

Unmasking
Kadirgamar's hypoc-
risy on child-soldiers Page 5

NORTHEASTERN HERALD

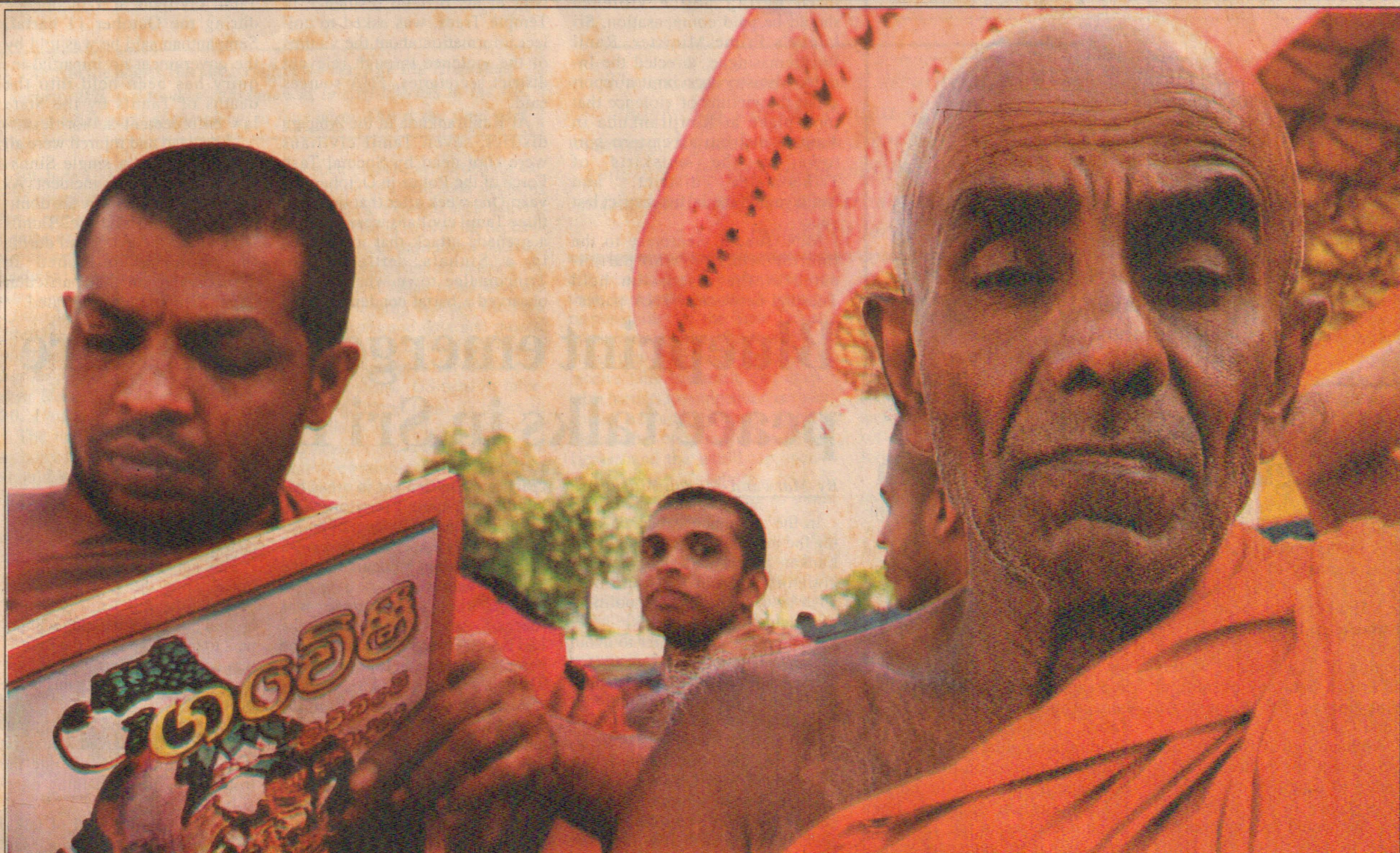
NGO neo-colonialism in
Sri Lanka's northeast
page 7

Registered as a Newspaper in Sri Lanka

Vol: 01/25

January 17- 23, 2003

Price 12.00



A Buddhist monk at the protest organised at Nugegoda to condemn government - LTTE talks on Tuesday.

Pic by Buddhika Weerasinghe

Tamils sceptical of government delivering federal solution

By a Staff Correspondent

The slow and long-drawn out peace process that might fall short of Tamil expectations in providing an acceptable solution to the ethnic problem is irking Tamils who are sceptical of the UNF government's ability to even deliver a federal solution despite the LTTE coming down on its demands at the third round of talks at Oslo in December last year.

Constitutional experts are of the view that under the present Constitution, only a two-thirds majority and a referendum will facilitate the Constitution to be changed legally. This will entail the two major parties, the UNF and the PA, to be willing to cooperate with each other in forging a solution. What is more, it would also have to be sold to the Sinhala public that is showing signs of opposing federalism apparently in fear it

would lead to the break-up of the country.

The other view that Parliament could sit as a Constituent Assembly, which is essentially outside Parliament to draft a new Constitution after obtaining the necessary mandate from the people at a general election was contested recently at the third Kumar Ponnabalam Memorial Lecture.

"There is a legal barrier to adopting this method (through a Constituent Assembly). Unlike in 1972, this time one has to overcome constitutional barriers under Articles 75 and 76 of the present Constitution. These provisions stipulate that it is the sole right of Parliament to legislate either to amend or even replace the Constitution," said V.T. Thamilmaran, senior lecturer in law at the University of Colombo, delivering the Kumar Ponnabalam Memorial Lecture at Veerasingham Hall in Jaffna.

"In addition, Parliament, even if

it does want to, cannot delegate or devolve its legislative power to any other institution. Any one can petition to the Supreme Court and get orders preventing the formation of a constituent assembly," he continued.

He said if all three organs of the government including the judiciary were to be restructured there would be anarchy, if the three refuse to accept the change. It would lead to a total collapse of the state machinery.

"It is not in the interest of the Tamils to be part of long-drawn-out negotiations that leads nowhere. The Tamils' will to fight in the event the peace process does not deliver anything tangible will be all the less if the process keeps drags on intermiably," said Gajendrakumar Ponnabalam MP (TNA-Jaffna District).

He said the question was even if the two parties at the peace talks agreed to a solution the numbers

in Parliament could scuttle it being implemented unless the UNF and the PA were willing to work together reached a solution.

Ponnabalam said that implementation was crucial since an agreement could very well be reached between the government and the LTTE but not even achieve the de-escalation of violence and armed hostilities that were of paramount importance before any permanent political solution to the ethnic conflict could be found.

Meanwhile, Tamil sources said it was important to explain to the international community the possibility of an impasse emerging due to legal wrangles associated with the enacting a new Constitution. They said the LTTE had agreed to suspend hostilities through the Ceasefire Agreement and come for talks under the impression the government would deliver on its promises.

"The LTTE and the Tamils should

do their best to reach an agreement with the government on the federal model if it answers Tamil aspirations. But if the Sinhalese cannot agree among themselves on what they are prepared to give the Tamils should be free to walk away from the talks," Ponnabalam stressed.

The LTTE agreed to federalism at the conclusion of the third round of talks in Oslo. The government and the LTTE reached an agreement to "explore a solution to end the island's conflict founded on the principle of internal self determination in areas of historical habitation of the Tamil speaking peoples, based on a federal structure within a united Sri Lanka".

"Sri Lanka needs a new constitution that would radically transform its polity," said Dr. Anton Balasingham, addressing a joint press conference after the Oslo conference.

NORTHEASTERN HERALD

SUBSCRIPTION FORM

Name:

Address:

Six months Rs.360/-

Three months Rs.180/-

Cheques to be drawn in favour of:

Outreach Publication (Guarantee) Limited

The Editor

Northeastern Herald
4/1-1/3, Schofield Place
Colombo 3.
Telephone: 074 - 510441

'Archaeological finds should be safeguarded' -Ilankumaran

Faculty of Archaeology should be established in universities in the northeast to ensure better security to the archaeological finds of our land, said Mr.V.Ilankumaran, head of the Thamil-eelam Educational Development Division addressing a meeting of Trincomalee writers and critics Saturday evening at Trincomalee Sri Koneswara Hindu College.

"Archaeological finds of our land provide the evidence that is needed to establish our historical presence in our traditional land. We would take appropriate steps to safeguard the finds through the formation of preservation boards at district level," said Mr.Ilankumaran.

In the name of high security

zone (HSZ), security forces continue to occupy our lands. Now archaeological finds recovered from our soil are also facing danger of being spirited away, he said.

On the need for preserving historical records of past eminent scholars Mr.Ilankumaran said, "we have not fully documented the lives and times of Tamil scholars born in the northeast. Jaffna born Tamil scholar C.V. Thamothersampillai who made invaluable contribution to the Tamil language by printing the ancient "Tholkappiam" has not been given due place in the Tamil history. 2003 is the centenary year of Mr.C.V.Thamothersampillai. Swami Vipulananda born in Batticaloa introduced the literary works of poet Barathi to the Tamil world."

Journalists, TELO condemn attack on Tamil scribe

Jaffna Journalists Association (JJA) strongly condemned the attack on Tamil Journalist, S. Jeyanandamoorthy, in a report published today adding that the carefully planned attack raises suspicion that the perpetrators intended to kill him. Tamil Eelam Liberation Organization (TELO) in its press release also condemned the attack.

JJA's report said that during Peoples Alliance (PA) Government, attacks on journalists were common, and the case of Mylvaganam Nirmalarajan, the BBC Tamil journalist who was murdered allegedly by Eelam Peoples Democratic Party (EPDP) cadres during Chandrika Bandaranaike's rule, is still awaiting justice in Sri

Lanka courts.

The report added that it is shocking that violence against journalists is continuing under the United National Front (UNF) government and mentioned the incident in Nelliady recently where another Tamil journalist was injured.

TELO's report said: "During the war Jeyanandamoorthy worked amidst threats to his life to carry out his reporting duties. The elements who tried to suppress his voice must be identified and promptly prosecuted."

"Action must be taken against the armed groups that are posing a challenge to the climate of peace and to the Tamil-Muslim amity," TELO's report added.

