



BLACK JULY 1983: 40 YEARS ON

July 2023



**SRI
LANKA
CAMPAIGN**
FOR PEACE & JUSTICE

An overview of the events of the Black July Pogrom of 1983, and its relationship to Sri Lanka's continued cycles of violence and impunity.

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Introduction

Forty years ago today, on 23rd July 1983, a mass anti-Tamil pogrom broke out in Sri Lanka, in which an estimated 3,000 Tamil people died at the hands of Sinhalese mobs. Since then, narratives both in Sri Lanka and internationally have presented the events as the start of the ethnic conflict in the country, which came to a brutal end in 2009. However, a careful consideration of the history and situation on the ground points to the seeds of the pogrom going back decades, finding its origins during colonial times and in the immediate aftermath of Sri Lanka's independence.

As we reflect on the experiences of Tamils in Sri Lanka in their proper historical context, we are confronted with the legacy of the island's long culture of impunity and the abject failure of successive governments to deliver accountability for past human-rights violations. We waited until 2001 for President Chandrika Kumaratunga to appoint a Presidential Truth Commission to investigate the ethnic violence between 1981 and 1984. After 18 years of waiting, the commission's mandate lacked any clear power to hold the organisers and perpetrators of violence to account and limited the commission's work to the period from 1981 to 1984, with some powers to identify and address the grievances of the Tamils over events from this period and recommend compensation.

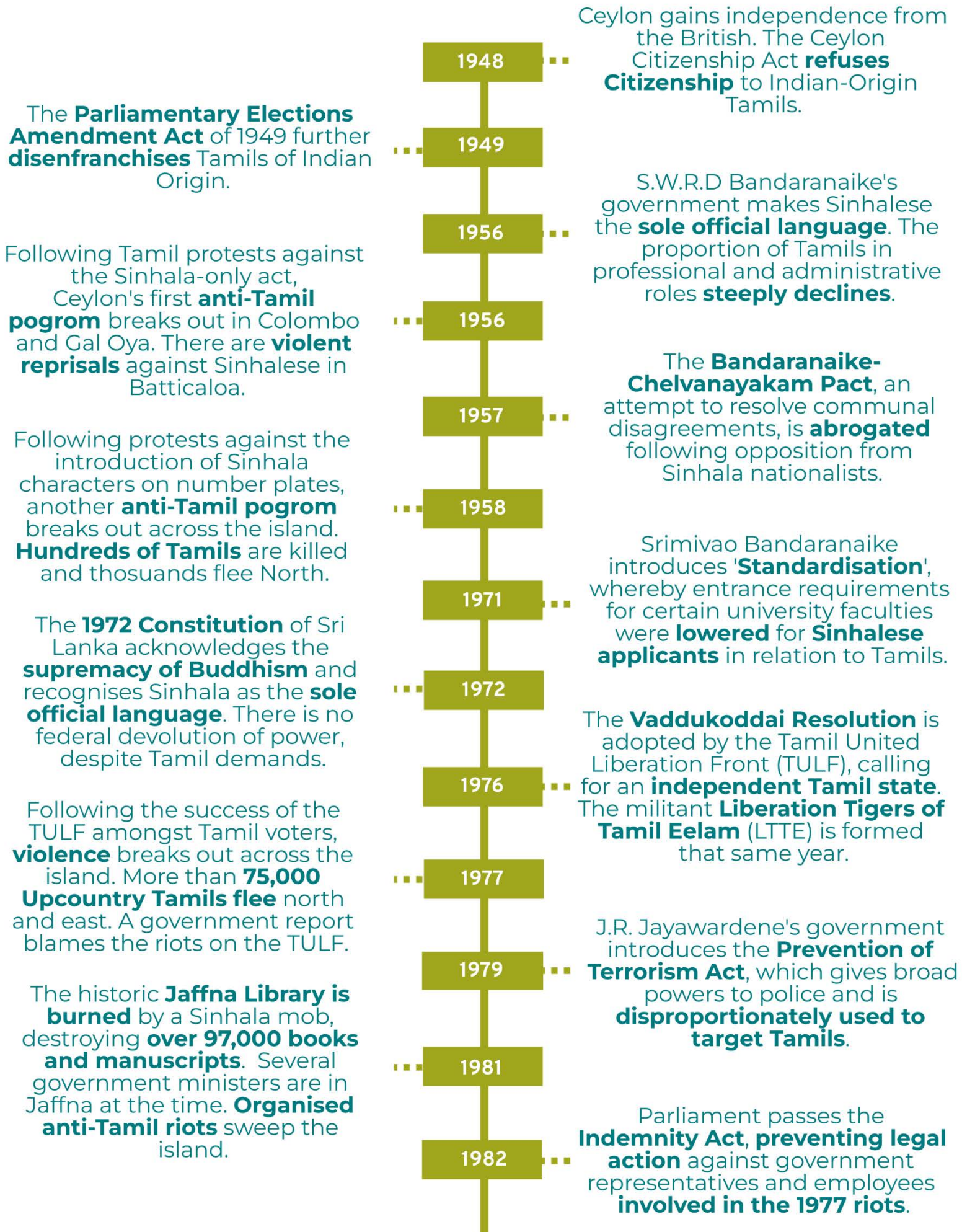
As there has never been a fully trustworthy accountability process for this violent episode in Sri Lanka's history, this report aims to paint a longer-term trajectory and highlight the lessons that should be learned, especially considering the Sri Lankan government's latest plans for a truth and reconciliation commission.

To understand Black July is to recognise the event as one of many cycles of violence that have plagued Sri Lanka. Black July is often cited as the start of the Sri Lankan civil war which would go on to consume the island for three decades. In this report, we place it in its historical context of previous communal violence and an ongoing culture of impunity and failed accountability mechanisms.

Note: This report contains some information which was communicated to SLC staff during a visit to Sri Lanka in May-June 2023.

The Road to Black July

Between 1948-1983, the government of newly-independent Ceylon (later Sri Lanka) set about establishing a majoritarian state, which would ensure the primacy of the Sinhalese community. Legal discrimination, coupled with rampant anti-Tamil violence, would culminate in the events of Black July, 1983.



The Colonial Context

The arrival of the Portuguese on the island in 1505 marked the beginning of European colonialism in Sri Lanka. The Portuguese, and later the Dutch, recognised the division of the island into the kingdoms of Kotte, Kandy, and Jaffna. As the British took control of the island from the late 18th century, the three separate kingdoms were merged into the single colony of Ceylon. The British administration established a national legislative council along ethnic lines in 1833, encouraging ethno-political rivals to jockey for influence in the colonial framework: Sinhalese versus Tamils versus Moors versus Burghers.¹²

In the early 20th century, a Buddhist religious revival – spearheaded by figures like Anagarika Dharmapala – ushered in a period of increasingly chauvinistic Sinhalese nationalism. An early incident of communal violence took place in 1915 during celebrations near a mosque of the Buddha’s birthday on 28th May, leading to riots across Kandy and Colombo which saw seventeen mosques burnt and a further 86 otherwise damaged. The widespread violence against Muslims and their property left over 4,000 houses and shops looted, 250 burned down and 25 people dead.³⁴

The idea of federalism had been proposed as early as 1929 by S.W.R.D. Bandaranaike, whilst the ACTC fought for 50-50 representation in parliament between Sinhalese and non-Sinhalese populations. D.S. Senanayake won the 1947 elections becoming the first prime minister of Ceylon; his newly formed United National Party (UNP) was invited to form a government in coalition with the All Ceylon Tamil Congress (ACTC). Independence from Britain was granted the following year under the unitary Soulbury Constitution of 1947, which adopted universal franchise without devolution of powers or reservation for any ethnic or religious community.

