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TRENDS

VIOLENCE IN SOUTH

Statistics, *State Observer*, don't bleed. Sometimes they do. Each month, Minister of Parliamentary Affairs, presents a cold-blooded record of violence and crime to explain and justify the extension, now a weary parliamentary ritual. So much so, most Sri Lankans react with an equally unfeeling resignation to a fact of life that is taken for granted. Last month's report to Parliament was marked by significant differences. (The month covered by the report was August). The Minister, it should be noted attributed 'act of lawlessness' to the proscribed JVP. (See 'Southern Front'). This is an extract from the report tabled on Sept. 24:

There has been a remarkable reduction in terrorist violence in the North and East whereas in the South violence is on the increase.

In the South six murders have been reported in addition to the two deaths that resulted from the bomb explosion within the Parliament on 16th August 1987. The major increase in serious crime was robbery and theft of firearms belonging to the public. Acts of lawlessness by the proscribed Janatha Vimukthi Peramuna have gained momentum according to information furnished by the police.

Four persons in the Jaffna police division, 20 in the Vavuniya police division, 35 in the Batticaloa police division and 2 persons including the Assistant Government Agent Mattur, Mr. M. A. C. H. Mohamed, in the Trincomalee police division, have been killed by terrorists during the period 16th August to 15th September, 1987.

There have been 43 cases of robbery of firearms during the same period in the country other than in the Northern and Eastern provinces.

A large number of items including two vans, three cars, two motorcycles and a lorry from both public and private institutions valued at over rupees two-and-half million, have been robbed during 16th August 1987 to 15th September 1987 other than in the Northern and Eastern provinces.

SELF DEFENCE

UNP office bearers and activists in the deep south are being armed by the police to protect themselves, the *STN* reported (Sept 24). This follows a surge of political violence and killings in the region. The towns worst affected were indentified by a senior police officer as Mannar, Ambuladota, Tissamaharama, Katurugama, Tangalle, Lunugayachera, Middeniya, and Suriyawewa.

On 23/9 another UNP branch chairman, a principal of a primary school in Hakmana, also in the deep south, was killed as he was speaking to some persons in the teachers' quarters. The casualty list of UNP branch officials and prominent activists is now as high as 15 in two months.

The Minister of Parliamentary Affairs has proposed a special insurance scheme to cover all MP's, government and Opposition.

ARMS TRADE

In the matter of economics, Sri Lanka-China relations have long been synonymous with 'Rice Rubber' one of the best barter deals in the island's commercial history. Things are changing. An increasingly self-sufficient Sri Lanka did not need Chinese rice in large quantities. In fact, Chinese rice replenished buffer stocks from time to time.

On the Chinese side, the country has emerged as one of the biggest arms dealers to the Third World. The lavish display of weapons at a special exhibition last year heralded China's arrival as a top supplier in the lucrative global arms business.

In the past 4 years of the separatist insurgency, China, was a major supplier. The main item was military transport planes — the multi role, twin-engine Y 12. Sri Lanka bought six. The price was not disclosed.

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LTTE : Power-sharing and the problems of transition

Mervyn de Silva

In principle and rhetoric, the Tamil struggle was dedicated to self-determination. In fact, its objectives were cultural recognition, power and resource-sharing. The problem of power-sharing still haunts the Tamil leadership but with a huge difference, the 'Indo-Sri Lanka Peace Accord' being the line of demarcation in time.

The objective is not only to make sure that its terms are interpreted and implemented in order to extract the maximum power from the centre but also to make certain that the sharing at the periphery vests the greatest possible degree of authority on the LTTE at the expense of all others—TULF and the other militant groups. The two are integrally connected because what can be shared is what is conceded by the Centre. Besides, it is the Centre that is directly responsible for the key institutional arrangement in the all-important transitional stage, i.e. the interim administration.

The two are also interconnected because the sole instrument of direct and indirect pressure on the Centre is India. That is why, the last month has produced a conflict not between LTTE, the strongest spokesman of the Tamils, and Colombo but between the LTTE and India. One should not forget however that this conflict of interest was present even before the overt acts of defiance and confrontation. The LTTE believed that its interests, which it equates with the totality of the Tamil cause, was sacrificed to "India's geo-political interests"

as Mr. Prabhakaran said quite bluntly to Anita Pratap of *INDIA TODAY*. (In this connection, the illuminating portrait, partly self-portrait of a disillusioned and wise Tamil militant says much. (See 'Making of a Militant').

The 'Tigers' have a strong case. At least, in the northern province, its thesis is incontestable. They were the resistance, the vanguard of the struggle; they took the heaviest toll in lives and made the greatest sacrifices. They deserve logically and morally, the rewards of whatever has been achieved in terms of common Tamil aspirations. Nobody else has a moral right to claim a share of the harvest; certainly not a substantial share. A token share, may be.

What are these rewards? Essentially power—the exercise of which will bring material rewards which the 'Tigers' can then disburse according to their assessment of the deserving. So, the fight is for political power within whatever institutional structure of 'devolved' power comes into being. But there's also the privileges that go with such power—the right to distribute, that is political patronage, no more or less than a UNP, SLFP or TULF MP.

But the 'Tigers' should know better than civilian parliamentarian organisations that power also grows from the barrel of a gun. For this reason, the Tigers have not handed over ALL their weapons. They have retained many, and probably hidden some, just in case. And the IPKF has not 'gone out', as General Burkirat Singh said on Aug. 3, looking for the arms. Plainly, it is far better to have a voluntary handing

over of arms. That's common-sense in any situation of this sort.

The attacks and counter attacks and the massive retaliation in Batticaloa against ALL rival groups upset the situation completely. Things were beginning to return to normal at surprisingly fast pace. Who don't? Was it a deliberate provocation? From inside, from agent-provocateurs? If so, whom? Any foreign involvements? If so, what kind? Intelligence agencies? Whose?

While this gory episode was being enacted, the IPKF held its fire. Partly because it had too great a firepower at its command—the kind of firepower, if used, would have killed too many, including perhaps unarmed civilians. A peace-keeping force from a country that had championed the legitimate rights of a national minority proceeding in using military might against those whom it had come to protect was the kind of monstrous irony that neither Mr. Gandhi nor Delhi could possibly bear!

So there was no military confrontation, only a war of words, quickly escalating into vicious charges and counter-charges, until Mr. Prabhakaran had to appeal to Mr. Gandhi himself to stop, Delhi's media barrage—to the great delight of all those who oppose the Accord or support it because they have no choice, or applaud it publicly while trying to scuttle it, covertly.

At this point, the LTTE switched tactics, smartly, or rather took up a Gandhian gun of an

(Continued on page 5)

SOUTHERN FRONT

The northern strategy moves 'south'

While Mr. S. D. Bandaranayake, the MP for Gampaha has urged the government to initiate a "dialogue with the militants" that in the context of youth unrest in the South, increasing violence, the continuing arrest of Sinhalese youth and the State's crackdown on what UNP stalwarts style "Southern terrorists" (a loose label for the proscribed JVP, which is accused everyday by the police of all manner of mayhem) Mr. D.E.W. Gunasekera had a warning word or two that no intelligent regime should dismiss lightly. He said "I would urge the government if there is any problem in the South not to introduce the techniques you did in the north".

What was the government's approach to the northern situation from the mid 1970's? It was treated as a "law-and-order" problem. Crack down and crack down hard. What happened? While Tamil youths were being indiscriminately arrested in 'security sweeps', the not-more-than 100 hardcore LTTE 'terrorists' began to hit isolated targets — economic targets to collect money, and individual targets, of two kinds, informants, village officials and policemen (especially CID sleuths) and pro-SLFP government Tamil leaders, Durayappah, the Jaffna Mayor and MP being the most notable victim. At the same time, more and more Jaffna families were finding their young sons taken away to police stations and beaten up or worse. These families became 'sympathisers' of the 'Eelam' movement — not because they supported the idea of a separate state, not at all, but out of anger and bitterness, and later admiration for the LTTE 'resistance' to the repression.

'Terrorism' so quickly acquired popular sympathy; and sympathy turned into support, and support into active support and participation.

The law and order problem becomes a 'security' problem. The army moves in. As the spiral of violence rises, and the violence spreads beyond the north's borders, it became a national security problem.

In our August 1st issue, the first number of the *LG* to be published after the post-accord riots, we wrote:—

(1) It was anti-government, non-communal. On this point at least there appears to be a wide consensus which includes the more intelligently observant UNP'ers. Within the UNP, this unfortunately, leads to the temptation to pin the blame entirely on the JVP. "The JVP dunit" is the instant answer of most UNP'ers and even the non-UNP upper middle class. How this answer mocks our own recent past! Every act of violence was the work of "Eelam terrorists". How self-assuredly officialdom offered this explanation, and how enthusiastically our media, without exception, propagated it.

It is ironic for another reason. Believing that every crime, every act of mischief, every protest was JVP-organised, the law-and-order agencies cracked down on Sinhalese youths, particularly undergraduates and high school students (or those who looked like university students!) and dragged them to the nearest cop-shop and threw away the key, satisfied that the PTA and the Emergency will take care of "justice" and "human rights". This is not to exculpate the JVP

or discount the involvement of JVP sympathisers or activists, but to draw attention to the more important fact that the repressive measure of recent years created, and multiplied 'enemies'. Repressive rule, as situations in so many countries have amply demonstrated (and the *LG* has recently focused on South Korea) sows the seeds of its own destruction. So one conclusion may be drawn. This was a mass uprising (restricted to certain areas though, and the identity of these areas is most interesting) in which the youth played a major role, and both the militancy and the direction came from lower-middle class youth, in pants, not sarongs. The youth-student component, the *sangha* included, was extremely large.

