

Saturday Review

SRI LANKA

Vol. 1 No. 47

December 18, 1982

Police assault inside church

A squad of steel-helmeted Policemen which invaded St. Anthony's Church at Rambaikulam, Vavuniya on Wednesday morning (15th December) tear-gassed and baton-charged over three hundred men, women and students protesting against the Prevention of Terrorism Act.

Nine persons including a Sinhalese private medical practitioner were arrested and released on bail subsequently.

Several people, including young women, were injured. A jeep belonging to Gandhiyam (Vavuniya) was stoned and smashed up by the Police Party.

Hundreds of girls, women, children and men including Buddhists, Muslims, Hindus and Christians — began a protest fast on Wednesday in the Church premises. As scheduled, a silent march headed by school girls with mouths gagged and wearing black badges had just come on to the road when the Police pounced upon them, dragged the girls by their hair, and kicked and baton-charged them when they defied Police orders to disperse. The baton charge took place when the girls sat on the ground refusing to move. Then the Police stormed into the Church and baton-charged protes-

ters who had sought refuge there.

Nine people were arrested including Gandhiyam's Dr. Rajasunderam, Mr. M. S. Kandiah (a 75 year old social worker), TELF Secretary M. K. Eelaventhana, Dr. K. S. N. Fernando and David Naganathan. Tension was high in Vavuniya following the Police rampage and all shops put up their shutters.

Following this the Parish Priest of St. Anthony's Church, Father Rajendran, has lodged a complaint against the Police for having baton-charged devotees and used tear gas inside the Church building.

The Pot campaigner

This silent lone, "pot" campaigner, "Trai Pugal Valee" is a common sight in the streets of Jaffna today. This picture was taken as he stood opposite the Open Air Theatre stage while the Anti-Referendum meeting of 15 Left Trade Unions was going on, on Wednesday the 15th. The next day when SLFP's meeting was going on he again stood on the stage with the pot on his head. With his serene bearded face and simple, pure white robes, standing mutely and tirelessly for long durations of time he transforms himself into a symbol of indomitable stoic protest, at a



time when illegal posters and State Controlled Press are blaring out publicity for the "LAMP".

JAFFNA GIVES MRS. B A BIG HEARING

"Just as tension prevails in the North because of State Terrorism, in the South too such an atmosphere exists now. The obnoxious Prevention of Terrorism Act which had been ostensibly imposed in relation to the North, is being used in the South against my own party men who are now behind bars without any solid charges made against them" said Mrs. Bandaranaike, in the Open Air Theatre, Jaffna, on Thursday the 16th, in what was certainly the biggest crowd the North has seen during these four months of electoral canvassing in the island.

Though no film stars and pop idols occupied the stage, though no pandals, decorations or coloured lighting beautified the grounds, though no nervous security personnel were around, yet the crowd was clearly more than double of what attended J. R. Jayawardene's meeting.

Calling our Readers!

Thanks to the generosity of admirers and readers of this paper both locally and abroad SATURDAY REVIEW is nearing one year of publication, despite inadequate advertising. Continued existence of SR now demands that the price of the paper be revised again. Beginning January 1, 1983 your copy of SR will cost you Rs.3/-.

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Viewpoint

Tut, Tut, Mr. I. G. P.

There is an old story that comes to our mind. Several years ago, the then Principal of Royal College, Colombo, had a big problem on his hands. This was of course long after President Jayawardene had finished his schooling there. Romantic young Royalists were repeatedly caught writing amatory epistles—(that is a euphemism for love letters)—to Ladies College girls. Warnings by the Royal Principal and the then Ladies College Principal, a gracious nice lady called Miss Opie, proved fruitless. Literary-minded Romeos were on the increase. One day at the school assembly, the Royal Principal decided to make a public admonishment, but unfortunately came out with a rhetorical question which betrayed a note of helplessness. He said, (or words to that effect): If all you boys start writing letters to all the girls at Ladies College, do you expect me to wait with hands folded? What do you expect me to do? Before he could proceed further, a voice spoke up from the back of the hall: "You can write to Miss Opie, Sir".

We detected the same note of helplessness the other day when we read the report of how this country's chief law-keeping officer—Inspector General of Police Rudra Rajasingham—selected the Ladies College prize-day audience to talk of Terrorism! He said that terrorists had already killed several innocent people, some members of the police and armed forces and generally driven fear into the lives of innocent citizens. ... There should be a more vigorous public opinion in this country against

violence. Tcha, tcha. Violence indeed. Has this country's Police force been reduced to such a state of helplessness that it must seek the help of the charming blossoms of Flower Road to fight terrorism? Surely not. What an unfortunate platform to talk of terrorism and what a pathetic let-down of the Police image!

But if the Police chief **did** want to talk of terrorism and violence and innocent people, need he have been so **selective**? For example, he could have told the Ladies College cuties of the continuing violence and thuggery by UNP supporters in the south. He could have told them of Police terrorism in the north and east over the past several years. He could have told them of how two Tamil youths in Jaffna, Inpam and Selvam, were arrested by a Police party at 1 a.m. on the 14th July 1979 and how their bodies were discovered next morning miles away with their skulls battered and their brain matter scooped out and pellets removed. How the newly-married Selvam left behind a young widow and 3-month old baby in arms. He could have told them of the number of innocent Tamils murdered, knifed, battered and burnt alive during anti-Tamil riots which had been going on in this country periodically ever since 1956. Wouldn't the beauties of Flower Road have been horrified hearing all these? Surely the I.G.P. has the Police dossiers on all these, even if his Police force did not take any action in many of these matters.

I.G.P. Rudra Rajasingham is no ordinary politician to be found politicising girls' school functions. He is an experienced Police officer with a long and clean record, an upright gentleman, and someone to whom the rewards of the profession came in fact too late. SATURDAY REVIEW therefore regrets that he should place himself in a position where he could look as if he is singing for his supper!

Saturday Review

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JAFFNA**EDITOR**

S. Sivanayagam

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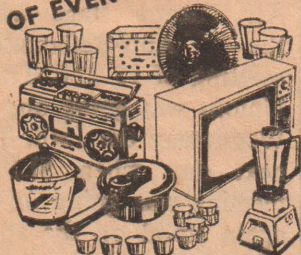
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14-12-82

Director,

So, for the first time since the last general election, President Jayewardene has come face to face with his main political rival, ex-prime Minister Mrs. Sirima Bandaranaike. The 22nd December Referendum will in essence be a test of their respective public popularity, a repetition of the Presidential election, as it were.

Unfortunately and unparadoxically, it is again an unequal contest. If on the last occasion the leader who would have been Mr. Jayewardene's main challenger was legally barred from the contest, now we have a situation where the main opposition party finds itself physically handicapped.

Besides all the advantages flowing from the control of the state machinery and unlimited funds, the Government also has published in Sinhala, Tamil and English 13 daily newspapers and 12 weeklies both state-controlled and privately owned) doing duty for it as a consequence of its decision to withhold state advertising from publications that unduly criticised the Government!

In contrast, the Sri Lanka Freedom Party's General Secretary, Mr. Ratnasiri Wickremarajane, one of its Assistant Secretaries, Mr. Vijaya Kumaranatunga, son-in-law of Mrs. Bandaranaike, and a number of other party activists are under detention on various, and in some cases vague, charges while the combined Opposition has only the Sinhala dailies "Dinakara", "Janadina" and the newly-started "Mauvima" to espouse its cause. And the shortage of financial resources is so severe that the opposition parties have been unable to utilise all the broadcast and television time available to them.

All Opposition parties say No

Still, the Referendum cannot be a cake-walk for the Government. Except for the now politically insignificant SLFP(M), which is supporting Mr. Jayewardene's effort to get a mandate to extend the life of the present Parliament for another six years, and the NLSSP, which is boycotting the Referendum, all the other Opposition parties, including the JVP have said a firm No, unlike at the Presidential election when they were hopelessly divided. Mrs. Bandaranaike's presence is also likely to make a significant difference.

Some Government propagandists have given the impression that only 2.7 million votes are required for Mr. Jayewardene's proposal to be endorsed. This is the absolute minimum in the extreme event of less than 66 per cent of the 8.1 million registered voters going to the polls. With the Tamil Uni-

Political Causerie

by

Gamini Navaratne

ted Liberation Front also campaigning in the North this time, a voter turn out as high as at the Presidential election, or even higher, could be expected, in which case there must be an absolute majority of votes.

The combined Opposition must be heartened and encouraged by the fact that only 379,475 votes separated it from the Government at the Presidential election.

What if a majority of the people reject the proposal? Then a general election must be held by next November the latest, on the basis of proportional representation.

