

Saturday Review

SRI LANKA

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WHERE ARE THE 175?

Mothers and wives of 175 'disappeared' youths in Batticaloa marched in a procession on Wednesday, demanding to know their whereabouts.

These youths — among whom is a Sinhalese from Kiran, Lokubanda Wimaladasa — 'disappeared' after being taken into custody by the Security Forces.

The 350-strong demonstrators handed over a list of names of the missing youths and a memorandum to the Govt. Agent, Batticaloa, Mr. M. Anthonimuthu.

The memorandum demanded that the whereabouts of the youths be made known within 2 weeks. It also urged that the forces stop killing innocent people and stop arresting and harassing young girls.

The G.A. assured the demonstrators he would take the matter up with higher authorities.

Consensus But

The latest round of talks on the ethnic problem between the visiting Indian Delegation and Sri Lankan Government and Opposition Leaders have been most fruitful since India offered its good services to bring about a settlement, according to authoritative sources. After the initial talks with the Government delegation led by President Jayewardene on Tuesday, the Indian delegation met leaders of the main political parties.

The talks with Mrs. Bandaranaike, Leader of the S. L. F. P. and Opposition Leader Anura Bandaranaike are said to be of political significance by observers who have noted the Indian delegation leader P. Chidambaram appealed to the S. L. F. P. to view the ethnic issue as something outside party politics. The Indian delegation in particular had sought the S. L. F. P.'s co-operation to end the conflict. Authoritative sources in Colombo said

the proposed settlement outlined in the note sent by President Jayewardene to Rajiv Gandhi through Foreign Minister A. C. S. Hameed, last month, centres on the devolution of State Power to Provincial Councils. A broad consensus has been reached between the two Governments on how this devolution should be effected.

Two of the issues on which differences still exist are Land Settlement and Police Powers. Meanwhile the Indian delegation will postpone its departure till Sunday before which they are likely to meet President Jayewardene again. Originally they were due to leave on Thursday. This itself is regarded as a helpful sign that some break-through has been made to resolve the ethnic problem. The main problem now will be for the Indian Government to sell to the militant groups in Madras what-

ever package proposals are agreed upon between the two Governments.

Meanwhile at yesterday's May Day Rally, President J.R. Jayewardene said that India has a duty as a democratic country to another democratic country to wipe out 'terrorism.' "Let us join hands to wipe out 'terrorism' not only from our two countries but also the whole of Asia. India should help us by closing the 'terrorist' bases. They should hand over Prabaharan and Sri Sabaratnam and the other 'terrorist' leaders too to us. If a murderer from India comes to this country what would we do? Are we to provide him with accommodation? No. We will send them back in the very next plane to India. Therefore we ask India to send them back. If India does not do so they are doing a big wrong. India should set an example in this respect".

However, the Indian delegation leader Mr. P. Chidambaram is reported to have told Anura Bandaranaike that deporting the militant leaders from Tamil Nadu is completely out of the question.

INTERNECINE STRIFE

Interneccine strife, aided and abetted by helicopter strafing and bombing, led to several deaths in Jaffna on Tuesday and Wednesday.

The violence — sparked off by the kidnapping of some youths belonging to one group — broke out on the second day of a two-day hartal to mourn the militants killed at sea by the Sri Lanka Navy in two separate incidents.

Quite a few, including members of the public, have been injured in the widespread incidents. Several vehicles were burnt and houses damaged.

Three militant organisations have appealed to the two warring groups to make their peace.

WALK INTO MY PARLOUR

The Government has offered refuge to militants whose lives are endangered.

Meanwhile, National Security Minister Lalith Athulathmudali announced at a May Day Rally that the Government is keeping aloof from the interneccine strife in Jaffna.

A wag comments: despite Lalith's disclaimer the Government is obviously trying to fish in troubled waters by offering 'sanctuary'. The Government has apparently taken the cue from the spider which told the fly: 'Walk into my parlour'.

BRIDGE BLOWN UP

Militants blew up the main bridge at Paddirippu last Saturday, severing the link between 125 villages.

SHIFT ARMY CAMP

ACTION COMMITTEE

Shift the Thondaimannar Army Camp from its present site.

This is the appeal the Action Committee for representing matters relating to the damages caused to the Selvasannithy Temple has made to President Jayewardene.

The President of the Action Committee is Prof. K. Sivathamby.

Excerpts from the appeal: "We wish to bring to your notice the extreme pain of mind and heart caused to the innumerable devotees of this Temple by the damages caused to the Temple. We are sure the report of the Government Agent on the damages caused to the main Temple, the

temple car and the temple bell would indicate the extent and the source of the damage. We do not want to go into that problem. We only want to emphasise the fact that this Temple of Murugan is considered the Kataragama of the North...This Temple is associated with the feeding of the needy. The various madams have been built and maintained for the express purpose of conducting annadana (the gift of rice meal to devotees). This is also the place where many patients deemed incurable by medicine are cured. It is most disturbing to keep this Temple closed. This is a Temple inextricably bound up with the religious fervour of every Hindu

and particularly the poor and the needy. The longer the temple is closed, the longer we feel we are all on trial. We have informed the G. A. of the difficulties in resuming worship. With an Army Camp on the other side of the Lagoon and with the history of the incident we have already gone through, it would be impossible to re-open the Temple without shifting the Army Camp from its present premises. It may now be considered a matter of prestige not to remove the Camp. We appeal to you in the name of our undying faith in this Temple and Lord Murugan, please initiate at your level the process for removing the Camp. The faithful will be grateful to you."

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NOT THE NEWS

LALITH PUTS HIS FOOT DOWN

It has been reported recently in the press that the Minister for National Security addressing a military parade on the Kegalle Esplanade had told the soldiers that there are no instruments to detect land-mines and that to escape from the menace the soldiers **should** go on foot. After all, he added, their ancestors had gone on foot to get their enemy. The Minister also expressed sorrow over the continued deaths of soldiers (Uthayan-24th April, 1986).

We welcome this display of tact, commonsense and sensitivity on the Minister's part. However, there is one flaw in this. When our ancestors, and presumably the Minister's, went to battle they went on foot, may be, but with their leaders in the vanguard. Our leaders are not even in the rearguard. They are safely tucked up in Colombo behind security or are up in the sky. It will be hardly surprising if the soldiers demand that the Minister eschews his planes and helicopters and leads on foot a company of the Raja Rata Rifles to take Jaffna. We do not mean literally on foot, he can be mounted on an elephant in the old Sinhala (and Tamil) style. Even with deforestation and starvation facing our Jumbos, there should at least be one patriotic elephant around.

