

The CINTA Journal

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1983 - A Year of Ethnic Violence

- Underwood Manivasagan -

Few will question the fact that ethnic violence which first burst on Independent Ceylon shortly after the change of Government in 1956, steadily worsened race relation in this Island thereafter. Under the United National Party administration, in spite of the Dharmista policies of President J. R. Jayewardene, ethnic violence reached a crescendo in the peak years of 1977, 1981 and 1983 July saw racist attacks on the Tamils at its worst.

YOUTH VIOLENCE

It is true that there has also been the violence associated with the group known as "terrorists". Their violence has been directed since 1977 against Government Security Forces and Police and public property selecting their victims without any regard to race. In this respect it might be useful to remember the statement of the Archbishop of Canterbury, Dr. Runcie recently when he quoted the late Martin Luther King to say:

"Behind almost every act of terrorism lies some unremedied grievance".

This probably also explains why Cabinet Minister Mr. S. Thondaman found that in India, particularly Tamil Nadu, people tended to look on the persons Sri Lanka treats as terrorists "as men fighting oppression" (Interview with Mr. Mervyn de Silva of the Lanka Guardian 1st November, 1983).

More recently Father Tissa Balasooriya also echoed similar

sentiments at a two-day Seminar held at the Marga Institute on 29-30th November, 1983. He said that it would be foolish to dismiss youth violence as mere madness. Making the point that while violence had to be deplored and condemned, when for a period of about 10 years, a number of youths were willing to sacrifice their lives and bid good-bye to the pursuit of a career and to normal life with their dear ones at home, he held the view that this showed that there was something wrong with society and the causes had to be examined.

Violence already at work early in 1983, especially at Trincomalee, soon escalated into the ethnic explosion of July, 1983. The violence of July-August, 1983, was different in several ways from those in earlier years. It rocked Sri Lanka as communal disturbances had never done before and the reverberations shook neighbouring India too. Never before had assaults on Tamils the appearance of such careful and systematic planing where the killings were swift and the destruction of property complete.

A number of features conformed to the same pattern as in the previous anti-Tamil riots of 1981, 1977 and even 1958.

Special Features of July 1983 Ethnic Violence.

What was also new this time was the nature of the reactions of various Govern-

ment authorities and even some Cabinet Minister who did not hesitate to look like the really aggrieved parties. The 1983 racist hurricane was strong enough to blow the entire group of Tamil Parliamentarians in the Opposition clean out of Parliament landing many of them across Palk Strait in India itself.

The hot wind that continued to blow also produced constitutional changes of the utmost importance, especially the 6th Amendment. It also changed the fortunes of a number of political parties.

The Sri Lanka Freedom Party with only 8 seats in Parliament but backed by nearly 40% of the country's popular vote finally provided a new Leader of Opposition in young Anura Bandaranaike, the son of two Prime Ministers and the youngest to hold that office.

It saw the outlawing in effect of the main political Party in the Opposition in Parliament, namely, the Tamil United Liberation Front, which was the only Party of the Sri Lankan Tamils in the legislature. The July 1983 events also led to the proscription of two parties which, though small in numbers, were very active in the political field and wielded strong influence among youths in the country; they were the Janatha Vimukthi Peramuna or the J.V.P. of Rohana Wijeweera, and Nava Lanka Sama Samaja Party or

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Anura lashes out at Rajadurai

The publicised request of the T.U.L.F. Leader, Mr. Amirthalingam, to C.W.C. Chief, Minister Thondaman (3rd Member of Parliament for Nuwara Eliya-Maskeliya), to look after the interest of Tamils in Parliament appears to have had its effect on the new 2nd Member of Parliament for Nuwara Eliya Maskeliya. In his new role as the Leader of the Opposition he was able in the course of the Budget debate to intervene in respect of the Tamil problem and he did so effectively.



Both he and his colleague in the S.L.F.P., Mr. Lakshman Jayakody, did not mince their words in Parliament on Mr. Rajadurai's conspicuous failure to do anything meaningful in respect of several matters of importance to the Tamils. They charged him with thereby contributing to the worsening of the Tamil problem.

