

Sri Lanka's Policy Approach toward the Tamil Minority: A Critical Review

Aditya Narayan Misra*

Associate Professor, Department of Political Science, University of Delhi, Delhi, India.

*Corresponding Author: adityanarayanmisradu@gmail.com

ABSTRACT

The paper demonstrates the unfair treatment of the Tamil community by the Sri Lankan government from the moment the nation gained independence in 1948, and throughout the years that followed the civil war. It describes how Tamil people were robbed of many of their rights because the Sinhalese received more authority and privileges from certain acts and laws made by the government. Indian Tamils became stateless after being denied citizenship by the 1948 Citizenship Act. The 1956 Sinhala Only Act institutionalized linguistic discrimination by making Sinhala the official language, thereby marginalizing Tamil speakers in public administration and employment. Additionally, education policies such as the university standardization scheme further restricted access to higher education for Tamil students by altering admission criteria in a way that disproportionately benefited the Sinhalese. The paper also examines the post-war period, during which the Tamil community continued to face exclusion, particularly due to the dominance of the military in Tamil-majority areas and limited Tamil representation in governance. Although there has been rhetoric around reconciliation and peace, actual progress has been limited and superficial. People from minority groups are still excluded from politics, and the central challenges leading to ethnic disputes are still not addressed. The paper states that Sri Lanka can achieve lasting peace and fairness if the government gives all groups a say in decision-making, treats minorities fairly, and tries to address the previous injustices they have suffered. True peace and unity can only be achieved if every citizen helps to decide on laws and policies.

Keywords: Language Policy, Ethnic Discrimination, Land Rights, Post-War Development, Inclusive Governance, Citizenship, Tamil Minority.

Introduction

Deep divisions among different ethnicities strongly affect the country's political history, which has helped form Sri Lanka's character and laws. Following its independence from British rule in 1948, the Sri Lankan state has been characterized by the entrenchment of Sinhala-Buddhist nationalism, often at the expense of Tamil minorities (DeVotta, 2004; Höglund & Orjuela, 2019). State policies implemented under the pretext of national integration—such as language reforms, citizenship legislation, educational standardization, and land redistribution—have systematically disadvantaged Tamils, contributing to structural inequalities and long-standing ethnic conflict (Venugopal, 2018; Herath, 2020).

One of the earliest and most divisive pieces of legislation was the Official Language Act of 1956, commonly known as the Sinhala Only Act, which declared Sinhala the sole official language. This restricted Tamil access to civil services and education and symbolized the marginalization of Tamil identity in the post-colonial state (Wickramasinghe, 2021; Shastri, 1990). Although subsequent reforms, such as the 13th Amendment to the Constitution and the establishing of the Official Languages Commission, attempted to restore linguistic parity, their implementation has been slow and politically contested (Loganathan, 2020; ICG, 2023).

The Ceylon Citizenship Acts of 1948 and 1949 further entrenched ethnic exclusion by denying citizenship to over 700,000 Indian-origin Tamils, rendering them stateless and politically disenfranchised (Basu & Chattopadhyay, 2022; Wilson, 2000). Even when partial remedies were introduced in later

decades, the legacies of statelessness continue to impact education, employment, and mobility for many descendants of Indian Tamils (UNHCR, 2021).

Furthermore, the Standardization Policy of the 1970s introduced ethnically biased admission quotas for universities, effectively reducing Tamil student representation and access to higher education (Jeyaraj, 2019). These policies also limited Tamil employment opportunities in the public sector, contributing to economic marginalization (Stokke, 2011).

Land and settlement policies pursued through state-sponsored colonization schemes altered the demographic composition of Tamil-majority areas, particularly in the Northern and Eastern provinces. These projects, often backed by the military, displaced Tamil communities and aimed to create Sinhala-majority electorates in contested regions (Sarvananthan, 2022; Silva, 2016). In the post-war period, governance in Tamil areas has been increasingly dominated by military actors and central authorities, leaving little room for local participation or self-determination (Orjuela & Goodhand, 2020; ICG, 2023).