But we quite understand that the Minister is a family man—al-

though the only family men who matter in this country are those in and around the ruling clique — and perhaps the Minister can take a leaf out of Reagan's book. He can make a full-blown B-movie to promote his Macho image, which is the main thing, and certainly more effective than actually fighting. The script can go something like this: The Minister is dressed up like Parakramabahu (some say he was a Tamil—do not believe them) with a cowboy hat instead of a crown. A piece of land in Hambantota can be made to look like a battleground in Jaffna. Prisoners from nearby Boosa can act the part of the enemy—ugly unshaven blokes (like in Colombo cartoons) with a patch on one eye and one wooden leg.

If necessary, the internationally renowned medical experts at Boosa (recommended by Amnesty International) can fix that up. The Minister leads a party on foot. There is an ambush and all the soldiers but the Minister are wounded. The Minister empties his ammunition getting a thousand enemy. The enemy advances. The Minister uses his gun-butt, stones, swings around on trees, uses karate chops and completely vanquishes the enemy.

The Minister can then get into an airforce helicopter and fly over Jaffna swinging the gun from the fore to the aft, firing all the time uttering curses such as 'take that, that and that, you kotiya swine', taking care every now and then to turn towards the cameras, grin and

raise the V-Sign. On return to base he will be greeted by a bevy of beauties in Hawaiian costume, offering him Coca Cola, singing the national anthem and waving the national flag. This may be a good way of getting Coca Cola to sponsor the film.

We got the idea for the last skit from a news item last year, when a helicopter party carrying the Minister and some journalists returning from Trinco, began to circle over Dehiwate and fired for about 15 minutes. On return to Colombo the local media quoted a pilot to claim that the party actually spotted and fired on terrorists. The foreign journalists could not recall seeing any terrorists. Any way firing of this kind is a common feature in Jaffna.

Once this film is screened on Rupavahini, the Minister will be more than successful in portraying the Macho image which he has been trying to build up. Who knows he may even have fans in Jaffna where the mini cinemas advertise films with a promise of 'sex and attack.' Astrologers and less reliable observers like political analysts say that time is running out. Then why not give time a good run while it lasts? Film stars after all have longer lives in public memory than ministers of state. Reagan putting Bonzo the Chimp to sleep with a feeding bottle will be doing the rounds long after Reagan the President is forgotten.

N.B: The theme music for the film can be chosen from Saint-Saens *Carnival of Animals* - i.e. those bits like *Dance of the Skeletons* and *Elephant Walk*.

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FR. SINGARAYAR TRIAL — 3*(Continued from last Issue)*

Fr. Singarayar in his evidence stated that Gallage came to the room and showed him nude photographs of girls from a magazine and stated if Fr. Singarayar did not cooperate he would have it published in the paper that the photographs of the nude girls were found in his room. And as usual thereafter Gallage had scolded him. However on this matter Gallage had not been called as a witness to contradict or confirm the statement of the accused but the Court has to analyse whether this is probable. Why should Gallage show him photographs and attempt to blackmail Fr. Singarayar? Fr. Singarayar's evidence was that he was in the chattels of the authorities and he was mortally scared and in fact he had agreed to co-operate with them. Gallage was a man who was feared most; he was the man who assaulted him and abused him and held his religious concepts to ridicule; if that was so, I cannot believe as to why Gallage attempted to blackmail him to get his co-operation, when he had already indicated on 14th November, '82 at the Beach Road so-called incident agreement to co-operate. I cannot accept his evidence. I disbelieve his evidence and I reject it.

Punya de Silva categorically stated that he had not obtained hand-written statements from Fr. Singarayar and it was not a normal procedure adopted by the C.I.D. However, the Court cannot understand as to why he did not question the subordinates when they adopted an abnormal practice. It is reasonable and rational to accept that the supervising officer would have frowned at this abnormal practice.

This Court cannot understand the delay in recording the statement of Fr. Singarayar. Interrogations of Fr. Singarayar were completed by Punya de Silva on 20th November '82, the only confrontation pertaining to Fr. Singarayar was with Fr. Soosainayagam. If that was so, since Punya de Silva was aware and had known the Section 16(1) of the P.T.A., why didn't he promptly record the statement of Fr. Singarayar who was ever ready and willing to cooperate and to give voluntary statements to the authorities.

The hand-written statement X8 at page 76 to 80 were written on the instructions of Inspector Gallage and the balance portion on the instructions of A.S.P. Hilton Perera. Page 81 contained certain

questions written by Hilton Perera and answers obtained from Fr. Singarayar. I am unable to understand why this question and answer procedure was adopted by Hilton Perera.

This which may ordinarily have been relatively unimportant assumed vital importance in view of the fact that Hilton Perera's evidence this was a voluntary statement. Hilton Perera's evidence was that the accused was repentant and boastful and the accused volunteered the written statement. The attack made by the Defence that there was a

FR. SINGARAYAR ALLEGES INSPECTOR SHOWED HIM GIRLIE PHOTOS

process adopted and technique used in order to finally obtain P37 is not without justification and of the utmost relevancy to the limited questions that this Court is now considering namely whether the circumstances stated above are sufficient to raise a reasonable doubt as to the written statement X8 was free and voluntary.

In the Police Station a prisoner is surrounded by known hostile forces. He is disoriented from the world he knows and in which he finds support. He is subject to coercing impugnments, undermining, even if not obvious pressures of every variety. In such an atmosphere questioning that is long constrained even if it is only repeated at intervals never protracted to the point of exhaustion inevitably suggests that the questionnaires have the right to and expect an answer. This is so certainly when the prisoner was never being told that he need not answer and when, because his commitment to custody seems to be at the will of his questioners, he has reason to believe that he will be held and interrogated until he speaks.

I am of the view that no reliance could be placed on the handwritten statement X7, and X8, X6 the statement recorded by Inspector Gallage is a product of nearly 8 days of unusually long period of interrogation. However, there cannot be any reliance placed on X6 and it is not a document relevant under Section 16 of the P.T.A.

