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Public Administration and Minority Language: The Case of District Administration in Amparai, Sri Lanka

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Abstract

Even though minorities have gained international linguistic recognition, accepting and admitting minority languages in public affairs has been a contested issue in many countries. In Sri Lanka, the admitting of minority language — specifically Tamil — in public administration has continued to be a serious issue imposing a number of difficulties on Tamil-speaking minorities, although Tamil is legally recognized as an official language. The district administration of Amparai in the eastern province is a severe case where Tamil has been marginalized in the district's administrative affairs, violating the constitutional recognition of conducting public administration in Tamil in the north-eastern region. The major objective of this study is to examine the nature and extent of Tamil language admission in the district administration of Amparai. The findings of this study revealed that the violation of constitutional provisions and administrative circulars on admitting the Tamil language in district administration has not only led to the domination of the Sinhala language and the Sinhalese in this district's administration, but also has induced the Tamil-speakers of this district to demand and advocate for a new administrative district within the district for their administrative easiness. This research suggests that proper implementation of Tamil language provisions and institutional restructuring at the district secretariat level would help to reconcile the linguistic issues facing by Tamil-speakers in the district. This case study incorporates both primary and secondary data collected from different sources, and is presented through descriptive and interpretative analysis.

Keywords: minority-language, district administration, Amparai district, linguistic dominance

1. Introduction

1.1 Introduction

The politics of language — involving decisions about which languages should be used in public affairs — is in many states at the heart of the conflict between minority groups and majority populations, and has paved ways for the emergence of minority demands (Geldenhuys & Rossouw, 2001). Like many pluralistic states, Sri Lanka has witnessed the phenomenon of minority language rights becoming one of the major contested issues in post-independence governance. Both the initiatives of democratic governance and development administration have failed to accommodate the due rights, concerns, and grievances of ethnic minorities. The laws, acts, constitutions, and policies enacted by successive Sri Lankan governments with regards to official languages has progressively led to the domination of the majority group's language — Sinhala — in socio-economic and political systems, which has resulted in the violation and marginalization of the minority groups' language — Tamil — in public affairs. After many appeals and agitations launched by the Tamil-speakers, Tamil has now been recognized as an 'official' language. However, the practical implementation of Tamil language provisions in public administration has been a disappointing story, particularly in Tamil-speaker majority areas. The administration of the Amparai district is one of the cases that clearly indicate the violation and the marginalization of Tamil language provisions in district administration.

Based on the above backdrop, this study was conducted with two major objectives in mind. The first objective was to examine the nature of Tamil language accommodation within the political system, its practice as an official language, and the administrative issues facing by the Tamil-speaking ethno-linguistic minorities in

general. The second objective was to examine the administrative issues in terms of language facing by the same minorities under the district administration of Amparai in the eastern province of Sri Lanka. The choosing of the district administration in Amparai as a case study has a number of justifications. The Amparai district is one of the Tamil-speaker majority districts in the eastern province and the majority of them live in the coastal belt of the district. However, not only has the district secretariat been placed in a Sinhalese-majority area, but district administration is also being conducted in the Sinhala language, thus violating the constitutional provisions on using Tamil as the official language especially in north-eastern Sri Lanka. This has caused a number of difficulties to the Tamil-speaking minorities in the district in terms of obtaining services from the district secretariat, which have not been seriously studied academically. This study attempts to fill the gap in the literature by exploring the linguistic issues and difficulties facing by Tamil-speaking minorities served by the district administration in Amparai.

1.2 Methodology of Data Collection and Analysis

This paper is one of the outputs of a three-year research project. Both primary and secondary data were used in this research. The data for this research was collected over a period of five months using a number of qualitative methods, including document analysis, semi-structured interviews, focus group discussions, and participant observations. A number of documents and research works on this study's thematic area were reviewed to identify the legitimate status of the minority language, the government policy of admitting minority language in public administration, and the status of minority language implementation in district administration, particularly in Amparai. Using purposive sampling, respondents were selected for semi-structured interviews from academics, administrators, journalists, politicians, and the general public. Furthermore, field visits were made to the district secretariat and many divisional secretariats in order to observe the nature of the functioning of administration and to gain input from the officers and the public. All data was well analyzed and organized into appropriate sections in this paper, as direct quotations, summary of interviews, and interpretive explanations. The analysis of the data was descriptive and interpretive in nature. This paper is divided into four major sections. The following section gives a brief conceptual note on 'minority language rights and public administration.' In this section, an analysis is made on the nature of and potential issues in accommodating ethno-linguistic minorities in administrative affairs. The next section explains the history of the politics of the state/official language in Sri Lanka and the issue of accommodating minority language in public administration, followed by a review of the case study in detail. In the concluding section, a few recommendations are suggested in order to reconcile the linguistic issues faced by the minorities living under the district administration of Amparai.

