

How the L.G. monitored the crisis '83-'87

● The human rights dimension in ethnic conflict

— *Nihal Jayawickrema*

LANKA

GUARDIAN

Vol. 10 No. 10 September 15, 1987 Price Rs. 5.00 Registered at the GPO, Sri Lanka QJ/89/N/87



**Can Rajiv tame
the Tamil tiger ?**

— *Mervyn de Silva*

**From mediation
to intervention**

— *Hector Abhayawardana*



EXCLUSIVE

India—Sri Lanka: the new economic foundations

— *an interview with Ronnie de Mel*

TIGERS: Problems of adjusting to peace — *Anita Pratap*

The changing mood in Jaffna — *H. N. Fernando*

Donoughmore Democracy and the Lankan elite

— *Godfrey Gunatilleke*

Privatisation: Does ownership matter — *A. S. Jayawardana*

Also: **Vanunu: hero or traitor ?**

IOPZ, P.T.A., media and Israel, pro and con



*How To Ensure
That Your Stylish
Clothes Stay Sewn*

Insist they are sewn with
Astra Spun Polyester Thread
- Strong and colourfast



astra

spun polyester thread

- a product of
The Tootal Group



**TOOTAL THREAD
COLOMBO
(PRIVATE) LTD.,**

P. O. Box 1122

33, Staples Street, Colombo 2.

Telephone : 21380/549575

SCL

NO DE-MILITARISATION

The Peace Accord and steady de-escalation of violence in the north will not automatically or necessarily mean de-militarisation, although a cut in defence expenditure will allow Mr. Romão de Mel to announce an all round pay-hike to State employees. After the Cabinet meeting of Sept. 9, the government announced that there will be no demobilisation of the armed services or police. The decision to return to civilian life will be a voluntary, personal choice.

President J R has decided that those service personnel who were relieved of service in the north and east after the arrival of the Indian peace keeping force, and the ceasefire by the Sri Lankan army and the Tamil guerrillas, will be deployed in other parts of the island.

Furthermore, the transfer from the north and east will not mean an automatic loss of monthly income. A special monthly allowance of Rs. 300 will be paid in future to all servicemen serving in any part of the island. As a matter of policy, the government has decided that conscripts do not call for general de-mobilisation.

SOUTHERN FRONT

"Terrorism deters progress in the south" said the Daily News headline, reporting a speech of Dr. Hanthi Atapattu the Minister of Health. While that particular subject extends well beyond his ministerial purview, Dr. Atapattu is more than qualified to speak authoritatively on this topic. The son of a well-known Southern family, which has played an active role in provincial and parliamentary politics, the comparatively young, personable Dr. Atapattu is one of the UPF's great hopes for a political career wider than regional.

Yet, he did dwell on the subject of 'terrorists' after spending a day inspecting the damage caused by demonstrators in the three days of rioting that followed the signing of the Peace Accord.

There is even stronger evidence that the political climate in the deep South is making the UPF unusually nervous.

The Counter-Subversion Division (CSD) will be assisted by over a 1,000 "handpicked policemen from the various divisions" (D.N. 10/9). The Senior DIO, Mr. Ernest Perera (Ranger) has told OIC's of all Police stations that these 1,000 men must be "relieved of all normal Police duties to ensure that they can concentrate on anti-subversive work".

HABEAS CORPUS

The JGP's cautionary warning to his officers (See News) exposes the dilemma of even the most conscientious policeman — and how many are there, really? — when he acts far away from the vigilant, selfcritical eye of his superiors in Colombo. A most unusual Habeas Corpus application filed before the Court of Appeal speaks volumes. Justice Fissa Dias Bandunayake and Justice K. Vithanajoh ordered the Tangalla Police (SUN Sept 9) to have an expectant mother examined by a gynaecologist and have the medical report submitted to Court. According to their lawyer, Mr. Sarath Wijesinghe, the expectant woman and another were taken into custody in order to "force their husbands, whom the Police were looking for, to surrender". The Court ordered the Police to appear before it on Sept. 22.

CLOSE DOWN ISRAELI INTERESTS SECTION

I give below an excerpt of the Memorandum addressed to His Excellency, Mr. J. R. Jayewardene, President of the Democratic Socialist Republic of Sri Lanka by Mr. M. H. M. Asbrafi, Leader of Sri Lanka Muslim Congress regarding the presence of Israeli Interests Section in Sri Lanka.

"I write to you in connection with a matter of paramount importance concerning the Muslims of Sri Lanka. This is the presence of the Israeli Interests Section here.

When this Section was opened in mid-1984, Your Excellency's Government stated quite categorically that the Israelis were being brought here to make use of their intelligence services in combat terrorism. The assurance was also given that once the terrorism was dealt with the Israeli agents would be sent back.

(Continued on page 10)

LANKA

GUARDIAN

Vol. 10 No. 10 September 15, 1987

Price Rs. 5.00

Published fortnightly by
Lanka Guardian Publishing Co. Ltd.

No. 246, Union Place,
COLOMBO - 2.

Editor: Marym de Silva
Telephone: 547584

CONTENTS

News Background	2
Coping with Peace	11
Death of the Spirit	13
Interview	14
Jiffa Revisited	15
School Play	15
A Resolution of the Ethnic Conflict through Human Rights	17
Foreign News	21
Dialectics of the Indo-Lanka Accord	23
Political Culture — II	25
Some Conceptual Issues in the Debate on Privatization	27

Printed by Ananda Press,
82/5, Welfordal Street, Colombo 13.
Telephone: 35975

AVAILABLE — A NEW PUBLICATION

FACETS OF ETHNICITY IN SRI LANKA

*edited for the Social Scientists Association
by Charles Abeysekera and Newton Gunasinghe*

Articles by

SERENA TENNEKON

Symbolic Refractions of the Ethnic Crisis:
The *Divaina* Debates on Sinhala Identity.

NEWTON GUNASINGHE

Ethnic Conflict in Sri Lanka:
Perceptions and Solutions.

RADHIKA COOMARASWAMY

Myths Without Conscience:
Tamil & Sinhalese Nationalist Writings of the 1980s.

V. NITHIYANANDAN

Economic Factors Behind the Origin &
Development of Tamil Nationalism.

SUNIL BASTIAN

Plantation Labour in a Changing Context.

KARTHIGESU SIVATHAMBY

The Sri Lankan Ethnic Crisis &
Muslim Tamil Relationships.

KUMARI JAYAWARDENA

The National Question & the Left Movement.

GAMINI SAMARANAYAKE

The Changing Attitude Towards the
Tamil Problem.

AT ALL LEADING BOOKSHOPS
and the

Social Scientists Association

129/6, Nawala Road
Colombo 5

Price Rs. 200/-

ACCORD

IS THE 'SPIRIT' WILLING?

NEWS
BACKGROUND

Mervyn de Silva

“Letter and Spirit”. So said President Jayewardene. Ditto Mr. Gandhi. But it makes more than two to make peace or Peace Accord. Strictly speaking neither ‘letter’ nor ‘spirit’ has been respected, if you take the agreed time-table, starting from the 72 hour cease-fire and surrender-of-arms exercise. But that’s a patently unfair test, after a bitter war, with enormous human and material costs, has formally ended. The actual extent of the damage, both in terms of lives, limbs and property, public and private, long concealed, wittingly and unwittingly, from the Sri Lankan public, is now known from the most reliable of sources, the National Task Force report based on official figures (See Box ‘The 5 Year Toll’). War weariness and an end to physical insecurity are powerful impulses.

In an uncharacteristic lapse into a clumsily mixed metaphor, the former Indian Foreign Secretary, Mr. Venkateswaran, now a prominent Tamilnadu figure, called the Peace Accord a “miracle with too many loopholes”. It is a miracle that things have returned so quickly to normal in the Jaffna peninsula. There is almost no parallel in the recent history of a liberation struggle or a civil war where conditions have been restored to near-normal so rapidly. Take economic activity and trade — always a sound test for Man, the economic animal. And the Tamil is just that, a cynic may interrupt, at the risk of an ethnic stereotype or slur. They are fishing and farming out there in the north, and the fish, and the onions are already in Colombo’s markets. What is more, the Sinhala trader—by definition, also

homo economicus — is organising transport to and from Jaffna, for there is money to be made.

In the first instance, then, a tribute to the essential common-sense of the Jaffna citizen, his basic human need for peace and personal security, and the equally strong impulse to re-start life, picking up the threads of family and vocation, and getting on with the job.

Jaffna used to be called a ‘money order economy’ — savings from Colombo, and in the old days pensions from Malaya, kept the homo-fires of the lower middle class, propertyless, burning.

ECONOMIC FACTOR

War reduced the north to a subsistence economy. In the only serious study Paul Seighart (re-published from the *Economic and Political Weekly*, India, by this journal) examined the ruinous impact of the insurgency and the army’s operations on northern economic life. The economic structure was badly shattered, the life-supporting economic system rudimentary. There was yet another cause for disruption, for all classes — the compulsory and arbitrary taxation system introduced by the Liberation ‘Tigers’ once they had established military dominance over the province, and political suzerainty. For every transaction, a tax had to be paid, and it was levied instantly at the point of a gun. No more the luxury of tax returns submitted two or three years after the income was earned. The reach of the Tax Dept. was a long one but it was helpfully slow-moving.

The Jaffna citizen paid it to the ‘tigers’ to keep their war machine going. It was part of their defence budget. Not everything came from donations overseas or from Tamilnadu subsidies. On-the-spot taxation was a necessary means of funding the fighting. And the fighting was not the task of the ‘Tigers’ alone. It was the fight of the Tamil people; the ‘Tigers’ were their army, their protectors. The people had a moral obligation to contribute to the “Defence Fund” (in the South, the Sinhalese did it, too) and the Tigers had a right to claim these contributions, one way or another. And it was LTTE law, the only law that prevailed — and in some ways, fairer, though harsh and sometimes indiscriminate, than the ‘taxes’ levied by other less disciplined groups which resorted to what the LTTE called ‘anti-social’ and ‘criminal’ activities. (Hence, these first, brutal rounds of internecine feuding).

PROTECTOR ROLE

What had happened now? A new protector has arrived, a new keeper of the peace, the Indian troops.

Strong differences of opinion and a clear divergence of interests have replaced the old order, the regimen which grew naturally out of a ‘war’ between the army of the Sri Lankan state (the ‘Sinhala’ state in the eyes of the defenceless population) and the militants, meaning the LTTE, the vanguard of the resistance.

To begin with, the LTTE is a recalcitrant participant in the peace Accord. It regards the

terms of the Accord as too generous to the Sri Lankan government, at the expense of the Tamil resistance and the larger Eelam cause. What is more, the LTTE leadership, Mr. Prabhakaran included, perceive the 'Accord' ironically, as an agreement extracted from it at the

point of a gun — Indian power, though the actual instrument used was political pressure, directly and via Tamilnadu.

Mr. Prabhakaran's comments in interviews given since his visit to Delhi in mid-July when he was virtually a hostage of the

Indian government at the Ashok Hotel, reveal his own changing, increasingly clearer perception of what has happened. Finally he had his moment of illumination. In his interview with Anita Pratap, the Indian journalist who had the privilege of the first ever interview on Indian soil, an embittered but far more aware LTTE leader laments that the Tamil cause is "the victim of India's geo-political interests." (See INTERVIEWS) Whether he is aware of the irony of the situation, one cannot be sure. Yet, his current perception is no different from that of Sinhala nationalists — within both government and the opposition!