TNA demands compensation for Kanchirankudah victims

Following a request Tuesday by the Tamil National Alliance that the relatives of the dead and injured during police violence should be paid compensation, Sri Lanka's Prime Minister, Ranil Wickremasinghe, directed the Interior Ministry to submit a report about the victims of violence that took place at Kanjirankuda in Ampara district, an eastern port town in the outskirts of Trincomalee district, and Nelliayadi in the Jaffna district last year.

M.N. Junaid, Secretary to the Interior Ministry, who participated at the discussion held Tuesday between a TNA parlia-

mentary delegation, headed by Trincomalee parliamentarian, R. Sampanthan, and the Prime Minister at his official residence in Temple Trees, was asked to collect information about the victims of the violence through relevant district secretaries, TNA sources said.

At Kanjirankuda in the Ampara district, seven Tamil civilians were shot dead by Special Task Force of the Police in October last year. One week after that incident, three Tamil civilians were killed in a grenade attack that took place in a Sinhala settlement in Trincomalee town when Tamils observed a hartal condemning the

STF attack on civilians at Kanjirankuda.

Regarding the killing of three Tamil civilians at Trincomalee during the October 11 hartal, Sampanthan said he was told by the government no impartial inquiry has been held into the deaths of Tamils by the State law enforcement authorities.

"The dead and injured were all Tamils and not a single Sinhalese suffered in this incident. As the police and the army are dominated by the Sinhalese, Tamils were at the receiving end during the violence unleashed in Trincomalee on that particular day," Sampanthan reiterated.

Blueprint emerges for future peace talks in Sri Lanka

By Marwaan Macan-Markar

In the agreements reached during the just-concluded round of Sri Lankan peace talks here, the negotiators laid out the route they wish to use to cross the political minefields that lie ahead.

For starters, they prefer to avoid seeking an immediate remedy for explosive issues, particularly those that could destroy the still fledgling peace process between Colombo and the Tamil Tiger rebels. But this does not mean shying away from politically sensitive matters. Rather, the two sides appear to be willing to soldier on by seeking solutions that will, in the end, satisfy the warring parties.

This was how the negotiators overcame the first major obstacle at the just concluded talks — a sharp difference of views between a Sri Lankan military commander and the Tamil Tigers over the resettlement of Tamil civilians in lands under military occupation in Sri Lanka's north.

It arose after the military commander suggested that the Liberation Tigers of Tamil Eelam (LTTE), as the rebels are known, should disarm and decommission its heavy weapons in the north before Tamil civilians are permitted back to their homes.

During this fourth round of talks, which ran from Jan. 6-10, the LTTE pulled out of a special committee set up in the war-ravaged island's north to discuss the sensitive issues such as de-escalation and normalisation.

It marked the first major setback to the negotiations since the LTTE and Colombo began their peace talks at a Thai naval base in September last year. The rebels declared that this committee was redundant, since among its members was the military commander who wanted resettlement tied to the Tigers giving up their weapons.

Nevertheless, this act of protest did not result in the collapse of the talks.

On the contrary, the LTTE agreed to Colombo's proposal to

speed up resettlement in areas beyond the disputed territory and, further, to seek the views of an Indian military expert on striking a balance between humanitarian and security needs.

After this compromise was reached, Anton Balasingham, the LTTE's chief negotiator, said: "The peace talks are going on very well. There is no crisis."

A similar pattern emerges in the way the negotiators tiptoed around another sensitive subject — the political concerns of Sri Lanka's Muslim minority — during the talks at a resort here some 32 kilometres west of Bangkok.

The LTTE has maintained that the negotiations had no room for direct talks between the rebels and a Muslim delegation. The government, though, has included a Muslim member on its delegation.

The Muslims are Sri Lanka's second largest minority, making up seven percent of the country's 19.6 million people. The Tamils make up 18 percent of the population and the majority Sinhalese, 74 percent.

The Tigers' resistance to talking to the Muslims did not prevent the fourth round of talks from ending with a statement where Muslim issues received mention for the first time. "The particular needs of the displaced Muslim population will be duly accommodated in the resettlement process," the statement said.

It added later on that the current negotiators, who are perceived as representing the Sri Lankan government — hence the country's Sinhalese majority — and the Tamil minority, had agreed to invite a Muslim delegation in the future to discuss pressing political issues.

The LTTE's reluctance to permit a Muslim delegation at the talks stems from a tense relationship between the rebels and the Muslim community in Sri Lanka's north and eastern province, the region where the LTTE has been waging a war to carve out the separate state of Tamil Eelam.

Currently, there are over 70,000 Muslims from Sri Lanka's north seeking to be resettled in their homes after they were driven out at gun-

point by the LTTE in 1990.

Over 64,000 people have been killed during this almost two-decade long conflict.

This approach to negotiations — not evading the sensitive issues completely, but finding a way around them or expressing willingness to take them up in the future — was not lost on officials from Norway, who are facilitating this peace process.

In particular, the government and Tiger rebels agreed to stay on course with the talks despite the troubling issues remaining unresolved.

"It (the fourth round of talks) has been a historic meeting," said Vidar Helgesen, Norway's deputy foreign minister. "History is in the making, and that requires hard work, and the parties have displayed a lot of hard work in a constructive manner in this meeting."

"Both parties recognised that there are issues that have to be addressed in earnest," said Gamini Lakshman Peiris, Colombo's chief negotiator. This attitude will be tested in the forthcoming rounds of talks, now that Colombo and the LTTE have agreed to take up human rights concerns during the peace process.

The development agenda for the war-ravaged north and east, ranging from infrastructure needs such as rebuilding roads to rebuilding hospitals and schools, is also another political minefield the negotiators will have to face.

Yet, if the language emerging from this pivotal round of talks is an indicator, both warring parties appear willing to stay engaged and talk, and not shy away from difficult issues.

It is a view reflected in a plea made in the final statement from the latest talks. The negotiators wanted the Norwegians to create a mechanism to "ensure rapid corrective action by the parties in case of incidents that are or can be perceived as disrupting the peace process."

(IPS)

Unknown to George W. Bush, a strategic jewel

By Rajpal Abeynayake

Is Sri Lanka an obscure island somewhere in the Indian Ocean? Or is Sri Lanka an important country somewhere in the Indian Ocean?

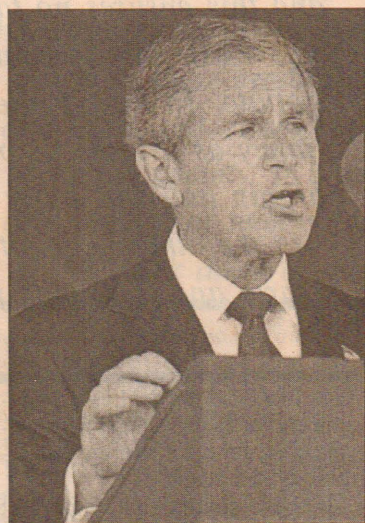
The story was that George W. Bush could not find Sri Lanka on the map and that he confused Sri Lanka with Madagascar. But this is a man who is supposed to have said recently that "all the goods imported to the United States come from outside."

So Sri Lanka's obscurity or otherwise cannot be sized up by what George Bush said, and if the Bush barometer will not work, what will?

In a recent article in the *Asia Times* (Inter Press Service) it was said that the US is eyeing Trincomalee "the strategic jewel in the region." But there was a time when anyone who said Trincomalee is important to the US would have been laughed out of the room.

Times have changed now. Sri Lanka is referred to as an important country, and Trincomalee is referred to as a 'strategic jewel.' It all looks as if Sri Lanka's importance depends on the mood swings of the world's powerful leaders such as Bush and Blair.

The fact is that though Sri Lanka may not be in the crosshairs right now, Sri Lanka is becoming impor-



tant in a certain specific geopolitical context.

But, refer Pakistan. Pakistan's fortunes have been swinging like the yo-yo, sometimes bad, sometimes in the doghouse, and sometimes as 'very favoured nation.' Sri Lanka's fortunes are not insulated from a these kinds of mood swings either, and therefore the entire internationalization of the Sri Lankan conflict needs to be viewed in this backdrop.

Japan for instance is said to be looking for a greater role in the Sri Lankan conflict and similarly Japan is said to be seeking a role in Aceh in Indonesia and other areas of conflict in the world map.

Obviously Japan does not want

Japan gets to be involved to a very great extent as a countervailing power to this tendency. Even though Japanese are not getting involved to wage a war, to put it in the simplest terms, it is not for nothing that the Japanese are getting involved in the general picture. To a great extent, Japan does not want burgeoning US hegemony and want to assert itself least in some measure as a global power, and a countervailing global power.

to be left out entirely from the global power game. But it is still only a game. Where is the commitment of any of these intervening countries to the long-term resolution of conflicts such as those in Sri Lanka or Aceh in Indonesia?

But, relatively speaking, Japan's involvement is a more positive sign than that of US involvement. The US has been candid about the fact that its number one global priority is its war on terror and that Sri Lanka is a helpful ally, which will be able to offer refueling facilities for aircraft etc., during any eventuality or any offensive. Given the US record in courtiers such a Pakistan for example, the long term US commitment

needs to be seen as something that might only be very much on the surface.

Japan gets to be involved to a very great extent as a countervailing power to this tendency. Even though Japanese are not getting involved to wage a war, to put it in the simplest terms, it is not for nothing that the Japanese are getting involved in the general picture. To a great extent, Japan does not want burgeoning US hegemony and want to assert itself least in some measure as a global power, and a countervailing global power.

Sri Lanka can enjoy all this attention while it lasts, but it is important that Sri Lanka comes to terms with the fact that it has jumped out of its

relative status of obscurity for a while only. Perhaps on a third world scale Sri Lanka was never quite in the backwoods, but it was never in the front burner of anybody's scheme of things either.

Today, at least momentarily, Sri Lanka is, if not in the front burner, at least somewhere to the front of the kitchen. This may be a heady feeling for the mandarins of the foreign office, but it does not necessarily mean (a) that this situation signifies the true long term picture and (b) that being in the spotlight is necessarily good in terms of the long-term interests of the country.

When the global geopolitical scenario changes, the global mood could change. America may not see Trincomalee as a 'strategic jewel' anymore, and Japan will see no need to be a force that countervails American strategic expansion. For all intents and purposes we could be left all alone — where we began. This does not seem to be an eventuality that we Sri Lankans have planned for. Our collective psyche is not quite equipped to see ourselves in perspective, but who can blame us? There are other girls on the beach, but for once the global metaphor mills are referring to us as the 'jewel.' Reality tends to get obscured if not distorted.