Minister Rajadurai had been the silver-tongued Tamil orator of the Federal Party who entered Parliament in 1956 and has remained there for more than quarter of a century campaigning first for a Federal State and later for a Separate State of Tamil Eelam. He entered the present Parliament as first member for Batticaloa on the T.U.L.F. ticket, though the T.U.L.F. boss, Mr. Amirthalingam in a strange move fielded another candidate, the poet Kasi Ananthan, under the Federal Party label, for the same double member Constituency.

This move was unsuccessful but it no doubt helped to alienate Mr. Rajadurai from the T.U.L.F. It did not take him long to leave the T.U.L.F.

When a politician resigns from his political party it does not necessarily involve his abandoning the principles, policies or programmes which he had espoused at the time he contested the elections. But when the successful member of Parliament resigns from his party and, in fact, joins another party whose principles or programmes are diametrically opposed to the one he left, one would have expected the member concerned to resign his seat and if possible re-contest on the new party label. What Mr. Rajadurai did was to cross over to the U.N.P., the governing party, and accept a Ministerial post.

The most charitable way of looking at his performance is to think that Mr. Rajadurai joined the U.N.P. and accepted a Cabinet Post in order to advance the cause of the Separate State of Tamil Eelam which he had earlier espoused so eloquently by persuading both President Jayawardene and his U.N.P. followers with his Tamil oratory. We do not know how long that hope survived but it must certainly have ended with the 6th Amendment. There is a well known saying about Prophet Mohammed and the Mountain. Mr. Rajadurai's achievement has been in the reverse direction. If Mr. Rajadurai showed a reluctance to go to the Palmyrah North, at least he has been able to take the Palmyrah to the South. That is what he is doing at Hambantota.

Mr. Rajadurai's political career is one more example that mere silver-tongued oratory is inadequate to bring relief to the people whose cause is being championed though it might bring benefits to the orator himself.

The CINTA Journal

wishes its readers a

Happy New Year

THE EVELYN RUTNAM INSTITUTE FOR INTER - CULTURAL STUDIES

As you cross the railway line close to the Koku-vil Station, moving away from Balasingham Hall of the Jaffna University Campus, and turn to the right down University Lane, you will come face to face with a tall majestic building. It is circled by imposing, rounded columns that remind you of ancient Greece and Rome or of the Asokan Pillar. This building houses the Evelyn Rutnam Institute for Inter-Cultural Studies, Jaffna, Sri Lanka.

In Memory of Evelyn

The Institute was founded by Dr. James T. Rutnam a "Sri Lankan" Tamil and a native of Manipay (Jaffna) in memory of his beloved wife, Evelyn nee Wijayarathne, — a Sinhalese lady of Colombo, for the promotion of cultural studies. It was made possible by the personal interest and financial help of their children, Rajah, Indrani, Chandran, Jayam, Eeswary, Denis, Padmini and George. It cost Dr. James T. Rutnam and his family around 2 million rupees to build and house this Institute here at a time when voluntary associations and individual contri-

always felt when he was surrounded by books throwing light on various matters which occupied his thought and led him to write on. This had earned him a Doctorate from the University of Jaffna. Apart from many monographs and Articles to his credit, Dr. James T. Rutnam has just completed a monumental work on the life of Alexander Johnston, the third Chief Justice of Ceylon. It took him many years of assiduous research to produce this.

The Evelyn Rutnam institute is "a non-profit making Institution and its object is to provide facilities for the study of inter-cultural relations towards the promotion of understanding and fellowship. The institute is particularly interested in the study of past and present cultures and in the promotion of exchange of knowledge relating to such cultures."

The key to the understanding of this object of the Institute is to be found in a statement in Dr. Rutnam's Presidential address to the HUMANIST SOCIETY OF SRI LANKA on the 16th of December, 1969, when he said:

"...all met on a footing of equality and broke bread together."

contributions to promote social cultural and educational progress in the North, leave much to be desired.

The project was conceived by Dr. Rutnam on the death of his wife, Evelyn in 1964. The foundation stone of the Institute's building was laid on 28th October, 1979, by Professor Howard Wriggins, the Ambassador of the U. S. A. in Sri Lanka. It was formally inaugurated by his successor on 10th May, 1981.