¹ *'The Separatist Conflict in Sri Lanka: Understanding the Conflict Beyond the Iron Law of Terrorism,'* Imtiyaz, A.R.M.; Bandarage, Asoka, 2009, Asia Policy (8): pp.168–173

² Sri Lankan Moors, formerly Ceylon Moors, are Sri Lankan Muslims; Burghers a small Eurasian ethnic group with Portuguese, Dutch and British ancestry

³ *'The Politics of Anagarika Dharmapala and its Aftermath,'* by Sarao, Karam Tej, *'The History of Mahabodhi Temple at Bodh Gaya'*, 17th September 2020, Springer Publishing

⁴ *'Encyclopedia of Sri Lanka,'* Gunawardena, Charles A., (2005), New Dawn Press

The Road to 1983

From Independence to Disenfranchisement

From 1815 the British had begun to introduce Indian Tamil labourers to the island to work the tea, coffee, coconut, sugar and rubber plantations. Since 1911, Malaiyaha Tamils (Tamils of Indian origin) had been categorised as a separate ethnic group. That year, they constituted 12.9% of the total population, with Sri Lankan Tamils representing 12.8%.⁵ On 20th August 1948, almost 700,000 Malaiyaha Tamils were disenfranchised and made stateless by the passing of the Ceylon Citizenship Act, reinforced by the later Parliamentary Elections Amendment Act of 1949. As births were rarely registered and applicants could not provide the necessary documentation, fewer than 5,000 Malaiyaha Tamils were granted citizenship.⁶ Whilst the legislation was challenged in Parliament by the Ceylon Indian Congress which represented the Malaiyaha Tamils, the British Privy Council upheld the constitutionality of the Citizenship Act.⁷

The status and future of people of Indian origin would not be addressed again until the Sirima-Shastri Pact⁸ of 1964 when it was agreed that of the estimated 975,000 Malaiyaha Tamils, 525,000 would be forcibly 'repatriated' to India and 300,000 would be granted citizenship, with the fate of the remaining 150,000 to be negotiated at a later point. By 1981, it was estimated that only 280,000 had been repatriated and 160,000 granted citizenship and by 1982, India declared the pact no longer binding as its implementation period had expired.⁹ The majority of remaining Malaiyaha Tamils, who had neither been deported nor granted citizenship, remained in limbo. This community had little legal tie to the land they worked on, and were in a highly precarious position at the outbreak of the Black July riots.

⁵ 'Population by ethnic group, census years', Department of Census & Statistics, Sri Lanka, <https://web.archive.org/web/20111113175023/http://www.statistics.gov.lk/abstract2010/chapters/Chap2/AB2-10.pdf>

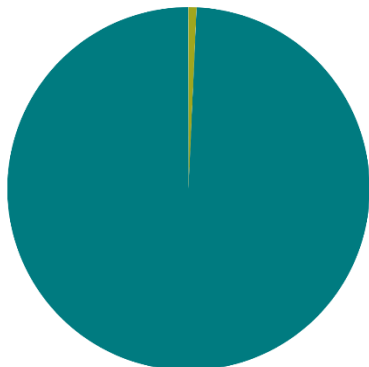
⁶ 'Estate Tamil, the Ceylon Citizenship Act of 1948 and Sri Lankan Politics,' by Shastri, Amita, Contemporary South Asia, Vol. 8, 1999 – Issue 1

⁷ 'The Plantation Tamils of Eelam: Privy Council judgement on Constitutionality of Citizenship Act', Privy Council Appeal No. 7 of 1952, *G.S.N. Kodakan Pillai v P.B Mudanayake* [1953]

⁸ This agreement is also known as the 'Agreement on Persons of Indian Origin in Ceylon,' <https://mea.gov.in/bilateral-documents.htm?dtl/6426/Agreement+on+Persons+of+Indian+Origin+in+Ceylon>

⁹ 'The Undesirables: The Expatriation of the Tamil People of Recent Indian Origin from the Plantations in Sri Lanka to India,' Bibin, Thomas and Fries, Yvonne, K.P. Bagchi & co., Calcutta, 1984

Disenfranchisement and Deportation



The **Ceylon Citizenship Act** of 1948 and **Parliamentary Elections Amendment Act** of 1949 disenfranchised almost 700,000 Malayaha Tamils, and made them **stateless**.

Most Malayaha Tamils, who were descendants of Tamils brought to Sri Lanka from India by the British, did not have the necessary documents required for citizenship. **Less than 5,000** were granted statehood at that time.

By 1964, **almost 975,000** Tamils remained 'stateless' in Ceylon. That year, the government signed an agreement with India to **deport** 525,000 Malayaha Tamils to India, grant Ceylonese citizenship to 300,000, and leave 150,000 **in limbo**.

As of 1981, 280,000 had been deported, and **only 160,000** had been granted citizenship by Sri Lanka. The rest remained stateless, subject to **extreme poverty** and **frequent violence** during anti-Tamil riots.

Sources: Amita Shastri 'Estate Tamil...'; Indian Ministry of External Affairs; Urmila Phadnis 'The Indo-Ceylon Pact...'; Economic and Political Weekly, 16:34 Aug 1981.

The First Anti-Tamil Pogrom – Gal Oya Valley Riots

In 1956, S.W.R.D. Bandaranaike's Sri Lanka Freedom Party (SLFP) swept into power, promising to make Sinhalese the sole official language of the country. To Tamils, this seemed a deliberate attempt to reduce the number of Tamils holding positions in the civil service and administration.¹⁰ The severely discriminatory effect of the policy would mean that the Tamil-speaking population had no option but to learn Sinhalese if they wanted public-service employment; many serving public servants were dismissed or forced into early retirement when they could not meet the new requirements.

In opposition to this policy, 12 MPs of the Tamil Federal party initiated a non-violent sit-in protest of around 200 Tamils in front of parliament in Colombo on 5th June 1956. Following inflammatory speeches by populist Sinhalese politicians, Sinhalese mobs attacked the protestors and Tamil passers-by, looting over 150 Tamil-owned shops in Colombo.¹¹

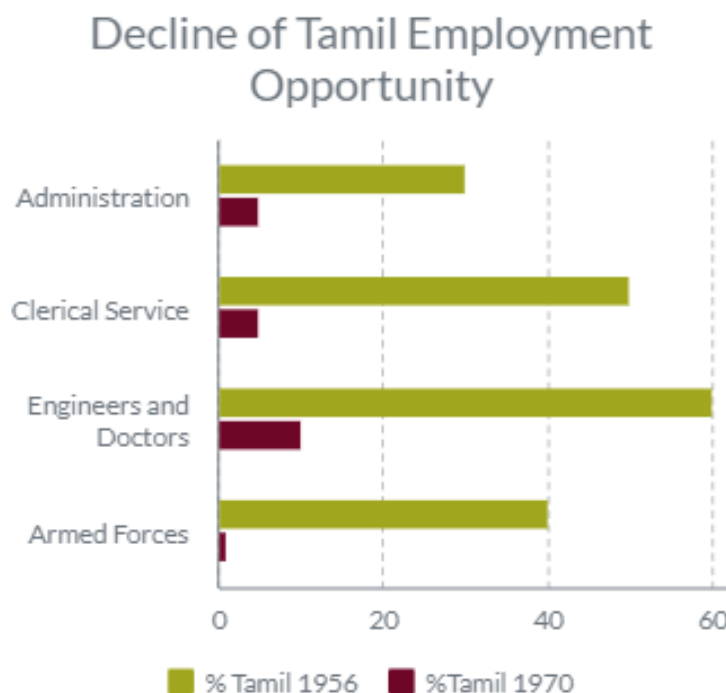
¹⁰ "In 1956, 30 percent of the Ceylon administrative service, 50 percent of the clerical service, 60 percent of engineers and doctors, and 40 percent of the armed forces were Tamil. By 1970 those numbers had plummeted to 5 percent, 5 percent, 10 percent, and 1 percent, respectively." *Fighting Words: Language Policy and Ethnic Relations in Asia*, Brown, Michael Edward, 2003, MIT Press

¹¹ *Emergency '58: The Story of the Ceylon Race Riots*, by Vittachi, Varindra Tarzie, 1958, Andre Deutsch Press

Following the events in Colombo, Tamil rioters in Batticaloa attacked Sinhalese people and their homes. A Sinhalese hotel employee fired indiscriminately at a crowd, killing two. Further disturbances in the district included the police firing into a crowd of around 10,000 Tamil demonstrators in Karaitivu,¹² killing two Tamils, whilst a group of 11 Tamils killed two government officials near Kalmunai.¹³

News and inflated rumours of the riots reached the Gal Oya settlement in the Eastern Province, where agitated Sinhalese mobs attacked Ceylon and Malaiyaha Tamils. Tamil-owned properties were looted and burnt, and the military was deployed to disperse the mobs. Up to 200 people are believed to have died in this pogrom.¹⁴

The Bandaranaike – Chelvanayakam Pact of July 1957 attempted to resolve communal disagreement, but it was soon abrogated following fervent opposition from Sinhalese nationalists.¹⁵ The Tamil Language Act of September 1958 provided for the use of the Tamil language within education and Public Service in the Northern and Eastern provinces, but the proportion of Tamils in administrative, clerical, and professional roles steeply declined, eventually becoming far below their proportion of the total population.¹⁶



¹² *Leveling Crowds: Ethnonationalist Conflicts and Collective Violence in South Asia*, Tambiah, Stanley, 1997, University of California Press, pp.88

¹³ *Tigers of Lanka: From Boys to Guerrillas*, Swamy, M. R. Naranayan, 2002, Konark Publishers, pp.23

¹⁴ *Leveling Crowds*, Tambiah, pp.85-86

¹⁵ *The Separatist Eelam Movement in Sri Lanka: An Overview*, by Kodikara, S.V., India Quarterly, Vol. 37, No. 2 (April-June 1981), pp.194-212