It was an accepted fact that

Fr. Singarayar reported to the Security Head Quarters on the 14th morning though there was dispute about the exact time. It was established beyond doubt that he was there in the morning. But from the 14th onwards up to 17th morning no bed or suitable accommodation was provided by the authorities. Though no doubt exigencies of the situation would have resulted in this unfortunate situation but the fact remains a human approach viable to the situation could have been taken. Treating suspects in this manner, however heinous the nature of the crime they have committed,

has adverse effect on their mental and physical condition.

Fr. Singarayar said that he was not provided the change of clothing till the 17th. Hilton Perera and Punya de Silva denied this position and said that he was provided with a change of clothes supplied from Amalaupavam. Though there was no record made, there was evidence that up to the 17th his meals were provided from Amalaupavam. Fr. Michael Samy said that the Bishop's House was keeping a constant dialogue with the Security Head Quarters at Gurunagar and he was looking into the welfare of the priests taken into custody. He was uncertain about the change of clothes being made available to Fr. Singarayar. But in view of the evidence of Hilton Perera and Punya de Silva, I am satisfied that the change had been provided.

Fr. Singarayar said he was deprived of his religious observances and as a Catholic priest for his spiritual purification he had to hold mass every day. Deprivation affected mentally as well as spiritually and on a number of occasions he had informed Hilton Perera and one occasion Lieutenant-General Ranatunga. Fr. Michael Samy too stated that daily observances of mass was essential to a Catholic priest and denial would be spiritual starvation. This Court had no doubt about it, though Hilton Perera, a Christian lay preacher attempted to belittle this subject. However, this facility was provided to Fr. Singarayar on 23rd November 82, and daily observances of mass took place with the help of Fr. Sinnarasa and on certain occasions with the participation of

Hilton Perera. Therefore, by the 24th of November 1982, the grave spiritual denial was fulfilled and from the 24th onwards there was no denial of mass. Fr. Singarayar stated that even during mass they were not free from observation. When Hilton Perera did not participate, Rahamathulla of the Army was present throughout the celebration of mass. He stated that he and Fr. Sinnarasa did not have the liberty to converse and he was prohibited from speaking to any other suspects. He admitted Rahamathulla gave him information freely as to occurrences.

Hilton Perera was specifically asked whether he mentioned any other fact. Hilton Perera was definite that he did not tell any other facts to Punya de Silva. He contradicts the evidence of Punya de Silva on a vital point. His position was that he did not mention about Prabhakaran on the 15th or 16th morning to Punya de Silva. But Punya de Silva was certain that the name of Prabhakaran had been mentioned. If Punya de Silva is stating the truth on this matter, it is obvious that Hilton Perera is incorrect and he was giving false evidence of this fact. Hilton Perera on the other hand states that Prabhakaran came to his mind subsequently at the very late stage and his view about Prabhakaran when Fr. Singarayar was writing X4 on 17.11.82. Hilton Perera admitted that he did not maintain any records; if it was so, it would have been due to a lapse of memory his inability to recollect as to what he told Mr. Punya de Silva but attempts to give an explanation by referring to X4. In my view it is highly improbable that Prabhakaran's name never crossed his mind till he read X4 on 17.11.82. It is with regret that I have to conclude that the evidence regarding this fact to be incorrect and false. It is appropriate at this stage to refer to his evidence in general where the Court had to intervene and repeat the questions on innumerable occasions. He was a witness who had a better understanding of the English language than Punya de Silva. I found him reluctant to come forth with the truth even on a minor point whether Inspector Mendis was sporting a beard or not when he was at Gurunagar. This witness was reluctant to give evidence truthfully.

I have considered very carefully the evidence in this case as it was suggested by the Defence that all hand-written statements and X6 the statement recorded by Inspector Gallage were summarised and

(Continued on page 7)

Work on the Tissa Viharaya, Kankesanthurai, began on 18th March 1973. Apart from me, the Chief Incumbent of the Naga Viharaya and members of the Buddhist Society of the Cement Factory were associated with this work. We also received the fullest assistance of the Police and the Armed Forces.

During the first few months after starting work we had to face all manner of threats and ridicule from Tamil people. It is the same as seen in our own Sinhala areas. Don't the people of a predominantly Sinhala Buddhist locality oppose the construction of a church or mosque, sometimes?

There were boys who booed at us at first. They called us 'Mottayo'. In Tamil it means 'bald-headed people'. There was an Army camp near the Temple. Army personnel got prepared to tackle these boys with brickbats. I said, "No, I will stop this mischief."

How did I stop it? What did I do when these boys passed us hurling insults and calling us 'mottayo'? I just smiled. In two days they stopped abusing us. There was no more booing.

At first we had to travel standing in buses. On those occasions I explained matters in a friendly manner. "These seats in front", I explained, "are for the clergy. Not just for me, but for the Catholic and Hindu clergy also. You people have all the other seats. We have only these few seats. Please let us use them. It does not become our position to hang on to this hand-rail with one hand and hold on to our umbrella and robe with the other. It is not that we have no hands and legs, or the strength to keep standing. But it is merely a question of respectful conduct". They listened to me. Thereafter, I received my seat every day.

In this way, with the utmost tact I won their friendship. I succeeded in clearing whatever obstacles there were in my way. Through Tamil films on the subject of Buddhism, by preaching the Dhamma in Tamil and by the publication of Buddhist tracts in Tamil I won their hearts to a considerable degree.

There was a Mayor who at first used his influence to harass us. He would cut our electricity supply on Poya days, refuse us our drinking water and get the youth to vilify us. The problems were many. He was too powerful to be countered with arms or money. One couldn't clash with him, except with the power of sympathy and compassion that the Buddha had taught us.

I thought of a possible solution. I decided to give alms on a Poya

day to the patients of the Tellippalai hospital. It was a meritorious act for us too. With the assistance of the Sinhala officers of the Army I held the almsgiving. I even donated my blood. Then, I wrote to the Mayor thus: "I have done something like this. It is an act which, according to our religion, gives health to those who did it and those who benefit by it. You have never done such a thing despite all your wealth. I have served your relations and neighbours. I hope the merit of this deed will bring health to you too." This resulted in a change in the Mayor's attitude.

We assisted the innocent Tamil people in whatever way we could. They, in turn, became more responsive. Specially on Poya days the Buddhists joined us in offering alms at the hospital. They even helped us to get the necessary utensils. The Army itself helped in a big way.