Truth and Love— The Motto

The Motto of the Institute in Tamil is "UNMAYUM ANBUM" which translated in to English mean "TRUTH and LOVE". What moved Dr. James T. Rutnam into this achievement was not only the loving memory of his wife who passed away in 1964, but also his love of learning and the deep satisfaction he

"We believe in the evolution and the progressive amalgamation of the cultural heritage of Man, which we maintain does not exclusively belong to any single group or sect. Indeed, we claim that we are the heirs of all the Ages".

Heirs to the

National Legacy

Mr. Sansoni in his Report on the Presidential Commission of Inquiry into the August - September, 1977 incidents referred to what Dr. James T. Rutnam had to say. Referring to Dr. Paul Caspersz and Dr. James T. Rutnam, two historians who "have also spoke of the affinity which had long existed between the ancient religions and races of Sri Lanka," he concluded with what Dr. James T. Rutnam had recently said: "We are all heirs to the national legacy of Sri Lanka. We find Buddhist monuments in Jaffna; we also find Hindu

shrines and temples throughout the island. Some of the greatest Buddhists were Tamils."

- Nesan

The membership of the Institute is open to scholars of all nationalities interested in its aims. It has a growing library which includes very valuable and rare publications as well as unpublished manuscripts, mainly relating to Sri Lankan studies. The facilities available at the Institute include a Guest Room

for visiting scholars. It also has a Seminar Room.

Broke Bread Together

The Institute is administered by a Director guided by a Board of Trustees. Dr. K. Indrapala, Professor of History at the University of Jaffna, is the Director. The Board of Trustees has for its Chairman, Mr. V. Manicavasagar, Chancellor of the University of Jaffna, who is also the President of CINTA (Sri Lanka Institute of National and Tamil Affairs). Among those on the Board are Pro-

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1983 - A Year...

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the N.L.S.S.P. of Vasudeva Nanayakkara.

Foreign Media and 'Tarnished Image'

News of the ethnic violence of 1983 was accompanied by local press reports of the unusual manner in which the foreign media of the normally friendly Western democracies, and particularly of neighbouring India, reported and commented upon the July-August, 1983, incidents in Sri Lanka.

This greatly disturbed both the Government and many Sinhala Buddhist Organizations as having seriously "tarnished the image of Sri Lanka". It in fact moved the Ministry of State into a series of easy to read publications in an attempt to undo the damage.

The Tamil victims of ethnic violence this time also reacted to the trauma somewhat differently than they had done before. After the race riots of 1958 a veteran journalist, Tarzie Vitatchi, had in his Emergency '58 posed the question whether this was the parting of the ways between the Sinhalese and the Tamils of Sri Lanka.

The ugly memories of that year had begun fade somewhat in the 1960's and the early 1970's until it happened again in 1977. A retired District Judge, Mr. S. Thambithurai, who gave sworn evidence before Sansoni Commission, in answer to a question from Mr. Sansoni, exclaimed in sorrow:

"From 1958 to August 1977 most of us have been

living in high hopes that the parting of ways would not come. I had hoped that we could live in contented unity as one nation. The events of 1977 has driven me to think that what was apprehended by Mr. Tarzie Vitatchi in 1958 has become an accomplished fact".

He concluded in grief: "It would be advantageous to the Sinhalese if they leave us severely alone. That is my suggestion". That was what he said in 1978. After 1983 July few Tamils lived in hope. Most of them had begun to despair.

You could see this not only in the lives they now lead in places like Colombo in the South. You could see it even more in the anxieties, fears and uncertainties with which many of them now live even in their home areas in the North and East. Almost everybody who could afford it and could manage left or prepared to leave the country, even if only temporarily.

Reaction of India

But perhaps the most important difference for Sri Lanka, arising out of the race violence of July, 1983, was the clear and prompt manner in which India reacted. Almost every member who rose to his feet in the Indian Parliament, whether he was from the North, South, East or West of the country, expressed in no uncertain terms, their condemnation of what they said was going on in Sri Lanka.