¹⁶ *Ethnolinguistic Nationalism and Ethnic Conflict in Sri Lanka*, by DeVotta, Neil, *Fighting Words: Language Policy and Ethnic Relations in Asia*, edited by Brown, Michael E. and Ganguly, Sumit, BCSIA Studies in International Security, The MIT Press

The First Anti-Tamil Pogrom – 1958 Riots

Following the adoption of the Sinhalese Only language policy in 1956, motor vehicles in Ceylon started bearing the Sinhalese character *Sri* on all number plates. The Ilankai Tamil Arasu Kachchi (ITAK; *Tamil Federal Party*) initiated an anti-*Sri* campaign which involved smearing tar over the characters. This led to a wave of reprisal tarrings of Tamils and their property.¹⁷ According to the Jaffna MP, G.G. Ponnambalam, Sinhalese groups were distributing leaflets warning Tamils in Colombo to cease supporting the Federal Party campaign or face boycotts of their businesses.¹⁸

When protesting Malaiyaha Tamils stoned a bus in the hill country on 2nd April, police opened fire on the crowd, killing two.¹⁹ The enraged crowd then attacked Sinhalese property, inciting further violent reprisals. Meanwhile, 300 Sinhalese labourers of the Land Development and Irrigation Department armed with knives proceeded by trucks to the Tamil village of Cheddikulam, Jaffna district. They were forced to retreat when armed Tamils fired at the mob.²⁰

The government's proposal to resettle 300 Tamil labourers from Trincomalee District to Polonnaruwa District, angered the local Sinhalese population and labourer gangs threatened vigilante attacks on any Tamil migrants to the region.²¹ Communal tensions continued to build and further isolated incidents of violence occurred across the island.

On 22nd and 23rd May, attacks were carried out on trains at Polonnaruwa and Batticaloa. It has been suggested that the targets in both cases were Federal Party leadership and members travelling to a convention. However, in both incidents the unwitting victims were ordinary Tamil and Sinhalese citizens, as well as two policemen.^{22,23}

In Polonnaruwa on 24th May, Sinhalese labourers from various state departments and farms went on a rampage, raping, looting, and beating hundreds of Tamils and any Sinhalese who hid them.²⁴ The government failed to heed police requests for reinforcements and the mob went on to attack the police station. The Sinhalese former mayor of Nuwara Eliya, D.A. Seneviratne, was shot in his car on his way to his estate and died the same evening. It was later alleged by some politicians that this may have been for personal rather than political or racial reasons.²⁵ The following day, news of his death prompted Sinhalese mobs to attack Tamil labourers on sugarcane plantations, setting the plantations alight and killing an estimated 70 people.²⁶

¹⁷ '60th Anniversary of May 1958 Anti-Tamil Riots – Part 1', Sri Kantha, Sachi, Ilankai Tamil Sangam, 20th April 2018, <https://sangam.org/60th-anniversary-1958-anti-tamil-riots-part-1>

¹⁸ G. G. Ponnambalam, Member for Jaffna, 5th June 1958, *Parliamentary Debates (Hansard), Dominion of Ceylon: House of Representatives*, pp.141-145

¹⁹ M. W. H. de Silva, Senator, 4th June 1958, *Parliamentary Debates (Hansard), Dominion of Ceylon: Senate*. pp.9-10

²⁰ 'Eylom: Beginnings of Freedom Struggle', Suntheralingam, Chellappah, 1967, Arasan Printers, p.53, <https://noolaham.net/project/586/58565/58565.pdf>

²¹ 'Emergency '58: The Story of the Ceylon Race Riots', by Vittachi, Varindra Tarzie, 1958, Andre Deutsch Press, p.10

²² 'The Expedient Utopian: Bandaranaike and Ceylon', Manor, James, 1989, Cambridge University Press

²³ 'Emergency '58', pp.34-36

²⁴ *Ibid.*

²⁵ *Ibid.*, p.23

²⁶ 'Ethnic Unrest in Modern Sri Lanka: An Account of Tamil-Sinhalese Race Relations', Chattopadhyaya, 'H., South Asia Books, p.53

Around 3,000 displaced Tamil people seeking protection gathered in front of Polonnaruwa police station where a small police force attempted to keep them at bay. A supporting army unit of 25 soldiers arrived to assist the police and killed three before the crowd was dispersed.²⁷

In Panadura, Kalutara District, false rumours about Tamil attacks in Batticaloa prompted Sinhalese gangs to burn a Hindu priest alive and attempt to burn down a Hindu temple.²⁸ Violence in Batticaloa intensified upon hearing the news of the priest's death and Tamil mobs attacked Sinhalese people. Eleven deaths were recorded as well as lootings and burning of Sinhalese property.

Jaffna experienced widespread violence on 28th May when news of the death of the Panadura priest reached the district. No deaths were reported but Sinhalese merchants lost inventories as Sinhalese property was looted and the Buddhist Naga Vihare temple attacked.²⁹

Four days after the widespread rioting had begun, Prime Minister Bandaranaike made an appeal to the nation calling for peace, with the implication that Tamils had initiated the communal violence. This incited more violence against Tamils across the island, including in Colombo where Sinhalese gangs attacked people, looted shops, and committed arson.³⁰ There were also many incidents of murder and sexual violence against women throughout these riots.³¹ While sexual violence against Tamils has occurred repeatedly during the island's long ethnic conflict, some of the first instances of rape of Tamil women by Sinhalese mobs were documented during these riots.³²

The government eventually declared a state of emergency and deployed the army to suppress the rioters, with powers to use deadly force. The army was eventually returned to barracks in the rest of the country, but remained present in Jaffna for 25 years as part of the existing 'Operation Monty', later expanded to become 'Task Force Anti Illicit Immigration'.³³ Over 2,000 Sinhalese fled the Jaffna peninsula and over 10,000 Tamils from Colombo alone were relocated to Jaffna in June 1958.³⁴ ITAK, which was the main party representing the Tamil population, and the Jathika Vimukthi Peramuna were both banned for several months, and their leaders placed under house arrest. The Jathika Vimukthi Peramuna (JVP; National Liberation Front)³⁵ was a Sinhalese chauvinist political party formed in 1957 by K.M.P. Rajaratne, and anti-Tamil riots had been extreme in villages where it was active.³⁶

The events of 1958 shattered much of the trust between both ethnic groups on the island. Lanka Sama Samaja Party (LSSP) MP for Panadura, L.S. Goonewardene, accused members of the SLFP of

²⁷ 'Emergency '58', p.21

²⁸ *Ibid.*, p.24

²⁹ *Ibid.*, p.33

³⁰ *Ibid.*, p.26

³¹ 'The Expedient Utopian: Bandaranaike and Ceylon,' Manor, James, 1989, Cambridge University Press

³² 'Emergency '58'

³³ 'Blowback: Linguistic Nationalism, Institutional Decay and Ethnic Conflict in Sri Lanka' by DeVotta, Neil, 2004, Stanford University Press, p.127

³⁴ 'Blowback: Linguistic Nationalism, Institutional Decay and Ethnic Conflict in Sri Lanka' by DeVotta, Neil, 2004, Stanford University Press, pp.118-119

³⁵ *Not to be confused with Janatha Vimukthi Peramuna (Peoples Liberation Front), a self-declared Marxist party founded in 1965

³⁶ 'Electoral Politics in an Emergent State,' Wilson, A. Jeyaratnam, Cambridge University Press, 2010, p.25

having attended anti-Tamil boycott meetings where attendees had called for Tamils to be driven out of Colombo and other Sinhalese majority areas and blamed the government's pandering to its Sinhalese racist base for enabling and encouraging the riots.³⁷

Standardisation and a New Constitution

In May 1971, Prime Minister Sirimavo Bandaranaike introduced the discriminatory policy of standardisation to curtail the number of Tamil students selected for certain faculties in universities. Qualifying entrance requirements were lowered for Sinhalese applicants against the Tamil cohorts, even when the examinations were conducted in English. In 1972, a district quota system was introduced to the further detriment of Tamils.

Bandaranaike's government adopted the first constitution of the Republic of Sri Lanka in May 1972.³⁸ This unitary constitution acknowledged the supremacy of Buddhism, recognised Sinhalese as the sole official language, and failed to provide a charter of inalienable rights. This constitutionalised majoritarianism, despite calls by ITAK for the creation of a federal state.³⁹

Beginnings of Tamil Militancy

Discontented Tamils started turning to separatism. In May 1976 the Vaddukoddai Resolution⁴⁰ was adopted by the Tamil United Liberation Front (TULF), which called for independent statehood. That month also saw the founding of the Liberation Tigers of Tamil Eelam (LTTE) under Uma Maheswaran and the military leadership of Velupillai Prabhakaran, which, alongside several other militant organisations, would come to dominate Tamil politics.

