media will depict him as a cunning ogre with a secret agenda. Even as the LTTE is praised in the international media for apparently distancing itself from separatism at Sattahip, it has moved to reassure the faithful through more specialised channels that Eelam remains its inseparable goal.

Adding to the leader's paranoia about individuals is his enormous liability not shared by most of his subordinates - the murder of former Indian Prime Minister Rajiv Gandhi. It is a liability whose impact on the peace process and the country's immediate political future has so far received little attention.

10. The UNP: Past and Present

The key drawback in today's peace process is that rather than being driven by a concerted attempt to seek a national consensus, it is largely perceived as resulting from a secret understanding between the UNP, now forming the government, and the LTTE. This is vastly different from a transparent political understanding reached with a democratic parliamentary party.

In playing their power games over the years, both the UNP and the LTTE have thoughtlessly and callously sacrificed the lives of thousands of ordinary people. There are signs that today's peace process, where large segments of opinion are not being reassured about its integrity, is creating a dangerous political vacuum. Unless a reckoning for the past with a will to refashion our institutions, so as not to repeat it, accompanies the peace process the people have little stake in it.

The key problem with the UNP is its inability to face up to its own violent past and its institutionalisation of state terror, first against the Tamils and then against Sinhalese opponents, which brought Sri Lanka to the brink of being a failed state. It has been consistently incapable of talking to the country honestly about the Tamil question. Simply for the sake of power, it identified with Sinhalese chauvinist sections to obstruct the PA government's attempt at a constitutional resolution. Forced to deal with the problem, it can only do so manipulatively, avoiding open discussion to evolve a consensus. It may also prove a fatal handicap when negotiating with the LTTE.

When there is a lack of openness about such a harrowing past as one this country has had, there arises a compelling need to pervert our institutions of justice at the highest levels. Its effect is to render us cynical, destroy our sense of public decency, trivialise our values and render us frivolous as a nation. We will take a particular disturbing instance.

It were suddenly as though the masses of evidence documented by the Disappearance Commissions and the harrowing events at a torture camp to which the Prime Minister was closely linked, as detailed by the Batalanda Commission, have become figments of imagination. These were events that took place in the late 1980s. During the latter years of the PA government a unit of the CID and the Attorney General's Department had been conducting investigations on testimony before these commissions and their findings, with a view to filing indictments.

It is well-known that a number of UNP ministers and MPs were presiding over death squads with the aid of sections of the security forces, as is also clearly evident in findings of the commissions above. The UNP government elected in 1977 perverted the judicial process and made tampering with it a normal part of governance, whence in the early 1990s it continued to obstruct investigations into the events of 1987-1990. There is hardly a better illustration of this art than Defence Minister Tilak Marapone's earlier career in the AG's department.

As DSG, Mr. Marapone led the cover up of the Welikade prison massacre in July 1983. As AG from 1992 - 94, the case of the murdered journalist Richard de Zoysa made no progress under him, nor for that matter did those pertaining to the murders of former National Security Minister Athulathmudali and President Premadasa. A classic instance of evasion on Mr. Marapone's part was the case of the 32 schoolboys from Embilipitiya who disappeared in late 1989. (The case dragged on for over 9 years and resulted in the conviction of several of the accused, four years into the succeeding PA government.) Now as Defence Minister, Mr. Marapone has been enjoined to deploy his skills in

covering up child conscription by the LTTE. His positions have proved as stable as the party's caprice of the moment.

The new UNP government was elected in December 2001 and according to our sources there was in January 2002 a meeting of some UNP ministers, including probably the Prime Minister, and a few senior police officers, some of them retired. Subsequently a highly placed emissary met the present Attorney General, Mr. Kamalaseson, and asked him to drop all proceedings pertaining to the violations of the late 1980s. The AG, we learn, explained the position with respect to these and declined.

Subsequently, we learn, a powerful UNP group met Mr. Kamalaseson and put it to him forcefully that he must stop the proceedings. It is now known that the police investigation unit has been wound up and proceedings have been effectively stalled since April.

This is the underlying human rights background to the current peace process. It is against this mindset that the LTTE has been given a virtual free run to conscript children and to deal with its political opponents. Cynicism about the Government's attitude to law and order, the atmosphere of vituperation in political life and the uncertainties surrounding the Government's dealings with the LTTE have together resulted in an air of confusion, distrust and volatility in the South.