Prime Minister, Indira Gandhi, herself though not seeking to intervene in the internal

affairs of a friendly neighbour, and discouraging any attempt to divide the country by the creation of a separate state, also made it clear that India was greatly concerned about what was happening to the Tamils in Sri Lanka. She hoped that Sri Lanka would soon solve her ethnic problems by a negotiated settlement for which she was willing to offer India's good offices. The result was Parthasarathy as special envoy to Sri Lanka. India, Mrs. Indira Gandhi explained, was "not just another country" to Sri Lanka. She was right—both geographically and historically. The situation has in turn somewhat complicated politics in Sri Lanka, but it is hoped that the Round Table Conference would help to iron matters out.

It must have been some comfort to the Government, that when the President sent his brother, eminent lawyer H. W. Jayewardene, on a tour of 9 Asian countries, he was given the political "I love you"—viz. We stand for the independence sovereignty and unity of Sri Lanka". Most Sri Lankans do. It is in the Constitution - the very first Article.

Ethnic Innocence and Ethnic Conflict

One thing is clear: that the ETHNIC INNOCENCE first noticeable in the legend of Vijaya and his followers who had obtained damsels as well as artisans and their families from the Tamil Kingdom across Palk Street, was clearly no more. Yet this ethnic inno-

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Finding Lasting Solution

When the famous constitutional expert of the French Revolution, Abbe Sieyes, submitted a draft of the Constitution he had been asked to prepare, Napoleon Bonaparte complained that Sieyes had put shadows everywhere. Napoleon decided to put in the "substance" concentrating all power in the hands of the First Consul which meant himself. This was what Napoleon needed and wanted to have to enable him to become the real Dictator of France under the First Consulate soon converted into the First Empire.

In looking for a lasting solution to the present ethnic problems of Sri Lanka, what one really needs is not so much the exercise of Constitutional pundits putting shadows as they did in the District Development Council Bill and Law. What is wanted is a genuine desire and meaningful effort to arrive at a negotiated settlement by all parties truly representative of the various communities who live in this Island. Mere formalities and false prestige should not be permitted to stand in the way of getting the All-Party Conference really going.

Since negotiations have tended to concentrate on the nature and extent of the devolution of power on a regional basis, there must be a determined effort to iron out the difficulties instead of sticking to past postures and positions.

Ex-Chief Justice Mr. M.C. Sansoni in dealing with ethnic conflict in Sri Lanka, remembered the appeal and advice of two great Americans in years of trouble. Near the end of the troubled year 1786 in America, George Washington, soon to become the first President, made this appeal:

"Let us cast aside the remembrance of past wrongs, of past grievances and of past differences. Let previous, unreasonable jealousies and local interests yield...to rescue the political machine from the impending storm."

Mr. Sansoni also referred to Benjamin Franklin who had taught Americans the art of conciliation needed to make the Constitution work and "how to make a principled concession of principles" to save the country and the Government from break down.

A truly All-Party conference taking meaningful steps to arrive at a negotiated settlement must be fully supported by every man, every party and every community in the country.

The country cannot afford to fail in this attempt. Nevertheless, while all must hope and work for the best, the President, the Government and all concerned must not be blind to the forces at work which have opposed and ruined two important negotiated settlements in the previous decades in the 1950's and 1960's.

Commenting on the failure of the earlier attempts to resolve the ethnic problem, the Sansoni Commission Report, which seems to be very much in fashion with some politicians in the recent months, had this to say:

"...I cannot but sympathise with the complaint made by Mr. Amirthalingam that although the Tamils had tried to get justice for their community, they found that pacts were made only to be broken...When the S.L.F.P. Prime Minister made a pact, the U.N.P. defeated any attempt to fulfil the promises it contained. When the U.N.P. Prime Minister later made a pact, the S.L.F.P. adopted the same obstructive attitude. The pious intentions of every Prime Minister were thus brought to naught even though he felt that there were real and genuine grievances which had to be looked into and corrected."

But what is really important is to be alert to the forces that pushed the leaders of each Party to demand the undoing of the pact. Such forces must be identified so that proper safeguards may be taken and remedies found to prevent them doing the same thing to any negotiated settlement now.