1.3 Review of the Nature and Trends of Existing Literatures

Ample studies have been conducted on language issues and minorities in administration in Sri Lanka. However, most of them have adopted a general perspective. The work of Darmadasan (1983), Theva Rajan (1995), the Official Language Commission (2008), Perera (2008), Santhakumar (2010), the Minority Rights Group International (2011), and Nesiah (2012) are prominent among them. Darmadasan's work explored the language factor in the emergence of ethnic conflict in Sri Lanka in general through reviewing the political history of language movements and the politics of establishing Sinhala as the only official language in Sri Lanka. This work assisted in understanding the minorities' movements for the recognition of their language, but did not give any focus to administrative issues in the Amparai district in terms of language. Perera explored the implementation of the provision of minority language from another angle - through reviewing the translation process in the public sector. This study also examined the shortcomings of translating official documents into the Tamil language, but failed to focus the impact of these shortcomings on the accessibility of services in public institutions. Theva Rajan's work also identified the history of recognizing Tamil as an official language, and discussed issues in implementing Tamil language provisions in public administration in general. Studies have also been conducted on evaluating the role of the Official Language Commission (OLC) in protecting and promoting minority rights. A survey conducted by the Foundation for Co-Existence (2006) found that the OLC is poorly known to the public, and reported that over 70% of respondents were actually unaware of its existence and mandate. Furthermore, the Minority Rights Group International (MRGI) also has identified the shortcomings of the OLC in fulfilling its mandate and has discussed issues in implementing Tamil-language provisions in public administration from a general perspective. It should be noted that most of these studies have focused on the linguistic issues faced by the Tamil-speaking minorities in administrative affairs and their impact in their daily public life, but only in general. To date, no comprehensive study has been conducted on the linguistic issues faced specifically by Tamil-speakers served by the district administration in Amparai and their related impact. This research attempts to fill this gap in the literature.

2. Minority Language Rights and Public Administration: A Conceptual Note

In plural societies, domination of the majority-language and the marginalization of minority-languages and their distinctive cultural features have caused serious concern in public affairs. Administration of public institutions and their functions has also come to be influenced by this practice, which not only violates the rights of ethno-linguistic minorities but also questions the efficiency and effectiveness of the functioning of these public institutions. Therefore, accommodating minority-languages within administration machinery has become one of the major subjects of focus by the government and other institutions in plural societies. The protection of the rights of national minorities and the right to use minority languages in public and private contexts are a major concern of governments and institutions as an integral part of international protection for human rights and the process of nation-building, as well as state and administrative reforms. However, this process can be challenged by different factors. The capacity of the public institutions is a major concerning factor in this regard. Establishing minority specific administrative institutions and structures in their territories is a kind of mechanism that can protect the language rights of minorities and can facilitate them in receiving services from these public institutions. This mechanism is generally argued as possible one on the ground that the minorities and their languages can be admitted equally in the administration of public institutions and so that minority language provisions in administrative affairs can be carefully implemented.

There are minority groups recognized mainly through the language that they speak and this language forms the basis of their ethnicity. Minority languages are typically those which carry relatively less or marginal functional load and functional transparency. The concept of 'functional load' refers to the ability of languages to successfully function in one or more social domains. Similarly, 'functional transparency' refers to the autonomy and control that the language has in a particular domain (Pandharipande, 2002:2). In this context, groups will oppose or resist when their language becomes marginalized or demoted. Here, the language not only becomes an identity of the minority groups, but also the medium to bring them out from their shell and link them to the entire world. Participation in administration through their own language is always expected by any group, especially those minorities who have identified this through their language as 'their fundamental right' that needs to be legitimized and implemented. Therefore, in multi-ethnic and multi-linguistic countries, governments should ensure the making of laws, acts, and provisions to protect and promote the linguistic rights and interests of minorities within the larger political system and implement them with careful monitoring and institutional mechanisms.

Kymlicka explains that countries face a choice of pursuing either 'integration' or 'accommodation' in their approach to minority rights – either encouraging assimilation of minority groups to the mainstream culture, or allowing minority groups to preserve their distinctiveness through separate institutions. Integrative approaches often maintain individual rights while placing less emphasis on collective rights. On the other hand, accommodative approaches tend to support a framework of collective rights (quoted by Jabareen, 2008:641). [Jabareen \(2008\)](#) argues that only the accommodative approach can adequately attain the desirable goal of preserving minority culture and identity, since a system of attempted integration can leave intact social factors that work to disrupt the culture of minority groups and exclude them from mainstream (and dominant) society.

Since different forms of institutional set-up of public administrative organizations are closely linked to the protection of the rights and interests of ethnic and linguistic minorities, there should be a kind of administrative structure for minority territories along with a mechanism for leveraging administrative resources at a level closer to the minority territory. The purpose of this kind of organization is therefore to make the exercise of administrative functions fully representative of the resident minority group. Indeed, specific organizational structures can be conducive to establishing better minority protection (Guella, 2014). Another mechanism is identifying the territorial boundaries in which new public bodies will be created and introducing adjustments to existing institutions in support of minority accommodation. As Guella (2014) further indicates, establishing a 'minority-friendly' territorial delineation is a precondition for effective coordination between local authorities and authorities responsible for managing minorities' linguistic issues, subject to various institutional competences involving all levels of government.

Domination of the ethnic majority and their language is a major issue that influences the rights of minorities in fulfilling their administrative needs in their own language and enjoying due share in resource utilization at national and local levels of administrative institutions. This issue is serious enough at local levels when an ethnic group enjoys the status of absolute majority at the national level but lives as a minority at the local administrative level. In this context, the minority group with the support of central government bureaucrats may enjoy over representation and share in the local administration and resource utilization and this ultimately may lead to their domination in the administrative affairs of the local unit. This would enable them to violate the rights of

minorities and marginalize them from the local administration. The influence and domination of the majority-language and the marginalization of the minority-language in local administration would be one of the major impacts in this context.

In order to avoid the domination of one language (often of the majority) and marginalization of other languages (often of the minorities) in public affairs, many international organizations have developed processes, tools, and instruments in recent years as mechanisms to promote and clarify how to implement minority language rights' principles properly. The United Nations Forum on Minority Issues, UNESCO's Languages and Multilingualism Section, the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities, and the Organization for Security and Co-operation in Europe (OSCE) High Commissioner on National Minorities are major organizations which continue to provide a constructive series of platforms for the exchange of knowledge, support, and expertise to enable these human rights processes, tools, and instruments to be continuously improved when it comes to the implementation of language rights in administrative affairs. All these language rights tools mainly ensure the dignity, liberty, equality/non-discrimination, and identity of ethno-linguistic minorities. Many governments have also accepted these instruments and have implemented them by adopting suitable legal/policy frameworks and establishing institutional mechanisms.

