



The massacres in Sri Lanka during the Black July riots of 1983

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A. Context

The 1983 massacres in Sri Lanka are best understood within the context of the post-independent state of affairs that prevailed in the country at that time. Having obtained independence from its British colonial rulers on February 4, 1948, newly independent Sri Lanka was bestowed with a system of majoritarian rule. As such, members of the Sinhalese community who formed the majority of the population (over 10 million or 74% of a population of 15 million, according to the 1981 census) acceded to most positions of power. Meanwhile, Tamils, who represented the largest minority in the country (approximately 2.5 million or 18% of the population) and who, despite their minority status, had occupied high positions in business and administration during the British colonial period, lost a significant number of their jobs under Sinhalese rule.

There was also a certain geographical division between the two groups. While the Sinhalese were mainly concentrated in the southern and central provinces of the country, a large majority of the Tamil population - apart from a large number of Indian Tamils brought to Sri Lanka by the British to work on tea estates in the central regions of Sri Lanka - had settled down in the northern and eastern regions of Sri Lanka. It should also be noted that a large number of Indian Tamils were brought to Sri Lanka by the British to work on tea estates in the central regions. This geographical division, although informal, would later be strengthened by the political unrest that was to hit the country after independence, and would gain importance during and after the riots of 1983.

Post independence Sri Lanka also brought in several official dispositions that gave preference to the Sinhalese majority. The Sinhala Only Act introduced by the Sri Lanka Freedom Party (SLFP) government of S. W. R. D. Bandaranaike in 1956, for example, recognized Sinhalese as the only official language of the country. The 1950s also saw the launching of several development projects by the government. Many of these were irrigation projects, such as the Gal Oya, Kantale and Mahaweli, which involved the colonization of Tamil lands in the north and the east by the Sinhalese of the south.

Faced with the threat of exclusion, the Tamil population - through the intermediary of several Tamil political groups such as the Thamil Arasu Katchi (Tamil Federal Party) - began to put forward several requests to the government. Among these was a request for the devolution of power to regional councils, parity status for the Sinhalese and Tamil languages, the repealing of citizenship laws that had discriminated against Tamils of Indian descent working on plantations and the end to the colonization of the lands in the north and the east. These requests led to discussions between the government and the Federal Party, which resulted in the signing of an accord between the then Prime Minister S. W. R. D. Bandaranaike and S. J. V. Chelvanayagam, leader of the Tamil Federal Party, on July 26, 1957. Commonly referred to as the Bandaranaike-Chelvanayagam Act, the accord was aimed at addressing the grievances of the Tamil population. However, it was abolished by Bandaranaike shortly thereafter, in April 1958, following strong opposition from certain elements of the Sinhalese community - especially from Buddhist monks (who would later assassinate him in September 1959) and also from the opposition's United National Party (UNP).

Following the abolition of the Bandaranaike-Chelvanayagam Act, the Federal Party decided to launch a large civil disobedience campaign in May 1958 (Seefeld 1998:21). Several Tamils were killed when trains taking Tamils to a Federal Party Convention in Vavuniya were sabotaged. An unexplained explosion that occurred immediately thereafter cost the lives of several members of the Sinhalese community. According to official reports, the ensuing riots (May 24, 1958) caused the deaths of many Tamils, but also resulted in the killing of several Sinhalese. Official reports estimate the total number of deaths at 159 but it is believed that the real numbers could be much higher.

Meanwhile in 1972, a system of quotas based on ethnic representation was introduced for University entrance. Thirty percent of the places available in Universities were to be filled in according to an island-wide merit basis, 55% were to be allocated to revenue districts in proportion to their population and filled within each district on a merit basis, while the remaining 15% were to be allocated to revenue districts judged to be educationally underprivileged (Tambiah 1986:17,185).

Although Tamils did represent a majority in certain districts, this made up for only 4 of the island's 24 administrative districts. Moreover, the population in the majority Tamil districts was considerably lower than the population in other districts. This would significantly decrease the number of Tamil students in Sri Lankan Universities, especially in the fields of medicine, law and science (Meyer, November 1983). Indirect forms of discrimination were also present insofar as obtaining positions in the civil service was concerned. Given that knowledge of the Sinhalese language was a prerequisite for entering the public service, many Tamils were excluded from obtaining such positions. As examples of exclusion and discrimination steadily increased, so did Tamil demands for a separate homeland - Eelam. These developments also saw the emergence of political violence as a means to an end.

On the July 25, 1975, the (Tamil) mayor of Jaffna, Alfred Duraiappah was shot dead by three armed Tamil youth belonging to the Tamil New Tigers (TNT), an organization founded in 1972 by the future LTTE leader, Velupillai Prabhakaran. Prabhakaran himself was among the three youth who carried out the killing. The killing was the first in a long series of political assassinations which continue to this day. The emergence of such acts of political violence also marked the beginning of the Tamil separatist movement and established Prabhakaran as the movement's dominant leader.