The Third Anti-Tamil Pogrom – 1977 Riots

The general election of July 1977 saw the conclusive victory of the TULF in the North and East, a political party which openly advocated separatism. The TULF became the official opposition in the first elections they ever contested, whilst J.R. Jayewardene's UNP won a landslide 140 of 168 seats.

Agitated by the election results and the febrile atmosphere, violence broke out across the island and official estimates record that 125 people - 97 Tamils, 24 Sinhalese, one Muslim and three of

³⁷ Leslie Goonewardene, Member for Panadura, 4th July 1958, *Parliamentary Debates (Hansard), Dominion of Ceylon: House of Representatives*, p.817

³⁸ The Constitution of Sri Lanka (Ceylon) - The Constitution of the Republic of Sri Lanka (Ceylon) adopted and enacted by the Constituent Assembly of the People of Sri Lanka on the 22nd day of May 1972, Colombo

³⁹ '1972: A Majoritarian Constitution,' Wickramaratne, Jayampathy, Colombo Telegraph, 24th May 2022

⁴⁰ Vaddukoddai Resolution - adopted at the First National Convention of the Tamil United Liberation Front held at Vaddukoddai on 14th May 1976 - Political Resolution Unanimously Adopted at the 1st National Convention of the Tamil United Liberation Front Held at Pannakam (Vaddukoddai Constituency), Presided over by Mr. Chelvanayakam, Q.C, M.P.

unknown ethnicity, were killed during the riots between 12th to 20th August 1977.⁴¹ This was alongside widespread rape, assault and destruction of property.⁴² Police did little to stop the violence, and more than 75,000 Malayaha Tamils were forced to flee to the North and East. A defiant Jayewardene blamed the rioting on the TULF before finally ordering the military to quell the riots. Convinced of a connection between the party and the emerging militant Tamil youth groups in Jaffna, he attempted to suppress both. The pogrom convinced many Tamils that the TULF's legal and constitutional approach would never be accepted by the government.

Special Presidential Commission of Inquiry, 1977 (Sansoni Report)

J.R. Jayewardene appointed Justice M.C. Sansoni, a Supreme Court Judge as a one-man Commission to investigate the events surrounding the ethnic violence of August 1977. However, proceedings were reportedly hampered by political interference and the passing of new legislation to shield errant government forces from prosecution.⁴³ While acknowledging some police failures and identifying a few police officers who had instigated or participated in violence against Tamils, the report placed primary blame for the violence on the Tamil political leadership.⁴⁴ Justice Sansoni recommended that Tamil victims be compensated for damages, but perpetrators identified in the report were not prosecuted.⁴⁵ Instead, in 1982, Parliament passed the Indemnity Act, No. 20 of 1982, which prevented legal action against any representative or employee of the government for any act, *“legal or otherwise, done or purported to be done with a view to restoring law and order during the period 1 August 1977 to 31 August 1977, if done in good faith...”* This Act was later amended to extend the relevant period of indemnity to 16 December 1988,⁴⁶ legalising impunity twice over.

Prevention of Terrorism Act (PTA), 1979

J.R. Jayewardene, following the adoption of a new constitution in 1978, became the country's first Executive President. He introduced the notorious Prevention of Terrorism Act (PTA) in 1979.⁴⁷ Initially enacted as a temporary measure, it gave the police broad powers to search, arrest and

⁴¹ *The Separatist Conflict in Sri Lanka: Terrorism, Ethnicity, Political Economy*, Bandarage, Asoka, 19th Nov 2008, Routledge Press, p.76.

⁴² *Anti-Tamil Riots and the Political Crisis in Sri Lanka*, Bulletin of Concerned Asian Scholars, 1984, Routledge Taylor & Francis Group pub.

⁴³ *Focus on Rights: Further Reflections on commission inquiries and rights violations – Part Three*, Jayawardene, Kishali Pinto, The Sunday Times, 17th February 2008

⁴⁴ *Twenty Years of Make Believe – Sri Lanka's Commissions of Inquiry*, Amnesty International Publications, 2009, Index: ASA 37/005/2009

⁴⁵ The authors of this report found no evidence that compensation had been paid to the victims as recommended.

⁴⁶ Government of Sri Lanka, Indemnity (Amendment) Act, No 60 1988

⁴⁷ Prevention Of Terrorism (Temporary Provisions) Act (No. 48 of 1979) - An Act to make Temporary Provision for the Prevention of Acts of Terrorism in Sri Lanka, the Prevention of Unlawful Activities of any Individual, group of Individuals, Association, Organization or body of Persons within Sri Lanka or outside Sri Lanka and for Matters connected therewith or incidental thereto.

detain suspects for up to 18 months for ill-defined offences. The International Commission of Jurists (ICJ) observed in June 1983 that the use of the PTA and its systematic abuses by army personnel involving the torture of detainees had served to exacerbate communal tensions and fuel the hostilities. It repeatedly called for its repeal, recognising that Sri Lanka was “*approaching a major crisis with respect to its national adherence to the Rule of Law.*”⁴⁸

The Fourth Anti-Tamil Pogrom – 1981 Riots and the Burning of Jaffna Library

At midnight on 31st May, the historic Jaffna public library, which contained nearly 97,000 books and priceless manuscripts, was burned.⁴⁹ One of the biggest libraries in Asia, the building was a repository of numerous irreplaceable and culturally important manuscripts.⁵⁰ While no MPs were definitively proven to be directly involved in the burning, cabinet ministers Cyril Mathew, Gamini Dissanayake and Festus Perera were in Jaffna when a large contingent of high-ranking Sinhalese security personnel carried out organised acts of destruction.⁵¹ According to a lone guard, “it was a meticulously planned martial operation.”⁵² The burning continued unchecked for two nights.

Other sites which were targeted for destruction included offices of the Tamil daily newspaper *Eelanadu*; a Hindu temple; statues of Tamil cultural and religious leaders; the Jaffna Market building and the home of the local Tamil MP, which local reporting claimed was also organised by members of the ruling party and carried out by Sinhalese policemen. More than 100 shops and several houses were looted and burnt.⁵³ The Movement for Inter-Racial Justice and Equality (MIRJE) sent an investigative team to Jaffna, which found that “*after careful inquiries there is no doubt that the attacks and the arson were the work of some 100-175 police personnel.*”⁵⁴ Ministers would later claim that the police had ‘mutinied’ and were ‘out of control.’⁵⁵

Strong local and international calls for accountability for the burning of Jaffna library saw the appointment of an internal police departmental inquiry to identify the perpetrators. One hundred and eighty-seven policemen were identified and temporarily detained, ending the inquiry forthwith. All were later rewarded with promotions and quietly transferred out of Jaffna.⁵⁶ The later Presidential Truth Commission of 2002 on ethnic violence between 1981 and 1984 stated that “*there is material evidence to conclude some of these police officers were responsible for the*

⁴⁸ *Ethnic and Communal Violence: The Independence of the Judiciary: Protection of 'Fundamental Rights' and the Rule of Law in Sri Lanka*, Report of a mission to Sri Lanka in June 1983 on behalf of the International Commission of Jurists, Moore, Timothy J., July 1983, International Commission of Jurists (Australian Section)

⁴⁹ *Burning Books* by Sites, Kevin, 12th June 2006,

⁵⁰ *Burning Memories* directed by Someetharan, Nihari Film Circle & Productions, 2008,

<https://www.jaffnalibraryburning.com/?wix-vod-video-id=ebdf8e59e5a844fc79d2fc04aa1f8a&wix-vod-comp-id=comp-kpik0xlw>

⁵¹ *Sri Lanka: Racism and the Authoritarian State*, Murray, Nancy, Issue no. 1, Race & Class, vol. 26 (Summer 1984)

⁵² *Pirapaharan - Who Gave the Order?*, Sabaratnam, T., Ilankai Tamil Sangam, 17th December 2003

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ *Ethnic Conflict and Violence in Sri Lanka*, p.31

⁵⁶ *Pirapaharan - Who Gave the Order?*

destruction of the Jaffna Public Library."⁵⁷ By the time of this commission, however, no police records relating to the events were traceable.