Indian SC admits plea by Vaiko, others

By J. Venkatesan

Even as the Centre justified the enactment of the Prevention of Terrorism Act (POTA) to deal with global terrorism, the Supreme Court today (13 January 2003) admitted three petitions challenging its constitutional validity, including one filed by the MDMK leader, Vaiko, questioning Section 21 of the Act under which he was arrested on July 11 last year and is still in judicial custody.

Observing that the issues raised in the petitions needed a detailed hearing, a Bench, comprising Justice S. Rajendra Babu and Justice G.P. Mathur, directed that the petitions filed by Vaiko, the People's Union for Civil Liberties and the All India Human Rights and Social Justice Front be listed for final disposal in March. The Bench granted time to the Centre and the Tamil Nadu Government to file their reply to Vaiko's petition.

In his petition, Vaiko assailed Sec. 21 of the POTA, stating that its scope was very wide affecting the right to freedom of speech and expression guaranteed under Article 19 of the Constitution.

He contended that as a leader

of a political party, he had only explained that at a time when peace talks were going on in Sri Lanka with the LTTE, the Centre should reconsider its stand on the ban imposed on the LTTE. However, he was arrested invoking Sec. 21 of the POTA, which required deeper interpretation.

The other two petitioners submitted that the Government had not taken a lesson from the past experience of the TADA being misused. It was on record that out of 76,000 arrests under the TADA, the conviction rate was just 0.41 per cent.

The National Human Rights Commission and other human rights groups had voiced concern over POTA on the ground that all the actions, which the Government wanted to take, could be tackled through the existing laws.

They pointed out that the Government, having failed to pass the POTA Bill in the Rajya Sabha, convened a joint session of Parliament to pass the Bill. They contended that the Act lacked legislative competence and assailed it on the ground that its provisions were liable to be misused by the Government.

Contending that there were many draconian provisions in POTA,

which were violative of the fundamental rights of citizen, they sought a declaration that the Act was *ultra vires* the Constitution.

In its response, the Centre submitted that there was a general consensus that an anti-terrorism law was very much required in the present day when terrorism had spread its tentacles across the world through use of hi-tech weapons.

The global opinion on enacting special laws to tackle terrorism was clearly demonstrated in the 'post-September 11' (in 2001) scenario. The Centre also pointed that similar laws had been enacted in the United Kingdom and in Pakistan and enactment of the POTA was, therefore, inevitable.

Further, the affidavit said that there was consensus to define terrorist acts and make the activities of persons/groups engaged in planning and perpetrating terrorist acts and financing of such acts as offences.

The law was passed at a joint sitting of the two Houses of Parliament after extensive debate and consideration and, therefore, the contentions of the petitioners were totally imaginary and baseless, the Centre said and sought dismissal of the petition. (*Hindu*)

Russia among world leaders in journalists killed in 2002

Three journalists died in Russia because of their work in 2002, making that country one of the most dangerous places in the world to gather news last year.

The Committee to Protect Journalists (CPJ) reported that 19 journalists were killed worldwide last year for their work. With three deaths in each, Russia, Colombia and the West Bank accounted for nearly half the deaths of journalists last year.

The worldwide total of 19 journalists killed in the line of duty is the lowest number recorded by CPJ since 1985, when the committee started tracking deaths. The number marks a sharp improvement over last year, when 37 journalists were killed for their work, including eight in Afghanistan.

CPJ executive director Ann Cooper said the decrease is encouraging, but that "journalists are still being targeted and assassinated for doing their jobs."

The Russian tally included British television free-lancer Roddy Scott, who was killed September 26 while following Chechen rebels in

Ingushetia. Working for the Frontline TV news agency, Scott, 31, was covering skirmishes with Russian troops near the Chechen border.

Another death is believed by some Russian journalists to be connected to official corruption. On April 29 in Togliatti, an unknown assassin using a silencer shot Valery Ivanov eight times in the head at point-blank range. Ivanov, 32, was editor of the newspaper Tolyatinskoye Obzoreniye, which had been publishing reports on organized crime, drug trafficking and corrupt government officials.

Natalya Skryl died March 9 after an unknown assailant attacked her from behind, clubbing her repeatedly in the head. Skryl, 29, was a business reporter for the newspaper Nashe Vremya, and had been investigating the struggle for control of a local metallurgical plant. Local officials initially suggested the murder was the result of a robbery — though none of Skryl's money or jewelry was taken. (*IJ Net*)

NORTHEASTERN HERALD

4/1-1/3 Schofield Place, Colombo 3.

Telephone: 074 - 510441
Email: neherald@yahoo.com

Judicial irresponsibility, reason for Tamil armed struggle

Prime Minister Ranil Wickremesinghe's criticism of the judiciary for its shortcomings, especially in relation to dispensing justice to the Tamils, is indeed refreshing for its candour and honesty. This does not come as a surprise to those who have been following developments in the relations between the Tamil community and the various branches of the state. However, the fact that the prime minister has made a public statement on the matter puts an official seal on it.

He said, "It is questionable whether the Sri Lankan judiciary fulfilled its duties and responsibilities to safeguard the rights and freedoms of various communities in the country. This has led the Tamils to launch an armed struggle to create a separate state in the country."

His statement comes in the wake of a South Asia-wide survey in which Sri Lankans interviewed have said that corruption in the local judiciary is second only to the police in this country.

This newspaper has been critical of the dispensation of justice to the Tamils especially on the Mylanthanai issue where not only did the jury's decision displease the judge but also the attorney general refused to appeal stating legal conventions as an excuse.

The shortcomings in the judiciary to which the prime minister made reference shows that the arm of the state to which a citizen could appeal against incursions made on his or her liberty by the other organs of state – the executive and the legislature – has been of no help and has perhaps even enhanced the evil to which the victims is subject.

What is more, unlike in the case of the legislature and executive where the people's will is reflected in their appointments and dismissals through elections, there is no such thing in the case of the judiciary. Individual judges may be appointed and retire, but the system itself goes on and it is the system that has been found wanting to which the PM made reference.

The government and the LTTE have agreed to strengthen human rights in the ongoing discussions in Thailand and Oslo. What is important to note is that strengthening human rights will not be of any benefit unless the judiciary is shorn of its shortcomings.

In the United Kingdom when it was discovered there had been a miscarriage of justice in passing sentences on IRA activists a royal commission was appointed immediately to bring about the necessary reforms to see that such excesses are not repeated.

In Sri Lanka too there has been agitation against the judiciary but not against the system but an individual – the chief justice. This is primarily because of the overtly political stance he has taken in his decisions. But there is yet to be a demonstration of protest against unfair decisions taken by judges against the Tamils to which the PM alluded.

It is high time that Sri Lankans begin to think in terms of the state as an organ functioning in a multiethnic and plural society. What is more, if the government is serious about offering federalism as a solution to the ethnic problem, the present could be a good time to think of refashioning the judiciary along better lines.

Federalism in Lanka – is it the way out?

By Bertram Bastiampillai

Then there was the time that federalism denoted a filthy word, and was anathema to the majority community of Sri Lanka. Until India was invited to help in dealing with the ravaging communal conflict devolution was equally denounced. In fact, the numerically larger group in the island looked askance even at decentralization. Now the rage and frenzy of the few to whom dominance and not co-existence of communities was palatable frown upon power sharing and devolution within a plural society of peoples. But without losing the enforced bond, the diverse communities in Sri Lanka may not be able to co-exist within one political framework.

Sri Lanka is far from having metamorphosed into one nation that could represent impartially different kinds of people. The island's leaders miserably failed to forge a single nation and ended up only by sharpening division and distinction that is now too late to totally erase. The future seems more to lie in becoming, if possible, at least a union of nations each with its own identity and institutions. Of course, this implies neither division nor separation. On the contrary, devolution will signify sharing power and authority between the Centre and designated other regional bodies. These bodies with devolved power will represent peoples and in areas with histories of national identity and pride. The manner of the development of these bodies will be influenced more on political and "psychological" factors than merely on constitutional ones. The country and its numerically larger group seem to understand this phenomenon better now. At least one hopes so that lessons have been learned, unlike by the Bourbons.

Legislation providing devolution will create inevitably fresh centre/centres of political power, one believes. These new centre/centres of power, significantly, will represent communities distinct from the single majority or even inclusive of it, which up to now was represented largely by the majority alone. The fundamental feature in a devolutionary set up is that there is provision for a separate political will to be aired in the devolved unit, and the Chief Minister be the real leader, who will carry out that political will, bolstered by a popular majority in the unit.

Unfortunately, any conflict between the devolved unit and a relatively remote centre will tend to unite opinion in the devolved unit in favour of it and needs to be avoided. The unit of devolution in a power sharing exercise in Sri Lanka will not be expected to be really only an artificial unit, which may be ignored irrespective of its desires, but as comprising "nation." These minorities hark back to a pre-colonial history of statehood and are institutionally contained national tradition with distinctive language and culture.

Some raises another issue peculiar to Sri Lanka. They want one party alone to disarm and this ensures no fair play. As the conflict was wastefully unwinnable it was agreed to negotiate. To expect one party to disarm is mere fancy as it loses its position to negotiate or bargain and will leave that party at the mercy of the other negotiator. There is a time to disarm and it sounds just now premature and naïve.

Both India and the Sri Lankan government had in the eighties acknowledged existence of historic habitations as one learns.

If these smaller but important groups in Sri Lanka think of themselves as separate nationalities then they also logically will feel they enjoy an inherent right to self-determination. In a sense this implies administering in a way that is suited to their electors and peoples. There has to be power sharing following a distribution of authority to units or else it is only nominal federal devolution.

Truly, in an exercise in federal devolution the supremacy of a central legislature or Parliament should naturally be lessened and cannot reasonably imply supremacy over all peoples, matters and things. The central Parliament will only enjoy a constrained right of supervision over legislatures in the devolved centres or units. It will mean the power to supervise legislative bodies, which will enact laws/regulations over an expansive area of public policy, and supreme authority to change the provisions of an Act of Devolution will not rest with the central Parliament alone, but the central Parliament plus or along with the legislatures. Along with devolution in reality a new constitution has to be framed for the whole island if federal devolution is to mean much. This anyway will not allow for separatism.