Meanwhile, the Vaddukoddai resolution was unanimously passed at the first National Convention of the Tamil United Liberation Front (TULF) held on May 14, 1976, and presided over by S.J.V. Chelvanayakam. The resolution resolves that restoration and reconstitution of the free, sovereign, secular, socialist State of Tamil Eelam [&] has become inevitable in order to safeguard the very existence of the Tamil Nation [&]. The resolution requests the members of the TULF to launch without undue delay the struggle for winning the sovereignty and freedom of the Tamil Nation and calls upon the Tamil Nation in general and the Tamil youth in particular to come forward to throw themselves fully into the sacred fight for freedom and to flinch not till the goal of a sovereign state of Tamil Eelam reached .

http://www.sangam.org/FB_HIST_DOCS/vaddukod.htm

As demands for a separate Tamil state gradually began to earn the support of the country's Tamil community, the anti-Tamil riots of 1977 and 1981 further strengthened support for the cause of Tamil Eelam.

The August 1977 riots that resulted barely a month after the UNP came to power was triggered when police attacked ticket collectors who had insisted that the police buy tickets to enter a Rotary Club carnival in Jaffna. The following day, more policemen, drunk, had begun assaulting carnival goers at random. When one Tamil youth shot a policeman, the police retaliated and began setting shops on fire. The violence gradually escalated and spread to neighbouring towns. By the time the riots ended, they had caused the deaths of an estimated 100 Tamils and considerable damage to property. Thousands of people, mostly Tamils, were also displaced (Senaratne 1997:63). Meanwhile, in 1981, a Tamil UNP candidate and two policemen were killed in Jaffna by Tamil rebels prior to the District Development Council (DCC) elections scheduled for early June. In retaliation, UNP supporters and government forces went on rampage in Jaffna burning the market area and attacking the residences and vehicles of parliamentarians from the opposition TULF.

A most deplorable act of cultural vandalism was committed with the burning of the Jaffna Public Library. The library was reputed for housing one of the best collections of Tamil books in the region. Over 90,000 volumes were destroyed, including many rare manuscripts and historical documents. The loss was estimated as being irreparable (Senatane 1997:65; Tambiah 1986:19). By August that year, these events had

escalated into yet another outbreak of communal violence. At least 25 persons were estimated to have been killed during these riots (Amnesty International 1982:285; Tambiah 1986:20).

Increasingly convinced that the Sinhalese majority sought the physical as well as cultural obliteration of their community (Tambiah 1986:20), the Tamil population began to intensify its demands for a separate State.

This increasing voice of Tamil separatism led successive Sri Lankan governments to introduce many legal provisions that would ensure the national security and territorial integrity of the island. Two such provisions would have a dramatic impact on the riots of 1983. Firstly, in 1971, the government of Mrs. Sirimavo Bandaranaike, widow of S.W.R.D. Bandaranaike, proclaimed a state of emergency that would be maintained for six consecutive years, until February 1977 (Tambiah 1986:14). Although its initial purpose was in fact to control the 1971 uprising of *Sinhalese* youth belonging to a Marxist-Leninist organization—the Janatha Vimukthi Peramuna (Peoples Liberation Front or JVP), successive Sri Lankan governments later resorted to declaring a state of emergency in an attempt to curb the Tamil insurgency. According to Emergency Regulation 15 A, government forces could dispose of bodies without inquest, while under emergency regulation 17, suspects deemed as a threat to national security could be detained without trial for an unlimited period of time (Amnesty International 1984:300,302).

Secondly, 1979 saw the passing of the Prevention of Terrorism Act (PTA) by the UNP government of J. R. Jayawardene. Initially intended for a period of 3 years, until 1982, the P.T.A. was integrated into the country's permanent legislation on March 11, 1982 (Amnesty International 1983:283). The Act gave extensive powers to the executive, including detention - for up to 18 months - without resort to charge or judicial review and without access to relatives or lawyers.

The unrestricted use of the powers defined by both the Emergency Regulations and the PTA would serve to create a sense of impunity within the Sri Lankan forces who were almost exclusively Sinhalese. The absence of any concrete legal mechanism to overlook the use of such powers is also significant. Several international organizations would soon voice their concerns about these provisions, stating that many dispositions of the PTA and its retroactivity were in violation to international human rights norms (Amnesty International 1983:283).

Adding to this sense of impunity was the extension of the life of the then parliament for a further six years. This was accomplished on December 22, 1982, by means of a national referendum called for by the newly elected President J. R. Jayawardene, who, on October 20, 1982, had become the country's first President to be elected under universal suffrage. After obtaining a slim majority (54.45%) the President extended his parliament until August 4, 1989 (Yogasundram 2006:308). Now assured of remaining in power, government politicians would begin to crack down on their political rivals, both Tamil and Sinhalese.

