

HOT SPRING

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No. 2

What of the hunting, hunter bold?
 Brother, the watch was long and cold.
 What of the quarry ye went to kill?
 Brother, he crops in the jungle still.
 Where is the power that made your pride?
 Brother, it ebbs from my flank and side.
 Where is the haste that ye hurry by?
 Brother, I go to my lair - to die.

Taken from the Lancer Paper 1
 - The Sri Lankan Crisis -

WAR IN FULL SWING

CURFEW IN JAFFNA

The Sri Lankan government has increased its war efforts all over Northeast. Whilst the war in the Manal Aru area has been re-commenced with aerial bombardment of villages in the Manal Aru area, an indefinite curfew has been clamped down in the whole of the Jaffna District.

Reports reaching Jaffna from Manal Aru indicate that aerial bombardment has taken place in several villages in the area. Large numbers of houses have been damaged or destroyed. Fishing boats and other fishing implements of the fishermen in the area have also been damaged.

VADAMARADCHY AGAIN

In the meantime the government announced on the evening of 16th October that all persons resident in the Vadamaradchy area should leave their homes and take shelter in temples and churches in the area before 2-00 p.m. the following day.

As people have bitter memories of Sri Lankan army atrocities all residents from Vadamaradchy started moving out of their houses on the night of October 16th itself.

The Government Agent, Jaffna said on October 17th evening that over two hundred thousand people from Vadamaradchy have entered various parts of Jaffna as refugees.

Most of the refugees have taken shelter in a number of schools and churches.

RELIEF WORK STOPPED

It is further learnt that the Government Agent, Jaffna who contacted the authorities in Colombo in regard to the relief measures to be provided for these refugees, has been told not to take any action in regard to provision of relief for Vadamaradchy refugees.

Men, women and children were seen moving in thousands out of Vadamaradchy in the night and amidst rain, leaving all their belongings.

BOMBER AND CANNON ATTACK

Reports from Vadamaradchy state that Sri Lankan Air Force commenced indiscriminate aerial bombardment of Vadamaradchy at about 3-00 p.m. on October 17th. At the same time naval gun boats started cannon fire directed towards Vadamaradchy.

One of the first public buildings damaged by the combined Air - Naval attack, was the ware house at Point Pedro jetty, where essential food-stuffs brought from Colombo in ships with ICRC help, are stored. It is learnt that the damage to the commodities in the stores had been extensive.

Also two persons near the store were injured. They were taken to Manthikai hospital for treatment. The injured were Ranjan (18) and Arunasalam Sellathurai (54).

Bombs have also been dropped by the Sri Lankan Air Force in many places at Valvettiturai. Apart from a large number of houses being damaged, the famous Valvettiturai Muthumari Amman temple has also been damaged. This temple was badly damaged in January this year also, when the Sri Lankan Air Force carried out a carpet bombing of Valvettiturai for four consecutive days.

Residents of Vadamaradchy stated that the government appeared to be following a scorched earth policy in regard to the Tamil homeland, repeatedly destroying people and their property and making them refugees in their own homeland.

At the same time reports from other parts of Jaffna indicate that government forces are engaged in sporadic artillery firing everywhere and that troops have been reinforced at all Army Camps in the North and particularly in the Islands off the Jaffna Peninsula.

Prize Day at St. Patrick's Despite Curfew

The Annual Prize Day of St. Patrick's College, Jaffna was held at Mathuram Square in the College premises on 18th October in spite of the constraints following the sudden imposition of a curfew in the Jaffna District.

The Chairman was the Most Rev. Dr. B. Deogupillai, Bishop of Jaffna and the Chief Guest was the Rt. Rev. D. J. Ambalavaner, Bishop in Jaffna (Jaffna Diocese of the Church of South India) who also distributed the prizes.

The Chief Guest was welcomed at the portals of the College by the Rector, Fr. Francis Joseph to the tune of the College Band 'When the saints go marching in' and was followed by the 'Alma Mater,' the college Anthem which brought nostalgic memories to many, of the yesteryears at College.

The Rector in his welcome address stated that the past decade was the most crucial period for the Tamils and a trying one for those at the College. The College had been devoured by bombs,

cannons and artillery shells and had been a refugee camp for over 3,000 people. That happily the College had been able to sail the stormy seas without having to throw over board her cherished ideals, is due to God's providence. There is at St. Patrick's, life in the midst of death.

Rev. Dr. Ambalavaner in his prize day address, which was studded with lively examples from every day life and the scriptures contended that even President Gorbachev after 70 years of authoritarianism accepted the principle of the 'One World' and the inter-dependence of man. He stated that technology had turned the world into a 'global village' He said it was the task of education to mould the young to live up to this ideal of the 'One World'. He prefaced his speech in Tamil and ended up with a quotation from the 'Autobiography' of Dennis Healey an English M. P. 'Do what you do for the greater glory of God'

Captured or Killed?

The LTTE announced on October 14, that they attacked a Sri Lankan Army position at 3rd Mile post Mullaitivu and killed 21 soldiers. The LTTE also stated that they had recovered the dead bodies of eight Sri Lankan soldiers and some arms to boot.

Referring to the same incident the government of Sri Lanka said that 5 of its soldiers were dead.

According to reports the dead bodies of the 8 Sri Lankan soldiers and the arms recovered by the LTTE were kept for public view and the dead bodies were finally cremated at Kilinochchi on October 16.

The Government of Sri Lanka has made an announcement on October 17 that eight Sri Lankan soldiers including an officer are missing and that these persons have been taken captives by the LTTE in the battle at Mullaitivu.

It is clear that the government of Sri Lanka refers to the eight soldiers who died in combat as missing and in LTTE captivity even after their bodies have been publicly cremated.

Why?

Is it till the world that the LTTE killed soldiers whom it captured?

It is also proved that the usual understatement of their casualties by the Government has been exposed by the recovery of the dead bodies.