Western capitalist model based on foreign borrowing is creating more problems than it is solving. What we have in Sri Lanka today is an artificial prosperity, a prosperity that cannot last because it is not based to the desired extent on increased agricultural and industrial production but on the import and sale of goods.

If there has been real development in the past five years to the extent claimed by the Government, then why is it that the gaps between its revenue and expenditure and the country's imports and exports are becoming increasingly unbridgeable? Why, in fact, has the Government

largest by any Third World Country!

In September this year, Brazil reached the brink of insolvency, finding it impossible to meet the interest and other service charges, so that President Reagan had to urge American banks not to press for immediate payment. President Figueredo's Government has now appealed to the IMF for a further loan of 5 billion dollars to meet immediate needs.

In the first week of December, President Reagan paid a visit to Brazil, one of whose objectives was to instil confidence in American banks which are losing faith in the ability

priority in the allocation of land and housing. In Sri Lanka, too filial duty is something that is becoming rarer and rarer in Mr. Jayewardene's "Just and Free Society".

If the people go along with him at the Referendum, they will not only be voluntarily giving up one of their basic rights—the right to elect their rulers at periodic elections—but also willingly inviting the placement of harsh economic burdens on themselves through the so-called "correctives" that the World Bank and the IMF will insist on for further assistance to usher in the economic El Dorado that we are told we will reach if only the UNP is given a chance to continue in office.

As I listened to the speeches at the National Convention on Human Rights at the New Town Hall, Colombo, on 10th December, I was also reminded of another meeting where the theme again was Human Rig-

Referendum cannot be a cake-walk for the govt.

Only if the Constitution is set aside for some reason or other, as in Pakistan under President Zia, would it be possible to avoid or postpone an election. However, the way events have been shaping in Sri Lanka since 1977, when the Government has ignored democratic norms on a number of occasions, such an eventuality cannot be ruled out altogether.

It must not be forgotten that what the people were promised during the Presidential election was a general election. Instead, they have been offered a Referendum, on the ground that "Naxalite" elements from the SLFP might enter Parliament, so it was best that the present UNP-dominated Parliament should continue!

The only way in which Democracy can be saved in Sri Lanka is by the people registering a massive No at the Referendum that would make any political adventurer hesitate in his tracks.

ARTIFICIAL PROSPERITY

No amount of rhetoric, bluster and propaganda can obscure the stark fact that it is the rapidly deteriorating economic situation that prompted Mr. Jayewardene to advance the date of the Presidential election and then decide on a Referendum to avoid a general election.

I have said it before and I repeat it now: the United National Party's attempt to develop Sri Lanka on the

been unable to present the Budget for 1983 on time? All because of world market forces, as we are repeatedly told? Certainly not.

To those who disagree with me that the Government's economic strategy will not work, let me cite the sad experiences of Brazil and Mexico.

In the late 1960s, Brazil launched an ambitious development programme backed by foreign loans and imported technology. Up to the early 1970s, the resultant economic development was little short of miraculous. But what is the position today?

The attempt to graft modern sector on top of a backward society, on the model suggested by the World Bank and the International Monetary Fund, has simply not worked. The visitor to Rio de Janeiro or Sao Paulo, the two main cities, has the impression that he is in some modern North American or European city. But just round the corner is the real Brazil, poverty stricken as before, almost untouched by the changes, with the bulk of the 110 million finding conditions worse off than before.

Two things Brazil has to show off are a very prosperous new rich class including in conspicuous consumption financed largely from spin-offs from state contracts and a huge foreign debt, now totalling 85 billion US dollars, the

of South America's largest state to manage its economy. He has now asked the international banking community to accept a rescheduling of or a moratorium on debts and thus help Brazil out of the crisis.

Mexico, despite its large oil revenues, is also finding itself in serious economic difficulties after trying US style development based on foreign borrowing. Its external debt is now 80 billion dollars, second only to Brazil's and is experiencing serious repayment problems.

Sri Lanka, too, could be in a similar plight as the "grace periods" on loans taken since 1977 expire and the debt ratio spirals — forcing the country to borrow more and more to pay past debts.

There is another unsavoury aspect to Western style development, which has been shown up clearly in Singapore, where the economy has 'developed' to such an extent that Mr. Jayewardene's friend, Premier Lee Kuan Yew has decided to use legislation to ensure compliance of final obligations! For the ancient Chinese virtue of "Xiao", or looking after one's parents, has almost vanished as his 2.5 million countrymen are engaged in a mad scramble for economic self-advancement. To begin with, and partly to solve the housing problem, three-generation families will in future be given

hts in Democracy. The main speaker was Mr. Jayewardene. Let me quote a few excerpts from his very moving speech.

"We feel that this Law (the Criminal Justice Commissions Law) should not be on the Statute Book. It has been most grossly abused. Powers under that law were given to political authorities, to Ministers, and to various people including officials who do not enter into the normal process of investigation, inquiry and punishment of offences.... Political victimisation took place on a scale unimaginable by any people who consider themselves living in a democratic and civilised State.....I would like to inform hon. Members that I would not like Members of my party following the example of that (Mrs. Bandaranaike's) Government. One aspect of our campaign in the country was that the previous Government was acting dictatorially, that they were destroying the human rights of the people and that we will not behave in such a way. We must not victimise our opponents or behave in the way some Ministers of the previous Government behaved..... The Janatha Party in India has temporarily locked up Mrs. Indira Gandhi. It is not for me to comment on what some other Government should do. But I will not do

(Continued overleaf)

Church and the Terrorism Act

It has been historically the strategy of those who aspire to absolute power to divide the opponents to absolutism. So today there are clear indications of a strategy in Sri Lanka to divide, among others, the Christian Church and thus prevent it from opposing absolutism. The strategy is to build walls of suspicion between Catholics, the Anglicans and the Methodists; to foster prejudice among Christians against Christian social activists; to fan Sinhalese chauvinist racialism among Sinhalese priests and laity, thereby keeping alive Tamil chauvinist racialism among Tamil priests and laity and thus divide the Sinhalese and Tamil Catholics; to isolate the Catholic Bishop of Jaffna from the other Catholic Bishops of the country.

Much is made of the alleged differences between the statement of the Catholic Bishops' Conference soon after the arrest of the priests in Jaffna and the later Statement of the Catholic Bishop of Jaffna. One newspaper in a desperate second-rate show of rabble-rousing journalism wrote editorially that "instead of condemning terrorism as admirably done by the Bishops' Conference, the Bishop of Jaffna has virtually condemned the security forces and accused them of violating human rights".

The foolproof fact that completely breaks this sensational case is that the Bishop of Jaffna is a full member of the Catholic Bishops' Conference and himself approved its Statement!

Bishops' Conference Statement

It must here be admitted that the Statement of the Catholic Bishops' Conference is not an ideal one. It makes no mention of Christian fellowship with the suffering Church in Jaffna. It is silent about the grievances of the Tamil people which are much older than anything that may be labelled Tamil terrorism. It does nothing to make the people understand that Tamil nationalism is not Tamil terrorism. In its blanket condemnation of violence (itself difficult to reconcile with the very old theological teaching on the right to self-defence, the just war and the just strike), it says nothing explicitly about the violence inherent in the Terrorism Act itself and in provocative occupation of the North by the armed forces of the State. The deficiencies of the Statement are perhaps due to the urgency of making it in time.

But that is not quite to the point of the present argument. What is to the point is that the Bishop of Jaffna gave no dissenting report on his episcopal

colleagues' condemnation of terrorism; in fact, he approved of that condemnation. A few days later he could hardly have contradicted himself by approving terrorism. Whatever else the Bishop of Jaffna may not be, he is not illogical nor has he ever been known to have a bad memory! The Catholic Bishops' Conference which includes the Bishop of Jaffna condemns terrorism. The Bishop of Jaffna holds no brief for terrorism. But and this is what the sensation-mongers of a section of the Press found irksome - he is also unequivocally opposed to

all who are concerned about the growing institutionalization of torture in this country; this institutionalization is a direct consequence of the Terrorism Act.

Still, the entirely unprecedented Army (not even Police) communiques and press conferences on the detenus and on their state of physical and mental health have given a quite contrary impression to the mass of people in the country. And the Army officers are all honourable men! It may therefore only be that between November 14 and 17 or 18 they were also

on 22 August 1979 (only one month after the Terrorism Act was certified), the nascent Movement demanded that the Anti-Terrorism Act "which is an attack on the democratic rights of all the people of Sri Lanka be repealed". This statement had an electric effect on the country. At a mass rally at Hyde Park on 20 September 1979 several Unions registered a clear, vehement and unanimous protest against the Terrorism Act and the Jaffna Emergency.

It has been suggested during the past few days that the Bishop and the Catholic

tation at Pandatheruppu, Jaffna, under the leadership of our Bishop, while discussing pastoral problems, noted with grave concern the recent trend of events in the country....

