

LANKA

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* **The Old Left — The path to Betrayal**

— *Kumari Jayawardena*

* **The abolition of elections**

— *Gananath Obeyesekera*

* **Ethnic conflict and the Lankan crisis : Scenarios**

— *Dayan Jayatilleka*

(Continued from page 1)

within the critical canon. Okay. But here, some months later, the preacher himself is inconsistent in his practice. Surely words like "pulp-writer" and "hack filmmaker" have the same (bad) emotional connotations.

I have long felt that people like him (though I can't think of another!) have not written enough critical theory, especially on the local example, so that succeeding generations could know how and where to continue. Perhaps it is time, Mr. Siriwardena, that you expounded a coherent, wholisitic and consistent theory of literary production applied to the Sri Lankan output — in context, of course. Then, our "pulp" writing may be dismissed as such — instead of being praised by our (oh, so kind) "hack" critics.

Qadri Ismail

The Cover Pic

The cover of your issue of July 15 contains a cartoon by Collette culled (with due acknowledgment) from the Observer. As an avid reader of your most valuable journal I have never had the occasion to complain before this about its contents, but this cartoon does not seem to have any reference to what is inside the journal; if the intention is to relate it to Dr Kumari Jayawardena's 8th article in that excellent series, the connection is minimal, and quite unfair by her thesis, which is by no stretch of imagination, the simplistic one of this cartoonist. I agree that Dr Jayawardena does refer to the disillusionment of the Sinhala-educated youth with the 'false hopes of employment' held out by SWRD, but as a University teacher who has gone through the transition and accommodated herself to the reality of the new generation or generations of Sinhala and Tamil media undergraduate and graduate students, she can't be expected to present her case in this superficial way (the

way of the cartoon). In my generation, we are only too well aware of the clever, but vicious lampooning cartoons of Collette against the change of medium of instruction in the late forties and early fifties. It is of course history now, but whatever the political dispensation and the ridiculous attempts made to change the medium of instruction in the present era, the natural media have doubtless come to stay.

I recall having sent an article to you for publication on this subject of the ethnic crisis and the medium of instruction, which you did not publish. The point I tried to make, based not on any specific research, but on a survey of the historical facts, the transition from English in a few elitist English schools, to which we in our social class were privileged to go, to the languages of the people, which in any case were the media of the vast majority of children in this country, **was not the cause of the ethnic crisis of the present day.** Collette's cartoons on this subject and diatribes based on a class-perspective if not hindsight have no place, in my candid opinion, in Lanka Guardian, though they may 'adorn' our English Language newspapers!

Ainsley Samarajiwa

Mt Lavinia

Editor's Note

Reader Ainsley Samarajeewa's point about the "minimal" connection between the Collette cartoon and Dr Jayawardena's 8th article in her series on Communal conflict is taken. Appreciating Mr. Samarajeewa's concern and goodwill, we offer this explanation — cum apology.

We picked one of two Collette cartoons submitted to us along with the article. The cover block had already been produced and work on the cover nearly completed when editorial difficulties pressure on space — compelled us to conclude the

(Continued on page 24)

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As the crisis deepens — can the UNP do it alone?

NEWS
BACKGROUND

Mervyn de Silva

Spill-over or fall-out, call it what you will. The simmering tensions in Sri Lankan society which exploded in July last year spilled over international borders assuming the physical form of refugees. In turn, the Tamilnadu connection had aggravated the ethnic conflict in Sri Lanka when the resistance of Tamil separatist rebel groups based in Tamilnadu took the form of armed actions against the Sri Lankan state.

Tragically and ironically, it was the bomb blast in Meenambakkam which dramatised this now inseparable link. What was meant for Colombo exploded in Madras. The light of that ghastly blaze was the sudden moment of illumination for those Sri Lankans who still refuse to see and read the tragic and twisted tale of two cities. It is as if the umbilical cord between Bharat and Dhammadeepa, between India and Sri Lanka was never in fact severed. A bridge is part of our birthright

In modern idiom, the preferred term is geo-politics. Sri Lanka can't be physically moved to the Pacific or the Atlantic; Tamilnadu will not go away, even to oblige us. The Sinhalese will remain Sinhala and Sri Lanka's preponderant majority. The Tamils in Sri Lanka will remain Tamils and the largest minority in the island, and their cultural-emotional affinities and identification, once quite formal and loose, will surely be strengthened even as their sense of alienation in their historically chosen home increases. Equally, the fears of the Sinhalese haunted by history deepen as those 'trials and tragedies' Foreign Minister Hameed mentioned in Parliament, become more and more oppressive.

How do we break out of the vicious circle that is closing in? Anybody who reads more than the carefully excerpted passages of

reports and comments in the Indian press must realise that this is no academic or melodramatic question. Time is running out.

Realistic politics, if not cynical realpolitik, and patient, intelligent and resolute diplomacy may offer the best hope.

Why is that we have not been able to find the 'Sinhala consensus' which is universally accepted as the prerequisite for advance towards at least a serious and credible framework for a political settlement? Sinhala political opinion is sharply divided on other issues. The SLFP has summarily rejected the Second Chamber proposal, the latest initiative from the government at the Roundtable conference. The TULF's attitude is nothing more than lukewarm.

Why is that the UNP looks so much alone in the battle that's going? Or to pose the basic question, can the UNP tackle this awesome challenge on its own?

The government argues that the Sinhala people will be more responsive to the idea of 'making reasonable concessions' acceptable to the Tamil community if the "terrorist problem" was more effectively tackled. At best this is a half-truth. Large segments of the Sinhala constituency have other grievances besides the "terrorist threat" or what they perceive as a not-too-successful counter-insurgency campaign. To cut what is probably a long list to just two bitter complaints — democracy and economic hardship.

On the first issue, the Opposition, trade unions, students, professional, other vocal groups were increasingly critical of the UNP from 1977-1982. But this criticism, though widespread, was not sharply focussed until the Referendum, when it seemed to a majority of the electors of this country (and number will rise by a million by 1989) that a radical rupture had been made with Sri Lanka's democratic past and its parliamentary processes.

Democracy was sent on compulsory leave. Unless, Sri Lankan democracy as felt and understood by the people, is re-activated, there will be no Sinhala consensus to support the government on any national issue, not even the vitally important question of a political settlement of the ethnic conflict. (Just last week, Mrs. Bandaranaike said the same thing).

As for material hardship, this is a problem that is also exclusively the government's responsibility, although the global recession has added to the mounting popular dissatisfaction by making the economic burdens cast on the masses by its "open door" policies even more oppressive.

Second Chamber — Lukewarm support

While the SLFP has rejected the Second Chamber proposal summarily the TULF has reserved its final judgment. But the TULF leader's initial reaction was negative. He didn't think the idea satisfied the aspirations of the Tamils. "At a first look it does not look too promising". Asked whether the TULF will withdraw from the Roundtable conference Mr. Amirthalingam said it was "too early to comment". TULF will attend the Aug. 17 meeting.

Meanwhile, the LSSP and CP, who have been participating in the talks from the start, favour the creation of an Upper House in principle but would like to see the idea re-formulated. The Second Chamber, they think, should more directly and clearly reflect the views and interests of the different nationalities.

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TULF "irrelevant" only in present context — LALITH

(This is an interview given by National Security Minister Lalith Athulathmudali to George Arney of the BBC. It was recorded on July 21 at Churchill's Hotel, London, and broadcast on July 28 in the BBC's Eastern Service. Mr. Arney began the interview with a remark on the poor progress of the Round-table talks — Ed).

Athulathmudali : First to say that it's made no progress is not correct. After all it has resolved the question of the citizenship of the Indian Tamil community. It has accepted the position that there has to be some point of devolution — or decentralisation you may call it. There has been now an examination of the grievances in relation to education and employment but as conferences go this has been on for six months — I know of many other places where there are political stalemates in relation to issues such as this. There are many other places where there are ethnic conflicts and there aren't even conferences going on. So those who expect a kind of magical wand result naturally are disappointed.

Arney : But it's true to say that when the Tamil United Liberation Front agreed in the first place to take part in the talks it was on the basis of Annexure C. Now it seems that the most that can be offered is some slight extension of the pre-existing District Development Councils. Do you think that it's really reasonable to expect the Tamils to be able to settle for an institution that was already really in existence before last year's riots?

Athulathmudali : Well I think the question is wrongly phrased. If the Tamil United Liberation Front agreed to come to the talks only on the basis of Annexure C, then obviously they were not coming for talks, they were coming for people accepting Annexure C and that would not have been

a fair all-party conference. All the other communities do not accept Annexure C so one could ask the question is it reasonable for the Tamil United Liberation Front to insist on Annexure C. What people do not understand is that very presence of the terrorists and their present activities which kill a lot of innocent people, which execute people of lower castes by kangaroo courts, actually hinder an all-party conference much more than any kind of political intransigent. (SIC) The terrorist groups now having their headquarters in Madras say very clearly they do not believe in an all-party conference, they do not believe in a political solution — "you can have any kind of solution you like but we shall carry on".

Arney : But the President himself has now described the TULF as "irrelevant" in the face of these armed groups. If that really is the case what is the point of continuing to negotiate with them if you really don't believe they any longer have the support of the Tamil community in Sri Lanka?

Athulathmudali : Well certainly in the context that terrorism has not been put down they're irrelevant in this sense: that they would fear what the terrorists would do to them. So since we do not think that they have that kind of power, one could call them irrelevant to the main political settlement. On the other hand if terrorism can be put down, could be curbed and the level of terrorist incidents could be reduced, then the democratically elected representatives — or at least that was the last election result, I don't know what it is now — could have a more relevant voice.

Arney : You would agree though that the focus now, especially over the last six months and certainly since the talks began, had shifted more to working out a military solution, putting an end to terrorism

rather than concentrating on the negotiations?

Athulathmudali : I don't quite see it in that kind of simple dichotomy. You have to pursue action against those who believe in violence. If you appear passive in the face of violence all you will get is a backlash situation, the kind of riots you had in July. That we are going to avoid and that we are going to succeed in avoiding. If you are firm on violence, but at the same time do not believe that there is a military solution — I do not believe that there is a military solution in the sense that the problem can end with it. But I certainly do think that resisting an active resistance to violence, is an important element of seeking a political solution.

Arney : Isn't there also a danger though that with the kind of anti-terrorist operations which appear to be in force in the north and east of the Island that a kind of permanent sense of alienation may be bred into the community which would mean that terrorism will remain a permanent problem as it has in some other parts of the world.

Athulathmudali : What you say could be a situation which could operate in the northern peninsula. There we are very concerned about that and we are seeking ways and means of getting over that problem. But the assumption in your question certainly is not true as far as the Tamil speaking areas and the other areas south of the Jaffna Peninsula. In fact the level of terrorist activity in areas other than the northern peninsula have come down remarkably. There is a great deal of public co-operation. And certainly if you go and ask any Tamil person in Colombo whether he feels more secure now than before the active resistance of terrorism began he will undoubtedly say that he feels more secure now.

IDEOLOGICAL TAKE-OVER ?