Several cases of detention and torture during the period immediately preceding the Black July riots serve as ominous signs of government authoritarianism. An estimated 65 persons were detained under the P.T.A. by mid-December 1982 (Amnesty International 1983:282-3). Although the majority of these cases concerned Tamil citizens, many Sinhalese members and supporters of opposition groups such as the SLFP, the Janatha Vimukthi Peramuna (JVP) and the Communist Party, were also taken into detention under Emergency Regulations (Amnesty International 1983:284-5).

The outcome of these developments meant that the climate immediately preceding the July 1983 riots was one of political and ethnic tension. Incidents of killings and counter-killings were being reported on a regular basis. Amnesty International noted the death of K. Navaratnarajah at the Gurunagar military camp on April 10, 1983, following his arrest under the P.T.A. (Amnesty International 1984:303). On May 18, which was also the date for the island's legislative elections, bombs exploded in front of five polling booths in Jaffna before polling began. Tamil separatist groups who had threatened to disrupt the elections were

believed to have been behind the bombings. On the same day, one soldier was killed and another two seriously injured in clashes between Tamil militants and government forces in front of a polling booth in Jaffna. Elsewhere, one supporter of the opposition Sri Lanka Freedom Party (SLFP) was killed by political rivals in Mahara, north of the capital Colombo. A state of emergency was declared by the government following these acts of violence. Furthermore, in its 1984 annual report, Amnesty International reported the killing of three Tamils by government forces, apparently in retaliation to the killing of two police officers. Amnesty International also reported the killing of two other Tamils who had been shot dead (Amnesty International 1984:299). In addition, opposition leader Mr. A. Amirthalingam was quoted in *The Guardian* -on August 8, 1983 - as saying that 51 people had been killed in the Jaffna peninsula by government troops in previously unreported incidents before the start of communal violence. President Jayawardene's reply to these allegations was that he had not been aware of the killings.

At the same time, although Article 4 of the 1978 Constitution stated in explicit terms that torture had been abolished, several incidents of disappearances and torture in custody were being reported (Wilson 1988:211). On July 6, 1983 Amnesty International published a report entitled *Report of an Amnesty International Mission to Sri Lanka, 31 January-9 February 1982* wherein it referred to several cases of torture in detention and extrajudicial killings. These allegations were denied by the government, who nevertheless admitted that several persons were being secretly held in detention (Amnesty International 1984:299). The government then proceeded to explain that the laws and procedures pertaining to detention were defined in such a manner that there could be no torture of detainees. However, President Jayawardene and other officials of his government refused to discuss the report with Amnesty International.

The government also began to closely monitor all media coverage on the recent developments in the country. On July 2, 1983, the government proceeded to close down two leading Tamil newspapers in Jaffna, the *Saturday Review* and *Suthantiran* (Freedom), whose editor Mr. Kovai Mahesan had been detained under emergency regulations. Reports on acts of violence and human rights violations received a major blow when on July 20, 1983, the government made use of the emergency regulations to impose a censorship on both local and foreign journalists reporting on all violent action pertaining to Tamil Tiger rebels.

It is within the backdrop of these events that the riots of July 1983 should be understood. Behind the seemingly spontaneous eruption of inter-communal hatred lay ominous warning signs which went unheeded by State authorities.

B. Instigators and Perpetrators

July 23, 1983 saw the outbreak of massive anti-Tamil riots in the capital Colombo. This chaos was to continue for a week. Also known as Black July, the riots were triggered by the arrival in Colombo of the bodies of 12 soldiers and one officer, all Sinhalese, from the 1st Battalion of the Sri Lanka Light Infantry. The soldiers had been killed by Tamil rebels in Thinevely in the Jaffna district. This was the greatest loss the government forces had experienced to date (Senaratne 1997:44). It is reported that by the end of the day, families, friends and members of the general public who had gathered at the Borella cemetery in central Colombo to pay their final respects to the fallen soldiers, began to destroy Tamil property and assault Tamil passers-by (Tambiah 1986:15; Balasingham 2003:68). Violence soon spread throughout the rest of the capital and its suburbs. Areas such as Borella, Wellawatte Bambalapitiya and Dehiwela, with large concentrations of the Tamil population were the worst affected. It was not long before the riots spread to other towns such as Nuwara Eliya, Kandy, Matale, Gampaha, Kalutara and Trincomalee, where many Tamils living outside the north and the east were concentrated. Angry mobs with voters lists in their hands went on rampage and set fire to Tamil houses and businesses. Tamil persons on the road or in their homes were assaulted or killed in bestial fashion (Tambiah 1986:21).