We are afraid that the present State of Emergency and the censorship of the Press appear to be misused by the Army and the Police to engage in terrorizing and humiliating acts against innocent citizens, and thereby giving occasion to building up further tension. We, therefore, urge the Government to lift the Emergency and restore normal conditions in the Jaffna District as in the rest of the Island."

To say therefore that the Bishop and the Church of Jaffna protested against the Terrorism of the Terrorism Act only in the second half of November 1982 and only after certain priests were taken into custody is only another attempt to sow discord and division among all those who directly or indirectly have been victims of the Act and its fateful and sometimes fatal consequences. And some of these are being held incommunicado in Panagoda, Elephant Pass, Welikada for more than 12 months.

Human Rights are at stake so long as the Act remains on our statute book. The more than sixty persons who are still in detention under the Act must be tried under the ordinary processes of the law. The Bishops should be wary of attempts from whatever quarter to break the unity of resistance to the Terrorism Act and their demand for a fair and just process of trial of all those taken into custody.

by **Fr. Paul Caspersz S. J.**

the at least equivalently terrorist "moral pressure, intimidation and questionable measures" used by the security forces in the North to extract confessions from those taken into custody.

The only question is whether "moral pressure, intimidation and questionable measures" have been used to extract confessions from those arrested. There is little doubt that they were, as an intelligent reading of even Fr Singarayer's statement about the treatment meted out to him at Gurunagar Army Camp shows. The Army Brigadier easily dismissed Fr Singarayer's veiled strictures on the conditions to which he was subjected during the first three or four days of his arrest by saying that the priest "probably meant that since he was in new and unaccustomed environments, it would have taken him a few days to adjust." This is probably typical of the level of humour that enlivens dull evenings in Army Officers' messes.

The important thing to note when one reads the extremely tendentious reporting of the "confessions" of the arrested persons during the crucial first three or four days of their custody is precisely and simply that these "confessions" were obtained during the first three or four days. Fr Donald Kanagaratnam who was fortunate enough to be released after three days in custody has begun to tell readers of this Review of the conditions of the detenus during the first three or four days. Fr Donald should be read carefully by

forgetful men. It is therefore necessary even at this late juncture to recall Article 11 of the 1978 Constitution which is a nearly word-to-word repetition of Article 5 of the Universal Declaration of Human Rights: 'No person shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment.' Torture is defined in the Concise Oxford Dictionary as the infliction of severe physical or mental pain.

Extracting of confessions

To summarize:

The Bishop of Jaffna had reason to protest against the moral pressure, intimidation and questionable measure adopted to extract confessions from the detenus during the post-Deepavali week. If there was a relaxation of this moral pressure and intimidation later, it was precisely because of the protest of the Bishop and the spontaneous upsurge of outraged feelings on the part of many persons in many places in the North and East of the country. No one more than the Bishop hopes that the protest of this people will lead to a similar relaxation in regard to all the other detenus under the draconian Terrorism Act.

The Army and the Police have acted in the way they have done on the authority vested in them by this notorious Act. Against this Act protest was registered very early by the movement for Inter-Racial Justice and Equality. Meeting in Colombo

Church in Jaffna began to protest against the results of the Act only after his priests were taken into custody in the post Deepavali week last month. Nothing can be further from the truth. Hansard of 4 October 1979 (col. 912) cites a letter written by the Catholic Church leaders to the President of the Republic. It reads as follows:

Your Excellency

We the undersigned duly authorised by 85 representatives of Priests, Religious and lay Organizations working in the Roman Catholic Diocese of Jaffna, assembled in a Diocesan Pastoral Consul-

Political Causerie - Contd.

(Continued from page 3)

it. If offences have been committed, there are normal laws operating in the normal way and you can bring charges for those offences. But politically I will not lay my hand on a single member of the previous Government. When this Law is repealed, all the laws that will be operative in Sri Lanka will be normal laws. No man can be locked up in a police station for more than 24 hours. Anyone arrested has to be produced in court within 24 hours.....There has been an element of sadism in the previous Government. I will not treat my worst enemy in that way. I look on both friend and foe alike. The law must be applied properly and huma-

nely, whatever the offence that may have been committed. So we are going to repeal this Law to forget that sad chapter in our democratic history....."

That speech was made in Parliament on 21st October, 1977. That speech was made by the man who I then regarded as my "Gurudeva". For in the "dark days" of the previous regime, he stood up for the finest qualities of the human spirit. He was then ready even to lay down his life in the struggle to defend the human rights of the people.

What has happened in the past five years? I do not know that. But I know this. I am like a man who has been following a "god" who has suddenly let me down.

A new current of political development is running through the North and East today. One who witnesses what is now almost a daily occurrence in Jaffna, of school-girls protesting with black flags and slogans at their school gates, of housewives, children and the aged seated in whole day fasts in Church compounds, of nuns, priests and University Lecturers holding placards, cannot miss the fact that Tamil politics has reached a more mature stage.

The professional politicians

A common feature of post-colonial politics in most Asian and African countries is that after waging a wholesome mass agitation to drive the European colonists out of their nations, the people have now taken an indifferent backseat in political affairs, entrusting politics into the hands of a special breed of men called "Politicians" and a special institution called "Political Party". But lacking the critical participation of majority of the people, the parties and professional politicians have not hesitated to exploit their votes and act to further only their wishes at the cost of the real needs of the people. With the apathy of the masses, it is not surprising that in most Third World Countries real democracy is lost and the trend is towards a Totalitarian State.

Behind-the-curtain political games

In Tamil politics, the average Tamil man with his typical materialism, has been content with minding his own business and leaving the dangerous game of politics to be played by a few "father figures" in the form of "Thanthai Chelva" and "G.G." Later they handed over the politics to the TULF M.Ps and a few gun-trotting youths. The cost has been heavy: not only have the Tamils failed to develop a mature political awareness, they have also failed to check the TULF from playing its own intriguing behind-the-curtain political games with the UNP. It is in this context that it is heartwarming that various sections of the community, of various age groups, of both sexes, and from different walks of life have now come to the forefront to claim their own political rights.

Grassroots

Organisations

The fasts and protest marches now going on, have been organised by grass-roots organizations which are independent of the recognised Tamil political parties; in some Churches it is the parishioners

Tamils are now learning not to leave everything to their leaders

themselves without any specific Party affiliations who have organised the sit-ins. An interview with the protesting school-girls of the Jaffna Holy Family Convent and Pandai-tharippu Hindu Girls College showed that not even the teachers were behind the organisation; it was the students themselves on their own initiative who had organised the protests. So there is a clear shift in political init-



Thanthai Chelva

by

Staff writer SURESH

iative from the few dominating political parties, back to the people themselves.

With the arrest and detention of a woman and clergy, the Tamils are now learning the bitter realization that no one can escape from Politics. Politics encompasses the whole of social life, that even the simple questions in daily life are ultimately political in nature. There is no area in life that is outside politics, and in modern life politics defines the destiny of each human being. Jean Paul-Sartre puts it ironically when he says "You can escape from Politics, but Politics will catch up with you"! So it is very significant that the Tamils have now personally committed themselves to fight against oppression, and have jettisoned the superficial view that Politics is a specialised activity confined to the Parliament or the political parties. Such level of mass political awareness and involvement as it is in Jaffna today, is only evidenced in a few socialist countries and the Central American States.

Of course, the Colombo based dailies have poohpooed the new developments in Tamil politics. The public in the South too believing

these dailies, like the proverbial blind following the blind, have simplified the prevailing mass agitation as an irrational emotional outburst (provoked by the arrest of the clergy, which has pricked their sensitive spot) which would die before the next full-moon. They think that the Tamils are stubborn and foolish to continue their protest even after those arrested have "confessed" to their "guilt", and have publicised that they have not been tortured in anyway.

But even a ten-year old child reading the posters and placards held in the sit-ins these few days wouldn't have failed to notice that the protest here is against more serious and fundamental issues. The people here protest that whatever "guilt" is "confessed" should be done in the open court of law and

test against National oppression. Brigadier Ranatunge in his Press Conference in Colombo strove hard to separate the Church as an institution from the "politics" of a few individual priests. But a couple of days after his statement, a sit-in at St. Martin's Seminary, Jaffna, in which about two hundred nuns and priests of Jaffna and Mannar participated, sported a banner which pronounced "We are proud of those who are persecuted". They hit the nail on the head, showing that the Tamil Church was totally behind the arrested priests.

It has been interesting to see the Christians on the other side of Elephant Pass, rushing to the Bible—that treasure-trove of quotations! to pluck verses from here and there to renounce the Tamil Church. At least six

ment and forget the second commandment of Loving Your Fellowmen - of committing yourself sellessly to fight against the oppression and exploitation of the fellow Tamils.