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MOTOROLA didn't come through the 'open door'. As usual the local Marxists were right and wrong. Their darkest prophecies of a rapid penetration of the Sri Lanka economy by the TNC's and the steady conversion of Lipton's tea garden into a banana republic have proved false. Not because Sri Lankan policies did not constitute an open invitation but because the conditions here were not as attractive as in other areas, ASEAN, the Caribbean, parts of Africa etc. No minerals, no oil, just tea, rubber and coconut, not even coffee or sugar.

Mr. Orville Freeman came, looked and went, but investment in sugar plantations was not quite so attractive. So it is the British (see our cover story) who came as investors to the old hunting grounds,

but with a large Sri Lankan contribution to the capital investment.

Asia Foundation, Peace Corps, VOA, and now the American University/Colombo link-up show a different type of penetration, mainly in the area of ideas, with the aim of creating a new elite, an American rather than a British trained elite, which is in any case dying slowly. The scientific and technological institutes, the universities and the upper bureaucracy, the professions (lawyers, engineers managers, law officers, military) the unions and social service organisations are the nurseries.

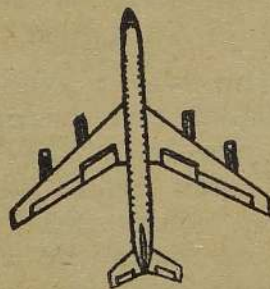
Lavish grants from various foundations, the seminar, the fellowship and the research grant is the induction process; the expert and the visiting professor is the agent. The Foundation is the foundation.

But what is most significant is that Sri Lanka in itself is no big deal. Colombo will be the regional centre.

For 2 years Colombo Univ. has been searching for a Professor of International Relations. The post was advertised several times but the chair is vacant, or has been kept vacant. And now the Dean of the School of International Studies of the American University will be here to map out a program of cooperation between the American University and the Colombo Univ. The American University has two such arrangements in the Arab world — Beirut and Cairo. With its Dean shot dead, Beirut is not the most congenial now.

Colombo will be a regional centre for South Asia.

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A resolution of the ethnic conflict through human rights

Nihal Jayawickrema

I. The Sri Lankan Perception of Human Rights

When the question is posed as to whether a solution to the ethnic problem could be found through respect for human rights, it presupposes that a human rights consciousness already exists in this country, and that what is now required is to let that perception permeate into the area of ethnic relations. But that presupposition or premise is open to question, and I would venture to suggest that far from being human rights conscious, we as a people have since Independence displayed a consistent pattern of apathy towards our own rights and freedoms.

Our three Constitutions have provided, in varying degree, for the judicial protection of some human rights. Our Supreme Court has occasionally intervened to offer that judicial protection, as it did, for instance, in 1951 in the case of **Agnes Nona**, when it reminded the Executive that every officer who acted unlawfully was subject to the jurisdiction of the Courts, be he a clerk or Minister, and that there was no distinction between a 'slight' interference with the judiciary, and a 'major' interference, since in each case the independence of the judiciary would be compromised; or in 1962 when a bench of three judges nominated by the Minister of Justice told a powerful Parliament, in the case of **The Queen v. Douglas Liyanage**, that a law enacted by that Parliament, at a time of national emergency, was such that the ordinary or reasonable man would be justified in harbouring the impression that Parliament had intended thereby to improperly interfere with the course of justice, and that accordingly that law must be struck down; or in the cases of **Aseerwatham v. Permanent Secretary to the**

Ministry of Defence and Gooneratne v. Permanent Secretary to the Ministry of Defence (the 'travel cases' of 1964) when an activist Court told the Government of the day that it had no authority to interpose itself and obstruct the freedom of movement of a citizen who possessed a valid passport and a pre-paid ticket and wished to avail himself of both. But these were isolated instances; each an oasis in a sprawling barren desert.

■ We as a human community, have been grossly apathetic to our own status and position as human beings

At Independence, with very little effort and much less sacrifice and no loss of sweat or blood of any significance, we inherited a nation that was politically, economically and socially viable. In two generations, we have succeeded in transforming a vibrant political democracy into a mere caricature of the original; in substituting for self-reliance, a growing dependence upon others to such an extent that we actually seem to take pride in the extent of our indebtedness to the financial institutions of the western world; in re-moulding that one nation in the image of two in such a fashion that our political leadership now believes that only the devil can bring together what man had let slip asunder.

Let us, however, not point the accusing finger only in the direction of our political leadership. Let us, as others have said in different contexts, turn the searchlight inwards, and ask ourselves how much we have contributed to bring about the condition in which we find ourselves today. There is no need to stretch our memories to breaking point. A look at the events of the past six or seven years would suffice, although it must be stressed that this cavalier indifference to human

rights began much earlier. In July 1977, when the mob proceeded to attack the homes of candidates who had contested and lost parliamentary seats, as well as the homes of their prominent supporters, how many of us who were not directly affected by the violence showed any real concern about it? In August of that year, when mob violence was permitted to turn against Tamil homes and shops in the heart of Colombo, how many Sinhalese

actually came on to the streets to confront the mob? In October of that year, when the mob broke up a public meeting which an opposition party attempted to hold at Hyde Park, how many of the other parties thought it necessary to intervene in the cause of political freedom? When in 1978, political opponents of the government in office were publicly maligned and humiliated and then stripped of their civic rights, how many saw it as destroying the 'consensus' between competing political forces which as an essential prerequisite of parliamentary democracy? When in the same year, Members of Parliament voted to restore the umbilical cord that binds them to their respective political parties and to abolish by-elections, did any among them really believe that they were thereby furthering the cause of democracy?

When the Supreme Court was reconstituted in September of that year by excluding eight judges whose security of tenure had previously been constitutionally guaranteed, who realised that the sanctity of the Court once violated was capable of being violated again? In 1979, when a Minister of the Government was authorised by law to detain a

person for 18 months without any charge being laid against him, how many civic organisations in this country thought it necessary to protest? In 1980, when a Member of Parliament who had been duly elected at a general election was expelled from Parliament by the votes of fellow-Parliamentarians, which among those who voted in favour of that expulsion gave any thought to the inconsistency of that step with the principle of franchise which the Constitution tells us is in the People and is inalienable, or foresaw that such a step once taken could well be repeated, as indeed it was, barely one year later? Have the 38 per cent of the electorate who in 1982 voted to deny to themselves and to others the right to genuine periodic elections, and the 100,000 who abstained on the issue in Colombo Central alone, yet realised that men and women from the Philippines to Chile, Argentina and El Salvador have actually laid down their lives in order to obtain for others that right which they so freely surrendered? Was it only in July last year, when mob violence reached their own doorsteps, that the Colombo-based affluent Tamils felt and experienced the heat that must surely have been generated when Jaffna was set ablaze two years previously?

Therefore, when we begin to consider whether respect for human rights can provide a solution to the ethnic problem, we must recognise the fact that here in Sri Lanka, we, as a human community, have been grossly apathetic to our own status and positions as human beings. Despite twenty-five centuries of exposure to the humanising influence of Buddhist philosophy, despite a remarkably high standard of literacy, despite a long familiarity with the application of English common law concepts which include elements which today form part of international human rights law, despite over a century of experimentation with constitutional forms and techniques, we are still incredibly unreceptive to a whole new system of values which most of the civilized world has already accepted as forming the legal framework within which they must conduct their domestic affairs.

II. The International Human Rights Regime

When the flagships of the Sri Lanka merchant navy, commute between different ports of call, they scrupulously observe the international maritime laws. Air Lanka, even when it flies an ageing 747 will not penetrate someone else's air space or land in someone else's airport, without observing the internationally accepted aviation laws. The resources of the sea, the sea bed and the sub-soil thereof may now be utilised only in accordance with the new international regime

A government's behaviour towards its own nationals is now no longer a matter of only domestic concern. That theory has been buried deep. The international law of human rights, which is a product of the last quarter of the Twentieth Century, has broken down national frontiers and penetrated the veil of sovereignty behind which a government often took refuge when an accusing finger was pointed in its direction.

of the sea towards the establishment of which the late Ambassador Shirley Amerasinghe contributed so much. So it is in the matter of the treatment by a State of the people who are subject to its jurisdiction. A government's behaviour towards its own nationals is now no longer a matter of only domestic concern. That theory has been buried deep. The international law of human rights, which is a product of the last quarter of the Twentieth Century, has broken down national frontiers and penetrated the veil of sovereignty behind which a government often took refuge when an accusing finger was pointed in its direction. Today, a regime of human rights exists; a new international legal order based upon the observance of human rights. Within that legal order, States have assumed obligations which are met when, and only when national laws and institutions are so re-fashioned to meet the minimum international standards. The aggrieved individual, now a 'subject' of international law, is entitled to a remedy not only in his own country, but has the opportunity of taking his government to some of the highest international tribunals.

Let me briefly identify the sequence of events that culminated in the establishment of a regime of human rights:

1. In 1948, the General Assembly of the United Nations proclaimed the Universal Declaration of Human Rights. That document, at that time, had no legal force or status. It was intended to be a common standard of achievement for all peoples and all nations. Of course, a number of countries borrowed some or all of its provisions and incorporated them in their own law.

That was a different exercise. But in itself, its strength lay only in its moral force. It was not the product of one man's brain. It had no father in the sense that Ivor Jennings fathered the much maligned section 29 of our Independence Constitution. It was the work of literally thousands of people, representing many points of view and many different political philosophies. Prof. John Humphrey, who was Director of the UN Human Rights Division at the time, says that although western influences were undoubtedly the strongest, both Marxist-Leninist theory and communist practice were important, as were the claims of the politically and economically dependant countries. Indeed, if you examine the Dhammapada, you will find that many of the basic tenets of Buddhism are reflected in that Declaration.

2. In 1966, the UN General Assembly adopted two Covenants — the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. These two Covenants are binding treaties. A State which ratifies a Covenant undertakes to

comply with its provisions. That is a commitment which is made to the international community. In regard to civil and political rights, the obligation of the State is to give immediate effect to those rights by legislative or other measures. In regard to economic, social and cultural rights, the State accepts the responsibility to achieve them progressively. Compliance with the Covenants is secured by a regular reporting procedure. Additionally, in respect of civil and political rights, a Human Rights Committee has been established, to which both States and individuals may complain against governmental action or inaction.

3. Both before and between these two events, as well as after, a number of Conventions dealing with specific human rights have been adopted by the UN General Assembly.

These deal with:

- (a) the prevention and punishment of the crime of genocide;
- (b) the elimination of all forms of racial discrimination;
- (c) the status of refugees;
- (d) the status of stateless persons;
- (e) the reduction of statelessness;
- (f) the political rights of women;
- (g) the nationality of married women;
- (h) the consent to marriage, minimum age for marriage, and registration of marriages;
- (i) the abolition of slavery, the slave, trade and institutions and practices similar to slavery;
- (j) the suppression of the traffic in persons and of the exploitation of the prostitution of others;
- (k) the suppression and punishment of the crime of apartheid
- (l) the elimination of all forms of discrimination against women.