Let us hope that our leaders will have the courage to do this.

There is another factor operating. The ordinary law of the land demands that every person should keep in mind that he has a neighbour, when he does or omits to do something. Political wisdom requires that those who rule the country should also take into account the existence of our neighbours.

Recently Mauno Koivisto, the President of Finland since 1982, was asked at a Newsweek Press Interview about Finland's reaction to the American description of the "threat of Soviet domination of Europe." President Koivisto, in his reply quoting Machiavelli, said: "A small country is wise to find its friends close by and its enemies far away. The Soviet Union is a good neighbour to us and we want to be a good neighbour to the Soviet Union..."

As for Sri Lanka, for more than a thousand miles in all directions, our only neighbour, except for the Maldives, is India. While being a good neighbour, India has expressed her concern over our ethnic problems erupting into violence, and offered her good offices to help us to arrive at a negotiated settlement.

It is in the interest not only of Sri Lanka herself but also in the interest of friendly relations with our most important neighbour that we do not lose this opportunity to find a lasting solution. It is not only India that is helpful. For the first time, every important party in the Opposition - the S.L.F.P., the L.S.S.P., the C.P., M.E.P., the C.W.C., and the D.W.C. - has stressed or offered to help in the process of working out a lasting solution through negotiations primarily between the U.N.P. as the governing Party, and the T. U. L. F. as the party representing the Sri Lankan Tamils.

The President has at last been moved into inviting the T.U.L.F. It is a pity that it should have taken so long and much manoeuvring to decide on such an invitation to a Party that had won every seat in the Northern Province and four more in the Eastern Province at the last General Elections of July 1977.

It is also only proper that the two Parties which were proscribed this year, the N.L.S.S.P. and J.V.P., are also invited. However small their numbers, they had been an influence to be reckoned with in Sri Lankan politics.

The forces that helped to destroy the earlier negotiated settlements are surfacing again vociferously. It is up to the President to make it known to the world who is really governing this country.

Letter to the Editor

Unkindest Cut of All!

It is reported that the Government has decided to discontinue the grants and the other kinds of aid it has been giving to refugee camps. This terse announcement has not only been a blow to those in despair about their future but raises several questions.

Why this rush to stop even limited assistance to a people who, after having experienced the trauma of racist assaults fled to the North from the plantations merely to find secure refuge away from home? These people, now labelled as 'camp people', had been contributing their best to our economy to such an extent that it is said that behind every tea bush lies the bones of 6 or 7 Indian plantation workers.

This government decision to stop all assistance does not seem to be motivated by problems of finance or management of these camps.

This decision appears to have been taken as the result of lobbying by pressure groups who oppose the continued existence of these refugee camps as they had become 'eye-sores' that 'tarnish the image' of the country. The Government seems to be set on dismantling these 'unrespectable' camps and compelling the inmates to return to their former stations. To tempt the Indian Tamil workers to do this a handsome sum of money is offered to induce their 'home coming'. In spite of these inducements, the majority of the camp inmates show unwillingness to go back.

The real reason behind all these moves appears to be that some elements are not happy at all about 'Indian Tamils' residing or settling in the traditional homelands of Sri Lankan Tamils. These elements seek to deliberately and artificially isolate 'Indian Tamils' from Sri Lankan Tamils, making the Tamil community as a whole look much smaller than it actually is, for purposes of comparison in dealing with ethnic proportions and ethnic balances.

Now, the Government says 'no' to the settling of the 'camp people' in the crown lands of the North while forcible land encroachments go on regardless in the East.

They have already been made to feel that they have little to look forward to. They have been plainly told that no land will be made available to them for settlement or cultivation by the Government.

Are they nobody's children?

S. Rajah
Uduvil

The Bomb Blast at Harrads

The bomb explosion at Harrads occurred in London's most exclusive shopping centre at a time when the Christmas shoppers were jam-packed in the area and in the premises during the 1983 Festival season. This bomb blast reported to be the work of the Irish Republican Army (I.R.A.) caused the death of a number of people including several Policemen. It also injured many others.

