

## **INTRODUCTION**

Sri Lanka has experienced three decades of civil war between the LTTE Tamils, who have been fighting to carve out a separate Tamil Elam state in Sri Lanka. Muslims of the North- East have been brought in to the conflict due to some political and economic factors. The war has claimed more than 65,000 human lives and the destruction of millions of dollars worth moveable and immoveable properties. Since the war escalated in the North and East of the country nearly hundred thousand peoples from all three ethnic groups became displaced and expatriates. The number of mental and physical handicaps in the war zones has increased in an unprecedented level. The economy of the whole country has been affected very badly and it has resulted in the increase of cost of living, high rate of unemployment and poverty among the people.

This discussion paper is an attempt to identify some of the vital aspect of the civil war and the related issues on power sharing in Sri Lanka.

MIM.Mohideen.

## CONSTITUTIONAL REFORMS AND POWER SHARING FOR MUSLIMS IN SRI LANKA.

1. When the Donoughmore Commissioners visited Ceylon to make changes in the constitution, the Muslim association led by Mr.N.H.M. Abdul Cader, Mr.T.B.Jaya, and Mr. H.M. Macan Marker gave evidence before the commission. Their main representation was the safeguarding of Muslims rights.

The All Ceylon Muslim Political Conference which united all the political divisions among the Muslims went before the Soulbury Commission on 5<sup>th</sup> February,1945 and demanded that the communal representation to be replaced to safeguard minority interest.

When the war came to an end the board of Minister reminded the British Government of its promise and presented the dominion status bill before the state council. British Government insisted on approval of it by a Majority of three quarters of the total members of the state council – an impossible task unless the minorities gave the supports. Indeed the requirement of three quarters majority was the most potent guarantee that the wishes of the minorities would be given a great deal of consideration. All the Muslim members supported it.

When the Muslim members of this Council decided to take a definite stand at the time the “Sri Lanka” bill was introduced, they did so for one and one reason only. The reason was that where political freedom of this country was involved, they were prepared to go to any length, even to the point of sacrificing advantages and benefit as a result of such action.

Mr. S.W.R.D. Bandaranaike expressed his gratitude to the Muslim member on behalf of his own community. Hansard of 22<sup>nd</sup> March 1945, Column 2062 Honorable Bandaranaike.... “May I refer to the support that the main principle of the bill has received from the Honorable nominated member Mr. T.B. Jaya, The Honorable Nominated members Mr. Razik and the Honorable member of the Colombo central Dr. M.C.M. Kaleed among the minority members”.

“I can give the Hon. Nominated Member Mr. Jayah this assurance of the behalf of, I think, the vast majority, at least of the community that I represent, that in the struggle for freedom whatever may or may not be the recommendation of

the Soul bury Commission on our representation, he may be rest assured that we will be quite prepared to consider any reasonable point of view that he might put forward.”

Many were familiar with part played by Sir Mohamed Macan Marker, Dr. T.B. Jayah, Sir Razik Fareed, Dr. M.C.M. Kaleel, Mr.M.C.M. Saleh, and Dr. Badiudeen Mahmud the founder joint secretaries of the All Ceylon Muslims League and Mr. Siddi Lebbe, Mr. Wapiche Marikar and Mr. I.L.M. Abdul Azeez of Moor Association. They enthusiastically supported the independence of Sri Lanka. The Muslims never obstructed the political progress of the country.

## **2. The Soulbury Constitution – (1947- 1972)**

The All Ceylon Muslim Political conference which united all the Political divisions among Muslims went before the soulbury Commissions on 5<sup>th</sup> February 1945. They demanded that the communal representation to be replaced to safeguard the ethnic rights of the Muslims in Ceylon.

The Soulbury Commissioners were greatly concerned about the position of the minorities under the new constitution and expressed the hope that in the demarcation of the electorates, such electoral divisions as multiple members constituencies, reduced electoral strength for the minorities areas etc. would be utilized in order to give adequate representation to the minorities communities, specially the Muslims as they are more or less scattered throughout the country. It also provided protection to minorities against legislation which the majority might be tempted to enact to the disadvantages of the minorities.