Devolution of power or authority really denotes a division of power and allocation to enact legislation for the areas covered by federal devolution. A semi-federal connection at least will prevail between the central legislature and the ones in the devolved areas. To avoid problems cropping up over limits of authority on the powers of central legislation and division of powers with devolved units, a constitutional court dealing with issues of devolution will be necessary. With a court of this character the supremacy of the central Parliament will not be impaired because a court set up by Parliament cannot clip its own position. But the constitutional court can decide that the power to legislate on something should rest with the devolved unit alone because it came within the province of transferred

powers. Then the central legislature naturally will not be empowered with the same prerogatives it enjoyed in a non-federal setup, and it cannot make regulations or laws as it wishes to do. The constitutional court protects the spheres of action of the central legislature and bodies in the devolved units; it is a court to supervise division of authority. It umpires rendering unto the centre its due and to the devolved bodies their due. It is neutral.

Of course, the central legislature can theoretically legislate for devolved areas or it can abolish the legislature in a devolved area or unilaterally amend the division of power. But these steps will only be eroding or rupturing any settlement that is negotiated between two or more parties. It causes wholesale damage and can be dangerous to the body politic and country. The situation can revert to the pre-settlement position and it appears unlikely to happen as all matters can fall into disarray and conflict and hostility may reappear. Moreover international disappointment can occur.

Some raises another issue peculiar to Sri Lanka. They want one party alone to disarm and this ensures no fair play. As the conflict was wastefully unwinnable it was agreed to negotiate. To expect one party to disarm is mere fancy as it loses its position to negotiate or bargain and will leave that party at the mercy of the other negotiator. There is a time to disarm and it sounds just now premature and naïve. Furthermore decommissioning of arms, when necessary and feasible needs impartial international supervision. Governments too have reneged on agreements as much as others before or even more.

Whatever may be the pros and cons of federal devolution after so much fanatical and violent bitterness, federal devolution still can be a means to keep parties together and not divide them. It is the right solution to one of the worst unending conflicts engendered earlier by imprudent political management, discrimination and failure to honour agreements.

Unmasking Kadirgamar's hypocrisy on child-soldiers

By D. Sivaram (Taraki)

Few Tamils like Lakshman Kadirgamar; those who pretend to like him are generally the venal or bigoted lackeys of the PA leadership. Sinhala nationalists naturally consider him a hero. Among the many reasons for which the Tamils consider Kadirgamar repulsive, is the enormity of the hypocrisy that informed his crusade to stop the LTTE from recruiting young persons under 18.

This does not mean that Tamils who dislike him condoned the recruitment of young persons by the LTTE. The heinous practice of recruiting children as soldiers has to be condemned in no uncertain terms and should be stopped.

No one can doubt or question this. But Kadirgamar's hypocrisy distorted the reality about war-affected children in the northeast. His frequent pronouncements about Tamil child soldiers were derided in the independent Tamil media with the phrase 'crocodile tears.'

The vicious crocodile in the folk tale sheds tears for a hapless animal only to lure it into the lair and eat it. And so was Kadirgamar shedding tears for the predicament of Tamil children in the eyes of the Tamil press. In fact not only Kadirgamar, but also most Sinhala nationalists are wont to shed crocodile tears for the plight of Tamil children if and when it suits them.

In 1990, soon after Eelam War II erupted, Ranjan Wijeratne, President Premadasa's deputy minister of defence, said in Parliament that the Sri Lankan military would wipe out the LTTE's 'baby brigades' in the manner it had massacred the JVP en masse not many moons before. It was crystal clear that Wijeratne was talking about massacring children.

But not even the meekest protest against killing children was heard from the ranks of those who were to enthusiastically swell the ranks of Kadirgamar's supporters on the question Tamil children later.

If Ranjan Wijeratne was insisting that the LTTE's armed forces comprised baby brigades mostly, then it followed that many Tiger troops that were being killed on the battlefields of the north were young persons. Nevertheless, the Sri Lankan government didn't think that a campaign to dissuade minors from joining the LTTE was necessary because the military believed that it was winning.

In fact the army's main strategy at the time was to deplete the ranks of the Tigers by compelling them to throw into battle as many troops as possible and then killing the fighters en masse with

Nevertheless, the Sri Lankan government didn't think that a campaign to dissuade minors from joining the LTTE was necessary because the military believed that it was winning

superior fire power. This was what Gen. Denzil Kobbekaduwa meant when he said, "we are not interested in real estate."

The idea was to threaten a point considered vital by the LTTE, impelling it thereby to throw the larger portion of its armed forces to defend the place. And then bring in the big guns to deplete the concentrations of LTTE troops in and around the vital point.

This was the principle behind Operation Thunder, launched against the LTTE's 1-4 Base in Manalaaru in Mullaithivu in 1991. If the Sri Lankan state believed its propaganda at the time about the percentage of minors in the LTTE's armed forces then it followed that military operations like 'Thunder' were wiping out Tamil children in their numbers.

But neither the Sri Lankan government nor international NGOs attempted at the time to campaign against young Tamil persons joining the LTTE. Not a word was said when thousands of Tamil children were driven out of no go zones by the Sri Lankan military to deny popular support for the LTTE's sustenance in the east as a guerrilla army.

No one spoke about their rights when these children were denied schooling and access to even basic sanitation and health facilities. Numerous Tamil children in the hinterlands of the east found themselves transformed overnight into the sole breadwinners of their families during the army's strategy of creating no go zones there.

The effects of this counter insurgency method was most manifest in the severe under-nourishment among children and teenagers in the Batticaloa district. It has the highest prevalence of concurrent, acute and chronic under-nutrition (the severest form of under-nutrition) in Sri Lanka among preschool children. 4.5 percent of the primary school children in the region are under nourished and 15 percent are in a state of "concurrent, acute and chronic under-nutrition."

Hundreds of schools were closed by the army in the northeast. Many more were bombed deliberately and destroyed. The state provided no alternative for the affected children's education. Yet no one in Colombo or in the international NGOs which concern themselves with the rights of children was bothered because it was all part of the state's effort to crush a rebellion. Forced evictions of whole populations from the east's

prosperous agricultural hinterlands and the inhuman apathy of the Sri Lankan state and international agencies saw the average school drop out rate there rising to unprecedented levels.

It dawned on the government only last week that the school drop out rate in the northeast is a staggering 16 percent while the national average is around 4 percent. If the drop out rate was so high, did any one bother to find out the plight of Tamil children who had been compelled by war-induced circumstances to leave school?

But the Tamils heard no Kadirgamar appealing to the world on behalf of their children. Then in 1995 September the Sri Lanka Air Force bombed the Nagar Kovil school, killing 41 children and wounding more than hundred. Yet we saw not the UNICEF urging the government to stop bombing schools. Did we hear anyone speak about the trauma of hundreds of Tamil children who witnessed their mothers being raped by the military and in some instances killed brutally thereafter?

In August 1995 a woman called

to a marginal guerrilla group in no time, it was said.

The Mullaithivu attack and the others that followed showed that more had to be done than infusing modern weaponry into the Sri Lanka army. Therefore Operation Jaya Sikurui was also designed as a means of depleting the LTTE's armed forces. This is why the army high command chose A9 instead of the Mannar Pooneryn road to bulldoze a Main Supply Route to Jaffna. The Mannar-Pooneryn road was the shortest route to the peninsula and had none of the impediments posed by the dense forests along the A9. The LTTE was least likely to offer resistance on this road as it didn't lie close to any of its strategic installations and assets in the Wanni. Yet the A9 was preferred by the PA leadership because of the opportunity the road would offer to the Sri Lankan army to kill large concentrations of LTTE troops with superior firepower.

The strategy failed because the LTTE was able to sustain a fierce resistance despite losses in 'man-power' and to launch many dev-

There is little change in Britain's centuries-old policy of sending boy soldiers into battle. The British army says it will continue to recruit 15-year-olds. At present, more than a third of recruits to the British Armed Forces are below 18 age

Lakshmi Pillai was raped in her home in Trincomalee by two army informants in front of her two sons. Koneswary was raped and killed by policemen in front of her children. Then the young refugee Sivamany was raped brutally by the Mannar Police before her little son. These are only some of the recorded cases that readily come to mind. None of these things moved the Sri Lankan government and the international community, including agencies working for children's welfare, until a particular conjuncture in military fortunes of the army in 1997.

The Sri Lankan state and military assumed that the LTTE would neither have the resources nor the population base to carry on as a conventional armed force and to sustain the nascent system of government after it lost Jaffna in 1995. The LTTE would be reduced

astating counter attacks on the army. Therefore it was deemed absolutely necessary to some how constrict the sources of LTTE's recruitment in order to 'win' the war. And hence began Kadirgamar's crusade in the name of Tamil children. The magnitude of the campaign's hypocrisy was not lost on any Tamil worth his/her salt. And today we find the so-called international community harping on the same theme.

The motive shines forth clearly from beneath the plethora of altruistic euphemisms we now hear about plight of Tamil children. The international community lauded the Northern Alliance for bashing the Taliban. No one chided it for deploying thousands of children in the battlefields of Afghanistan. According to a report: "The use of child soldiers by the Northern Alliance seems to be widespread,

with children carrying out diverse tasks such as front-line fighting or carrying supplies. Journalists have reported children as young as 11 fighting with the Northern Alliance." Very few were the voices that were heard against the thousands of UNITA child soldiers who were fighting America's dirty war against the leftist government in Angola.

(Once I met an American nutritionist who was working with the UNITA's child soldiers) "One of the most worrisome situations at the moment is Angola where (the rebel movement) UNITA continues to recruit child soldiers and in some instances abduct children. We have also received reports of UNITA raids into northern Namibia to abduct children," says a report by the Coalition to Stop the Use of Child Soldiers published in June 2001 - significantly after the US withdrew support for UNITA and struck a deal to take out the African nation's vast oil and mineral resources. Let's take another example about which Olara Ottunu can do little.

There is little change in Britain's centuries-old policy of sending boy soldiers into battle. The British army says it will continue to recruit 15-year-olds. At present, more than a third of recruits to the British Armed Forces are below 18 age. Britain deployed 17-year-old soldiers during the Gulf war and the Kosovo conflict. The British Army believes that recruiting soldiers young ensures that they stay in the service longer. This eases the chronic retention problems that have left it unable to get its numbers anywhere near the 108,500 personnel laid down by the 1998 Strategic Defence Review. The British Army is still struggling to raise regular strength above 100,000 and has been forced to reduce manning levels to just 107,000. Recruiting teenagers is seen as the answer to these problems. Technically, the British Army can recruit children as young as 15 years and nine months.