(2) The campuses, the scene of continuous disturbance in recent times, were the foci, from Kelaniya, Moratuwa, and Kandy to the Ruhuna, the traditional JVP stronghold. The articulate university and 'A' level student is the natural spokesman of discontented youth. Still the 'prairie' eludes us.

In our issue of 1/4/86, the *LG*'s cover story was "THE MIDDLE GROUPS LEAD THE WAY", with a strap line, 'Doctors, Dons, Dentists, Nurses...'

Discontent was spreading. It had a wider embrace — another generation, another social stratum.

A brief but vivid account of the scene in the deep south was written recently by Senaka Samarasinghe in the *SUNDAY TIMES*:—

"The similarities between southern militancy and early northern militancy are too many to ignore. "He was actually seen at a funeral at Beliatta" says Mr. Pathirana

the ASP "But even before people realised who he was he had gone — God knows where.

The person in question is Rohana Wijeweera leader of the proscribed Janatha Vimukthi Peramuna. As elusive as Prabhakaran one notices a similar personality cult developing around Wijeweera.

The resemblance to the north somehow does not end there. The blazing sun the dry wind, the dust, the water (what is left of it) even the sparse vegetation compels us to discuss parallels.

Riding down the road to Goonoruwa we catch ourselves talking about the north once again.

"How very like Jaffna".

"Perhaps the army should start clearing the sides of the road".

"The bushes are so dry they'll burn anyway."

As in the north before 1983 the JVP lack real military strength and thus concentrate on attacking UNP officials, informers and others they simply categorize as "traitors to the nation" rather than risk direct confrontation with the security forces.

The JVP lacks not only weapons but also mass support. Certainly some villages in the district reveal sympathetic attitudes towards the militants and almost all express anti-UNP sentiments.

But the very same people are evidently reluctant to engage in violent "subversive" activities.

Similar to the north and the east the grievances are mostly socio-economic. The people feel neglected and ignored. The common complaint is "we don't even have food and more important water". Aid flows in. But too little, too late.

Dissatisfaction is apparent. Frustration is wide spread. And if their needs are not met perhaps extensive southern militancy will follow.

"Some 400 youths of Hambantota were detained at the Wiravilla Airport camp after the July '87

disturbances," said Hambantota's ASP Seneviratne.

Two hundred and fifty of them have been released after questioning, he added.

"One of the released persons, a bhikkhu seemed to represent the attitudes of most of them. They felt the President had betrayed the Sinhala people by signing the accord. So naturally they were angry and frustrated. If only someone had explained to them the true nature of the agreement... They now realise it" Mr. Seneviratne said.

The security of the area is evidently a priority as far as the authorities are concerned.

Small army detachments are spread evenly around villages surrounding Hambantota. Apparently not only to keep the JVP and the DJV in check but also to keep the local thugs from exploiting the situation.

Grama Arakshakayas have been handed together and already over a hundred guns have been distributed among them. The police acknowledge that these home-

guards can be more efficient in providing security for their respective villages "because they know the people and the area".

In Bandulugiriya north of Hambantota we hear reports of how a young man known to have connections with the JVP had been arrested by the villagers and then handed over to the police.

Yet in contrast, we also hear of how in other settlements weapons had been handed over willingly by the people to the JVP.

An employee at the rest-house relates how his brother had been arrested in Reliatta whilst cycling on the road. He says this type of arrest based sometimes purely on suspicion is a common feature.

Almost in the same breath he acknowledges that the authorities are pressed into taking this type of action. "Yet" he says "this method of arrest, detention, interrogation and release can only help to alienate the people".

Saaka Samarasinghe

LTTE : Power . . .

(Continued from page 3)

altogether different calibre; the weapon of 'harts' and 'death-fasts' of the greater, holier Gandhi directed on Prime Minister Gandhi.

Things started to move then, what with 5 demands, and the real political demand, representation in the interim administration or political power. The LTTE has advanced a few feet but not yards. It will certainly dominate the interim administration but it has to concede the right of others to a share of power.

Controlling the interim administration it can serve its other, less 'noble' aims — give jobs to their young cadres, particularly those who having dropped out of school can only be functionaries in the law and-order business i.e. the provincial police. Controlling the interim administration

also means preparing the ground for provincial elections. The spadework (the mass mobilisation and political education) will ensure that the LTTE also has a commanding voice in the Provincial council. And that means funds from Centre, and indirectly from aid agencies, NGOs etc, already prepared to help reconstruction and economic recovery.

The events of the past fortnight also expose two important facts — one is certainly the LTTE's total lack of preparedness for this transitional stage, and second, less certainly, that there is confusion and debate within the leadership. This is not unusual, in fact, it is natural. The LTTE has not only borne the brunt of the fighting but it has been structured on a strictly militaristic basis. So soon after the SWRD Anniversary it is fitting that we call these 'the problems of transition'.

SOUTHERN FRONT

Quarrels in the kraal

The U.N.P. has a massive five-sixths majority in Parliament. It is the majority it won at the 1977 elections on a 52% vote. The electoral system, not the UNP, was to blame for that gross distortion. In the recent past, both major parties have been the beneficiary of systemic deficiencies. This overwhelming strength was perpetuated by the Referendum of Dec. 1982. The balance of power, such as it was, changed to the ruling party's advantage when the TULF, the main opposition party which won 16 seats in 1977, decided on a phased withdrawal from the assembly after a constitutional amendment rushed through the House in the immediate aftermath of the July 1983 anti-Tamil riots.

In such circumstances the resignation of the MP for Ratgama, a newcomer to the House, should not not raise eyebrows. Yet, the context vests importance even on what ordinarily would be a trifle. But the resignation has in fact provoked a great deal of interest. For three reasons. Firstly, it was the first resignation after the Peace Accord. Secondly, the M.P. gave the Accord as the reason for his decision and finally, he comes from Ratgama.

In most countries, there are areas and regions which are traditionally identified with strong political views — party, ideological, ethnic. (For historical reasons, for instance, south of the Mason-Dixon line in the US is described as the "deep south" and identified with White racism.)

Ratgama has been known, just like the Matara district, as a 'Left stronghold'. (The Avissawella area earned a similar label, largely because it was the scene of the LSSP's first mass mobilisation campaign — anti-malaria

and the home of Philip Gunawardene, the constituency of N.M.) whereas Matara was Dr. Wickremesinghe's home and a C.P. bastion.

So with the Ambalangoda, Balapitiya-Ratgama belt. As in other parts of the island (South or North) caste and other considerations also played a part. When the traditional Left moved Centrewards (MEP, S.L.F.P.) the ideological "red", mixed with the S.L.F.P. "blue" made these "pinko-radical" or anti-UNP "progressive." All this changed with the '77 "green revolution".

As the IGP's annual reports over the years testify, this belt is also a high crime area, given to violence more than most others.

While the deep South is also regarded as the traditional bastion of fervent Sinhala-Buddhism, the Ratgama area is also known for its ideological militancy.

Mr. Somaratne told Parliament that he could no longer support UNP policies, after the Peace Accord where there was no proper consultation with the rank-and-file, and no popular consent canvassed.

Yet, his resignation speech provoked unusually heated exchanges in the House between government, principally the Minister of Education and Youth Affairs, and the Leader of the Opposition, supported by many other Opposition MPs, notably the MEP leader Mr. Dinesh Gunawardene. The *Daily News* (26/9) reported:

Mr. Ranil Wickremesinghe Minister of Education then rose to a point of order.

He said while an MP had the right to make a farewell statement, he must abide by the standing orders. According to standing order 84, no member should impute an improper mo-

tive to another MP. No MP stayed outside the hall while the parliamentary group meeting was in progress as stated by the MP for Ratgama.

In his letter of resignation to the President, the MP had said he could no longer go to his electorate. One result of the accord was that the people of Ratgama were now rid of an unpopular MP. Opposition MP's (on their feet) Stick to the point of order.

Mr. Wickremesinghe: He can't say that. He can't make his farewell and get out calling us cowards, (shouting) Get out, you coward, get out!

Mr. Anura Bandaranaike (to the Chair amid opposition protests): What is the meaning of this? This is a disgrace!

Mr. Speaker: The Minister of Education has gone off his head! I am conducting the business of this House, not you.

Mr. Wickremesinghe: But you should not have allowed him to contravene standing orders...

Mr. Speaker: I am not so wise as you. Off his head!

President JR told the Planters Society "Make no mistake, my party will vote en bloc for the Accord...en bloc..."

No doubt one elephant does not make a herd. Of course, one of the constitutional innovations permits the party to nominate another MP whenever a MP resigns his seat. So even if two or twenty resign, the nominees will be present at voting time — unless there is a mass desertion or abstentions when the vote is called. The UNP is not expecting that. Nonetheless, there is quarreling in the kraal, even if it is not 'elephant trouble' as the Singlish expression goes.

HUMAN RIGHTS

Public awareness grows

Ironically, the bloodshed and the horrors of recent years have brought a few blessings. One of them surely is far greater public awareness of "human rights", and the "fundamental rights" enshrined in the constitution. Unless the people are conscious of their rights, lawyers and the human rights groups face an uphill task. Even the media ignores it or treats important cases as another dull trial.