## **3. SLFP – Mrs. Srimavo Bandaranaike Constitution – (1972-1978)**

The Sri Lankan Freedom Party received a mandate at the general election held on 27<sup>th</sup> May 1970 to repeal the Soulbury Constitution and drafted a new constitution. SLFP declared the parliament to be the National State Assembly and removed some of the important safeguards provided for the minorities by the Soulbury constitution. The provision of the section 29 (2) and (3) of the soulbury constitution which were designed to give some protection to minorities did not find a place in the SLFP Republication Constitution.

#### **4. UNP – J.R. Jayawardena Constitution – 1978**

The United National Party headed by Mr. J.R. Jayawardena, won the election on 21<sup>st</sup> July 1977 and drafted a new constitution on 7<sup>th</sup> September 1978. The UNP constitution is the same with SLFP constitution of 1972 with regard to the abolition of safeguard to the minorities. Both Constitution refrained from re-enacting the provision of the section 29<sup>th</sup> of Soulbury constitution, reinstating the principals of the appointment and resurrecting the senate. More damaging are the provisions for the Executive Presidency. The demarcation of electoral districts and proportional representation electoral systems introduced in the UNP – Jayawardena Constitution which have seriously affected the rights the Muslims Community enjoyed for more than half a century in this country.

#### **5. The Need for Constitutional Reforms in Sri Lanka**

The democratic people's Alliance (DPA) in its manifesto for the presidential Election in 1988 – Part II – Resolution of the ethnic problem – Unit of Devolution (a) the concept of devolution is accepted in Sri Lanka. (b) There shall be a predominant Tamil unit comprising of what is the combined Northern and Eastern provinces but excluding the areas covered by the predominant Muslim unit. (c) There shall be a predominant Muslim unit comprising the predominant Muslim electorates of Kalmunai, Pottuvil and Smanthurai in the Ampara Districts as the base and identified predominantly Muslims areas in the Batticaloa and Trincomalee District. (d) The right of Sinhalese and all other persons in each unit shall be on the basis of absolute equality.

In the Mangala Moonasinghe Parliament Select Committee of 11<sup>th</sup> December 1992, members representing the United National Party, Sri Lanka Freedom Party, Sri Lanka Muslim Congress, the Communist Party, Lanka Sama Samaja Party as well as the independence Members Mr.K. Srinivasan, Member of Jaffna District and Mr.Baseer Segudawood, Member of Batticaloa reached agreement: (a) on the establishment of two separate ethnic oriented units of the administration for the North and Eastern provinces. (b) to adopt a scheme of devolution on line similar to those provided in the Indian Constitution and (c) to devolve more subjects that are in List III (Concurrent List) or to dispense with the List.

The geographical merger of the Northern and Eastern provinces to form a single region with adequate power over the land have been the main demands of the Tamils. They hold the view that the Tamil Speaking areas is one and indivisible and that the geographical contiguity and territorial unity of the Tamil speaking areas should be given unconditional recognition for any meaningful solution to the Tamil problem.

6. Sri Lanka Tamils and Sri Lanka Muslims are the Tamil Speaking Peoples traditionally living in the Northern and Eastern provinces.

Tamil and Muslims have separate identified areas of historical habitation in the Northern and Eastern provinces and the Muslims areas should be protected from unlawful occupation by the Tamils and Singhalese.

Muslims should not be continuously terrorized by the Tamil in the areas of historical habitation of the Muslims in the Northern and Eastern provinces.

Law and order in the Muslims areas of the historical habitation should be in the hands of the Muslims to ensure safety and security for the Muslims in the Northern and Eastern provinces.

It is the legitimate right of the Muslims to have a separate power sharing unit comprising the areas of historical habitation of the Muslims to share power in the Northern and Eastern provinces.