Perhaps, more significantly, he has been eased out of his vital protector role. That has been taken by the Indian Peace-keeping force or usurped in LTTE eyes. And peace, considering the immediate past, has in fact been restored much sooner than in most other situations of this sort — certainly a tribute, this time, to Major Harjiral Singh and his men.

The LTTE has now turned its propagandist guns on the IPKF. The LTTE pointed a bitterly accusatory finger at the IPKF the moment, its old rivals, mainly PLOT, in the north, began a Tiger 'hunt' in a once long peaceful Vavuniya district. The Indians are 'partisan', the initial charge was soon followed by a more sinister conspiracy theory — the Indians are sending armed men, 'criminal' types, across the Palk Straits to wipe out the LTTE. Indian High Commissioner Dixit flatly rejected the allegation, and more or less, ordered the 'boys' to behave or to get to the back of the class and read, learn and inwardly digest the provisions of the 'Accord', the only mandate of the IPKF, which it will fulfil impartially and rigorously. LTTE — J. P. K. F. on a collision course?

The internecine fighting may be the natural outcome of past grievances. In a matter of a few days, LTTE militia men wiped

FIVE YEAR TOLL

For the period 1.1.83 — 10.8.87

1. Total number of affected families	88,000
2. Number of families whose movable property was damaged	60,241
3. The number seeking economic rehabilitation	40,034
4. Total value of loss	7,382,373,245
The figure is made up as follows:	
i. Residential Property	
a. Immovable	1,878,695,388
b. Movable	2,001,521,335
ii. Commercial Property	
a. Immovable	1,447,325,624
b. Movable	1,568,006,621
iii. Livestock	135,295,407
iv. Vehicles	139,591,940
v. Fishing	211,935,930
5. Number of registered deaths	2,548
6. Number of missing persons	1,759
7. Number of disabled persons	2,873
8. Number of injured persons	11,750
9. Number of houses completely damaged	24,737
10. Number of houses partly damaged	27,876
11. Number of commercial property completely damaged	8,085
12. Number of commercial property partly damaged	2,908
13. Number Temples and Churches damaged	398
14. Estimated cost of reconstruction of Temples and Churches	97,991,354
15. Number of vehicles destroyed or damaged	1,301
16. Number of Motor cycles & scooters dest.	1,361
17. Losses sustained by 57 departments and Corporations	1,372,794,234
18. Losses incurred by 34 Co-operatives	96,153,462

out some 150 TELO fighters including its leader in 1986. It has dealt equally bloody, body blows to the IPRLF and PLOT. Once it starts, this kind of insensate fratricidal violence escalates quickly.

More significantly, this is a post-war phenomenon quite familiar to students of like situations in Asia, Africa and Latin America. Paradoxically, it is a battle for power sharing between groups, some of whom like the LTTE and EROS deny any interest in power at all, at least in the formal sense of the politically administrative.

TRANSITIONAL PROBLEMS

It has also much to do with the LTTE's own uncertainties and confusion over its future participatory role. It says it will take seats in the Interim Advisory Council. If it is guaranteed a majority. The demand for a clear majority is justified on the grounds that it had exercised sole, effective power in the north for 5 years or more.

The LTTE has not done its homework partly because it was caught by surprise - by the sheer speed of the Accord, the speed with which President JR acted, taking the country, the Sinhala constituency and majority of UNP'ers by surprise. The transition from war to 'peace' and its own role in the transitional stage are questions that have eluded the LTTE.

The fight for power-sharing is complicated by the territorial factor. The LTTE retains its hegemonic authority in the North, that power is challenged or contested by others in the East, and these groups much smaller individually are being forced by that single fact to work in concert. Such a tendency is strengthened by the fact that these other groups were fundamentally less militaristic or had anticipated post-war politics.

As the basic situation moves from the military to the political,

the LTTE is confronted by issues emerging from fast-moving developments to which it never gave its mind. So, there is an undeclared war between the groups for power-and-turf sharing in north and east, especially east.

In the east, the complex social ethnic composition makes the situation even more bewildering - Tamils, Muslims and Sinhalese, where the STF is 'low profile' in other words a power vacuum or at least a new equation, not yet perfectly stable.

The instability is also rooted in the absence of an effective civil administration and a law and order agency. As a result, the

IPKF has to meet day-to-day challenges and undertake responsibilities that it never bargained for, and Mr. Gandhi never wanted the Indian troops to face and accept. Hence, general Ranasingha's dash to Delhi.

In the end, at least in the north, the people's will may be decisive. If the human desire for peace ultimately prevails, the people may prefer the new protector to the old one, despite their respect admiration and gratitude. Or ideally, the popular will, if it finds some means of collective self-expression, will 'impose' its own terms on both the IPKF and the LTTE, and a *modus vivendi* will result.

IOPZ

Colombo Conference - postponed again!

The UN Conference on the Indian Ocean Peace Zone which has been postponed repeatedly due to manoeuvres of the U.S. and its allies but which was finally scheduled to start in Colombo in 1990, has been postponed again.

It is reported that the U.N. Ad Hoc Committee chaired by Sri Lanka has decided at its most recent meeting that the conference should be held "not later than 1990" i. e. two years afterwards.

However a preliminary preparatory meeting may be held in Colombo next year.

Meanwhile Washington is using the time gained by its stalling tactics to increase its military activities in the Indian Ocean.

Already the military potential of Diego Garcias and base is being augmented by new personnel and equipment earmarked for operations in the Persian Gulf.

U.S. naval presence in the Gulf has also been beefed up to dangerous proportions.

New attempts to incorporate Pakistan still closer into the U.S. military strategy in the region have been made, following the visit to Pakistan of U.S. Under Secretary of State for Political Affairs, Michael Armacost.

In addition to what it is already being done by way as a U.S. proxy in the undeclared war against Afghanistan, Washington is anxious to get Islamabad's involvement in keeping the Iran-Iraq armed conflict going.

(Forward)

ECONOMIC ACCORD

Indo-Lankan relations — a new chapter

Peace hath its victories no less than war, and its rewards, too. No Sri Lankan has more reason to pin his faith on this truism than Finance Minister Ronnie de Mel. "The international response to the Peace Accord has been extraordinarily encouraging, and the nomination of President Jayewardene and Mr. Gandhi for the Nobel Peace Prize by a prominent US Congressman is the most striking sign of this" said Mr. de Mel in an exclusive hour-long interview, soon after his return from Delhi.

Politically, the two superpowers and the major powers have greeted the Accord. Economically, the donor countries, the World Bank, ADB and other agencies together with NGOs, are keen on helping Sri Lanka's recovery. With the restoration of international confidence, the prospects for new investment and a rapid recovery of the island's battered tourist industry, are indeed promising, noted Mr. de Mel.

The 'special aid' meeting sponsored by the World Bank is scheduled for December. Will the situation on the ground — the implementation of the Accord — reinforce that confidence, and confirm the judgment that the Sri Lanka resolve to start afresh is indeed strong? By December 31, provincial elections should be held. Will the necessary Bills be passed by Parliament by Oct. As yet, there is no civilian administration in the North and East. Even the proposed Interim Administrative Council has not been put in place. The law-and-order situation is quite worrying. No policemen have been sent up north and police stations re-opened. The Indian peace keeping force has been dragged into ordinary police work. These matters are bound to be studied by the donors

Thus, Mr. de Mel has cause for anxiety.

Is the "Peace Accord" running breathlessly behind "Peace" in a race against Time and time-table?

Finance Minister Ronnie de Mel is the UNP's multi-purpose Minister. An able and seasoned civil servant, he is regarded as the government's top technocrat rather than a vote-catching, man-of-the-masses. As a bureaucrat who came late to politics, and even later to the UNP, he is considered a loner and a maverick, and in inner Sri Lanka circles as 'not really one of us'. (Those words were in fact hurled at him by a ministerial colleague very early in the ten-year UNP regime).

Mr. de Mel led the Sri Lankan delegation to the first Indo-Sri Lankan Joint Economic Commission meeting in Delhi. It was a 'first' for the UNP. Thereby hangs a tale. In ten years, the UNP government did not think it was worth its while to hold such a meeting though India had increased a Rs. 50 million (Rs. 120 S. L. rupees) loan offered to the government to 100 million Indian rupees in 1979. Aid, trade, economic cooperation were low priority matters to the new regime as it concentrated all its attention and effort on Western donors and trading partners, and on countries like Japan and South Korea.

"India has now decided to join the Aid Sri Lanka Aid consortium — the first Third World member — and this is a very important development when you look at our future economic plans in a regional context" said the Minister. Mr. de Mel, who has spelt out his 3 R's (Resettlement, Rehabilitation and Reconciliation) also emphasises three firsts — the first Economic Commission meeting, the first outright grant of 675 million S. L. rupees (Nicaragua

got less than half that sum) and the first wide-ranging economic cooperation agreement.

But Mr. de Mel talked more than economics. He was present at the 2nd Round of officials' talks on the implementation of the Accord — mainly devolution, and problem of sharing power between the Centre and the Province, and powers included in a "Concurrent List". The discussion is still snarled up in legalistic quibbling and give-and-take... more 'take' than 'give'.

In addition to the grant India has extended credit for another 675 million S. L. rupees — repayment in 15 years, with a 5 year grace period, at 5% interest. The loan will allow Sri Lanka to buy Indian capital goods — buses, locomotive, rail stock, commercial vehicles, electrical and telecommunication equipment.

Closer economic cooperation will cover an expansion of bilateral trade, with an Indian pledge to reduce a trade imbalance, now heavily tilted in India's favour. Last year, Indian imports to Sri Lanka amounted to 2.2 billion S. L. rupees, with a 1.8 billion rupees trade balance. The trade gap this year is likely to exceed 2 billion S. L. rupees, again in India's favour.

India has now promised to buy more cloves, a major import item, natural rubber, precious and semi-precious stones, and ilmoite.

Talks with the Indian Chambers of Commerce and Industry, have revealed many opportunities for joint ventures, with buy-back arrangements. The following areas were identified: rubber goods, ventures based on graphite and phosphate, glass and cement pharmaceuticals, scooters and bicycles.

OIL AND TRINCO

Oil exploration is the most important area where the possibilities for a joint state venture has been recognised as promising. The Indian Oil and Natural Gas

TIGERS ISSUE ULTIMATUM

Corporation and Hydro Carbons Ltd. will undertake a survey of the Gulf of Mannar in the Palk Straits. If the surveys are favourable — a joint venture production-sharing basis will be started. Sri Lanka will not need to make any capital investment, and all the risks will be carried by the Indian partners, he said.

India will also inspect the 99 oil storage tanks constructed by the British Admiralty during the war. One of the irritants in the recent Indo-Sri Lankan relations, foreign offers to reconstruct an 'oil tank farm' roused Indian suspicions because of its location, Trinco.