This is only the latest of a systematic and highly or-

ganised campaign of violence which the I.R.A. has been conducting against both the British Government and the English people to compel them to move into accepting Irish political demands. The I.R.A. sympathisers are well known to be collecting huge funds from Americans and elsewhere for their cause.

The reaction of the English people and the British Government towards these acts of violence is worthy of pondering over by all concerned

with ethnic violence in Sri Lanka.

While the British Government and the authorities both in England and Northern Ireland have taken the most stringent measures to deal with the Irish terrorists, these measures have been conspicuous by the absence of features which amount to a harassment of the thousands of Irishmen who live in Britain.

Sometime ago, a similar I.R.A. attack took the lives of

several including that of Lord Louis Mountbatten, an uncle of Queen Elizabeth II, and the Supreme Allied Commander for South-East Asia during World War II with his Headquarters at Kandy, and later the last British Viceroy of India.

On that occasion before Parliament the British Prime Minister, Mrs. Margaret Thatcher, with her voice filled with grief, described the attackers as senseless murderers. She

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Lakshman Wickremasinghe

In the CINTA Journal of 16th December, 1983, we published the first instalment of the article on the late Right Rev. Lakshman Wickremasinghe, concluding it with a tribute paid by Mr. Desmond Fernando, Secretary, C.R.M. at his funeral. This is the second instalment. In this issue we deal with

two matters on which Bishop Wickremasinghe raised his voice when he felt that the situation demanded it. In the first case he was concerned with the Human and Civil Rights position of the Sinhalese youths detained over the Insurgency of 1971. This was in the form of a letter addressed among others by Mr. E.R. Saratchandra,

Chairman, Mr. Reggie Siriwardene, Secretary, and the Rev. Lakshman Wickremasinghe on behalf of the Civil Rights Movement of Ceylon, on the 10th December, 1971, less than a month after the C.R.M. was founded on the 18th of November, 1971. It was addressed to the Prime Minister of the earlier S.L.F.P.

U. L. F. regime, Mrs. Sirimavo Bandaranaike.

This letter was in respect of certain Rights and Liberties suspended under the Declaration of Emergency. The first part dealt with the situation generally and it was followed by certain specific questions. The opening paragraphs of the letter are reproduced below:

Letter to Mrs. Sirimavo Bandaranaike dated 10th December, 1971, on matters arising out of the 1971, State of Emergency.

Dear Madam,

We address you on behalf of the Civil Rights Movement, an organisation committed to the protection and promotion of the civil rights and liberties of the people of Ceylon at all times. The organisation regards these rights and liberties as a necessary accompaniment to radical, social and economic change and the movement towards an egalitarian society.

As one of its immediate tasks the organisation has decided to address this letter to you in order to appeal to you and your Government to restore certain rights and liberties of the people that have been suspended since the declaration of the state of emergency in March this year.

A Democratic Government's Obligations

We recognise the fact that at the time of the declaration of the state of emergency the Government was faced with an unprecedented situation - the threat of an armed insurrection, which materialised a few weeks later in April. We consider, however, that a democratic government, even when its own existence is imperilled, has certain obligations which it must respect in resorting to emergency powers. It must ensure that the interference with normal rights and liberties is no greater in extent or no longer in duration than the exigencies of the situation actually require. It would have been reasonable to expect, therefore, that toge-

ther with the restoration of order there would have been a progressive relegation of the emergency regulations affecting civil rights and liberties. We regret, however, that such a relegation has not taken place to any appreciable extent. We welcome, indeed, the lifting of the curfew, as well as the restoration of civilian rule in certain districts. Our satisfaction in this latter respect, however, is much qualified by the continuance not only of the powers of military Co-ordinating Officers in some areas, but also of the far-reaching powers conferred on the police and the armed forces by the emergency regulations throughout the island.

Freedom of Expression and publication

Further, we regret to note that restrictions on freedom of expression and publication have not only been maintained but have in certain respects been extended. Press censorship has been intensified by fresh regulations and by directions that curtail the freedom of information and of criticism even on matters that have nothing to do with the insurgency or with national security. We see in these developments a grave danger to which any government that makes use of emergency powers is exposed when it prolongs such powers unduly. From the point of view of persons in authority emergency powers may come to appear a convenient, speedy and efficient instrument in comparison with the uncertain and dilatory processes of democratic government. In these circumstances emergency rule can be a dangerous addiction which, if persisted in, may undermine democratic institutions.