7. The former president Jayawardana circumvented the laws passed by his own government in the provincial council Act and effected the temporary merger under the emergency regulation and made the Muslims of the Eastern province a community of political and social slaves under the Tamils.

Muslims are conscious of the serious problems that are likely to arise when the Northern and Eastern province are merged to form single regional council. After the formation of the Provincial Council in the temporarily merged North East, the Tamil National Army of the EPRLF, TELO and ENDLF attacked the several police stations in the predominant Muslim areas in the Eastern Province and murdered hundreds of Muslims in cold blood.

LTTE shot the Muslims in the back while praying in the Mosque, burned our mosques, schools, unlawfully occupied paddy fields of the Muslims and committed robbery of our Cattles. Finally they gave just two days for the

Muslims who have been living for centuries to vacate our homes and leave the Northern Province. Continuous outrages by the Tamil militants against the unarmed Muslim civilian population have made thousands leave their traditional homes in the North and East and suffering as internally displaced people for more than 25 years.

From the recent experience the Muslims have realized that there is a well planned conspiracy by the Tamils to chase the Muslim away and make the Northern and Eastern province a mono ethnic Tamil region in order to create one day the Tamil Elam. Although patronizing remarks and the promises have been made by the Tamil leaders, in actual practice every effort is being made by the Tamils to deny the legitimate rights of the Muslims.

## **8. Devolution of Power**

Devolution of power was first introduced into to the Sri Lankan Constitution with the passage of the 13<sup>th</sup> Amendment, certified on 14<sup>th</sup> November 1987, following the Indo-Lanka accord of July 29,1987. Although the scheme of devolution was meant to cover all the nine Provinces, it is indisputable that the catalyst was the ethnic conflict and the need for a politically negotiated settlement by addressing the legitimate grievances of the minorities of Sri Lanka – Tamils and Muslims.

## **9. Barriers in the implementing the 13<sup>th</sup> Amendment to Constitution**

- I. The exiting intuitional structures in the provinces and the Districts are not conducive for devolution.
- II. All the three list of devolution given in the 9<sup>th</sup> schedule to the constitution are weighted in favor of the centre due to the **unitary character of the Sri Lankan constitution**.
- III. The unitary character of the Sri Lankan Constitution help the Sinhala majority central authorities, most of whom have an anti-devolution mindset to infringe upon the power devolved to the minorities.
- IV. Last thirty years of past experience shows that even the minimum devolution to the minorities will not be possible until the anti-devolution mindset of the Sinhala politicians and bureaucrats are removed.

## **10. Anti devolution mindset of the Sinhalese**

- I. Most of the Sinhalese politicians particularly the leaders of MEP, JHU and JVP have an anti-devolution mindset.
- II. The all island management service not devolution-friendly.
- III. The existing institutional structures in the provinces and the district are not conducive for devolution.
- IV. Even after all the Provincial Council came into existence, only the North-East Provincial Council – NEPC was clamoring for the institutionalizing devolution of powers. The other Provinces waited for the benefits of devolution to accrue to them through the efforts of the NEPC.
- V. All the three list of devolution given in the 9<sup>th</sup> schedule to the constitution are weighted in favor of the centre, due to the unitary character of the Sri Lankan Constitution.
- VI. The unitary character of the Sri Lankan constitution help the Sinhalese majority central authorities, most of whom have an anti-devolution mindset to infringe upon the power devolved to the minorities.
- VII. Last thirty years experience shows that even the minimum devolution to the minorities will not be possible until the anti-devolution mindset of the Sinhala Politicians and the bureaucrats is first got rid of.

## **11. Power of Provincial Council under the 13<sup>th</sup> Amendment.**

The power devolved fall under the Provincial List and the Concurrent List.

### **a) Provincial List :**

A provincial council is empowered to make statutes applicable to the Provinces with respect to any matter in the Provincial List.