Poor M/S Karupusamy and Ramadas

It is another slap in the face of India. But India's Sri Lanka Policy seems to be an endless sequence of blunders resulting in India, having to pocket insult after insult from the racist Sri Lankan regime.

India's naval chief Ramadas boasts about his Navy having secured the Tamil Nadu Coastline. But the Sri Lankan Navy harasses the Tamil Nadu fishermen with impunity killing them as and when they choose. It was only recently a boatload of Tamil Nadu fishermen were ill treated and thrown into the sea by the Sinhala Navy and then the fishermen who reached the Tamil Eelam coast were looked after and sent to Colombo by the L.T.T.E. Mr. Ramadas seems to have a lopsided view of his priorities and belongs to that class of Indians whose entire cult is worship of cinema heroes.

Mr. Karupusamy, of course, has been functioning as a mouthpiece of the racist Sinhala propaganda machinery dishing out all sorts of untruths so much so the Tamils felt disgusted at the mean level of anti Tamil attitude of the Indian mass media. If it is a pity that Mr. Karupusamy who serve the Sinhala racists so dutifully against the Tamils has been caught while on the wrong foot.

But one wonders at the enormous capacity of the Indians to make fools of themselves.

OUR READERS SAY

The Editor,
Hot Spring.

Dear Sir,

The recent Arms limitation agreement reached between the super power leaders of the United States and the Soviet Union on 31.7.91, was a praiseworthy undertaking. All people of good will and divine love will appreciate and welcome such a large hearted proposition to restore peace and harmony, happiness and prosperity international unity and solidarity in this world of some 5800 million souls. (580 crores)

Unfortunately, in this Island more and more Security camps are being opened here and there like mushroom, under the mistaken belief of national security, territorial integrity and racial harmony. Every sensible person in this Island should be sad and ashamed to witness the present unholy and pitiful scenes in the island. It is an open secret and I am not dealing in detail.

It is nothing but sheer madness and cunningness to allocate nearly one fourth of the entire budget for the defence expenditure, in a very poor, small undeveloped and racially - torn - country. But millions of people are suffering even without their basic necessities. Around ten percent of the population are in refugee camps and temporary sheds and another five percent are in foreign lands as refugees. Still plenty of people are planning to leave their mother land for good, or to get asylum to get out of the impending doom and annihilation.

In 1955, the entire defence budget was just around 75 million rupees. It was gradually increased a hundred fold since 1977, as soon as the previous president took over the reign. Before independence in 1948, the security service was only carried out by the police in some 250 police stations throughout the Island. During that time this island was one of the most peaceful and safe lands on earth.

The Ceylon Army was only formed on 10.10.1949. The Navy and Air force were formed afterwards. Posters in all the three languages were exhibited in prominent places as "Join the Army". The applicants were interviewed in the provincial towns to ease the expenses of the candidates. The selection was fair and square. There was no ethnic ratio at all. They gave merit first place.

The minimum physical qualification was 5 feet 6

Too many cooks spoil the soup

Inches in height 32 inches chest measurement, 115 pounds in weight, and very good eye sight. The medical examination was stricter than the other tests. The minimum educational qualification was fifth standard in any language for ordinary soldiers and S.S.C. with English for Officer Cadets. The selected youths were sent to the Army recruit training depot, Diyatalawa for basic military training for four months and later posted to the different units of the Army, according to the talents of the person. But, the cadets were promptly sent to Sandhurst military academy in England for special training with the cadets of the entire British Commonwealth. The present Army Commander joined the Army in August 1953 with me. The late major General Devanayagam was a room-mate of King Hussein of Jordan at Sandhurst.

The first batch best recruit was the Late S. Gnanaprasam (later Captain) of the Ceylon Light Infantry unit. The then officer Commanding the training depot, Major. R. E. Jayatileka, C. L. I. and his second in command, captain M. O. Goonaratna, C. L. I., observed absolute impartiality and integrity in selecting the best recruit and finally selected Gnanaprasam. All endorsed the selection without any displacement.

The late prime minister, Mr. D. S. Senenayake, took the passing out parade in 1949. He presented the best recruit came to Gnanaprasam and wished him for many more fruitful service in the Army. I have seen that cane and the photograph of that scene. Gnanaprasam's photograph is still seen at the Army Headquarters, Galle face view, Colombo 3.

Brigadier, the Earl of Caithness was the first Army Commander. He was succeeded by Brigadier F. S. Reid. Both of them were Britishers, loaned by the British government to build the Ceylon Army. There was only one Brigadier in active service in the Island at that time. In January 1956, Brigadier (Later Major General), Anton M. Muttucumaru took over as the first native Army Commander. He was succeeded by Brigadier H.W.G. Wijekoon. Both of them were practising Catholics.

In April 1956, some of the Army personnel launched a hunger strike at Mannar to

better their living standard. It was the only hunger strike in the world by a defence unit, as they have no trade union rights. As their health condition was becoming grave, the Prime Minister Mr. Bandaranayake had to fly to Mannar and he assured them that their reasonable requests would be looked into. At once the strike was called off and lots of changes were made to improve their prospects Viz: - pay, food, clothing, welfare, leave, promotion etc.

In the North, the Palaly Army camp was only opened in 1961 in the old and dilapidated buildings built by the Royal Air Force during the Second World War (1942 to 1944). The Army was sent, led by Lt. Colonel A. R. Udugama C. L. I. to stop the Satiyagraha movement in front of the Kachcheri, Jaffna, launched by the Federal Party. After the Satiyagraha, they were ordered to remain in the North and to prevent smuggling and illicit immigration from India. But they never interfered in local civil affairs. In fact, some of the married men lived with their families in the houses around the Army Camp, without any ill feelings.

It was in 1979, the notorious, disgraceful Terrorist Provision Act which gave unlimited powers to the security personnel to do whatever they want to do to put down the feelings of the displeased people. In short, they had been compelled to act worse than hired thugs by some narrow minded leaders; who are directly and indirectly responsible for the present sorrowful scenes in the Island.