While several western firms and consortia submitted tenders, along with offers from USSR, India and Rumania, Delhi was specially suspicious of a Bermuda-based U.S. company, a regular contractor for the Pentagon. India, experts argue, has no great desire to have a foothold in Trinco but it certainly objects to foreign military powers enjoying special facilities or access to facilities, with military implications. In the 'annexures' signed by Mr. Gandhi and President Jayawardene the Trinco oil tank farm, the use of major ports by foreign navies, and the V. O. A., for anything but public broadcasting, are matters explicitly mentioned in 'the quid pro quo' part of the Peace Accord. (The Lanka Guardian has referred to this question on numerous occasions, beginning in 1979).

For the first time, India, the world's biggest tea producer, has agreed on "cooperation" with its principal competitor, Sri Lanka. There will be cooperation in the spheres of production, marketing and research. Tourism, with package tours, and cheap Indian tickets offered to Buddhist pilgrims, and special facilities for the *sangha* are part of the Indo-Lankan 'tourism package'. The restoration on Jan. 1 of the ferry service, and a direct Colombo-Delhi flight will bring the two countries closer.

While the LTTE launched twelve attacks on rival groups, mainly PLOT and EPRLF in Batticaloa on Sunday and Monday, Mr. Prabhakaran its leader issued a virtual ultimatum to the Indian government, prompting Major General Harkirat Singh, the Commander of the Indian peace-keeping force to leave for Delhi on a Indian Air-force plane. The LTTE threatened to start death-fasts near Indian army camps if it did not get a positive reply in 24 hours to its letter which laid down three conditions:

- (a) confiscation of all arms in the hands of rival groups.
- (b) the closing down of all Sri Lankan army camps and police stations in North and East.
- (c) the evacuation of all Sinhalese colonists from the two provinces who have been settled after 1982.

General Harkirat Singh's arrival in Delhi sent Prime Minister Gandhi, his Defence minister and the Indian High Command into a three hour huddle. Specially invited to the talks was Food Minister S. Ramachandran from Tamilnadu. Mr. Ramachandran has been the Tamilnadu spokesman on the Sri Lankan problem in the absence of Chief Minister M. G. R.

As PLOT and EPRLF cadres sought shelter, the 'Tigers' who have lost many men in inter-ethnic fighting in Vavuniya and other parts of the north, went on a killing spree. The Batticaloa Bishop called it a 'massacre'.

A massacre of unarmed people says Bishop

"It's one-sided. It's just been a massacre of unarmed people," Joseph Kingsley Swaminathan, Roman Catholic Bishop of Batticaloa, told Reuters referring to LTTE attacks in Batticaloa.

The dead included nine people returning from a bathing party, and another group of nine who included three women and several ordinary Tamil civilians.

Residents said squads of Tigers continued raiding villages on Monday and dragged away up to 40 members of the rival groups known as the Three Stars.

"This is butchery, absolute butchery," said Superintendent Nimal de Silva, the Batticaloa District Police Chief. "The Tigers are hell-bent on annihilating the other groups."

Free them — LSSP

The Lanka Sama Samaja Party which commended the decision of the government to release persons from the North and the East detained under the prevention of Terrorism Act has demanded the release of political prisoners from other areas also held in jails since 1984.

In a press release issued yesterday the LSSP states that although a number of political prisoners from the south have been indicted, trials against some of these people have not been taken up while another batch is held even without serving judgements on them.

THE ACCORD

Fragile Frame

Anita Pratap

There is a divine power that is keeping this accord alive," says the Indian High Commissioner in Colombo J. N. Dixit. He is not exaggerating. The accord would have been destroyed had Rajiv Gandhi not ducked in time on July 29 or hand grenades lobbed into the parliamentary hall on August 18 not bounced off President J. R. Jayewardene's table before exploding, killing one minister and injuring 16 others.

The blast revealed the chilling capacity of the anti-accord forces to infiltrate the nerve-centres of government. But miraculously the blast seems to have only strengthened the resolve of the President and his colleagues to push through the accord. M. D. Premaratne, deputy minister for sports, convalescing from back and leg injuries, said: "Of course I will support the accord. This is the last chance we have to solve this problem." Said the MP from Matara in the deep south, S. K. Piyadasa whose house was attacked on July 29: "We won't be frightened. We cannot allow future generations to suffer for our cowardice."

The Patriotic People's Movement, believed to be a front organisation of the Janatha Vimukti Peramuna (JVP), claimed responsibility for the blast. Even though the police have arrested four employees of the parliament complex and interrogated 700 persons, they still cannot fathom how the grenades were smuggled into the complex, breaching the concentric rings of security. Frank Silva, DIG(CID) who is in charge of the investigations commented that "one of the grenades was Chinese and the other Singaporean, the kind that is imported

into the country for military use". The JVP had conducted three raids in the last five months on military installations and escaped with arms including grenades. But as Neelan Tiruchelvam, ex-TULF MP pointed out "a few more nasty incidents like this and the UNP MPs will be gravely demoralised."

Admitting that it was an "inside job" Silva said "the threat is from within not from outside. This is a matter of real concern to us". There are many who believe that the accord has only shifted violence from the North to the South. In fact, contrary to foreign perceptions, riots in southern Lanka are to be "anti-Jayewardene and not anti-accord" to quote a prominent Buddhist priest, the Rt Rev Mudihe Pannasiba Mahu Nayaka Thera, 75, head of the Amarapura sect, because, as he says: "The public feel that the President has trampled upon Sinhalese interests and pushed the accord through without prior intimation."

Luckily the blast did not throw the mechanics of accord implementation out of gear though it did slow it down. The Sri Lankan Government which was expected to lift the Emergency by mid-August could not do so. The Government was also slow in releasing Tamil prisoners — only 1,300 of the 5,700 detainees have been released so far. But the Tamil militants have also been tardy with their arms surrender. It is learnt that while the LTTE has surrendered 85 per cent of their lethal weapons, they have handed over only about 45 per cent of their small arms. It seems the LTTE is hiding a cache of firepower, wrapped in polythene and buried under-

ground, as a kind of safety valve should something happen to the accord.

The accord has thrown up two new problems which have to be urgently tackled. Firstly there is evidence of colonisation in Trincomalee by the Sri Lankan Government since the accord was signed. There have been reports of Sinhalese families being resettled in Kantalai, Selaipairo, Nilapali, Nilavali, Debiwate, Sumithra, Allai and Alliolave in the district. Considering that the eastern province, which includes Trincomalee, is to vote for a merger with the Tamil dominated northern province, the Tamils will naturally view this as an underhand way of ensuring that the majority vote will be against the merger. This is because the Muslims and Sinhalese population together will far outnumber the Tamils in electoral terms. Secondly, the Indian Government has come to the conclusion that 37 of the 60 Sri Lankan Army camps in the east should be withdrawn to enable the refugees to return to their villages in safety and security.

The demilitarisation, the first phase of the accord, has gone off hotter than expected as have the moves for the setting up of the interim administrative council. Jayewardene had accepted all three Tamil names for the interim council suggested by Pirabakaran. The council is expected to come into being very soon.

Simultaneously talks were held by constitutional experts on residual matters of devolution in Colombo and Delhi.

It was not entirely smooth-sailing for according to an Indian official "Sri Lanka's understanding of the accord does not quite tally with ours." But at this juncture patience is the name of the game and Land Minister Gamini Dissanayake said: "Surely the Tamils must have faith in the President who has staked his life for the accord." The drafting of the legislation is expected to be over in September after which it will be put before the Supreme Court to judge its constitutionality. It is then put before the Parliament for vote.

Both Sri Lanka and Indian officials do not expect any cross voting as the UNP does not have a history of defections. Moreover, the President is comfortably placed — for a two-third majority he requires 113 votes. He has 141 MPs in the House of 168.

The only guarantee required is the physical safety of the President and his MPs. Despite many having received death threats, the UNP MPs are sitting ducks since none of them have been provided with even elementary security. Six weeks after the legislation is passed, the elections can take place for the setting up of the interim provincial council for the north and east.

There are, of course, a number of factors that could eventually dilute the accord, mainly the proposed referendum in the east for merger with the northern province to which the Muslim population in the east holds the key. The accord provides for the referendum to be held by December 31, 1988, though Jayewardene has been given the option to postpone it if he wishes.

But there are still many stages to go through before that, each fraught with dangers that can sabotage the accord. As Dixit says, the accord could do with all the divine help it can get.

— *India Today*

Israel keen on Dpl ties

Romesh Fernando

The intention of the Israeli government in establishing an Israeli Interest Section in this country in 1984 was to establish full diplomatic relations eventually. Israeli diplomatic sources told the Sunday Times.

Since the establishment of the Israeli Interest Section in Colombo, informal contacts between the countries had grown to such an extent that today they had enough staff to run a fully fledged embassy if the opportunity came. The reason why the Israeli Interest Section functioned under the wing of the American Embassy was because matters of protocol required them to operate in this

manner, sources said. Already Israel has diplomatic relations with a number of Asian countries including Nepal, Singapore, Burma and the Philippines.

At present Sri Lanka has trade ties with Israel while cultural, educational and technical cooperation was on the increase. Many Sri Lankan students had received agricultural and technical training in Israel while the number of Israeli tourists visiting this country had increased. However the lack of full diplomatic relations prevented the issuing of letters of credit by both countries which is a stumbling block towards bilateral trade and investment, the sources said.

Sinhala PTA prisoners hail accord

Sinhala prisoners currently facing charges under the PTA of conspiracy to overthrow the state have welcomed the Indo-Lanka accord.

In a statement issued through their lawyers, the members of the *Vikalpa Kandayana*, a southern Marxist group which had connections with the EPRLF, call it "a step towards redressing the genuine grievances of the Tamil people."

The statement is signed by Joe Seneviratne, a former Secretary of the Movement for Inter Racial Justice and Equality, I am Manikkalingam, son of former Sri Lankan diplomat, and 17 others.

Among those charged with *Vikalpa Kandayana* members in this case are R. Padmanabha, leader of the EPRLF and Pulsara Liyange, a former Lecturer at Kelaniya University, the first Sinhala woman to be arrested under the PTA.

In their statement, the prisoners say they have always stood for a political solution to the ethnic problem and say a just implementation of the accord will bring about understanding between all the communities of the country. They condemn "opportunistic and chauvinistic" forces who are opposed to it. They also call for the repeal of the PTA and the lifting of the state of emergency throughout the country.

(*Sunday Times*)

Letter. . .

(Continued from page 1)

Now that the historic accord signed by Your Excellency and the Honourable Rajiv Gandhi of India has brought an end to this irritant, would not it be opportune to dismantle the intelligence apparatus provided by the Israelis and close down the Interests Section here.

This action would undoubtedly go a long way towards reassuring the Muslims of Sri Lanka that Your Excellency's government has their interests in mind and is concerned with the religious susceptibilities of this very important minority at this crucial juncture of our Island nation's history."

Sri Lanka Muslim Congress
Administrative Secretary

MASS MEDIA IN THE DOCK

The mainstream media in Sri Lanka was severely censured by the eminent critic and journalist, Mr. Regio Siriwardene when he addressed a large gathering of local media men at a seminar to mark the International Solidarity Day for Journalists last week. The meeting, organised by the Independent Working Journalists Union, was held at the Soviet Cultural House.

Mr. Siriwardene said the leading newspapers in the country had failed to inform and educate readers on the dimensions of the national crisis, and in fact, had misled them on important developments and implications. He made special mention of the "Human Rights" issue.