Around the world, many countries that have plural cultures and multiple languages in practice have managed to recognize and use them in public affairs with legal guarantees and institutional safeguards. Many countries in parts of Europe (like Sweden, Norway, and Belgium) and in other parts of the world (like India, Pakistan, and Nigeria) have adopted policies and institutional arrangements to protect their minorities' languages and admit them equally in public affairs. However, in Sri Lanka, like many multicultural countries in the developing world, the recognition and management of the one and only minority-language — Tamil — has been a failed story that has induced ethno-linguistic nationalism and linguistic-based demands and claims among minorities. The district administration in Amparai is a good example of the extent of majority-language domination and marginalization of the minority-language in administration. As mentioned in Part One, in Sri Lanka, linguistic issues in general have received academic importance and are well researched, but the issues facing specifically by the Tamil-speakers living under the district administration in Amparai have mostly been untouched by researchers. This research attempts to address this gap in the extant literature.

3. Politics of Language and the Status of Minority Language in Sri Lanka: A Background Note

3.1 Introduction

As it is common to many multi-cultural nations, the recognition and administering of the minority language — Tamil — has been a serious issue in Sri Lanka's state administration. Historically, Sri Lanka is a country with two major linguistic groups, the Sinhala-speakers and the Tamil-speakers. Sinhala is the mother tongue of the Sinhalese, who constitute the majority of the population (about 75% at present) and are predominantly living in the country outside the north-eastern region. Tamil is the mother tongue of the Tamils and Muslims (except Malays) and is spoken by one in four Sri Lankans. The north-east is the only contiguous region in the country where Tamil is widely used. Further, Nuwara Eliya in the central highlands is also constituted of Tamil-speakers as the majority of the local population. Likewise, there are concentrations of Tamil-speakers in urban centers such as Colombo, Kandy, Badulla, Puttalam, Kalutara, Kegalle, Matale, and Ratnapura, where they comprise around 10% to 20% of the district's population. Altogether, about 25% of the total population of Sri Lanka is Tamil-speakers (Department of Census and Statistics, 2014). However, the denial in accepting Tamil as an official administrative language is seriously affecting the political, socio-economic, educational, and cultural life of Tamil speaking communities. As Sarjoon (2009) argued, the politics of language — recognizing the language of the majority (Sinhala) as the state language and the denial of recognizing the language spoken by the minorities (Tamil) — is the major root cause that transformed the clash between the majority and minorities into violent ethnic conflict in Sri Lanka. As a result, this language politics have produced serious administrative issues for minorities that are unresolved up to now. A brief historical review of the politics of language and related issues are therefore important in this research's context.

3.2 Native Language (Swabasha) Movement and 'Sinhala Only Act'

English was the official language of the administration throughout the British period and up to the first decade of post-independence Sri Lanka. However, the insufficient knowledge and skills among the Sinhalese in performing functions and duties in English, and the domination of the Tamils who were disproportionately represented in the civil administration (due to the benefit of English education during the colonial period), and the considerable control of mercantile by non-Sinhalese groups — all these factors created fears and concerns among the Sinhalese regarding marginalization of their ethnicity and their language, which later became the basis for the

politics of language that was to emerge. This induced the Tamil and the Sinhalese politicians to promote *swabasha*, which literally translates into ‘native languages.’ By this, they meant that in the post-independent period, primacy of place should be given to the local languages, namely Sinhala and Tamil. From 1932 up to 1944, there were four resolutions passed by the legislative council in this regard, calling for the use of native languages in the judicial, educational, and civil administration. As early as 1944 in the last resolution, it was proposed that Sinhala be declared as the official language, while other amendments, especially those forwarded by SWRD. Bandaranaiyake, proposed both Sinhala and Tamil as official languages. A resolution passed in 1944 specified that both Sinhala and Tamil would become the languages of instruction in schools, examinations for public services, and legislative proceedings. The resolution was approved by 27 to 2 in the Sinhalese-dominated legislature (Perera, 2011 (groundviews.org)).

However, the language rights issue turned into a question at the forefront of politics in the 1950s. From 1952 onward, the *swabasha* movement turned into a Sinhala only movement emphasizing the legitimate status of Sinhala as ‘the only official language.’ All major Sinhalese political parties became advocates for a ‘Sinhala only’ language policy from 1953 onwards. Between 1953 and 1956, the ‘Sinhala Only’ cry swept the country and it was used in favor of Sinhala being proclaimed as the only official language, to the exclusion of Tamil (Jeyawardena, 1990:121-122). During the 1956 election, Bandaranaike, the leader of the Sri Lanka Freedom Party (SLFP), promised to make ‘Sinhala Only’ a reality within 24 hours if he was elected to power (Ponnambalam, 1983). After Bandaranaike came to power, the first legislation of his government was aimed at fulfilling this promise. The introduction of Sinhala as the only official language on political grounds shifted the status of the Sinhala language to a superior level and placed the Tamil language in an inferior position, thereby relegating Tamil to a limbo of official nonexistence. Communal relations between the Tamil-speakers and the Sinhala-speakers consequently deteriorated (Midlarsky, 2011). This later resulted not only in denying the legitimate and fundamental rights of Tamil-speakers but also caused a number of difficulties for them in public administration, education, and employment opportunities.