4. Apart from these international treaties, there are also regional treaties. In Europe, there is the European Convention on Human Rights of 1950 which has established the European Commission and

the European Court of Human Rights, both of which function from Strasbourg, and have so far dealt with thousands of complaints from States and individuals of a large number of western European countries. In Latin America and the Caribbean, there is the American Convention on Human Rights of 1969 which has created both a Commission and a Court, on lines broadly similar to the European institutions. In Africa, in 1981, the Organisation of African Unity adopted the African Charter on Human and Peoples' Rights which, I believe, has not yet come into force. In Helsinki, in 1975, at the historic Conference on Security and Co-operation in Europe, all the sovereign States of eastern and western Europe, with the single exception of Albania, together with the Soviet Union, the USA and Canada, accepted the obligations set out in the two Human Rights Covenants.

Such then, is the manner in which a regime of human rights has been established. It is no different from laws that Parliaments make, and the network of courts and tribunals that are established to enforce such laws. It is immaterial whether or not Sri Lanka has ratified any of these treaties, because if Sri Lanka chooses not to, then Sri Lanka has chosen to remain outside the framework of the new international legal order; to become an international outcast. But, in fact, Sri Lanka is anything but an outcast. In the past three years, Sri Lanka has ratified the three most important treaties in the field of human rights: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination. Additionally, Sri Lanka has recognised the competence of any other State to complain to the Human Rights Committee that the government is violating human rights in Sri Lanka. We have also sought and obtained representation on the Human Rights Committee in order that we may thereby monitor the human rights performance of other countries.

(To be continued)



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The Referendum and the abolition of democracy

Gananath Obeyesekera

This political organization of violence can herald the demise of what has been so far been one of the few democracies in the non-Western world. The present government, the United National Party, came into power with a landslide majority in 1977 defeating Mrs. Bandaranaike's SLFP (Sri Lanka Freedom Party). The SLFP did not have enough representation even to choose the leadership of the opposition; this went to Mr. Amirthalingam, the leader of the TULF (Tamil United Liberation Front), the Constitutional group representing the Tamil minority. The government started with a great deal of public goodwill and confidence in the leadership of Mr. J. R. Jayewardene. He initiated his regime with two major policy decisions that changed the economic and political face of the country. Firstly, he rejected the narrow and crude socialism of the SLFP and adopted an "open economy" encouraging foreign investment by opening a free trade zone in the north of Colombo. The second was a political change initiated in 1978. He used his five-sixths majority to change the "Westminster system that prevailed until then, into a "Gaullist-type" system based on proportional representation (PR). This was initially done by simply amending the constitution, making himself President and converting the current elected representatives into the representatives of the new system. The PR system was welcomed by most civil rights groups in the country, though some features of the system were disturbing. One of these was that of a member of Parliament resigned or was expelled from the Party, the President could nominate someone to take his place and thus by-pass the need for by-elections.

On October 20, 1982, the first Presidential election was held under the new constitution and Mr. Jayewardene was elected President with 52 percent of the votes polled. A general election based on PR under the new constitution was expected to follow. But this in fact did not happen. In a press conference Mr. Jayewardene said that the very day after the Presidential election he had heard from the Police Department of a "Naxalite Plot" from within the SLFP "to assassinate me and four other ministers, as well as Mr. Anura Bandaranaike, Armed Forces chiefs and others; do away with the Constitution; imprison Mrs. Bandaranaike". In order to prevent this he was not going to have a general election. "If I dissolved Parliament and held the general election, according to the 20 October voting (i.e., according to the Presidential election) my party, The United National Party, would have obtained 120 seats out of 196. The SLFP would have obtained 68 seats. I don't mind that but I do mind if the opposition is an anti-democratic, violent and Naxalite (anarchist) opposition". He continued: I decided to change my mind and call for a Referendum and not a general election for this reason and this reason alone".

Thus the abolition of the general elections was done ostensibly for altruistic reasons. But effectively it meant that the government could by a Referendum requiring a simple majority perpetuate the Parliamentary majority of five-sixths held under the previous (Westminster-type) constitution! The whole point of changing the constitution to a system of proportional representation was deliberately undermined. It is more likely that the real reason for the

Gananath Obeyesekera is Professor of Anthropology at Princeton University. This article which is being serialised in the LG has been published under the title "Political Violence and the Future of Democracy in Sri Lanka" in Internationales Asienforum by World Forum publishers, Munich, Cologne and London.

change was the fear that if the SLFP obtained 68 seats, the government would not have the two-thirds majority it required to continue the pattern of successive amendments to the constitution such as it had introduced. It would also create an effective opposition that might be critical of the executive Presidency. It was thus decided to hold a Referendum, but prior to this the President asked all Parliament members of his party to submit undated letters of resignation. Again the rationale was supposedly altruistic: to eliminate bad or corrupt MP's and nominate others instead. But once again in effect it meant that the President now had a stranglehold on his MP's and could dismiss and replace them with members of his choice. The effect of the Referendum which Mr. Jayewardene won with only 53 percent of the votes polled was to strengthen the executive Presidency by eliminating criticism from both the opposition which now hardly existed, and from his own MP's, who had signed undated letters of resignation. For example, the Minister of Finance who was unpopular in his constituency in the South resigned from that seat and he was reassigned to another constituency. More recent-

ly, a Party member who helped organize the Referendum vote in two key areas was given a Parliamentary seat when a recent "vacancy" occurred. These persons had no public mandate to represent any of these constituencies. Thus it is possible to produce in time a group of Parliamentary representatives who do not represent the people but only the President. The effect of these changes is to produce an all-powerful Presidency and muffle criticism within the governing party. The power of the Presidency is further reinforced according to Article 35 of the constitution as interpreted by the Solicitor General. The President is immune from court proceedings and cannot be made a part in such proceedings. The President himself summed up the situation in an address to the Party at the 28th annual convention of the UNP:

"The country needs one strong individual who fears not the Judiciary, the Legislature nor the Party but only the general public to develop it and I have the power to do anything for six years" (*The Island, Sunday*, February 27, 1983).

The referendum saw the full mobilization of the organization of institutionalized violence to deliver the vote. Both sides adopted violent methods, except that the UNP, as the party in power, was better organized. What was especially striking for Sri Lanka was the mass-scale impersonation of voters that occurred. In many villages I visited, people told me how they had been threatened the previous night and asked to refrain from voting. Their votes were blatantly cast by impersonators. Another striking feature was the open threats made to public officers manning polling booths. These middle-class persons were so frightened that they did not report fraudulent voting to the police. That their fears were well founded is clear from a news item which appeared in several newspapers about a Colombo politician who, along with a number of his supporters, threatened the presiding officer with a pistol, assaulted him while his supporters carried bombs. *The Island* of January 6, 1983, wrote: "Mr. Anura Bastian, MP for

Colombo West, denied in Parliament yesterday any implication that he was the politician concerned. It was not exactly clear why he should have done so when no names had been mentioned". It was, however, clear that the President himself believed in Mr. Bastian's innocence and political integrity. He was promoted as the head of the newly founded Home Guards.

The key thesis of the Referendum was the proposed takeover of the SLFP by a group of anarchist terrorists (Naxalites) who, if elected, would disrupt Parliament, kill key personnel and produce a dictatorship. This was constantly repeated in election speeches by government leaders and heavily publicized in newspapers. To prevent an early takeover by violent elements, the government held the election under a state of emergency which gave police wide powers of arrest. These arrests in fact took place and included the arrest and remand of Mrs. Bandaranaike's son-in-law (one of the Naxalites) who was also a film star and popular orator. Eight opposition parties protested the arrest and remand of twelve key SLFP organisers in different electorates in the country. They were released after the Referendum was over and they were never produced in a court of law. Posters intimidating the voters to say "Yes" appeared all over, in spite of protests by political parties and civil rights groups about this flagrant violation of election law. The Communist Party newspaper was closed down so that it ceased to function at this time. Newspapers, even those supporting the government, widely reported cases of intimidation and violence. *The Island*, congratulating the President on his victory, underscored this: "It is a pity, however, that the Referendum had to be marred by ugly use of thuggery allegedly by Government leaders which has left a bitter taste in the mouth".

The public disillusionment regarding elections was manifest in a 10 percent drop in the vote compared with the Presidential election of a few months before. Though there was a drop in the voting, some electoral districts showed disproportionate increases. This phenomenon

took place in Attanagalla (Mrs. Bandaranaike's former electorate) and Dompe (formerly that of Mr. Felix Bandaranaike). Both electorates were important for the government for reasons of prestige, and a strong UNP party man was sent to organize these two areas. The ensuing violence was so great that Mrs. Bandaranaike had to withdraw her polling agents! In spite of this, the total poll fell by 4.67 percent (when compared with the Presidential poll) yet the vote for the government showed a phenomenal increase of 59 percent! In Dompe the poll fell from 84.7 percent to 74.08 percent, yet the vote for the government rose by 13 percent. An election agent of the opposition was killed here. One electorate, Matale (with many backward areas), suffered severe flood damage during the Referendum, yet 30,565 voters out of a register of 35,129 allegedly braved these disasters to vote, giving the government a 50 percent increase! The opposition view that organized violence and election fraud did in fact take place seems to be substantiated at least in some key constituencies.

What then happened to the Naxalite anarchists in the aftermath of the Referendum? Mr. Pieter Keuneman, the leader of the Communist Party, as reported in *The Sun* of March 3, 1983, asks: "Where are the Naxalites and why aren't they brought to book? Has one member been charged on this count? Why has it been totally forgotten? The people have been deprived of their basic right of voting." The Naxalite threat was not totally forgotten. Very recently (between July 23 and 28, 1983) the government released the CID report on this subject and it was in several newspapers. Except for a lot of gossip and loose talk the deadly threat to democracy and the lives of political leaders turned out to be not so serious after all. No charges were made.

(To be continued)

VELLASSA : the home of Sinhala peasant struggle

Gamini Yapa

Sri Lanka has opened three of her administrative districts in the dry zone for agricultural investment by multi-national companies. Moneragala District that vast fertile land area, which is the second largest of the islands districts, with an area of 7214 square kilometers is now opened and the government has signed agreements with three giant sugar companies allowing them to settle there to build their own empires.

Moneragala, till recent times called Muppene, an ancient town of the Sinhalese kings is the district capital of this fertile plain which was called 'Vellassa' in accordance to the provincial delimitation of the Kandyan Kingdom. Vellassa received that name from the 'hundred thousand fields' which fed a large population who worked and lived from generation to generation for the past 2000-3000 years of the island's civilization. But today the hundred thousand fields are mostly forest lands, and much of the big and small reservoirs and irrigation works are ruined landmarks on a rough jungle terrain. The population with a mere 300,000 is very much less today. All these transformations of old Vellassa, had been due to the destruction and havoc caused by the British Colonialists, who deliberately depopulated it, smashed its economy so as to be able to hold the rest of the country in their grip.

When in 1817, just within two years of British domination of the country peasant masses rose in an armed struggle against the colonial power, it was Vellassa with the adjoining Uva and Valapone, which took the initiative putting forth her heroic peasant leaders and masses, liberated itself to show the way for the other Provinces of the old Kandyan Kingdom.