Recently, the Chief Justice, Mr. S. Sharvananda himself noted in the course of a judgment on a seemingly trivial complaint that "the liberty of an individual is a matter of great constitutional importance". He was addressing his mind to the subject of "arrest". The complaint was hardly a public figure — Muthuweeran Navasivayam of Templeton estate, Hatton, who was arrested while travelling in a bus. Chief Justice Sharvananda said "the petitioner had stated that on 28.7.1986 while travelling in a CTB bus, the petitioner was arrested by the third Respondent, Sergeant Najibdeen and was detained in a camp till August 4, 1986, without being informed of the charges or reasons for his arrest".

"That on August, 4, 1986 he was assaulted by the third respondent and other security personnel. They continued to assault him until he agreed to make a statement on the lines suggested by the third respondent."

Dr. Colvin R. de Silva is no ordinary lawyer. He is, as they say in Hulfisdorp, a Lion of the Bar. He has also been in politics for half a century, crowning that career by accepting the portfolio of Constitutional Affairs and helping draft the 1972 constitution.

In an interview with the *ISLAND* he made the following observations:

In more recent times the ruling regime may be not that forthcoming about admitting the widespread use of torture or in the manner of execution, but share the common objective of intimidating the people. Predictably the use of torture is denied by the State. "That word is unheard of in the police force", one senior officer said.

But it is never possible to prevent the news getting out. Former detainees who have themselves been tortured or witnessed others being tortured come out and tell the tale. Local human rights groups are set up to collect and disseminate information. And the Government inevitably has to face the full glare of worldwide publicity when it is accused of human rights violations in the international fora.

Apart from the immediate objective of extracting information and "confessions" the other main objective of torture is to create a climate of fear.

"What is repression for except to intimidate the population?" asked Dr. Colvin R. de Silva in an interview with "The Island". Not merely torture, any form of repression is intended to intimidate the people. Repression can and usually does include cases of torture he continued, that way it's part of system of intimidation.

The regime is not unduly bothered about the knowledge of the widespread torture of suspects seeping out to the general public. It is very rarely anything can be proved. And then too such cases

are invariably dismissed as odd occurrences, committed by the black sheep or the security forces.

In spite of the numerous safeguards enshrined in the constitution to protect the citizens against the abuse of their human rights, which the regime is fond of holding up as one of the hallmarks of a just and righteous society, such legal provisions are effective only to the extent that matters come up before court.

"All of us, not only the lawyers, but citizens in this country know of innumerable cases of violence in police custody, including killing in the police stations, which other explanations are given and accepted, not truthfully", pointed out Dr. de Silva.

On the other hand, he says, there are many ways of beating without leaving marks. "You can beat people almost unconscious without leaving any mark, if you know what to beat with and where to beat", he added. One technique he says is to lay people on a table and beat them on the soles of their feet, with say a police baton.

In other methods of torture the victim is hung from a rope by the hands or thumbs tied behind his back and beaten. Interrogators reportedly call this "helicopter training".

Prisoners are usually stripped naked before they are tortured, to make them feel completely defenceless and humiliated. Sometimes prisoners are beaten on the soles of their feet while they are hung upside down. Chilli powder is rubbed on to sensitive organs, or suspects are forced to inhale the fumes of burning chillies. The ancient form of torture where the prisoner is burned with iron rods is also in use.

AMNESTY — a legal-political debate begins

Interpretation and official action on the clause in the India-Sri Lanka Peace Accord which calls for a general amnesty to all those convicted, charged or arrested under the PTA and Emergency have provoked what could prove an exciting legal-cum-political discussion and debate. Several Opposition MP's, including the Leader of the Opposition, took up the issue in Parliament when the emergency was debated on the 25th. What is more the main Opposition parties, the SLFP, the LSSP, SLMP and CP have issued statements on the matter. In the latest statement, the C.P. and S.L.M.P., call for "parity of treatment". (See CP-SLMP appeal to President)

In Parliament, the M.P. for Kalawana, Mr. D. E. W. Gunasekera, referred to a case heard in the High Court of Colombo. The High Court Judge Mr. M. D. Jesuratnam, drew the State Counsel's attention to the fact that the previous week he had withdrawn a P.T.A. case against 13 persons. Reporting the case, the *SUN* (15/9) stated:

Charges against 13 accused, indicted under the Prevention of Terrorism Act (PTA) were dropped by Attorney General Siva Pasupathy at the Colombo High Court yesterday, acting under powers vested in him by section 194 of the Criminal Procedure Code.

The decision was a sequel to a directive by the Attorney-General's Department to drop all charges against those detained for crimes committed during the period of the ethnic conflict in the north and the east.

Among the accused was a person indicted in connection with the suspected killing of five officers of the security forces during the conflict.

The cases against two accused were withdrawn minutes after indictments were served.

On 18/9, the same judge hearing a similar case where Mr. U. M. Siripala of Polonnaruwa was indicted under the PTA said that "he did not see why a distinction should be drawn between persons offending the provisions of the PTA in the North and East and elsewhere". The *Island* reported:

SLMP-CP Appeal to President

The secretaries of the CP and the SLMP have written to President Jayewardene seeking parity of treatment for suspected terrorists countrywide.

Their letter asks that in the same way such persons from the northern and eastern provinces held under the PTA or charged in the courts for such offences are being released, the same should be done for persons elsewhere in a similar position.

"We are of opinion that such an action on your part will contribute greatly to enhancing the benefits to the country from the recent peace accord," the letter signed by Mr. K. P. Silva of the CP and Y. P. de Silva of the SLMP has said.

Colombo High Court Judge Jesuratnam yesterday observed that he did not see why a distinction should be drawn between persons offending the provisions of the Prevention of Terrorism Act (PTA) in the North and East and elsewhere.

State Counsel Vijitha Malalgoda prosecuting in a case in which one U. M. Siripala of Polonnaruwa was indicted under the PTA submitted to court that his instructions were that he should withdraw all the cases where offences were committed in the North and East but this offence he said had been committed in the Central province, and therefore he was unable to withdraw the case.

The trial judge said that under the PTA the Court could not bind over nor pass suspended sentences on persons convicted of an offence. Therefore he said he would order the accused in that case be imprisoned till rising of court.

The Kalawana MP, citing the learned judge's observations, told Parliament:

According to the terms of the peace accord and looking at the decisions arrived at several cases filed under PTA are to be withdrawn. People in the South who are facing similar charges must be freed. I know even Mahara-gama MP's brother is under arrest.

When people who have committed murder have been released, then why can't these people be released?

The SLFP's Mr. Richard Pathirana (Akmeemana) made the same point:

A number of people from the North who had been in prison have been released. Why haven't the Sinhalese prisoners who have committed similar crimes not been released.

A Sinhala man who pleaded guilty was punished but a Tamil person who had committed a similar crime was freed. Is this justice? Is this how a fair and reasonable government conducts itself?

The Making of a Militant

Qadri Ismail

A man once sat under a tree in an Indian village. He was an ordinary man, with no special skills or sensitivity, escaping something or someone from his home town. The villagers thought he was a sunyast. They came to him for advice on all sort of things. The man was initially puzzled by it all, but gradually came to enjoy the game, his role in it. One day a great drought hit the village. They tried all sorts of things, it did not rain. The worried villagers told the man that if he fasted to death the rains would come. The man knew the joke was up. He was not old enough to die. However, there was nothing else he could do. He had accepted the rules, so he had to play the game to the end. Accordingly, with much ceremony, he began his fast.

The storyteller, let us call him Naresh. The tale he told is not his, but that of an Indian writer. Naresh was a member of one of the Tamil militant organisations, of that fine generation of Tamil youth which refused to shirk its responsibilities. And more than that, he was by any standards brilliant.

He was that rare undergraduate who, when he dropped mines could back in with a relevant quotation and an intelligently coherent argument. A first class was his for the taking. But he wasn't a nerd. They define an undergrad as someone with all the privileges of an adult and none of the responsibilities. Naresh was upto painting the town red. Then in the second term of his first year, he dropped out.

I next met him three years, one race riot and many deaths later. He turned up at my doorstep one evening and asked whether I remembered him. Vain question; he wasn't easy to forget. He looked very different; shaggy hair, scruffy beard, spectacles tied together with wire, torn track shoes. We proceeded to talk—or, rather, he did—till the early hours of the morning.

I asked why he joined up. He replied as if he was saying something self-evident. "What else is there to do?" Then proceeded to relate story after story that give life to the facts and statistics of Tamil grievances of the farmer who had lost his land to colonisation and now was a day labourer unable to feed his six children. Of the boy who put everything into, gave up everything for, the 'A' levels failed to get to Medical College by one mark, then throw down his books and picked up an AK-47. Of the only male in a family of four who was shot dead by the forces, leaving the family penniless refugees. The idealism came out clearly, as did the commitment, the purpose, the dedication.

The unwinding

He spoke with a quiet emotion, a matter of fact conviction that everything he said was true. "We need our own country," he said. "Because otherwise we cannot be free. We want to develop our land, to do whatever we want." They wouldn't settle for genuine regional autonomy? The reply was a litany of security force atrocities against Tamil civilians. There was no way of knowing whether all were true. "The message is that we are not wanted by Sri Lanka. They talk peace and do war. We have to chase the army out and liberate Thamilchalam." Then he stood up, made a fist of his fingers and smashed it on the table. "There is no other way."

At that stage, we were both ignorant of 'geopolitical realities'.