3.3 Tamil-Speakers’ Response to the ‘Sinhala Only’ Act

The Tamil-speaking minorities collectively and bitterly resented the passing of the ‘Sinhala Only’ bill in 1956. However, the ‘Sinhala Only’ bill was passed in the teeth of opposition of all Tamil parliamentarians within the house, while Sinhalese riots against Tamils and their parliamentarians were happening in front of the parliament and in the north-eastern region. Prime Minister Bandaranaike handled this situation by signing a pact with the Tamil political leader (called as Banda-Chelva Pact) and his government then passed a Tamil Language (Special Provisions) Act No.28 of 1958. An especial reference needs to be given here to the provision regarding the use of Tamil for administrative purposes in the north-eastern region of the country (Perera, 2008; DeVotta, 2004). However, no meaningful efforts were made to implement the Act until the 1970s.

After long agitation and advocacy by the Tamil-speaking politicians and public, Tamil was given official status equal to Sinhala under the 13th Amendment to the constitution (adopted in July 1987), followed by the 16th Amendment (made in 1988) that declared Tamil as a state and official language of both the north-eastern provinces and countrywide. The current legal and policy framework for Tamil language rights can be found in Chapter IV of the 1978 Constitution — as modified by the 13th and 16th Amendments in 1987 and 1988 respectively and supplemented by the Official Languages Commission Act (No.18) of 1991, as well as in government directives through gazette notifications and public administration circulars [Note.1]. MRGI (2011:26) has identified the current legislative guarantees on Tamil language rights as follows:

- ✓ That the medium of examination for selection to the public service, judicial service, provincial public service, local government service, or any public institution may be Tamil or Sinhala, or a ‘language of [the person’s] choice’ (presumably English). However admission may be conditional on that person acquiring ‘a sufficient knowledge of Tamil or Sinhala, as the case may be, within a reasonable time — where such knowledge is reasonably necessary for the discharge of his duties.’
- ✓ All laws and subordinate legislation are to be enacted and published in Tamil in addition to Sinhala, together with an English translation. Provincial councils and local authorities are permitted to issue orders, proclamations, and so on in the language of administration with a translation in English.
- ✓ Tamil is also raised to become the language of the courts — the records and proceedings being in the language of the court — throughout Sri Lanka in addition to Sinhala. However, Sinhala is asserted to be the language of the court in areas where Sinhala is the language of administration (minorityrights.org, 2011).

Over the past few years, there has been marked improvement in the implementation of Tamil language

provisions in government administration. However, studies have revealed that overall, the implementation of Tamil language provisions in government administration has been a series of disappointing stories (See: MRGI, 2011). Even in the larger Tamil-speaking region of the north-east, the Tamil-speaking public and public officers continue to face a number of difficulties in accessing public services in their own language. The civil war institutionalized the domination of the Sinhala language and the marginalization of Tamil in the public administration, especially in the north-eastern region, while in the post-war context too, there have been a number of moves to fortify the existing set-up and make it even stronger. In some Tamil-speakers predominant districts, particularly in the eastern province, District Secretaries (who represent the central government in the administrative system and wield considerable authority) are generally of Sinhalese descent with little or no knowledge in the Tamil language.

There have been a number of claims and voices from the Tamil-speaking communities advocating the proper implementation of Tamil language provisions at provincial, district, and local levels of public administration. Apart from a few developments, no meaningful attempts have been made to strengthen the implementation of Tamil language policy and provisions respecting it as a minority right. However, the domination of the Sinhala language in the daily affairs of administration in the north-eastern region is continuing. The case of Amparai is one of the worst regarding non-implementation of Tamil language provisions in public administration. The severe and continuous negligence in implementing Tamil language provisions and administering the district in Tamil has induced the Tamil-speaking people of this district to claim and advocate for a new administrative district for their administrative easiness. The following section explores this case in detail.

4. Formation and Administration of Amparai District and Concerns of Ethno-Linguistic Minorities

4.1 Background Note on the Amparai District and Its Population Settlement Pattern

The Amparai district is one of the twenty-five districts of Sri Lanka and the biggest among the three districts in the eastern province. It is located in the southern edge of the province. The total area of the district is 4,415 square kilometers, which accounts for 6.76% of the country's land area, making it the 4th biggest district in the country (District Secretariat, Amparai, 2013). The district has a population of 649,402, according to the 2012 census, which is 3.2% of the country's total population (Department of Census and Statistics, 2014). Furthermore, the district is the home for all three of Sri Lanka's major ethnic groups: the Sinhalese, the Tamils, and the Muslims. Muslims who speak Tamil comprise the majority of the district's population. The Tamil-speaking population (both the Tamils and the Muslims) makes up the majority of the district's population, i.e., 60.7%. The Sinhalese who speak the Sinhala language share 38.9% of the district's population. Table 1 details the ethnic composition of this district's population.

The settlement pattern of ethnic groups is also receiving importance in this district. The great majority of Sinhala-speakers — the Sinhalese — largely live in the interior area of the district, while the Tamil-speakers — the Tamil and the Muslim ethnic minorities — are located mainly along the coastal belt of the district, often in close proximity. The Muslims' concentration in the district's population receives demographic and political importance, as the district is one of the two Muslim-majority districts in Sri Lanka. Furthermore, more than two thirds of the district's population lives in the coastal divisions of the district and more than 95% of them are Tamil-speakers. There is a clear territorial demarcation — paddy lands for about 10 to 15 kilometers distance — between the settlements of the Sinhala-speakers and the Tamil-speakers, which limits the social interaction of both linguistic groups in the district. Table 2 illustrates the divisional-wise profile of the Amparai district.

Table 1. Population of the Amparai district by ethnic groups (2012)

Ethnic group	Amount	Percentage
Sri Lankan Moors (Muslims)	281,702	43.4
Sinhalese	252,458	38.9
Sri Lankan Tamils	112,457	17.3
Burgers	1,036	0.2
Indian Tamils	846	0.1
Malays	187	-
Others	716	0.1
Total	649,402	100

Source: Department of Census and Statistics, 2014.