Butare Rala, Kohnkumbure Rala, Polgahagama Rala, Madugama Rala, who were amongst the prominent military leaders of this veritable peasant liberation were sons of Vellassa, popular leaders of the peasant masses. They were the leaders who met Keppetipola, the Commander in Chief of the Kandyan armies, then leading the British and Sinhala forces to quell the uprising, and won him over to the insurrection, through patriotic argument and oratory.

By February 1818 the British had left Vellassa and Uva where they were able to hold only Badulla the second largest city of the former Kandyan Kingdom. It was then that John D'Oyly the Chief administrator of Uva said that Vellassa is really one of the granaries of Asia and it is impossible to put down the rebellion unless it is destroyed completely. Meanwhile the Governor Brownrigg writing an urgent appeal to the Colonial Secretary at London stated that this defeat suffered by British in the "Golden age of British military history", started with wars against Napoleon, will encourage and instigate even the people of India for insurrection and ultimately can lead to the loss of British possessions in the East.

Thus, followed the cruel and vile strategy of wiping out this "granary of Asia". Instead of fighting it out on the battlefields the British resolved to kill her people in thousands, to destroy almost all crops and cultivations, all irrigational works, to slaughter all cattle and to burn down hundreds of hamlets; the procedure was the same for the other Kandyan provinces, but with a different degree of severity. These provinces comprising nearly three quarters of the islands territory, had a population of about

Wimal Gamini Yapa, known to some by the nom de guerre Wimal Ranasinghe was a science graduate of Colombo campus and was subsequently a science teacher for a brief period. Joining Mr. Sanmugathan's Ceylon Communist Party, he soon rose to the post of CC member and Editor of the then widely circulating party organ Kamkaruwa. He was also District Secretary of the Party's Colombo branch. In 1969, Yapa led a group out of the CCP and formed the Peradiga Sulanga (East Wind) organisation. After a few years of clandestine activism Yapa and his colleagues were incarcerated under the Emergency, as a security threat. Released with the lapse of the Emergency, in early '77 he re-entered left politics. He has published 2 volumes on 'A Socialist Analysis of the Agrarian Question.'

The Joint Secretary of the Samastha Lanka Govi Sammelanaya (all-Lanka Peasants Congress), Mr. Yapa recently returned from a visit to China.'

1.5 million at the time from whom about half a million lost their lives, before complete subjugation by British. The primitive policies adopted by the British had a development of their own and there was neglect and discrimination against the Kandyan provinces which were also subjected to loot and arson during the war. These colonial policies had interrupted the natural development of the country, brought economic devastation and had been the major cause for the backwardness and undevelopment of Sri Lanka we experience today.

Vellassa was virtually in complete ruins. Tens of thousands of people died of hunger and cold under the British rule, their means of subsistence smashed up, their shelters burnt down, their hundred thousand fields devastated. Some migrated to Matara and Galle to settle there. Numerous villages of Vellassa faced the tragic fate of the "Village in the Jungle" of Leonard Woolf. It was reported that there were generations who had never seen a seed of paddy living in Vellassa at places like Buttala, Wellawaya, Siyamabaladuwa etc during the colonial times.

The colonial rulers fearing and despising the patriotic and militant spirit of the people of Vellassa administered it under Martial Law from 1818 till 1844. During the long period of British rule, the population of Vellassa dwindled to a few thousands living in isolated groups, some turning to the primitive state of hunters. As in the rest of the Kandyan provinces, in Vellassa also people were deprived of their lands which were owned by them for centuries, through various arbitrary laws. Those lands were given to foreign capitalists for their plantations.

It was only since a few decades before political independence that the people of Vellassa were again able to raise their heads, gain a little of what they had lost under foreign domination. The population also has increased to about 300,000. But, even today there are no hundred thousand fields and Vellassa has merely become Moneragala District.

Today the hundred percent agrarian population of this district live on garden and chena cultivation. Though a large proportion of the people can read and write, they have only a few intellectuals and professionals amongst them.

But now it seems that they are not in a position to escape from the process of deprivation which usually accompany the so-called "development" achieved in the Third World countries. Now, in the name of modern progress and development, transnational super-capital is entering the arena. The major policy orientation of the present government has brought in the international profiteers to squeeze out everything possible from our peasantry.

On March 1981 a conference was held at Colombo, on the theme "opportunities for foreign investors in Sri Lanka", which was addressed by Gamini Dissanayaka, the Minister for Lands, Land Development and Mahaweli Development on behalf of the government. There he stated that 100 years after the British investment in Tea, Rubber and to a lesser extent in Coconut plantations now the government is again inviting foreign investors to invest in the

agricultural sector. And on May 4th, 1981 "Sun" reported that government had decided to establish agricultural investment zones and districts of Mannar, Vavuniya and Moneragala were opened for foreign investors in agriculture.

In January 1981 the Sri Lanka government discussed with several Transnational Corporations about the possibility of setting up sugar-cane plantations and giant sugar mills in Moneragala area. The government was to provide the foreign investors tens of thousands of hectares for their own plantations together with thousands of peasant households to set up small sugar cane farms under their administration. The land in spite of the prevailing form of tenure will be grabbed from the peasants in the name of development. By 1982 everything was settled between the government and the multinational sugar companies with regard to the encroachment on peasant lands in Vellassa, the present Moneragala district. A British-Hongkong concern managed by Booker Agriculture International, U. K. possessing sugar cane plantations in Kenya, Nigeria and Papua-New Guinea, an Indian-African Multinational called. International Group and a Dutch Company called H. V. A. International were to enter the area behind the bulldozer. Those who came to know of this deal, who understood the dire consequences of this to the rights of people, democracy and sovereignty of Sri Lanka, lodged protests but with no avail. Groups of patriotic intellectuals, leftist and progressive parties and organisations protested and finally peasant organisations assisted by the workers' movement signed a petition in a protest movement initiated and led by the All Lanka Peasant Congress; which was handed over to the President in September 1982.

These protests were to have an effect, on the people of Vellassa. They were distressed with the news, "Goviya" the organ of the All Lanka Peasant Congress in its January 1983 issue published the leading article with the title "Vellassa to Foreigners" giving the plan of the affected area in Moneragala with details of the schemes of the companies; the peasants

of the area for the first time obtained a detailed understanding of the transactions from this paper.

Several delegations met the Members for Bibile and Moneragala only to listen to complete denials of any such moves against the people. Perhaps these government politicians were kept in the dark regarding the transactions. We would cite one incident. In 1982 months before the Presidential elections the Government Agent for Moneragala had ordered the Grama Sevakas of the affected areas to conduct a survey of certain villages, to collect data on the people their property, their lands, crops and resources in order to make an assessment of their worth. This had kindled the curiosity of the villagers who complained on this matter to the M. S. A. of Moneragala. He then seemingly not aware of the survey branded this survey as an "acts of sabotage levelled against him and this government, threatened to interdict the Grama Sevakas and ordered the G. A. to stop the survey immediately. We do not know whether this was a part of a "drama" but it is a fact that he and his colleague at Bibile, always denied the fact that the people were to be deprived of their lands.

But undisturbed by these protests and events the Multinationals formed so called "joint companies" with the government and advertised themselves as "people with experience for centuries" revealing the attractive concessions and tax reliefs extended to them. They were to entice Sri Lankans to become share-holders but it proved to be a futile move. According to what the officials of Meta International told the peasants of the affected area the agreement had pledged to remove all the people on the lands to be leased to the companies. Meta International put on the "guise" of Moneragala Sugar Company. Booker's Agriculture International set up the Pelwatte Sugar Company and the Dutch International will form Nakkala Sugar Company as joint ventures with government participation, well-clad for the local scene.

(To be continued)

Peaceful solution — foremost hope

Excerpts from the report on Sri Lanka presented by Mr. Howard Schaffer, Deputy Asst. Secretary of the State Dept. (South Asia) to the US Congress have appeared in the local press. Not surprisingly such extracts do not do full justice to what is clearly a carefully prepared document. We publish the report in full. — Ed

Members Chairmen and Members of the Sub-Committees; I appreciate the opportunity to testify before the Sub-Committees on the situation and outlook in Sri Lanka, and to answer your questions on the communal problem there.

The administration shares your concern about the problem of tension and conflict among the ethnic and linguistic Communities in Sri Lanka. Our foremost hope is that a peaceful solution will be found which will alleviate the tensions among the various Communities permitting Sri Lanka to concentrate all its energies and building a prosperous unified nation. We value highly our friendly and cordial relations with Sri Lanka, and respect that country as one whose people share many common ideals with Americans, not the least of which is a tradition of democratic government.

The basic problem is a common one around the globe. It details suspicion and mistrust among communities of different languages and religious backgrounds.

Given their substantial majority, the Sinhalese as a group have a dominant position in domestic politics. Many Sinhalese, however, project a sense of insecurity or defensiveness in dealing with the Tamil community owing to the presence, in nearby southern India, of a much larger population of Tamils numbering over 40 million. Inevitably there are strong emotional ties between Tamil communities in the two nations. This adds an international dimension to what might otherwise be a purely internal problem.

At this point, a bit of historical perspective might be helpful. Sri Lanka was colonized for centuries before Independence in 1948, first by Portugal, then Holland, and finally by Britain. In the British colonial period between 1815 and 1948, Sinhalese and Tamils shared the same status as colonial subjects. Both groups had to know English to move ahead in government service. Nationalists from both groups worked side by side in the course of independence.

After independence, the situation changed. The Sinhalese who dominated the new, democratically elected Government acted in 1956 to make Sinhala the sole official language of government, with Tamil recognised as a national language. There was dissatisfaction among many Sinhalese towards what they say as disproportionate representation of Tamils in some professions, such as Medicine, Law, Banking and Finance, and Engineering. The new status of Sinhala as the one official language of government was disadvantageous to Tamils who received their education in either Tamil or English. There was a system of quotas which had the effect of limiting Tamil admissions to institutions of higher education. While these changes did not reduce significantly Tamil representation in the professions, they did have a negative effect on the recruitment of Tamils into the government and the armed forces.

Throughout the nineteen-fifties and sixties, growing Tamil dissatisfaction over the issues of language and employment were expressed politically through demands for recognition of Tamil as an official language and for increased opportunities in schooling and employment. In the nineteen-seventies some Tamils, angry that these demands had not been met, began to campaign for increased autonomy for Tamil areas; some called for the establishment of an independent Tamil state to incorporate the northern part of the island and sections of the east. Groups of angry young men, frus-

trated by unemployment or what they felt were insufficient educational opportunities, and enthused by Tamil nationalism, engaged in armed violence against the government, their targets including Tamils as well as Sinhalese.

This onset of separatist violence heightened Sinhalese apprehensions about possible collusion between Tamils in Sri Lanka and India, endangering the island home of Sinhalese Buddhist culture. Polarization was enhanced as many Sinhalese cast their ballots for candidates who promised to preserve Sinhalese rights and to resist the threat of the Tamil separatists. This meant that, even more than before, politics came to be influenced by the communal issue.

There have been various proposals over the last few decades to accommodate some of the demands of Tamils. These mostly involved devolution of government authority to provide Tamils with more control over the administration of the regions where they are in the majority. Sri Lanka, however, is a unitary, not a federal, state. The authority of government is in Colombo. For the Sinhalese, devolution of authority is a sensitive issue. Most Sinhalese appear to believe it would lead to progressive Tamil demands for even greater devolution, a de facto Federal system which divides the nation's ethnic communities, and finally to the outright secession of the Tamil regions.