The Black July riots were well-planned and organized (Yogasundram 2006:310). As President Jayawardene and his government would later admit in a statement, a pattern of organization and planning has been noticed in the rioting and looting that took place. Minister of information, Mr. Anandatissa de Alwis later told reporters some organized force set this [violence] in motion. We have to find out who it is [&]. It was not a haphazard hit-and-run operation [&]. Those who did the operation did not steal - the looters came behind them like scavengers (*The Guardian*, July 28, 1983).

Government involvement in this mass uprising was highly suspected. Certain elements of the government in power were suspected of issuing copies of voters lists to the mobs. In some instances, it is believed that the mobs were dropped off at particular points in vehicles owned by government establishments such as the State Timber Cooperation, the Cooperative Wholesale Establishment, the Ceylon Electricity Board and the Sri Lanka Transport Board (Senaratne 1997:45). In other instances, there were unconfirmed reports that buckets petrol was kept ready in white cans for the mobs at the Ceylon petroleum cooperation. Also, many reports indicate that certain members of the armed forces stood by and watched while much of the looting and arson was taking place (Meyer 2001:121-2). In some instances, security forces even took part in the riots. President Jayawardene himself would later admit that [&] there was a big anti-Tamil feeling among the forces, and they felt that shooting the Sinhalese who were rioting would have been anti-Sinhalese; and actually in some cases we saw them [the forces] encouraging them [the rioters] (Tambiah 1986:25).

An element of pre-meditation was also noted. In the prison riots that broke out on July 25, 1983 at the Welikade high security prison, four miles north of Colombo, angry Sinhalese inmates wielding spikes, clubs and iron rods broke into the ward housing Tamil prisoners including convicted separatist guerillas (Tambiah 1986:16). It is suspected that prison guards may have provided the Sinhalese inmates with tools to break in to the Tamil ward. The prison officers who were all Sinhalese later explained that the keys to the cells had been stolen from them. However, certain Tamil prisoners claimed that the prison officers had let the keys fall into the hands of the Sinhalese prisoners while other Tamil prisoners reported that the cell doors had been deliberately left unlocked (O Ballance 1989:23,25). Amnesty International would later note that prison authorities had assisted the rioters at the Welikade prison (Amnesty International 1984:301). Thirty-five Tamil prisoners were massacred as a result of the prison riots on July 25. A curfew was finally imposed at the end of the day, the first time since the general riots began. On July 27, however, riots erupted again at the Welikade prison. This time, a further 17 Tamil prisoners were killed by Sinhalese inmates. In the Jaffna prison, three Tamil prisoners were killed by prison officials when they attempted to attack Sinhalese prisoners in retaliation to the Welikade killings.

Although much of the riots took place in Colombo and its suburbs, they were not limited to the capital or, for that matter, to the south. Indeed, many killings and counter-killings between Tamil rebels and Sri Lankan forces were reported from Sri Lanka's northern and eastern regions. On July 25, for example, 130 sailors of the Sri Lanka navy broke from their barracks in the port city of Trincomalee 250 miles north-east of Colombo and set fire to 175 houses in a Tamil neighborhood, killing one and wounding 10 others. Official reports published after the attack acknowledged for the first time the involvement of government forces in reprisal attacks on Tamils.

Five days after the beginning of the riots, on July 28, 1983, President Jayawardene made an address to the nation. He promised to ban all Tamil separatist movements in the country and stated that all persons advocating the division of the country would be stripped of their civil rights, be banned from holding office and prevented from practicing a profession. He stated that the riots were "not a product of urban mobs but a mass movement of the generality of the Sinhalese people. For the President, the time had come to appease the natural desires and requests of the Sinhalese people to prevent the country from being divided [&] (Hamlyn, July 29, 1983). However, the speech did not mention the suffering of the Tamil people or call for their protection. Nor did it offer any explicit rejection of the spirit of violence. The next day, on July 29, panic spread across Colombo following rumors (that were later proved to be false) that Tigers had

infiltrated the capital. The ensuing violence on that day alone left 100 Tamils dead and made another 30,000 flee to refugee camps.

Shortly thereafter, on August 5, 1983 and in keeping with the promises made by the President, the Sri Lankan parliament passed the 6th Amendment to the Constitution, which required all parliamentarians to take an oath of allegiance in favor of a unitary Sri Lanka (Senaratne 1997:40-50). According to paragraph (1) of the 6th Amendment, No person shall directly or indirectly, in or outside Sri Lanka, support, espouse, promote, finance, encourage or advocate the establishment of a separate State within the territory of Sri Lanka. This clause would serve to marginalize moderate Tamil politicians thereby giving way to extremist elements who advocated the use of violence. It had a direct impact on the TULF, whose manifesto clearly called for a separate State. The TULF was also the biggest opposition group in parliament with 16 of the 160 seats, but its members would resign in protest to the newly introduced Amendment.