Progress has been limited despite repeated calls for reconciliation, transitional justice, and power-sharing, including through the UN Human Rights Council and local civil society organizations. Militarized control and empty reconciliation steps indicate that the state does not want to handle severe ethnic imbalances (Uyangoda, 2011; Amnesty International, 2022).

It examines the changes in Sri Lanka's approach to Tamil people since 1948.

It researches what lawmakers wanted, how laws were applied, and what happened to society, finding both old and new issues. It suggests that for peace to last, biases in institutions should be removed, and governance should ensure rights for everyone in the country.

Literature Review

• **Historical Framing of Tamil Marginalization**

Researchers working on Sri Lanka's ethnic conflict often link it to discussions on how state formation and Sinhala-Buddhist nationalism affect the country. DeVotta (2004) asserts that the post-independence frameworks were designed to give the Sinhalese group more power, not just administrative decisions. Wickramasinghe (2021) further contends that Sri Lanka's post-colonial identity was constructed by erasing pluralistic narratives, thereby relegating Tamil concerns to the periphery of political legitimacy.

Language played a pivotal role in this marginalization. The Sinhala Only Act of 1956 has been extensively studied as the crystallizing point of state-led ethnic exclusion. DeVotta (2004) frames it as "linguistic nationalism with corrosive long-term effects," while Shastri (1990) asserts that the law catalyzed Tamil resistance, pushing many toward militant nationalism. However, despite these insights, there is limited empirical work on how such language policies continue to affect access to state services post-conflict.

• **Statelessness and the Politics of Citizenship**

The Ceylon Citizenship Acts of 1948 and 1949 have attracted significant scholarly attention for rendering over 700,000 Indian Tamils stateless (Basu & Chattopadhyay, 2022; Wilson, 2000). Scholars concur that these laws institutionalized ethnic stratification and denied a significant portion of the Tamil population fundamental civil and political rights. Venugopal (2018) and Herath (2020) emphasize that the long-term disenfranchisement was less about legal oversight and more about safeguarding Sinhala majoritarian interests within parliamentary democracy.

However, much of the existing literature focuses on historical injustices, with insufficient exploration of how partial redress (such as the 1988 Indian-Sri Lankan Accord) has failed to fully reintegrate stateless Tamils, especially in the context of contemporary voter registration, public services, and land entitlements.

• **Standardization, Education, and Economic Disparity**

Specific educational changes, such as the Standardization Policy implemented in the 1970s, are significant reasons Tamils were schooled less and restricted their access to higher jobs (Jeyaraj, 2019; Stokke, 2011). Because of these policies, which favored certain groups, university admissions became more difficult for Tamil students, lowering their chances of moving up in society.

While these works highlight the discriminatory nature of the reforms, few studies have quantitatively assessed intergenerational impacts of educational exclusion or analyzed contemporary disparities in STEM fields and government recruitment among Tamils in post-war Sri Lanka.

- **Militarization and Development in the Post-War Era**

The post-2009 period has witnessed a significant shift in Tamil marginalization. Scholars like Höglund and Orjuela (2019) and Sarvananthan (2022) have highlighted the intensification of military-led governance in Tamil-majority areas, where the armed forces frequently control civilian administrative functions. Land grabs, surveillance, and state-sponsored Sinhala settlements in Northern and Eastern provinces have raised concerns about demographic engineering and cultural erasure (ICG, 2023; Silva, 2016).

The state's "peace through control" model has been critiqued for prioritizing national security over genuine reconciliation (Orjuela & Goodhand, 2020). However, current literature still lacks comprehensive ground-level ethnographic accounts or disaggregated data on post-war economic exclusion, particularly in areas such as access to state tenders, business registration, and credit facilities for Tamil entrepreneurs.

- **Policy Responses and Transitional Justice Mechanisms**

There has been a clear gap between Sri Lanka's promises and the steps taken to fix decades of injustice, especially as Amnesty International (2022) reported. Although institutions such as the Office on Missing Persons (OMP) and the Office for Reparations have been established, scholars, including Uyangoda (2011), say they are not independent enough, do not have much public trust, and fail to deliver results.