One day it occurred to me that Buddhist monks had studied in Jaffna before 1956. There had been many Buddhist Monks who had studied English and Tamil at Skandhavarodaya College. They had done it of their own choice. There were Tamils who had studied Sinhala at the Universities. I thought of re-introducing this system of education, with children at first. I sent a Tamil girl and a Sinhalese girl to the Sarvodaya Centre at Anuradhapura and had them trained. With them in charge, I commenced a pre-school. It was for both Sinhala and Tamil children.

Clergy of all religions, including Tamil poosaris and members of the public, both Sinhala and Tamil, were present at the opening of this pre-school. Mr. Jayabalasingham, Chairman of the Kankesanthurai Town Council, made a valuable speech. He said that the inauguration of a Buddhist temple in Kankesanthurai augured well not only for the Buddhist but for the Tamil residents of the areas as well. He paid a tribute to the Ven Delgalle Padumasiri Thera stating that the monk had served the area without heeding religious, racial or caste differences. It was from this monk, he added, that he understood who a Buddhist and a Sinhalese is. He was so satisfied with our work that he not only donated several thousand rupees worth of equipment to the pre-school, but also gave the tiles and ceiling sheets required by the temple itself. I spoke earlier of a Mayor who had opposed the construction of this temple at first. It is this very person who in this way became one of the best benefactors of the Temple.

A MONK'S

The service of the Temple was not limited to this type of work. Whenever there were any misunderstandings or disputes among the people of the area, we helped solve the problems with the assistance of the Police. There were innumerable occasions when we met or wrote to the authorities concerned and brought relief to people who had suffered any injustice, as for example when employment had been denied on language issues. All this won us the unstinted respect and concern of the Tamil people.

We have donated wheel chairs to the hospital. The names of the donors appear in Sinhala and Tamil even now.

There was a Grama Sevaka Officer who used to go past the Temple. When passing the Temple he would always get off his bicycle. One day I called him and asked him why he gets off his bicycle when he passes the Temple. 'We are not Buddhists', he said, 'But, We have associated with Buddhist monks. I have served in the Kadugannawa Police Station. We know

The Ven. Delgalle Padumasiri Thera, until recently the Viharahipathi of Tissa Viharaya, Kankesanthurai, relates here his experiences in Jaffna. He now lives temporarily at Gangaramaya Temple, Hunupitiya.

The text, slightly abridged, is taken from the booklet MY EXPERIENCES IN JAFFNA (a translation of the Sinhala original) published by the VIMUKTI DHARMA KENDRA, with a preface by Fr. Yohan Devananda, Vice-President of the VDK.

There were more Tamils than Buddhists who made use of the temple. Once, I made an estimate of the construction expenses of the temple, I needed three and a half lakhs to complete the work. Half the work had already been done. I thought of this all evening that day. In the night, I dreamt the Buddha addressing me. He called me "Foolish monk! Why are you spending so much for me? Haven't you got a lot to do for the needy of this area? So, do that job, not this." Perhaps it was my subconscious that had surfaced in a dream.

This made me visit the Prime Minister thirteen times. I came at 3-00 a.m., and having waited in the compound, met him at 5-15 a.m. "Please build fifty houses for the poor", I told him. Permission was granted. I asked the Cement Corporation for a piece of land to put up these houses. I appealed to Minister Cyril Mathew also. "It will be given" was the answer I got. I went to the Sarvodaya Centre at Anuradhapura. They agreed to build the houses, if the materials were given. When the building of the houses was about to begin, an order came from the Minister that the land cannot be released because a hotel has to be put up there. It was a painful experience. The work was stopped

how to give honour. That is why I do this." I invited him to the temple and served him with curd and 'dodol' sweets received from my village. I had a long chat with him. Thereafter, he made it a habit to visit the temple quite often. He would pick the first fruit of his jak tree, ripen it, and bring it to the Temple. He would also bring us papaws. I, too, helped him in various ways.

This individual was given to drinking. His wife came and told me "My husband drinks too much. I think you can make him give it up." He accepted my advice and gave up drinking. Later he began to shiver, and fell ill. Doctors told him to drink. He began drinking again. His condition worsened. I visited him when he was on his death bed. He took my hand and told me: "Please, treat my children with the same kindness you have shown me."

I attended his funeral. I was the first Buddhist monk to attend a funeral in that village known as Mankollai. The people who had gathered there were surprised at our presence.

One day, I invited a Hindu priest to our Temple. "I would very much like to come," he said, "But I am afraid. The Army would

STORY

attack us, I am told," My feelings were hurt when he said this. I returned to the Temple. At that time the officer in charge was Brigadier Ranatunga. I went and met him and told him to go and see this Hindu priest. "Their fears should be allayed" I said. Later I went with him and several other officers to meet this Hindu priest. Thereafter, the Hindu priest began to visit the Temple. I needed six pieces of 13 foot timber for the Temple. These had to be brought all the way from Puliyankulama as timber of

never be any racial conflict in Sri Lanka.

There were Sinhalese who had been resident in this area among Tamils for thirty to forty years. Both races had lived like brothers and sisters. This relationship was consolidated by the work I myself had done. When Sinhalese came to this part of the country for employment, they first came with some fear and suspicion. They invariably met me on their arrival and I used to dispel their fears. They would usually put up at

"My wife was killed, my son was killed, my daughter was killed, my dog was killed. Well, my wife, son and daughter may have been Tamils. But, why kill the dog? Was the dog also Tamil?"

such length was not available in Jaffna. I posed the question to this Hindu priest. He said that he had sections of timber of that length, but they were too thick. However, he promised to have them sawn to the correct size and delivered before one o'clock. I got them around one thirty.

There was a custom among the Tamils to send to the Temple a portion of any special food or of any 'puja' (special offering) they prepared. Such was the spirit of fellowship that had been built up between us.

On one occasion I had to address a public meeting at Tellipalai. "We Sinhalese, calling ourselves Sinhalese, fight to destroy the Tamils. Buddhists as well as Hindus believe in rebirth. After fighting the Tamils I will die and be reborn in the womb of a Tamil mother. Thereafter, as a Tamil I will begin to kill Sinhalese. When a Tamil who is now fighting the Sinhalese is later reborn as a Sinhalese, he will begin to kill his former relatives. What is the meaning of this fighting?" When I finished speaking the people cheered me. The applause did not stop for several minutes.