Instead of being dignified, we have a government quite willing to ditch the Tamil opposition and its ministers shamefully performing the gratuitous service of exonerating the LTTE from charges of child conscription, extortion and planned attacks on Muslims. We moreover have reports, the undignified fallout from which surfaces in media gossip, of rival groups of ministers falling over and undercutting each other to cultivate advantageous relationships with the LTTE, presumably with an eye to the millions of dollars expected as rehabilitation aid. According to sources close to the LTTE in Vavuniya, Poovannan, an important LTTE figure there who deals with NGQs, had visited Colombo twice recently. First as a guest of one minister, and then of a minister in the rival camp.

We are seeing today a strange arrangement where the Tigers claim to be moving towards Eelam, while the Government congratulates itself before the Sinhalese claiming to have saved the Unitary State. In the meantime we are hearing the same old UNP claim that the country is moving towards becoming an El Dorado, and would get there but for the Opposition. Hence a demand for absolute control over Parliament, clipping the President's wings etc. There are also strong indications that the Government is preparing for repression in the South.

Ghosts from the UNP's cupboard of skeletons are being rehabilitated in key security positions. Among them is retired Senior DIG Merril Gunaratne who was linked to the Batalanda operation during the Southern insurgency. Soon after last December's election, we learnt of talk in the Polannaruwa area that the UNP planned to recruit a large number of youth at Rs. 2,000 a month. The intended target of their activity was said to be the JVP that had significantly improved its electoral standing. Recently we had the Youth Corps

Bill, which envisaged paying Rs. 2,000 a month to selected youth who are to be trained in a variety of skills. While the reason sounds legitimate, one cannot forget the Prime Minister's close association with the late Minister Cyril Mathew of the JSS, who recruited UNP goons by offering them jobs in state corporations.

Those were the days when the Government shut its eyes and ears to the violence it was inflicting on the Tamil civilian population and was nasty to anyone telling the truth. Now the process has reached a strange phase where the present heirs to that UNP government, contrary to basic common-sense dictates of security, do not want to have eyes and ears in the North-East to see what the LTTE is cooking. The Press on 14th September carried Defence Minister Marapone's response to President Kumaratunge's letter concerning an arms build up, recruitment of children and harassment of Muslims by the LTTE.

The Defence Minister's response summarised briefly, reads: "*The Government sees little in the North-East and has evidence of even less, so why worry?*" Some columnists thought it was brilliant. The attack on the Hartley Principal by a group that spent nearly two hours just outside the Pt. Pedro army camp is an instance of how much the Government wants to see. The Defence Minister knows that he is not being serious. On the contrary, the Government thinks it is being clever in seeking a US-sponsored 'safety net' as a substitute for sound intellectual labour and organisational effort. Does that mean repression in the South and typically American press-button destruction in the North-East in the event of the LTTE not playing by Oslo rules?

While the present cessation of hostilities is welcome, it is not an end in itself. It is in part a product of war weariness among the parties to the conflict. While the Government may have dangerously dissipated its ability to respond militarily, there is also mounting evidence of dissatisfaction with war among the LTTE's older cadre. However, the leadership cannot be flexible on its goal of a totalitarian state.

As we have repeatedly stressed, a heavy responsibility falls on civil society to raise the issues that the Government will not raise, so as to make the prospects for permanent peace real. Efforts in this direction have been feeble.

11. The LTTE's Violations, the Government's Authoritarian Impulses and the Impotence of Southern Civil Society

Some strange things are happening in the South. The sections now most articulate about the democratic and human rights of Tamils in the North-East are those once regarded as extremists. The so-called liberal sections have on the other hand maintained pin drop silence on Tamil opponents of the LTTE being abducted under the cease-fire, although they know what it might snowball into, once the group has complete control over the North-East. Even their token concern about child conscription and democratic and human rights in the North-East may not have been voiced had these issues not been raised by Amnesty International and Human Rights Watch.