Government fury was also aimed at certain Sinhalese elements of the opposition. The government laid total responsibility for the riots on three leftist parties, the Communist Party, the Nawa Sama Samaja Party (NSSP) and the Janatha Vimukti Peramuna (JVP) (Meyer, November 1983). On the grounds of a plot - by opposition members and certain sections of the forces- to overthrow the government by means of a three stage revolution, the government then proceeded on July 30 to ban these three parties (Meyer, November 1983; *Times*, August 1st 1983). Many members and supporters of these parties were arrested under emergency regulations. The JVP, which subsequently went underground, would resurface four years later, with deadly consequences.

C. Victims

According to official figure, the Black July riots left 371 Tamils dead and up to 100,000 homeless. They also created approximately 130,000 refugees. At least 78,000 of these refugees were sheltered in 12 hastily erected camps in the capital Colombo, where it is estimated that around 162,000 Tamils were living when the riots broke out. Of the remaining refugees, around 15,000 were sheltered in centers outside the capital, mainly in Kandy, 62 miles east of Colombo. The total damage caused to commercial and residential property following the riots was estimated at approximately \$140-180 million or 4% of the country's gross national product. Finally, an estimated 100,000 people, including a large number of Sinhalese employees, lost their jobs as a result of the destruction of Tamil owned industries (Tambiah 1986:28).

The victims of the July riots were not merely Sri Lankan Tamils, but also Indian Tamils- the majority of whom worked on plantations in the hill country. Also, the mob made no distinction between Indian Tamils and Indian non-Tamils. As such, several Hindu Sindhi and Muslim Bohra businesses owned by the Hirdaramanis and the Jafferjees, for example, were caught in the wave of violence (Tambiah 1986:23). The Bank of India office in Colombo was destroyed as well, while several residences of Indian diplomats also came under attack. For the mob, an Indian was always a Tamil and a Tamil always a terrorist. This mentality was a clear reflection of the general hatred lurking amongst the Sinhalese populous towards neighboring India who, with its 40 million Tamils, was suspected of assisting the Sri Lankan Tamils, both financially and logistically, in their quest for a separate homeland.

Many instances of torture prior to and during the 1983 riots were reported in the media and by several international organizations. In its report published on July 6, 1983, Amnesty International expressed concern over the increased violation of human rights in Sri Lanka and the systematic mal-treatment of Tamil detainees in the Gurunagar, Elephant Pass and Panagoda army camps and the obtaining of confessions under torture. The large majority of these detainees were simply Tamil civilians accused of sponsoring terrorism. In some cases, detainees had been kept in solitary confinement for more than eight

months after arrest. Torture is said to have included the hanging of victims upside down from hooks, beating them with metal bars, driving needles under their toenails and fingernails and applying chili powder to certain parts of their body. In addition, *The Guardian* of July 7 reported that two Jaffna priests, Fathers Singarayer and Sinnarasa, were stripped naked and tortured to confess in army custody according to their affidavits. Moreover, Tamils were said to have been dragged out of their cars during the riots and incinerated with petrol. The charcoaled bodies of these victims would line the streets of the capital and several other major towns.

At the Welikade prison, meanwhile, many Tamils suspected and/or convicted of sponsoring terrorism met a fatal end. Among those killed in the Welikade prison riots was the politician Selvarajah Yogachandran, also known as Kuttimuni. Yogachandran had been nominated by the TULF to be a member of Sri Lanka's parliament but was never able to take his seat. He had been sentenced to death for killing a policeman and was awaiting trial on charges of killing another police officer.

Also killed in the Welikade prison was Dr. Somanaunderan Rajasundaran, the secretary general of the Gandhian Movement who, after the 1977 Sinhalese-Tamil riots, established refugee camps in Vavunia, near Jaffna. Government forces had arrested him on the grounds that he was harboring Tamil guerillas in these refugee camps.

Violence also continued in the north and the east, where many Sinhalese soldiers were killed by Tamil rebel groups operating in the area. In retaliation, government soldiers attacked small towns, market places and busses, causing extensive civilian casualties. The Sri Lankan government was slow to acknowledge these killings and little action was taken against the soldiers who had been involved.

D. Witnesses

The censorship imposed by the Sri Lankan government on both the local and international media regarding all activities of the Tamil rebels, added to the prevailing emergency regulations, meant that little or no information was made available to the public. Limited technology, with telephones and fax machines out of order, further complicated communication. Much of the first hand information gathered during this period therefore came from foreign tourists who had been caught in Sri Lanka during the riots and who had later returned to their respective countries. Other first hand accounts were related to foreign journalists by Tamil refugees and asylum seekers arriving in Western countries. However, one book, *The Broken Palmyra*, authored by four dons from the Jaffna University, remains a key reference for the events that occurred in Sri Lanka during 1983 and thereafter. The book offers an inside view of the Tamil crisis in the country and highlights the experiences of the Tamil population during this period of mass violence.