A report last year by the International Coalition to Stop the Use of Child Soldiers singled out Britain as one of the worst offenders among 178 countries, most of them in the Third World. A spokesman for

Amnesty International said: "The UK holds the lowest minimum age for recruiting within Europe and is still seeking to broaden its recruitment of children". The hypocrisy about child soldiers is global. And as usual, the powerful deploy it to advance their strategic interests. Therefore we say "shed not crocodile tears for Tamil children; give them a good deal divested of the child soldier hypocrisy."

UN report details humanitarian disaster expected from war with Iraq

By Chris Talbot

A United Nations report marked "Strictly Confidential" and dated December 10, 2002, spells out in harrowing detail the likely humanitarian consequences of US-led war against Iraq.

Compiled by UN planners, the report makes clear that unlike the attack on Iraq in 1991, which it describes as a "relatively short, aerial bombardment of infrastructure, towns and cities", the western powers are now planning "potentially a large scale and protracted ground offensive, supported by aerial and conventional bombardment." [para 1]

Consequently, the potential devastation will be far greater than in 1991, it reports. Whereas a majority of the population of 26.5 million at that time had family members in work and access to cash and material assets, this is no longer the case.

Neither does the report consider it valid to make a comparison with the result of the recent war in Afghanistan where the population is predominantly rural and used to being "more self-reliant". In Iraq the people are largely urbanised and under the sanctions regime imposed after 1991 have "become even more reliant on the state to meet their basic needs" [para 3] with "some 60 percent of the population (16 million) highly dependent" [para 11] on the monthly "food basket" from the government.

Because of the possibility of a lengthy conflict, humanitarian access "would either be denied by one or other of the protagonists

or severely hampered by security or safety concerns" [para 1]. The result will be unimaginably dire in a situation where the infrastructure on which the population are so dependent for government supplies—electricity network, railway system, roads, bridges and ports—will be, in the report's terminology, "seriously degraded".

The draft report, with a number of deletions presumably to protect the source inside the UN, was passed on to the Campaign Against Sanctions on Iraq (CASI), based in Cambridge, England. CASI released it in a press release dated January 7 and it is available on their website [<http://www.casi.org.uk/info/undocs/war021210.html>].

While the report's opening sentence says war is "not inevitable", the underlying assumption is that the UN needs to prepare for a very large-scale humanitarian disaster. There is no indication that this is only a "worst-case scenario" and only contingency planning is involved. Rather, the report indicates that UN officials have knowledge of US military planning.

The UN report predicts:

* "in the early stages there will be a large segment of the population requiring treatment for traumatic injuries" and "as many as 500,000 people could require treatment to a greater or lesser degree as a result of direct or indirect injuries". [para 23] A footnote explains this is based on World Health Organisation estimates of 100,000 direct and 400,000 indirect casualties.

* "in the likely absence of a functioning primary health care system in a post-conflict situa-

Compiled by UN planners, the report makes clear that unlike the attack on Iraq in 1991, which it describes as a "relatively short, aerial bombardment of infrastructure, towns and cities", the western powers are now planning "potentially a large scale and protracted ground offensive, supported by aerial and conventional bombardment

tion" that those particularly affected in the south and central regions will be 4.2 million under five-year-olds, one million pregnant and lactating women, two million internally displaced persons, and an unknown number of infirm, chronically ill and elderly. [para 24]

* "It is estimated that the nutritional status of some 3.03 million people countrywide will be dire and that they will require therapeutic feeding [according to UNICEF estimates]. This consists of 2.03 million severely and moderately malnourished children under five and one million pregnant women." [para 27]

* "Damage to the electricity network will result in collateral reductions in capacity in all sections, particularly water and sanitation as well as health." As a result "39 percent of the population will need to be provided with potable water." [para 28]

* "It is estimated that there will eventually be some 900,000 Iraqi refugees requiring assistance, of which 100,000 will be in need of immediate assistance". [para 35]

It is notable that none of the major English language news sources have so far taken up the press release. This is in line with the self-censorship and uncritical government support witnessed in the US media and much of the British press during the military build-up over the last months.

The US media functions increasingly as the propaganda arm of the Bush administration and the Pentagon. It has a vested interest in suppressing the UN's grim predictions, which are so clearly at odds with the official argument that civilian deaths will be kept to a minimum and that large-scale war casualties can be avoided. President George W. Bush's recent announcement that there will be a "sweeping transition to democracy in Iraq" is shown to be a ridiculous lie considering the scale of devastation envisaged by the UN experts.

In Britain only the Daily Mirror carried a very brief report. In fact, details of the emergency UN plans, including this draft report, have apparently been available to the

media for at least two weeks. A short article—cited on the CASI website entitled "UN chief issues secret orders for war in Iraq"—appeared in the Rupert Murdoch-owned British Times newspaper of December 23, 2002. The article, clearly referring to some of the report's contents as well as other UN "internal documents", makes clear that the order for secret preparations came from UN Secretary-General Kofi Annan.

Since CASI is a British-based group it is perhaps more surprising that the UN report has received so little coverage in the British media. The explanation lies in the argument repeatedly put forward by the British government and supported in the media that Prime Minister Tony Blair has persuaded the US of the need to obtain international support for the war on Iraq through the UN.

The report—the product of top-level secret discussions within the UN—fly in the face of such claims that the body represents an "international community" which has any say in the conduct of the war. Rather, it demonstrates that the UN will play the role that the US expects it to—organising aid after American-led forces have destroyed Iraq's infrastructure, flattened its cities, and killed or injured thousands of its population. Kofi Annan and UN officials are already planning and organising aid for the devastating war and UN officials have already held discussions with the European Union to fund its relief efforts.

(WSWS)

NGOs urge UNSC to take immediate action to protect children in war zones

New York, NY - Today several non-governmental organizations unite in a call for the United Nations Security Council at its open debate on children and armed conflict to take immediate action to protect children's security and rights in armed conflicts around the world.

The lives and futures of millions of children are at stake everyday in 35-armed conflicts worldwide. The major challenge for the Council is to ensure respect for international law and commitments to protect children in specific situations.

The Watchlist on Children and Armed Conflict and the Coalition to Stop the Use of Child Soldiers, two non-governmental networks, recommend that the UN Security Council take stronger action to protect children in armed conflict. Practical actions by the Security Council to sig-

nificantly improve children's lives include:

Explicitly name all parties that continue to recruit or use child soldiers and undertake discussions with them. Faced with no significant progress on ending warring parties' abuse of children, the Council should act to stop the flow of arms to such situations and consider sanctions which may assist in stopping the recruitment and use of child soldiers.

Ensure that all Council resolutions on specific conflict situations specifically address children and armed conflict, to ensure that child protection becomes a top priority throughout the UN system.

Establish protocols in the UN system for ensuring that special protections outlined in UN Security Council resolutions on children in armed conflict are implemented during emergencies, especially unhindered access to humanitarian assistance.

Ensure that, where boys and girls are involved in armed conflict, all children are included in all disarmament, demobilization and reintegration processes after the fighting ends.

* Establish an informal working group of the Council to develop general procedures for improving the coordination and effectiveness of UN initiatives in cooperation with regional and other international organizations on behalf of children affected by armed conflict.

Explaining the urgent need for stronger action to protect children in specific armed conflicts, Casey Kelso, Coordinator of the Child Soldiers Coalition, said, "While progress has been made in recent years to protect children in armed conflicts, significant challenges still exist in implementing international commitments, such as the Optional Protocol to end the recruitment and use of children as soldiers. "This is an historic op-

portunity for the Council to take a major step forward in child protection," he said.

Julia Freedson, Watchlist Coordinator, said, "We hope the Council's open debate will indicate an international willingness to take stronger action to protect children." She continued, "NGOs believe the Council must adopt a strong resolution setting out a clear path for protecting children. The Council must implement its previous commitments with a clear action plan to end abuses and hold violators accountable."

Representatives from the Coalition to Stop the Use of Child Soldiers, Save the Children, Watchlist on Children and Armed Conflict and Women's Commission for Refugee Women and Children made recommendations to the UN Security Council yesterday during a closed door, informal briefing with UN Security Council members. They spoke about access to humanitar-

ian assistance, needs for improved monitoring and reporting on violations against children, child soldier use in conflicts and threats of HIV/AIDS to young people in conflict situations.

NGOs will brief the press on their conversation with Security Council Members tomorrow, January 14, 2003 at 2:00pm at the United Nations Press Room (2nd Floor).

For more information and further NGO recommendations to the UN Security Council see the following publications:

* Protection Children: Implementing Resolution 1379, www.watchlist.org * Child Soldiers Coalition 1379 Report, www.child-soldiers.org * Children and Armed Conflict: Symposium on Implementing UN Security Council Resolution 1379, November 8, 2002, www.watchlist.org and www.child-soldiers.org (Amnesty International)

NGO neo-colonialism in Sri Lanka's northeast

The North and East of Sri Lanka has become the new darling for the international aid community. The business case for providing support to the poor, marginalized people of the North and East is strong. With close to twenty years of war under their belt, the people have suffered enormously. Schools have been ruined; temples desecrated; families split; and virtually everyone displaced at some time or another. There is no doubt of the massive need that exists for rehabilitation and rebuilding. The needs go beyond just resurrecting houses, schools, community centers and libraries. The need to assist the people to recover both emotionally and physically is great. The need to rebuild the self worth of individuals and families is incalculable. Thus it is very easy to justify to funders that Sri Lanka is in dire need and that the "west" must intervene to assist the people rebuild.

The response from the international aid community by any measure has been impressive. As an immediate aftermath of the cessation of hostilities, NGOs – everyone from every walk of life – have made Sri Lanka and especially the North and East their priority. They have dispersed a plethora of aid workers with specialized skills and resources to the war-affected regions to assist in the reconstruction. While this impressive commitment may benefit the NGOs gain recognition amongst donors, one must seriously question what they are in fact doing in Sri Lanka and if their work in reality helps those in need? The more poignant question we need to ask is who is going to make them accountable?

Prior to the cessation of hostilities, there existed a handful of NGOs in the North and East, namely the ICRC, UNHCR and a few others. The main purpose of their existence there was to facilitate communication and to offer menial aid to those affected by war. Many citizens praise the work of organizations such as the ICRC for being a buffer in times of war and in supporting the needs of the people affected by conflict.