### **b) Concurrent List :**

A Provincial Council is also empowered to make statutes applicable to that Provinces with respect to any matter in the Concurrent List after appropriate consultation with the centre. (Parliament)

The Centre (Parliament) is also empowered to make laws in respect of any matter in the Concurrent List after appropriate consultation with all the provincial councils.

The Centre (Parliament) has been making laws on subjects in the Provincial List without any reference to the Provinces by using the term "National Policy on all subjects and function" which appears throughout the Reserved List.

Implementation of the subjects and the functions devolved on the provinces through the concurrent List has not taken place at all due to the fact that these subjects and functions were retained by the centre as if they also belonged to the Reserved List.

## **12. Provincial Subjects Taken over by the Centre.**

Although certain subjects and functions are fully devolved, due to inadequate funding and administrative constraints, the Centre had taken over the following important provincial institution and functions:

- a) **Highways** : The Minister in charge of the subject of the Highways has by arbitrarily defining 'national highways' has deprived the provinces of several roads that should have been theirs. A definitions for 'national highways' should be applied in future.
- b) **Hospitals** : The Centre should have control only over the teaching Hospitals attached to medical faculties and special purpose hospitals. The other hospitals should be under the Provinces.
- c) **Schools** : The Centre decided to classify certain schools as ' National Schools ' and then take them over from the Provinces.
- d) **Paddy Cultivation** : ' Agrarian Services ' was a devolved subject. Yet, the Centre continues to hold on to the subject and the institution connected with it.
- e) **Social Service and Rehabilitation** : The subject of social Service, Relief and Rehabilitation, Co-operatives, and Indigenous Medicine are subjects that should be under the Provinces. But the Centre exercises a high degree of control over them by having Ministries for these subjects.

## **13. Devolution.**

What we have today in Sri Lanka is ethnic grievances and not a Tamil problem. Grievances are not confined to one community nor to the followers of one religion. The Singhalese, Tamils and Muslims have



grievances, various political solutions have been attempted for the settlement of ethnic grievances. The Banddaranayake chelvanayakam, the dudly senanayake – chelvanayakam and annexure “C” are the well-known solutions that have been seriously proposed for implementation. The common future in all these proposals is the substantial devolution of power. As a compromise between the highly centralized unitary systems and separate state, power should be properly shared by all ethnic groups- Sinhalese, Tamils and Muslims. Patchwork and halfway measures will only make settlement difficult. There should be genuine sharing of power and the division of power between the centre and the peripheral units should be incorporated in the constitution which would ensure the unity, integrity and sovereignty of the country. The power transferred should enable the ethnic minorities, Tamils and Muslims assume responsibilities and participate fully in the decision-making process in those areas where they are majority.

**14. Muslims not Opposed to Tamil Aspiration.**

The Tamil moderates and the arm Eelam fighter have said that if they are not given a viable alternative for a separate state to share power, they would continue their struggle till they finally achieve what they want. What they have in mind we believe, as a viable alternative, is a single council merging the North and East provinces and devolution of power under a Federal Systems.

The Merger of Northern and the Eastern Province was not accepted on the ground that the Muslims and the Sinhalese are opposing to it. The Muslims oppose the merger mainly because we would become an insignificant minority under the Tamils. But we are not opposed to the merger of the Tamil areas leaving the Muslim areas in the North-East for a separate Muslims majority Provincial Council – Power Sharing Unit.

**15. Power Sharing for Muslims.**

NORTHERN AND EASTERN PROVINCES ARE THE AREAS OF HISTORICAL HABITATION OF THE TAMIL AND MUSLIMS. MUSLIM BEING AN INDEPENDENT ETHNIC COMMUNITY, SHOULD HAVE EQUAL OPPORTUNITY LIKE THE TAMILS AND SINHALESE TO SHARE POWER IN THE AREAS OF THE HISTORICAL HABITATION OF THE MUSLIMS.