Chapter four of the *Broken Palmyra* deals specifically with the July 1983 violence against the Tamils. The book describes the course of violence during the Black July riots as follows:

The General Secretary of the government "union" the Jathika Sevaka Sangamaya (JSS) was identified as the leader of gangs which wrought destruction and death all over Colombo and especially in Wellawatte, where as many as ten houses a street were destroyed. A particular UNP municipal councillor of the Dehiwela-Mount Lavinia Municipality led gangs in Mount Lavinia. In the Pettah (the bazaar area, where 442 shops were destroyed and murders were committed) the commander was the son of Aloysius Mudalali, the Prime Minister's right-hand man. [&]. In some cases, uniformed military personnel and police were seen leading the attack. They used vehicles of the Sri Lanka Transport Board (Minister in charge, M. H. Mohammed) and other government departments and state corporations. Trucks of the Ceylon Petroleum Corporation's Oil Refinery came from many miles away [&]. But in the neighbourhoods, after the initial

shock, Sinhalese and Burghers organised themselves and kept off the gangs who had been sent to burn and kill (Piyadasa 1984 in Hoole 1990:chapter 4).

The authors then go on to describe the spread of violence to the central town of Nuwara Eliya following a meeting held by a Sinhalese politician in the following terms:

The town was closely guarded by the army. All vehicles were checked. Bus conductors had orders not to transport Tamils [&]. Soon after the end of [the] party meeting they [some well-known rowdies who had been arrested the day before] were released. These people went out immediately (well-equipped with petrol, iron rods and other kinds of weapons) and tried to attack two Tamil priests in town. They managed to escape. Without having succeeded, they moved on - another mob joined up with the first one. They laid a ring of petrol around a Tamil shop which was then burnt. They were supported in this by the army who supplied them with gallons of petrol [&]. Tamil people who walked the streets were beaten by soldiers. The fire brigade which stood waiting was hindered by the army and the Sinhalese mob in doing its job... Shops which had not been burnt by the mob were set fire to by the army. Around noon Nuwara Eliya was like a sea of flames... (Sri Lanka Co-ordination Centre 1983 in Hoole 1990:chapter 4).

The Black July riots also received considerable coverage in the foreign media. In a well-known case regarding the Black July riots, a Norwegian tourist, Mrs. Skarstein, who had been holidaying in Sri Lanka with her 15 year old daughter, related her story to the Norwegian newspaper *Verdens Gang*. Mrs. Skarstein described seeing 20 Tamils burned to death in Colombo when a mob stopped a minibus and poured petrol over it. The mob had set light to the vehicle and blocked the doors to prevent the passengers escaping. She also stated that foreign tourists were neither threatened nor molested. Finally, the Norwegian referred to a group of Swedish tourists whom she had met en route. The group had reportedly seen crowds pouring petrol on Tamils and setting fire to them. (*Le Figaro*, July 29, 1983).

The Guardian of August 13, 1983, then revealed the murder of politician Selvarajah Kuttimuni Yogachandran and Ganeshanathan Jeganathan, a political writer, in a wider report about the Welikade prison massacres. The two men had been sentenced to death and were being held at the Welikade jail. They had previously announced that they wished to donate their eyes after their death, in the hope that they would be grafted on to Tamils who would see the birth of Eelam. The article went on to state that according to secondhand reports, the two men had been forced to kneel and their eyes gouged out with iron bars before they were killed. One version has it that Kuttimuni's tongue was cut out by an attacker who drank the blood and cried: I have drunk the blood of a Tiger .

Two weeks earlier, on July 28, the same newspaper quoted the superintendent of the Welikade prison, Alexis Leo de Silva, who testified that he had heard a commotion from his office at about 2:15 pm on Monday July 25 and had gone to investigate. From the lobby, I heard the sound of objects on bodies and loud screams, he was quoted as testifying. He said that he and other prison officials were helpless to prevent the killings.

In another incident, the *Times* correspondent Michael Hamlyn, in an article titled 'Colombo acts to appease mobs' published on July 29, quoted witnesses on board a train running from Kandy to Colombo, whose Tamil passengers were killed by Sinhalese co-passengers. According to one witness on board the train, a young man was pursued from carriage to carriage and pummeled and beaten until he died naked and bleeding.

A few days later, upon visiting a refugee camp near Colombo, Hamlyn, in an article titled 'Beirut echoes for the Tamils in torment' (August 3) described life in a refugee camp as follows: It is only the yard of a Hindu temple, outside Colombo, but in its small space 5,000 people are trying to stay alive. [&]. Two taps

and two toilets serve the whole camp. A row of additional toilets with bright red doors are locked, reserved for the temple priests, whose cleanliness must never be defiled. [&] The refugees were sure of at least one meal a day.[&]. Outside, a policeman sits, and a military patrol stands guard at the top of the road .