In March, 1981, the Jayewardene government established a system of District Development Councils, or DDC's, formed of both elected and assigned officials in each district. The DDC's were to be invested with authority over expenditures of some government revenues and the control of limited government activities at the local level. The plan was never implemented fully because of lack of funds and because of Sinhalese community pressure on the government. The incomplete realization of the DDC concept angered and

disillusioned many Tamils, exacerbating the gulf between the two groups.

Still, separatism as a cause does not appear to have won the support of a majority of Tamils. The Indian Tamils, who mostly still work in Sri Lanka's plantations in the center of the country, and who are culturally separate from the Ceylon Tamils because of caste and other differences, see separatism as a cause that would leave them as an even smaller minority in a Sinhalese-dominated nation. And of the Ceylon Tamils, fewer than half live in the northern and eastern regions of the country which Tamil separatists want to form into an independent state. We do not know how many of the Tamils who live in the majority Tamil area in the north would want a separate state there. Those outside this area are important to the economic fabric of other parts of the Island, and most would not be able to continue in their professions in the north even should they wish to move there. With a division of the country they, like the Indian Tamils, would be left outside the separate state as an even smaller minority than they are now.

In the past few years, armed attacks by the more radical Tamil separatists have increased considerably. They have targetted government offices, banks, officials, police, and soldiers. The Sinhalese majority insists that the elected government stop the terrorists. The government has enacted Emergency regulations, which provide special powers to the police and military to combat the separatists. Some of these regulations are embodied in the Prevention of Terrorism Act (PTA), passed by Sri Lanka's democratically elected parliament in 1979.

The government of Sri Lanka states that the PTA and other emergency measures are essentially the same as those measures authorized for use in emergencies by Britain and other democracies, but critics charge that the legislation in effect curtails some of the civil rights guaranteed by Sri Lanka's constitution. Normal judicial procedures are suspended in some instances, for example, so that those suspected of terrorism and some other crimes can be held in prison without being

formally charged or sentenced in court. Article 15-A of the PTA originally permitted the police and military, without a judicial inquiry, to dispose of the bodies of persons who died in police or military operations or custody. This law was changed on June 14, so that now judicial inquiries are required in such cases.

Since independence there have been numerous incidents of violence between Sinhalese and Tamils. These have included episodes of widespread attacks on innocent Tamils by ordinary Sinhalese civilians, as well as attacks on government officials and security forces by Tamil extremists. It would be difficult, and perhaps pointless, to determine which side in this sequence of outbreaks was the initial instigator.

In the first half of 1983 there was an escalating series of attacks by Tamil separatists in which police and military personnel were killed. These attacks inflamed Sinhalese opinion, and increased considerably the tensions between Sinhalese and Tamils.

On July 23, 1983, an army patrol was ambushed by separatist and thirteen Sinhalese soldiers were killed, the largest number ever slain in a single attack. That incident was followed immediately by a week of violence in which, according to all estimates, about four hundred persons, mostly Tamils, were killed by Sinhalese mobs. Thousands of homes and businesses were burned or looted, and tens of thousands of Tamils fled the southern areas of the country and went to the north. About thirty thousand Tamils went to India, to the Tamil-speaking state of Tamil Nadu. Damage to the economy also was considerable, with the destruction of thousands of shops and factories, — the interruption of production and processing, unemployment for those whose places of employment were destroyed, and the temporary cessation of exports of some types. There also has been some loss of investor confidence, as both Sri Lankan and foreign investors have held back their capital, uncertain when further violence might affect business in Sri Lanka.

In that week of violence there were many reports, some well

substantiated, of uniformed government military personnel and police standing aside and allowing illegal violence to continue unchecked. In some cases, military personnel actively participated in the violence against Tamil civilians. Supporters of the government also are believed to have taken part. Some military personnel have been summarily dismissed from the armed services for their actions. For the most part, however, the government of Sri Lanka has cited lack of evidence and reliable witnesses as the reason why those responsible have not been charged or tried for their crimes. There also were reports, though far fewer in number, of similar crimes against innocent Tamils by police officers.

In May of 1983 the government of Sri Lanka, fearing violence in an election period, declared a State of Emergency. Since then, and because of the continuing communal tension, the State of Emergency has been renewed monthly, each time with the approval of parliament. The State of Emergency includes provisions for the use of emergency regulations which give the police and military additional powers of arrest and detention. Critics of the emergency regulations argue that these override constitutional rights. The government contends that the courts retain adequate authority to review actions by the police and military, and that the emergency situation demands these measures.

These regulations should be viewed against the background of Sri Lanka's strong democratic traditions and the customary respect in the island for the human rights of all citizens. Tamils, Muslims and other minorities have enjoyed full participation in politics; there is an active and outspoken press establishment; and rules of law are observed by an independent judiciary. Perhaps most importantly, the people know their rights and challenge infringements of them. In this situation, the emergency regulations engendered dismay not only on the part of foreign observers but also from a number of Sri Lanka's vocal and vigilant non-government organizations, opposition political groups, and some private citizens.

In the aftermath of last summer's violence, the government of Sri Lanka adopted two approaches to dealing with the communal conflict. The first was to call a meeting of all political parties and concerned social and religious groups to discuss the conflicting demands and grievances of Sri Lanka's ethnic communities. This meeting, the All Party Conference (APT), first met in January of this year and continues to meet intermittently. Getting all concerned parties to agree to meet was difficult. The government of India provided its good offices, and significantly assisted in the efforts to bring the Tamil leadership and the other participants in the APC together for discussions. Prime Minister Gandhi was involved personally in these efforts.

Some important interest groups have chosen not to attend, or have attended irregularly. Until now, the APC has reached agreement on only one issue: Indian Tamils in Sri Lanka who are not citizens should be offered citizenship. The government now is preparing legislation on this for submission to Parliament. The APC so far has not reached an accord on the more fundamental and urgent issues underlying communal discord in Sri Lanka.

The second approach the government has undertaken deals with suppression of terrorism. The government maintains that terrorism conducted by the separatists is the major impediment to a resolution of communal differences through peaceful discussions, since the terrorists both increase animosities and suppress voices calling for moderation between the communities. Earlier this year, a new Ministry for National Security was established to step up and make more effective, through better co-ordination and control, military and police operations against armed separatists.

In March and April there was an upsurge in clashes between the separatists and government forces in the northern, Tamil-majority region of the country. The clashes resulted in the deaths of armed separatists and security force personnel, as well as innocent civilian bystanders. There were reports of killings of Tamils by military

forces in incidents which were said to be retaliatory attacks following the killing of military personnel by the separatists. We do not have accurate information on these incidents, and know of no American observers of any of the incidents reported. Accounts of Sri Lankans vary considerably. Amnesty International issued a report on some of these incidents which concludes that government security forces intentionally killed unarmed, innocent Tamil civilians. We are not in a position to judge the accuracy of these allegations, beyond noting that the evidence as presented appears somewhat one-sided. Whatever the facts may be, I would note only that since the new Ministry of National Security began to co-ordinate and control the military and police actions in the north, there has been a marked decrease in claims of innocent Tamil deaths. At the same time, there is evidence of a trend toward higher morale, discipline, and professionalism in the Sri Lankan security forces.

An incident in May which brought the situation in Sri Lanka to the attention of Americans was the kidnapping by Tamil terrorists of an American couple who worked and resided in Jaffna. The kidnapers identified themselves as leftist revolutionaries dedicated to creating an independent, marxist state for Tamils in Sri Lanka, and accused the two Americans of being CIA agents. The husband of the couple was, in fact, working on an A. I. D.-funded water works project which had been sought by Tamil political representatives of that area. The headquarters of the kidnapers organization was in India. Because of the efforts of the Sri Lankan government and its police and military forces, and with the assistance of the Indian government, the two were released unharmed after being held for five days.

The current situation, as we see it, is as follows:

Military and police forces in the Tamil-dominated areas of the country, principally the extreme north around Jaffna, are engaged in operations against armed separatists. Efforts to combat the terrorists in Tamil areas are hampered by local attitudes.

Some of the Tamil populace are sympathizers of the armed separatists and will not report their movements and activities to the authorities.

Others do not contact the authorities because of fear of reprisals by the separatists. A large majority of military personnel are ethnic Sinhalese, and their presence is resented and often feared by the Tamil populace. In the army of thirteen thousand men and officers, only about three hundred, just over 2%, are Tamils. The proportion of Tamils in the police forces is higher, about 5% overall and about 10% of officers, but communal tensions also hamper their efforts. Meanwhile, the All Party Conference continues to meet in Colombo to search for an accommodation between the two communities. On July 23 President Jayewardene put before the conference his proposal for a Second House of parliament, with the intention of creating another forum for participation in government by regional representatives, in answer to demands by Tamil leaders for a greater role in the making of government decisions that affect Tamils. We do not know whether the participants in the APC, after considering this new proposal, will choose to adopt it.

The impediments to a settlement are many. The most important is an atmosphere of suspicion and confrontation between the communities represented at the APC. President Jayewardene leads a democratic government in which differences of opinion within his own party, as well as the variety of views represented by other participants in the APC, limit the extent to which he can impose his own views on the settlement process.

Our policies regarding Sri Lanka have been consistent. Sri Lanka is a democracy. It is a country with great promise. It has a well-educated and industrious populace and adequate resources, and most of its development problems seems to be manageable. In recent years it has adopted laudable policies which encourage private enterprise and investment and the operation of a free market economy. Unemployment has been reduced, as has government intervention in and control of the economy. In this unusually favorable

(Continued on page 18)

From Marxism to chauvinism — the great betrayal

Kumari Jayawardena

This article will be concerned with one of the most crucial developments of the 1960s — namely the spread of chauvinist ideology among the working people, led and encouraged by the two main Marxist parties of Sri Lanka. There are several reasons for considering this phenomenon in some detail. It can be argued that one of the most important contributions to the political life of Sri Lanka by the Left parties was their insistence — over a period of 25 years — on the equality of all citizens in the country's multi ethnic society. In the face of unpopularity, the Left, up to the mid sixties, took an uncompromising stand in support of minority rights.

The Left parties also attempted to develop a rational, secular consciousness, over riding such traditional features as religion, caste and ethnicity. They emphasised the backwardness of such features of society as caste and while taking no overt stand against religion, they attempted to minimise its influence. They demonstrated their beliefs by stressing, in their political and trade union organisations, the importance of class unity; working within a class divided into several ethnic and religious groups, they yet sought to emphasise class unity over all other considerations.