Even if the entire Island is made a huge security camp or naval base or aerodrome; or the whole people are trained as Generals or field marshals of the Army; Admirals of the Navy; Air Marshals of the Air Force; Inspector Generals of the Police; Commandants of the Homeguards; Commissioners of the special task force, or any other defence position, there is no salvation for this island, as long as communalism, racial segregation, discrimination and more particularly state aided colonisation schemes in traditional homelands of the minorities (North east) continue.

There are countries without so much of security build up or prisons. In Costa Rica (Central America) there is no Army at all. In Andorra (Western Europe), there is no prison. The heads of state

of these peaceful lands freely travel with their citizens without any body - guards.

It is a shame to go on begging bowls to get aid from foreign lands to increase the defence and gradually abandon the development. Singapore is a graphic example in this connection. Every Singaporean is proud about himself / herself and is marching forward to prosper without any ill feelings or racial disharmony. English, Malay, Chinese (Mandarin) and Tamil are recognised languages in that smiling nation. The Chinese are 76 percent in population. There were no opposition member of parliament in that country. Now there are only four members in the opposition out of the total 81 members.

In this connection I wish to recollect the golden advice by the late President of the United States of America, General Dwight David Eisenhower to the leaders of the world during his relinquishment of Office in January 1961. He said:-

"An immoral, Godless and communally racially - torn nation will never prosper however hard it may try. Instead it invites its own ruin, disappointment and utter disgrace."

An Exserviceman
Army Ordnance Corps
Directorate

May You Prosper

The 'Hot Spring' is like a hot drink, the only newspaper in English for persons in the Northeast both young and old, laymen and clergy.

Most of the present pensioners who entered the State Services through the English Medium and held very responsible posts were almost displaced and made orphans in public service by the Sinhala Only Bill are very grateful for the publication of the recent Government Circular promising relief to public Officers affected by the said bill.

The importance of English Language is now being realised mostly by Campus students and those engaged in technical education.

Now that the Hot Spring celebrates its Second Birthday, it should provide more and more 'Hot Cakes' and make it a daily paper. Its circulation should be widened as the Voice of Tamil Eelam.

News relating to Social Service activities, Sports and religious functions of all denominations should be covered with news on international affairs. English educated

will not only await the Sunday for a copy of Hot Spring but also ensure a second copy for their kith and kin. Tilt Bits too will be appreciated.

"Try a Hot Spring for better English" could well be a catch-word.

P. S. Thiruchelvam
Nallur Jaffna.

Pensioners' Woes

The Editor,
Hot Spring.

Sir,

The pensioners of the Jaffna district are in a predicament as to Why this inordinate delay in remitting the monthly pensions due for that particular month. Who is the black sheep in this exercise - the Director of Pensions, Colombo or the Pensions Branch of the Jaffna Kachcheri? Strangely enough the staff receive their monthly salaries promptly. In regard to public functions, are there two sets of rules, one for the staff and another for the pensioners?

If this state of affair is to prevail elsewhere, the public would have surged the department and let loose pandemonium.

If the Liberation Tigers of Tamil Eelam are in supreme command of the affairs of the Northern and Eastern parts of this country, then the attention of the High Command of the L. T. T. E. of the Northern parts of Jaffna is adverted through this esteemed journal to probe into this sorry state of affairs and obviate the poor pensioners from this sorry plight and see that the pensions for the relevant months are paid on the due dates. It is fervently hoped that prompt action will be taken by the Govt. Agent as head of the Provincial Administration in collaboration with the Head of the Pensions Dept. Colombo, in expediting the vouchers of the respective months as well as the necessary allocations to the source from whom the pensioners have opted to collect their pensions.

It is a mockery of public service if public servants cannot appreciate the hardships of the pensioners, little realizing that they will be pensioners of tomorrow.

D. Jeevananthan
Vathiry.

Sivanayagam detention offends fundamental right of freedom of expression

The most fundamental of the fundamental rights is the freedom of expression and the free exchange of information in an open manner. The print media or the free press is the corner stone in a democracy. Of all the rights and liberties, political as well as civil, the press freedom is very essential for the survival and stability of modern democracies. Where press is stifled there growth in every direction, in every field of activity remains stunted.

Where free exchange of information and expression of opinions is restricted, the future of such countries and such communities will remain uncertain and dark. Any dictator who strives to promote his personal interests or the interests of his clique or his supporting group, in order to cover up the weaknesses and failures of his regime, will make a frontal attack on the free press. Thus free expression becomes the first casualty in democracy when it is primarily backed by an illiterate and indifferent citizenry.

Best means of enslavement is to control minds

The best means of enslaving a whole community is to control the minds and the thinking of its people through a denial of correct information as well as through dissemination of misinformation. Authorities normally ration information. They disseminate to the public what they wish them to consume. Gradual doses of such misinformation enables a Government and its agents to achieve Pavlovian type of conditioned reflexes among its citizens and its community. Like the Pavlovian dog the information starved unsophisticated and average citizens would readily grab what is dished out as news by the Government controlled press. The average minds through their beliefs and acceptance of such contaminated and controlled information would respond to the authorities like the Pavlovian dogs through their gullibility.

Private press barons orchestrate chorus

The private press Barons, especially those with vested interests, will provide an orchestrated chorus, thus doubling the Government efforts at misinformation to the public. Press barons would do their best to please the political powers by provid-

ing crumbs from their gutter sources. They are governed by a fear complex though outwardly they appear to be committed and conscientious. This in short is the position of the forth estate in India in its present role in handling or mishandling the subject matter of Rajiv Gandhi's tragic end.