During the period of conflict, the massive violations of human rights and the insurmountable loss of lives was not the concern of international NGOs. Some chose to send out press releases from their London offices condemning a party to the conflict of a violation here and there. But not a single organization took it upon itself to bring out the true affects of the war to the international community. The mass exodus of 1995 has become the benchmark for most living in the North and East. Individuals will

The silence of the Pajero trotting humanitarians of the real affect of war makes us question their credibility in being in the North and East and attempting to build the structures of a civil society. It is this history of silence and deference that makes us question the legitimacy of the work done by these international NGO's

painstakingly offer you stories of how they suffered as the Sri Lankan military ruthlessly moved into Jaffna thereby displacing hundreds of thousands of people. They will tell you of how they slept on roads with no shelter and how they pillaged to get a bite to eat. The people of this land will tell you how they lost their way of life when they moved from their traditional homes into those owned by others. There is a story in every family, the dreaded day when they found out that their loved one was killed by the army. The silence of the international community in bringing out these stories is indeed deafening. The silence of the Pajero trotting humanitarians of the real affect of war makes us question their credibility in being in the North and East and attempting to build the structures of a civil society. It is this history of silence and deference that makes us question the legitimacy of the work done by these international NGO's.

While we maybe able to forgive their absence or silence during the war period, we cannot afford to give them free reign on the development of the North and East. This is a land for which thousands of lives have been lost in order to rid our part of the world of colonial powers. We cannot afford to replace Sinhala colonizers with western ones in the name of humanitarian aid and development. The terrain of the North and East is for Tamils to develop. The Tamil people living there are ours to feed, educate, clothe and look after. We have contributed to the welfare of the people in the past and we will continue to look after their needs.

But the NGO sector seems high bent on protecting its interests. While they set up operation in the North, they often marginalize the poor people living in the area. As an example, Temple Road was once a haven for internally displaced refugees from war affected areas. They were occupying homes owned by the well to do, most of them now living overseas. The refugees would often pay modest and sometimes no rent in return for maintaining the homes. Once the NGO sector started to move into Temple Road, they offered exorbitant amounts of rent. The landlords then evicted the tenants in their homes in return for unprecedented

rents. Some homes on Temple Road are being rented for as much as 50,000 rupees per month. After a year of the NGO invasion, Temple Road has virtually become a haven for westerners hell bent on saving the poor people of Jaffna. Needless to say, hundreds of displaced people have been forced to move back to more modest areas.

The next major issue with the NGO sector is the lack of local staff they have on their pay rolls. Most NGOs have opted to fly in "international staff" with high pay scales and extended employee benefits than offering local people gainful employment. This move is based on two underlying premises. First, Tamil people are incapable of performing humanitarian work and their limited skill sets are inferior to those of their western counterparts. Secondly, Tamil people cannot control their destiny and be part of the development of their areas. These two notions are based on a neo-colonial worldview which renders "aid benefiting" groups such as Tamils

This move is based on two underlying premises. First, Tamil people are incapable of performing humanitarian work and their limited skill sets are inferior to those of their western counterparts. Secondly, Tamil people cannot control their destiny and be part of the development of their areas. These two notions are based on a neo-colonial worldview which renders "aid benefiting" groups such as Tamils powerless.

powerless. Compounding this scenario is the highest level of respect given to aid workers. Most international staff ps referred to as "Aiya" or "Amma", a clear reference to the Tamil colonial experience with the British Raj.

These two issues identified above may appear petty. One can and should ignore these issues if it can be shown that the international NGO's are changing the lives of people. The fact remains however that the life of an average Tamil living in the North and

East (unless they are employed as drivers for an NGO) remains the same. The millions of dollars spent by NGO's and their funders in the Jaffna region go to bank accounts of international staff and not to facilitate the humanitarian needs of the people affected by war. The standard joke of many of the cynics in Jaffna is that it takes two Landcruisers to build four wells. The NGO's may be able to show during their reporting period that they have built 4 wells and thus gave water to hundreds of people or that they are responsible for enrolling thousands of children in schools. The reality is that we know how to built four wells for a mere margin of the cost incurred by an international NGO. Likewise, one would have to be extremely gullible to believe that the people of Jaffna need an international NGO to get their children enrolled in schools. We only need to look at the fierce competition to enter university from the Jaffna Peninsula to understand that Tamils in the North do not have to be encouraged to send their children to schools.

So what are the NGO's doing in Jaffna? It is difficult to explain as if you talk to any international staff, they will go to great lengths to rhyme off their successes. They will point out their strengths and how the poor people need them in order to survive. Yet, the overwhelming majority of the people that responded were cynical about the impact of NGO's on their lives. Sure the signs of the work done by NGO's are very visible. They

The funders are satisfied with numbers produced by the NGO's. Clearly, there is a lack of mechanism to hold the NGO's accountable for their actions (or inaction).

At present, the NGO's have free reign over the Jaffna Peninsula. Their work is under much more scrutiny in the Vanni due to the LTTE Administration's prudence in safeguarding against waste. In sharp contrast to international NGO's, one can look at the largest NGO working in the North and East – the Tamil Rehabilitation Organization. The work undertaken by the TRO is impressive with a skeleton of the expenditure incurred in contrast to its international counterparts. The TRO is acutely aware of the scarcity of resources and are very prudent in their management. They are also the experts in their terrain. They know the people and the their needs. They do not need to fly out international experts to do a needs assessment. The head of TRO, Dr. Maheswaran, has a hands on approach to the work of the TRO. As an umbrella group, TRO oversees hundreds of projects they fund. They also have strict accountability mechanisms in place to ensure effectiveness of their programs. It is indeed refreshing to see the work of the TRO on a number of fronts. First, TRO's work stands as a monument to the ability of the Tamil community to look after itself. Secondly, it demonstrates the resolve of the Tamil people to rebuild and develop the region. One good thing that has emerged in the later stages of the peace talks is the establishment of a consortium of NGO's that would oversee funds channeled to the North and East with the TRO playing a major role.

As assessment of the needs in the North and East reveals that there is a dire need for experts to go and contribute to both the humanitarian relief efforts along with the building process. However, the existing international humanitarian aid sector has failed to meet this need in an effective way. At the minimum, effective mechanisms to make the NGO's accountable need to be implemented in order to ensure that money is not spent for the sake of spending. The limited amount of money earmarked to go to the North and East – must go to the North and East – not to international accounts. In reality, it would be nice to have an effective NGO sector willing to make a meaningful contribution to the development of the North and East – however, the Tamils living there, along with its administration, will ensure that effective aid and development will be there with or without international NGO's.

(TamilCanadian)

Liberals versus ethno-nationalists

By Madura Rasaratnam

The proliferation of ethnic conflict since the end of the Cold War has produced a theoretical literature on the ideological challenge posed by ethnic nationalism to the values of liberalism. Within this literature the work of Michael Ignatieff and Mary Kaldor has played an important role in providing a theoretical framework through which to understand the politics of ethnic nationalism. In their analysis of the 'new' ethnic wars both Michael Ignatieff and Mary Kaldor have characterised ethnic nationalism as a political project that is opposed to the project of liberalism. They encompass different worldviews and produce different moralities and political structures. Mary Kaldor argues that in the post cold war era, "the fundamental political cleavage... is ...the division between those who stand for internationalist, Europeanist, democratic values, including human rights, and those who remain wedded to national or exclusivist thinking."

Michael Ignatieff makes a similar distinction between ethnic nationalism and civic nationalism. Ethnic nationalism makes ethnic identity constitutive of the individual's moral and political life, prioritising the group over the individual and thereby contradicting the principle of individual autonomy that underlies liberalism. In contrast civic nationalism understands the nation as an association of individuals held together by a common belief in the values of liberalism. The demands of ethnic loyalty are made peripheral to or inconsequential within a moral and political life governed by a common belief in democracy, human rights and the rule of law.

The opposition outlined by Kaldor and Ignatieff between the values of ethnic nationalism and liberalism was increasingly used to characterise Sri Lanka's ethnic conflict following the election of President Chandrika Kumaratunga in December 1994. The civil war between the predominantly Sinhalese Sri Lankan security forces and the Liberation Tigers of Tamil Eelam, fighting to establish a separate Tamil state in the north eastern areas of the island, had steadily escalated from 1983 to reach the proportions of a conventional war. The new President came to power on a platform that was committed to ending the war and upon being elected she initiated a dialogue with the leadership of the Liberation Tigers. When the dialogue eventually broke down in April 1995, the war resumed at a greater intensity than that at which it had previously been fought. An equally bitter struggle was also waged between the LTTE and the Government over the representation of the conflict. The terms used to frame the competing representations of the conflict referred to the dichotomy

The strategies they used rejected a reading of the conflict, which saw it in terms of the opposition between ethnic nationalism and liberalism and presented the demand for Tamil self-determination as compatible with the ideal of a universal humanity

between ethnic nationalism and liberalism.

As hostilities commenced, Kumaratunga's People's Alliance government announced its intention to solve the ethnic conflict through the promulgation of a new constitution. By guaranteeing individual rights and allowing for a certain amount of devolution to satisfy the aspirations of non-Sinhala minorities, the new constitution aimed to create a pluralist liberal democratic state that would foster a new civic Sri Lankan nationalism to counter the divisive claims of Sinhala and Tamil ethnic nationalisms. The ideal of an ethnically plural state that recognised the rights of the minorities whilst ensuring that all individuals were treated as equal rights bearing citizens was seen as the only morally legitimate way of resolving the ethnic conflict. The LTTE's disengagement from the peace process and its opposition to the constitution were taken as proof of its 'communal' and 'fanatical' ideology. The government launched a 'war for peace,' arguing that the military defeat of the LTTE was a prerequisite to the realisation of peace through a political solution based on the universal principles of liberalism.

The LTTE's claim was that it was forced to call off the negotiations because the government failed to meet key previously agreed preconditions, including the lifting of an economic embargo on the north eastern Tamil areas, which indicated its insincerity and failure to understand the core issues of the conflict. The People's Alliance government's constitutional package was rejected by the LTTE, and others who supported the Tamil right to self determination, on the basis that the solution did not recognise the basic principles that had been outlined by a coalition of Tamil groups during previous peace talks with the Sri Lankan government held at Thimpu, Bhutan in 1985. The principles demanded that the Tamils in Sri Lanka be recognised as a separate nation endowed with the right to self-determination and possessed of homeland in the north east of the island. The sharp contradiction between the two positions appeared to rest on two different views of the extent to which Tamil identity is fundamental to the political experience of Tamils on the island and how far this identity could be accommodated within a unitary and therefore

Sinhala majority state.