Today he looks like anybody's favourite son. The beard was trimmed neatly enough to make a naval officer jealous; the jeans were Jordache, the t-shirt, Lacoste; the run down spectacles had given way to Daniel Ortega style tinted glasses, he had even polished his shoes. After three weeks of the good life in Colombo, one saw the beginnings of a pot.

Psychologically, he was coming apart. If his face smelled just that little of perfume, his whole self stank of defeat. This man who loved to talk politics refused to discuss the political situation.

Then, one night, he unwound. He had been drinking arrack all evening with a devout fervour. Suddenly, he threw a glassful into his mouth, then seemed to try to crush the tumbler by the force of his fingers. Failing he put it down and lit a Bristol. He said, "The whole enterprise was doomed to failure from the very start."

He poured out another shot. "Our first mistake was theoretical. We called it a national liberation struggle and compared ourselves to Cuba and Vietnam and Nicaragua. We could have thought of Biafra, of Basque Spain, of Brerea. They have been fighting four years in Eritrea against Ethiopian repression and nobody cares. You know what Harold Wilson said about Biafra? He said he didn't care whether a million Ibos had to die, that Nigeria had to remain unified. The post-war international system does not permit the creation of new states."

How about Cyprus, Bangladesh? He smiled, lit another tag. He had clearly thought it all out. It was like giving a command to a computer. The answer came out immediately. "The Turkish Cyprus has not been recognised by any other country apart from, of course, Turkey. That only proves what I am saying. Bangladesh is a special case. In any case, Pakistan was an artificial creation of the British for its own purposes. India was big enough as it was and the British did not want it to be a huge super-power. From the beginning, the Bengalis had problems with the west Pakis. The survival of that country as a single entity, with the two parts thousands of miles away from each other, was kind of a miracle. It wouldn't have lasted, anyway. And it suited India's geo-

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strategic interests to bifurcate Pakistan."

Then he got really angry. "What the bloody hell, I say. All those statements against Tamil Eelam made by Indians. Couldn't they realise? India had nothing to gain from creating a separate state here. We never realised that," he paused, dropped his voice. "May be we never wanted to realise it. Yes... no one wants to think that a dream is not real. We had no mountains, no jungles, to retreat to and attack from. The Sri Lankan state was so developed that there was police station within fifteen miles of any place in the country. We had to use India as a rear-base. From that day on wards we were pawns in a larger chess game, thought we thought we were going to liberate Tamil Eelam. From that time onwards we were a tool that, given the relative strengths of India and Sri Lanka, and the relations between them, a tool that was going to be used for India to achieve its designs. Some of us thought that we could force India into making a separate state." The irony that came out now was finely laced with bitterness. "We thought we were the most intelligent, hard-working, educated group of people in the whole country. And we couldn't see something that should have been obvious to a little child."

Remarkably enough, there was no self-pity in his voice. He had lost some of the best years of his life to a cause. Of that, he had no regrets. He hadn't tasted the freedom of youth, that irreverent age where you do just as you want. Maybe that was why he now was taking what he could out of life, with that pious vengeance. With the fear that all they fought for could be lost.

He continued with his analysis of an inevitable defeat. "Take the border," he said. "It is more than three hundred miles long — and there are Sinhalese at every end of it. Nobody ever thought of it. Nobody in any group came up with an intelligent idea of how it could be secured and then maintained. If the Sinhalese wanted,

they could stream across it in herds, at every point. What would we have done then? They are majority after all. There are more of them than of us. Even if we were mad enough to think of it, we couldn't have killed them."

He went to examine the Tamil economy and ecological environment, as he put it. The Tamils did not have a separate economy. They were dependent on the Smith for a market. Separation would have caused havoc here. Agriculture was the mainstay of the economy. The two eco systems were inextricably linked. The east got its water from rivers in the Sinhala areas. If something was done to the rivers? Electricity schemes were in the south and supply could be knocked off. And then, the nature of the state itself. It was all pervading and centralised. There was no local capital which could be captured, leading automatically to separation.

"Take the Muslims," he said. "We had in our midst a large minority. We artificially tried to make them a part of us by inventing this nonsense of a Tamil speaking people. They never wanted Tamil Eelam and we didn't know what to do about them."

"But," he paused here, to give emphasis to what came next. "Our people also didn't want separate state. They gave us assistance because we were defending them. They never were with our goal. And we never tried to explain things to them, either. Finally, on top of all this, there was India. We started a race we were never going to finish. There was enough petrol in the tank — our cadre was committed enough — but the track was such that would have broken the car during the journey."

The conversation halted as Nareesh went to the bar for another drink. I watched him, wondering what his future would be. No desire to go back to university and finish his studies was ever expressed. Many times he said he wanted to tell the whole story from the inside, so that others could

learn from their mistakes. But he couldn't find the energy to write more than a few sentences.

Rehabilitated

He came back more relaxed. "Now that I am alive and a rehabilitated person may be my sister will give me money to go to Bangkok for a little," he grinned. "You will get AIDS," I said. I brought him back to the current situation.

He sipped his drink and paused, passing his mind over the past and the present. "We have got some of our rights. Tamil has been made an equal language. We will be governing our homeland — if you want to call it that. We should take what we have got and try to strengthen it. India has clearly shown that it will allow us to have only so much and no more. If we try to fight India, we risk losing everything because we will then only cause chaos in the south and north."

Then came the last question. If he got another chance what would he have done? If he had realised the impossibility of the task beforehand, would he have preferred a B.A. to the cause? He laughed. And in that laugh was embodied the tragedy of his generation: the failure and success, the hopelessness, the sacrifice and commitment, the waste and the glory. It showed nobility and stupidity, courage and obstinacy. "What kind of a question is that? Of course I will do it again. We fought because we were being oppressed. We fought for our rights. We have not got everything, but all fights must end some day."

He raised his glass, as if in a silent toast to all those who had fought. He stood up, the glass still lifted above him. The gesture gave a poignant undertone to the terrible quality of his next statement, which may look callous and cynical but, coming from him, may be a terminological exactitude. "As guerrillas fighting for Tamil rights," he said, "Our historical role is over."

(Courtesy Sunday Times)

A Common Front Against Ethnopolulism

Reggie Siriwardena and Radhika Coomaraswamy

The committee for Rational Development along with all other human rights organisations has supported the Indo-Lanka Accord as an important and constructive watershed in Sri Lanka's ethnic conflict. However, it is only the beginning of a long and difficult process in restoring the country toward normalcy. The conflict itself has generated social forces which cannot be absorbed into the mainstream overnight. Democracy is threatened not only by the authoritarian structures which have come into being as part of the militarisation of this society, leading to state repression, but also by social movements which are fundamentally opposed to democratic practices and fuelled by ethnic chauvinism. In fact it may be said that a spectre is haunting us these days and it is a spectre common to the North and the South — the spectre of Pol Potism — a fanatic ethnopolulism which challenges the foundations of a democratic society. While governments in power have helped destroy our democratic structures through the machiavellian and instrumental use of institutions to pursue their own self-interest, this new Pol potism is an ideological assault on democracy itself. For this reason, the Committee for Rational Development believes that the time has come for a common front against the ideology of Pol Potism or Ethnopolulism in the Sri Lankan context.

This Sri Lankan Ethnopolulism is centred around two important but interlocking themes. On the one hand, the ideology provides us with some important home truths from which we cannot escape. There is an attack on corruption, on rampant consumerism, on the perversion of human values, and the brutalisation of society. The Committee for Rational Development cannot disagree with any of these factors. On the other hand, the new ideology puts forward ele-

ments which are romantic and appealing in their simplicity but totally destructive of national institutions and which if placed in the context of our geo-politics and a savage ethnic conflict actually provides an intellectual justification for a modern Sri Lankan "volkgeist" with Sinhala and Tamil variations on the theme. Appealing to populist imagery, populist anger and a common man's demonology, it attempts to marshal dangerous emotions for a political cause.

To make clear what is meant by this Sri Lankan brand of ethnopolulism the CRD proposes to outline its basic elements. The ideology is not only one which has propelled certain groups into an armed confrontation with the state but is also one that informs a large segment of the vernacular speaking intelligentsia, whether Tamil or Sinhalese. The "Jathika Chitanaya" debates in the Divaina highlight one aspect of this call for "An Alternative Ideology". We do not argue that all those who adhere to this ideological frame are fanatics. We would merely like to put forward the proposition that any ideology based on an ethnopolulism is conducive to fanaticism and has in fact resulted in the intransigence of some of the militant movements on both sides of Elephant Pass. Though one strand is a proponent of Sinhala nationalism and the other of Tamil nationalism, they share a common thread; both ideologies are exclusive and intolerant, both draw their sustenance from primordial ethnic loyalties even though their writings carry a generous sprinkling of Marxist and other political science jargon. The following elements may be said to characterise this discourse and consciousness.

1. INTOLERANCE OF DIVERSITY:

"We are a Sinhala Buddhist Nation", "This is the Exclusive

Home land of the Sri Lankan Tamils", "We believe in a one party state committed to the goals of socialism". The ideology is intolerant of diversity and seeks to deny the plural elements in our society and assert a monolithic nationalism. While the Sinhalese variant sees this nationalism as being justified by its 74% all island percentage, the Tamil sees the same justification in the Northern province being 95% Tamil and the North-East together being 67% Tamil. Both reject a plural approach to the ethnic problem in their areas. This rejection of ethnic pluralism often comes from the same mindset which rejects political pluralism and democratic values — tolerance of other political opinions and political parties. It is both ethnocentric and anti-democratic. Though these are concessions to some vague socialist notions of equality, the institutional structures which will ensure such equality across ethnic groups and social strata are not defined. There is a sense that a strong executive will "act in the interest of the people". This type of political structure combined with the ideology's intolerance of diversity is a blueprint for totalitarianism of the worst kind.