Indian intellectuals are boneless wonders

The Indian intellectuals are boneless wonders! Hence there is no sustained and systematic effort in protesting at the sad state of affairs in India today. I see a host of ideals and concepts which India had proudly inherited,

media and a Government bent upon teaching lessons to the press that dares to defy. Some of these facts rarely attract the attention of 'The Hindu'. No wonder recently when the editor of 'Tamil Nation' Mr. Sivanayagam was arrested under the National Security Act, much of the misinformation dished out by the Government has been faithfully reproduced in 'The Hindu' as well. When reputed papers like 'The Hindu' become a mouthpiece of a Government that is unable and unwilling to implement interim orders of its own tribunals, the future of Indian democracy certainly does not appear to

and human dignity. The paper had never proclaimed itself as a mouthpiece of LTTE. Neither did it advocate violence in any form. The sentiments expressed on Rajiv Gandhi's assassination cannot in any way be regarded as insufficient or ill advised. There had been no attempt at cover-up on the main issues relating to the plight of the Eelam Tamils.

Consistent policy

It has been maintaining a consistent policy, unlike most of the opportunistic and captive Indian press. Mr. Sivanayagam is a gentleman to the core. He is more academic in his approach and

is transformed into a philosopher and a social scientist rather than a journalist who should have been a cold realist under his circumstances.

Arrest totally unjustifiable

His arrest is totally unjustifiable. The provisions invoked for his arrest under NSA are unwarranted. The way he was treated is disgusting and beyond the power of language. No incriminating documents have been found in his possession. An odd letter received by him containing a bitter reference to the late Rajiv Gandhi does not in any way reflect his attitudes towards the Indian leaders. If his arrest under NSA cannot be termed as unconstitutional and arbitrary then what else can be defined as ultra-vires? Either we have illiterate and ignorant investigators who are responsible for such acts, or our political systems, our democratic norms are taking a definite path towards darkness and destruction! God alone has to save India which claims as an ancient land of Dharma, a mother to many systems of philosophy and an originator of many branches of knowledge in the Sciences as well as Arts. India the inventor of the concept 'Zero', (which simplified the process of calculations), today remains morally bankrupt as a 'Zero', multiplying her problems following the politics of 'prostration' governed by 'Heroes' and 'Heroines' misguided by self-seekers and surrounded by sycopants. Even God will not be in a position to save the INDIAN DEMOCRACY today.

Courtesy:-
Tamil Nation

Professor U MUNUSWAMY M. A., (His) M. A. (Pol.)
M. Phil., Dean of Arts, Head Department of History and Politics,
Loyola Autonomous College, Madras.

taking leave from the horizons of this once sacred land. The concept of Dharma, the ideal of Nishkamakarma, the belief in Ahimsa - paramodharmah, the wisdom of following golden mean (Madhvama pratipath), the Gandhian ideal of fearlessness (Nirbhaya), the British concept of the rule of law, the western ideal of an independent judiciary are all disintegrating into the politically contaminated thin air. The common man in INDIA today is concerned more on his survival.

It is interesting to note that it was here in Madras, Gandhiji conceived and implemented for the first time on an all India level, the protest movement against Government's satanic laws! It is equally amusing to note that Gandhiji's all India protest was aimed against Rowlatt laws which scuttled the freedom of press and free expression! It is doubly interesting to note that this protest was visualised by Gandhiji in 1919 in the early hours when he was a guest of Rajaji, in a building owned by the late Kashturi Iyengar whose successors are running the paper 'THE HINDU' which props up today the Government's efforts at dissemination of misinformation to the public!

The once reputed patriotic Hindu

The once reputed patriotic 'The Hindu' paper is well aware of the criminalisation of our politics and fake encounters by our police at the behest of political bosses, lock-up deaths, midnight searches, captive electronic

be bright! One is forced to conclude that after all 'The Hindu' is conducted on commercial lines! Hence it safeguards its position by supporting religious hypocrites and political double standards. I for one find it difficult to subscribe to the view that 'The Hindu' has become a casteist and communal minded paper. Its conservation cautious approach is no doubt tolerable, if not justifiable. On the other hand, its calculated efforts in collaborating with the Government's ill-conceived policies is certainly deplorable.

Barring the technical blunders committed by the 'Tamil Nation' with regard to the declaration of printing and publishing venues, information-wise the paper poses no threat to India's security perceptions. 'Tamil Nation' focuses attention of those who are concerned with the welfare of the Eelam Tamils and their security. It is only people who are ignorant of history that maintain a biased outlook on the Eelam issue.

Their poisoned minds see in the demand for Eelam a Khalistan or an independent Kashmir. The Sinhala dominated chauvinistic Sri Lanka will be closer to India's enemies than the already decimated and down-graded Eelam Tamils who could remain as a buffer between India and a hostile Sri Lanka. Sinhalese are never reputed in honouring any agreement either with its minorities or with its neighbouring India! The 'Tamil Nation' has been very useful in recording the evidence of all those who are interested in peace, justice

professional in his appearance. His command over the facts relating to the contemporary world, his fluency of language, his gentleness, are all remarkable considering his bitter past! He is a soft spoken gentleman and carries no ill-will or malice towards any body including Sinhala politicians! He is devoid of the cunning common to the political journalists. Except smoking, his habits are simple and he leads an almost ascetic life. He is an ideal husband, a loveable father, a loyal friend and a journalist committed to truth. He carries no hurt feelings, nor an injured ego. On the other hand this serious journalist, when in serious conversation,

WHAT TYPE OF TRAGIC JOKE IS THIS?

"..... Further credibility was given to the repeated allegation that civilians were being targetted from the air when on 3rd. May, 1991 a clearly marked vehicle carrying medical staff from the French non-governmental organization Medecins sans Frontieres was attacked from the air by helicopter between Maithu and Vavunia. Four members of the medical staff were injured. Medecins sans Frontieres said that they had permission from the Ministry of Defence to travel in the area that day. The Defence Ministry first claimed that shots had been first fired from a vehicle travelling behind the Medecins sans Frontieres team, and that this vehicle, and not the Medecins sans Frontieres vehicle, was target. It then said that the team was travelling on a

prohibited road during a curfew. The Medecins sans Frontieres team, however, have said that no other vehicle was in the area when they were attacked, that no shot had been fired from the ground, and that they were not in the wrong area. The government appointed a one-man commission of inquiry into the incident. The report of the commission concluded that "no person in the services of the Sri Lanka government was responsible for any wrongful act of omission or commission" but suggested a number of steps to be taken to prevent the recurrence of such incidents."