The next to address the meeting was a retired Station Master. He said that if there were more monks who thought like me there would

the Temple until they found a place to stay. Within days they would make friends with the Tamil people and with their assistance find a suitable lodging. All of them lived without any manner of conflict, like children of one mother.

Even Police Officers used to visit the Temple now and then. They had few duties in that area, such as settling land disputes, etc. They always told me that the people were mostly law-abiding.

The Buddhist Society of the Kankesanthurai Cement Factory used to conduct a grand procession once a year. Both Sinhalese and Tamil residents would assist the procession quite generously. Once, about twenty young men came and asked how they could assist. I told them to prepare about five hundred bicycle floats. I was not making a serious request. These boys brought four hundred and twenty flower-decorated bicycles. We had the support of the Tamil people in all our Temple activities. The Sinhalese, on their part, assisted bountifully for church and kovil ceremonies.

Here was a community which attempted to live among Sinhalese and Buddhists law-abiding, peacefully and in the utmost spirit of fellowship. But, I have seen so many injustices caused to them by our Governments that came into office from time to time. I will give just one example. One day a Tamil boy came to me at about eight o'clock

in the night to get a Sinhala letter read to him. He had spent two or three days trying to find someone who could explain it to him. It was a letter calling him for an interview for a job. The interview had been fixed for the following morning at Colombo. The boy started weeping. For he had no way to get to Colombo before 8.30 a.m. the next day. In those days the last train left Jaffna for Colombo at 6.30 p.m. That train had already left. He had no means of paying about a thousand rupees to hire a taxi. All his hopes of getting employed after passing his exams and looking after his parents and little brothers and sisters were now gone. All of this, because of some language problem. What wrong would it have been if at least a Tamil translation was given on the back of that letter?

I am personally aware of the innumerable difficulties these people suffer owing to Tamil not being an official language and the Tamil people not being able to communicate with the Government in the language they had known since birth. Even to get a loan from a bank, one has to fill the necessary forms in either Sinhala or English. How can a person who knows only Tamil work in Sinhala or English? I believe it is because no Government took steps to solve such basic problems that things have escalated into a murderous armed conflict.

Unemployment also has assumed crisis proportions. Being a Tamil makes it difficult to obtain a job. Their only job opportunities are at the Cement Factory, the Paranthan Chemicals Corporation and a few other places.

This was an unjust situation which the Tamil people suffered in silence for a long, long time. They remained law-abiding all those years. But, then came harassment at the hands of officials. At an International Convention of Tamil Scholars held in Jaffna in 1974, the Police caused the death of nine Tamils meaninglessly. The official verdict, however, was that a live mains wire had collapsed on them when the Police opened fire to quell an unruly mob. The Tamil people consider it nothing but cold-blooded murder. Such incidents made the people feel that what prevailed was not law but lawlessness.

These were the reasons that encouraged youth to violence. One youth group murdered Mr. Duraiappah, the Mayor of Jaffna.

Police personnel and several others were the next victims of Tamil youth groups. The Police and the Army took revenge by harassing innocent people. Consequently,

the people began to hate the Police and the Army.

After 1977, things took a turn for the worse. Killing of Police officers and others and the looting of banks by Tamil youth groups became rampant. The Army and Police responded with increasing fury.

It was during this time that the 1981 elections to District Development Councils took place. Youth shot dead two Police officers. Thereafter, those who were in charge of enforcing law and order set fire to hundreds of business premises in Jaffna, Chunnakam, Kankesanthurai etc. Among the buildings burnt down were the Old Market and the Jaffna Public Library, which the people had held near and dear to their hearts. Those who had been sent to organise the election were not officials but thugs from Colombo. These Sinhalese thugs, with the connivance of the police, had behaved atrociously. That is what the Tamil people believed.

What happened next were the tragic events of July 1983, sparked off by the murder of 13 Army men by some Tamil youths. Even before these events took place, the Army had avenged the murder of their colleagues. Some hundred odd Tamils had died in Jaffna as a result of the wrath of the Army.

The inhuman massacre of fifty odd Tamil prisoners including Kuttimani was a dastardly crime that no civilized nation could have pardoned.

Among the Tamils who were brutally murdered during the 1983 July disturbances were a large number of innocent people living in other parts of the country and having no connection with the goings-on in Jaffna.

Leela Stores is a shop near the Bo tree at Pettah. It belonged to some persons from Kankesanthurai. Some of them came to the temple and told me: "There is Pirith Chanting over the radio every morning. There is Pirith at night too. The theme is compassion. But, in the same breath, they want Tamil boutiques plundered and burnt". Another person complained: "Venerable Sir, my wife was killed, my son was killed, my daughter was killed, my dog was killed. Well, my wife, son and daughter may have been Tamils. But why kill the dog? Was the dog also Tamil?" What was the answer I could have given?

(To be continued)

Shot While Running Into Church

Editor

SATURDAY REVIEW

On the 17th of April, 1986 from about 9-00 a. m. my Congregation and I were observing the usual Prayer and Fasting at the Apostolic Church at 136, Kandy Road, Kaithady for Peace in our country.

About 10-30 a. m. we heard firing of guns over the building of our Church. The Congregation, about 30 in number, fell face downwards imploring the Mercy of God.

The bullets pierced the building and damaged the roof but none of us was injured. My nephew, A. A. Ranjan, who was 23 years old and employed at Samacon Ltd. was injured during this firing, at his work-site.

Whilst he was running into our Church for protection, he was again fired at and he fell face downwards with severe bullet wounds on his chest, back and legs, and died.

This boy, Ranjan, was not a 'terrorist'. He was employed in the M. O. H. Division, Trincomalee, came to Jaffna as a refugee and stayed with me. He was working as a labourer at Samacon Ltd. for the last 3 months.

His father, B. A. Alexander was a Electrical Fitter in the Garrison Engineers of the Sri Lanka Army at Base Camp, Trincomalee & is now sick in Jaffna and under medical treatment.