Table 2. Divisional-wise profile of the Amparai District (2012)

Name of Divisional Secretariat	Total area (Km ²)	No. of G.N Div	Total Population	Sri Lankan Muslims	Sri Lankan Tamils	Sinhalese	Others
Navithanveli	57.7	20	18,727	6,390	12,103	178	56
Sammanthurai	114.7	51	60,465	52,324	7,426	391	324
Kalmunai(T/D)*	-	29	29,800	2,381	26,549	240	630
Kalmunai(M/D)	60.9	29	44,632	44,349	65	163	55
Sainthamaruthu	6	17	25,461	25,396	16	22	27
Karaitivu	31.3	17	16,839	6,761	9,910	27	141
Nintavur	55.6	25	26,361	25,333	973	18	37
Addalaichenai	52.5	32	41,968	38,746	608	2,452	162
Irakkamam	84.3	12	14,383	13,077	343	947	16
Akkaraippattu	102.2	28	39,166	38,920	30	176	40
Alayadivembu	127.5	22	22,458	24	21,913	239	282
Thirukkivil	190.6	22	25,277	01	25,036	143	97
Pottuvil	367.5	27	34,809	27,205	6,544	913	147
Lahugala	616.9	12	8,914	02	577	8,333	02
Dehiattakandiya	432.5	13	60,178	395	65	59,231	487
Padiyatalawa	464.4	20	18,290	83	32	18,167	08
Mahaoya	583.6	17	20,828	40	17	20,761	10
Uhana	415.6	55	58,325	05	33	58,283	06
Ampara	225	22	43,829	135	181	43,277	236
Damana	426.2	33	38,692	135	36	38,497	22
Total	4415	503	649,402	281,702	112,457	252,458	2785

Source: Department of Census and Statistics, 2014; District Secretariat, Amparai, 2013.

*The land area of Kalmunai Tamil division is included in Kalmunai Muslim Division since the Kalmunai Tamil DS division is not territorially demarcated yet.

The main livelihood in the district is paddy cultivation, which was enriched by the introduction of the irrigation based development project in the name of the GalOya in 1949. The district produces one fifth of the country's paddy requirement (District Secretariat, Amparai, 2013). In addition to paddy cultivation, fishing (inland & marine) is the other important livelihood in the district. The district has 116 kilometers of sea line, which has potential for the fishing industry. Small industries, including handloom industries, mat and bag weaving, rice milling, pottery, and brickmaking are other sources of income for the people of the district.

Historical evidences ratify that the territory of Amparai (historically referred to as 'Digamadulla' or the 'Deegawapi' kingdom) was considered as the wealthiest resource of the Ruhunu kingdom up to the period of the Lord Buddha. However, the area was later ruled by Anuradhapura and Polunnaruwa kingdoms. When the Polonnaruwa Kingdom declined, its reign was pushed to the south western area and Amparai emerged as a forest reserve (District Secretariat, Amparai, 2013). The collapse of the Sinhalese dry zone kingdoms in the 13th century opened the way for the slow 'Tamilisation' of the east, which also induced the Tamil-speakers' settlements in the district (McGilvray, 2008:59). Muslim concentration in the district has a long history up to the 8th century AD. Due to a cordial relationship with the Sinhalese and their Kings, considerable numbers of Muslims settled in this area during the 17th century. According to historical records, when the Dutch persecuted the Muslims in their coastal settlements, the Muslims ran to the Kandyan Kingdom for protection. King Senerat (1604-1635) and Rajasingha-II (1635-1687) settled these Muslims in the eastern coast, which was part of their kingdom. It is recorded that King Senerat settled a large number of Muslims (some record it as 4000 Muslims) with Tamils in this area to revive the paddy cultivation (Ali, 2001; [McGilvray & Raheem, 2007](#); Imtiyas, 2009). Sinhalese-Buddhist presence in the district had all but disappeared by the 13th century, except for a small number

of widely scattered settlements in the forested areas. The Sinhalese population became concentrated in the district's population only after the beginning of irrigation-based land settlement projects in the name of GalOya, implemented by the first post-independent government in 1949, and later was further induced by the implementation of the Mahaweli development project in the western part of the district. However, most of the Sinhalese settlements are located in the interior and in the southern tip of the district.

4.2 Formation of the Amparai District and Its Political and Administrative Sub-Divisions

The Amparai district was formed on 10th April 1961 by carving out the southern part of the Batticaloa district and merging some parts of the Moneragala district. At the time of formation, the population of the district consisted mainly of Tamil-speaking Muslims and Tamils, and was concentrated in the coastal areas. When the district was formed, it had about 1,153 square miles of land area under five Divisional Revenue Officer (DRO) divisions (Athavan, 22.07.2001). Later, these divisions were transformed into Assistant Government Agent (AGA) divisions in the beginning of 1970s and some more areas of other districts (that were the waste areas fully predominated by the Sinhalese) were also merged with this district from 1978 to 1988. In 1992, through the Transfer of Powers (Divisional Secretaries) Act No 58 of 1992, all the AGA divisions were altered to Divisional Secretariat (DS) divisions. However, both Irakkamam and Navithanveli DS divisions are newly formed divisions divided from the Sammanthurai DS division in 1999 and 2001 respectively. At present, there are 20 DS divisions in Amparai district. Among them, eight divisions are Muslims-majority divisions, seven are Sinhalese-majority divisions, and five are Tamils-majority divisions. For administrative purposes, these 20 DS divisions are divided into 503 Grama Niladhari (GN) divisions (Department of Census and Statistics 2014). The Amparai district is one of Sri Lanka's 22 electoral districts in the name of 'Digamadulla' and it has four polling divisions, namely Kalmunai, Sammanthurai, Pottuvil, and Amparai. Furthermore, the district is divided into 20 local government divisions. Among them are two Municipal Councils, one Urban Council, and 17 Divisional Councils (namely, Pradeniya Sabha).