Throughout the summer of 1981, organised Sinhalese mobs looted and burnt Tamil shops and houses in Jaffna, Ratnapura, Balangoda, Kahawatte and Colombo, and in the border villages of Batticaloa and Ampara districts.⁵⁸ Brian Eads in the London *Observer* of 20th September 1981 reported that the arson and looting were planned, orchestrated, and carried out in Jaffna by the "predominantly Sinhalese Buddhist police force" in the area.⁵⁹

During July and August, Tamils in the East and South, including Malaiyaha Tamil plantation workers, were terrorised and made homeless. Over 25,000 Malaiyaha Tamils and 10,000 Eastern Sri Lankan Tamils were displaced. Women were raped and at least 25 people died.⁶⁰ Worst affected were the Central and Sabaragamuwa Provinces, with incidents reported in Colombo and Negombo as well.⁶¹ *"The attacks, many by well organised goon squads, were widely believed to be directed by members of the ruling UNP, among them, close friends of the President."*⁶²

According to Amnesty International's 1982 fact-finding mission to Sri Lanka, the UNP government at that time failed to institute an independent investigation to establish responsibility for the killings or widespread destruction.⁶³

The burning of Jaffna library was an act of cultural genocide, reminiscent of Nazi book burnings and one of the most violent examples of ethnic biblioclasm of the 20th century.⁶⁴ The burnt-out library became an icon of the "physical and imaginative violence" of Sinhalese extremists.⁶⁵ The Jaffna library burning in effect muzzled moderate actors.⁶⁶ There was a notable power shift among the Tamils as militant groups who were hostile to both the Sri Lankan state and the Tamils who were willing to work with the government, gained power and influence. The complicity of the government in the library attack, coupled with the growing chauvinism of the majority community, convinced many Tamils that the Sinhalese intended to extinguish Tamil culture and identity in Sri Lanka; secessionist militancy became increasingly popular.⁶⁷

⁵⁷ *Report of the Presidential Truth Commission on Ethnic Violence (1981-1984)*, p.27

⁵⁸ *Ethnic Conflict and Violence in Sri Lanka*

⁵⁹ *The Cover Up That Failed - The Prohibited Report from Colombo*, Eads, Brian, London Observer – 20th September 1981

⁶⁰ *The Cover Up That Failed*

⁶¹ *Report of the Presidential Truth Commission on Ethnic Violence (1981-1984)*, p.28

⁶² *The State against the Tamils in Sri Lanka – Racism and the Authoritarian State*, Murray, Nancy, Institute of Race Relations, 1984

⁶³ *Report of Amnesty International Mission to Sri Lanka – 31 January – 9 February 1982*, Amnesty International, 1st July 1983, Index No.: ASA 37/001/1983

⁶⁴ *Destroying a Symbol: Checkered History of Sri Lanka's Jaffna Public Library*, Knuth, Rebecca, University of Hawaii, World Library and Information Congress: 72nd IFLA General Conference and Council, 20-24th August 2006, Seoul, Korea

⁶⁵ *Monumental History and the Politics of Memory: Public Space and the Jaffna Public Library*, Nesiiah, Vasuki, Lines Magazine, February 2003

⁶⁶ *Monumental History and the Politics of Memory: Public Space and the Jaffna Public Library*, Nesiiah, Vasuki, Lines Magazine, February 2003

⁶⁷ *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, Wilson, A. Jeyaratnam, Hurst Pub., 2000

Black July

A Fuse is Lit

On 2nd June 1983, the UNP government adopted new Extraordinary Emergency Regulations under the Public Security Ordinance, restricted initially to the North, which allowed for the disposal of dead bodies by police without recourse to the legal requirements of inquest proceedings and inquiries relating to the circumstances of the death.⁶⁸ This appeared to be an open licence to repress the growing violence in the North and encourage the army to kill with impunity. By 18th July, this was extended countrywide, less than a week before the pogrom now known as “Black July”.

On 27th June, A. Amirthalingam, TULF MP, raised six incidents of killing by security forces in the North in parliament, one of which was the killing of a bus driver and injuries to civilian passengers. He complained about the failure of the police to investigate and the lack of accountability.⁶⁹

Trincomalee saw continuous incidents of violence throughout June between Sinhalese and Malaiyaha Tamils. These plantation workers were originally displaced by the 1981 riots and were being resettled in the area.⁷⁰ When country-wide violence broke out in July, the Navy and local officials commandeered state buses and deported the displaced to various parts of the hill country to which they had no connection.⁷¹

On 15th July 1983, LTTE cadre Charles Lucas Anthony “*Seelam*” was killed while being pursued by the army and attempting to escape.⁷² Around the same time, three Tamil schoolgirls were kidnapped and raped by army personnel within their military camp; one of the girls would later commit suicide.⁷³

On 17th July, President J.R. Jayewardene in an interview in the British-based *Daily Telegraph* stated: “*I am not worried about the opinion of the Jaffna people [Tamils] now.... Now we cannot think of them. Not about their lives or of their opinion about us.*” Four days before the outbreak of communal violence, the government announced that total censorship of all news relating to terrorism would come into force on 20th July.⁷⁴

In apparent retaliation for the incidents of the 15th, the LTTE ambushed an army convoy on 23rd July, killing thirteen soldiers. Several LTTE cadres were also killed in the assault. In turn, on the night of the 23rd and the following day, 24th July, the Sri Lankan Army shot dead 51 Tamil civilians

⁶⁸ ‘*Report of the Presidential Truth Commission on Ethnic Violence (1981-1984)*’, p.30

⁶⁹ *Ibid.*, p.30

⁷⁰ *Ibid.*, p.31

⁷¹ ‘*Sri Lanka: The Arrogance of Power Myths, Decadence and Murder*,’ Hoole, Rajan, University Teachers for Human Rights (Jaffna), 2001, pp.81-82

⁷² ‘*Encyclopedia of the World’s Minorities*,’ Skutsch, Carl, Routledge Press, 2013

⁷³ ‘*Sri Lanka: Ethnic Fratricide and the Dismantling of Democracy*,’ Tambiah, Stanley, The University of Chicago Press, 1986; and ‘*The Massacres in Sri Lanka during the Black July riots of 1983*,’ Pavey, Eleanor, Online Encyclopedia of Mass Violence, 13th May 2008

⁷⁴ ‘*Report of the Presidential Truth Commission on Ethnic Violence (1981-1984)*’, p.33

on Palaly Road and Sivan Amman village in Thirunelveli, Jaffna.⁷⁵⁷⁶ While news of the death of the soldiers was widely publicised, news of the retaliatory killings by the government forces never appeared in print.⁷⁷

The Fifth Anti-Tamil Pogrom – July 1983

Whilst the Black July Pogrom of 1983 was ultimately triggered by the deadly LTTE ambush, it was also premeditated and coordinated. This was clear from the very beginning, from the use of electoral rolls by rioters to exclusively target Tamil-owned homes and businesses; the reports of eye-witnesses who saw MPs and their known henchmen lead attacks around Colombo; and the use of buses and other state vehicles to transport rioters from area to area. Although initially orchestrated by members of the ruling UNP party in Colombo on 24th July, the pogrom soon escalated into mass violence with significant public and military participation across the country.

The funerals of the soldiers, with full military honours and attended by President J.R. Jayewardene, Prime Minister Ranasinghe Premadasa and the cabinet, were to be held in Kanatte Cemetery, Colombo on 24th July. This arrangement was against the advice of the prime minister and contrary to standard procedure, which was to return fallen soldiers to their families for burial in their hometowns. Overruled by the president, arrangements went ahead, attracting a large crowd of over 8,000 people.⁷⁸ The crowd began calling for the return of the bodies to their families and violence subsequently broke out against the police, prompting the summoning of the riot squad who fired tear gas and charged the crowd. The army was called upon to intervene and the president was forced to cancel the funerals and hand over the bodies of the soldiers to their families. When the crowd was informed of the change of plans, they left the cemetery, agitated and restive.

The anti-government agitation was quickly replaced by anti-Tamil agitation and a portion of this crowd marched to Borella where they destroyed Tamil-owned Nagalingam Stores. The Sinhalese mob, now swollen to over 10,000, attacked and looted any buildings with a Tamil connection, including Borella Flats and the Tamil Union Cricket and Athletic Club.⁷⁹ Violence spread throughout the city, from the slums to the city centre and exclusive residential area of Cinnamon Gardens and Park Road. Rampaging mobs were undeterred by the declaration of a 6pm curfew.