**16. Historical Admission of the need for Muslims to Share Power.**

- I. Resolution at Federal Party Convention in 1959.  
Separate Power Sharing Unit for Muslims in the Tamil Region.
- II. Bandaranaike- Chelvanayam Pact.  
Eastern Province to have two or more Councils.
- III. Tamil United Liberation Front – TULF Parliamentary Election Manifesto 1977.  
Identification of the traditional Muslim homeland in the proposed Tamil Ealam and the recognition of the inalienable right to self determination of the Muslims.
- IV. Discussion between the leaders of the Tamil United Liberation Front and the councils of Muslims of Dr.Badi-ud-in Mahmud in 1987.  
Separate arrangements for sharing of power with Tamils in the merge North-East Region.
- V. Discussing between the LTTE and MULF in 1988.  
Separate arrangements for sharing of power with Tamils in the merge North-East Region.
- VI. Discussion between the All Ceylon Tamil Congress and Sri Lanka Muslims Congress.  
Non-contiguous Power Sharing Unit for Muslims in North-East Region.
- VII. DPA Presidential Election Manifesto 1988.  
Non-contiguous Muslim Majority power sharing Unit the merged North-East
- VIII. PA Government proposal for constitutional Reforms – October 1977  
Establishment of South Eastern Regional Council comprising the polling Division of Kalmunai, Sammanthurai, Pothuvil and the Former Wewgampattu South DRO Division.

# **A POLITICAL SOLUTION BASED ON FEDERAL STRUCTURES IN SRI LANKA AND THE NORTH EAST MUSLIMS**

## **1. Brief history of federal thoughts in Sri Lanka**

### **A. Pre-Independent period**

A federal thought for power sharing in Sri Lanka is not a new subject in the political history of Sri Lanka. S.W.R.D. Bandaranaike the then leader of the Progressive Nationalist Party advocated a federal structured government in July 1926. When he delivered a lecture to a student congress, he stated as follows, "...There would be trouble if a centralized form of government was introduced into countries with large communal differences. In a federal Government, each federal unit has complete power for itself. Yet they unite to discuss matters affecting the whole country". However, interestingly this suggestion received no support either from minority Tamils or majority Sinhalese. The Jaffna Youth Congress engaged in propaganda against this federal system proposed by Bandaranaike. In 1930s when the Kandyan Sinhalese witnessed to the Donomore commission, which was supposed to introduce a new constitutional reforms demanded federal system to protect their interests from coastal Sinhalese.

### **B. Post-independent period**

In the post-independent period when Chelvanayagam formed the federal party he was demanding for a federal system to secure minority Tamils interests. Therefore, only in the late 1940s, Tamils realized the need of a federal system for power sharing in Sri Lanka.

## **2. Brief history of failed attempts to resolve the ethnic conflict in Sri Lanka**

In the post-independent period of Sri Lanka many attempts were made in finding solution to the ethnic conflict. However, almost all such efforts were ended in failure due to the dissatisfaction of either Tamils or Sinhalese.

### **i. 1957 Banda-Chelva**

Banda-Chelva of 1957 was the first official agreement signed by the

leader of the government of Sri Lanka and the political leaders of Tamils to diminish the tension between the two ethnic groups through a power sharing process. Although, they could agree for a solution on the basis of setting up Regional Councils, due to the mounting communal tensions, which culminated in the riots of May 1958, the government was forced to withdraw the bill.

**ii. Dudley-Chelva of 1965-8**

A second attempt was made in 1965-8 when the then Prime Minister Mr. Dudley Senanaike and the leader of the federal party Mr. S.J.V. Chelvanayagam signed another agreement. Both leaders agreed to solve the ethnic tension through establishing the District Councils. However, unfortunately, this attempt also failed due to the dissatisfaction and the pressure of the majority Sinhalese people in the country.