The Southerners also expose their limited understanding of the nature of the political system in our country when they exhort the Tamil priests to support the Government and Forces which they claim to be the guardians of Justice, and order. If after nearly thirty year, of discrimination against Tamils in the fields of Education, Employment, Language, and Land colonization, and the recent Army and Police occupation of North, with the infamous burning of the Library and slaying and torturing of our youth, the Government can still be claimed to be the organ of Justice and Order, then this is sheer blindness. If the Tamil priests can still support such a Government, they will be hypocrites who preach Truth and support Injustice.

Hindu and

Islamic support

Another significant development during these past few weeks has been the support of the Islamic and Hindu Religions for the Tamil cause as well as for the release of the Christian Clergy. Fasts have been held in mosques and Kovils, and statements have been released by the religious dignitaries protesting against the State. The ability to forget their differences in the face of the common political threat is certainly an inspiring development. The religious institutions of Jaffna have at last descended from their blissful ivory towers and mingled with the problems of the common people. Even the clergy seem to have realised that politics is so all-encompassing that not even they can afford to escape from it.

Directing a

mass agitation

While greeting this new development of united peoples participation in Tamil politics, let's be wary as to use this opportunity to give the masses a deeper awareness of their political predicament. A sound

not in a brutal isolated Army Camp. They are enraged that whereas normally a suspect is innocent till he is proved guilty, the Army, the Press and the Government have been involved in the unheard of practice of branding the clergy as "terrorists" even before any solid legal proceedings have been held. The people are protesting against the obnoxious Prevention of Terrorism Act which gives licence to the Forces to arrest at random, to torture, to detain anyone for 18 months in an unknown place without access to lawyers or relatives. The masses have also had an insight into the fundamental sickness of Sri Lanka, of which "terrorism" is only a symptom, i.e., the oppression of the Tamil Nation.

Tamil church

Solidly behind

So the arrest of the clergy, the Lecturer and his wife, is only a temporary spark that ignited the mass agitation enabling them to freshly comprehend the fundamental evils in the Sri Lankan political system.

Another significant feature of these few weeks of Tamil politics is the identification of the Church with the pro-

editorials and dozens of letters to the Editor have appeared in the Colombo based dailies condemning the Tamil Priests. Biblical verses have been misquoted and misapplied as Southerners strove to use Bible to support their own racial bias. Their arguments range from saying that Priests should keep away from Politics, to proclaiming that the duty of the clergy in Jaffna is to uphold the Government and the Forces who are the true guardians of Justice and Order.

Loving one's fellowmen

Theoratically, the Southerners are guilty of ignoring the essential truth of the Incarnation - God becoming Man through Jesus Christ. This describes the necessity of a fusion between the Supernatural and the Material, the Divine and the Human. So to argue that Priests should stick to spiritual affairs of the Church and not enter practical politics is a distortion of Christianity. The Southerners are also guilty of ignoring the two main commandments of the Bible - Love God, Love your fellowmen. The Southerners would rather have it that the Tamil Priests stick to the first command-

(Continued on page 10)

Due to certain provisions of our Constitution the Referendum has become a very important part of the Process of legislation. "Referendum" is seeking people's view of "Yes" or "No" by the President or by the Parliament before, a matter of national importance is implemented.

According to the constitution Sovereignty is in the people. It includes the power of the government, fundamental rights and the franchise. The above said Sovereignty is exercisable by the people in many ways. One way of exercising this Power is legislative, others being executive and judicial. There are two ways by which people are able to exercise this legislative power.

(1) Through and by their elected representatives in Parliament

(2) By the people themselves at a "Referendum."

It was pointed out that one way of exercising people's sovereignty is the right to exercise this franchise. The people can exercise this franchise on three occasions.

(i) At the Election of the President,

(ii) At the Election of the Members of Parliament,

(iii) At every Referendum.

Qualifications

for voting

Every Citizen who has attained the age of eighteen years and who has not been subject to disqualification is entitled to exercise the franchise at the referendum by free, equal and secret ballot. This voting right has to be exercised by the citizen himself and cannot be exercised through a delegated representative. Even though a citizen may be registered in more than one electoral register at a given referendum he is entitled to use only one vote.

To be eligible as a voter, a citizen should possess the following qualifications:

(i) Should be a citizen of Sri Lanka.

(ii) Should have attained 18 years of age prior to the date of preparation of the electoral register.

(iii) Should not be of unsound mind.

(iv) Should not have been convicted and undergoing a term of imprisonment for crime, bribery, election offences, corrupt practices etc.

(v) Should not have been a person who had been declared bankrupt or insolvent.

(vi) Should not be a person who had been subject to civic disabilities.

In the following instances, before the President gives his assent to a bill or any provision of a bill he has to submit the same to the people by referendum.

(i) A bill or a provision of a bill for the amendment or for the repeal and replace-

ment of or which is inconsistent with any of the provision of articles 1, 2, 3, 6, 7, 8, 9, 10, 11, 30 (2), 60 (2) and 83 of the Constitution.

(ii) A bill or any provision of a bill which has been certified by the Cabinet of Ministers that it is intended to be passed by 2/3 rd majority in Parliament and by Referendum, by the people.

(iii) A bill or any provision of a bill which the Supreme Court has declared that it is requires approval of 2/3 rd majority in parliament and of the people by Referendum.

it being referred to the people.

In the following instances the president at his discretion can refer a bill or any other matter to the people by Referendum.

(a) A bill which is non constitutional in nature (i.e. not being a bill for the repeal or amendment of the constitution) or which is inconsistent with any provision of the constitution and which has been rejected by the Parliament.

(b) any matter which is in the opinion of the President is of national importance and

been already done by their representatives in Parliament.

Since all the people are not able to exercise their decision by word and even if they can, since counting will become a cumbersome process a formal type of ballot is being used for this purpose. The ballot would contain the question which is being referred to the people, two symbols which denotes "Yes" or "No" and a cage where people have to mark "X" to express their approval or disapproval of the proposal. It is easy to understand the same by look-

of terms of office of President - Green

(3) To increase the number of seats of the Parliament - Blue

The Commissioner of Elections would declare the results for each question referred to separately. After the closure of the poll the votes counted at each polling station would be aggregated. Then such results should be communicated to the President by the Commissioner of Elections. If it was reported to the President that during the time of referendum election that in some area or part of the country the election could not be properly conducted, due to peculiar prevailing circumstances, (such as disturbance, violence, floods, etc) the President can issue a directive to hold a fresh referendum for that part of area only. However if the

referendum

Constitutional provisions & the process

By

Mahinda Ralapanawa

It is conventionally accepted that when such a bill is approved by 2/3 rd majority in parliament, it should be referred to the people for a referendum.

The amendment which was to have provided an additional Parliamentary seat for Kalawana, which was at that time known as the 3 rd (Kalawana) amendment, although it was passed by 2/3 rd majority in parliament with necessary certificate from Cabinet of Ministers, it was never referred to the people. This was because the member of parliament in question (Mr. A. Pilapitiya) resigned and a vacancy was no longer necessary. It is argued that the proper procedure should have been for the parliament to withdraw the amendment without allowing to lie in abeyance. (Since then a third amendment to provide authority for the President to seek a mandate before completion of the period of office has been passed, thus making the previous third amendment to lapse.) It is said that non withdrawal of the then 3 rd amendment has led to growth of bad conventional practice where the President could allow a bill to lapse without

which he considers necessary to seek the views of the People.

The President as well as the Parliament is bound by the decision of the people at a Referendum. If a bill had been rejected by the people and if Parliament tries to implement the same, it will be illegal. i.e. if the proposal to extend the lifespan of parliament is rejected by the people under no circumstances, it can be extended.

In all instances the President has to issue a directive to the Commissioner of Elections to hold a Referendum. In his directive he must indicate the matter to be referred to the people and a date for the Referendum Election.

Normally the Commissioner of Elections will make avail of the structure and machinery generally available for the parliamentary elections i.e. using of existing polling stations based on electoral districts.

In a Referendum the "Right" people can exercise is to say "Yes" or "No" to the question which had been referred to the people. They cannot voice viewson the question because it has

ing at a hypothetical ballot paper:

More than one question can be referred to people at one referendum. Since a referendum election is an expensive process, normally only issues of paramount national importance would be referred to people and in doing so government could put 2 or 3 proposals which they have in mind at the one and same time. In a such instance a voter will receive one ballot paper each for every question referred to.

QUESTION	REPLY	VERDICT
Should Sri Lanka leave the	Yes (lamp)	
non Aligned movement	No (pot)	X

For easy identification by the voter as well as well as for easy counting, the ballot for each question will be printed in a separate colour.

e.g
(1) Should Sri Lanka leave the Non Aligned Movement - Red

(2) Extending the duration

President feels that the decision of that area (say because it's small etc.) is not going to affect markedly the general decision of the majority of the citizens of the country, in such circumstances the President may not issue a directive to hold a fresh referendum to that area.