The government characterised the war by using the dichotomy outlined by Kaldor and Ignatieff between the values of ethnic nationalism and liberalism. The LTTE's position, it was argued, derived from a narrow nationalist ideology, which understood the claims of Tamil ethnicity as incompatible with the norms and values of liberalism. The government represented the conflict as a struggle between two ideologies with the government fighting to realise a liberal solution to the ethnic conflict, and the LTTE rejecting the ideal of ethnic pluralism in favour of a mono ethnic Tamil state. The war was against the LTTE and not against the Tamils, whose rights the government was struggling to uphold. A characterisation of the conflict that relied on the opposition between ethnic nationalism and liberalism became the dominant mode of interpreting events following the commencement of Eelam War Three in April 1995. This was most forcefully expressed by the American Ambassador, Ashley Wills, in a speech made in Jaffna where he argued that those who demanded a separate Tamil homeland were ethnic hygienists who longed for an ethnic purity that was a genetic and geographical impossibility.

Those who supported the recognition of the Thimpu principles sought to legitimate their demands within the norms of liberalism and thereby challenge the characterisation of their position as based on the ideology of ethnic nationalism. The strategies they used rejected a reading of the conflict, which saw it in terms of the opposition between ethnic nationalism and liberalism and presented the demand for Tamil self-determination as compatible with the ideal of a universal humanity. In this reading of the war, the demand for self-determination derives from the inability of the Sri Lankan state, imbued with the ideology of Sinhala Buddhist nationalism, to recognise and protect the rights of the Tamils.

The two different readings of the conflict, while both appealing to the norms of liberalism to interpret events in the war, relied on different understandings of the political meanings and implications of Tamil identity. I will explore the interpretations of the political implications of Tamil identity by looking at the way Tamil nationalists and those opposed to them interpreted and opposed the positions and politics of a Tamil politician, Neelan

Tiruchelvam and a Tamil human rights group, the University Teachers for Human Rights (Jaffna), or UTHR(J). The different meanings given to Tamil identity, within the context of the ethnic conflict derive from two different understandings of liberalism.

In their analysis of the origins of ethnic conflict Kaldor and Ignatieff see both ethnic nationalism and liberalism as political projects that have to be consciously implemented. Whilst liberalism is a more morally legitimate doctrine, neither is 'true' in the sense of accurately describing the reality of human moral and political life. The claims of both political doctrines contain a certain amount of fiction and require an active attempt to construct either a liberal or ethnic consciousness. Ethnic nationalism promotes the otherwise minor differences of 'race, language, religion and ethnicity,' as the most important aspect of an individual's sense of self; all other forms of belonging, to family, work, sports club etc become subordinate to the individual's sense of belonging to the nation. Discussing the rise of ethnic nationalism in Yugoslavia, Ignatieff argues:

"Nationalism is a fiction: it requires the willing suspension of disbelief. To believe in nationalist fictions is to forget certain realities. In this Serbian soldier's case, it meant forgetting that he was once a neighbour, brother and friend to the people in the next trench."

Just as nationalism rests on the fiction that the group is the overriding source of the individual's identity, liberalism is also a fiction, although it is importantly a 'non murderous fiction.' It requires a certain amount of conscious effort; it requires the "self conscious screening out of certain empirical realities in the name of moral convention." The realities of race, gender and ethnicity have to be consciously demoted, as individuals, considered "equal units of one indivisible humanity," become the object of moral concern. Although belief in either doctrine requires a certain amount of conscious effort, liberalism is to be pursued as it is necessary to sustain the political structures of the neutral liberal state that are vital to preserving peace in ethnically divided societies. Unless individuals can come to believe in the morality and epistemology of liberalism, that is they believe the basis of morality to be common humanity and accept that this commonality enables individuals

to understand each other and communicate across the boundaries of 'minor differences,' multiethnic societies face the prospect of degenerating into warring blocks.

As a political doctrine, liberalism requires as much conscious effort as ethnic nationalism, neither is natural, in the sense of being closer to the reality of human nature or experience than the other. Both are political projects that can only become part of political common sense through conscious effort and work. In the narrative of ethnic conflict outlined by Mary Kaldor and Michael Ignatieff the political, cultural and moral beliefs of ethnic nationalism have to be consciously evoked and instilled into the population by committed nationalists. A nationalist takes the 'minor facts' of 'language, habitat, culture, tradition and history,' and turns them into a narrative used to justify a claim for self-determination so that "a people who might not have thought of themselves as a people at all suddenly begin to dream of themselves as a nation." However this task is not ever fully accomplished. Referring to the situation in Yugoslavia, Ignatieff differentiates between the ethnic paramilitaries who "may be true believers," and the "ordinary people - the foot soldiers," in whose consciousness, "the nationalist myth - Serbs and Croats are radically distinct people with nothing in common - is struggling with this man's lived experience, that really not much distinguishes him from his Croat neighbours."

Although there is nothing innate about ethnic nationalism, and its hold on a population's consciousness can sometimes be tenuous, liberalism also requires active political work to make its claims a constitutive part of reality. In order to give the Serbian foot soldier's doubts about the myths of nationalism a more constitutive role in the constitution of his consciousness, alternative channels of communication, such as newspapers and radios, are required to counter the messages he received from the Serbian nationalists. It also required active work on the part of those already committed to the ideals of liberalism, they must themselves first be committed to the liberal 'fiction' of regarding all individuals as equal, rights bearing creatures and not as members of particular groups. Inculcating the morality and epistemology of liberalism requires an intervention into the consciousness of people who are under the sway of nationalist myths; the role of liberals and liberal societies is not, "merely to teach the noble fiction of human universality, but to create individuals, sufficiently robust in their own identity, to live by that fiction".

(from *Liberalism and Ethnic Conflict in Sri Lanka*)

Corporations hijack security for industrial espionage

The Northeastern Herald serializes an essay on the Homeland Security Bill and its dire consequences to civil liberties in the US and in other parts of the globe, in four parts. This is the final part.

By Jude L. Fernando

It seems politically impossible for a capitalist democracy to organize expenditure on the scale necessary to make the grand experiment, which would prove my case – except in war conditions – John Maynard Keynes, July 29, 1940 The old imperialism – exploitation for foreign profit – has no place in our plans. President Harry S. Truman, January 20, 1949.

The need for urgent measures to combat transnational terrorism should be a priority of any civilized government. In this regard, the U.S. government is justified in developing a mega database to create 'total information' awareness of the acts of terrorism under the newly created Department of Homeland Security (DHS). I do not believe that the government having information about civilian activities per se is a violation of fundamental freedoms as claimed by civil libertarians.

Access and control over information are necessary, if the government is to take care of the responsibility of protecting civilian lives. However, the objective of combating terrorism is unlikely to be realized if the current exclusive emphasis on security completely ignores the link between terrorism and the crisis of global capitalism. What is more, governments exploit counter-terrorism for reasons that are remotely connected with terror, which are in fact counterproductive in the long run.

The 'total information awareness' is planned at a time when access and control over information are central to the progress of capitalism. Information is essential to be competitive in the market as well as to discipline and subdue society to corporate interests. A possible result of creating databases for the purpose of intelligence is likely to invite trade wars between countries, when the corporations appropriate information from the national security agencies. This phenomenon known as industrial espionage existed since the Second World War. In 1947, British and American spy chiefs got together and decided to operate a joint intelligence system, codename Echelon. After the end of the Cold War, Echelon was used not for political and military espionage against the anti-western regimes, but to monitor every day commercial activities of America and Britain's closest allies.

The implications were enormous. In February 2000, a newly declassified American Defense Department document posted on the Internet, for the first time confirmed

that such global eavesdropping exists, although a renegade agent in New Zealand exposed such activity in 1996. Within days of the declaration, European parliament accused US for stealing contract heading for European and Asian firms after the National Security Agency incepted conversations and data and passed the information to the US Department of Commerce for the use of American firms. US used its information gathered from its bases in Australia to win half of a significant Indonesian trade contract for AT&T that communication intercept showed was initially going to NRC in Japan.

In 1995, NSA gave important information about the bid placed by Thomson-CSF (now Thales microsonics) to Raytheon Corporation, which subsequently own the contract for producing satellite surveillance system for Brazilian rain forest. In 1995, NSA intercepted conversations between European consortium Airbus, the national airline of Saudi Arabia, and the Saudi Government and passed onto the American manufacture Boeing and McDonnell Douglas, which won the contract worth \$ 5 billion. Security experts in Germany say that by the year 2000, American industrial espionage was costing German business annual losses of at least \$ 10 billion through stolen inventions and knowledge. Former President Bill Clinton defending the rights of business to engage in industrial espionage in said "What is good for Boeing is good for America." Subsequently, several lawsuits against US were launched in Germany, France and Belgium.

Ironically, the same European Union report also revealed that France and Germany collaborate in eavesdrops on both North and South American through policies similar to the US. China and Japan are master players in industrial espionage. As the information becomes key to the competitive markets, industrial espionage will be a global phenomenon. Even worse is the scope national security systems will be determined only extent to which they serve the interests of the markets. In other words the definition of national security and profit maximizing interests of the corporations are made identical. The extent to which we can expect to protect our lives from terrorism and safeguard our basic human rights are first determined by the interests of the corporations, rather than respect for universal human rights.

Madeline Albright, former Secretary of the State noted that, "competition for the World markets is fierce. Often our firms go head-to-head with foreign competitors who

The discourse on national security needs to be understood with the context of the increasing widening disjuncture created between the social crisis generated by capitalism and representation of this crisis resulting from terrorism and various forms of politics of identity.

are receiving active support from their own governments. A principle responsibility of the State Department is to see that the interests of American companies and workers receive faire treatment, and inequitable barriers to competition are overcome. Accordingly, the doors to the Department of State and our embassies around the world are open—and will remain open – to U.S. businesspeople seeking to share their ideas and to ask our help."

The consequences of "total information awareness" managed by DHS needs to be analyzed within the context role of information in the contemporary capitalism.

Generally, the states have always assumed the responsibility of national security. Yet present situation is different in two ways. First, the emergence of national security doctrines has coincided with the legitimacy crisis of the state qualitatively different from the previous ones. Secondly, compared to governments, corporations have more control over the logistics of national security. Thirdly, automation of technologies of national security has rapidly reduced scope for human intervention in determining how they should be utilized.