**iii. 1980- JR'S DDC**

When the Tamil politicians entered the Parliament with the intension of establishing a separate nation in the so-called Tamil homeland and to get the international recognition for such separate state, the government attempted to minimize the demand of Tamils by offering District Development Councils. It could be considered as the third major attempt in the process of devolution of powers for the purpose of resolving the issues. However, the DDC also failed when the Tamils felt of insufficient powers they were entitled to receive.

**iv. Indo-Lanka agreement of 1987 and the Provincial Councils**

Indo-Lanka Agreement of 1987 was the first attempt made with the third party mediation to solve the ethnic conflict. The two leaders of India and Sri Lanka signed an agreement on 29<sup>th</sup> July 1987 and this agreement led to the introduction of Provincial Councils that was legalized through the 13<sup>th</sup> amendments of the constitution. The powers and functions of the Provincial Councils did not satisfy the majority Tamils, especially the LTTE. Therefore, the system was totally failed in the North - East, where it was necessary but remains in other provinces.

**v. Devolution process during 1994 - 2001**

During this period, the PA government, under the leadership of President Chandirika Bandaranike Kumaratunga, took some efforts to solve the conflict through power sharing. However, those efforts neither reached the level of agreements nor implementations.

**3. The peace process and thoughts on Federal System**

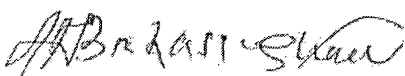
After three decades of war a situation has emerged where people anticipate a permanent peace in this country. Internal and external factors have forced both the government and the LTTE to immediately engage in the peace talks. Although the peace process has created a temporary healthy condition in the North-East, the entire success of the peace process depends on the mutual understanding and the constructive contribution that also includes the give and take policy of parties concerned. According to the latest statements of the stakeholders it is understandable that they work for a solution on the basis of setting up a system of federal government in Sri Lanka. They have agreed to share the powers within a united Sri Lanka and the LTTE has expressed its willingness to give up its demand for a separate Elam state and to accept the federal system. Thus, the peace talks in Thailand mainly focused on the possible federal system in Sri Lanka and the method of power sharing between the central government and federal units.

**4. OSLO CONSENSUS TO EXPLORE A POLITICAL SOLUTION BASED ON FEDERAL STRUCTURE WITHIN A UNITED SRI LANKA.**

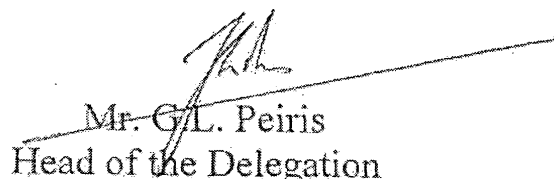
***Record of Decisions on 05.12.2002.***

*Third session of peace talks held at the Radisson SAS Plaza Hotel in Oslo from 2 to 5 December 2002. Working Outline for the Discussion of Political Matters. This includes the following statement:*

*"Responding to a proposal by the leadership of the LTTE, the parties agreed to explore a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamilspeaking peoples, based on a federal structure within a united Sri Lanka. The parties acknowledged that the solution has to be acceptable to all communities."*



Mr. Anton Balasingham  
Head of the Delegation  
of the LTTE



Mr. G.L. Peiris  
Head of the Delegation  
of the Sri Lankan Government



Deputy Minister of  
Foreign Affairs, Head  
of the Norwegian  
Facilitation Team

## **5. What is Federal System?**

Under a federal constitution the powers of the Government are divided between the Government for the whole country and governments for the provinces or federal units. This is carried out in such a way that each government, including the Government for the whole country, is dependent in its own sphere. There is no control over the provincial governments by the Government for the whole country and in turn there is no supervision over the latter by the Central Government.

This emphasizes the fact that the legislature of the whole country has limited power. The provincial governments, too, are with limited legislative powers, which make two sets of government's co-ordination instead of being subordinate. Accordingly, the legislative authority of a federal State is divided between a central government and the provincial governments.