Last Christmas, a drunken brawl at the *Thinakkathir* newspaper office in Batticaloa was elevated into a story of persecution of the editor of *Tamilnet* by an influential free media lobby in Colombo. Amidst expressions of condemnation, Reporters sans Frontiers too was moved to express its concern. Today, a destructive night raid by the LTTE has stopped the publication of the *Thinakkathir*, and what do we have from the lobby? Pin-drop silence!

The liberal sections have rightly pushed for the investigation of the murder of Nimalrajan, who also threatened fellow journalists in the name of the LTTE. But they also know well that the selective focus on Nimalrajan grossly distorts the real threat to free expression and right to representation in the North-East. During the same period Cheliyan Perinpanayagam, senior journalist, writer and PA candidate, and Nimalan Soundaranayagam, popularly elected MP, were both gunned down by the LTTE. These murders were hardly mentioned although the same persons who campaigned on Nimalrajan occupy commanding positions in fora focussing on aspects of civil rights other than strictly journalism.

Only one recent political abductee of the LTTE, a member of the EPDP, has so far been released due to pressure from the South - nothing to do with any liberal advocates of human rights. The Sihala Urumaya publicised the sorry plight of the victim's Sinhalese wife and children! All this goes to show the general lack of conviction among so called liberals. Their excuse is that any criticism of the LTTE would topple the boat of peace - their kind of peace. The peace of fraudulent accounting, where a market boom is inevitably followed by a precipitous bust. The peace of an order that forces 11-year-old school children to charge into an army camp, while those who forced them wait eagerly for reports of casualties.

This is the civil society that accomplished little while the Tamil problem festered for more than 20 years. Whether they are serious about ending the war, and whether they care, are matters of conjecture. Take the circles in Colombo active in concerns for peace. A key task identified by them is building confidence between the Government and the LTTE. That could be surreal, if one delves deep into the nature of the LTTE, or banal depending on how one looks at it. The banal view would involve trying to hammer in honour between thieves. They may also believe that they can trap the LTTE in this peace process, while finding it impolitic and mean to say so openly. So they must wiggle about with noble pronouncements, avoiding responsibility for the tragic effects of their strategic calculations.

There are, however, more important questions for peace activists in civil society: Have they succeeded in building confidence between themselves and the Tamil people?

There are two kinds of Tamils attending peace seminars in Colombo. One kind having LTTE affiliations or sympathies comes with an agenda and is very articulate. Members of the second kind having reservations about the LTTE are stone silent or play safe. They cannot ask their most pressing questions, nor can they expect answers. Take some of the

prominent Tamil church leaders. In public they may aver that the Tamils [by voting TNA] have chosen the LTTE as their sole representatives.

Nevertheless, we know for a fact that some very prominent and influential church leaders in the North-East have told the Government that handing over the region to the LTTE would be to create hell on earth! Telling the truth at peace seminars in Colombo, which these leaders regularly attend, would be frowned upon as a breach of the rules of hospitality.

The Government (especially the UNP) has no moral qualms over the LTTE's methods. They share the same instinct. However, the former's obligation to function under a quasi-democratic dispensation sets a limit to its excesses. To the class in Colombo inured to the violence the UNP and PA inflict on each other at election time, the violence in the North-East may look tame. This is reflected in objections raised by civil society activists in Colombo to the label 'fascist' in relation to the LTTE. Unlike in the South the political violence in the North-East is not the uncoordinated actions of local henchmen. It comprises the carefully calibrated thrusts of a force reinforcing a totalitarian order, with proper attention given to economy of action. Herein lies the stark difference in quality.

We can see the rocks confronting the peace process that are being ignored. This is why writings in the Press of even the more liberal Sinhalese columnists do not convey much to North-Eastern readers other than platitudinous generalities. Their constant equivocation when it comes to the harder issues is puzzling considering their prominent role in the peace process.

Take the following from the Peace Support Group's statement of 16th September: "*In Valaichenai and some other parts of the Eastern Province, a clash between Muslim and Tamil civilians could not be controlled for several days.*" The reality is that twelve Muslims were killed as against one Tamil shot dead by a policeman. To say it was a clash between civilians or communities (also the official Government position, e.g. Defence Minister's statement, *Island* 14.9.02) is to discredit the ordinary people in order to let the LTTE off the hook as the peace game demands (see our Special Report No.14). Taking liberties with the truth in order to keep a shoddy process going is very dangerous for the people.