4.3 District Administration in Amparai

The district is administered by the District Secretary who is appointed by the country's President from among the senior administrative officers, and is in-charge of the overall administration of the offices coming under the direct control of District Secretariat and the coordination of divisional level offices (DSs). The District Secretariat is located in the Amparai town area, which is more than 100 kilometers far from Panama, the southern edge of the district, and more than 160 kilometers in distance from Dehiattakandiya, the northern edge of the district. The district secretariat is located between 35-100 kilometers from the coastal belt of the district where the majority (more than 65%) of the district's population is living.

5. Language Issues Faced by Tamil-Speaking Ethnic Minorities in Fulfilling Administrative Needs and Works, and Their Impact in the Amparai District

As noted earlier, even though the Tamil language has been recognized in Sri Lanka and guaranteed as a state language equal to Sinhala, and constitutional provisions and many administrative circulars have legalized and insist on the importance of implementing these provisions including the administration of Tamil language in central, provincial, and local levels of administration. However, the practical implementation of these provisions and government orders has not reached a satisfactory level. The case of the Amparai district in terms of administering and implementing Tamil language provisions is a severe one compared to the other cases. The language issue (especially the violation of Tamil language provisions and the domination of the Sinhala language over the district's administration) has led to a series of inter-connected issues that have severely impacted the rights of the Tamil-speaking ethnic minorities. The following section analyses some of these issues in detail.

5.1 Clear Violation of Constitutional Provisions on Tamil Language in Administrative Affairs

It was identified through document analysis and field surveys that the district secretariat, in its daily administration, has violated a number of constitutional provisions and other legal acts, procedures, circulars, orders, and communiqués regarding administering the Tamil language as an official language. In fact, many agree that the failure or denial to recognize the Tamil language as a state language equal to Sinhala has not only contributed to the emergence of ethnic conflict but also has created many issues in Sri Lanka related to decentralization of public administration, democratization, and minority rights accommodation. Especially in the case of district administration of Amparai, the functioning of this district's administration in Sinhala was always reported by the Tamil-speakers of the district 'as a violation of their fundamental and legitimate right'. Therefore, they have been demanding that the government should enhance institutional capacity to implement Tamil language provisions in order to facilitate communications between the people and the district secretariat officers so as to fulfill their needs in their own language. A review of the existing constitutional arrangements and

circulars adopted to protect the language rights of Tamil-speakers, their status of implementation, and the level of violation justifies this argument clearly.

The Tamil Language (Special Provisions) Act, No. 28 of 1958 was the earliest act that equally recognized Tamil as an official state language alongside Sinhala. An especial reference needs to be given to the provision regarding the use of Tamil for administrative purposes. Accordingly, in the northern and the eastern provinces, the Tamil language may be used for prescribed administrative purposes, in addition to the other purposes for which this language may be used in accordance with the other provisions of this Act. Correspondence between persons (other than officials in their official capacity) educated through the medium of the Tamil language and any official in his official capacity or between any local authority in the northern or eastern province and any official in his official capacity may, as prescribed, be in the Tamil language. The act also stated that the minister-in-charge may make regulations to give effect to the principles and provisions of this Act (Perera, 2008:9; DeVotta, 2004:211-212). This Act was in effect until the adaptation of the new constitution (The First Republican Constitution) in 1972. However, successive central governments and line ministries did not give due consideration towards implementing the provisions of the Act in the affairs of the Amparai district's administration. Violating the provisions of the Act, the government appointed a Sinhalese Assistant Government Agent (AGA) to the newly formed Amparai district in 1961, and established its secretariat buildings in Amparai area, favoring the Sinhalese population even though the majority (more than 70%) of the district's population at that time was Tamil-speakers concentrated in the coastal belt of the district. This arrangement clearly justifies that the government has violated the implementation of Tamil language provisions through making the district secretariat favorable to the Sinhalese. It was further identified that the Tamil-speaking people of the district were claiming that a Tamil-speaking AGA and other higher-level officers must be appointed to the district secretariat. They also asserted that the functioning of the district administration should be in the Tamil language to a reasonable extent, while the district secretariat should be set-upped in a manner conducive to Tamil-speakers. It is worth noting here that the placement of the District Secretariat in the Sinhalese area and the appointment of Sinhalese to the higher level positions of the district secretariat automatically led to the administration of the district secretariat being conducted in the Sinhala language, violating all the constitutional provisions on conducting administration in the Tamil language, and thereby violating the rightful claims of Tamil-speakers.

In addition to the 1958 Tamil Language (Special Provisions) Act, provisions were made to recognize the Tamil language in 1987 and in 1988 through the 13th and 16th amendments to the present constitution (adopted in 1978), which not only recognized Tamil as an 'Official Language', but also affirmed it as a language of administration, especially in the north-eastern region [Note.2]. Along with these constitutional amendments, the Official Languages Commission Act (No.18) of 1991 and many government directives through gazette notifications and Public Administration Circulars have also insisted on the implementation of Tamil language provisions in public administration and have ordered the ministries, departments, and other local level public institutions to make necessary institutional arrangements in order to facilitate the Tamil-speakers in public administration. However, in the case of the Amparai district's administration, in practice, none of these Acts or circulars was followed by the central ministries or the district secretariat and they did not ensure the proper implementation of Tamil language provisions in administration, especially at the district secretariat level. At present, nearly 62% of the Amparai district's population is Tamil-speaking (Tamils and Muslims), but the district secretariat continues to conduct the administration in Sinhala, contrary to the constitutional requirements regarding implementing Tamil as a language of administration.