Moreover, there is a dearth of scholarship evaluating these transitional justice efforts' long-term effectiveness in addressing structural policy biases—most existing studies focus on truth-seeking and memory rather than forward-looking institutional reform.

- **Identified Research Gap**

While a substantial body of literature analyzes individual policy domains—such as language, citizenship, education, and militarization—few studies provide a comprehensive, longitudinal, and policy-integrated review of how state-led initiatives have systematically marginalized Tamils across multiple spheres from 1948 to the present.

In particular, the post-war policy landscape remains under-researched in terms of:

- Administrative decision-making exclusion in Tamil regions;
- Disaggregated socio-economic data on Tamil recovery and access;
- The cumulative impact of overlapping discriminatory policies in shaping Tamil marginalization.

The paper fills the gap by studying Sri Lanka's efforts toward Tamil citizens and their links to past exclusion and current bias. It brings value to peace building studies and ethnic policy research by presenting the Tamil question as a failure in policy design rather than only a period of conflict prompted by majoritarianism.

Data and Methodology

Research Design

This study examines the impact of various Sri Lankan government policies on the Tamil community from 1948 to the present. It aims to follow the policies' goals, practical implementation, and the outcomes these had in language, citizenship, education and employment, land and settlement, and post-war governance.

As the topic was sensitive and had a long history, the researchers used a documentary analysis approach to examine legal materials, agency policies, professional resources, and reports prepared by international groups.

Data Sources

The study utilizes secondary data from academic literature, legal statutes, government archives, and reports from intergovernmental and human rights organizations. The data sources are categorized as follows:

Legal and Policy Documents

- Sinhala Only Act (1956). Ceylon Citizenship Acts (1948 and 1949), Standardization policies (1970s), and relevant constitutional amendments.
- Official Gazette publications and parliamentary debates.

Academic Publications

- Peer-reviewed journal articles, books, and dissertations from scholars such as DeVotta (2004), Wickramasinghe (2021), Venugopal (2018), and Herath (2020).
- Priority was given to literature published between 2000 and 2024 to ensure historical grounding and contemporary relevance.

Reports by International Organizations

- United Nations Human Rights Council (UNHRC), Amnesty International, International Crisis Group (ICG), and the United Nations High Commissioner for Refugees (UNHCR).
- These reports provided data on human rights violations, displacement, reconciliation processes, and post-war development indicators.

Media and Civil Society Documentation

Select investigative reports and legal commentaries published by Groundviews, Human Rights Watch, and Centre for Policy Alternatives (CPA).

Methodological Approach

The analysis follows a thematic and historical-analytical approach, guided by the following steps:

- **Thematic Coding:** Policy texts and literature were coded across five core themes: language, identity/citizenship, education and employment, land and displacement, and post-war governance.
- **Chronological Mapping:** Policies were traced longitudinally to assess their evolution and continuity.
- **Comparative Impact Assessment:** Where possible, comparisons were drawn between Sinhala-majority and Tamil-majority regions to highlight the structural disparities.
- **Critical Discourse Analysis (CDA):** Used to examine how political narratives embedded in policy documents reflect ethnic hierarchies and exclusionary ideologies (Fairclough, 2013).

Validity and Reliability

Checking the policy statements with academic articles and international studies increased trustworthiness. The results could be counted because coding was consistent, and all documentation was managed with NVivo.

Limitations

This study is subject to several limitations:

- Lack of access to classified policy memos or military records limits the complete examination of post-war militarization.
- Language barriers restricted the use of some Sinhala and Tamil primary sources unless English translations were available.
- Limited quantitative data specific to the Tamil population post-2009 restricts deeper statistical economic and social mobility evaluation.

Even so, this approach gives a strong framework for understanding ethnic exclusion over time by analyzing government actions.

Education and Employment Policies

The thematic analysis reveals five major policy domains where state actions have systematically contributed to the marginalization of the Tamil minority in Sri Lanka. These domains—language, citizenship, education and employment, land and settlement, and post-war governance—demonstrate a

recurring pattern of exclusion that is legalistic, institutional, and deeply embedded in the post-independence nation-building process.