According to the constitution a matter referred to the people could be said to have been approved by the people only if they have fulfilled the following conditions.

(a) If the total number of votes cast (excluding the rejected i.e. total for and against) exceed 2/3rd of total number of electors registered for the whole island and in such occasion, if the total number of valid votes in favour of the proposal has an absolute majority, the proposal is deemed to have been approved by the people.

(b) When the total number of valid votes (excluding the rejected) does not exceed 2/3rd the total number of registered electors, in such instances if the total number of votes cast in favour of

the proposal exceeds 1/3rd of the number of registered electors of the whole island, it is deemed to have been approved by the people.

If the results of any matter referred to the people at a referendum, does not conform to above circumstances, it is deemed to have

(Continued next page)

I C J Expresses Concern at Sri Lanka Referendum

Text of Secretary - General's Press Release

Referendum
(Continued from page 6)
been not approved by the people. This could be very well illustrated by the following hypothetical analysis of 1979 electoral registered figures, given below.

On the other hand if the number of votes polled "for the proposal" (column 5) was in fact against the proposal, then it is deemed that the people have rejected the proposal. Then the President or the Parliament as the case may be has to abandon the proposal.

Once when the bill has been endorsed by the people the President shall endorse a certificate to say that "the bill or the provision had been duly approved by the people

The Secretary - General of the International Commission of Jurists, Mr. Niall MacDermot, issued a statement expressing concern and regret at the proposed referendum to be held in Sri Lanka seeking approval for a constitutional amendment to enlarge the term of the present Parliament for a further six years.

Mr. Junius R. Jayawardene came to power in 1977 when his party won a sweeping victory at the elections giving them a sufficient majority to vote amendments to the Constitution at will (143 out of 168 seats) Certain amendments must, however be approved in a referendum.

After the 1977 election major amendments were approved to the Constitution, replacing the former system on the British model by an executive presidency, the President's term being fixed at 6 years.

The ruling party's popularity has been waning recently and the President decided to seek re-election before the end of his term. The Constitution was amended again in 1982, so as to enable the President to seek re-election after only 4 years. In an election in October 1982 President Jayawardene secured his re-election for a further six years. He then immediately announced that he would seek

approval by a referendum for a further amendment to extend the life of the present Parliament for 6 years without holding the parliamentary elections due in 1983. He explained that as the people had given him a mandate to implement the policies initiated at the 1977 election by re-electing him for a second term, he proposed to ask the people to extend the term of office of the first Parliament by six years.

It does not, of course, follow that if Parliamentary elections were held next year, the electorate would necessarily vote the President's party back into power, and few observers think that they would do so with the huge majority

gained in 1977.

It is unprecedented in a parliamentary democracy for the life of a parliament to be extended in this way, other than in time of war. Sri Lanka is one of the few countries of the third world to enjoy the advantages of a free multi-party parliamentary democracy. The recent amendments and proposed amendments savour more of political manoeuvring than of a desire to maintain the stability of the Constitution. It is to be hoped that in the coming referendum the electors will reflect carefully before allowing the undoubted popularity of the present President to undermine the tradition of constitutional rule.

referendum

at a Referendum". Every such certificate shall be final and conclusive and no Court or Tribunal can question the validity of such an act on any ground whatsoever.

There rests a heavy responsibility on political parties in an event of a Referendum. They have the right to canvass for or against the Proposal by holding meetings, rallies, or by distribution of leaflets. Also government will afford

opportunities to all recognised political parties (whether in govt. or opposition) to convey their views to voters.

(a) By distribution of pamphlets and literature free of postal rates,

(b) By providing maximum of 45 minutes of Radio/ Television time per party to air views.

In addition every recognised political party has the right to nominate an electoral agent to

every electoral district, who in turn could nominate polling and counting observers within the electoral districts. They would act as guardians of citizens Rights and prevent any malpractices.

Just as in parliamentary elections conducting of elections of election processions, engaging in bribery, corrupt practices, display of canvassing material, undue influencing, canvassing for votes and obstruction for

Properly Used, it is A Step ahead in People's Participation

voting is strictly prohibited by Law. The person found guilty of such offence is liable for one year's rigorous imprisonment or a fine of Rs. 500 or for both. Any one who is convicted for such offence loses the right to be registered as a elector in an electoral list for seven years and also will not have the right to vote at,

(a) A referendum election

(b) A Parliamentary Election for a period of seven

years. If the person so found guilty is member of parliament he ceases to be a member from such date.

This analysis has looked at the referendum from its legalistic angles. But no attempt has been made to weigh pros and cons of the actual process itself. But what can be said is Referendum if properly used is a further step in people's direct participation in the exercise of the legislative Power.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Total No. of registered voters		Total No. of vaild votes	for	against	Decision
IST STAGE	7,573,214	2/3rd 5,048,808	5,048,810 (is more than 2/3rd)	2,524,410	2,524,400	Has been approved by the people by a majcrity of 10 votes.
2ND STAGE	7,573,214	1/3 2,514,404	3,750,000 (is more than 1/3rd)	2,524,410	1,225,690	Total polled is less than 2/3rd of registered voters, But is more than 1/3rd of the total registered. This is deemed to have been approved by the people,

The Eelam Tamils

Association of America

(Headquarters in Massachussets)

has requested an audience

with His Holiness Pope

John Paul II to explain

the problems of the

Tamils in Sri Lanka

His Holiness Pope
John Paul II
Vatican City State
Europe.

Your Holiness,
The world is fortunate for your courageous leadership in these times of turmoil. Your grand gesture of concern toward not only the beleaguered people of Poland, but also the hapless human beings of Palestine is watched by the whole world with gratitude. The welcome you extended to PLO leader Arafat is very encouraging not only to the Palestinians but also to many other people whose human rights have been denied.

We the Tamils of Eelam who live under the rule of Sri Lanka are also requesting the same spirit of mercy that Your Holiness have showed to the cause of the unfortunate people elsewhere. From the beginning of history until the conquest by foreigners we the Tamils of Ceylon have been a sepa-

rate nation with our own language, culture and territory. When the last of the conquerors left the shores of the island of Ceylon, we came under the rule of the neighboring country called Sri Lanka which is larger in size and population. For the past three decades we have seen discrimination, thugery, murders of innocent men, women and children and mindless suppression in the hands of the Sri Lanka government whose only strength is the strength of the gun. After many futile attempts at peaceful co-existence, we have now decided to gain back our freedom. We sincerely believe that our cause is just and blessed.

Many have died and many more will die unless our voice is heard in time by the world. And the only way for our voice to be heard by the world now is to seek the assistance of your holy hand.

To be heard after needless bloodshed is a waste of human lives. In order that we may save innocent lives, we wish to submit our grievance in person. We therefore request the audience of Our Holy Father. There are millions of Tamils in South India and the world over who are devout followers of Jesus Christ; they will be greatly relieved of Your Holiness' understanding of the Tamil cause.

The literature enclosed herewith will reveal to your Holiness the condition of our nation.

As the highest representative of the greatest organization on the face of the earth, Your Holiness are in a noble position to guide us.

Thanking You in anticipation of Your Holiness's kind reply.

Most respectfully,
Sri Thillaimpalam
President

The recent news of the alleged involvement of the Tamil Catholic Priests had hit the head lines in the papers in the recent past. Much publicity has been given to the Army and to the press conference held at Army Head Quarters. As a Law-abiding and peace loving citizen I do not condone violence and terrorist activities. Those who break the Law must be brought to books just the same way (and under the same law) Somarama and Buddharakita Theros were brought to books.

Reading in between lines of the news paper report, articles, letters to the editor, editorials and not to mention the speeches made in the parliament with regard to the involvement of Catholic Priests in the North apart from the information which led to the arrests of the Catholic Priests, the Army hierarchy claims that the Priests had confessed their connections and involvement with the hard core of the terrorists. I could not find anything and substantial not worthy other than the information and confession referred to above to raise one's eyebrow. Of these the information does not go into the root of proving the guilt of the Priests. But the confession does.

Neither the Army hierarchy nor the Premier who made a statement in this regard from the floor of the house has ventured to state the availability of any other evidence to presume the guilt of the suspected Priests. Under the normal law confessions are admissible only if made to a Magistrate who

Detained Catholic Priests:

Media Jumped the Gun

administers caution to the maker of the confession that the confession would be used against them and is given sufficient time by the Magistrate to think over before making the statement. Under the much criticized Prevention of Terrorism Act, confession made to a Police Officer not below the rank of A.S.P. is admissible if not obtained under inducement, threat or promise.