Of the national dailies, he said that **Aththa**, the C. P. paper, stood out among Sinhala papers most of them guilty of a chauvinist hysteria. It was a conspicuous exception, he said. Among small periodicals, **Vivarana** and **Jana Manda** were also notable exceptions. Of the English press, only the **Lanka Guardian** and the **Saturday Review** he observed conducted themselves sensibly and responsibly.

- ★ Radio controlled
- ★ Computerised meters
- ★ Can be summoned to your doorstep
- ★ No call up charge within city limits
- ★ Vehicle access from selected stands
- ★ Receipts issued on request
- ★ Company credit available.

ACE RADIO CAB

Call 501502, 501503, 501504



Aset Ltd.

254, Galle Road, Colombo 4.

Coping with Peace

A return to normalcy but fears for the future

Anita Pratap in Jaffna

ARO Hara, Aro Hara. The devotees chanted as the deity of Lord Muruga was taken out of the 170-year-old Nallur Kandaswamy Temple and placed on the intricately carved chariot. The hilt to the lord reached a crescendo. It was as if four years of pent up feelings were bursting out in a cathartic sigh of spiritual and emotional exhilaration.

It was August 23, the occasion of the car festival, and the most important day in the 25-day-long festival in the Jaffna peninsula's holiest temple. Never before had such a crowd been witnessed. Almost half the peninsula's population of 700,000 people had shown up—more than double the turnout in the preceding war torn years.

It was after a long, long time that holy incense and not billowing black clouds of destruction was rising into the air. The people were exuberant, not cowering in terror. Every one was experiencing the delicious thrill of mobility and freedom, instead of tensely pricking a ear to detect the sound of aircraft and run for cover. The massive turnout and *joie de vivre* of the festival was the most touching tribute to the peace and security brought to war-ravaged Jaffna by the accord.

The leash of terror in the peninsula has, at last, snapped. In just two weeks, life is back to what it was before the July 1983 riots. There is no shortage of essential commodities. Refugees are returning home, bringing happy reconciliations. Many households are preparing to send their children to school and college when the term begins on August 31. And, as Jaffna businessman Sankaran Hariharan, whose annual turnover slumped from Sri Lanka Rs 60 lakh to Rs 50,000, said: "Business is picking up."

Yet the people suffer no delusions. "We feel free and easy now, but we feel it's a temporary truce," remarks Varadaraja, a former of Allaipatti village who had migrated with his family to Jaffna to run a small shop. He now plans to go back to his 1.5 acre tobacco farm. A government servant expressed a similar sentiment; "This is only the start. We have got only half freedom. We wonder how long it will last." Trapped in a vicious cycle of violence, people are finding it psychologically difficult to believe that peace will last.

With the initial euphoria waning, as is inevitable, two crucial problems have emerged in the post-accord phase. Firstly, as Jaffna Municipal Commissioner C. V. K. Sivagnanam said: "Till now, the LTTE (Liberation Tigers of Tamil Eelam) did the policing of our society. But now with their disarmament, there is a vacuum in discipline enforcement. Antisocial elements are beginning to exploit the situation and crime has gone up."

Second and most crucial, is the urgent need for reconstruction and rehabilitation. On June 6, two days after the Indian air drop, the Sri Lankan Army based in the Palali camp devastated Valalai village in a brutal retaliatory attack. The house of Alexander Raja, a small farmer, was attacked and set on fire. Raja's family, along with 15 other families, fled to seek refuge in a school in Chavakacheri. Two months later Raja returned to his village. But he is now penniless and homeless.

Anton Sudhakar, a fisherman of Gurunagar, was detained at the Boosa camp for ferrying TELO (Tamil Eelam Liberation Organisation) members. The accord

enabled his release and a joyous reunion with his family. However, two short weeks later, he faces grinding poverty. His electricity has been cut off for non-payment of bills and his few possessions have been sold already. His boat has been impounded and he sees no way of earning a livelihood.

Rehabilitation is an aspect of the peace accord that demands urgent attention. For if neglected, the goodwill of the public can turn irreversibly. Peace can assuage tense minds, but cannot fill empty stomachs. During the horror-filled days of the carpet-bombing, the sole preoccupation was finding safe shelter. Now, with the chance to pick up the threads of life once again, people lack the means to buy food, to rebuild their homes or start business.

Indian officials in Colombo, aware of the problem, talk in terms of Indo-Sri Lankan joint economic cooperation to set up some large projects to solve the problem of unemployment in the north and east of the island. While this is essential, the most pressing need at present is to provide the basics—food, shelter, clothing and the tools of trade.

Only the LTTE has so far risen to the task of rehabilitation though it is constrained by limited resources. A new party reconstruction and rehabilitation wing has now focused on these activities. LTTE cadres have begun construction work in ghost towns and villages like Velvettithurai, Point Pedro, Valalai, Vasivilan and Urapidily. Squads go about clearing debris, cutting timber and transporting other essential items in the northern province.

In fact, the LTTE cadres seem to have taken to civilian life

quite easily. As Kanagamma Arumugam, a teacher of Hindu College in Chavakacheri, said: "The Tamil Tigers will have no problems adjusting to civilian life. They are used to a life of hardship and, in any case, they have been running a parallel government here for sometime."

Though the group's militant members still carry their cyanide capsules and feel "orphaned without arms", their discipline and fierce loyalty to leader V. Pirabhakaran has ensured their obedience to embrace civilian life. The change from living in secret jungle hideouts to the free bustling town area has been a marked one for most LTTE men. Yet, as Puliendran, the Tamil Tigers area commander in Trincomalee who took part in at least 500 guerrilla operations, explained, he had all through spent time cultivating paddy along with his military duties — thereby driving home the point that normal civic functions were very much a part of guerrilla existence.

There is no doubt that the LTTE holds complete sway in Jaffna. Even in Trincomalee, the LTTE is the most popular group as the others have earned opprobrium for indulging in criminal activities and are also suspect as being fronts propped up by the Indian Government. But at the same time, there has developed an interesting shift in public perception when it comes to governance. The public recognises the sacrifices and the consistently disciplined behaviour of the LTTE. But they do not unreservedly accept it as their ruler. N. Manickam, an electrical superintendent of Urumpurai, owes his life to a local LTTE leader who advised him on how to construct bunkers outside his house to survive the bombing. Yet, Manickam now says: "The LTTE deserve the top positions but none of their cadre have the education required to go with such posts."

On the other hand, though the more moderate Tamil United Liberation Front (TULF) commands less respect, it is recognised as

having greater political maturity and experience. Echoing popular sentiment, Varadarajan, the small-time farmer, said: "We would like TULF and LTTE to share power. TULF has experience and LTTE has idealism. A combination would be in our best interests." But as matters stand, Pirabhakaran is more inclined to reward his cadre who have sacrificed so much. At the same time he does recognise the need to field eminent public personalities to counter the general charge of the inexperience and lack of education of his men.

* * *

Pirabhakaran still firmly believes that with the accord, "the Tamils have become victims of India's geo-political interests". Understandably, the LTTE is resentful of the presence of the Indian Army, whom they see as usurpers of their role. What is worrying India, however, is the anti Indian propaganda they have begun to indulge in. At regular political meetings organised by the group, they explain the accord as suiting only India's geo-political interests. While most Tamils want the Indian Army to stay on and some, in fact, even talk in terms of India starting a permanent Ceylon regiment, the LTTE has been pointing out the dangers of a prolonged stay of an "outside army". They take the line that "an army is an army" after all — insinuating the possibility of Indian soldiers misbehaving with the local girls among other things. Realising the havoc this can cause, Indian jawans have been sternly warned not to mix with the local people and to keep a low profile.

But that warning could apply to the Tamil militants as well. Barely had the ink dried on the accord when LTTE flags began mushrooming all over Trincomalee. Sri Lanka's once famous and now battered port-town. Predictably, the LTTE's red flag with its yellow emblem of a roaring tiger fringed in a coat of arms was a red rag to the local Sinhalese. Trouble was sure to follow and it did — first on August 6 and then more dangerously, on August 24.

On August 6, a crowd of jubilant Tamils carrying LTTE flags and bursting crackers ran into an antagonistic Sinhalese crowd on the N. C. National Highway. In the fight that ensued a Tamil was killed. The Indian Army then instructed the Tamils that no flags were to be kept in public places and dusk-to-dawn curfew was imposed.

The second incident occurred 18 days later in Madathady junction, on the outskirts of Trincomalee. Some Tamil taxi-drivers were gossiping idly under a huge tree, atop which two LTTE flags were fluttering gaily, when a group of Sinhalese arrived and demanded that the flag be taken down. The Tamil taxi-drivers refused, saying provocatively, "your time is up, now it is our time." The fight snow-balled, and before long there was heavy stone-throwing. At this point, a joint patrol of the Indian Army and Sri Lankan police chanced by. Persuasion and firing in the air did not work and finally the Indian Army had to open fire, injuring two Sinhalese.

The agitated Sinhalese rounded up the 60 home guards of the area and two hours later, at about 8.00 p.m., returned to Madathady. They ransacked and set ablaze the house of Kanaapathi Pillai, a Tamil port worker. Anticipating trouble after the firing incident, the Pillai family had fortunately fled from their house and hidden in the Saraswathy cinema theater, in the Tamil dominated Sivan Koll which is located just behind Madathady. Gazing disconsolately at the charred remains of his house, Pillai said: "We had thought there would be peace after the accord. We are still so scared. We will feel secure only if the Indian Army sets up an outpost in Madathady."

But that would only be adding fuel to already inflamed Sinhalese passions. There is smouldering resentment to the Indian presence among the Sinhalese, stemming

perhaps from a feeling of being threatened by the Indian Army. For their position is now reversed — until now, the Sinhalese were the ones who had felt secure due to the presence of Sri Lanka home guards and security forces. Said Vimal Hewa-witharana, 33, a home guard of Vijithapura village, menacingly: "Your army fired at our people. Why should your army attack our people only?" And when asked about the burning of Pillai's house, Vimal's response was typical: "The Tamils burnt their houses themselves and put the blame on us." What is disturbing is the fact that the police had arrested Pillai's Tamil neighbour, Thamaraja, 27, for suspected arson when in reality, he too had fled to Sivan Koil at the time of the incident.

The situation in Madathady is now very tense, particularly because the Sri Lankan Government has, in the last two years settled several Sinhalese families and home guards in the temple lands which adjoin the five temples nearby.

It was significant that neither the Tamil nor Sinhalese refugees in their camps at Clapponberg and Cod Bay in Trincomalee district felt safe enough to return to their villages. "We are dying to go back. But as long as the Sri Lankan Army camps are around, we do not feel safe to return," said K. Periasamy, a Tamil refugee from Muchur. Added E. Nageswaran, another refugee: "Now that the militants have been disarmed, we feel even more insecure." Visibly frightened and too insecure to even talk freely to an Indian, Sarunu Sreyana, a Sinhalese refugee from Podokattu village who returned to his camp after a recent trip to his village, says, "I am too scared to go back because when I went to my village a group of Tamil youths came and warned me not to return." Declares another refugee: "I have no faith in the accord because there will still be violence." Even though they have to pay a price for it, the Tamils in Trincomalee are in no mood to bring down their

flags. "It is about time our flag went up," says E. Rasalingam, after all, we are putting it in our territory. All our suffering would have been in vain if we brought down our flag at this point."