- **Language Policy: Institutionalized Linguistic Disenfranchisement**

The designation of Sinhala as the sole official language in 1956, through the Official Language Act, was a prominent supporter of ethnic exclusion. Due to this policy, Tamil speakers found it hard to work in the government, courts, and different departments (DeVotta, 2004; Wickramasinghe, 2021). It also alienated Tamil youth, contributing to the rise of militant resistance in the 1970s and 1980s (Shastri, 1990).

Though subsequent legal reforms—such as the 13th Amendment (1987) and the Official Languages Commission Act (1991)—formally recognized Tamil as an official language, implementation has been inconsistent, regionally biased, and administratively weak (Loganathan, 2020). Field reports suggest that less than 25% of police stations in Tamil-majority areas operate effectively in Tamil, and Tamil-language signage and documentation remain inadequate in government offices (ICG, 2023).

Finding: The language policy legacy continues to marginalize Tamils in everyday interactions with the state, despite superficial constitutional reforms.

- **Citizenship and Identity: Enduring Legacy of Statelessness**

The Ceylon Citizenship Acts of 1948 and 1949 excluded nearly 700,000 Indian Tamils—descendants of plantation laborers brought by the British—from Sri Lankan citizenship, thereby denying them voting rights, legal recognition, and access to welfare programs (Wilson, 2000; Basu & Chattopadhyay, 2022). Statelessness rendered this population vulnerable to exploitation and unable to own property or access public healthcare and education.

Although citizenship restoration efforts were undertaken through the Indo-Sri Lanka Accord (1987) and the Grant of Citizenship to Stateless Persons Act (2003), implementation has been inconsistent. Recent reports by the UNHCR (2021) confirm that tens of thousands remain unregistered, especially among second- and third-generation Tamils in Central Province.

Finding: Citizenship-related exclusion is historical and persists through administrative inaction and bureaucratic hurdles preventing full reintegration.

- **Education and Employment: Quota-Based Structural Inequality**

The Standardization Policy introduced in 1971 created ethnic quotas for university admissions, explicitly reducing Tamil student access to higher education, particularly in medicine, engineering, and science (Jeyaraj, 2019). For example, Tamil students in the Northern Province saw their admissions drop by over 60% between 1971 and 1974 (Stokke, 2011).

This policy shift directly impacted public sector employment, where access to administrative roles increasingly favored Sinhala speakers. Even after introducing regional universities in Tamil-dominated areas, disparities persist in research funding, faculty recruitment, and curriculum autonomy (Herath, 2020).

Finding: Educational exclusion has had a cumulative effect, entrenching economic disparities and reducing Tamil representation in state decision-making bodies.

- **Land and Settlement: Ethnic Displacement and Demographic Reengineering**

The analysis of government resettlement policies post-1960s, particularly in Eastern Province districts such as Trincomalee and Ampara, shows systematic state-sponsored settlement of Sinhalese families into Tamil and Muslim-majority areas, often under irrigation and agricultural development schemes (Silva, 2016). These settlements were frequently accompanied by military encampments and road networks favoring Sinhalese communities (Sarvananthan, 2022).

After the civil war, there was a massive rise in the military occupation of areas where people lived. More than 12,000 acres in the North and East are under army control, and progress in returning land is still slow despite available legal procedures (ICG, 2023). Due to faulty land registers and delays in court proceedings, many Tamil families have missed out on inheriting their ancestors' properties, increasing the loss of their culture. Observation: Using land policy, the government maintains power over the region, restricts the Tamil people from their land, and disturbs the traditional mix of populations in these regions.

• **Post-War Governance: Militarized Development and Exclusion**

In the post-war period (2009–present), the Tamil-majority Northern and Eastern provinces have witnessed increased militarization of governance, where senior military officers oversee regional development, policing, and land administration (Höglund & Orjuela, 2019). Civilian provincial councils, particularly the Northern Provincial Council, have faced significant constraints in autonomy, budgetary control, and legal authority (Orjuela & Goodhand, 2020).