Finally, in a report titled Licence to kill in Sri Lanka dated August 2, *The Guardian* correspondent Martyn Halsall referred to Mrs. Sivasakthy Anandarajah, a Sri Lankan Tamil who fled with her two-year-old son to join her husband in England. She wept as she spoke of men chasing to kill her. In the same article, the journalist quotes Mr. Thomas McGuire, from Maidenhead, Berkshire, who arrived with his Sinhalese wife Chandra and their 12-month-old son. McGuire was quoted as saying it was terrifying. We saw many of our neighbours s houses burned down. [&]. Three Tamils, a man and his two sons who had been helping at our house pleaded with us to hide them from their attackers. We hid them for several days and when we left to come to London they went to friends of ours .

E. Memory

The memory of Black July is today deeply embedded in the Tamil psyche. Many Tamil or pro-Tamil authors refer to the event as the genocide or the holocaust of Tamils (Wilson 1988:212; Tambiah 1986:3, 27; Balasingham 2003:67). While Tamil estimates of the death toll that resulted from the riots are as high as 2,000 (Tambiah 1986:22; Senaratne 1997:46), official reports refer to 371 deaths. A more realistic assessment would put the death toll at around 1,000. The shared experiences of a common event served to strengthen an already strong ethnic identity. In many ways, the common memory of Black July had become the focal point of modern Tamil identity. The concept of a Tamil identity did indeed exist prior to the July riots. However, the pre-1983 Tamil identity was one that was deeply entrenched in intra-ethnic hierarchy. The common experience of the 1983 riots by all Tamils - regardless of the fact that they were upper or lower caste Tamils - enabled the members of this community to transcend notions of caste hierarchy. Also, living in a country whose language and culture were often unknown, prompted the Tamil migrant to constantly revert back to the events of 1983, where he sought to understand his present circumstances through the past. A form of selective memory wherein certain events and persons (Tamil heroism and sacrifice) were glorified while others (the Sinhalese population and government) were diabolized also took place during the cognitive process that linked the past to the present (Fuglerud 1999:91). Special schools and cultural centers were set up by the Tamil migrants in their host countries, thereby ensuring the transmission of Tamil culture and the memory of Black July to younger generations. The emergence, through these processes, of a common enemy and a common source of suffering served to reinforce Tamil identity and solidarity throughout successive generations (Balasingham 2003:69).

In the case of the Sinhalese population in general and the Sri Lankan government in particular, the July riots were seen as the expression of deep-seeded hatred towards the Tamil population, a venting of righteous anger against Tamil terrorism (Tambiah, 1986:3). The Sinhalese could no longer tolerate the demands of the Tamil minority. The riots were their way of teaching the Tamils a lesson (Senaratne, 1997:47). In his address to the nation following the riots, President Jayawardene himself declared that he had finally acceded to the clamor and request of the Sinhalese to ban a Tamil movement that should have been banned long long ago (*Times*, July 29, 1983).

The increased support of the Tamil population towards the creation of a separate State after the 1983 riots and the subsequent outbreak of war further increased anti-Tamil feelings among the Sinhalese and justified, in the minds of the latter, the riots of July 1983. This also meant that the government of President Jayawardene and subsequent governments, failed to offer an apology to the Tamil population. Fear of losing one s electorate and the fear of once again creating political and social unrest within the country also explained the governments reluctance to apologize to the victims of Black July. It would take 21 years

before a President in this case Chandrika Bandaranaike Kumaratunge, daughter of S.W.R.D. Bandaranaike - makes a public apology, on July 23, 2004, to the Tamil people.

F. General and legal interpretations

The Black July riots of 1983 were not the first of its kind in independent Sri Lanka. Anti-Tamil riots had previously taken place in 1958, 1977 and 1981. However, the magnitude of violence during these riots was far lesser than the riots of 1983. Even though the origins of the 1983 riots were widely attributed to the killing of 13 Sinhalese soldiers by Tamil rebels, many Tamils point out that it was the abduction and rape - by government forces - of three Tamil schoolgirls that led Tamil rebels to attack government forces. This incident took place in Jaffna during the week of July 18, 1983, following which one of the victims committed suicide.