2. XENOPHOBIA

"There is an international conspiracy against the Sinhala people sponsored by the CIA supported by the Tamil Elamists and the Tamil Nadu Bourgeoisie..." "There is an international conspiracy against the Tamil people sponsored by the CIA supported by the middle-classes in India and Sri Lanka to prevent the creation of the socialist state of Tamil Ealam."

The ideology is xenophobic. The Committee for Rational Development maintains that their is a difference between anti-imperialism draws its inspiration from theories of exploitation and

oppression; that third world societies are economically exploited for the benefit of metropolitan interests and politically and culturally oppressed so that they cannot assert their rights. This is fundamentally different in xenophobia which rejects all foreign ideas which are not homegrown, even good ones; which rejects any universal values; which refuses to analyse new theories and new ideas for fear of the alien and which sees everything and everyone who does not agree with it as being part of some diabolical conspiracy.

This "Foreign conspiracy" justification has always been a convenient way of refusing to accept self criticism, and of refusing to accept historical responsibility for social conduct and actions. What we need are not convenient scapegoats but a realistic appreciation of the destructive forces of our own consciousness and political practices. Any future ideology has to be more flexible, accepting the contradictions and the complexities of a nation with diverse ethnic and class groupings. To react in the opposite manner, to become more intransigent and more insular will spell further national disaster. Conspiracy theories only lead us away from an honest appraisal of our own reality. Unless we begin such an appraisal, we will never become the arbiters of our own future. Ironically, those who are supposedly the most nationalistic and the most xenophobic are precisely those who, by their inability to realistically assess the consequences of their own actions, may lead this country toward becoming a football in the realm of superpower politics. The desire to see every new development or social grouping as part of a CIA plot or RAW device is an exercise in self-delusion which we can no longer afford. Sri Lanka being an island at the crossroad of two continents has to develop a viable and enlightened foreign policy. It is unlikely that the social forces in existence will allow us to

shrink back into ourselves. It will also not be very fruitful to bask in fantasies of what it would be like not to be fourteen miles from a regional power, what it would be like if China had a more expansionist foreign policy etc. To accept the realities and to maximize our sovereignty is dire need of the hour. Xenophobia is a pathological condition that our body politics just cannot afford.

3. ANTI-INTELLECTUAL

"The word ethnic has been invented by study groups and intellectual hirelings who are determined to fragment South Asia"... "Intellectuals are 'Thappai', impure having been polluted by western ideas and aspirations"...

The Russian Narodniks and the Sri Lankan ethnic populists have one thing in common. They believed that the only genuine ideas are those which come from or are in the benefit of a peasant society. The need to be "grassroots" is paramount. The need to service grassroots interests is the only right calling for an intellectual. Though one cannot deny that this is an important requirement for intellectuals, there is a difference between requiring intellectuals to be aware of grassroots realities and demanding that their ideas and vision only be shaped by that narrow perception. There is no point in looking at the grassroots in Sri Lanka while deliberately ignoring the Palk Straits. Both are important aspects of our reality. It is often said that intellectuals must not only be aware of existing realities but also have a window to the external world. The search for new concepts and theories to explain phenomena is an important part of intellectual activity.

To see this also as some manipulated plot or conspiracy is to generate a paranoid anti-intellectualism. As a result, unlike in many other societies, our intel-

lectuals are afraid to experiment or formulate new ideas, create new institutions or encourage new strategies, for to do so is to become a target for the populist arsenal now firmly entrenched in the vernacular mass media. It is therefore no wonder that Sri Lanka's intellectuals have been criticised both locally and internationally for sponsoring ethnic populism at a time when ethnic chauvinism was a dominant, rampant and destructive force in our society.

4. ANTI-INSTITUTIONAL

The primary characteristic of most populist movements is their anti institutional bias. This is reflected in Sri Lanka in that the debates on the national identity whether north or south of Elephant pass place an enormous emphasis on ideology, consciousness, the "correct way of thinking" etc., but say very little about the nature and structure of institutions, how democracy is to be expressed, how administration is to be conducted, how money is to be generated, how future conflicts are going to be contained. None of the writings from these ethnic populist schools ever pay attention to these details. There is a belief that once they come into power these institutions will suddenly emerge. The emphasis on the power of idealized doctrine over the long-term building of national institutions is a major weakness because it lays stress on a strong executive, or vanguard which will bring this doctrine to the fore. And as the northern militancy so clearly suggests, once the phase of armed struggle is over, there is no political program easily available to take over. A struggle waged purely on emotional ideology cannot sustain or develop a society.

There is in some of the "Janika Chintanaya" southern writings a desire to make a nostalgic return to the past when life was more simple and we were

not subject to these alien influences. But such a desire can only be a dream because the social, economic and geo-political forces may not permit such a return, except at an enormous cost. Innocence lost cannot be regained, and nostalgia is no replacement for reality. Anyway, can the values born of an earlier age be the principal guide for the exercise of power by modern nation-states in an increasingly fluid international world. Surely what is needed is an honest reappraisal and the building of modern institutions which can contain social conflict and enhance democracy and justice.

5. TENDENCY TOWARD FANATICISM

The fact that ethnopopulism bases itself on idealized doctrine, not institution building, and the fact that it receives its emotional energy from ethnic and religious identification makes it an explosive social force. The mixture of idealism, a glorified sense of self and history, and the messianic aspects contained in ethnic and religious identification is extremely conducive to fanaticism. Fanaticism has often been considered a situation where even though an individual's perception of reality is greatly at variance with objective conditions, the emotional attachment to a set of belief propels him forward. Each setback instead of forcing a revaluation of belief has an opposite effect and pushes the individual toward martyrdom. Fanatic movements then lose all capacity to compromise or accommodate other points of view and refuse to adapt to changing conditions. In a diverse multi-ethnic state like Sri Lanka vulnerable to changing national and international conditions, such fanaticism will lead to a scenario which can only court disaster.

AN ALTERNATIVE IDEOLOGY

The Committee for Rational Development believes that the time has come for a common

front against this type of ETHNO-POPULISM. We believe that there must be an alternative ideology for Sri Lanka but it must be informed by:

1. a realistic appreciation of past historical processes, not an escape from them into a nostalgic return for lost glory;
2. a realistic appreciation of our geo-political location and the international implications of such a location;
3. a genuine appreciation of the diversity within our country and the establishment of institutions at the centre and the periphery to protect and foster that diversity;
4. a genuine commitment to democracy, human rights and

democratic institutions at all levels.

5. a genuine commitment to equality, a programme against social exploitation of Sri Lankan labour and the alleviation of poverty.

These five principles must form the basis of any alternative ideology. In committing ourselves to these principles, it is essential that we oppose not only the authoritarianism and the repressive measures of the Sri Lankan Government which has led to the militarisation and brutalisation of this society but also oppose social movements who find their emotional sustenance only on the grounds of ethnopopulism. Both these factors have contributed to the crisis from which we have yet to emerge.

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TEAM - 2083

The elites and universal franchise

Godfrey Gunatilleke, (Director, Marga Institute)

The second assessment relates to the issue of universal franchise. Most of the representations made to the Commission by the local elites were not in support of grant of universal adult franchise. The arguments that were adduced presented the typically elitist approach to the extension of the franchise, that the electorate did not have the political awareness and the minimum educational level that went with the civic responsibility required of a voter. The Commission were firm in their view that a good case could be made out for regarding the extension of the franchise as more urgent than any increase of responsible government. They based this on the backward character of the social and industrial legislation in Ceylon "which has no provision for relieving destitution, no workmen's compensation, only the most elementary of factory regulations and no control over hours and wages in industries". They stated that when a considerable increase in responsible government is being recommended, "the question of the franchise becomes of first importance". The opposition of the political elites to the grant of universal franchise, they did not find altogether surprising. They ascribed this to the existing rigidity of the social stratification, and the assumption on the part of the elites that they had almost the natural right to exercise power for themselves as well as on behalf of the masses. In a particularly incisive comment they observed: "Democratic and electoral institutions are being accepted and even demanded, but the modern principle of political equality that goes with them has not yet been fully grasped".

The debate in the Legislative Council on adult franchise took

a very curious turn. In its representations to the Commission, the Ceylon National Congress, which was the body representing the political elite, argued against the unconditional grant of adult franchise. After the commission had concluded its sittings, however, the National Congress came out in favour of universal adult franchise. The main motion presented to the Legislative Council by A. P. Mollamure, reflected this changed position. It accepted the recommendations of the Donoughmore Commission, but objected to conditions relating to female franchise and to the franchise for non-Ceylonese. On the female franchise it went further than the Donoughmore Commission and called for lowering of the qualifying age to 21 years, instead of 30 recommended by the Commission.

In the course of the debate, however the mover, of the motion, A. P. Mollamure, then Member for Kegalle, was prepared to accept an amendment moved by Mr E. R. Thambimuttu, the Member for Batticaloa. This amendment introduced the literacy qualification. It was passed by the majority of the Legislative Councillors, including such stalwarts as D. S. Senanayake, C. W. W. Kannangara, Vythiliagum Duraiswamy, E. W. Perera, among others.