This strong insistence on class as opposed to ethnic consciousness was certainly a factor in keeping the larger part of the organised working class away from pogroms against the minorities. However, once the Left had legitimised appeals to ethnic consciousness and began speaking as members of an ethnic group, there was no important force to check the spread of Sinhala chauvinism among the working people

The reversal of policies of the main Left parties (CP and LSSP) in the early sixties, meant that for the first time, the working class had no **major political party to provide an alternative non-chauvinist leadership.**

In the 1920's, when sections of the bourgeoisie and petty bourgeoisie were making propaganda against plantation workers, the trade union movement led by A. E. Goonesinha took a non-racist stand, even to the extent of supporting franchise rights for Indian plantation workers. When Goonesinha switched to chauvinism in the 1930s, his own slogan — that the working-class knew no barriers of caste, colour, race or creed — was taken up by the Left, and the LSSP firmly supported the rights of the Malayalis, plantation workers and other minorities who were under attack; up to the early 1960s, both the LSSP and CP took up non-chauvinist positions on all issues and made this a central concern of their politics. But by the mid-sixties, the tide had turned and racism not only gripped important sections of the masses, but it also led to their participation in the ethnic riots of subsequent years, culminating in the 1983 pogrom in which even "trade union" participation is strongly suspected.

This reversal of Left policies on the ethnic issue was to have long-term consequences. Whereas joining in coalition governments could be defended as part of short-term strategies which could, on later analysis, even be identified as a 'mistake', the resort to chauvinism by the Left was a theoretical betrayal of socialist principles.

The spread of chauvinism among the masses made the ethnic issue a useful weapon to prevent the

class issue flaring up. The lines that are drawn today are based on ethnicity and not class, and the polarisation on ethnic lines between Sinhalese and Tamils and the continuance of a 'race war' in the North is a determining factor in keeping down and diverting the class tensions that are simmering in the South. The Sinhalese workers of Sri Lanka, rather than being aroused to unite irrespective of ethnicity to bring about social change are being urged to unite with other Sinhalese, irrespective of class, to bring about a complete Sinhala Buddhist hegemony in the country.

The abandonment of the struggle for a secular class consciousness by the Left parties, opened the way for the infusion of racist ideology into the masses of the country and to a situation where ethnic consciousness seems today to be the dominant constituent of their ideology. It is not perhaps an exaggeration to say that the 'crisis of civilisation' and indeed of leadership that we face is, to a large extent, a result of this situation.

The Hartal of 1953

The political and economic upheavals of the 1950s were very crucial factors in the change from a principled non-racist position to an opportunist support of communal policies. The Sinhala Buddhist sentiments that emerged in the 1950s were both **chauvinist** (directed against Tamils and Christians) and **egalitarian** (directed at the political elite and privileged groups). The assertion of such feelings was not unconnected to the prevailing critical economic situation of 1950s. The issue of class consciousness as against ethnic consciousness were clearly posed in the two alternative 'mass' events of the 1950s — the hartal of 1953 and the ethnic riots of 1958,

both events being manifestations of a crisis ridden decade.

After the collapse of the Korean boom of the early 1950s, for three decades, Sri Lanka experienced serious economic problems linked with worsening terms of trade and rising unemployment. Already the effects of the crisis were felt by 1952 when there was a collapse of rubber prices and a serious fall in foreign exchange earnings. This coincided with a shortage of rice and a dramatic rise in its price in 1953. During the late 1950s, the price and volume of imported goods rose, whereas the price of exports declined; domestic production was also severely affected by droughts and floods especially in 1956-7 and the situation was further aggravated by mounting unemployment.

The **hartal** or general stoppage of work which occurred in 1953 was one of the most important mass actions of the working people in Sri Lanka. In the post-World War years there had been a great increase in militant action by the working-class, including the massive general strikes of 1945, 1946 and 1947, led by the Left parties. Workers of all ethnic groups joined these struggles and the death of a Tamil clerk, Kandasamy, in police firing in 1947 against the strikers, was annually commemorated by the trade unions in later years.

Although the 1947 strike was smashed by the government, the militancy of the workers was only temporarily subdued, and erupted again in 1953, when the government drastically cut the rice subsidy which led to a very sharp increase in the price of rice. On 26th July, 1953 a mass protest rally was held on Galle Face green which the police tear-gassed. The 24 hour **hartal** on August 12th met with an immediate and unexpected response. Not only did the urban working people of **all ethnic groups** join in the protest by leaving their work places, but in many parts of the country there was an impressive and militant response from the rural masses (especially in the South), who stopped all transport, barricaded roads, paralysed the railways and resisted the forces of 'law and order'; resulting in 11 deaths and widespread arrests. As the Young Socialist wrote:

Although the hartal was limited to a 24 hour period, its effects

were far-reaching on the consciousness of the people and the political temper of the country...it led to the eventual resignation...of the Prime Minister...In the political life of the people it produced a qualitative change and built up in them the confidence that their united strength could determine...the fate of governments...The repercussions of the Hartal were evident three years later at the polls when the UNP was unceremoniously dethroned. (Young Socialist No.2, 1961).

This was the view from the Left — namely that the MEP victory of 1956 was linked to the upsurge of mass action. In 1961 the LSSP analysis of the lessons of the hartal was that: Capitalism cannot assure the well-

The Schaffer . . .

(Continued from page 16)

setting, the one great problem is the continuing communal conflict which could threaten both Sri Lanka's economic development and its democratic system.

One of the private organisations which has published its views on the communal problem in Sri Lanka is the International Commission of Jurists. In March of this year it issued a study called "Sri Lanka: A mounting tragedy of errors." I would like to quote for you a small portion of the summary in that publication, because it coincides with our own view of the situation. The summary says: "Despite its problems and difficulties, Sri Lanka by and large still remains a free and open plural democracy, enjoying a centuries-old tradition of tolerance, substantial freedom of expression, vigilant non-governmental organizations, and a widespread desire to maintain respect for human rights and fundamental freedoms, the rule of law, and the independence of the judiciary." The summary then goes on to say that these benefits are threatened by "misperceptions, misunderstandings, exaggerated suspicions, short-sightedness, and over-reaction on all sides." This is the foremost concern: That Sri Lanka could endanger its solidly democratic foundation because of this feud among ethnic communities.

We support the unity and integrity of Sri Lanka and therefore

being of the masses; only a bold socialist policy will secure the economic cooperation of the masses and lift the country out of its economic stagnation. History can yet repeat itself and the fund of mass patience is not inexhaustible (ibid).

This optimistic analysis failed to foresee the impending change of line of the Left and the emergence of ethnic rather than class consciousness in the 1960s. 1958 the country was plunged into ethnic violence,—in which sections of the masses also participated, and history was indeed to repeat itself, not in class actions but in ethnic carnage in 1977, 1981 and 1983.

(To be continued)

oppose separatism as a solution to Sri Lanka's communal problem. We hold that the government of Sri Lanka has a legitimate right, indeed an obligation, to combat terrorism, whatever the cause for which it is committed.

We are concerned about the violent events of last summer, and the resurgence of violence in the Jaffna area earlier this year. Violence by any party to the communal dispute cannot be condoned, and we hope that the Government of Sri Lanka will be able to protect all of its citizens from violence.

While terrorism must be combated by the Government of Sri Lanka the solution of the communal problem to be effective must, in our view, be a political one. There must be effective efforts to reconcile communal differences, and to assure that the fundamental human rights of all Sri Lankans are protected. When President Jayewardene was in the United States on a state visit, June 16 to 23, we voiced our recognition of the problems he faces combatting terrorism. We also repeated to him our hopes that he continue to seek a peaceful, political solution to the communal problem. We believe that President Jayewardene, his government, and the people of Sri Lanka as a result have better understanding of U. S. views concerning the communal issue. I would hope that this hearing will provide us another opportunity to make our position known.

POSSIBLE SOLUTIONS

Dayan Jayatilleka

Now from the political I would like to move to the military aspect of the current crisis. We have a situation of low morale in the armed forces. Also lower discipline. The Golden Temple episode is a very instructive counter-point, where you had a Sikh general among the three generals who commanded the forces, and also Sikh soldiers. In other words the logic of the capitalist state transcended ethnic loyalty, despite sporadic mutinies. Professionalism and discipline are very necessary for successful implementation of a strategy. You have to have an instrument to implement your strategy. When the instrument itself is in not very good shape, then of course you have a real problem. Of course we all wonder if there is a sudden escalation of Tamil guerilla activity in the North and East in the coming months, whether the armed forces would go berserk. It would not be possible to stop that. There has been, as far as I know, **no severe and exemplary disciplinary action to ensure restraint and discipline on the part of the Forces.**

Then you have the different attitudes on the lower, middle and upper most sections of the forces. There is a well trained and educated cadre of young officers who were in the field in 1971, and have received foreign training since then. There are Majors, Lt. Colonels and Colonels who are quite professional. You have lower ranks recruited on the MP's chits — either UNP or SLFP MPs — for the last ten years. These latter sections are absolutely incapable of understanding that if one joins the army there is at least the possibility of being shot at. Then you have the upper echelons, perceived by the lower and middle ranks, as being closely tied to the regime. But I must say that there have so far

not been any identifiable factions within the armed forces. It has not come to that. But it is not a very happy situation for those who are concerned with the security of the capitalist state.

There has been an escalation of the war—from the Oberoi to Amparai. The war has come South. This has hit the tourist industry. The attack on the Central camp police station at Amparai means there has been an extension of hostilities, geographically. It is widely known that Amparai is regarded by most Sinhalese as Sinhalese territory. It is of course largely due Mr. D. S. Senanayake's colonisation policy in 1948. According to the 'SUN', the attackers had disappeared via Padiyatallawa to the central highlands. I don't know how far this is true, but if its true then it is some think significant. That means that the reach of the Tamil guerillas has now lengthened. What the regime was presenting as **essentially a peninsular phenomenon** has definitely extended outwards. I think the crux of the military crisis is that it also is in a situation of stalemate. A stalemate in guerilla war is quite different from a stalemate in politics or in a game. As Dr. Kissinger has pointed out — he is not the only one who has pointed this out, but he has done so most recently in the bi-partisan Kissinger Report on Central America — **that in a guerilla war, a stalemate means in fact victory for the guerillas.** If the regime does not win, then in fact they are losing. On the other hand if the guerillas have not lost, they are winning. Time is on the side of the guerillas. This is the nature of a war of attrition, a protracted war. A war of the incremental accretion of strength. A war of wearing down the enemy, of depleting the enemies economic resources and

so on. So we have the situation in which, simply because the Tamil guerillas **have not lost**, they are winning. That is the nature of guerilla war. They have the inherent advantages that guerillas usually have, a degree of support, or understanding, sympathy, from the people of the area. This is an advantage that the government armed forces lack. In this case **the Armed Forces do not have a social support base in the area of operations.** This is one advantage that the guerillas have, and the other is that of surprise. Now here we are waiting anxiously for the anniversary of the 'unfortunate events' of last July. You cannot guard every inch of rail track, you cannot guard every police station, you cannot guard every government installation and do it round-the-clock, too. So the guerilla chooses his target and his time. The military crisis has deepened and I don't think that the regime has managed to turn it around, qualitatively.