The much-hailed confessions of the Priests are presumed to have been obtained under the Prevention of Terrorism Act, and it is presumed and has to be accepted that it was not obtained under inducement, threat or promise in Violation of the same Act; for the army who is acclaimed to have done a splendid and a praise-worthy task in the arrest and the investigations of the Priests, would not have taken a statement under inducement threat, or promise in breach of the provision Prevention of Terrorism Act. Public is thus made to believe that the Priests have in remorse and in their own violation confessed their connection and participation.

So then, when the confession was "easy coming", so to say, why didn't the Army Officers who conducted the investigation and the Gazetted

Police Officers who were availed of by the Army to record statements think it fit to have the confession recorded before a Magistrate under the normal law. If the Army had done this there is no room to suspect that confessions were forced out under threat or duress. The obtaining of the confession under the Prevention of Terrorism Act leaves a big credibility gap in the whole episode.

gullible Pastor had in an indecent hurry come to the conclusion that the confessions elicited under the Prevention of Terrorism Act are nothing but the truth. Even if such confessions were obtained under the normal law, yet one cannot run to any conclusion until proved in a court of law; for as President of the Council of Bishops Rt. Rev. Dr. Marcus Fernando rightly pointed out, the suspects

Security Forces. Will they be among the living today? I do not know under what provisions of this law these people who rendered services are to be dealt with. In any event we do not have to stretch our imagination too much to infer that the commissions of these so called acts of service were done under implied threat (of death probably).

I would commend to those actively engaged in the eradication of terrorism in the North not only to use their head, but their heart too to achieve their objective; If not they will get negative results in that, instead of eradicating terrorism they will spreading it like cancer. A step in the correct direction seems to have been taken after the unfortunate attack on the Chavakachcheri Police. Unlike in the past the Security Forces here spared the innocent public, which they failed to do in the past. If they had observed this attitude in the past situation in the North would not have snow-balled into the present chaotic state.

By

X. Sornabala

In the course of last week the Daily News carried a centre page article by a Pastor and a letter to the editor written by a lay Catholic. The Pastor has already come to the conclusion that the suspect Priest in the North had been in possession of ill-gotten loot. The lay Catholic refers to the suspect Priest as self confessed criminals. Why can't this Pastor and the lay Catholic display more charitable outlook instead of driving a wedge between the two major communities by their thoughtless articles and letters in the Press. What made the lay Catholic believe that the confessions were obtained with out threat or duress? The

ought to be presumed innocent till the guilt is proved in court. So why should the Pastor and the lay Catholic jump the gun, more so why the press give prominence to such biased articles and letters to the editor. Any media which is worth its salt should help the public to maintain an open mind in a sensitive issue such as this.

In passing I wish to pose another question, what would have been the fate of those who are alleged to have given medical treatment and shelter to the terrorists if they had refused to render such service or after rendering the service informed the

LETTERS

Nihal Jayawickrema on P. B. G. Kalugalle

30/13, Park Road,
Colombo 5.
December 8, 1982.

Dear Sir,

Mr. Kalugalle has begun asking from public platforms, from town to town, why Mrs. Bandaranaike did not give evidence at the trial, twenty one years ago, of the persons accused of the murder of her husband. Mr. Kalugalle has waited until he was expelled from the SLFP to ask that question. He now says he was "disgusted" when Mrs. Bandaranaike did not give evidence. One wonders how he managed to serve as a Cabinet Minister under Mrs. Bandaranaike for over twelve years while harbouring that feeling of disgust towards his Prime Minister.

Mr. Kalugalle has been a lawyer and must surely know that every person who thinks he is a witness to a crime cannot storm into a courtroom and insist on giving evidence. That is not how criminal trials are conducted in our country. Such a person must be called by the prosecution to testify. Neither Mr. A.C.M. Ameer, Q.C., who led evidence in the magistrate's court, nor Mr. G.E. Chitty, Q.C., who prosecuted at the trial, called Mrs. Bandaranaike as a witness.

Why was Mrs. Bandaranaike not called as a witness? The answer to that question was given by Mr. Justice T. S. Fernando, Q.C., who presided at the trial in April 1961. According to newspaper reports of that time, this is what the Judge said:

"It is a convention in our Courts that a deceased person's wife is rarely ever called to give evidence. She would be called only if there is no other evidence. The ordeal of losing a husband is more than what a woman can bear without having to re-live the whole thing over again."

Surely, Mr. Kalugalle is aware not only of that convention of our courts, but also of that answer given by the Judge at a trial at which he himself was a witness.

Why was it unnecessary to call Mrs. Bandaranaike as a witness? The answer is apparent from this extract of Mr. Justice Fernando's charge to the jury:

"The prosecution has put forward into the witness box Barnes Ratwatte, at that time an Advocate and at the time he gave evidence a Magistrate. Barnes Ratwatte is the brother of Mrs. Bandaranaike, the widow of the deceased. He says his sister, Mrs. Bandaranaike, was near the aviary talking with the Park Superintendent and Hema Dabare. He says he heard some explosions, but he paid no attention to them.



Why She was not called as witness

Although Mrs. Bandaranaike was further away from him, he saw Mrs. Bandaranaike run past him into the house. You will see, gentlemen, how different people react. Barnes Ratwatte did not get worried about the cracker-like shot he heard. The protective instinct of a woman made her to do one dash into the house, and Barnes Ratwatte's evidence is that he followed closely on the heels of his sister, possibly realising that there was something wrong for his sister to run like that, and he says that it was Mrs. Bandaranaike who was first to approach her husband and the man who was following him. He says he saw Mr. Bandaranaike walking fairly fast holding his side with one hand and the 4th accused (Somarama Thero) following behind him pointing a revolver at him. He says that his sister put one arm round her husband and with the other arm she clutched at the robe of the 4th accused. He says at that stage, Mrs. Bandaranaike made a movement as if to seize the 4th

accused as well and the 4th accused ducked. That is the word Ratwatte used. As the 4th accused ducked, Hema Dabare jumped on him. He was not seriously cross-examined by counsel. It was not suggested to him that this was his imagination."

The 4th accused, Somarama Thero, was convicted of murder. His appeals to the Court of Criminal Appeal and to the Privy Council were dismissed. Why then does Mr. Kalugalle seek to malign Mrs. Bandaranaike in this fashion, twenty one years later? More pertinently, must Mr. Kalugalle so distort contemporary history in order to gain some temporary political benefit for himself today? A whole new generation has grown up since that fateful day in September 1959 when a Prime Minister beloved of his people was gunned down in cold blood in the veranda of his home and that generation has a right not to be misinformed by the political leaders of that time.

Yours faithfully,
Nihal Jayawickrema.

Filthy politics in camouflage

No. 1, Station Road,
Katugastota,
7-12-82.

The Editor,
Saturday Review,
Jaffna.

Sir,

Mr. Jayawardene seems to be pushing his luck too far aided by his spokesmen, trying to outdo the performance of Goebbels.

We have to recall the hopes given to the people early in their victory—the code of conduct for ministers and numerous etceteras, and compare what really transpired since.

The true state of filthy politics, violence, deceit and thuggery are all camouflaged by eloquent words and gimmicks, never before experienced in this fair isle.

It is no wonder that attempts are made to silence the intelligentsia, who are wise to these ruses—viz, the attack on Prof. Ediriweera Saratchandra and only last week on the clergy of many faiths in Gampaha.

Never before has there been so many contradictory statements made by leaders in this country. Futile attempts are made to justify each contradiction.

Although it is not the purpose of this letter to evaluate the character of our leaders, it seems appropriate to compare the present with the past. Mrs. Bandaranaike, despite the concentrated attempts to discredit her, had the character to implement what was expressed, contrary to the present when one

thing is said and another done.

Of what use is it to describe a man as a sportsman, when in flowery language he changes the rules in every game, whilst the game is in progress?

Let us not be bamboozled into a position to believe whatever is cooked up by VIPS.

Amongst various reasons for the forthcoming, Referendum, a statement has been made to say that this is to assure a continuance of the development work already under way. Let us recall that it was these very VIPS

who blared in 1977 that development should come after the masses are fed with the 8-lb cereal they promised then.

Another statement was to say that it is to prevent Naxalite-minded people from entering Parliament. In heaven's name, let the masses decide whom they want to hold office.

So, in one Voice, let us vote for the Pot, at least to ensure that the wolves in sheep's clothing are driven away once and for all.

Yours faithfully,
T. G. Edirimanna.

Let's change the spirit of Christmas this year

Mathagal
8-12-81.