In general, Tamil has been an official language since 1987, and there are legal guarantees that Tamil-speakers can have access to public services and conduct government business in their own tongue. However, in practice, Tamil-speakers often suffer language discrimination throughout the country. It is worth noting at this juncture that the proper implementation of any act, circular, or directive would be meaningful only under a proper institutional set-up and its rational functioning. Failure to strengthen the implementing agencies or institutions with sufficient personnel and other facilities would definitely challenge the objectives and outcomes of any initiative. This was the case in the matter of implementing of the Tamil language provision in the Amparai district. Since the District Secretariat was set-upped favoring one linguistic group, and administrative elites were also selected from the same group, favoring their ethnic belonging, the district administration began to discriminate and marginalize the Tamil-speakers and their linguistic rights within the district.

It was noticed during field surveys that many politicians and administrators of the coastal area expressed their worries about the Sinhalization and Sinhalese dominance in the district administration. According to them, this situation is a violation of their fundamental rights — the right to communicate and to fulfill their administrative tasks in their own language as guaranteed in the constitution. Despite many requests from the public and

commands from government authorities, until now, the district administration conducts almost all meetings (including the District Coordinating Committee meetings) in the Sinhala language, even though the majority of the participants are Tamil-speakers who cannot understand Sinhala and therefore cannot pass any message to the committee.

5.2 Violation of the Tamil Language Provision Led to the Domination of the Sinhalese in the District Administration

The violation of constitutional provisions, administrative circulars, and orders regarding conducting administration in the Tamil language by the Amparai district administrators has led to the domination of the Sinhala language and the Sinhalese officers in the daily affairs of the district's administration. This has caused severe challenges to the Tamil-speakers in the district who comprise the majority and who are concentrated in the coastal belt of the district. Even though about 70% of the district's population was Tamil-speaking when the district was formed in 1961, the government placed its secretariat in the newly colonized Amparai town that was built to facilitate Sinhalese settlement under the GalOya project. As Ibrahim (2014) and Mansoor (2014) claim, since there was an Additional Government Agent office of Batticaloa district functioning in Kalmunai from 1942 to 1946, and since the town of Kalmunai had a status of town council with sufficient government offices, the establishment of the district secretariat in the Amparai area was a partial and purposive decision of the central government. The Tamil-speakers viewed this as a planned decision favoring the Sinhalese. In addition to this, the line ministries in-charge of district administration have continued to appoint Sinhalese administrators to the post of District Secretary and other higher level administrative posts. All these automatically led to the domination of the Sinhalese and the Sinhala language in the daily affairs of the district's administration. In fact, the Sinhalese population in the coastal belt is very small and interactions between the Sinhalese and the Tamil-speakers are also limited. The majority of the population in the coastal area is purely Tamil-speaking and do not have a grasp of the Sinhala language. This has caused them many difficulties in fulfilling their administrative needs at the district secretariat. They were compelled to bring an interpreter along with them to the district secretariat. This situation has caused them more difficulties, including extra financial burden. Furthermore, we noticed from a review of documents from the DSs in the Tamil-speakers living area (referred to as the 'coastal belt') that almost all communications coming from the District Secretariat, district level administrative departments, and the line ministries in Colombo were in Sinhala or in English. This clearly justifies the argument that the whole administrative machinery has failed to respect and adhere to the constitutional provisions on using Tamil for administrative purposes in the north-eastern provinces, and has thereby violated the linguistic rights of the minorities.

The findings of this study also revealed that 22 District Secretaries have been appointed to the Amparai District Secretariat from its inception, but none of them were from Tamil-speaking communities. In addition to this, most of the higher administrative posts coming under control of district secretariat and within the purview of the district's administration are filled by Sinhalese officers. It was further noticed from field surveys that even till today, except for a little improvement, the Sinhalese control the daily administration of the district secretariat to a considerable extent. An ordinary Tamil-speaking member of the public cannot easily fulfill his/her needs at any of the branches of the district secretariat in his/her own language. Few Tamil-speaking officers are appointed in all branches, but most of them are at clerical positions. Most of the authoritative positions involved in decision-making processes are filled by the Sinhalese. According to sources from the Amparai District Secretariat (2015), only 7 positions out of 17 are filled by Tamil-speakers among the major higher level bureaucratic posts coming under the purview of the district administration. Similarly, only 50% of the higher bureaucratic posts within the District Secretariat are filled by Tamil-speakers. Even though many requests and demands have emerged from the minority community and many forces have been pressuring for the reorganization of administrative structures in the war-affected north-eastern region in order to facilitate the Tamil-speaking ethnic minorities, the reform process is not up to a satisfactory level.

5.3 Domination of the Ethnic Majority in District Administration has led to the Discrimination and Violation of Minorities in Resource Utilization

Both the violation of Tamil language provisions and the domination of the ethnic majority (Sinhalese, but minority within the district) in the Amparai district's administration has led to the marginalization and discrimination of the Tamil-speakers' role and share in the matters of decision-making, resource allocation and utilization, and development initiatives within the district. The district administration with the support of the central government and administrative elites had been instrumental in marginalizing the Tamil-speaking areas in many of the development initiatives within the district. A review of past development projects revealed that almost all the development projects implemented in the Amparai district were designed favoring the Sinhalese.

Prominent among them were the GalOya irrigation-based land settlement project and the *Gam Udawa* community development projects. Especially through the GalOya project, thousands of landless Sinhalese families were settled down in newly developed irrigable lands with necessary facilities. For this purpose, thousands of hectares of lands belonging to Tamil-speaking Muslims and Tamils were seized by the government, but only a few percent were selected from Tamil-speaking communities to be beneficiaries [Note.3]. Furthermore, the GalOya settlement progressively contributed to the increase of the Sinhalese and the decrease of Tamil-speakers in the district's population, which later impacted on the political representation of Tamil-speaking minorities and the financial allocations for their areas.