Next we have the foreign policy crisis. As regards foreign policy I don't aim to go into all aspects but will only remark that our foreign policy has caused the diplomatic isolation of Sri Lanka. The fact that India chose to take up the case of the ex-SAS trainers and Mossad with Britain, and that Geoffrey Howe and Maggie Thatcher chose to reply, — they could have asked what business is it of India's — is significant. India chose to make a issue of a third country problem. It is not as if India asked the US what planes they were selling Pakistan, India's traditional foe. This is a question she had asked concerning Sri Lanka which is not a traditional foe. And Britain had chosen to reply. This morning papers say that Howard Schaffer of the US State Department had told a visiting Tamil Nadu delegation

that the US had expressed concern about the human rights situation in Sri Lanka and that a Congressional Sub-Committee will take it up next month. Due to massive strategic mistakes on the part of the regime, foreign policy mistakes—like the Israeli affaire—we have a situation in which Sri Lanka is being **diplomatically contained**. According to opposition sources we are in trouble with at least 3 Arab states—the Iraq Ambassador is supposed to have gone away, the Saudi Ambassador has not come. Our relations with Arab countries cannot certainly be improving!

Let us not forget that “international mavericks” like Libya, and and South Yemen cannot do much damage against big countries like Britain, but against a state like Sri Lanka, a couple of million dollars worth of Kalashnikovs or whatever can do a deal of damage. It isn't intelligent for Sri Lanka to antagonize a country like Libya, which is not normally constrained by the conventional modes of conduct of the inter-state system. So much for foreign policy. In a couple of years if not months, our rulers might echo Cardinal Wolsey and say ‘If we had served the non-aligned foreign policy with half the zeal with which we served Asean and Israel, the international Community would not have left us naked to our enemies’.

Concerning the social crisis, I should observe first that there is an **ethnic axis of fissure**—the Tamil ethnic formation, the Sinhala ethnic formation and now increasingly the Muslim ethnic formation are drifting apart. And of course in the vertical dimension there is much social dissent, from the Chief Justice to the plantation workers.

What I want to dwell on is **the intertwined and inter-active nature** of all these crises. The economic, political—in its domestic and international aspects—the military and the social crisis. Let me give three examples.

The political crisis means instability, flight of capital and therefore the enhancement of the economic crisis. The economic crisis means greater burdens on the masses and that means greater social discontent, and the worsening social crisis

also causes a worsening of the political crisis.

Let us also see the relationship between the military crisis and foreign policy. Let me be very cold-blooded. One possible short term way out—and this is being said by many in private conversations—is, ‘another 1971’. After all, if about 5,000 Sinhalese young men, women and Buddhist monks could be killed, why can't the UNP do the same to the Tamils? Why don't the Forces just go in, seal off the peninsula and zap them? The fact that the Tamil issue has been **internationalised** on the one hand because of the Tamil diaspora and the **ethnic and human rights** nature of the conflict, (it is not an overtly ideological conflict), and on the other hand has also been **internalised** in India's internal politics, means that the regime cannot adopt scorched earth tactics. It cannot adopt ‘strategic hamlets’, napalm bombing and other sort of quasi—genocidal methods that many regimes adopt. The SLFP did adopt such methods to a degree in 1971. Someone can of course try. But then the repercussions in Tamil Nadu will be such that Delhi will be forced to take extreme action.

So here we have the inter-active nature of foreign policy and the military crisis.

Then you have the inter-action of the military crisis and the economic crisis. The military build up and the maintenance of the military presence in the North and East regime is a great drain on our economic resources. Then the government has to ask the people to tighten their belts. This would mean again social **discont**. **So the whole situation is one several crises feeding on one another.**

So what are possible responses to this crisis? One of the responses is that of the opposition—the populist response that all this is the fault of the ‘open economy’, that everything would be all right if we go back to the golden era of 1970s when we were on the road to socialism. One thing that is clear from the Presidential elections of 1982 is that the masses in their wisdom don't consider that era as one of great progress

comfort. They were fairly keen to avoid a reversion to the state—capitalist closed economy of unequal hardships and privation.

More seriously, the Sri Lankan economy during the last few years has been so tightly integrated into the world capitalist system and a reversion to import substitution will cause tremendous turmoil. People are so hooked on to consumerism that if you try to put the clock back I am sure there will be riots. So a populist state capitalist option is really a non—option.

So we have a much more serious possibility which I think we should consider more closely: **A recomposition of the power-bloc and a reorganisation of the state apparatus.** To be more specific I am referring to what social scientists in Latin America call the **State of National Security**. The Chilean social scientist says Ruy Mauro Marini calls **the counter-insurgency state**. I am not going into this question, but what it means is the placing of the state apparatus on a permanent state of war and the militarization of society. The decision making being done by a National Security Council and the dictates of National Security as perceived by the regime taking precedence over almost all the other considerations.

This could really happen. Given the crisis in our situation we could really have a ‘**creeping coup**’ or ‘**internal coup**’. It is not the classic coup scenario, rather it is a scenario in which the increasing accommodation of the military into our national political decision making processes. I was horrified a couple of weeks ago by posters similar to the “Uncle Sam wants you” type—urging the people not to aggravate the student agitation as the armed forces were busy containing terrorism in the north. That appeal coming from a civilian politician is understandable. But when you have a direct appeal either by the armed forces **or by somebody on their behalf** that is a significant and ominous sign. One does not whether the present crisis will lead to this type of creeping coup. This might come about in order to implement a specific project

with regard to the ethnic conflict. But will that solve anything?

In other words could we have an authoritarian regime, but one which is rational? One which will effect some kind of devolution and after that go and kill off whoever is opposing it. Since the Sinhala people are opposed to it they cannot have elections. So a dictatorial regime could cut itself off from any kind of electoral constraints but engage in some kind of 'engineering' or crisis — management as the Malaysians do and put into place some kind of compromise between the Sinhala and Tamil bourgeois. Will a re-composition of the power bloc succeed in defusing the ethnic crisis? If so there was to be a strong reformist component to their package. Then I can imagine a condominium of the United States and India which would support the individual or sectors who put that into operation. But I have serious problems in thinking that would work. In the first place this is a **reshuffling** of the power bloc or a re-composition. The same people and the same institutions who are actors in the present crisis and who are not coming up with a solution, are going to be the people in this recomposed power bloc. I don't know whether they are able or willing to come up with a solution some way down the road when they are frustrating any solution at the moment. To be more specific, whether or not they will have a strong reformist package in this bureaucratic — authoritarian solution depends on a cluster of variables. It depends on the strength of the clergy — who are opposed to a political solution of this crisis — and to what extent they are involved in this state apparatus. Whether such bureaucratic authoritarian solution would be a secular one I greatly doubt. I think the clergy is too locked in to the state apparatus and the bourgeoisie for that to happen. It also depends on the strength of the right wing chauvinism in the military and will they agree to any serious devolution of power? It will depend on the strength of the secessionist movement. It has been possible for the guerilla movements of the world

to frustrate this kind of palliative, this kind of milk and water reforms. Camp David does not work. The Sandinista movement was able at critical times to outflank any reformist movements in the course of the revolutionary upsurge.

So can you get the military to support these moves? Which factions of the regime will support such a measure? There is a whole cluster of variables. **This includes the very real racism within the ruling class itself.** To give an example reading Mr. N. U. Jayawardene who writes in the Sunday Island ad infinitum, it strikes me that even top capitalists in this country are not just capitalists but also racial and religious chauvinists. So given the racism of the ruling class and their religious chauvinism I don't think they will be able to go through with anything except very cosmetic reforms such as enhanced DDC's or whatever. So it does not seem possible that a re-composition of the power bloc will be able to come up with a solution **unless it is an externally propelled re-composition of the power bloc.**

In other words if there is no local actor, no endogenous force capable of refashioning the power bloc in such a manner as to resolve this ethnic conflict, and if the ethnic conflict escalates to such a pitch that it is intolerable to our great and friendly neighbour then it is possible that our great and friendly neighbour might take a somewhat more active hand in the proceedings. In such an event one could envisage this **externally propelled or induced re-composition of the power bloc.** To put it much plainer fashion some kind of national consensus achieved by cracking a couple of heads together. A Round-table Conference kind of constellation of forces and Annexure "C" implemented. Implementation needs a degree of coercion and if the local state apparatus is incapable of providing that coercion, **perhaps the element of coercion brought to bear will be external.** So that is one scenario that I would want us to bear in mind very clearly.

Really the only way I can think of resolving this crisis is through a process of democratisation. Devo-

lution in the North and democratisation in the South. Call it electoral decompression. 'Decompression' because what we have now is a pressure cooker. The system needs a leader — a number of leaders — with the courage and flexibility a General De Gaulle to effect such a decompression. It is a calculated risk. Any leader will have to make this subtle calculus of risks. Do you allow electoral discontent? Do you allow your 5/6th majority in parliament to be eroded? Then do you take your chances cobbling together some kind of coalition in Parliament? Take those chances and let the ethnic tensions drain out and other socio economic issues will surface. (Keep the lid on and you risk tremendous explosion.

Let us in conclusion remember that we have here a Sri Lankan crisis against the backdrop of a deepening global crisis. So we have in Sri Lanka, economic crisis on the one hand 'internal war' on the other. If you cast your eye back on all the revolutions from the Russian revolution onwards you will see that there is either one or both of these variables.

We have other salient factors as well — internal fissures of the regime, inability of the regime to rule in the old way — the recourse to open domination, the increasing inability of the exploited masses to live in the old way due to the deepening economic crisis and the disruption of the normal way of life (bombs going off here and there). The classic ingredients for mass upheaval. If the system is not capable of coming up with a solution or re-composing the kind of power bloc to implement a solution. Then one of two things are possible — either an externally propelled solution or a challenge to the system itself. Even an externally propelled solution is not likely to be long lasting — Lebanon is a case in point. As for a challenge to the system, this is not an immediate possibility but if the ethnic conflict aggravates and more and more are killed and neither Govt or the opposition comes up with a solution, so there may be people who would realize that friendship between the nations can be achieved only by some macro-level systemic change.

Second Chamber for Cyprus ?

VIENNA, August 6 (DPA) — United Nations Secretary-General Javier Perez De Cuebar made a fresh attempt here today to get representatives of the Turkish and Greece ethnic communities on Cyprus to open bilateral negotiations.

A bi-cameral system with a Lower Chamber that represents both communities (Greek Cypriot) on the basis of population ratio and an Upper Chamber is one of the proposals included in "Framework for a Comprehensive Settlement of the Cyprus Problem" submitted by the President of Cyprus Republic to UN Secretary-General Perez de Cuellar. In mid-May, Cyprus called for an urgent meeting of the UN Security Council to press for a resolution which would provide for specific mechanisms for the implementation of UN resolutions on Cyprus. These are some of the main points of the "comprehensive settlement" presented by President Kypriannou.

(a) The Republic will be completely de-militarised. In the first instance, all Turkish occupation troops must be withdrawn together with colonizers imported from Turkey. Later, all troops provided for under the Treaty of Alliance (Greek and Turkish contingents) should be withdrawn. The Cyprus National Guard and the Turkish Cypriot Security force should be disbanded. De-militarisation is intended to contribute to internal stability and to alleviate

Turkey's "paradoxical" fears that Cyprus may be used against her militarily.

(b) An international force under UN auspices to be drawn from countries uninvolved in the crisis will provide external defence and internal security.

(c) The independence, territorial integrity, unity and NON-ALIGNMENT of Cyprus will be guaranteed by an international agreement.