In Sivan Koil, and other Tamil-dominated areas, the Tamils are somewhat heady with the breath of confidence and security they now feel due to the presence of the Indian Army. But unlike in the Jaffna Peninsula, which is solely populated by Tamils, any show of exuberance by the Tamils in Trincomalee, which has an equal number of Sinhalese and Muslims, can be gravely counter-productive. Sensing the growing hostility of the Sinhalese,

joint patrols have been increased to five per locality daily, and no Indian Army jeep dare ventures out alone. Today, Trincomalee epitomises the tinder-box that Sri Lanka has become. Any event — be it assassination attempts or routine disputes — now have the potential to blow up the fragile accord.

The urgent need for rehabilitation in the battle-scarred areas cannot be over-emphasised. One fact that both India and Sri Lanka cannot afford to gloss over is that most Tamils believe the accord is only a truce and that a Tamil Eelam is finally the permanent solution. Father Singharayar, a Catholic priest

(Continued on page 14)

DEATH OF THE SPIRIT

At a time when so many men, women, and children are standing up for their basic rights and freedoms against heavy odds in a non-violent manner, the apathy of the people of this Country to stand up for the common good and place their whole self at the service of Truth, and Justice leaves little room for any hope in the continuance of democracy and the rule of law. The events of the past demands and the period before us demands many things from us, but the only response that surfaces from the intelligensia, the religious leaders and men of goodwill is a deafening silence. In the context of this situation where the nation's conscience appears to have become deadened, insensitive even to the most outrageous acts and where it lacks the will to produce collectively even the squeak of a mouse, the words of Martin Luther King, that great apostle of non-violence action are worth remembering.

He once said "If a man is 36 years old, as I happen to be, and some great truth stands before the door of his life, some great opportunity to stand up for that which is just, and refuses to stand up because he wants to live a little longer and he is afraid his home will get bombed, or he will get shot.... yes, he may go on and live until he is 80, but the cessation of breathing his life is merely the delayed announcement of an earlier death of the spirit".

— Dr. Mervyn D. De Silva

INTERVIEW

"EPRLF Welcomes Accord"

— Pathmanaba

The Eelam People's Revolutionary Liberation Front (EPRLF) is willing to join hands with the Liberation Tigers of Tamil Eelam (LTTE) and any other group and contest by-elections in the North and the East under one banner. EPRLF leader, K. Pathmanaba said.

In an interview with Suresh Mohammed of "The Island" Mr. Pathmanaba said the EPRLF would use all avenues of democratic politics to win the rights and aspirations of the Tamil people. The cause of the plantation Tamils who Mr. Pathmanaba said were an "oppressed lot" would be espoused by the EPRLF which would fight democratically on their behalf.

The estate workers were the real people responsible for the development of this country. It was their effort and sweat that developed Sri Lanka to a great degree. But the rights of these long suffering workers had been denied. They had been oppressed on the basis of Tamils. The EPRLF would shoulder the wheel on behalf of those under-privileged people and continue the struggle in a democratic manner to free from the fetters of repression the EPRLF leader said.

Referring to the Peace Accord, Mr. Pathmanaba said the EPRLF welcome it. "We don't think the "solution" was forced on any group as claimed in some quarters. We have faith in the Pact because the Government of India is a partner. The involvement of India in the Agreement had helped us to get over our doubts whether the Government of Sri Lanka would honour its part of the Accord. We welcome the Indian Peace Keeping Force on the basis of the Pact and the political solution. We welcome the Accord and to ensure

its implementation in toto we also welcome the Indian forces", the EPRLF leader explained.

Mr. Pathmanaba came to an agreed location a short distance away from the Batticaloa town for the interview. Flanked by bodyguards (they were not armed but two of them carried walkie talkies) the EPRLF leader arrived in a blue and white L11 van.

Said Mr. Pathmanaba "over 100 of our members were massacred by LTTE cadres shortly after the March attack on 'Kirtu'. All the weapons we had have now been surrendered to the Government. A large number of weapons cannot still be located. They were in fact concealed in various places by our members who were later killed by the LTTE after the attack on 'Kirtu'. At two locations in Jaffna — near the Nallur Kovil and the Hindu Ladies' College about 60 EPRLF men were dragged into two rooms and slaughtered by the LTTE".

Speaking on "State-sponsored colonisation", Mr. Pathmanaba replied "it is this that had made the Tamils landless and homeless today. We oppose State aided colonisation. However the Sinhalese who come on their own and settle down will be helped by us. We welcome them. In our own group there are a large number of Sinhalese members".

The EPRLF, Mr. Pathmanaba said was always for Unity. The immediate need today was Peace. There were thousands of Tamil youths detained as political prisoners. We had to get them released. Hundreds more taken into custody were missing. We had to find out what happened to those young men.

Replying to a question whether the EPRLF had withdrawn all weapons it had smuggled into the plantations, Mr. Pathmanaba said "we have withdrawn all arms in

the estates and handed them over to the Government. In the future we would carry out the struggle of the plantation people politically and democratically. Any attempt to create the impression that weapons were still in the hands of the estate youths would only mean more harassment and suffering to the plantation people".

Asked whether the EPRLF had taken a firm decision to contest the by-elections in the North and East, Mr. Pathmanaba said no such 'firm' decision had been taken. But we would use all means of democratic politics. We were willing to contest unitedly under one banner. However if the Government chose to oppress us with the use of arms we would inevitably be compelled to revert to the armed struggle, the EPRLF leader said.

(Island)

Coping with...

(Continued from page 13)

who was released from the Welikada prison after the accord, is one of them. "After all that the Tamils have gone through, I feel Eelam is the only solution," he says. His view was endorsed by almost every single person spoken to in the peninsula.

Psychologically, it has become impossible for the Tamils to trust the Sri Lankan Government. Gently stroking his leopard cub Sita, Pirabbakaran said: "If our people are attacked again, we will return to arms. We are prepared to start all over again, from scratch." And Ramesh, 21, who is a second lieutenant in the LTTE hierarchy, agrees wholeheartedly: "My whole life is reverted to the recall to arms." The only way this attitude can be kept on a leash is by ensuring that rehabilitation and development quickly follow the newly-found peace on the island.

Jaffna revisited

H. N. Fernando (General Secretary, Ceylon Teachers' Union)

In the six days we spent in the Jaffna Peninsula, spoke to many people from different walks of life. Almost all agreed that peace had come to stay. For how long, they were not sure, yet they welcomed sudden change of atmosphere. They relaxed, laughed and exchanged jokes — a change from better experience daily. To the people in Jaffna, specially those in Vadamaraachchi (including Point Pedro, Velvettithurai, Nelliady, Uduppiddy etc.) and all the adjacent areas next to the Palaly Army Camp (viz. Tellipillai, Kurumsiddy, Katturon, Palaly, Vasuvilan, Punnalaikaduluvan, KKS etc.) it was a happy return to normal life. When we visited these areas people were coming back after spending several years elsewhere. There were those who had spent several days inside bunkers. During the last army offensive, people of Vadamaraachchi ran several miles for safety. They have lost everything, hundreds their lives.

We spent a whole day in the war-ravaged Vadamaraachchi area. Nelliady Central College (MMV) has been completely destroyed. Nearly 100 soldiers perished under the debris when a LTTE suicide squad led by Miblar drove a lorry into a building. The lorry was full of explosives. Three LTTE men were picked for the mission after lots were drawn.

At Nelliady I met an old friend, a school teacher. As he narrated the agonies he had suffered tears came into his eyes. He was complaining that even their own fellow-men in the unaffected areas did not understand how helpless they were, then. Then he described how a poor relation was shot dead when he went back to his abandoned house to pick up some of his belongings. Some people who were living closer to Nelliady MMV are still missing. Vadamaraachchi is in ruins, the debris remains. Uduppiddy Boys' College has also been demolished. It had an old library with a valuable collection of rare

books. The Library is no more. Uduppiddy Girls College has been badly damaged. In the College premises the Regional Director of Education was addressing a gathering of parents and teachers, as we entered.

From Uduppiddy we moved to Velvettithurai, a ghost town. we met some fishermen on the sea shore. They have returned to their boats after four years. They have lost nearly all they (Continued on page 26)

SCHOOL PLAY

Remember, at the Central School, you Sixth Formers wrote a play
Way back in the fifties
The hero went off to fight in Indo-China
The new Master (keen from the city) saw him leave
Saying his lines that he was unemployed
His parents poor and helpless, the land sold
For his schooling (the recurring theme
Of professional and amateur playwright in those days)
Only Indo-China was something new
Or was it? Was it simply the old dream
Of the boy running away to the wars
Or the sea. To a new life from old frustrations?
The new Master saw it different
He thought of Spain and Stalingrad
He thought you thought of liberation
But were you only thinking of escape
To the war or to Singapore, to repair the family fortunes?
Relentless, History traced the star of Vietnam
A decade later but the Master was sad to hear
You were an M. P. on the other side of the House,
What times we have seen since
The bright youngsters who worshipped you as Head boy
Shocked you taking to guns.
And, mistiming their own Vietnam, perished.
And you had nothing to offer as alternative
While weeds grew and wheels slowed down
And a decade later, a fresh surge from the North
You looked away, disowning them.
Their children suddenly grown up with guns
You sent more children to face them
Peasants sons on both sides both with no future,
Killing till Peace descended like grace from the blue.
Now in the irony of Peace, miles away from the firing line
Comes a baptism of fire before the fall of the curtain
Through the years, urgent comes the old masters call
Get well for heavens sake, we have had enough of killing
So much, after so much of hell, is certain.

U. Karunatilake

COBAMILS LIMITED

IMPORTERS & EXPORTERS

STOCKISTS OF :

- | | |
|---|---|
| <input type="checkbox"/> WELDING ELECTRODES | <input type="checkbox"/> CHINESE RICE HULLERS |
| <input type="checkbox"/> ELECTRICAL MOTORS | <input type="checkbox"/> V BELTS |
| <input type="checkbox"/> MTM BALL & ROLLER BEARINGS | <input type="checkbox"/> WELDING EQUIPMENTS |
| <input type="checkbox"/> RICESHULLER RUBBER ROLLERS | |

EXPORTERS OF :

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> CUT FLOWERS | <input type="checkbox"/> HANDICRAFTS |
| <input type="checkbox"/> FRESH FRUITS | <input type="checkbox"/> TIMBER |
| <input type="checkbox"/> VEGETABLES | <input type="checkbox"/> NON TRADITIONAL PRODUCTS ETC. |

54, 3/4, AUSTRALIA BUILDING,
YORK STREET, COLOMBO 1.

Cables: COBAMIL, COLOMBO

Telex: 21381/AB COBAMILS CE

Telephone: 24591, 24596, 547215

A resolution of the ethnic conflict through human rights

Nihal Jayawickrema

1. 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 the 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 the law must be struck down; or in the cases of **Ameerwa-**

For the first time in Sri Lanka's history, a resolution was introduced in the U.N. Commission on Human Rights in March 1987. The two day discussion examined the island's human rights performance in the context of the ethnic conflict. Particularly after 1983, July, there was a steady build up of international opinion, both governmental and public, on this question but the average Sri Lankan appeared totally unaware of this development or insensitive to its implications. The L. G. published an article on 'Human Rights and Ethnic Conflict' by Nihal Jayawickrema, former Secretary of the Ministry of Justice, in two parts on August 15, and Sept. 1 1984. We reproduce it in this issue. Several inquiries have been made about the issue in which the article entitled 'Crisis in The South' by Dayan Jayatilaka, republished in our last number, was originally published. In fact, the article appeared in two parts on Aug. 1, and Aug. 15, 1984. — Ed.

tham 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.