The governments regardless of their political persuasions are unable to intervene on behalf of their citizens. The extent to which the governments can safeguard even basic welfare of its citizens is completely determined by the interests of corporations. Simply, the governments have no solutions to the basic economic problems. This means that the political uses of national security need be analyzed within the analysis of legitimacy crisis of the state. Roots of the crisis lies in the crisis of the capitalist economy which has very little to do with the transnational terrorism. Hence the consequences of terrorism and counter-terrorism need be explored how they are implicated in the crisis of capitalism as experienced by the state and society.

The politicians worldwide are increasingly seen as irrelevant, impotent and a burden on the society. The differences between different political parties have virtually disappeared and those still not abandoned anti-capitalist ideologies are not interested in challenging capitalism but exploiting it. So much so, when it comes to economics there is only one ideology i.e. capitalism. But when it comes to explaining the reasons for the inequalities generated

by capitalism the world has multiple ideologies, except capitalism. The discourse on national security needs to be understood with the context of the increasing widening disjuncture created between the social crisis generated by capitalism and representation of this crisis resulting from terrorism and various forms of politics of identity.

The state has limited options, but to continuously reproduce and legitimize the disjuncture in order to avert a direct confrontation between the citizens and the corporations. When the state is failing in its responsibility, the national security doctrines that were developed to fight external enemies will be directly applied to those fighting against corporate interests. Even when the states' become oppressive and unbearable, majority of the world will not directly support terrorism, but they will remain silent about their activities. The widespread culture of silence of terrorism or even 'silent celebrations' of terrorism needs to be understood as expressions of helplessness of those suffering due to oppression by the states and corporations.

Conflict between labor and capital is a constant in capitalism. Its sustainability of capitalism to a larger extent lies in how it discipline labor. It is likely that in future in many industries labor strikes will be prohibited by declaring them as essential services given they importance to combating terrorism, hence could not be sabotaged by union activities. There is also the growing fear that the surveillance technology systems of the DHS will be extended to protect any type of protests, whether they are connected with terrorism or not.

Some are asking to cut off funding for the program since it is an "unconstitutional system of public surveillance." Chris Hoofnagle of the Washington-based Electronic Privacy Information Center has pointed out that "cameras that were used for traffic management were then used for issuing red-light violation tickets and now a part of an infrastructure for surveillance of demonstrations." In many places the protesters are already prohibited from wearing masks to protect themselves from tear gas so that their identity will not be hidden from the law enforcement authorities.

The greatest loss after the Soviet Union collapsed and with it political ideologies based on class analysis (partly owing to the 'civil soci-

ety' politics of NGOs) was the creation of a wider space for ethno-religious nationalism and patriotism to function as dominant political ideologies. When states and the civil society actors identify completely with the interest of capital, the interests of the state is competently subordinated to the interests of civil society and political parties competing for state power have no choice but to rely on ethnicity, nationalism and religion as means of maintaining its popular legitimacy. But their potential for managing the crisis is extremely limited and can even become counter-productive. The reason is the root causes of the crisis are in the economy where the state has completely lost its sovereignty over the economy. As the politics of distribution gets sidelined and suppressed in the name of nationalism and patriotism, terrorism gains and begins to threaten states worldwide, because of the state's failure to protect the economic and cultural interests become obvious to the public. Majority of the states worldwide will have no choice, but to join the Global Security Club (GSC).

Both the terrorists (and their patrons) and the GSC will thrive on culture of fear galvanized by ethnic, religious and nationalist ideologies because none of them offer any viable solutions to the current economic crisis. Compared to the past revolutionaries, the present terrorists can offer is chaos and destruction. While the governments have no option but to strengthen the corporate power with whatever means necessary. Under these circumstances, it is inevitable that 'Westophobia' in the non-western world and 'Islamophobia' in the Western world appearing as two sides of the same coin.

When extremist/populist ideologies provide hope to the poor and marginalized in situations where their governments directly identify with foreign interests, the governments become even more aggressive in appropriating the monopoly over the ethno-religious ideologies from the extremist fundamentalist groups. Some government will even provide indirect support for these groups as a way of pleasing and using them as a means of increasing their bargaining power vis-à-vis the other governments.

Such contradictory policies are evident in Pakistan, Malaysia, Sri Lanka, Indonesia and Turkey where governments of those countries are committed to neo-liberal economic reforms on the one hand while on the other they espouse commitment to ethno-religious nationalism, investing in nukes and patronizing the activities of extremist fundamentalist groups. These contradictory policies are fertile grounds for terrorism.

Cont. on page 10



A group of Buddhist monks gathered at the meeting of Bhikkus in Nugegoda to protest against government - LTTE negotiations

Pic by Buddhika Weerasinghe

Corporations hijack...

Cont. from page 9

Today it is impossible for any political party to compete for power without the patronage of the corporations. Consequently, political parties in power tend to favor some corporate interests over the others, not only because their reliance on corporate patronage, but also because the politicians have major stakes in the corporations. It is a well-known fact that the under President George W. Bush's (Bush himself is a former CEO of a petroleum company) administration the petroleum industry increased its bargaining power over the political process.

For example, there was recently a widely distributed email message asking consumers to stop buying oil from the companies with connections with the Middle East (such as Exxon, Shell, Chevron/Texco, Mobil, Marathon and Amoco) and to instead buy from those whose supplies are mainly from the US, Canada, Mexico, Central America, and Western Africa (Citgo, Sunoco, Conoco, and Sinclair). A sarcastic email explains the connections between oil and politicians by its fictitious Executive quote: "We SHELL not EXXonerate Saddam Hussein. We will not MOBILize to meet his threat to vital interest in the Persian GULF until AMMOCOabl solution is reached. Our best strategy is BPrepared."

Environmental groups in the US are protesting against the drilling for oil in Alaska under the guise of reducing dependence of oil from the Middle East, arguing that such drilling will benefit a few corporations that are now controlled by powerful politicians.

National security is not free and

the corporations are unlikely to bear its costs. Even some of the Republicans have expressed concern over the funding the new department, which will run up US\$10 million this year alone and still remains several years away from full implementation. Given the context of the loss of economic sovereignty and low taxes for the rich, the main tax burden will be carried by the poor with sacrifices made in essential services like education and health care. The GSC is evolving within the context of neo-liberal economic policies where the governments are providing tax relief to the rich, and corporations are cutting down social welfare programs. After September 11, the government provided billion dollars worth compensation packages to industries whose low profitability began long before the terrorist attacks.

Unlike during World War II, the investing in the present military-industrial complex is unlikely to bring economic rewards to the developed countries; partly the crisis of the economic system is that of overproduction resulting in an inability to find markets - even in the case of defense products. The modern, highly computerized defense industry creates very few jobs and the tax benefits enjoyed by the industry generates little tax revenues for the government. As in the Reagan years, this will result in huge budget deficits like those responsible for the international debt crisis in the 1980s. Under these circumstances the costs of GSC will be born by the average citizens. Republican Senator Paul Rudman,

commenting on the costs of the DHS, pointed out that "If we have to put surtax on people to find some other revenue lets do it. Lives of our children and democracy depend on it. Instead George Bush want to cut taxes more, and use the department of global security to reward political supporters and calls for more sacrifices and calls for no sacrifices by those who can afford it. So far it has been good politics; it is not likely to make us any safer."

Western government's serious attention on the transnational terrorism coincided with a number of other developments in the global economy. First, the Western governments at a time when the defense industry is in desperate search for new markets after the end of the Cold War. Second the strengthening of alliances between those who control political power and the defense industry. Third, it is also natural for politicians to rely on defense industry for economic recovery, when no other industry is promising to do so.

Defense industry thrives on the ability of the state to create a sustainable culture of fear and insecurity and presence of profitable markets. The fear and worthy customers need to be simultaneously generated. These means investments in counter-terrorism should be a profitable venture. This also explains the reasons as to why the Western countries only chose to punish only some governments that harbor terrorists and violate fundamental human rights.

The end of the Cold War did not reduce, but has further increased the defense industry and proliferation of nuclear weapons. Today, the

states have gained more powers to violate international protocols governing the development and sale of weapons. Today, defense industry has reemerged as one of the most profitable industries, compared to those for example produce bread and medicine.

While in opposition, the now British foreign secretary, Robin Cook was one of the vehement critic of the "arms to Iraq" scandal in which the number of Conservative members of the parliament breached the established protocols of weapons sales to foreign countries. After coming into power in 1997, the foreign policies of Labor got even more inextricably linked with the interests of the defense industry with employees 400,000 and revenue of over 5 billion sterling pounds a year in Britain. UK the second largest investor Indonesia, since the Labor government came into power approved 125 export licenses for arms to Indonesia including British Aerospace Hawks that strafed East Timorese villages. East Timor Independence Movement condemned the British government as "the Single worst obstructionist of any industrialized country."

In addition, during Labor's first year in office, many ethically dubious regimes were provided with licenses to export arms e.g. Pakistan (84), Sri Lanka (42), and Turkey (105). Margaret Thatcher's son Mark is alleged to have benefited from a multimillion-pound commission on the 20 billion Al Yamamah arms contract, which his mother signed in 1985, and 1.3 billion-defense contract with Malaysia. Later it was found that these deals were linked

with British aid. Is it a simple coincidence that the Western Defense industries main foreign customers are happen to be Islamic countries that are now widely suspected for harboring terrorists? (It was Winston Churchill who said that reason for conflict in the Mid East is not 'colonialism' but 'oilism'.)

The evolving security regime is not only privatized, but also highly automated one. This is necessary as the terrorism gets widespread and sophisticated. Automation also means that counter-terrorist measures can easily bypass human reason and judgment, judicial and governmental oversight. For example, Australian security forces could attack terrorist outfits in Malaysia if computers identify them as such. Counter-terrorist actions may be triggered by computer malfunctions, which could lead to disasters such as the narrowly averted nuclear war during the Krushchev/Kennedy period. The counter-terrorist campaign by high-tech military interventions in the recent past have not only been inaccurate in terms of their targets, but also have increased the civilian casualties. That is to say privatization and automation of national security is counterproductive.

Should these trends continue the space for diplomacy for conflict resolution will be further limited. This is not to argue that the current terrorism can be entirely explained as resulting from the crisis of global capitalism. Instead, the success of the war against terrorism will be largely determined by how the states manage the crisis of capitalism. (Concluded)