Despite state claims of reconciliation and development, the emphasis has been on large-scale infrastructure projects (e.g., roads, ports, military camps) with minimal community involvement or local economic stimulation (Amnesty International, 2022). Tamil civil society groups report persistent surveillance, political harassment, and barriers to organizing public events or commemorating war victims.

Finding: Post-war governance has deepened Tamil political marginalization by replacing conflict with control, rather than investing in reconciliation or power-sharing.

Summary Table: Policy Domains and Key Outcomes

| Policy Domain | Core Policies | Observed Impact on Tamil Minority |
|------------------------|--|---|
| Language | Sinhala Only Act, 13th Amendment, Official Languages Act | Systemic exclusion from the administration and legal system |
| Citizenship | Ceylon Citizenship Acts; Citizenship Restitution Laws | Intergenerational statelessness and incomplete legal identity |
| Education & Employment | Standardization Policy; Biased recruitment policies | Denied merit-based access to higher education and underrepresentation in the civil service |
| Land & Settlement | Colonization schemes; Post-war military land control | Displacement, blocked return, and demographic manipulation |
| Post-War Governance | Militarized administration; Infrastructure-focused development | When people are excluded politically, they take part less in civic activities, and have their actions closely watched |

Discussion and Policy Recommendations

Discussion: Structural Ethnic Inequality and the Design of the Post-Colonial Sri Lankan State

The findings of this study reveal that ethnic inequality in Sri Lanka is not incidental but institutional. Since independence in 1948, successive governments have deployed legal and administrative policies that cumulatively produced what can be termed as state-engineered marginalization of the Tamil minority (DeVotta, 2004; Herath, 2020). Policies across language, citizenship, education, land, and governance reveal an interlinked architecture of exclusion designed to consolidate Sinhala-Buddhist dominance, particularly in the political and bureaucratic spheres (Venugopal, 2018).

At the core of this exclusion is the redefinition of national identity along singular ethnic-religious lines. Wickramasinghe (2021) notes that the “Sinhala-Buddhist imaginary” became foundational to post-colonial statecraft, systematically eliminating pluralistic frameworks inherited from the colonial administration. The Sinhala Only Act of 1956 transformed language from a communication tool into an instrument of domination, alienating Tamil-speaking populations from public services, justice delivery, and employment (Shastri, 1990; Loganathan, 2020).

The denial of citizenship to Indian-origin Tamils (nearly 11% of the population at the time) through the 1948 and 1949 Acts institutionalized statelessness and legally disenfranchised a whole community (Wilson, 2000; Basu & Chattopadhyay, 2022). These legal exclusions evolved into generational disadvantages, such as inaccessibility to property ownership, government schemes, and voting rights, despite later rectification attempts like the 2003 Act and the Indo-Sri Lanka Accord (UNHCR, 2021).

The Standardization Policy (1971) altered merit-based entry into universities in education and employment by introducing ethnic quotas. This had immediate and long-term consequences: Tamil representation in professional streams fell sharply, and public sector employment became increasingly monopolized by Sinhalese elites (Stokke, 2011; Jeyaraj, 2019).

Post-war governance has further reinforced structural inequalities through the militarization of civilian life in Tamil-majority areas, particularly in the Northern and Eastern provinces. The military's involvement in everything from land allocation to education policy creates an atmosphere of surveillance, political suppression, and civic exclusion (Höglund & Orjuela, 2019; Sarvananthan, 2022). Instead of transitional justice and participatory development, the government has opted for symbolic reconciliation efforts and economic infrastructure projects that bypass Tamil stakeholders (Orjuela & Goodhand, 2020; Amnesty International, 2022).

The evidence combined suggests that the real problem is the stalemate in decisions. The existing laws and government actions reflect ethnic prejudice, and necessary democratic changes are not held to firm commitments.

Policy Recommendations

Reforms must be structural, rights-based, and participatory to address the rising dissatisfaction among Tamils and aim for true integration in the country. They must be based on international human rights principles and the best evidence for creating policies.