It is interesting to note that many of the speakers reiterated the typical elitist arguments that the illiterate would not be fit to exercise the vote, that the extension of the franchise would result in wide-scale manipulation of voters, corruption, and a deterioration in the quality of

the political life. Some of these arguments have a familiar echo as they anticipate the argument that electoral processes in the social and cultural milieu of the decolonised societies inevitably give rise to populist politics. What some of the speakers were, in fact, arguing was that the unlimited extension of the adult franchise can engender a virulent form of populist politics as the electorate would not be politically mature enough to discriminate in their choice of representatives and their support of the political agenda.

It is in this context that the political elites had to adjust to the demands of the democratic process. On the one hand, they had to deal with the ethnic character of the political life in which they were active, and, on the other, they had to adjust to the democratic participation of the masses, about which they had been initially unenthusiastic. In the perception of the adjustment that were needed, the two were closely linked together.

The adjustments drew the political process in Sri Lanka in a direction in which two elements were prominent. First, the ethnic character of politics became progressively more clearly articulated. Politics of the Tamil community saw the protection and articulation of Tamil interests as the prime need. It, therefore, took a form which inhibited the growth of multi-ethnic parties which could have been better representative of all ethnic groups. The efforts of Left and the mainstream parties to retain a multi-ethnic character became ineffective

in their final outcome. Second, a mix of distributive and social welfare policies were pursued which enabled the elites to relate to the masses in the role of benefactors.

The culture implicit in the political institutions

This process and the various phases which it underwent need to be examined further, but before we do so it is pertinent at this point to inquire what was the political culture which were implicit in the democratic institutions which were put in place and how did this compare with the political culture that was evolving as a result of the process that has been described. The political institutions and processes that were transferred could survive and preserve their true character only within value system and a political culture which was intrinsic to them. It assumed an environment in which several political parties would freely mobilise the community of interests in various groups in the population and compete for political power through an electoral process in which the adult population will freely express their choices as between the different national agenda placed before it, by the competing parties. It, therefore, assumed all preponderant acceptance by society of the pluralistic competitive system in which the rights of each competing party were scrupulously respected and the freedom of its association and conduct of affairs guaranteed. It required that the rules of the game be observed by both the ruling party and parties in opposition, the ruling party accepting the opposition as an essential, nationally respected part of the institutional framework and the opposition recognising the ruling party as the party placed in power by the verdict of the people and performing its own role in the opposition as the watchdog of the national interests and the agenda which it had espoused. All this assumes mutual rights and obligations and

code of political behaviour on the part of the main political actors. But, it also assumes above all, well organised public opinion through non-partisan citizen bodies and a free press which can monitor the public life in terms of these values and make the pressure of public expectations felt on the political elites.

Neutral public service and independent judiciary

The political culture of these new institutions was also such that it determined the limits of the political realm. These had to be determined in a way that the large part of the civic life could remain non-politicised and be governed by the value systems and criteria intrinsic to each area of civic life, whether it be the professions, business, public service, or judiciary. This was essential if the system as a whole was to prevent abuses of political power leading to grave forms of discrimination and favouritism on political grounds. These conditions were above all essential if the different parts of the national system in all its activities — economic, social, commercial professional — were to function efficiently and develop in their own right for the common welfare of the society. Therefore, two essential prerequisites of the system were a neutral public service which could continue to serve successive governments without demoralisation and loss of efficiency and an independent judiciary which would uphold justice and the rule of law for all persons and parties alike. Although in even the best of democracies the social and political reality will seldom correspond to this ideal in all respects, for a democracy to function in a viable and credible manner, it has to persevere in this direction. There has to be wide social acceptance of these ideal standards and measures. They have to be constantly applied to the imperfections of the reality and they have to be regular initiatives for remedying the imperfections.

Which part of the political elite subscribed to this political culture at any time during its political evolution immediately prior to or after independence? It is difficult to identify any group or sub-elite within the larger political elite of the country who consistently subscribed to this value system and came forward as its custodians. It is difficult to identify any such group among the political parties that have been active in the country's public life. Most of them would have professed allegiance to some of these values; none of them to all. If it existed at all, it existed in small pockets of intellectual activity, in little enclaves of the elites who had not entered the active political life, who were most often cynical observers of the whole political process and to the view that the corrupting influence of politics was irreversible. It was an elite which was essentially ingrown; its vocabulary often displayed a distrust of both politicians as well as the masses. In its simplified version its response was a lament that politics and politicians were to be blamed for most of the ills of society. This small dispersed elite in different corners of society did not have the capacity to generate a powerful current of public thought which could have shaped political values in the country. Distrustful of the political process itself, it could only in weakly articulated jeremiads. The universities and the independent profession which might have grown as an intellectual force, that could have helped in mediating between the culture of these new institutions and the socio-cultural forces that were being newly released through the democratisation that was taking place, could not fulfil that role. They were swept into the mainstream politics and often became strident manifestations of the culture of that politics, as in the case of F. R. Jayasuriya, W. S. Karunaratne.

Dialectics of the Indo Lanka Accord

Hector Abhayawardhana (Member LSSP Politburo)

The Indo Lanka Agreement, it should be noted, is not an agreement between the Government of Sri Lanka and the people of the Tamil North and East. It is an agreement between Government of Sri Lanka and Government of India. In other words, since mediation between the two Sri Lankan parties was not possible, the Government of India had to take the responsibility, of working out a solution which would be acceptable to both the Government of Sri Lanka and to the Tamil people, and secondly, to work out, a solution for the implementation of which it could assume responsibility. Because if for instance the Government of India and Sri Lanka agreed upon a solution which could not be implemented or whose implementation depended on further negotiations and discussions between the Government of Sri Lanka and the Tamil groups, then obviously that was not going to work out. Hence, we find the peculiar situation of a govt of another country negotiating with our own government and reaching an accord which it seeks to implement taking full responsibility for persuading the militants and the other Tamil organisations to accept and to agree to work it out. This is a situation, I do not know whether it has existed before in other examples. I find it very difficult to think of a situation in the history that we are familiar with. Secondly, the responsibility of implementing this agreement had to be discharged by means of an apparatus that was capable of implementing the terms of the Agreement. It would not do to proclaim that these are the things agreed on and therefore

the only thing necessary is to have an election or go to the Parliament and to work out how they are going to implement the accord. No, agreements of this nature can only be implemented by the State or its apparatus. Now, the state apparatus in this case is the Government of India's own apparatus. In other words, it was the Indian state that was projecting itself into our context for the purpose of implementing this agreement.

Now this is something again somewhat unprecedented. The question can be asked if one state projects into the affairs of another, does it not infringe on the sovereignty of that State. The answer to that question will have to be carefully worked out. Sovereignty after all is not in today's condition, a very simple matter. Sovereignty has both a formal and essential aspect. Formally speaking the decision making that takes place within a country or a State should not be hindered or interfered within any way by some kind of constitutional authority which has its roots or base outside the country. Constitutionally speaking in other words, if it is legitimate interference outside to effect the decision making of another state then, formally speaking one can say that the sovereignty is not really a formal affair. Sovereignty as I had said, also has an essential aspect. That essential aspect lies in the allegiance of the people to as a whole to the State. If there is no allegiance of the people to the state prevails then it would be fanciful to talk in terms of the sovereignty of that state. I think that this

is an aspect that has to be examined in relation to our recent past.

Have we have a state in this country i.e. a national state and to which religious of all citizens have owed allegiance almost without question. I think it would be correct to say when power was transferred from the British to the local people it gave rise to a government which had both the formal and essential aspects of sovereignty. But I think it would be proper to say that the Governments did not always appreciate the importance of these aspects of sovereignty. Even before our year had expired after independence, I understand almost ten lakhs of people were deprived of their citizenship on the grounds that they were workers on the plantations. Many of these people had exercised their parliamentary votes in previous elections. Not only that the government of D. S. Senanayake refused to recognise that they belonged to the body of citizens of this country but it also took the step of removing the rights, such as they had under the British rule, excluding them from the society that was then coming into being. I think there we had for the first time a deliberate act, which resulted in the alienation of a very sizeable proportion of our population from the state. And then in 1955 with the promulgation of Sinhala Only Act, a similar approach was applied to the people of the North and the East. It was a continuation of the support that resulted in the assumption of union on the part of the

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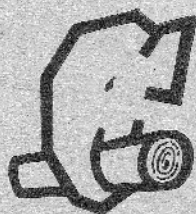
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militants in the North and then led to the propagation of what could very well be called civil war. And then finally to the march of armies to the north which not only marched along the ground but also used their air force to rain bombs on the people—bombs which have destroyed innocent civilian lives. By who? By their own government, by their own state. Was this not sufficient to alienate the rest of Tamil population from the state. I think we can very well say that the net effect of the development of politics of this country during the last 40 years has been to reduce even the national character of the state that came into being in 1948, to a state with a purely racialist character. What pretended to be a national state or what aspired to be a national state, was now reduced to a Sinhala state. And it was in that situation that we can say that allegiance of a further mass of people to the state got completely destroyed. Now can the state of that nature claim to speak on behalf of whom they have bombed or sought to bomb into submission. If the authority of the state did not extend over all parts of the country, was it not necessary that some other authority should be brought in in order to move people's minds to persuade them to move towards some kind of reconciliation. It was the total alienation of the North and the East from the State that compelled the provisions in the Indo Lanka agreement that provide for Indian intervention in the solution of this problem.