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 origi-

nal; 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 bonds 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 unresponsive 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 seabed and the sub-soil thereof may now be utilised only in accordance with the new international regime of the sea towards the establishment of which the late Ambassador Shirley Amarasinghe 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:

I. 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 Iver

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 dependent 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 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.

SUBSCRIPTION RATES

Air Mail

Canada / U.S.A. for 1 copy L/G
 US\$ 50.00 for 1 year
 US\$ 30.00 for 6 months

* * *
 U.K., Germany, New Zealand
 Australia, Netherlands, France,
 Japan, Holland, Philippines, Aus-
 tria, Norway, Sweden, China,
 Ireland, Switzerland, Nigeria,
 Belgium, Denmark, Paris, London
 US\$ 40.00 for 1 year
 US\$ 25.00 for 6 months

* * *
 Hong Kong, Saudi Arabia, Du-
 bai, Bahrain, Arabian Gulf
 Syria, Singapore.
 US\$ 35.00 for 1 year
 US\$ 20.00 for 6 months

* * *
 India, Pakistan.
 US\$ 30.00 for 1 year
 US\$ 17.00 for 6 months

* * *
 Local
 Rs 140/- for 1 year
 Ra. 75/- for 6 months

**IT TAKES
AN EVER-CHANGING
COMPANY
TO GUIDE YOU
IN AN
EVER-CHANGING
MARKETPLACE.**

Mercantile Credit Limited. Long established as the leading finance company in Sri Lanka. Nucleus of a corporate group whose policy has always been attuned to the change in the market.

Specialists in CREDIT FINANCE and TRADE FINANCE. Diversified into fields as varied as Engineering, Property Development, Housing, Money and Exchange-Brokmg, Produce-Brokmg, Tourism and Shipping. Now with its entry to the field of

Share Broking reaffirming its commitment to meeting the needs of a changing market place with the offer of its resources and expertise to guide you.

**MERCANTILE
CREDIT
LIMITED**



55, Junaidipathi Mawatha, Colombo 1.
Telephone: 26611-9

Mordechai Vanunu — the nuclear issue

FOREIGN
NEWS

In Jerusalem, Mordechai Vanunu is on trial for his life. This courageous Israeli nuclear technician faces the death penalty for his spectacular exposure of the Zionist state's nuclear arsenal. Vanunu is formally charged with giving information to "unauthorized persons" and "passing secrets to the enemy" — i.e., the world press. (Yet Israel's possession of nuclear weapons is so well known that it features in novels like Gerald Seymour's *Glory Boys*.) Under Israel's draconian security regulations, all proceedings against him are conducted behind closed doors, as will be his trial.

Last year Mordechai Vanunu, who worked for nearly a decade at Israel's top secret Dimona nuclear weapons plant, revealed Israel's massive nuclear arsenal

of 199 to 239 bombs. We pointed out then that a dozen A-bombs could nuke every Arab capital, but 200 nukes meant that the Zionist warmongers had a bigger target in mind: *Soviet Russia*. Now Israel has a delivery system as well.

Washington's fellow Contractors in Tel Aviv and Jerusalem are preparing their own holocaust. Israel recently successfully tested a new ballistic missile, the Jericho 2, designed to carry nuclear warheads over a range of 500 miles, and is expected to have another version with a range of 909 miles. According to the Geneva-based *International Defence Review*, this "means Israeli missiles, armed with nuclear warheads, are now or will soon be able to reach all potential hostile capitals."

These missiles put strategic Soviet targets including Black Sea naval ports and Baku oil fields within reach of the Zionist nuclear madmen. Though Gorbachev is busy pursuing the pipe dream of "détente" with U.S. imperialism and its Israeli triggermen, this new threat could not be ignored. The USSR sent three stern warnings to Israel including a July 27 Radio Moscow commentary in Hebrew stating that continued development of the missile could cause the Zionist state "to encounter consequences that it could not possibly handle" (*New York Times*, 29 July).

The Jericho is Israel's principal nuclear warhead delivery system. In the first days of the 1973 October War when Israel thought it might be defeated by Arab armies, it armed an earlier version of the Jericho with nukes and put them on combat readiness. Reportedly, in response the Kremlin was prepared to ship nuclear warheads to Egypt. The U.S., reeling from the Nixon Watergate crisis, put its nuclear forces on red alert, preparing to set off a worldwide thermonuclear holocaust.

All humanity owes Vanunu a debt of gratitude for his courageous act, for which he was kidnapped by the Mossad (Israeli CIA) last September, and held incommunicado until protests from family and friends saved him from being "disappeared". In recent accounts, the Australian and British press have exposed the sinister role of the Australian and British secret police in the abduction.

The (London) *Sunday Times* (9 August) reported that when Vanunu was persuaded to come to Britain to publicize his story:

Vanunu on Trial For His Life

The trial of Mordechai Vanunu opened on Sunday, August 30 in Jerusalem. Vanunu was brought in a police van with the windows sealed and painted over. The doors of the courtroom are closed and the windows boarded. The 32 year-old Israeli nuclear technician was secreted into court through a burlap-covered entranceway.

Vanunu's lawyer, Avigdor Feldman, remarked: "You'd think it was not Vanunu being brought into court but the H-bomb itself." Although he was brought in handcuffed on Monday, Vanunu struggled out of a helmet the guards compelled him to wear. He attempted to speak to reporters, but the police were ready. They drowned him out with sirens.

Also on Monday, a Nobel Peace Prize committee official declared that Vanunu's nomination had come "too late" to be considered for the 1987 awards! The official said Vanunu

would be considered for the 1988 prize along with former Nazi SS intelligence officer Kurt Waldheim, the President of Austria.

The whole purpose is to silence him. Israel's supreme court has gagged Vanunu's defense in significant ways: the three-judge panel hearing the case excluded any testimony about how the Mossad secret police kidnapped him back to Israel. Reporters, human rights groups and even Vanunu's immediate family are excluded from these star chamber proceedings.

In a nearby courtroom for six months sadistic Nazi death camp guard John Demjanjuk, "Ivan the Terrible," has been accorded every legal right in a public trial. But Mordechai Vanunu, who bravely seeks to spare humanity a nuclear holocaust, is treated like a prisoner in Demjanjuk's Treblinka.

"The Australian Security Intelligence Organisation notified Britain's M 16 and when the plane landed at Heathrow on September 12, two special branch officers were watching."

For the past eleven months, Vanunu has been held in complete isolation 30 miles south of Tel Aviv in the notorious Ashkelon dungeon run by the Shin Beth (an Israeli cross between the Gestapo and the FBI). Despite a 13-day hunger strike he waged earlier this year, Vanunu is deprived of even the minimal rights normally accorded prisoners. Last December he ingeniously revealed that the Mossad had kidnapped him in Rome by flushing this message written on the palm of his hand as he was being transported in a police van.

Since then the conditions of Vanunu's imprisonment were made even more brutal. The Soviet newspaper *Izvestia* (14 August) began its report, "The Secret Prisoner of Ashkelon": "Neither the light of day nor the sounds of the outside world enter his cell. His every move is monitored day and night by a video lens. Even a special soundproof corridor has been constructed in the room where his trial begins August 30, to prevent any outsider from asking him a single question."

In fighting for his freedom, Vanunu's determination is shared by his family. Vanunu is permitted only one half-hour visit by a family member every two weeks. And his Israeli jailers threaten his family and attorneys with 15-year jail terms for revealing the facts relating to Vanunu's abduction, his work at Dimona or even his motivation for exposing Israel's doomsday machine. Nevertheless, Vanunu's brother Meir went to Italy to give evidence to a special government inquiry into the Mossad kidnapping, and to Britain to meet with the press and with those supporting his brother. As a consequence, Israel has issued a warrant for Meir Vanunu's arrest on charge of

espionage. Clearly, for the Israeli Reich, the peoples of the world are the enemy.

But Mordechai Vanunu remains unbroken. At a New York Spartacist forum, "For International Class-Struggle Defense," in June, Vanunu's close American friend Judy Zimet read a

letter from "Motti" stating: "I did what I believe is good to do for peace and safety on this earth." Thanks to the tireless efforts of Vanunu's family, Judy Zimet, Australian Rev. John McKnight (who converted Vanunu, a Moroccan-born Sephardic Jew, to Anglicanism) and other supporters, there have been some calls to honor Vanunu's heroic deed and demand his release.

The British Bertrand Russell Peace Foundation together with 40 British Members of Parliament and nine MPs and senators in Australia have petitioned for Vanunu to receive the Nobel Peace Prize. (Usually the Nobel prize is given to war criminals

like Henry Kissinger and Irgun terrorist Menachem Begin.) Four British authors including Graham Greene signed a joint letter to the London *Times* (14 July) protesting Vanunu's incarceration as "intolerable as it offends against justice and international human rights," and demanding his immediate release.

Vanunu's heroic exposure of Israel's anti-Soviet doomsday machine underlines the urgency for the international working class to disarm the capitalist rulers. Now working people and all enemies of imperialist militarism must rally to the cause of his freedom and demand that all charges against his brother Meir be dropped. The Partisan Defense Committee has begun sending Mordechai Vanunu a monthly stipend. Contributions for his defense and messages of support can be sent to the Mordechai Vanunu Legal Defence Fund, P. O. Box 45005, Somerville, MA 02145.

—Workers Vanguard

Vanunu 'hit by guards'

The lawyer for Mr. Mordechai Vanunu, an Israeli nuclear technician accused of treason in revealing Israel's nuclear secrets, said that his client was beaten by guards on the way to the second day of a closed door trial. AP reports from Jerusalem.

Mr. Vanunu is charged with treason and espionage for allegedly giving documents and pictures to *The Sunday Times*. The newspaper ran an article claiming Israel had stockpiled 100 nuclear weapons, and was able to make hydrogen and neutron bombs.

Mr. Vanunu disappeared from London under mysterious circumstances several

days before publication of the article last October.

Mr. Vanunu, 32, was brought to the Jerusalem District Court yesterday under elaborate security to prevent him making contact with reporters.

His defence lawyer Mr. Avigdor Feldman, said Mr. Vanunu was forced to wear a helmet to conceal his face and when he attempted to remove it, was beaten by his guards.

Mr. Feldman said he had complained to the court about the incident and that the judges would decide at the end of the session whether Mr. Vanunu would be compelled to continue wearing the helmet.

(F. T.)