On the other hand, the land settlement programs implemented in the Amparai district have resulted in a serious shortage of available lands for minorities. In addition to land seizure for development projects, the district administration has also been supportive of demarcating/delimiting local political and administrative divisions favoring the Sinhalese and marginalizing Tamil-speaking communities. It is worth noting here that about 43.6% of the population of the Amparai district is Muslim, but only 17.2% of the total lands in the district are allocated to the Muslim-majority local administrative units in the district. Similarly, 17.4% of the Tamils in the district's population share only 9.2% of total district lands. On the other hand, about three quarters of the lands in the Amparai district belong to DS divisions that are almost entirely Sinhalese populated. Accordingly, about 73.6% of the total district's land is allocated for the Sinhalese-majority DS divisions, even though the Sinhalese constitute only 38.7% of the district's population (District Secretariat, Amparai 2013 & Department of Census and Statistics 2014). This clearly justifies the claim that the delimitation process was conducted discriminating the minorities' rights to sharing land based on the extent of their percentage in the district's population. As Mohideen (2008) indicates, this has seriously affected the economy and the political strength of the indigenous Muslim population and has induced a number of land based conflicts within ethnic groups in the district. From the Tamil-speakers point of view, the discrimination and marginalization of minorities from land settlements and colonization projects would have not happened if there had been an administrative set-up conducive to the Tamil-speakers at the district secretariat (Kanthasami, 2014). This marginalization of Tamil-speakers and their areas in resource utilization and development has continued throughout the years, up to the special projects implemented in 2013 under the '*Dayada Kirulla*' war victory remembering program. It was also reported by many local level Tamil-speaking politicians that the district secretariat has made little allocation for the development of Tamil-speaking areas (the coastal belt) of the district, even under the *Dayada Kirulla* program. However, there is no publicly available document in this regard that can verify this allegation.

5.4 Failure of Minority Language Administration in Amparai and the Separate Administrative District Demand

The failure to implement Tamil language provisions in the Amparai district administration and its interconnected issues, as analyzed above, has not only negatively impacted the rights of Tamil-speakers, but also has induced them to demand and advocate for a separate administrative district for their living area, in order to make the district administration easier and conducive to their needs. Their demand appeals for the formation of a separate administrative district covering the Tamil-speakers majority DS divisions as a mechanism to facilitate the functions of public administration and also for other reasons. This demand was widespread at the societal and political level even before the formation of the Amparai district. But, as identified earlier, the violation of the Tamil language provision in the affairs of the Amparai district administration and the related impact of this has now pushed the Tamil-speakers to strongly advocate this demand. According to this demand, the proposed district would cover an area of 1820.8 square kilometers of the coastal belt, which is about 40% of the total area of the present Amparai district. The proposed district has a population of 409,260 in 14 DS divisions, which is about 63% of the population of the present day Amparai district, according to the 2012 census. Accordingly, this would be a Tamil-speaker majority (96.5%) administrative district in the eastern province.

6. Conclusion

In the case of Sri Lanka, successive governments and bureaucracies as well as their administrative agencies and processes were expected to give reality to the anticipated fruits of independence and liberty, but they failed in all aspects due to their lack of policies in accommodating the rights, interests, and claims of the minorities. In a pluralist societal context, public administration needs more policy reforms and institutional modernity in order not only to adopt new trends in public and development administration, but also to accommodate the rights and interests of different groups of people - especially those of ethno-linguistic minorities - at different levels of administration. Reorganizing local governmental and administrative units to adequately meet the needs of minorities and providing differentiated structures of self-governed administration are some of the mechanisms that the government can implement to protect and promote the rights of the minorities within administrative machinery. It is an unquestionable fact that the proper implementation of any legislation, act, or provision cannot

be fulfilled without the proper institutional arrangements and the fullest willingness and commitment of all the officials involved. This fact is obvious in the matter of administering Tamil as an equal language to Sinhala in Sri Lanka.

When the legitimate concerns of minorities regarding their language use in public affairs are accommodated, tensions are greatly reduced. If the majority-language is promoted in public life at the expense of minorities, this can be a considerable source of minority grievance and lead to majority-minority interethnic tension. This was the case in the administration of the Amparai district. Right from the inception of the district, the linguistic rights and interests of Tamil-speakers who formed the majority in the district's population were marginalized by the domination of the Sinhalese language (Sinhala). This resulted in a number of administrative burdens to the Tamil-speakers. The continuous negligence of their grievances and demands consequently induced them to demand and advocate for a separate administrative (institutional) set up for their administrative easiness.

Minority rights and interests are not only linked to linguistic and cultural matters. A high level of autonomy in all public sectors, especially in the administration of local affairs where minority groups live predominantly is essential to the protection of linguistic identity and to the management of public functions in a self-determined manner. As far as the issue of competency is concerned, the district administrative system in Amparai not only failed to consider minority-specific issues as important (e.g. language use), but also failed to approach these issues in a holistic way, accommodating them only in promoting self-government generally, including through the establishment of a specialized administrative institutional arrangement. If these shortcomings are fulfilled, the linguistic grievances of the Tamil-speaking minorities in the Amparai district could be appeased. Policy reforms and institutional restructuring are highly needed in this regard.

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Notes

Note 1. A further detail of the 13th and the 16th amendments are given in section 5.1 of this article.

Note 2. For further details on the 13th and the 16th amendments, see, Nadarajah (2012), and Parliament Secretariat (2011).

Note 3. For more details and the impact of GalOya irrigation-based land settlement scheme, see: Ibrahim (2001); Thangarajah (2003); Hasbullah et al (2005); IGC (2008); Mohideen (2008) & Mohideen (2013).

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