Pastor A. Johnpillai
Kaithady Apostolic Faith Church

LETTERS

A GENTLEMAN

Editor

SATURDAY REVIEW

Recently a student from Point Pedro went to Colombo to sit the G.A.Q. examination. This was her first visit to Colombo. Therefore, she did not know much of the city. She just looked at the Time Table and went to a Centre where she had gone to answer the Tamil paper before. The second paper was Hindu Culture and for this a different hall was fixed for the Tamil Medium students. The time was passing slowly and she didn't see any of her fellow-students. Just a few minutes before the paper, her relative approached the Supervisor and he understood the mistake the

student had committed. To go to the other centre would definitely take one and a half hours. He went inside and came immediately and requested the student to answer the paper, as there were 2 question papers available.

Under the present tension a Sinhalese gentleman has behaved remarkably well. I ask the people in power to exhibit such worthy good sense at once. This will solve all the problems.

Point Pedro Swami Chidrupananda

BHAGAT & HARSHA

Editor

SATURDAY REVIEW

I wish to draw attention to the protest statement addressed to the External Affairs Minister of India Mr. B. R. Bhagat by Mr. Harsha Abeywardene of the United National Party, the ruling party in Sri Lanka. He has urged that India would serve the cause of peace in Sri Lanka if she desisted from assisting and harbouring Tamil extremists groups. On the contrary, India has been categorically denying this act. However, even if one concedes that India is involved in harbouring the extremists this could have been only after the July 1983 Holocaust of the Tamils in Sri Lanka. But, was peace there in Sri Lanka before July 1983? Certainly NOT. The Tamil people have been suffering from communal riots starting as far back as 1958. This has gradually escalated over the years as we have seen in 1961, 1974, 1977, 1981 and 1983. This is much to the credit of the present government ruled by the U. N. P. in which Mr. Abeywardene is the chairman of the party. Therefore, there is no justification for his accusation of India harbouring the extremists.

U. S. A. K. Sivalingam, M.D.

THONDA'S ANTICS

Editor

SATURDAY REVIEW

Many a soul has appeared on the scene claiming to have the potential to solve the ethnic problem. The latest is Thonda, the Narathar of ancient mythology. His recent pronouncements have proved to the Tamil people that he will be the last and J. R. one but the last to solve the problem. Thonda is intelligent; he has decided conclusively which came first, the egg or the chick. But poor Thonda, how can he help the people in the Central and Uva Provinces, if North and

East are merged : a dilemma, true! But worse still, he has too much faith in his friend, for he has not read Shakespeare. Said Antony, "Not that I love Caesar less but that I love Rome more". If he had read, he would have understood "Not that I love 94,000, but that I love TEA".

Mallakam

T. Paheerathan

S. O. S.

Editor

SATURDAY REVIEW

My son S. Kamalanathan is ailing from a Heart disorder.

Since 1982 I have tried my level best to get him treated by spending a colossal amount of money but didn't succeed.

I am in my sixties and not in a position to spend further with my meagre salary.

Up to now my son had been undergoing intermittent treatment under private medical practitioners. I most respectfully appeal through your columns to find a way to get my child operated at Vellore Hospital or any country, with the help of well-wishers who could assist me financially.

Jaffna

A. Sivapathasundaram

Press Council Applies The Screw

After 7 months' ban under Emergency Regulations, the S.R. was allowed to resume publication in January, 1984 but under strict conditions of censorship — conditions which were applicable to other newspapers only during the 1983 holocaust (Vide letter of Secretary, Ministry of State dated 24th January, 1984, published in the first new edition on 18th February, 1984).

All materials intended for publication in the S.R. had to be submitted to the Censor — the Government Agent Jaffna was designated 'Competent Authority' for this purpose — for prior approval.

In exasperation, from 10th November, 1984 the Editor began publishing a line on page 1, of every issue that S.R. was the 'Only Government censored newspaper in Sri Lanka'.

The claim was valid most of the time because censorship was applicable to other newspapers only sporadically and only on specified matters (unlike in the case of S.R., ALL material including Sports news had to be submitted to the Censor).

Only on 11th May, 1985, the Editor on his own volition changed the line to read 'Only wholly Government censored newspaper in Sri Lanka'..... This was to draw a distinction between the S.R. and other newspapers which were partially censored occasionally.

The Secretary, Ministry of State — vide his letter dated 18th April, 1985 directed that all matters intended for publication in the S. R. be sent directly to him, instead of the Government Agent of Jaffna. The line was changed to read 'Now fully censored in Colombo.'

After 2 issues this line was again changed to read, 'Only paper in

the world which is censored from 250 miles away'.

The line was dropped after the censorship was lifted.

The Editor would like to have it placed on record that the Colombo based media, particularly the Government controlled or influential newspapers, have been publishing lie after lie especially about events in the North so much so that the people in the South have been lulled into a false sense of security. It needed the Anuradhapura tragedy to wake them up.

Why has not the Press Council taken action against these newspapers for publishing lies, damn lies?

Why pick on S. R. for just publishing one line?

The single line was the subject of an inquiry by the Press Council which began on 26th January, 1985. The N. E. P., publisher of S. R. was represented by Mr. S. Sittampalam, Attorney-at-law. The Editor was also present.

To satisfy the Press Council and establish our bona fides as a responsible newspaper, we were ready to acknowledge our mistake. We are publishing the following correction:-

Correction:

On 4th May, 1985 we carried the line 'Only Govt. censored newspaper in Sri Lanka.'

As at that date, the line did not represent the correct position as all newspapers published in Sri Lanka came under the same censorship law.

We express our regret for this error.

Editor

Printer

Publisher

Proprietor

FR. SINGARAYAR TRIAL — 3

(Continued from page 3)

essential parts extracted to include in P.37. The final summation of all other parts extracted to include in P.37. The final summation of all other statements and documents was P.37 according to the position of the learned Defence Counsel. It was an accepted fact prior to the recording of P.37, for a period of 8 days there was no interrogation of Fr. Singarayar by the authorities. Fr. Singarayar's position was he had cordial discussions with Xerny Wijesooriya and Colonel Wijesekera. In fact, his evidence was he was giving them advice and provided solutions how to eradicate the economy and the political problems in the North. Though he had no opportunity to meet his lawyers, he had a varied stream of visitors ranging from politicians, religious dignitaries and his family members. It was in this background that P.37 was recorded. He said that he was disinterested about the recording of the statement as he saw Inspector Gallage in the room seated with some files on the ground and the revolver on the files. I am unable to understand as to why Gallage should have kept the revolver because the position of the accused was that he feared and Gallage he was 'awfully scared and was in abject fear'. His mere presence affected his powers of thinking. If that was so, I do not know why Inspector Gallage should have displayed firearms. Hilton Perera and Punya de Silva both while giving evidence stated that it was their normal habit to hide the firearms that they handle as they do not belong to the uniformed services. Punya de Silva admitted that Gallage was present at the stage of recording the statement P.37. There was no attempt to interrupt or intervene by Gallage and he was definite that Gallage did not display the revolver in the room as stated by Fr. Singarayar. I accept the evidence of Punya de Silva on this point.