The issues concerning specific rights and liberties

that we raise below can broadly be divided into three groups. In the first instance, we ask for the lifting of certain emergency regulations that affect the general civil liberties of every citizen. Secondly, we ask for the restoration of those rights of trade unions and employees that have been suspended.

Persons Under Custody and Detention

Thirdly, we ask that action be taken to ensure certain rights of persons in custody and of any who may be taken in to custody in the future. The principles in terms of which we have approached the first two groups of issues have already been indicated in the previous paragraph of this letter. A word of explanation is perhaps necessary in relation to the third group. We consider that just as much as a democratic government has certain obligations in exercising its powers in relation to the general body of citizens, it has also certain obligations even in dealing with persons who have broken the law or are alleged to have broken it. It must guarantee that all such persons are dealt with by due processes of law and in keeping with fundamental principles of justice. At the same time it has a duty to ensure that no person who has not committed an offence under the law is punished by indefinite detention or by other means. For otherwise a government would be flouting the principles of justice that are vital to democracy in the very act of claiming to defend democratic institutions."

BISHOP WICKREMASINGHE'S LETTER IN 1978 TO J. R. JAYEWARDENE ON THE PROPOSAL TO DEPRIVE MRS. SRIMAVO BANDARANAIKE OF HER CIVIC RIGHTS.

It did not matter to Bishop Lakshman Wickremasinghe, whether the Government was U.N.P. or S.L.F.P. to whom he addressed himself when he felt that the need arose. If in 1971 he had addressed the S.L.F.P. Prime Minister over the question of the Sinhala youth Insurgency, after 1977 he did not hesitate to address the U.N.P. President on the matter of civic disability that was imposed by Parliament on Mrs. Sirimavo Bandaranaike on the recommendations of the Special Presidential Commission of inquiry. In the brief letter to him not to proceed with the Resolution that had been tabled in Parliament, and not to take any further action on the matter, he stated:

"In the Buddhist tradition the righteous ruler must govern with both impartiality and fair-play, in addition to acting justly. Since you are a national leader who intends to build a righteous society based on Buddhist principles, the confidence that many people have placed in you is at stake on this occasion."

Need for an Effective Opposition

Bishop Wickremasinghe also pointed out "to deprive your chief political opponent who alone is able to muster an effective opposition to your party in this country at the present time of her right to sit in Parliament and to contest the next general elections as leader of her party or a coalition of

parties, is to undermine one of the basic foundations of a vibrant democracy. This foundation is the presence of an effective opposition party capable of forming an alternative government. The people expect that a national leader of your stature and experience will not so act as to undermine such a basic foundation of real democracy."

He also warned that if the civic disability was imposed on Mrs. Bandaranaike in the way proposed, "it will deepen the divisions already existing within the nation, and especially among the Sinhala people. The spirit of bitterness and desire for revenge will be further aggravated. The kind of stability you require for implementing your development programme will be severely undermined. Dissent and opposition will seek expression in ways that are extra-parliamentary; and the increasing use of the security forces will be required to maintain an outward show of stability."

All that has happened since then proves the wisdom of Bishop Lakshman Wickremasinghe's stand in the matter.

That he is no more with us is a tragic loss for the nation and for the country. For the Tamils, at a time of their greatest tribulation his was a voice they could not afford to lose when few were left to speak up for them.

(Part of the material for this article was supplied by Miss Radhika Coomaraswamy.)

TEST OF ENGLISH AS A FOREIGN LANGUAGE - TOEFL

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J. R. Takes Non-violence To Delhi

The message of loving compassion for all beings which Lord Buddha preached in India 2500 years ago, and the creed of non-violence that Mahatma Gandhi taught India not very long ago, have not been permitted to go unremembered at the most recent Assembly of World Leaders. But the message of non-violence came this time not from India; it was instead taken to India and carried from its Southern neighbour, Sri Lanka, by no less a person than President J. R. Jayewardene, who had grown up in the teachings of the Buddha and the political creed of Gandhi.