12. The Dangers of a Transfer of Power in a Legal Vacuum

While welcoming the outcome of the first round of talks at Sattahip, both the National Peace Council and the Peace Support Group have drawn attention to issues not addressed in the communiqué. They have pointed to the silence on human rights, democracy and pluralism and arrangements to protect these. Leaving aside the public sentiments expressed by the two sides and Norway, the direction on the ground is clear. The Norwegians are predicting the talks going on for several years and what was agreed at the first round was in effect a transfer of power. It is simply an endorsement of what is

already taking place on the ground in a context where the SLMM has done very little to check the burgeoning anarchy and systemic lawlessness.

When Balasingam said at Sattahip that they have an effective administrative structure in place, it was an admission that they have their interim administration, but with the initial nuisance of having the Army, Police and SLMM around. The LTTE has said repeatedly that they will not run the interim administration [directly], but would let the people do it. This is already going on. Through the TULF and others the LTTE is already getting the Government to appoint persons favoured by them as GAs, Directors of Education and Heads of Departments. When a wrong person is appointed they simply ask him to keep off. The LTTE expects officials to carry out instructions, transfer funds where they want them and to organise ego trips for them.

For its part the LTTE will remain the largely unseen and feared ambience piously disclaiming responsibility for the regular and mysterious provenance of terror. This we have seen in the foregoing. This 'effective administration', the LTTE hopes, will continue to run sponging in a titanic injection of US dollars from the International Community. The LTTE has no intention of taking on formal responsibilities that would make them answerable for human rights violations and oblige them to respect a democratic opposition.

This means life would become increasingly dangerous in the North-East. Whether any injection of cash could perform the miracle of development in a political climate where committed persons, whom the community needs badly, are killed, beaten, intimidated and expelled is highly questionable. The North-East has potentially the intellectual and professional skills to lift itself up without a massive injection of cash. What it needs is democracy, security and dignity. The more fundamental question for peace activists is whether the people want the kind of order envisaged at Sattahip.

The LTTE's growing unpopularity along with that of its order is transparent to the insider. No order based on extortion and conscription of children can possibly be popular. This is why the LTTE wants an administration where it will get the cash while the appointed scapegoats get the blame. It is why the LTTE is becoming increasingly paranoid about the EPDP, EPRLF(V) and even the tiny SEP that many commentators would have regarded spent forces a few months ago. Even a murdered leader's 75th birthday has become a nightmare. The TULF now rues its opportunism in hitching its wagon to the LTTE at the last elections. There should be no delay in addressing the core issues of democracy and human rights. With every passing hour, the shadows of a drear night are falling thick and fast.

13. Conclusion

We are today the dubious beneficiaries of a technocratic approach to peace that dandles the community with pledges of development. The process relies on selective memory, doctored history and myths to entrench a force that would inevitably impose further tragedy on the people. While the conflict was being neglected for decades, politicians in

the South have proved singularly inept in building a national consensus founded on broader principles and values. Manipulation has become the substitute for courage to face up to the darker side of recent history, which governs today's political outlook.

However, the people of this country know well that there can be no decent future, until this conflict is behind us. They are also eminently capable of rising up to the call for truth and reconciliation. But whether the politicians who have invested and thrived on lies and manipulation can face this challenge remains in question. The same applies to leaders of the militant groups, especially the LTTE, which invested in a cult of the leader underpinned by terror.

The challenge is before the people and civil society organisations to make those seeking power face up to their past, irrespective of whether they are prepared. The demand for institutions and structures is essential, but they would have little value if the overarching values and culture remain moribund. We see this, moreover, in the working of civil society organisations from whom much is expected.

Are we satisfied with our role? Take for example more than a decade of election monitoring. Did we have any impact on ensuring that candidates who rely on violence and electoral abuse are forced out of politics? Are we constantly monitoring the democratic credentials of elected representatives and their power relations, both locally and nationally, so as to bring about a qualitative shift in the democratic process?

Thus, commissions, structures and constitutional changes do not by themselves deliver democracy or justice. They too can become sophisticated tools of corrupt persons in power. Benign institutions, even when they materialise, will not automatically become a Trojan horse that would corner seasoned political operators and make them answerable. There would be little progress unless civil society organisations themselves adopt a new culture of self-criticism and fidelity to the values they advance.