Extracted from :

Amnesty International -
Sri Lanka - The Northeast -
Sept. 1991 Emphasis ours

NOBODY WANTS FEDERALISM

Insidious Attempt to Perpetuate Unitary System

Mr. H. L. de Silva, P. C. wrote an article in 'The Island'. It appeared in two instalments - in the Issues of the 1st and 8th September. The title of the article was 'Federalism and the Ethnic Problem in Sri Lanka.' In the first instalment, Mr. de Silva sought to argue that federalism might not be a solution to the political problems affecting the Island. For this purpose he had quoted extensively situations in other countries.

In particular Mr. de Silva contends that in this century there has been an enormous expansion of the power of The Centre at the expense of the regions. According to him the well known examples are the United States and India. This has happened often through judicial interpretation or less often by formal amendment of the constitution. Mr. de Silva further says that these developments have taken place mostly in the sphere of trade commerce and in matters relating to national security.

At the present state of dearth of information one is not able to verify the correctness of the assertions of Mr. de Silva but granting that they are correct, one can safely say that the expansion of the power of the centre at the expense of the regions by judicial interpretation, could have taken place mostly in the United States. It is to the credit of the United States that though its constitution is rigid, it has just seen a few amendments throughout the centuries.

The same cannot be said of the Indian Constitution. Though comparatively young, within less than 50 years of its existence, it has seen several amendments. Perhaps it may be a truism to state that the Indian Constitution ranks second only to the Constitution of Sri Lanka introduced by Mr. J. R. Jayewardene in 1978 in the number of amendments a written and rigid constitution has seen.

And as to the nature of the Indian Constitution - whether it is federal or unitary - there is divided opinion. One can do no more than quote from a judgment of a former Chief Justice, C. J. Bhagat who said that the Indian Constitution can conveniently be called federal

or unitary depending on the circumstances. Anyway these are matters of concern for the peoples of these countries. There is hardly anything in the political or constitutional field for any other people to study and much less to emulate.

These are merely stated here by way of parenthesis or to use the legal jargon by way of obiter dicta.

The main argument of Mr. de Silva is that a federal constitution may not resolve the ethnic problem in Sri Lanka. Mr. de Silva further states that 'this (the resolution of the ethnic problem through federalism) cannot be achieved overnight especially after years of bitter conflict because they need patience and understanding. If these attitudes have not grown and developed over the years as between ethnic groups under a unitary system, one cannot be too hopeful of their eventual emergence under a federal system'.

I entirely agree with the views quoted above by Mr. de Silva. In arguing his case that federalism cannot be a solution to the ethnic problem in Sri Lanka, Mr. de Silva has also taken Yugoslav Republic for illustration and states that during the long period of Tito's regime ethnonationalism was kept in check through the League of Communists and a degree of authoritarianism. At the present day with the wave of democratic freedoms and liberties surging East Europe, we have now the situation wherein Croatia has decided to leave the federal union of Yugoslavia.

Mr. de Silva has also quoted extensively from a speech given by the Swiss Ambassador in Sri Lanka where in the ambassador has said that the Swiss federal system is not a transferable model and that each country has to tailor its own model to suit its specific needs.

Federalism abandoned by progenitors

It would appear from the first instalment of the article that Mr. de Silva has striven very hard to drive home the view that federalism will not solve the ethnic problem in Sri Lanka.

As I read the article, I was wondering what local opinion Mr. de Silva was trying to educate. The Sinhalese people have never

favoured a federal form of government. True at some point of time, the Kandyans thought of federalism and so did the late Mr. S.W.R.D. Bandaranayake. Both the Kandyans and Mr. Bandaranayake changed their views. It can be safely said that not a single Sinhalese political leader is in favour of federalism as a means of resolving the ethnic problem.

The Tamils did think that federalism would solve their problems at least to a great extent. They were persuaded into this line of thinking by the efforts of Mr. Chelvanayakam. Though Mr. Chelvanayakam succeeded in persuading the Tamils to believe that federalism was a means of resolving the ethnic problem, he could not persuade any Sinhalese political leader to his line of thinking.

This was not all. Mr. Chelvanayakam himself later came to the conclusion that federalism was not going to be a solution to the ethnic problem and at the Vaddukkottai sessions of the Tamil United Liberation Front opted for a separate and sovereign state of Tamil Eelam.

Speaking in Parliament on the 19th of November, 1976 Mr. Chelvanayakam categorically stated: "We have abandoned the demand for a federal constitution". He also stated on that occasion his party's resolve to regain the state (Kingdom) which the Tamils had lost.

So it is clear that today no one in the Island believes federalism is a solution to the ethnic problem.

In the second instalment of his article, Mr. de Silva has not discussed the unsuitability of federalism as a means of solving the ethnic problem. On the other hand, he has dwelt on the various efforts beginning from the Bandaranayake - Chelvanayakam Pact to the Provincial Councils under Rajiv Gandhi-Jayewardena Accord and has sought to make out that the 'concessions' contained in the various pacts and other measures as District Councils etc, did not go against the principles of a unitary state. He seems to ignore the fact that these pacts etc, were only signed or agreed to just as 'interim measures' with a view to achieving the goal of the Tamils which at that time was federalism. It would

be appropriate to mention here that the preamble to the Bandaranayake - Chelvanayakam pact specifically stated that the pact was being entered into without either party giving up their policies. The Federal Party (or Mr. Chelvanayakam) never gave up federalism as its ideal until in 1976, it decided in favour of a sovereign State of Tamil Eelam. It is wrong for Mr. de Silva to conclude that any of the demands of the Federal Party - beginning from the Citizenship and voting Rights to the Hill Country and ending up with a Tamil State comprising the Northern and Eastern Provinces united to the Sinhala State in a federal union, was abandoned at any time by the Federal Party. It is nothing but calculated mischief on the part of Mr. H. L. de Silva to say that "there was no question of an automatic merger of the Northern and Eastern Provinces and this was not insisted upon as a matter of vital concern to the Tamils."