The 1983 riots themselves had a highly corrosive and destructive impact on the polity in general and on Sinhala-Tamil relations in particular. The government's inability to provide its citizens with basic protection distanced the Tamil population from the country's leaders. Still worse, although not acknowledged, was the widely believed fact that the Jayawardene government had a role to play in the 1983 riots. The systematic and well-planned nature of the attacks against the Tamils - to which the government itself later alluded - ruled out the spontaneous outburst of anti-Tamil hatred within the Sinhalese masses. Moreover, the possession of electoral lists by the mobs - which enabled them to identify Tamil homes and property - not only implied prior organization, for such electoral lists could not have been obtained overnight, but it also pointed to the cooperation of at least some elements of the government, who had been willing to provide the mobs with such information. Similarly, many government-owned vehicles were used to transport the mobs in and around Colombo. The failure of government authorities to offer an explanation to this phenomenon (and the very low probability that civilian rioters would have had the audacity to carry out such a large-scale take over of government vehicles without assistance from internal sources) further raised questions about the government's role in the riots (Senaratne, 1997:45). Also, as previously indicated, several eyewitness reports stated that the armed forces and police looked on while arson and looting took place and in some instances even took part in the riots. This served to deteriorate relations between the two communities even further. At the end of the riots, the government began to ship 70,000 Tamil refugees who were living in the Sinhalese-populated south to the northern and eastern provinces, stating that they would be safer there. The government also offered assistance to those Tamils who wished to remain in the south, however, most Tamils who experienced the riots preferred to move to the north and the east. Many also migrated to India and several Western countries (an estimated 400,000-950,000 as of 1995), a trend that would continue unabated for many years thereafter.

Immediately after the riots, the government overlooked the crimes that had reportedly been committed by its own forces and the police. However, increasing pressure from international actors forced the government to acknowledge the involvement of some of its forces in the riots. The government also promised to hold enquiries on these allegations but very little concrete action was taken thereafter. The 1985 annual report of Amnesty International states that the Sri Lankan government declared that an inquiry had been held on the July 1983 massacres but the lack of sufficient proof resulted in no civil servant being condemned. The government however stressed that 149 members of its armed forces had been deposed on the grounds of disciplinary action (Amnesty International 1985:296).

Arrests, torture and extrajudicial killings carried out by government forces and the police continued throughout 1984, so much so that Amnesty International raised concerns over increasing reports of the deliberate massacres of non-armed Tamil civilians by armed forces, in retaliation to violence perpetrated against these forces by groups of Tamil extremists. In its 1985 annual report, Amnesty International warned

that extrajudicial killings could turn into a systematic practice of the security forces as reprisals to the killing of their own men. The report stressed that not a single member of the forces was brought before justice for having taken part in a presumed extrajudicial killing. In the rare instances where an inquiry was held, the report continued, the conclusions of the enquiry had not been made public (Amnesty International 1985:295-6).

The continuation of violence, together with segregation of the two communities led the Tamils to feel that co-existence between the two communities had been rendered impossible (Balasingham 2003:69). As a result Tamil demands for a separate State were intensified. The average Tamil citizen who had previously supported the devolution of power had, after the riots, begun to advocate for a separate homeland (Senaratne 1997:68). This change in the Tamil opinion considerably benefited the LTTE and other Tamil separatist groups - such as the Eelam Revolutionary Organization (EROS), Tamil Eelam Liberation Organization (TELO), People's Liberation Organization of Tamil Eelam (PLOTE) and the Eelam Peoples Revolutionary Liberation Front (EPRLF) - who had, for long, been fighting for the creation of Tamil Eelam (Yongasundram 2006:311). In the midst of crisis, the LTTE succeeded to convince many Tamils of its cause, the direct result of which was an increased flow of funds for the organization. Indeed, LTTE supporters and new converts to Eelam gave generously (Balasingham 2003:70).

The government, on its side, stepped up its fight against Tamil separatism after the riots by banning all political parties that advocated separatism, by introducing the oath of allegiance for all parliamentarians and by stripping all persons who encouraged the division of the country of their civil and political rights (see above). These decisions resulted in extremist elements gaining predominance over more moderate Tamil parties.

It was not long therefore, before an all-out war was launched between the government of Sri Lanka and the LTTE (Wilson 1988:214). Twenty years on, the war has cost over 65,000 lives, seen a failed attempt of Indian military intervention and several failed cease-fire agreements. On the whole, the repercussions of the 1983 riots seem to have far outlasted the relatively brief paroxysm of actual rioting (Senaratne 1997:69). It also left the Tamil population - most of whom were direct or indirect victims of the riots - deeply shocked and distressed, not only at the events that had taken place, but also at the government's lack of capability and/or will to ensure their protection. For certain experts, the government lost control of its forces during the riots of 1983 (Meyer, November 1983). This situation could be interpreted as a direct result of the emergency regulations and the PTA and, most importantly, the lack of any legal mechanisms to monitor the implementation and use of these provisions. The losing of control over its forces may also explain the government's desperate recourse to draconian measures.

Whatever the explanation, the immediate and long-term consequences of the 1983 riots have had devastating effects on the country, least of which was the civil war which would continue (with periodic cease-fires) for over 20 years and cost the lives of over 60,000 individuals. The delicate ceasefire entered into by both parties on February 2, 2002 has - with the assistance of Norwegian facilitators - led to several rounds of peace negotiations, the most recent of which took place in Geneva in February 2006. Major differences in opinion between the government and the LTTE, and the failure to compromise on one's positions have however overshadowed the peace process since the beginning, and are likely to continue in the near future.

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