The Editor,
Saturday Review,

Sir,

Although there had been several protest fasts and Satyagraha processions asking the Government to bring those detained by the Army and have them tried in a Court of Law, it appears very doubtful if anything justifiable will ever happen. The fasts and other Ahimsa methods should be continued continuously so that the Powers that are handling this case may be reminded every moment to reflect on their sense of justice and fairplay, or are we asking too much from them?

The month in which the Christian and Catholic Priests were arrested - November - is generally a month of austerity in which all those who profess the Christian Faith call upon God to release those Souls detained in the Prison House of Purgatory and send them to Heaven to enjoy the Beatific Vision for ever.

The month following December - is quite different. Christmas—the day commemorating the birth of Christ falls on the 25th. of this month.

Feverish preparations are made in this month to celebrate that day by feasting, donning new clothes, visiting friends and relatives and exchanging presents, dancing and merry making, singing Carols, sending Greetings cards, Santa Claus coming with presents to the children, lighting crackers and fireworks and enjoying in a hundred different ways too numerous to mention here.

These enjoyments however, have nothing in common with Christ's birth. He was born in a Manger, and was laid on a bed of straw wrapped in rags.

In this Christmas month when Priests and others are under detention without trial it would be proper for Catholics and Christians to boycott all these celebrations and not buy even a single cracker or

Christmas Card or cake but perform whole day Satyagraha on Christmas day and give a dhana to the poor and needy on the following or other suitable day with the money saved by abstaining from these entertainments. This will be more in keeping with the spirit of Christmas this year. The cost of the thousands of bundles of crackers, Christmas and New Year Cards, fireworks packets, bottles of liquor, cakes etc. etc. not purchased by all concerned could be syphoned for the Dhana and the money thus collected could provide at least one satisfactory meal to the hundreds of destitutes and poor needy souls who cannot afford to have a wholesome meal at any time. This dhana should embrace every one concerned irrespective of caste, creed or race and include those ailing in hospitals, languishing in prisons detained in Homes for the Elders, Orphanages etc, and if possible cover the entire Island without confining to the North and East only. Let the Clergy and Laity combine in this venture—Shramadana too can lend a helping hand. We can then be absolutely certain that Heaven will not fail us in this period of anguish as we can never hope to expect justice from mere mortals.

Another dhana could be given on Pongal day. The Tamils of all denominations could stage a "Fast" on this day too as this is also a day of feasting for all Tamils.

If the detainees are released before the Hindu New Year then let us enjoy to our hearts' content. The Christians can celebrate Easter Sunday (day commemorating the resurrection of Christ from his death. He was murdered on the previous Friday and buried, but he arose on the following Sunday) and the Hindus the Hindu New Year Day with the released Priests and Professors and Lecturers and Students and all others involved in the detention.

Yours faithfully,
Sam Jesudian.

The news of the sudden demise of Prof. K. Kailasapathy came as a rude shock. It will take a long time to get over that sense of lament that has enveloped our hearts and invariably benumbed us all.

The writer became acquainted with him in 1953 when as a school boy he published a quarterly Journal in Tamil called "Tamil Osai". This literary acquaintance later became converted into a permanent bond of friendship and mutual trust and respect.

Kailas, as he was fondly called by his friends, was always unassuming and treated all alike irrespective of social standing. He always greeted everyone with a spontaneous and simple smile and courteous words. He never hesitated to gather information from ordinary people when he wanted such information.

At the Peradeniya University

As a student at the Peradeniya University he displayed an unique interest in Tamil studies under the late Professors K. Kanapathipillai and V. Chelvanayagam. Prof. S. Vithiananthan, the present Vice-Chancellor of Jaffna University, then a young and active lecturer in Tamil groomed selected promising undergraduates to be what they are today and Kailas was one of them.

Prof. S. Vithiananthan carried further the impetus given to spoken Tamil, folk literature and folk drama by the late Prof. K. Kanapathipillai. He directed and produced such dramas at the University and Kailas and Sivathamby were two of the early actors. Kailas played his roles well and earned the admiration of the audience and critics. Kailas wrote a few short stories as well.

His career as a journalist

Even as an undergraduate Kailas wrote a series of articles in the VIRAKESARI on THOLKAPPIYAM the oldest Tamil work available. He developed his flair for writing while still being an undergraduate and became an accomplished writer and critic. He was also a voracious reader.

Having completed his distinguished University career he started his career as a journalist at the Lake House. He was first editor of the Weekly edition of THINAKARAN and later rose to be its Editor-in-Chief. His career at journalism as a working journalist bears an indelible impress on the Tamil literary scene in Sri Lanka.

Kailas-Writer, Editor, literary 'midwife' and Don

There was a time when the traditional Tamil Pundits and scholars reckoned only the old Tamil literature - the Sangam and Post-Sangam literature and literature both religious and secular of the romantic periods of Pallava, Pandia, Chola, and Vijayanagara dynasties. They discounted modern literature like short stories, novels, modern poetry and drama. Kailas broke this tradition.

Kailas gave every encouragement to promising writers particularly the young, in fact a large number of Tamil writers today in various fields came to the lime-light and established their inherent worth during this period. This period, though short in the late fifties and early sixties, was one of intense literary activity. This new wave of modernity in literary enterprises lapped the shores of the entire Tamil Press and invariably contributed to the emergence of the modern period of Tamil literature.

an authority in modern literature. His career as an academician is equally characterized by distinctive contributions.

Tamil literature which was hitherto looked upon as a past-time and pleasure reading was re-interpreted as a mirror of contemporary socio economic changes, and reflection of a given period. Kailas excelled in this field and many of his writings were looked upon as standard works. In Indian, Malaysian, Singapore and other foreign Universities where Tamil is a subject of learning and research, Kailas' books are given recognition as either text books or reference books. He made a daring deviation from traditional approaches in literary criticism and has come to be accepted by all, though there are some dissentients with regard to some of his conclusions.

Thesis for his Doctorate

From the University he went to Birmingham where

Dr. A. Sanmugadas wrote the book NATIONAL LANGUAGES OF SRI LANKA which was published by the Department of Cultural Affairs Colombo on 1976. He also wrote the book "CAMPUS PLANNING IN SRI LANKA WITH SPECIAL REFERENCE TO COLOMBO AND JAFFNA CAMPUSES OF THE UNIVERSITY OF SRI LANKA" assisted by D.P.P. Samarasekera and B. Daniskei. It was published by the UNESCO.

Kailas' contribution to Sri Lankan Tamil literature in another field is unique. It has been accepted by Tamil critics that the romance of the Tamil literary scene of the nineteenth century owes its major share to Sri Lanka. The forerunner of this new wave for Tamil activity during the late periods of European domination which paved the way of the emergence of Tamil nationalism was Arumuka Navalar supported and continued by C. W. Thamotherampillai, Sabapathy Navalar, Senthinatha Aiyar, N. Kathiravetpillai and others. Kailas explored and presented the significance and inalienable importance of this

nate that most of these publications will be posthumous.

Kailas' contributions and thoughts have influenced many a contemporary critic and scholar and thus he served as a fountain of a new wave of thought. His contributions cannot be analysed in this brief sketch.

Punitham Tiruchelvam

Memorial lecture

He has been a visiting lecturer in many Indian and American Universities. He has participated in many international conferences and has presided over some sessions of such conferences. He has also delivered some memorial lectures. This year he delivered the Punitham Tiruchelvam endowment lecture on Tamil nationalism. He took part in the International Conference-Seminars of Tamil studies held at Madras, Paris and Madurai. His Press commentaries on the Madras and Paris Conference Seminars are worthy of note. At Madurai he presided over one of the plenary sessions. He was the first President of the Jaffna Campus of the University of Ceylon when it was opened and carefully built the infrastructure of a promising future University.

He was an accomplished scholar, a versatile speaker and an indefatigable intellectual. Though his life-span was relatively short, he rose to eminence and international recognition. He struck firmly to his views but always listened to others patiently.

The Tamils are now....

(Continued from Page 5)

political education and mature direction should be given so that this mass agitation doesn't become a short-lived affair. What organization or Party should take the lead in the Tamil politics in the future is indeed a controversial question.

Anyway it is becoming apparent that the Tamil people's struggle for Justice cannot be stopped now by liquidating a handful of key figures. In fact, it could only make the struggle more sharpened.

by

A. Theva Rajan

Through his Editorship he ushered in a period of intense literary activity

he obtained his Doctorate for his thesis on "Tamil Heroic Poetry." This is a unique work and I cannot help quoting the late Rev. Fr. Thani Nayagam the greatest Tamil Scholar-cum-Ambassador of Tamil culture. He said: "K. Kailasapathy in his TAMIL HEROIC POETRY (1968) followed earlier suggestions by scholars like G.U. Pope and studied the PURAM Cankam poems as reflecting the Tamil heroic age like the Homeric poems. This was a new line of development which equated Tamil poetry with similar European classical poetry." This work was published by the Oxford Clarendon Press in 1968. Kailas published an abridged Tamil rendering of this work later. He with

period in many of his writings and works. He edited the NAVALAR CENTENARY VOLUME IN 1979 which mirrors the "glory that was" during this period. Kailas, at the instance of the writer was interested in bringing out such a volume on N. Kathiravetpillai the distinguished lexicographer, scholar and commentator. But the cruel stroke of fate has removed him from our midst.