Treachery and Deceit of Sinhala leaders cause of failure

Mr. de Silva wonders that "by a strange irony they (the Provincial Councils) remain inoperative in the Northern and Eastern Provinces. (It is unfortunate that even as a lawyer, Mr. de Silva is unable to appreciate the fact that there is even today one merged (though temporary - Northeast Province) for which they were primarily intended and which constitutes the very area of the ethnic conflict" - and concludes - "The reason is obvious - it was the failure to disarm the militants..." Mr. de Silva who thinks he has found out the reason for the failure of the Provincial Councils, does not attempt to tell the cause of the failure of the earlier efforts

of the Sinhalese and Tamil leaders - such as the B - C. Pact and the Dudley-Chelva Pact to materialize.

Wasn't the reason behind the failure of every attempt at some form of negotiated settlement due to the treachery and deceit of the Sinhala political leaders?

It is unfortunate that Mr. de Silva who in the first instalment of his article tried to show that federalism was no solution, did only try to show in the second instalment that the earlier "concessions" were within the ambit of a unitary constitution. Without telling in so many words, Mr. de Silva rejects federalism as a solution and harps on to a unitary constitution - the imposition of which, as he ought to know, has plagued the Island for over 40 years now and is today the cause of all the bloodshed.

Mr. de Silva's reluctance to openly argue that in his view a unitary constitution is the best betrays him. He is unable to advocate a unitary form of government but wants to negatively say that federalism may not be all right - even though federalism as a solution has been abandoned by all and the Tamils are engaged in a fight to restore and re-constitute their ancient sovereign state.

It would be appropriate to tell Mr. de Silva that federalism is wanted neither by the Tamils nor the Sinhalese and he need not therefore strain himself to propound this proposition. The Tamils have decided on reconstituting and re-establishing the Tamil Eelam State.

One other thing that we must tell Mr. de Silva is that the Tamils are not prepared to tolerate an enforced ethnic unity by authoritarianism or military might. They want their democratic right to rule themselves - not at all to rule the Sinhalese. That is so simple as that and in the context of the Island's history and world trends, this is the only solution that can prevent the death and destruction of both Tamils and Sinhalese.

—Kumaran

FISHERMEN SHOT DEAD BY HELI

Two fishermen were shot dead and another injured, when a helicopter fired shots from above.

News received from Poonakari state on Saturday, October 12th, a helicopter suddenly swooped down and fired shots at Kadukkal Thenu.

The fishermen who were from the village of Kilaly, died on the spot. They have been identified as A. Ethirmanasiogam (28) and velraj (20). Another fisherman was injured.

The boat in which the deceased fishermen set out was grounded ashore the following day.

CUSTOMERS' WOES AT N. S. B.

The Postal Savings Bank was part of the Post Office, when the government decided to convert and glorify it as the National Saving Bank. It was apparently intended to be on a par with other Banking and Commercial Institutions in the Island. The customers and patrons of this institution seem to think that that is still a Government Department with all the furbelows of red-tape and green tags and to all intents and purposes shackled by the Establishment Code. This is because the customers when they call at this remote corner where this Bank is presently located (Pirapan-kulam Road) are confronted with the indifference and lethargy which characterise a Government Department.

A Correspondent met a cross-section of customers at the Bank not so long ago. The usual refrain of the

officials there is that the Bank is 'half-staffed' but the patrons say that they are 'fully-starved' of the usual duties and courtesies befitting a Banking Institution. Some examples cited by them are mentioned below for the knowledge of our Readers. In fact they say it is not a 'National' but a 'NASSAL' BANK.

A customer said that he had trekked all the way from Colombothurai to retrieve a lost pass book. At the counter he was informed that he should submit a letter setting out the facts. When he called again with his complaint (in writing) he was told that the Bank was too engrossed with current transactions and could not now look into such complaints and was asked to come the following week, when the Bank would be more free to

attend. He called again and was told that the officer dealing with the subject was on leave and that he should call again a few days later. He presented himself again and after delay at the counter, was given a card and forms to be perfected and brought. He again called over with the perfected forms and was asked to interview the Manager. The Manager was interviewed and he was told that the forms were still incomplete and that he had to perfect another form. He again called at the Counter for the relevant form but was told that the officer was on leave and no one could attend to his duties and he had therefore to visit again. His problem is still unsolved and the poor customer is on a wild goose chase!

A pensioner who called with his voucher had to wait for

more than half an hour for the receipt to be signed and given, whereas at Other Banks it is given over the counter within minutes of submission. In this particular case the pensioner had to call for the counterfoil receipt from the officer concerned.

Instances of indifference and lethargy can be multiplied but it is not the intention to belittle the services of the Bank for there are officers who are kind, courteous and helpful but there are others who 'appear and disappear' from the counter. May be that some of them are frustrated and over-burdened with work because of the apathy shown to them by the Banking hierarchy in Colombo but this does not mean that customers who call at the Bank for their transactions should be cold-shouldered for they too

have their own problems such as inadequacy of transport, domestic and financial worries. It is the duty of the officials to satisfy them and honour their contractual obligations. Some customers have already transferred their accounts to Other Banks where they expect expeditious transactions and courtesy which are the hall-marks of good banking. It is reported that the disgust and frustrations of the patrons burst into a furore the other day at the Bank which may well have served as an 'eye-opener' to the staff to mend their ways.

Let us piously hope that the National Savings Bank will maintain its status quo with other Banks in spite of their handicaps of shortage of staff and the lack of amenities enjoyed by other Banks so that it will live up to the slogan 'they also serve who stand and wait.'