Hence, it is not sufficient to demand monitoring mechanisms and programmes to instil respect for human rights as an integral part of the peace process. But we must also develop the ability to monitor and co-ordinate campaigns to expose violations and the hidden agendas of the various actors. We are faced with today the Government's cynical attitudes to child conscription and abduction in the North-East, and its manipulative approach to law enforcement. No less cynical and dangerous are its moves to appropriate opposition members in Parliament. This is not being done by appealing to principles or programmes, but rather to individual greed and insecurity. The confusion along with the failure to act with decision on these concerns is an indictment on a civil society that has shown itself weak and ineffective.

False notions of development and peace in the absence of a qualitative shift in political and social mores may in the short-term lead to complacent hope, but would in reality entrench a dangerously authoritarian and volatile political future.

We strongly recommend action on the following demands, some of which have already been made by others:

- **That the GoSL and LTTE place human rights concern at the fore in the next round of talks and accept the presence of an internationally accredited human rights expert.**
- **Take urgent action to release child soldiers and stop propaganda and enticement in schools to recruit children.**
- **That the SLMM and others concerned in monitoring human rights in the peace process take urgent steps to release all abducted members of political groups independent of the LTTE and remove all obstacles or threats they face in functioning in the North-East (see Section 6).**
- **Press for a fresh independent inquiry into past atrocities by all parties, with a view to providing justice to the victims.** The disappearance of 181 persons removed by the Army from the Eastern University in September 1990 was commemorated recently. The State and the LTTE were responsible for numerous massacres in the East. Many of those who lent complicity to the State's atrocities are still in government. Documentation from past inquiries may be used as a starting point.
- **Link development funding to consolidation of human rights, democracy and pluralism in the North-East, along with tangible efforts to bring communities together, particularly in the markedly multi-ethnic East.** We are in a transient phase and not in a post conflict situation. Development and reconstruction efforts need to take this into account along with the political reality in the North-East. It calls for wider participation of different segments of the people. Allowing the LTTE alone to control the development programmes in furtherance of its hidden agenda would be utterly inimical to the people's interest.

APPENDIX

Some Earlier Pronouncements by Anton Balasingam

* The following were said in early 1990 when the LTTE was observing a cease-fire with the Government of President Premadasa:

- (i) We will embrace the EPRLF once the IPKF (Indian Army) leaves.
- (ii) We (the LTTE) will lay down our arms once the last Indian soldier departs from this country.

- Following the LTTE resorting to war in June 1990: Balasingam said in a statement in Jaffna that the LTTE seeks a federal solution to the conflict.

Immediately, several religious leaders in Jaffna signed an appeal to the Government stating that a federal solution is the objective of the LTTE and for the government to

reciprocate this offer by working out a settlement along these lines. The appeal was signed by several religious leaders, including The Rt. Rev. Deogupillai, Bishop of the Roman Catholic Diocese of Jaffna, The Rt. Rev. Ambalavanar Bishop of the Jaffna Diocese of the CSI and the Aatheenam of the Nallur Kanthasamy Temple. On hearing about this initiative, Mr. Yogi of the LTTE's political wing hurriedly called on some of them and questioned the purpose of the statement. They were told in effect to mind their own business and to refrain from such initiatives. The offer of a federal solution, they were told, is for 'international consumption'! Also notable is Balasingam's statement in the Sakthi TV interview following the recent peace talks, that whether it is war or peace the LTTE alone must decide.

** The University Teachers for Human Rights (Jaffna) (UTHR(J)) was formed in 1988 at the University of Jaffna, as part of the national organisation University Teachers for Human Rights. Its public activities as a constituent part of university life came to a standstill following the murder of **Dr. Rajani Thiranagama**, a key founding member, on 21st September 1989. During the course of 1990 the others who identified openly with the UTHR(J) were forced to leave Jaffna. It continues to function as an organisation upholding the founding spirit of the UTHR(J) with its original aims: **to challenge the external and internal terror engulfing the Tamil community as a whole through making the perpetrators accountable, and to create space for humanising the social & political spheres relating to the life of our community.** The UTHR(J) is not at present functioning in the University of Jaffna in the manner it did in its early life for reasons well understood.*