- **Enforce Official Language Parity with Accountability Mechanisms**

- The implementation gap between formal language parity and practice must be urgently addressed.
- Appoint Tamil language officers in all administrative units, particularly in police stations, hospitals, courts, and land registries in the North and East (ICG, 2023).
- Allocate specific budget lines for Tamil-language signage, digital platforms, and translation services in all public service delivery points (Wickramasinghe, 2021).
- Create independent oversight bodies—modeled after Canada's Commissioner of Official Languages—that monitor compliance and receive complaints.

Rationale: Being able to communicate in the language used by the government plays a significant role in obtaining justice, proper healthcare, good education, and governing policies. Failing to respect these rights keeps people who speak a minority language in a disadvantaged position.

- **Eliminate Statelessness Among Indian-Origin Tamils**

- Although legislative efforts have been made, many Indian-origin Tamils remain undocumented or partially registered.
- Launch a nationwide citizenship verification and inclusion campaign using biometric systems and legal aid clinics (UNHCR, 2021).
- Involve civil society groups and plantation unions to support registration and appeal processes (Basu & Chattopadhyay, 2022).
- Link new citizenship documentation to access property rights, education entitlements, and public housing.

Rationale: Being stateless results in lasting and constant insecurity. Being identified by law and as a citizen is necessary for involvement in politics and for one's socio-economic benefits (Wilson, 2000).

- **Reform Education and Public Sector Representation**

- The legacy of discriminatory standardization policies must be redressed through affirmative support and inclusion.
- Replace ethnic quotas with need-based and region-sensitive admissions frameworks, including bridge programs for underserved districts (Jeyaraj, 2019).
- Establish Tamil student advancement programs in underrepresented sectors (e.g., medicine, law, STEM).
- Mandate ethnic diversity audits in state departments and implement proportional hiring based on national demographic representation.

Rationale: True meritocracy must be inclusive. Access to education and government jobs is a key driver of socio-economic parity (Herath, 2020; Stokke, 2011).

- **Establish an Independent Land Restitution Commission**

- Land disputes are central to both historical injustice and present conflict.

- Constitute an Independent Land Restitution Commission with powers to review military land occupation, investigate disputes, and enforce resettlement orders (Sarvananthan, 2022).
- Digitize land records with community consultation to prevent fraudulent resettlement and displacement.
- Impose a moratorium on new state settlements in historically Tamil-majority districts until comprehensive demographic impact assessments are conducted.

Rationale: Land is an economic asset and a core of cultural identity and self-determination. Without land justice, reconciliation will remain superficial (Silva, 2016).

• **Demilitarize Civilian Governance in the North and East**

- The overrepresentation of military personnel in civilian roles violates democratic norms and alienates local populations.
- Withdraw military control from administrative, educational, and development institutions in Tamil-majority areas.
- Transfer governance powers to elected provincial councils per the 13th Amendment to the Constitution.
- Invite international monitors to oversee the demilitarization process and ensure adherence to human rights norms.

Rationale: Post-war peace cannot be sustained through surveillance and suppression. Democratic governance must reflect civilian autonomy and ethnic equity (Höglund & Orjuela, 2019; Orjuela & Goodhand, 2020).

• **Advance Transitional Justice with Binding Outcomes**

- Reconciliation requires not only symbolic gestures but systemic justice and institutional accountability.
- Operationalize the Office on Missing Persons (OMP) and the Office for Reparations with community representation, independent legal powers, and budgetary autonomy (Amnesty International, 2022).
- Establish a Truth, Justice, and Reconciliation Commission modeled after South Africa and Sierra Leone, with powers to recommend constitutional reforms.
- Institutionalize Tamil historical narratives in national education curricula, public memorials, and official commemorative practices.

Rationale: Healing must be institutionalized. Reconciliation without justice risks legitimizing impunity and delaying peace (Uyangoda, 2011; ICG, 2023).

Conclusion of the Discussion

Sustainable peace and the integrity of the nation in Sri Lanka can be achieved only if structures of exclusion put in place by many years of ethnocentric policy are removed. The Tamil question is still an important issue today, showing that the post-colonial government is still based on rule by a majority, legal restrictions, and military activities.

This shows that for ethnic policy to work, state institutions should empower and protect every community's dignity and fundamental rights. For true reconciliation to take place, a united state ruled by shared values must serve all people using all languages.

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