I think, therefore, when you look at this, we see a strange kind of contradiction. On the one hand we are willing to grant that India does not wish to breakup or to subjugate Sri Lanka. On the other hand that India had, we see marched armies into this country. This contradiction explains itself in the light of what I have been saying. The collapse of this state and a lot of its authority over vast parts of our country compelled the Government of India to move

itself into our situation in order to make it once more possible to promote the evolution development of a truly national state. Now this does not mean that a foreign state like that of India can actually bring about this process. No foreign influence can build a nation state. But in removing the obstacles that existed in the performance of this task, it makes it once more possible and permissible for us to seek to build a truly national state. At the same time it is useful to remember that a national state in today's situation is a rather complex affair. When we look at what is happening all over the third world countries particularly the countries of Asia, South and South East Asia and even the middle eastern countries we see there is vast complication which makes it difficult the task of building a national state—the complication of religion. Whether it is in Pakistan, whether it is in India or Bangladesh or Nepal anywhere you like, we find that religion—organised religion, religion as it obtains among the mass of people has constituted itself obtains into some kind of a block on the path of progress towards the building of a national state. If we take our own case for analysis we will be able to see it was not really the attempt to use religion itself in some wrong way that has led to this situation. On the other hand it is a failure to recognise the distinction between religion and ideology. Today what has grown among us is increasingly an ideological approach to problems of what one might even call the existential problems of the individual. There is no attempt to address ourselves to the problems or to confront these problems to very few indeed. The real religious movements have become ideological movements and therefore it becomes necessary to try to separate religion from state and from the foundations of the State. I will say that unless we make an attempt to do this we shall find it extremely difficult among the masses of people in our country. And here I would like to mention that the experience

of India has particularly enlightening for us, because in all those places where problems have arisen, it has always been the case of the attempt to put forward a fundamental religion as in the case of the Sikhs in Punjab. But in actual fact it is the ideological orientation of contemporary Sikhism which has been brought about also by the ideological orientation of the Hindus in the Punjab which had made it extremely difficult to promote the development of a secular Punjab in the conditions of today. Here too, a secular approach to our problems which seeks to separate the problems of the religion and the state will help us to overcome many of the obstacles which temporarily stand in our path.

The Indo-Sri Lanka Agreement, as was explained by Godfrey, is firstly an approach to the solution of the problem resulting from the closing of other options and therefore the unavailability of an alternative solution. Secondly, it has been a solution, that quite apart from the disadvantage of the element of surprise in the way in which it was brought about, I think has already shown that it is capable of removing some of the non secular impediments in the path of national development. Thirdly, it has shown that it is sufficiently embracing of the general interests of all the people, not only of the people in our country but people in the region and one might say even of some of the big powers which will enable the approach to be made to implement this Agreement without very many external obstacles. The obstacles that we shall encounter will be as Godfrey mentioned, largely internal. There we shall have to face and seek to solve them as and when they arise. If, as President Jayewardene had declared, he will not flinch from the implementation of this Agreement, I do not think that there can be such great forces in its path that cannot be persuaded to finally agree or that cannot be somehow moved aside.

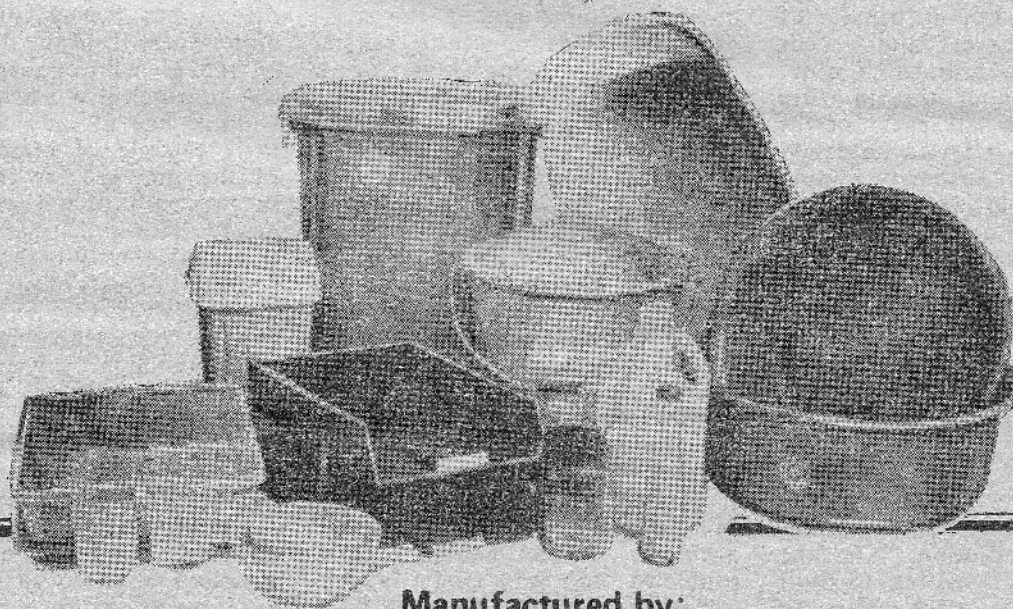
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Some conceptual issues in the debate on privatization

A. S. Jayawardena (Deputy Governor, Central Bank of Sri Lanka)

I should not be over-critical because I have seen a telecommunication system which is perhaps the worst in the world; in Argentina, potentially one of the richest countries in the world. If you look up at the Buenos Aires sky, you will see thousands of telephone lines all over, like a spider's cobweb. Successive Argentinian governments have so neglected telecommunication there, that it is impossible to get a telephone during one's lifetime. Hence, the clever private sector Argentinians have given extensions from their precious telephones to hundreds of others, and make a lot of money, while the system is heavily overloaded. Even big hotels and businesses have to use those spidery cobwebs to reach others on the telephone. One has to be thankful for little mercies.

12. If I may summarize this part of my argument — Does ownership matter from the micro point of view, I am tempted to conclude that it does not. As consumers, we are all in a market to buy various goods, and we expect to get goods of reasonably good quality at reasonable prices. A competitive market will determine prices by supply and demand, and activities which are public or private will have to follow the market. If any courageous but misguided public enterprise tries to ignore this rule, it will soon come to grief, and will have to be subsidized by the tax payer — i.e. we the consumers. Ultimately, we have to pay more. The private sector will tend to follow the market, by necessity, and if monopolistic, as a precaution against predators. Ultimately, the price you pay for products of both private and public sectors will not be much different.

Let me illustrate this argument by a test I myself carried out. One day, I bought a pound of beans at the government's Tripoli market at half the price prevailing in the private Kollupitiya market. The cheap Tripoli product was mixed and unsorted, and when I removed bad beans from the pound I bought, I found, that I had only half a pound. Now, what 'real' price was exactly equal to price of uniform, good quality, well sorted beans at the Kollupitiya market. The moral of the story is that competitive well-informed markets tend to

living. Now, it is argued that some of these larger national objectives cannot be achieved by activities of the private sector. This is the well-known economic argument of "social goods" or the "Theory of Public Goods." In simple words, there are certain activities whose "externalities" or external benefits are so large and difficult to even measure. Private sector which has to recover its costs by charging prices to users will not undertake these activities because either fair pricing is impossible or is difficult. That is called the problem

Today, there is a chorus for privatization, arising largely from the disenchantment and disillusionment with the results of nationalization.

reach the same price level, irrespective of whether the product is sold by publicly or privately-owned enterprise. If you deliberately subsidize in one market, someone has to pay for it. There is no way you can play the market according to your power or your whims and fancies.

Does Ownership Matter? The Macro-economic View

13. Now let me try to answer the question from a national point of view. Every nation has its larger national objectives, such as maintaining law and order, defending the country against enemies, and creating conditions for people to earn a decent

of "excludability". That is, a product has to be specific and be potentially deniable to a person who is not willing to pay the price. Then only can we charge a price. Take a lighthouse, which benefits all sailors. There is no way you can deny or exclude that light signal to any sailor. You can price it only if it can be denied. Such goods are called public goods or social goods, and it is argued that they should be provided by the State, out of tax-payers' money or out of a levy on collective group of potential users. A similar example is radio transmission, which is non-excludable. Hence we charge a licence fee from owners of radios, whether they use them or not. Here, however, private sector

participation has become possible by the ingenious device of charging for commercial advertising. Generally speaking, Private sector may not provide such services because it cannot cover or recoup its costs. This is also called a case of "market failure."

14. The case for Public ownership and provision of social goods is undeniable, and in every country of the World, this is the accepted practice. National defence and law and order are clearly public responsibilities and the diseconomies of private operations in this field are considerable. But, not every public activity is of this nature, and we must start examining the whole gamut of public activities to see whether they qualify. Then you will find that many activities which we think provide social goods such as airports and roads are sometimes not, or are marginal cases. The test is whether the products are excludable, and therefore priceable. If activities are commercial, where goods can be sold at a price, either the private or the public sector can operate.

15. Where there are large externalities — i.e. national benefits which cannot be internalized — or which are difficult to internalize — private sector is likely to be reluctant to enter the field, because it cannot cover its costs. Obviously such activities will not be contending for privatization. But, we should not overdo this externality argument. Way back in the 1930s and 1940s, Sri Lanka argued that private sector was reluctant to engage in industrialization, and therefore the State must set an example. When the State created successful industries, thus creating externalities and demonstration effects, the recalcitrant private sector was expected to follow. Thus, we set up a lot of State industries, which unfortunately set a bad example by making losses. We didn't achieve our objective. Did we close them down? No, we carried them on at taxpayers' expense. Here, the large "externality" we expected was to create the basic groundwork —

confidence — for industrialization. Not only did we create the wrong type of externality, but we paid to keep idle or low productive labour in employment. It would have been cheaper and more productive if we had introduced some tariffs to protect local industries at that time, which in turn would have encouraged local private industrial activity. The moral of the story is — please don't overdo the national benefit or external benefit or externalities argument.