Organised violence by gangs operated with precision in targeting the economic bases of Tamils in Colombo, beginning in Ratmalana, which had the largest concentration of factories in Sri Lanka. Mobs attacked Jetro Garments and Tata Garments on Galle Road, leaving both factories gutted. They continued the attacks, moving to Soysa Flats, a complex of almost 500 flats, targeting 81 out of 92 Tamil-occupied flats.⁸⁰ The following day, the Tamil-owned Maharaja Organisation lost six factories and their head office to mob violence in Ratmalana.⁸¹

⁷⁵ *'Lest We Forget – Massacres of Tamil (1956 – 2001) (Part 1),'* North-East Secretariat on Human Rights (NESOHR), 2005, p.7

⁷⁶ *'Report of the Presidential Truth Commission on Ethnic Violence (1981 – 1984),'* p.36

⁷⁷ *Ibid.*, p.34

⁷⁸ *'War or Peace in Sri Lanka,'* Dissanayake, T.D.S.A., Popular Prakshan, 2004, p.67

⁷⁹ *Ibid.*, p.68

⁸⁰ *Ibid.*, p.71

⁸¹ *Ibid.*, p.73

On the morning of 25th July, the president convened the Security Council. Despite a curfew order in place that day, the mobs which had set ablaze Tamil-owned businesses in the Fort area of Colombo on the 24th now moved on to other parts of Colombo, setting alight Tamil-owned shops and hotels. Cyril Mathew, a government minister, was seen in the Fort area; Ranasinghe Premadasa's lieutenants in Pettah; UNP municipal council members in Borella; District Minister Mallimarachchi's men in Colombo North and Deputy Minister Anura Bastian's men in Colombo South.⁸² The rioters were seen using voter-registration lists to target Tamils, which further implied prior organisation and cooperation with members of the government. *"This time [unlike in earlier riots] the Government detected plain signs of deliberate organisation. The rioters, seeking out Tamil homes and burning them, had a particularly detailed knowledge of who lived where and who owned what."*⁸³ As President Jayewardene would later admit, *"a pattern of organisation and planning has been noticed in the rioting and looting that took place."*⁸⁴ Tamil-owned factories and hotels across the island also came under attack. *"The mobs were armed with voters' lists, and detailed addresses of every Tamil-owned shop, house, or factory, and their attacks were very precise."*⁸⁵ While many officials and advisors were disturbed by the unfolding events, President Jayewardene was *"calm and unruffled"* according to Edward Gunawardena, the deputy inspector-general of police.⁸⁶

The mob attacks spread to the Wellawatte and Dehiwala areas of Colombo over the following day. Of 53 houses on Ratnakara Road, 24 Tamil-owned houses were burnt. Three houses rented by Tamils from Sinhalese landlords were ransacked; whilst the tenants' contents were burnt, the buildings themselves were spared,⁸⁷ further suggesting a high level of organisation.

Violence spread to Kandy, where Tamil-owned businesses were set on fire on 26th July despite local police attempts to control the situation. Armed with petrol cans and Molotov cocktails, Tamil shops were targeted by the violent mobs throughout the city despite the imposition of a curfew on the 26th.

In Trincomalee, false rumours were spreading that the LTTE had attacked and destroyed the Karainagar Naval Base, desecrated the Naga Vihare and captured Jaffna. This prompted sailors at the Trincomalee Naval Base to go on a rampage, setting 170 buildings in the district alight and attacking the Sivan Hindu temple.⁸⁸ The curfew was extended nationwide, and police and army units began patrolling in larger numbers to quell the rioting.

In the Central Province, violence spread from Kandy to Hatton, and moved to Badulla in the Uva Province by 27th July. An organised mob attacked the Badulla bazaar area, setting shops alight, before moving to residential areas where many Tamil homes were burnt down. The mob then left in vans and stolen buses, continuing the rioting in nearby Lunugala.⁸⁹

⁸² *'Pirapaharan - The Final Solution'*, Sabaratnam, T., Ilankai Tamil Sangam, 20th May 2004

⁸³ The Times (London), 8th August 1983

⁸⁴ *'The Massacres in Sri Lanka during the Black July riots of 1983'*, Pavey, Eleanor, Online Encyclopedia of Mass Violence, 13th May 2008

⁸⁵ India Today (New Delhi), 31st August 1983

⁸⁶ *'Blood and Cyanide: A Contemporary Sri Lankan Tragedy'*, Gunawardena, Edward, 2000

⁸⁷ *'War or Peace in Sri Lanka'*, p.72

⁸⁸ *Ibid.*, 75

⁸⁹ *Ibid.*, p.76

On the same day in Colombo, a train headed for Jaffna was stopped by a mob. The mob and Sinhalese passengers on the train started attacking Tamil passengers, killing 12. Some of them were pulled onto the tracks and burnt alive.⁹⁰

By 28th July, violence had subsided in Colombo, Kandy and Trincomalee but was continuing in Badulla and Lunugala and spreading to Nuwara Eliya and Chilaw. The President and his cabinet held an emergency session before a primetime televised address to appeal for an end to violence.⁹¹ Jayewardene blamed the violence on "*the deep ill feeling and suspicion that has grown between the Sinhalese and the Tamil people*" caused by calls for an independent Tamil state. He went on to declare that any political party calling for a separatist solution would be banned, effectively outlawing the TULF and any other party upholding the Vaddukoddai Resolution.⁹²

On 29th July, two Sinhalese youths were shot on Gas Works Street in Colombo. A large crowd formed around the bodies and rumours began to spread that they had been shot by LTTE cadres hiding in the nearby Adam Ali building. The building was surrounded by army, navy and police who proceeded to fire at the building, joined by a military helicopter. Rumours spread throughout Colombo that the military were engaged in a battle with the LTTE, prompting civilian mobs to resume attacks on Tamil people and Tamil-owned buildings. Any Tamils the mob could find were burnt alive or hacked to death in the streets.⁹³ Violence continued in Nuwara Eliya and spread to Kegalle and Matara districts.

By 30th July, continued violence was reported from the central districts, but in the rest of the country things were getting quieter. That night, the government imposed a ban of three left-wing political parties - the Communist Party of Sri Lanka, the Janatha Vimukthi Peramuna (JVP) and the Nava Sama Samaja Party, blaming them for inciting the riots.⁹⁴

The death-toll estimates generally range between 400 and 3,000,⁹⁵ with some estimates exceeding 6,000.^{96,97} Around 150,000 people were made homeless,⁹⁸ of whom nearly 100,000 were temporarily located in 27 camps for internally displaced persons (IDPs).⁹⁹

Welikada Prison Massacre

The detention and trials of Tamil militants held under the PTA had become an embarrassment for the government and allegations of torture attracted criticism from international human rights

⁹⁰ *Ibid.*, p.76

⁹¹ 'Sri Lankan Tamil Nationalism: Its Origins and Development in the 19th and 20th Centuries', Wilson, A. Jeyaratnam, Penguin Books, 2001, pp.113-114

⁹² 'Colombo acts to appease mobs', Hamlyn, Michael, The Times, 29th July 1983

⁹³ 'The Cyanide War: Tamil Insurrection in Sri Lanka, 1973-88', O'Ballance, Edgar, Brassey's (UK), 1989

⁹⁴ 'War or Peace in Sri Lanka', p.82

⁹⁵ 'Twenty Years On - Riots that led to War,' Harrison, Frances, BBC News, 23rd July 2003

⁹⁶ 'Recorded figures of Arrests, Killings, Disappearances, Rapes, Displacements and Injuries to Tamils in the North-East, Colombo and other regions (1956-2004)', Tamil Centre for Human Rights, http://www.tchr.net/50_year_arrest_kill.htm

⁹⁷ In the 'Report of the Presidential Truth Commission on Ethnic Violence (1981 - 1984)', p.64, the Commission accepted 949 claims for compensation but it does not provide the number of people killed or the precise grounds for the compensation.

⁹⁸ 'Sri Lankan Families count cost of War', Buerk, Roland, BBC News, 23rd July 2008

⁹⁹ 'Report of the Presidential Truth Commission on Ethnic Violence (1981 - 1984)', p.36

groups, such as the International Commission of Jurists and Amnesty International. In May 1983, *“some Tamil political prisoners were taken from an army camp in Panagoda to Welikada Prison, supporting what appeared to be a plan to murder militant activists under the guise of ‘prison riots.’”*¹⁰⁰

On 25th July, 35 Tamil political prisoners in Welikada Prison were killed by Sinhalese prisoners, with a further 18 killed two days later. Amongst the dead were Sellarasa *“Kuttimani”* Yogachandiran,¹⁰¹ the popular leader of the Tamil Eelam Liberation Organisation and member of the Sri Lankan Parliament, who had his eyes gouged out in a cruel parody of a statement he made at his court hearing.¹⁰² This tragic flashpoint of the Black July pogrom came to be known as the Welikada Prison Massacre.

The ICJ commented: *“It is not clear how it was possible for the killings to take place without the connivance of prison officials, and how the assassinations could have been repeated after an interval of two days, since Welikada prison is a high-security prison, and the Tamil prisoners were kept in separate cells.”*¹⁰³ Survivors would later insist the rioting prisoners had the support of the prison guards, but a subsequent inquest would clear them of involvement in the massacre.

In 1985, families of 30 murdered prisoners filed civil cases for compensation against the state due to their failure to provide adequate protection to the prisoners. The government never admitted liability for the deaths, and even tried to invoke the Indemnity Act to shield themselves from responsibility. However, in April 1994, the case was settled out of court, with the state agreeing to pay some compensation.¹⁰⁴

The 2002 Presidential Truth Commission on ethnic violence would later confirm that a number of prison officials were complicit in the massacre¹⁰⁵ and condemned J.R. Jayewardene for his failure to ensure the protection of the Tamil prisoners held in the custody the State and failure of the government to prosecute those involved.¹⁰⁶¹⁰⁷

¹⁰⁰ SLC interview with retired Police Inspector of Colombo District, 31st May 2023

¹⁰¹ *‘Kuttimani Files’* by Sri Kantha, Sachi, Ilankai Tamil Sangam, 5th June 2013

¹⁰² *“Before my death sentence is carried out, please remove my eyes, and transplant them to a Tamil without eyesight. I will not be able to see the free Tamil Eelam but, at least, let my eyes see it.”*

¹⁰³ *‘Ethnic Violence in Sri Lanka’, 1981-83: Staff Report of the International Commission of Jurists, ICJ Review*

¹⁰⁴ *‘Sri Lanka: When will Justice be Done?’*, Amnesty International, 1994, p.16.