(d) Cyprus will be a Federal State.

In determining the territorial and constitutional issues that will follow, the **composition of the population** (i. e. Cypriot majority 82%, Turkish minority 18% should always be borne in mind.

(e) It may be possible to concede 25% of the territory to Cypriot Turkish administration, provided that previously thickly populated Greek Cypriot areas, now under Turkish control after the invasion, (e. g. Famagusta, the main port) were returned to direct Cypriot administration under the Federal system.

(f) Under the federal system, the regions and provinces, will have considerable autonomy.

(g) The executive Presidential system will continue. The V. P. will be a Turkish Cypriot.

(h) In the Council of Ministers, the President will appoint a number that will be based broadly on a 70-30 ratio.

(i) Human Rights and Fundamental Freedoms (including freedoms of movement, settlement and right of property) will be safeguarded at both federal and provincial levels.

(j) Economic and social policy of Cyprus should ensure progress of the whole island, with equal opportunity guaranteed.

President Kypriannou prefers a Unicameral system with mechanisms for speedy settlement of problems. However, a bicameral system can be agreed on, once the power and functions of the Second Chamber are determined. The Second Chamber should not impede the legislative process.

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GETTING AWAY WITH MURDER

P. O' Cuilleagain

On Tuesday, 10 July 1984, the European Commission on Human-Rights legally approved the killing of a child by the British army in Ireland, and in doing so, gave tacit permission to all European governments to use a 'wide-margin' of discretion concerning the use of crowd-control weapons, even if the result of that discretion is death.

The case involved the killing of 13-year-old Brian Stewart, who was hit in the face by a plastic bullet, fired by soldiers of the King's Own Scottish Borderers, shortly after 6 p.m. on 4 October 1976. The boy had just left his home in Turf Lodge, a nationalist housing estate in West Belfast and was standing nearby with some friends when the attack took place. He died six days later of massive head injuries. Several eyewitnesses said that there was no rioting in the area at the time, while the British army made a number of contradictory press statements attempting to justify the shooting.

The European Commission accepted the argument that Britain 'had no case to answer', and in doing so seriously damaged its own credibility. The judgement was an act of cowardice. This article is an attempt to illustrate that act.

Plastic bullets were issued in the north of Ireland in August 1972, to replace the lethally-proven rubber bullets, and were first used in action on 7 February 1973. The attraction of plastic bullets for the British army and the Royal Ulster Constabulary (RUC) was their range and accuracy. Since their introduction however they have killed eleven people, including six children. Many more have suffered horrific injuries, such as blindness in one or both eyes, and brain damage.

The plastic bullet is made of PVC, weighs 4½ ounces, is almost

This is an article dealing with a recent decision by the European Commission on Human-Rights, which incidentally received little or no coverage in the media outside Ireland, and may have serious consequences for human-rights, not only in Europe but internationally, because the decision has created a 'grey area' where governments can literally get away with murder.

4 inches long and 1½ inches in diameter. It is flat at both ends, with a muzzle velocity of over 160 miles per hour, and is designed to be fired directly at the target, 'at a range of no less than 20 meters' according to the manual.

Between 1973-1980, 13,004 plastic bullets were fired. However in 1981, during the hunger-strike protest, 29,665 were fired — in May alone over 16,500 were used — and two deaths during this period illustrate the army's indiscriminate abuse of this weapon. One is the case of Julie Livingstone, aged 14. She was passing a bin-lid protest of 40-50 people. Witnesses agreed that although the road was partially blocked by the women in the sit-down protest, there was no rioting. In fact at least seven jeep-loads of RUC had been nearby watching the protest for almost 20 minutes when suddenly two army Saracens raced up the road and, as the women fled, Julie Livingstone was hit on the side of the head by a plastic bullet fired from less than 3 meters. She died the following day.

The second case involves the death of Carol Ann Kelly, aged 12. She was returning home from a shop with a carton of milk and had just reached the house of her next-door neighbour when she was hit in the head by a plastic bullet

fired from a passing jeep at a range of less than 4 meters. She died three days later. Concerning these and other deaths, Jonathan Rosenhead a member of the British Society for Social Responsibility in Science (BSSRS) wrote:

They are the most tragic victims in a grotesque cavalcade of injuries only a fraction of which are ever reported in the media. Eviscerated eyes, smashed hands, triple fractures of the leg, head wounds receiving 40 stitches, injuries to the kidney, liver, groin and throat.

Among the many children injured was 12-year-old Paul Corr. He was near his home in West Belfast when he was shot by soldiers of the Royal Marine Commandos from a passing landrover. He was returning from a local sweet-shop, and there was no rioting in the area at the time. The plastic bullet tore off part of his nose, shattered and ripped out his palate, and forced his teeth down into his mouth.

Essentially plastic bullets are meant to be used in situations where the authorities want to use force, but where the use of live ammunition would be politically counter-productive because it would provoke a stream of criticism from outsiders. According to neuropsychologist Dr. Tim Shallice:

The authorities seem to be relying on the media image of the plastic bullet as a device which appears harmless other than in very exceptional circumstances. After all, deaths when they occur from plastic bullets tend to take place not under the noses of TV cameras, but a few days later in hospital, when interest

has waned. If six unarmed civilians were shot dead on the spot by rifles, the outcry would be immense.

The media image that Dr. Shallice is referring to, is one of unprotected troops and police firing plastic bullets at youths throwing stones or petrol bombs. In reality it is a very different situation. Troops and police, inside heavily armoured Saracens jeeps, shooting people who are not rioting from such close range that it could not be other than intentional.

The image of crowd-control weaponry is crucial, especially when TV crews are likely to be on the scene. It doesn't matter to the authorities how dangerous a weapon actually is, but how dangerous people think it is. For the authorities the ideal situation is when the target population fully realises the danger of the weapon and is therefore intimidated by it, but everyone else imagines it is relatively harmless. According to American scientists involved with such weapons:

It is preferred that onlookers not get the impression that the police are using excessive force or that the weapon has an especially injurious effect on the target individuals. Here again, the flow of blood and similar dramatic effects are to be avoided.

In other words, as the co-authors of *The Technology of Political Control* noted: 'the principle is not really one of minimum political reaction.'

The British army and the RUC have repeatedly avoided public criticism of their indiscriminate use of plastic bullets by issuing lying press statements about incidents which have resulted in serious injuries or deaths. Regarding the officially issued lies about the death of Brian Stewart, *The Irish Times* wrote:

The first army statement said that two patrols had been attacked by stone-throwing youths, at first a few, then a crowd of about 400, and had fired 'a number of baton rounds' to extricate themselves. 'Unfortunately, one of the baton rounds hit a 13-year-old boy' said the spokesman.

Yesterday the unfortunate boy became a leading stone-thrower, according to the officer commanding the regiment involved. Not an impressive change of story. In the meantime, local people said that the boy had been standing at the corner with a few friends when the soldiers began firing. They admitted that people gathered angrily after that.

In the case of Carol Anne Kelly local residents claimed unanimously that there was no rioting when she was shot, yet the RUC press office said that soldiers had been attacked by youths and had replied with baton rounds to disperse them. The RUC even took media manipulation a stage further when the Chief constable issued a statement the night before her funeral defending the use of plastic bullets. Next morning *The Times* led with "Plastic bullets save lives, Ulster police chief says", while the funeral of Carol Ann Kelly was not reported at all.

The British government didn't really bother to justify the use of plastic bullets in the case before the European Commission. They simply claimed that the death of Brian Stewart was 'accidental', and therefore outside the terms of reference of the Commission. This is a lie. They may pretend that it was not their intention to kill the boy, but the act itself was deliberate and without provocation. In non-riot situations plastic bullets are used as a weapon of political repression, and sectarian terror, against one community only. This is illustrated by the facts that they have never been used in loyalist areas and that although 11 people have been killed

and many more seriously injured, no British soldier or policeman has ever been charged with abuse of the weapon. This represents a breakdown of law and order of the gravest kind, and permits members of the 'security forces' to kill and maim innocent people, in order to promote the political objectives of the British Government.

The British also claimed during the hearings, that if plastic bullets were prohibited, then live ammunition would have to be used, which would result in more deaths. This type of statement is dishonest and distracting because the fact remains that, in the north of Ireland, both plastic bullets and live ammunition are used. It is not a case of replacing one with the other.

The European Commission's decision was reported on BBC's domestic and world service as some kind of 'seal of approval' for the use of plastic bullets as a 'reasonable' means of crowd control. No attempt was made to explain the background to the case. It was simply and coldly described by the newsreader as "a challenge to the army's authority" which had failed.

Letter

(Continued from page 2)

8th instalment at a point in the essay which did look forward to the post-1956 situation. Hence the cover introduced the article as "Pre-1956 in a Century of Communal Conflict" and the cartoon as a "Post-election cartoon", not an entirely satisfactory compromise, we readily admit. The last pages of the 8th article became the first part of the 9th, and continuity has been maintained.

The author of course is best qualified to comment on whether the cartoon is a fair illustration of her own thesis.

Would Mr. Samarajeewa please submit to us the article he mentions in his letter?

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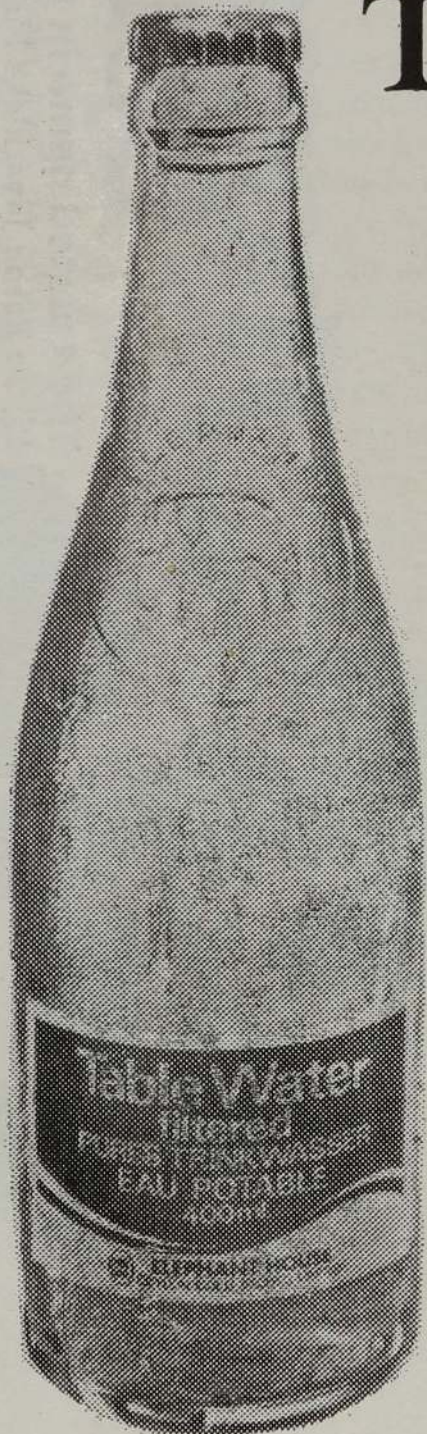
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