16. The other national argument for public ownership is the rather vague "essential service" argument. Like the virtue of Caesar's wife, this idea of "essentiality" is difficult to define, and means many things to many people. Hence, one cannot have an intelligent discussion if one gets into this field. If you look carefully and objectively, you will see that many of the so-called "essential" goods and services are provided, either well or badly — by the private as well as public sectors. At times of emergencies, the marketing department, the CWE and the Co-operatives distribute food supplies. Very good. This argument is often used by people, illogically, to extol the virtues of the public sector versus the private sector. That is wrong. It does not follow that all trade in food stuffs in Sri Lanka at all times is best handled by the same organizations. It only permits us to say that, in times of emergency, the public sector is more effective in providing scarce goods. It is noteworthy that these are times where costs don't matter and the market fails.

Privatization versus Nationalization ?

Is it relevant ?

17. I may now summarize. We can look at the debate on privatization versus nationalization from the micro or macro points of view — the individual (or consumers') point of view and the national point of view. My view is that who owns the busi-

ness does not matter from an individual consumer's point of view, similarly, it does not matter from a national economic point of view, except in a few instances of public or social goods. Even in some of these few cases, public regulation may be superior to public ownership — certainly cheaper. Therefore, from both points of view, I do not see any sense in continuing with the debate on merits and demerits of either form of economic organization. About 40 — 50 years ago, we argued for nationalization of most activities out of an expectation that replacement of the private sector profit motive will lead to greater welfare of the people. Today, there is a chorus for privatization, arising largely from the disenchantment and disillusionment with the results of nationalization. There are many studies which have shown that widespread nationalizations have not led to better service — that they only replace private sector with bureaucracies that they have become vehicles for keeping people in non-productive employment and that they provide poor services at apparently low cost, but resulting in waste and losses which have to be met ultimately by the taxpayer. Hence, there is a strong move for privatization — but as in the case of move for nationalization, we must not move in a starry-eyed way — in a belief that mere change of ownership from the public to private will deliver us from all evil. It is very important that we should eschew theology in this field.

18. We have to approach the question in a pragmatic way. The ideological road is dangerous. Please notice how even socialists, who start with conviction that private property is a cause of evil and profit is an extraction by exploitation, now embrace of individual incentives and profit-surplus related economic organizations. They are pragmatic people. Similarly, we should examine whether many of the State activities which are carried on today could not be run better, either under current State ownership,

or under total private ownership. We must do this without emotional or subjective analysis.

19. Let any State enterprise look inwards once a year and answer the question whether it should remain or continue as public enterprise in the future? Let there be a free and frank discussion and let them give reasons why they consider that the enterprise should remain public. The answers will be very interesting, I am sure. I am not suggesting this for outsiders to make decision on ownership — but at least to make these enterprises remind themselves annually why they are in the public sector. That may lead to greater dedication to the so-called "Spirit of service" that they are expected to be guided by. I won't be surprised if honest answers to this question encourage them to go private! Is this too much to expect from public enterprises, who do not even care to inform their shareholders — the public — of what they have done with public funds, by publishing their annual reports and accounts for several years?

20. Now, you may ask me why I propose to subject public enterprises to a test, that is not imposed on private firms? The reasons are simple. First, the private firm uses the owners' money, and if it does badly, the owners lose their own money. Hence, they are motivated to be cost-conscious and efficient. They pay the price of bankruptcy if they are bad. The public firm does not face that test. Whether it makes profits or losses, the public firm tends to go on forever, like Rudyard Kipling's brook. No one dares to close it down if it loses money, because there is a powerful employment lobby, which wants to keep the employees at their desks, and paid irrespective of whether they have work or not. You will see incredible evidence of such happenings in Gal Oya Evaluation Commission report, which shows that once the Gal Oya Scheme was completed, the Development Board perpetuated itself instead of winding up, by undertaking all types of activities in the area, which more than

doubled the final cost of the Project and even turned the returns from positive to negative. Public firms are powerful institutions that think that they can go on forever and that there is a over-patient public waiting outside to pay for their activities, good or bad. That is because they do not face the market test of bankruptcy and closure.

Competition Is the Answer

21. The crux of the matter lies the discipline of a competitive market. In a competitive market, there are a large number of firms producing goods and a large number of consumers looking to buy those goods. Competition compels producers to sell at lowest cost, and consumers too will benefit by that. From a national point of view, competition produces the optimal output. This is elementary economic theory. Whether the firms are owned by the private sector or the public

sector does not really matter in a competitive market. Thus from the micro or consumer's point of view and the national point of view, who owns the means of production does not matter, except in the case of "market failure" I referred to. Where the market fails and that is not in a large number of instances, there is an obligation on the State to provide the service as a social good, in an optimal way, and financed out of taxation or some form of feasible user — charging.

22. Hence our endeavours be directed at asking how best we can promote competitive conditions in the economy. We could have public enterprises competing with each other or with private enterprises. We could have greater competition among private enterprises. We could discourage monopolies in the public as well as in the private sector. Monopolies can be either regulated or new competitive firms could be en-

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*The liana with the large, divided leaves,
To ornament your garden?
May be, I'll get it
I saw it on the hill above the town
Prolific and pouring,
Over an old parapet from an overgrown plot
By white, broken, windows. Burnt,
the silent house with dragon flies swarming
Sorties over a mirage held roof, pondlike
In three hundred and fifty million year reflexes.
Through telephone wires, and tangled cloud.
I will break a sprig of creeper,
Eager, with white roots clawing air
To reach down to the mothering earth,
In this peace on the hill under the Amazon tree
Nameless but sheltering many gods.
I will bring the liana down to the town
Troubled with people, noises, desire
your desire too to possess.
Unheeding the tale of the house on the hill
Too impatient, too, to guess.*

— U. Karunatilake

couraged. In old days, we argued that our local market was too small to have many firms in competition. That was very a narrow view. A small country like Sri Lanka should not think only in terms of its domestic market. It should think of the whole world as a potential market. Hence, we must create the necessary conditions in Sri Lanka where an internationally competitive market exists. That is how many small countries achieved economic prosperity and welfare.

23. If we agree, it logically follows that we must approach the question of ownership in a pragmatic way. There is no magic in public ownership or private ownership. If a public enterprise is a burden on the taxpayer, we should ask whether it is a case of market failure. If not, are there over-riding social considerations that dictate public ownership and subsidization, and are the people

willing to pay for it? If the answers are in the negative, then there is no economic case for public ownership. In fact, privatization in such a case will be highly beneficial to the people and the nation.

24. As the aim of privatization is to promote competition, the way privatization is done is very important. If public firms are privatized by secret deals, transfers to friends and cronies, at ridiculously low non-market prices, the process will get discredited. The aim should be to encourage widespread, diversified ownership which will promote a competitive market. Here, an efficient stock market will be helpful. Trading in stocks and shares will have to be popularized and later concentration of ownership will have to be discouraged. There should be minimum dislocation of labour. The workers should not be made to fear retrenchment. If the later productivity gains under privatization would justify their continued employment. A good analogy exists in the field of computers. There were great fears of unemployment with the advent of computers. But these fears have been belied as the productivity gains of computer use have more than compensated the redundancies. Similarly, it is possible that technology and productivity gains in telecommunications might render redundancies unnecessary. If the industry goes into partnership with the private sector. But, this may not be possible in all cases, especially where public enterprises have been saddled with excess staff on account of patronage. In such instances, retrenchment will be inevitable, because no competitive firm—private or public—will be able to afford redundant labour. I presume that this necessary retrenchment will be compensated, and helped otherwise, so that the retrenched workers will be able to establish themselves in fully gainful alternate employment. The transition from government—subsidized handloom textile sector to the privately operated garment manufacturing sector was an instance where the employment dislocations were minimized, with individual

and national gain. In other words privatisation should not be pushed at the expense of workers because it is no fault of the workers that they were employed by a misguided public enterprise. In sum, the manner in which privatization is implemented is crucial to its success. The success will be seen only if it leads to widespread private sector participation in a competitive setting, with least dislocation of the economy.

TRENDS...

(Continued from page 1)

Sri Lanka also bought a wide variety of weapons ranging from assault rifles, light machine guns, gunboats, RPG's, bombs and grenades. The police purchased T 84 rifles, while the army bought the T 56. The Air Force has now negotiated a new government-to-government deal to buy the bigger Y 8 transport plane, carrying 96 men, and is likely to place an order for the T 56, an upgraded version of the T 85 rifle.

MUSLIM IDENTITY

Discussions between the TULF leadership and a delegation of Muslim leaders have resulted in a nine-point agreement. Commenting on the substance of the agreement, TULF President Mr. M. Sivasithamparam said that the TULF has recognised 'the separate identity of the Muslims'. The 9 point 'accord' ensures, he said, that the position of the Muslims will be safeguarded in the North and East. Basically, Muslim representation in the proposed North-East Council (a trial one year period) and in the Council of Ministers, together with allocation of land under settlement schemes, will be guaranteed.

The MP for Kalmunai, where Tamil-Muslim clashes had caused damage to Muslim property valued at 67 million rupees, said that despite many reservations, the peace accord offered hopes of peace, stability and communal harmony.

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