Dialectics of the Indo Lanka Accord

Hector Abhayawardhana (Member LSSP Politburo)

For many of us who are Sinhalese and through us all the rest of the country as well, there has been a persistent problem with regard to the intentions of India for some reason or the other. We have found it difficult to believe that India had no intention in regard either to occupy or break up our country. When one looks at the history of this anxiety one can trace it back almost to the foundations of our outlook in the name of religion, not strictly on the basis of religion but on the Mahavamsa of the 5th century. Actually I think we have always tended to mix our concept about religion and ideology. And I think if we look back at basic trends of history, we would be able to see, we have sought to base ourselves and our outlook not on the scriptures of religion but what passes as history in the Mahavamsa. The Mahavamsa is the basis of self-consciousness that has been generated among us over hundreds of thousands of years as a result of a tenuous of fashion for ourselves a certain place in the evolution of this planet. And I think we can also see the reality of the Mahavamsa as concentrated on one or two things — namely on the probability-extreme probability and importance of unifying this country and of making it a single habitation of the Sinhalese, and on the other hand of driving out the Tamils of this country. Now I think that this ideology was alright in the fifth century. In the fifth century perhaps it could not be separated from religion. Religion was after all governing the totality of everything and there was certainly nothing like a secular belief. Today however, I think we should be alive to the importance of distinguishing between religion and

ideology. And to apply the ideology of the 5th century at the end of the 20th century is I think fraught with extreme danger.

This problem has beset us over all the years of our independent existence. And I think, so long as all of us were under the British rule, we were not particularly concerned with the real problems of nationhood. Because after all the problems of building of nation was not really one of collecting of the people together, of uniting them or helping them to build for themselves, this condition that

may have in the situation in the past — and it is not always possible to diagnose history in great detail — that India today does need either to break up our country or to conquer our country, to subordinate it to herself. I think if we look into that problem especially in the light of the conflict that has been growing in our country for the last ten years particularly, a more reasonable estimate of the actual situation. In this context of the conflict continuing in this country, is it true that India has sought through it either to break us up, dismantle us or to subordi-

If we have two Sri Lankas one in Eelam and the other a Sinhala Sri Lanka, then the alliance of Eelam with India will compel the Sinhala Sri Lanka to make alliances with India's enemies.

they will accept. The essence of the question of nationhood was the building up of a State and to the extent that there is no state that we can call a nation state. If not possible for us to seek to bring a nation into being of. We regard our present situation in this light, it is possible for us to see that there are more complex issues involved in seeking to determine our future, both the dangers that beset us as well as the advantages that we can derive. It will be possible for us to seek a more reasonable relationship with what can be called the big neighbour — India. Here what has to be asked is whether it is really true that India today, whatever

may have in the situation in the past. But the first thing I think we should remember in this contemporary age, the subjugation of other nations is not considered an undiluted advantage. This is the age when empires have been releasing their colonies that they still possess. In actual fact there has always been a great problem for those who would seek to carve out fresh empires of new obligations they would be acquiring there from without the possibilities of actually discharging those obligations. I remember that during the 1965 war between India and Pakistan, the Indian armies had reached Lahore and they stopped at the outskirts of

Lahore. They were debating the question whether they should move into Lahore or remain on the outskirts and the crucial factor in the taking of that decision was that if they move into Lahore they would have the problem of feeding the population of Lahore which is not an easy undertaking for any one at that moment. Today, in this matter of acquisition of territory there are even more complicated problems that we face. The general approach towards acquiring land is not necessarily of direct political rule but the advantage of indirect relationships particularly the more economic ones. Against the background of this climate that obtains in the world today it would be necessary to modify some of the fears that we have tended to generate amongst ourselves that we are in constant danger of being on the verge of being devoured by some voracious country of one kind or another.

If we look at the present situation and ask ourselves what are the advantages for India in determining her approach and ask ourselves what is it that India's advantage or interest consists of in approaching her relations with our country. We can ask ourselves two questions. The first is, is it to India's advantage to break up our country. In any way I think the generally accepted proposition is that the smaller the bits to which our country is broken up the more complicated the problems that arise and the more difficult it is to find any kind of solution to them. Because if, for instance, Sri Lanka were to be broken up into two bits or three bits or however many that you may anticipate, the problems of India would revolve around number of traditional problems that she would thereby inherit. If we have two Sri Lankas one on Eelam and the other a Sinhala Sri Lanka, then the alliance of Eelam with India will compel the Sinhala Sri Lanka to make alliances with India's enemies. In actual fact therefore any reasonable evaluation of Indian interest in this situation will lead to answer us to the first question of this nature — there is a advantage

to India in defending or maintaining the integrity of Sri Lanka. Any break up of this integrity would add to the problems India would have — internal and external. In Tamil Nadu there would be all kinds of difficult attitudes which it may not always be possible to reconcile with other attitudes towards States in other parts of the country. Hence, the attitude to Sri Lanka that India adopts at any time must coincide with a certain line of common interest, of mutuality of interests to all the people of India. Such a line of mutual interest would lie in the maintenance retention and defence of the integrity of Sri Lanka.

In the context of this, I agree entirely with the estimate that Godfrey Goonetilleke made in the course of his presentation today that India in the first period was acting as a mediator between the Tamils and the Sri Lankan government. It was the realisation that this mediation could not in fact lead anywhere that compelled the Government of India to decide to resort to other methods. But the mediation by itself could not succeed because, one was not really dealing with attitudes that could be reasonably analysed and reconciled. One was dealing with ideological positions that existed among Sinhalese on the one side and the Tamils on the other, which could not be reconciled through the exercise of pure reason. The process of mediation is a exercise of reason in the working out and reconciling of differences. But if reason by itself cut through these attitudes then found India would have asked itself a number of questions. Was it in India's interest to allow resort to arms or an armed solution of the Sri Lanka government — Tamil dispute. If through a resort to armed conflict, the Tamils succeeded against a Sinhala army would that be in the interest of India. Of course I do not know how the Indian government actually thought about this but it would not be difficult to understand that if the Tamils had succeeded against the Sinhala

in the North then there would have been a massacre of the Tamils in other parts of the country. Such a massacre of the Tamils in other Southern parts of the country could not have been to the advantage of the Government of India. And I think therefore, it was to be expected that the GOI would have ruled that prospect out. The second question that would have to be asked is, would it have been to the advantage of India to see the Sinhala armies in total occupation of the Northern region. Would it be to the advantage of India in other words, to envisage a military victory of the armies of the Sinhala state. I think can be seen it would not have been to the advantage of India because a Sinhala victory a total victory in the North would have had to meet a large scale massacre of civilian population in Jaffna. They had already seen the experience of what happened in Vadamarachchi, where quite apart from the loss of life and destruction, the advances of the Sri Lankan state army resulted in the total evacuation of the territory by the people. In other words, there was no prospect of reconciliation between the Tamil population and the not marauding army. Now this question had also to be answered by rejecting a military victory, if that was not possible, by the Sri Lankan state. If both the alternatives had to be ruled out, that what followed? The Government of India had to intervene to exert pressure on the Government of Sri Lanka and on the Tamil militants and other Sri Lankan Tamils involved, to see that some workable solution was brought about. Now, as I have already mentioned, the prospect of mediation had by now, already revealed its futility. So mediation could not be the means by which some kind of solution could be brought about. What was the alternative mode of action? This led to India working out the Indo Lanka Agreement.

(To be continued)

The elites in the early phase of democratisation in Sri Lanka

Godfrey Gunatilleke, (Director, Marga Institute)

Let us now apply these generalisations to the case of Sri Lanka. A revealing time of entry is the time when the changes contemplated by the Donoughmore Commission were introduced. The fact that Sri Lanka did not have to go through the mass national struggles comparable to those of India, Indonesia, or some of the African countries, was a major factor influencing both the character of the elite itself and its relationship with the rest of the society.

A mass struggle forges its own close links between the leadership and the masses. Under the pressures of a struggle the types of leaders that emerge are those who are capable of foregoing their material advancement in the system which they oppose. These may sometimes be persons who do not benefit from the system and have, therefore, nothing to forego, but most often those who command allegiance are the persons who are perceived as demonstrably foregoing personal advantages and identifying themselves with the larger community and the national cause. This often gives a moral validation to the leadership and is at the heart of the religious-political and charismatic character of most mass movements. This charismatic dimension in the relationship between the leadership and its following has again received extensive treatment by social scientists. It has both positive and negative elements which are carried over when the movement has achieved most of its objectives. Authoritarian structures tend to get personalised and internalised in such a movement, with an excessive dependence on individual leadership. As a result, formal structures with an orderly sharing of

power which ensures a smooth succession and a continuing system, do not get developed soon enough and in adequate measure.

Sri Lanka which was able to avoid such a mass struggle also avoided both its positive and negative consequences. In the historical circumstances which governed its decolonisation, it was not able to produce charismatic leaders of the type of Gandhi, or Jawaharlal Nehru, Sukarno, or Jomo Kenyatta. Nevertheless, the Sri Lankan elites shared many of the characteristics which were typical of the colonial elites who presided over the decolonisation of their societies. They were educated in the language of the rulers. Many of them had proceeded abroad for their higher education. The political elites were composed largely of lawyers, doctors, retired administrators, businessmen. The large majority of them belonged to what might be regarded as the upper social class in their society. Many of them belonged to well-established families, widely known in the country on account of their wealth, their professional achievements, or other social activities. Within these groups there were stratifications and hierarchical claims of various types in terms of both class and caste. Some would act as though they were of earlier vintage than the others. The subdued conflicts and tensions within the inner group between the different political households, whether they be those of the Bandaranaiques, Obeyesekere, Senanayake, Kotabawela, Jayewardena, or the Ponnambalams, were reflected in the internal struggle for leadership within political parties and groupings. However, together this group of families formed the elite within the largest elite, and

gave shape and direction to the national goals and aspirations, and provided the political values and norms of political behaviour which formed the political culture of the elite as a whole.

The cultural encounter in the Commission proceedings

The Donoughmore Commission Report and the discussions and debates around it, give us an insight into that political culture. The larger political elite which found representation in the then Legislative Council established under the prevailing constitution, was a heterogeneous group primarily divided on communal lines. Within this heterogeneity, the leadership of such groups, although primarily communal in character, was able to speak and communicate with each other in a common language — English. Most of them had an education modelled on the British system which imparted a body of knowledge and a set of values and norms of behaviour which they tended to share in common. In their political life, most of them, with a few exceptions, saw the political evolution of the country in terms of the British parliamentary institutions and the extension of democracy. The proceedings of the Donoughmore Commission and the Commission's Report reflect very clearly the diverse expectations and socio-political ideas of this elite. The Commission proceedings, the report and the debates that followed, together, represent a very revealing encounter between this indigenous elite and the representatives of the elite from the fountain head of the democratic tradition. It can be seen as an encounter between two political cultures. The Commission members reflected a strong commitment to the goals of a modern

welfare state. They were even attempting to look beyond the British parliamentary system as it existed and through the Executive Committee system, sought a form of government which was more participatory and could include all important segments in the body politic. The social and political thinking which underlie their report, reflects a convergence of the liberal as well as the Fabian socialist traditions.

There are two important assessments of the country's political elite which are implied in the arguments presented by the Commission in their report, in support of their conclusion that the country was not yet ready for full responsible government. One relates to the qualities which the Commission considered essential for modern nationhood, the other prerequisites for the proper functioning of a democracy. These assessments are helpful in examining more closely the conflict of political cultures in Sri Lanka.