<https://www.amnesty.org/en/documents/asa37/015/1994/en/>

¹⁰⁵ *‘Report of the Presidential Truth Commission on Ethnic Violence (1981 – 1984)’*, p.59

¹⁰⁶ *Ibid.*, p.61

¹⁰⁷ In 1985 civil cases against the state were filed for compensation by relatives of 30 of the murdered prisoners based on failure to provide adequate protection to the prisoners. In 1994 the cases were finally settled by agreement with, the state undertaking to make certain ex gratia payments to the relatives without admitting liability.

Impact and Legacy

The Human Cost

The pogrom of Black July had a devastating impact on the Tamil community, from the loss of life to displacement, injuries, and long-lasting psychological trauma. Thousands of innocent people, primarily Malayaha and Sri Lankan Tamil civilians, lost their lives. It also led to massive displacement of Tamil individuals and families who were forced to flee their homes and seek refuge in other parts of the country or temporary shelters. These IDPs lost their properties and were in effect homeless.

Many people suffered physical injuries during the riots, from gunshot wounds, stabbings, beatings and burnings. Moreover, while more difficult to measure, the wider Tamil community, including the diaspora groups, endured psychological trauma, including fear, grief and post-traumatic stress disorder (PTSD).¹⁰⁸¹⁰⁹

The riots had a profound social and cultural impact on the Tamil community. Families were torn apart, and social structures were disrupted. Tamils faced discrimination, further ostracisation, and a loss of trust within society, deepening the ethnic divide in Sri Lanka, escalating tensions and fuelling further conflicts. The scars of Black July continue to be felt in Sri Lankan society, affecting community relations, reconciliation efforts and the process of healing and justice.

¹⁰⁸ *Trauma, War & Violence: Public Mental Health in Socio-Cultural Context*, J. De Jong, Ed., 2002, New York: Kluwer Academic

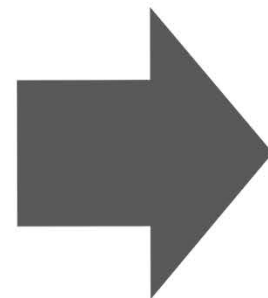
¹⁰⁹ 'Collective trauma in northern Sri Lanka: A qualitative psychosocial-ecological study', Somasundaram, Daya, October 2007, *International Journal of Mental Health Systems*, 1, Article 5

The Human Cost of Black July



July 1983 saw more than a week of **mass anti-Tamil violence** in Sri Lanka.

Violence was spread throughout the entire island, but was **particularly concentrated** in areas where Tamils and Sinhalese lived in close proximity - such as in Colombo and the hill country. Most estimates place the death toll at around **3,000**.



Hundreds of thousands of Tamils were displaced during the bloodshed. Homes and businesses were destroyed, and many felt unsafe to remain in their communities. Some Tamils in the South and hill country fled to the mostly Tamil-speaking North or East, whilst many others **left Sri Lanka altogether**.

The Economic Cost

The Black July pogrom had a significant impact on Tamil economic output and the country's economy and infrastructure. The systematic destruction of Tamil-owned shops and commercial and industrial establishments, many of which employed Sinhalese labour, was widespread. In Colombo alone, *"about 100 industrial plants were severely damaged or destroyed, including 20 garment factories. The cost of industrial reconstruction was estimated at 2,000 million rupees (£55 million). This did not include damaged shops"*.¹¹⁰ Around 8,000 Tamil owned homes and 5,000 Tamil owned shops were looted and destroyed. Total damage estimates and economic loss were placed at over USD\$300 million,¹¹¹ crippling the economic activity of Tamils in Sri Lanka. The severity of the economic losses for the Tamil community would have an impact on their livelihoods and economic stability for years to come.

When interviewed, Malaiyaha Tamils in various villages in the Badulla District told SLC about the destruction the attacks of 1983 had wrought on their community. People had burning tyres hung around their necks, and many were killed by Sinhalese mobs. They recalled how many tea estates in the area were targeted by the mobs, and that many of their official documents were destroyed – documents which they needed to resolve issues relating to their legal status in Sri Lanka. They also told SLC how the attacks devastated the infrastructure and housing in their villages, which to date have not recovered.¹¹²

The negative publicity generated by the violence and unrest internationally led to a significant decrease in tourism which has had a lasting impact on the country's economy. All but about 1,500 remained of the estimated 10,000 foreign tourists who were in the country when the trouble started.¹¹³ During the riots, many tourist facilities, including hotels, resorts, and restaurants, were targeted and vandalised, and the island experienced a subsequent sharp decline in revenue generated by tourism. A drop¹¹⁴ in tourist arrivals of 50% were recorded in the months that followed, leading to an economic downturn, business closures and job losses.

¹¹⁰ Guardian (UK), Beresford, David, 9th August 1983

¹¹¹ *'Diminishing Conflict in Asia and the Pacific'*, Aspinall, E., Jeffrey, R., Regan, A., eds. Routledge Press, 2013

¹¹² Interviews conducted by SLC staff in several villages in Badulla District, June 2023.

¹¹³ *'Sri Lanka – Ethnic Fratricide and the Dismantling of Democracy'*, Tambiah, Stanley Jeyaraja, 1986, The University of Chicago Press

¹¹⁴ *'Political Violence and Volatility in International Tourist Arrivals: The Case of Sri Lanka'* by Fernando, S., Bandara, J., Liyanaarachchi, T.S., Jayathilaka, R., Smith, C., Nov. 2013, Tourism Analysis, Dept. of Accounting, Finance and Economics, Nathan Campus Griffith University, Queensland, Australia

Economic Cost of Black July

The Black July Pogrom of 1983 destroyed:



Around **8,000** Tamil-owned **homes**



More than **100** industrial **plants**



More than **5,000** Tamil-owned **shops**



More than **\$300 million** of **wealth**



Malaiyaha Tamils we spoke to in Badulla District told us that their communities have **never economically recovered** from July 1983. The infrastructural damage done to their region has still **not been sufficiently repaired**.

Sources: David Beresford, *The Guardian* August 1983; Aspinall, Jeffrey, Regan, 'Diminishing Conflict in Asia and the Pacific', 2013; SLC interviews, June 2023.

Politics and Rise of Tamil Militancy

The Black July pogrom of 1983 had far-reaching consequences on the political landscape of Sri Lanka and sparked a chain of events that contributed to the further escalation of the ethnic conflict between the Sinhalese and Tamil communities. The handling of the riots led to a loss of faith and this failure of political leadership created a vacuum which would come to be filled by militant groups and extremist political parties, making it difficult to find a peaceful political solution to the ethnic conflict.

The riots of Black July had a polarising effect on the ethnic communities on the island which led to the formation of political parties that were primarily focused on the interests of their respective ethnic communities. This in turn made it difficult for any governments to implement policies that were acceptable to both communities and cemented the violent rise of the LTTE.

The riots provided the impetus for the formation of several Tamil militant groups, including the LTTE, which would go on to take over a significant portion of Northern and Eastern Sri Lanka. The Sixth Amendment to the Constitution, enacted on 4th August 1983, prohibited separatism and compelled TULF MPs to vacate their seats in Parliament, throwing "*the political leadership of the Tamils into the Tigers' lap.*"¹¹⁵ The subsequent rise of Tamil militancy would lead to a protracted

¹¹⁵ *Report of the Presidential Truth Commission on Ethnic Violence (1981 – 1984)*, p.38

armed conflict between the LTTE and the Sri Lankan government. The conflict continued the cycles of violence which had by then emerged and would last unabated for almost three decades.

Presidential Truth Commission on Ethnic Violence (1981-1984)

Almost 20 years after the events of Black July, the report of the Presidential Truth Commission on Ethnic Violence was finally published in September 2002. The Commission was tasked with investigating those responsible for the atrocities between 1981 and 1984, estimating the damage, exploring compensation for victims and recommending measures to prevent the reoccurrence of such incidents. It also made some attempt to place the events in an historical context, as one cycle of the continuing communal violence. Despite these positive elements, the Commission lacked powers to recommend prosecutions, and the period given for the inquiry was only six months. It was not a comprehensive inquiry and did not seek to call before it any alleged perpetrators.