In P.37 (b) the only point that appears to be remotely connected in the name Ravi alias Ravindradasa. Ravindradasa became friendly with Fr. Singarayar and he used to come once a month or so and discuss matters on varied subjects like politics, religious, society and separation. In P.37 (c) the point that appears to have a semblance of connection to the charges is that Ravi brought Thangadurai and Prabhakaran to his residence and had a long discussion with them about the liberation of Tamil people. The Court cannot take judicial notice of the existence of Prabhakaran and to who this Prabhakaran, there must be no

sufficient evidence led by the prosecution. The name Prabhakaran may be a name familiar to the Police and the security authority; it is only a prename and it is essential that the prosecution should establish the identity of this Prabhakaran. The only section of the Evidence Ordinance that permits the Court taking judicial notice is Section 57 and to a certain extent Section 114. The object of offering evidence is to prove the point in issue or in other words to create a conviction in the mind of the Court as the truth or otherwise of a fact in issue. The matters enumerated in the Section of which the Court should take judicial notice are by no means exhaustive. It seems the Section 114 of the Evidence Ordinance under which the Court may presume existence of certain facts was also intended to embrace a number of facts that have not been mentioned in Section 57. The scope of the doctrine of judicial notice is wide. There must be sufficient proof and established by evidence that Prabhakaran Velupillai alias Thamby referred to in the proclamation in the Gazette which was produced as P.54 is one and the same identical person referred to in P.37 and in the indictment it had been held that the Court could take judicial notice of the commencement, continuance and termination of hostilities between the government and other States or body of persons. In view of the above principle the Court could take judicial notice of the hostilities that exist in the northern area. It was held that the Court may take judicial notice of matters which have reached the Court regarding possession of political crimes.

The area of judicial discretion is extensive, however extensive it is this Court is of the view that it is not permissible for the Court to take judicial notice of the fact that Prabhakaran referred to in the proclamation P.54 is the one and the same person mentioned in P.37 and in the indictment. The prosecution was aware of the existence of P.54 on 2.2.82. Therefore, it was essential and necessary to refer to Prabhakaran as referred to in P.54 for the purpose of identification. I am of the view that the prosecution has failed to establish this point beyond reasonable doubt.

Punya de Silva's evidence that Rs. 69,000/- recovered by the Police from the room of Amalauppavam, that it was a production of Neerveli robbery, but it appears to me that there was no immediate action

taken by him to inform the proper authority. At this stage the High Court of Colombo was proceeding with the Neerveli Bank robbery trial. There was no action taken immediately to file an indictment for retention of stolen property or under any of ancillary section of the Penal Code. Though he stated that 69,000/- was the production of Neerveli, the evidence was this 69,000/- consisted of rupees thousand notes and five hundred notes only and according to witness Borellessa of the Central Bank, the notes of the denominations of thousand and five hundred were not in circulation on 29th March 1981, at the crucial date where Neerveli bank robbery took place. The deposit of money in the Finance Companies and the banks in no way establish that it was the money or proceeds of the Neerveli bank robbery. The prosecution has to prove these facts beyond reasonable doubt. There was no evidence to establish the fact that the robbery was done by Prabhakaran or that he committed or participated in the robbery. The fatal weakness in this case is illustrated by Punya de Silva's own evidence when he admits that he did not find out when and how Fr. Singarayar came to know about the robbery at Neerveli and he knew that the police officers were killed. This is a fatal weakness in the prosecution story that the chief Investigating Officer Punya de Silva failed to interrogate Fr. Singarayar as to his knowledge or his belief and his reasons as to how he came to know of the Neerveli robbery, as to how he knew that two police officers were killed. A vital flaw in the prosecution story is that Punya de Silva had not put Fr. Singarayar upon inquiry regarding his knowledge or awareness of the Neerveli robbery. Grave doubt is thrown in the mind of this Court on the evidence of Punya de Silva.

The charges are based on 5(1)(a) and 5(b) of the PTA. It is necessary that the prosecution should establish that Fr. Sinnarasa's knowing or having reasonable cause to believe that Prabhakaran has committed the Neerveli bank robbery and he failed to report the same to the police officers.

The prosecution has to prove beyond reasonable doubt the following ingredients (a) that Fr. Sinnarasa knew; there is no evidence in P.53 to establish that he knew; or Fr. Sinnarasa had reasonable cause to believe, there is no evidence to

show that he had reasonable cause to believe. The legislature did not intend that the people should give information about ordinary common talk in the area. Surely that is not the intention of the Act. If that was the intention with the promulgation of proclamation P.54 of 26-2-1981 in the Gazette there would be no obligation in law on all citizens who have heard common village gossip or any information that they have seen in posters or of the names that they have read or any credulous newspaper reports to immediately march to the nearest police station and give the information what they had gathered in the village or bazaar or what a third party had reported. If that was so there would have been no inundation of information coming to the police. Furthermore, the only evidence in this case that had been led, establishes beyond doubt that the indictment on Neerveli robbery that was held in the High Court of Colombo was not against Prabhakaran. He was not even an accused, he was not even tried in absentia. There was one Sri Sabaratnam who was tried in absentia but there was no evidence whatsoever even remotely to connect that Prabhakaran had committed the offence or participated in committing the offence. There was not a single investigating officer who investigated in the Neerveli robbery called by the prosecution to establish that there was evidence of Prabhakaran's participation.

The 1st accused made a dock statement and in that statement he had denied knowing of the Neerveli robbery to have been committed by Prabhakaran and he has stated that he gathered the news about the Neerveli robbery from the papers and common talk. Even without consideration of his statement from the dock, it is my considered view that the prosecution had failed to establish the charge against the 1st and 2nd accused. In view of the above reasons I acquit both accused.