Kailas was a wedded admirer of Bharati whose centenary is being celebrated this year. His criticism on Bharati has been held in high esteem and the writer is personally aware how many Editors of journals and Bharati Centenary volumes even from India had sought articles from him. It is unfortu-

School Textbooks & Communal Relations : Marga Seminar today

"The most striking fact (about school text books and communal relations in Sri Lanka) is the divergence in content and purpose between different groups of text books in so far as they affect communal relations. This divergence is greatest between the Sinhala and Tamil readers, and this is a very significant phenomenon....", states a study just published by the Council for Communal Harmony through the Media.

The study (Part 1) goes on to point out that "the Tamil readers (with whatever degree of success) do seek to create an understanding of and respect for the way of life and culture of non-Tamil and non-Hindu linguistic and religious groups, and do attempt to project the sense of a common identity while the Sinhala books not only fail to do this (except in a solitary lesson in the whole series of ten readers) but contain an abundance of material which will strengthen communal attitudes and reinforce communal antagonism."

The study relates this sharp divergence in content and purposes between the Sinhala and

Tamil readers to the changes brought about by the State policy of the take-over of the production of text books since the 1960s.

The study stresses that the pre-condition for a reform of school text books is "a new perspective on our history, culture and national life, free of unscientific racial myths and obsessions with the invasions and wars of another age and another society and a recognition of the common elements that link the peoples of this country in shared experiences and mutual assimilation of elements from each other's culture."

The study titled **SCHOOL TEXT BOOKS AND COMMUNAL RELATIONS IN SRI LANKA (PART 1: ANALYSIS OF TEXT BOOKS)**, was prepared by Reggie Siriwardene, K. Indrapala, Sunil Bastian and Sepali Kottegoda. It's priced at Rs. 15/- a copy and is available at the Council's Office, 23/1A, Milagiriya Avenue, Colombo 4. Part 2 of the study will be published next year.

A Seminar on the findings of the study will be held today (Saturday 18th) at the Marga Institute.

GUES Condemn Police Action

"We condemn the State Terrorism conducted by the Police forces in entering arbitrarily a place of Christian worship in Vavuniya. This is an ominous forerunner of

what the public fear will happen after the Referendum", says a Press release by the General Union of Eelam Students (GUES).

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Saturday Review

SRI LANKA

How the Jaffna mail lost its rear-end!

Many wayward things happen in the Sri Lanka Government Railway, but this one takes the cake. The Colombo-Jaffna night mail train which left Fort Station on Tuesday, December 14, suddenly found its rear-end missing one hour later!

One hour after its scheduled departure, when the train was nearing Ganemulla Station passengers in the Second Class 'B' Sleeperette got the feeling that they were galloping on a horse rather than travelling in a train. As the train came to Ganemulla Station and stopped, the horrified passengers looking through the open connecting door discovered that the Second Class

'A' Sleeperette compartment, the First Class Berths Compartment, the Mail Van and the Guards Van were all missing behind.

But due to the efficiency on the spot of various railway personnel the train backed slowly and regained its lost compartments half a mile away. The couplings which had got dislodged were fixed up and the train resumed its journey but somewhere near Omanthai Station a few hours later the story was repeated again. The train reached Jaffna early next morning all in one piece and without much delay, thanks to smart handling by the Loco Engineer.

S. R. takes a holiday

SATURDAY REVIEW takes a holiday next week. There will be no issue of the paper on Christmas Day the 25th Saturday. We wish all our readers as

joyful a Christmas as is possible and a Happy Democratic New Year. We will be back with you on January 1st, 1983.

'Throttling the nation while it sleeps': Pieter

Points from the Rupavahini telecast by MR. PIETER KEUNEMAN on December 10:

HITLER used the referendum FIVE times to make himself the most notorious dictator of this century.

I remember the striking phrase used when Britain's Parliament turned down a proposal to adopt the referendum process in that country. It was said that a referendum could be used and I quote— "to throttle the nation while it sleeps". We should be careful to see that this does not happen here.

I fail to follow the logic of those who seek to justify the present proposal on the grounds that the previous government extended the previous Parliament by two years. If that was wrong, why follow a bad example? Do two wrongs make a right?

It is a strange fact about our present Constitution that, while you need a two-thirds majority in Parliament to infringe on a fundamental right, you can do so with a simple majority at a referendum.

Flood Relief appeal

The Jaffna Diocesan Human Development Centre is undertaking a relief programme for the victims of the floods in the Batticaloa and Trincomalee areas and the earthslip in Matale.

All organizations and individuals willing to help are requested to hand over money, clothes and other essential items to the Parish Priest of their area or to the above Centre situated by the Main Road near the Catholic Press, Jaffna.

Protest meeting in Madras today

A mammoth public meeting is to be held on the eighteenth of December at 7 p.m. in Madras, protesting against the arrest and incarceration of Catholic Clergy, a Doctor and Teachers, Secretary S. Ganeshan, Lawyer D. P. Radhakrishnan, Poet Muthuramalingam, Poet V. M. Sethuraman and P. Nedumaran.

M. P. to raise Scott affair in Parliament

The Expulsion Order of Mr. Kenneth Munro Scott, the First Secretary (Political) of the U.S. Embassy in Sri Lanka, is to be raised in Parliament by Mr. Lakshman Jayakody, SLFP M.P. for Attanagala.

In a letter addressed to Mr. Speaker Mr. Jayakody has said inter alia "On the next sitting day of Parliament, namely, 24th December, 1982 or on a proposed date I wish to raise the following at the adjournment motion...for a debate and reply."

"The Government controlled press...seems to be aware of the reasons for

the Expulsion Order of Mr. Scott, who is extremely knowledgeable about Sri Lanka affairs."

Mr. Jayakody refers to the Sunday Observer of 5.12.82 setting out four reasons for the removal of Mr. Scott:

1. Criticism of Government corruption;
2. Criticism of deprivation of the civic rights of Mrs. Bandaranaike;
3. Mr. Scott's statement that the Police was aware of the persons who set fire to the Jaffna M.P.'s house but no action was taken;
4. Mr. Scott's allegation

that the Presidential Election was rigged.

"These matters" says Mr. Jayakody were well-known to Sri Lankans and therefore it was not surprising that well-informed diplomats become conscious of these facts. This would be an eye-opener to countries that believe in democracy as to what extent the Government of Sri Lanka curtails the freedom of expression."

Mr. Jayakody proposes to ask the Government whether these were the reasons for the removal of Mr. Scott, and whether there were other reasons besides these.

Army's disrespect of Court order?

"Please get your Army subordinates to respect and obey the orders of a Court of Law."

This is the gist of a protest letter sent to the Officer-in-Charge of the Gurunagar Army Camp by Attorney-at-Law I.F. Xavier, on 14 December.

Attorneys S. C. Chandrasenan and Xavier, Counsel of detainee REV. FR. APARANAM SINGARAYER, were permitted by the Court of Appeal to interview him at all reasonable times, with prior notice to the OIC of the Gurunagar Army Camp. The State Counsel representing the Commander of the Army consented to this.

But when the two Counsel went to the Camp on Tuesday (14 December) after prior notice, they were told they could not meet Fr. Singarayer—despite the production of the Court Order—as the Camp had not received any communication from Army Headquarters.

Attorney Xavier in his communication to the Army has stated "Mr. Chandrasenan and I will be calling at Camp on

Saturday morning to interview Fr. Singarayer who is in sight but out of hearing of the persons holding him in captivity"

Bishop of Jaffna Completes 10 years today

Today, the 18th of December 1982, Rt. Rev. Dr. B. Deogupillai, the Bishop of Jaffna completes his first decade as the chief pastor of the diocese of Jaffna.

"These years", writes an S.R. reader, "have been for the church of Jaffna, years of profound change reflection and renewal".

"In his actual exercise of pastoral ministry he silently proclaimed and portrayed the qualities of a good shepherd in today's world and Church. Because a Church leader in today's world must have the capacity and

audacity for translating ideas and discoveries into action, he must be receptive to change and initiator of change and should have a high tolerance for ambiguity and uncertainty and may even have the courage, and the will to risk. Only then one's response as a leader will correspond to the human needs and situations, and would become dynamic and moving, real and genuine.

"While appreciating him as an exemplary good shepherd we wish him many more years of fruitful service."