A Correspondent.

ENVIRONMENT PLEDGE

To my North, To my South, To my East and To my West.

In my Words and in Silence-Everything that exists and extended is my Environment.

I realize that I belong to this very Environment.

I am bound to be aware of the affectionate grace of this Environment.

I realize this sky above, this Water impregnating, this air abound, this Land underneath and the live potentials that envelop me, are so profound and dignified in its perennality.

At no time can I deny my responsibility to make this holy and beautiful Environment holier and more beautiful.

The Tree that holds the life line of this Environment, has brought about the luminous consistency in our existence upon this dear Earth.

And the Tree has kept alive our existence in the inner symmetry of golden hue with our past and that awaits us in the future.

I shall consciously not endeavour to do anything that goes against the very existence of the Tree and shall not allow others from performing any such similar act. In the strength of the pledges that I repeat in favour of Trees. I shall resist one and all who is after killing them and shall in turn motivate them into loving these beautiful Trees.

Twenty five Trees shall dawn upon this Earth under

my care and affection during the year to follow.

And atleast twenty five Persons shall I motivate into planting Trees.

In this way planting Trees, after Trees, shall I gladly acknowledge the debt that I owe to this auspicious Environment.

By remaining ever grateful to our dearest Environment, we shall in fact be planting the seeds of harmonious Humanity.

For my Biotic neighbours too, with its diversity in form and pattern dwelling either in concealment or on surface, I further undertake to preserve and support their wonderful symmetry and harmony in existence.

- from the desk of
Dr. Nagules Kathirgamanathan
Director General,
South-East Asia Centre for
Environment & Development
(SEACED)

Government Pensioners ask for Compensation

A meeting of the Federation of the Northern Pensioners' Association was held on 12-10-91 at the Jaffna Y M C A Conference Hall presided over by Mr. C. V. K. Sivagnanam. Mr. C. Kodeeswaran, Attorney-at-Law was the Chief Guest Speaker who participated in the discussion in respect of the recent Public Administration Circular No. 37/91 of 23-08-91. The said Circular is said to have been sent to all Heads of Departments and State

Corporations to provide relief to those State Officers who were affected by the 35 year old Sinhala Only Bill and subsequent Administrative Circulars dealing with the requirements of public servants.

Several ex-employees of the State ranging from top administrative posts to minor grades spoke at the meeting expressing their deep concern and disappointment that those really affected by the said Language Bill are not being granted any tangible benefits.

Therefore they requested that the Government should pay compensation for the injustice done to them and offer some concessions to their children or grandchildren in future recruitments to State Services.

The General Secretary of the Federation, Mr. P. S. Thiruchelvam said that a resolution was unanimously passed at the meeting thanking the Director of Pensions for the favourable report he has submitted regarding the cost of Living Allowance of Rs. 260/- to the Government according to recent Newspaper reports.

Trincomalee Town Security being tightened

Reports received from Trincomalee state that strict security arrangements are being made by the Sri Lankan Police at Trincomalee Town.

Reports say that the Sri Lankan Police have put up barriers at key junctions, within the town and all

vehicles and pedestrians crossing the barrier, are being subjected to strict check.

These road barriers and check points have been put opposite the Public Library, the big maidan (grounds) and Sivankovilady -all within the heart of Trincomalee Town.

SPORTS

CRICKET

Shabra Sports Club beat Ariyalai by 3 wickets in a friendly 40 over limited cricket match played at Ariyalai. Shanthikaran scored a good 46 runs and Nithiyarajah 42 runs and bagged 4 wickets. He was well supported by

Ilango who captured three wickets.

For Ariyalai only Pirasanthan made good with the bat and scored 72 runs.

Scores:-

Ariyalai - 180 for nine in 40 overs.

Shabra 182 for 7 in 39.1 overs.

- Vijayakumar

Why Worry

*There are only two things to worry about
Either you are well or you are sick.
If you are well then there is
Nothing to worry about
But if you are sick, there are two
Things to worry about
Either you will get well or you will die
If you get well there is nothing
To worry about
If you die there are only two
Things to worry about
Either you will go to Heaven or Hell
If you go to Heaven there is
Nothing to worry about
But if you go to Hell you'll be so
Damn busy shaking hands with
Friends, you won't have time to worry.*

M. S. Seenithamby
President,
Vathiry, Development
Foundation.

HOT SPRING

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Elections - Not the Issue

When the impeachment motion was hanging over the head of President Premadasa, he repeatedly threatened to dissolve parliament.

The opposition was dead against such a move. They challenged the propriety of such a move by the President.

After the Speaker, Mr. M. H. Mohamed rejected the impeachment motion delivered to him earlier and President Premadasa and his government survived the crisis. President Premadasa has said that parliament cannot be dissolved now. He has further said that dissolving Parliament and holding elections would amount to recognizing Tamil Eelam. Obviously a demand for dissolution has been made from some quarter in the Opposition unless we are to think that President Premadasa is thinking aloud and thus making his own contradictions public.

These type of gimmicks are not the sole monopoly of those in power.

Mr. Lalith Athulathmudali, in order to gather support for him as against Premadasa, planned a low, base, venomous campaign involving the President and the LTTE. He alleged that President Premadasa gave arms to the LTTE and President Premadasa counter-charged Mr. Athulathmudali of giving arms to Mr. Kittu of the LTTE.

Now the self-same Mr. Athulathmudali has turned to be a sanctimonious cat and regrets that the continuance of the Executive Presidential form of government shall not permit the grant of greater devolution of powers to the Tamils.

The common man knows that Mr. Lalith Athulathmudali was an important member of the Jayewardena and President Premadasa's government's till he lately chose to abandon President Premadasa. Mr. Athulathmudali was equally responsible with others of the UNP to usher in the present 1978 Constitution.

Of course politicians have the unique distinction of eating their own words and turning out to be turn-coats any number of times.