(CONCLUDED)

VACANCY-ACCOUNTS CLERK

Applications are invited from females living close to Jaffna Town and capable of handling accounts independently. Apply before 12-5-1986 in own handwriting with complete bio-data to:-

DYNADS, 476, Main Street,
Chundikuli, Jaffna.

Saturday Review

SRI LANKA

PROMINENT INDIANS APPEAL FOR ETHNIC PEACE

Some leading citizens of Madras have issued an appeal for peace in Sri Lanka. The signatories include C. Subramaniam, former Finance Minister, Prof. K. Swaminathan, Prof. K. R. Srinivasa Iyengar, K. P. S. Kailasam, Rajmohan Gandhi, M. V. Arunachalam and C. K. Sundaram. Excerpts:

"We have been watching with increasing concern and distress the escalating ethnic violence in Sri Lanka, the neighbour with whom India has through the ages maintained the friendliest relations.... It is sad that, since Britain withdrew and Sri Lanka became a self-governing member of the Commonwealth, a rift should have been allowed to develop between the Sinhalese majority and the Tamil minority, and systematic and sustained attempts should be made to reduce the Tamils — through the denial of equal status to the Tamil language and through discriminations in the matter of land settlement, education and employment against the Tamils—to the position of second-class citizens. Resentment has been building up among the Tamils, especially the youth affected, such resentment sometimes exploding in violent action which provoked massive retaliation by the Government. In the result, the reasonable Sri Lankans on both sides are being more and more shoved aside; and

Tamil militancy and Government repression seem to be having a field day involving loss of life and property on an ever-ascending scale, the main victims being the innocent civilians. This brings nothing but harm to Sri Lanka, seriously damaging the future and making the area a cockpit for continuous strife.

"The latest position is grave beyond words, with President Jayewardene himself talking of a military solution and taking feverish steps to that end. The Tamil militants on their part, ask for separation and an independent Eelam, and a fight to the finish to achieve this aim. All this can only result in total ruin of the Island's economy and lasting bitterness.

"We appeal to our brothers and sisters of Sri Lanka, the Sinhalese, the Tamils and the rest, to return forthwith to the time-honoured ways of conciliation and accommodation and end once and for all the present posture of confrontation and mutually assured destruction.

"Above all, we appeal to India's Prime Minister, Shri Rajiv Gandhi, to take early effective steps to bring the parties once again together and guide them to forge an honourable settlement of the ethnic problem."

EPRLF Calls For Protest Week

The Eelam People's Revolutionary Liberation Front (EPRLF) is conducting a campaign for a week from the centenary celebration this year of May Day as a 'week of protest against the Sri Lanka Government, American Imperialism and State terrorism.'

An EPRLF press release states 'during this week several demonstrations and mass rallies will be held over Eelam. We call upon all other liberation movements, progressive

forces and the masses of the Tamil people in Eelam to participate in this protest week. We also call upon the Sri Lankan left parties and its progressive forces to extend their friendship and solidarity by joining hands with us and take this protest movement forward. For an ever-lasting and durable world peace depends on the total destruction and annihilation of American Imperialism and its cronies.'

RELEASE OF SUSPECTS

G. S. MUST TESTIFY

—BRIGADIER

"Hereafter, if a suspect in our custody is to be released, the Grama Sevaka of the area in which the suspect resides must appear in person at the relevant Security Camp and testify to the character and antecedents of the suspect and help us to finalise inquiries concerning the suspect. This has become necessary now and I have therefore recourse to this procedure now. After all, a Grama Sevaka is a Government Servant paid by the State and it is obligatory on his part to help us in finalising inquiries against persons in our security. I am therefore unable to release the six persons from Point Pedro area and handed over to our custody by the Navy."

This is what Brigadier Rupasinghe, Co-ordinating Officer, Jaffna, told the representative of the Point Pedro Citizens' Committee on 29th April when he went to seek the

release of six fishermen arrested on 13th April by the Navy while they were fishing. Three are from Munai, one from Nagarcoil and two from Thalayady.

Mr. A. Thevarajan, Asst. Secretary, Point Pedro Citizens' Committee accompanied the relatives who included a 23 days old baby and its mother and a six months old baby and its mother.

The Brigadier also added: "I have been releasing suspects in the presence of people of social standing like priests, Justices of the Peace, Members of the Citizens' Committee and so on. For certain reasons I am compelled to suspend this procedure. This does not mean that I am unsympathetic towards the innocents. What can I do if the Grama Sevaka does not want to help the poor people of his village where he serves? I want the people to appreciate my difficulty also'."

WOMEN'S REVOLUTIONARY POTENTIAL

"On this occasion of the centenary celebration of May Day, all the progressive forces in society should think of ways to promote unity and revolutionary consciousness among women", states the May Day message of the Women's Study Circle. It exhorts "working women and oppressed women to realise their revolutionary potential and come forward to fight for their rights".

'UNP—COMMON ENEMY'

"May Day 1986 is being celebrated in the midst of turbulent clashes and confrontations — both nationally and internationally. From the Philippines, Kampuchea, and Afghanistan to Haiti and Nicaragua, to Libya, Palestine, Eritrea and South Africa, people are fighting to win or preserve their national independence in the face of powerful efforts of imperialism to oppress them", states the Ceylon Communist Party in a May Day message signed by Mr. N. Sanmugathan.

The statement concludes "The UNP is the common enemy of the toiling masses—be they Sinhala or Tamil. That is why it is the duty of the working class to unite, under its leadership, all the forces that can be united against the UNP and overthrow it once for all."

SLCP'S MAY DAY

The Sri Lanka Communist Party (Left) celebrated May Day with a mass demonstration and a meeting. It also released a handbill putting forward 13 demands of 'the working class and labouring people.'

'END OPPRESSION'

"Let us all make a resolution on May Day that we shall all work to bring an end to the oppression against the Tamil-speaking people and human rights violations committed against them and work towards a free and bright future for all people", states the Mothers' Front in a May Day message.

HOME GUARDS REMANDED

Two Home Guards have been remanded for two weeks in connection with a robbery in a MPCU Union in Batticaloa.

'FORCED TO TAKE UP ARMS'

"The Tamils were forced to take up arms, as they were denied their democratic rights. This has ended in 'terrorism'" said Mr. Shelton Ranarajah, Deputy Minister of Justice, speaking at a meeting in the Central Province.

HELLO !

MCT

TEL: 24791, 24836

SEE PAGE 2