Communal representation and ethnicity in politics

The observations made by the Commission under the head, "Full responsible Government", gave a forthright evaluation of the conditions prevailing at the time. It displayed unusual foresight and a striking relevance for the problems which are confronted with today:

"Had the inhabitants of Ceylon presented greater appearance of unity and corporate spirit, one obstacle to the grant of full responsible government would have been removed. Not only is the population not homogeneous but the diverse elements which it is composed distrust and suspect each other. It is almost true to say that the conception of patriotism in Ceylon is as much racial as national and that the best interests of the country are at times regarded as synonymous with the welfare of a particular section of its people. If the claims for full responsible government be subjected to examination from this stand-

point, it will be found that its advocates are always to be numbered among those who form the larger communities and who, if freed from external control, would be able to impose their will on all who dissented from them. Those, on the other hand, who form the minority communities, though united in no other respect, are solid in their opposition to the proposal. A condition precedent to the grant of full responsible government must be the growth of a public opinion which will make that grant acceptable not only to one section but to all sections of the people. Such a development will only be possible if under a new constitution the members of the larger communities so conduct themselves in the reformed council as to inspire universal confidence in their desire to harmonise conflicting interests and to act justly even at a sacrifice to themselves."

In the concluding part of the chapter on communal representation, the Donoughmore Commission stated:

"We believe that the religious and political toleration characteristic of Ceylon, will continue to be shown whatever may be the composition of the State Council, and that the minority communities will gradually discover that their fears are unfounded".

The Commission obviously underestimated the social forces that were to reinforce the ethnic character of the political culture in the country. In the interplay of communal interests that followed the transfer of power, the various political elites came increasingly to relate themselves to their ethnic power base and made the protection and promotion of the interests of their ethnic groups a cardinal issue in their political agenda. The Commission was far too optimistic regarding the evolution of a national consciousness which transcended ethnic loyalties. On looking back we can see that they misjudged the depth and strength of the ethnic factor in

the political evolution of the country. They also, perhaps, erred in presenting a model of national integration of the British type, as the desirable model, and did not give sufficient weight to the ethno-cultural identities. The very processes of democratisation which pushed the masses into the political arena resulted in mass pressures which took ethnic form.

(To be continued)

Jaffna . . .

(Continued from page 15)

possessed. Strolling along the coastal belt, a young boy warned us to be careful. He said, "There are landmines everywhere" In these affected areas we were constantly cautioned about land mines, women were helping their men ready to go fishing. The poorer families were embarrassed. They has no tumbler to offer us drinking water. It is a case of 're-building', not just the buildings but shattered lives.

At Chidambaram College, Velvettithurai, we had the chance to talk a few minutes with the Sinhala soldiers at the entrance. They said that they were confined to the camp. Indian troops were moving freely. The Sinhala soldiers were surprised to meet us, Sinhalese from the South.

From Velvettithurai we travelled to Point Pedro. In Point Pedro, areas close to the Army Camp had been abandoned by the people. No one has yet returned. There too I met an old friend. He was quite so relieved at the peaceful atmosphere prevailing now but was terribly worried about talks of a rivalry among militant groups. My friend accused some militant groups of trying to destroy the LTTE. He was sympathetic towards the LTTE but at the same time accepted that it made grave mistakes. The average Tamil seemed unconcerned about those internal squabbles. Most people were happy that the Indian troops have brought peace. An interesting point made by my friend was that the LTTE had been at a total loss when it faced attacks from the air.

Some conceptual issues in the debate on privatization

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

There are many things that I do not understand in the current debate on "privatization versus nationalization." Hence, I will be very happy if these issues are clarified by the end of this Seminar. It was mainly with that hope that I accepted your invitation to speak today on this subject. The other reason for my being here is the fact that a trade union is discussing this important issue. Privatization and nationalization impact on the terms and conditions of employment of the most important segment of our economy — the workers; and it is most heartening to see a trade union discussing this subject today. I thank you for your invitation.

Definitions

2. Before we start, we must agree on what we mean by the term "Privatization", which could mean many things — different things — to different people. The way I understand it, "privatization" connotes a conscious act of making some property which has been "non-private" into "private". The transformation of ownership of property which is owned by the public in general or collectively (or by the State or a parastatal organization) into privately or individually owned property could be described as "privatization". In that sense, the term could be deemed to be the opposite of "nationalization" — which signifies the transformation of privately owned property to publicly or collectively owned property.

3. Now, some participants in recent discussions tend to use

Inaugural Address made at the Union of Post and Telecommunication Officers (U. P. T. O.) — Friedrich Ebert Stiftung Seminar on "Effects of Privatization" held in Colombo in August 1987.

"all-or-nothing" type definitions. For instance, they tend to discuss extreme situations, where either all property is private, or all property is public. Is this the best way to approach the problem? In my view, this is a dangerous way to approach the problem. As old ideological opponents of nationalization warned that even your wife and children could be taken over by a Government with excessive zeal for nationalization, I find similar doctrinaire critics of privatization expressing fears that all our common amenities such as roads, parks, the police and the education and the health systems etc. will be privatized to the detriment of the people. They

pursuit of these activities under different forms of ownership

Does Ownership Matter?

The Micro-economic View

4. Let me now ask the question which is rarely asked in the current debate — Does ownership matter? To clarify let me ask — Does it matter to you that the cup of tea which you have in the morning is made entirely or largely by the public sector or entirely or largely by the private sector? Does it matter if the road you travelled on today to come here, is owned entirely or largely by the public sector or the private sector?

Does it matter to you that the cup of tea which you have in the morning is made entirely or largely by the public sector or entirely or largely by the private sector?

should not forget that, at all times in history, public and private sectors co-existed — existed side by side, and exist so today, even in advanced capitalist & socialist economies. There has never been (and probably there will never be) a fully private economy or a fully public economy. These extreme forms of ownership are only theoretical constructs. They are assumptions made by scientists who study problems — not an approximation of the real world we live in. The discussion should therefore concentrate on the real world we live in. Hence, we must conduct our discussion in terms of what economic activities should be best conducted by private individuals (under private ownership) and what activities are best conducted under public or collective ownership, and what are the conditions necessary for the successful

5. Now, please don't let your emotions answer this question. Please do not think that just because you have so far enjoyed these things under either private or public ownership, that that is only way to do it. Tea has been grown and manufactured well under both private and public ownership. There are private roads as well as public roads. Some of these are maintained by private individuals, but most are maintained at public expense, either out of general tax revenue or by specific taxes and tolls.

6. Let us first look at this question from the individual's or the consumer's point of view. This is the "micro approach". Does ownership matter? I may not be wrong if I guess here that it does not matter very much. What we as consumers wish to have is a

good cup of tea, affordable by us, at a reasonable price and of reasonably good quality. Although roads are not generally priced according to use in Sri Lanka, the user's expectation is a reasonably well maintained road, where one can travel without having to negotiate potholes and congestion. Who owns the production and supply process of tea or roads matters only if the private or public nature of its ownership per se will materially contribute to the quality & availability of the good and the reasonableness of its price in a unique way. Does that happen? This is not an easy question to answer, because quality and affordability are subjective judgements. But, I may not be wrong if I venture to say that the nature of the ownership per se has a little effect, if at all. Some will disagree. They will say that public sector goods are of better quality and/or lower-priced. But let us be cautious in generalizing, because every example quoted in favour, can be countered by another example against.

7. On the other hand, the price-argument is better articulated. It is widely held that public goods are cheaper than private goods. This is based on two well-known arguments. First, because public enterprises have more resources available to them than the private sector, they can expand production and achieve greater economies of large-scale operation, thereby keeping costs low. Secondly, it is not profit maximization but "public service" that guides the public sector. Therefore, their goods are either free or priced very low as their costs are low, and in order to provide a so-called "service" to the consumer. Here too, we must be cautious in generalizing, because every example quoted for one side can be countered by another example which proves the opposite. Also, there are hidden costs which we tend to ignore. A public enterprise could sell goods cheap, but at a loss, which has to be paid for by the taxpayer ultimately. Thus, you consume a public good cheap, but

pay for it by taxation. If the government borrows to finance the loss, there could be inflation. When prices go up under inflation, buying power of your income falls. That is why inflation, is called a tax on the people. In short we have to pay for what we consume. There is nothing called a "free lunch", in the public sector or in the private sector.

8. Another aspect of this argument is that private monopolies tend to charge high prices by maintaining their production at a lower level than what the public demands, whereas public sector monopolies can be operated at maximum feasible output with the welfare of the public uppermost in mind. Theoretically, this is a powerful argument, and it explains why there are large public sectors in economies which we easily describe as "capitalist" or "private enterprise" economies. It is argued that any economic activity that naturally tends to be a monopoly, is better run by the State, which is considered to be more benevolent than the private owners.

9. Here too, we must be cautious. Someone could refer to the private sector monopoly of cigarette production in Sri Lanka, and another could refer to the public sector monopoly of petroleum production and distribution in Sri Lanka. If you debate the merits and demerits of these two activities, you will be amazed at the variety of arguments, mostly subjective and impressionistic, that will be brought up to argue for both sides.

10. The bottom line of this argument is that both private and public enterprises, either competitive or monopolistic, have to face economic reality of the market. If a private monopoly reduces production and charges high prices, it will soon encourage competition and will lose the monopoly and high monopoly profits. Where it is a natural monopoly, no government will

allow indiscriminate monopoly pricing, either in the private sector or the public sector. There will be some regulation of price and quality. You will see this in private road transport, where time tables and fares are stipulated for public convenience. If there are fixed unreasonably, you will not have a good service. The consumer will suffer. On the otherhand, we must not easily persuade ourselves that public sector monopolies are all that efficient and benevolent. Many studies the World over have shown that they are not, and this is an important impetus to the current moves towards privatization of electricity, airline airports, telecommunication and similar industries which have been noted for public ownership the World over. If you have any doubts on this subject, please contemplate on the question whether your own industry — the Telecommunication Services Industry — is a benevolent and efficient State monopoly? or whether it is achieving economies of large scale production? Be objective in your analysis, and you will find that truth is often stranger than fiction. The service you provide is not adequate to meet the demand for it. That is why people who want telephones have to wait so long to get one. Obviously you did have adequate resources to expand. This illustrates that even the public sector has to compete for scarce resources. If the government was unable to provide you with adequate resources, did you think of getting these resources by making a bigger surplus or getting private capital in? As you know, the capacity of your system expands exponentially when you add more customers to the system, and you could thereby have made a bigger surplus. Did you keep abreast with latest technology? Are your consumers satisfied with your service or are they frequently complaining? I do not wish to sound critical of you. I am only asking you to examine objectively whether you are behaving better than a private monopoly.

(To be continued)

**Thomas Cook
makes it even more
convenient for you
with their
new
branch office at
Bambalapitiya.**

Call us for:

Travel (Air/Sea)

Tours

Travellers Cheques

Purchasing/Encashment

Drafts

Encashments

Thomas Cook

The trusted name in travel. Everywhere.

245, Galle Road, Colombo 4. Tél. 580141, 580275
(Opp. Holy Family Convent)

Head Office: 15, Sir Baron Jayatilleke Mawatha,

TEL. 545971-4 COLOMBO 1.

GARADS

Mahaweli Marine Cement Co. Ltd.

Port Premises, Colombo 15
Telephone: 522405, 522074
Telex: 21655 MMCCCL CE



**We'll give
you a
concrete deal!**