But the Sinhala politicians are consistent in one thing. They will always use the racial cry against their opponents to put them down.

This trait in the Sinhala politicians in this respect is best illustrated by the speeches and actions of President Premadasa and his erstwhile opponents.

The latest in the series of gimmicks of President Premadasa is his announcement that he will conduct elections in the Northeast, if the Tigers will give up their arms and contest the elections along with all others. The President in his bounty will respect the verdict of the electorates of the Northeast.

Well, we have to tell President Premadasa that the people of the Northeast have on many number of occasions told in clear and unmistakable terms what they want.

From the general elections in 1956 the Tamil people have expressed their determination to have a state for themselves. But in 1977 they told in no unclear terms that they would have a sovereign state.

There is no further need for anymore elections. Certainly not for any elections where Ministers will personally be present to rig the elections, as the UNP Ministers did during the time of the District Development Council elections in Jaffna in June 1981 and to pursue arson (including burning of public library) in Tamil homeland, as President Premadasa has now acknowledged.

There certainly will be - and should be elections - in Tamil Eelam after Tamil Eelam is born. In such elections there will be no quislings and fifth columnists vying for power but only those who may have differences of opinion based on honest convictions of what is good and not good for the Tamil homeland.

Students and Parents Agitated

Sequel to failure to announce

G. C. E. (O/L) Special Examination

(Our Reporter)

The G. C. E. (O/L) Examination which should have been held in December 1990 in the North East was not held because of the war.

Government repeatedly assured that a special examination would be held sometime this year for those students in the Northeast who were not able to sit for the examination in December, 1990 as no examinations were held then.

Both students and parents hopefully waited for the day a special examination would be held. When the G. C. E. (A/L) examination for August, 1990 which was not then held in the Northeast, was held in 1991 by way of a special examination, G. C. E. (O/L) students' hopes of a special examination for them also were greatly strengthened.

The government's recent announcement of the dates for the G. C. E. (O/L) examination for 1991 without any mention of the examination that was not held in December, 1990, has utterly disillusioned students and parents.

Some parents pointed out that the G. C. E. (O/L) examinations was a qualifying examination for students who wish to continue further. It is also a qualifying examination for students who are unable to pursue higher education but will seek to enter some apprenticeship or other employment. The G. C. E. (O/L) is the minimum qualifying examination for most jobs in the subordinate grades whether in government service or in the private sector. It also serves as a qualifying examination for certain trades and disciplines. The failure to conduct this examination has adversely affected both students who wish to pursue higher education or enter some trade or employment.

In the case of students who wish to proceed to study in the G. C. E. (A/L) they will have to wait for one year more before they sit for the G. C. E. (A/L). They will become entitled to sit for the G. C. E. (A/L) examination only along with those students who will become eligible to sit for the G. C. E. (O/L) in December, 1990. This will again put up a stiffer competition for University Entrance apart from the loss of one year. Even for those who do not wish

to proceed further - there is a loss of one full year before they are able to find suitable trade or employment.

"It is a very sad state of affairs that the Commissioner of Examinations who has announced the dates for the December, 1991 examination, has not mentioned anything about the December, 1990 examination which was not held in the Northeast and about which much hopes were engendered by the promise of a special examination this year", said a parent.

As it is, parents point out that if the December, 1990 batch of students are only allowed to sit the December, 1991 examination, they will be considered as having passed the December, 1991 examination only. That means the children have wasted one full year because the Education Department and the Examinations Department have both bungled - or they are not willing to act and discharge their responsibilities. It is very necessary that the case of the December, 1990 students should be considered carefully to avoid the loss of one previous year.

The Director of Education Jaffna repeatedly assured parents and students that a special examination would be held but his last announcement after return from a visit to Colombo was that no date could be fixed for a special examination, as the Minister of Education, Mr. Lalith Athulathmudali had resigned his portfolio. "This is both knave and absurd. How did the Commissioner of

Examinations now announce the date for the December 1991 examination, when there is still no Minister appointed in place of Mr. Athulathmudali?" asked a parent. "The holding of annual examinations and special examinations in place of those disrupted is a policy already acknowledged by Government. The fixing of dates and conducting the examinations is a small administrative act which does not require Ministerial Supervision. The fact of the matter is that the government bureaucrats are more communal than their political masters. Else there was no reason for not holding this examination which would at the most take only one week or ten days to conclude", commented another parent.

It is very necessary that the government must announce its decision immediately about the G. C. E. (O/L) examination which was not held in December 1990 in the Northeast. Students should not be allowed to suffer. Some device should be found so that these students may not be affected by the loss of one year.

"There is an array of administrators in the Education Department with loud-sounding designations at all levels but if they can't get a special examination held, why should they warm their chairs in offices?", asked an ostensibly angered parent.

"Denial of the right to education is a denial of a fundamental human right", said another parent.

Islands under Continued shelling Refugees trek to Jaffna

The Islands off Jaffna have come under heavy attack from the Sri Lankan armed forces.

From about the 10th of this month, Islands of Pungudutivu and Velanai have come under heavy fire. These attacks have been launched from various quarters.

The armed forces stationed at Nainativu have been launching artillery shell attacks directed towards the coastal areas of Pungudutivu. Navy ships and gun boats in the area have been sending volleys of cannon fire towards these areas.

The army stationed at Kayts have also been firing towards Velanai. These attacks have continued daily for almost ten days. These continuous attacks have forced many people to

leave their homes. Large numbers of people living in Pungudutivu have trekked to the mainland of Jaffna.

The Education Department in Jaffna has closed down two schools to accommodate the refugees. Alternate temporary arrangements for students of these schools to attend classes in other schools have been made. A large number of refugees have found accommodation at the Jaffna Railway Station.

It is further learnt that apart from the cannon fire from the Navy and artillery shell attacks, helicopters of the Sri Lankan Air Force are hovering the Islands firing at random. There is tension in all these Islands and many persons have left their homes as refugees.