## **6. Basic requirements for the Federal System**

- i. A written and rigid constitution: For a creation of a federal system in a country a new constitution must be drafted and it should be inflexible or rigid that protects constitution from amendments not like amendments in ordinary bill.
- ii. The concept of two sovereignties must be accepted. The sovereignty of the country must be divided between the center and the provincial governments.
- iii. The powers for the center and the provinces must clearly be mentioned in the constitution. For this purpose, it can have lists of powers as follows. (a). Center list, (b). State list and (c). Concurrent list and or (d). Residuary list.
- iv. There shall be no any system of interference of center or state in other's powers and functions.
- v. An independent judicial system. The central government should not try to influence the judiciary. Supreme Courts must function as the courts of the constitution and the judgment of this court must be recognized as the final solution on any issues of the constitution.

## **7. How will the Federal Proposals protect the Muslim interest in the Power sharing systems**

Although, the land and population sizes of the Muslim majority province is smaller than the other nine (09) provinces, it will have the same power as for other Provinces. Muslim majority provincial council will provide the Muslims with complete political, economic and social freedoms and protection.

Bringing the Mannar Muslims together with Kalmunai, Batticaloa and Trincomalee Muslims under the Northeast state will help to increase the Muslim percentage in this Muslim majority power sharing province. Consequently this will help the new Northeast Muslim community to have more representation in local politics in the power sharing province level.

The constitutional arrangements for the safeguards of the Muslims also will protect them from any discrimination of Tamil majority. The power sharing province constitution of the Northeast shall speak on the expulsion of the Muslims from their native places in the past (1990) and shall include an article on no repetition of such violence in the future, the right to resist if such violation takes place again, and the interference of the center in such event.

Like the rights and the privileges of the Sinhala and Muslim minorities in the Northeast and Southeast power sharing provinces are protected by the constitutional arrangements, the rights and privileges of the Muslim minority in the Sinhala majority power sharing province will also be protected in the same manner.

## **8. Muslim Majority Federal Council in the North East**

Since Muslims are a recognized Major Ethnic group in Sri Lanka, it is our legitimate right to have separate Provincial Council where the Muslims will be of sufficient majority to form a council and to share powers like the other two Major Ethnic Groups - Sinhalese and Tamils.

The proposed Provincial council for Muslims can be in the Eastern Province. The area of authority of this council would include the three predominant Muslim Electorates Kalmunai, Samanthurai, and Pottuvil

including the balance part of Wewagmapattu South. Extent approximately 900 sq. miles in the present Amparal District as the base, and the non-contiguous Muslim areas of Kattankudy, Eravur, Valaichenai, Ottamavadi, Mutur, Kinniya, Thampalagama and Kuchchaveli.

In the event of a merger of the Tamil areas of the Eastern province with the Northern Province, Musali and Erikalampiti in Manar District should also be joined with the Provincial Council for Muslims.

These Muslim areas which are non-contiguous should be first made community oriented Pradesheeya Sabhas as parts of the Muslim Provincial Council. This would incorporate a little more than 85% or 315,000 Muslim of the Total Muslim population of 372,005 in the Tamil speaking area. There will be about 80,000 Tarnils and 40,000 Sinhalese also in the Council for Muslims. Muslims will be more than 72% in the proposed Muslim Majority Council.

The problem of administering non-contiguous areas is not as impossible as it is made out to be. For example, the former French possession in India-Pondicheri, part of it falls in three different states, Kerala, Tamil Nadu and Andrah Pradesh where three different languages are spoken and administrated as a separate Union State. Whereas in Sri Lanka all the Muslims in the Tamil Speaking area speak Tamil and their grievances with regard to land, language, economy and employment are same. What we are asking here is Provincial Council on the administrative pattern of non-contiguous Union State in India.

9. While solving the Tamil problem, the Government should not create a community of political and social slaves out of the Muslims in the Northern and Eastern provinces. It is hoped that the Government would not desire such a betrayal of the Muslims at a crucial time of our history.



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