The Commission found that State actors were complicit in the burning of Jaffna library, but fell short of accusing the government of direct involvement.¹¹⁶ It highlighted the failure of the government to investigate and hold perpetrators to account, recognising it as a grave error which led to anger and resentment and linking it to the growth of Tamil militancy. It also talked about the miscalculation of the government of the day in failing to address ethnic grievances through political solutions while the LTTE was still a small group.¹¹⁷

As to the Black July pogrom, the report recognised it as violating the human rights of Tamils and “*unquestionably the worst in Sri Lanka’s modern history.*”¹¹⁸ The commission questioned the reluctance of the government to declare a curfew on the morning of 25th July when rioting had already broken out in several areas in Colombo, despite multiple pleas from community leaders.¹¹⁹ It further condemned the government as guilty of gross negligence in failing to appeal for restraint and failing to perform its fundamental obligations to protect the life and property of all its citizens.¹²⁰ In respect of the Welikada prison massacres, the Commission criticised the failures of the government to conclude police investigations beyond the inquest stage and prosecute the perpetrators.¹²¹

The Commission called on the government to pay full compensation to the victims, including legal interest¹²² since 1983 and for an investigation division of officers with police powers under the direction of the Human Rights Commission to apprehend and prosecute perpetrators of ethnic violence in future.¹²³ However, the government only allocated 72.3 million rupees

¹¹⁶ *Ibid.*, p.28

¹¹⁷ *Ibid.*, p.29

¹¹⁸ *Ibid.*, p.36

¹¹⁹ *Ibid.*, p.35

¹²⁰ *Ibid.*, p.37

¹²¹ *Ibid.*, p.61

¹²² The legal interest rate is the reference rate used to calculate penalties for an obligation’s late performance; in 2002 the rate was 11.11% pa

¹²³ ‘*Report of the Presidential Truth Commission on Ethnic Violence (1981 – 1984)*’, p.93

(\$702,000USD)¹²⁴ to 937 victims identified by the Commission as having suffered injuries and destruction¹²⁵ and not a single perpetrator was prosecuted.¹²⁶

Accountability for Black July

Transitional justice is a societal attempt to come to terms with past conflict, repression, violations, and abuses to ensure accountability, serve justice and achieve reconciliation through judicial and non-judicial mechanisms. This includes truth-seeking at its core with prosecution initiatives, reparations, and measures to prevent recurrence of new violations, including constitutional, legal, and institutional reform, the strengthening of civil society, memorialisation and cultural initiative, the preservation of archives and the reform of history education.

The truth-seeking inquiries and commissions that were set up to address the grievances of Tamils following the 1977 pogrom, the burning of Jaffna Library and the Black July pogrom have proved abject failures. These mechanisms are subject to the broad executive powers of the Presidential Commission of Inquiry Act No. 17 of 1948, which successive governments have used to maintain ultimate control over the proceedings and outcome of inquiries. While their limited capacity and strength is acknowledged, it has to be noted that even their constrained recommendations were not implemented, and the issue of accountability was repeatedly sidestepped. Further, even where the state has accepted the recommendations, they have failed to honour these commitments, such as in the payment of reparations. With this history of inert, toothless mechanisms, the credibility of these domestic commissions continues to be met with doubt both domestically and internationally; a way for successive Sri Lankan governments to buy time against international censure and undermine the systems of accountability.

At the time of writing this report, the government of Sri Lanka is proposing a new National Unity and Reconciliation Commission (NURC), based on the South African model with a draft bill having been sent to the Attorney General's Office by the Presidential Secretariat.

The South African TRC was conducted after the end of apartheid, a social context which the 2002 Commission described as 'entirely different' from that of Sri Lanka, where 'ethnic tensions [are] still prevailing.'¹²⁷ The South African TRC was never intended to address the structural political changes such as those needed to resolve Sri Lanka's ethnic conflict; indeed, these political changes had already been implemented prior to the creation of the TRC in South Africa.

Sri Lanka needs a mechanism with a pathway to accountability. It also needs a proper witness protection mechanism so that victims can safely present their accounts. None of these appear to be guaranteed for in the new NURC bill. The government has still not published a clear plan on how the Commission will operate. In February, the Presidential Commission of Inquiry to Investigate the Findings of Preceding Commissions and Committees submitted 27

¹²⁴ 'Sri Lankan president offers empty apology for 1983 pogrom,' Kumara, Sarath, World Socialist Web Site (WSWS.org), 6th August 2004

¹²⁵ The authors of this report have found it difficult to ascertain how much of the recommended compensation was actually paid beyond the thirty 'ceremonial' payments from Chandrika Kumaratunga to randomly selected victims at a media event in Colombo on 23rd July 2004.

¹²⁶ 'Ghosts of Black July still haunt Sri Lanka,' Daily FT, 26th July 2022

¹²⁷ 'Report of the Presidential Truth Commission on Ethnic Violence (1981 - 1984)', p.92

recommendations to the President, which have still not been released to the public.¹²⁸ It is not clear if these recommendations from past commissions will be incorporated into the new process. Few victims or activists in Sri Lanka have confidence in the proposed new mechanism. Further investigation into Black July and other mass-atrocity crimes, beyond what has already been conducted by the Sri Lankan government, should be pursued internationally.

Memorialisation is part of the grieving process. It is a process of continuous reconciliation with the past: a time to scream into the wind. In Sri Lanka remembrance and memorialisation are dependent on which side of the ethnic fence you fall on. There is no public and state-sponsored memorialisation of Black July in Sri Lanka, no sections in public museums, no mention of it in the national school syllabus or coverage on state media when the date comes around every year. Remembrance and memorialisation are a way of preserving historical memory, of mourning and acknowledging the lives lost, of fostering empathy and understanding amongst people, making room for peacebuilding, and promoting dialogue on accountability, reconciliation, and justice.

Forty years on from Black July, we are no closer to meaningful accountability or justice for that terrible pogrom. Since that time, we have seen dozens of domestic accountability mechanisms in Sri Lanka, all of which have failed. The recommendations of the 2002 Commission, as well as almost every similar Commission before or since, have gone largely unimplemented; indeed, often these recommendations let alone the full reports, have not even been released to the public.

Read our report on Sri Lanka's failed Domestic Accountability Mechanisms [here](#).

Recommendations for the Sri Lankan Government

At this late stage, any possible accountability for Black July cannot be wholly sufficient. Many of the victims, and indeed the perpetrators, have passed away, and it is too late to provide justice to all those who died. However, the lateness of the hour makes it even more imperative that action is taken to provide some justice to the victims of the pogrom.

We recommend to the Sri Lankan government that:

- Any alleged perpetrators known to police or other authorities and against whom there is strong evidence, if still alive, be prosecuted;
- The financial compensation proposed by the 2002 Commission must be properly distributed to victims and their descendants;
- Reparative justice in the form of infrastructural development, in accordance with local demands and desires, be carried out in areas and communities most affected by the rioting, including Malaiyaha Tamil villages in the upcountry.

Recommendations for UN Member States

The international community must put pressure on Sri Lanka to take actions which will prevent recurrence of such atrocities. The capacity of the police force, army and elected officials to provoke and exacerbate such ethnic riots remains in Sri Lanka, so long as there is no proper

¹²⁸ 'Chairman of the Presidential Commission of Inquiry to investigate the findings of preceding Commissions and Committees', President's Office, 6 February 2023

<https://www.presidentsoffice.gov.lk/index.php/2023/02/06/chairman-of-the-presidential-commission-of-inquiry-to-investigate-the-findings-of-preceding-commissions-and-committees/>

accountability mechanism for any of these key state institutions. The PTA, the legislation which created so much anger in the country and allowed for the massacre at Welikada Prison, is still in use. Whilst the government has drafted an alternative bill, the proposed “Anti-Terrorism Act” is an unacceptable piece of legislation which has already been rejected by both civil society and international experts.¹²⁹ There should also be an effort to further the understanding of the root causes of Black July and the ethnic conflict amongst Sri Lankan society.

States should recommend that:

- The Sri Lankan government repeal the PTA and revoke the proposed Anti-Terrorism Act, ensuring that all anti-terror legislation adheres to international standards;
- The government establish independent mechanisms with prosecutorial powers to hold the police, armed forces, and government departments to account for human rights abuses;
- The government incorporate Black July and other root causes of the ethnic conflict, including those outlined in this report, into its public education in Sinhala-, Tamil-, and English-medium schools;
- The government work with the Tamil community and with international experts to find a real political solution to the ethnic conflict which is acceptable to Tamils on the island.

UN member states should use both their bilateral and economic relations with Sri Lanka, as well as international mechanisms, as leverage to ensure these recommendations are properly implemented.

¹²⁹ *Freedom of expression: Sri Lanka’s “overbroad” draft terrorism law threatens human rights*, Root, Rebecca, 2023, <https://www.ibanet.org/Sri-Lanka-overbroad-draft-terrorism-law-threatens-human-rights>