The theme of non-violence dominated the entire opening speech of the Sri Lankan Head of State at the 24th Summit of the Commonwealth Heads of Governments Conference held in Delhi during the closing week of November, 1983. The series which had begun in 1944 with five countries in attendance now had at Delhi in 1983, 44 countries including India with a population of 700 millions and Nauru with a population of just 7,350.

The Conference was chaired by the Indian Prime Minister, Mrs. Indira Gandhi. President Jayewardene was addressing the Conference of Leaders preoccupied with the Grenada affair in which the world's greatest power invaded a tiny island 1000

miles away in the Caribbean Sea, and established a Government of its own liking there by force. The Sri Lankan President's message was, therefore, a timely one.

It was also timely for another reason. It would have helped to improve the tarnished image of Sri Lanka abroad after the widespread and brutal violence unleashed on defenceless Tamils just 4 months before.

Mr. Jayewardene persisted with non-violence theme throughout the Conference and even in his interviews with the Press. He later told Sri Lankan journalists covering his visit to Delhi that "if Sri Lanka practised this ethics not even a thousand Indias could conquer us".

We do not know how many of the assembled Heads of Governments had faith in non-violence, but as the Sunday Observer put it in its issue of 4th December, 1983, the Sri Lankan Leader is said to have thrown "new thinking into the otherwise routine debates at the Commonwealth Summit."

It is not known to what extent "the effective but long forgotten ethics of non-violence advocated through the years by religious leaders of different faiths and more recently by the Asian great, Mahatma Gandhi" might have weighed with the Commonwealth Leaders, including Mrs. Thatcher fresh from the Falkland Island victory

and some of the Caribbean politicians who had encouraged the U.S. invasion of tiny Grenada.

It would appear from reports appearing in our media that at least to some extent the message of non-violence was reflected in the Goa Declaration on International Security agreed on by the Commonwealth Heads.

The text of President Jayewardene's opening address to the Commonwealth Summit on this theme of non-violence as it appeared in the United National Party Journal of 2nd December, 1983, the opening paragraph of which was -

"We have been listening for two days to talks of armaments, nuclear weapons and the spread of violence. I cannot forget that we are in the land of Mahatma Gandhi and the Gautama Buddha. Mahatma Gandhi was an apostle of non-violence. He led his people to freedom through non-violence."

The President concluded as follows:

"Let us train our people in the gospel of non-violence preached by Mahatma Gan-

(Continued on page 8)

- Arul

GRENADA and CYPRUS

Events last month in Grenada in the South Caribbean area and in Cyprus in the Eastern Mediterranean region had a profoundly disturbing effect on Sri Lanka far away in the Indian Ocean. This was reflected by reactions in the Sri Lankan media as well as the pronouncements of both Government spokesmen and in political circles. That Sri Lanka should be concerned was an indication that the world had become very much one now and that development in Grenada and Cyprus were important enough to dominate the Commonwealth Summit at Delhi. It was chaired by Mrs. Indira Gandhi, in November, 1983, and President J.R. Jayewardene played a prominent part. But what

Cyprus developments.

(a) Internal dissension providing an ideal condition for foreign interference.

(b) The presence of a big power close by within whose immediate area of national interest the smaller state lay.

(c) The excuse for the intervention provided by the presence of some nationals of the big country in the smaller one that was being invaded.

(d) The failure to resolve the differences between communities with a territorial base within the small country which leads the aggrieved community to demand a separate state leading even to the proclamation of a unilateral Declaration of Independence.

Reactions & Repercussions in Sri Lanka

happened in Grenada and Cyprus was important to Sri Lanka for other reasons too.

Semblance of

Ingredients

Sri Lanka was facing within her own frontiers the problem of ethnic conflict which had reached the stage of a demand for a separate Tamil State. Connected with this problem Sri Lanka has also been faced in recent months with the shadow of a possible Indian intervention in the affairs of the country.

All these ingredients of the Sri Lanka problem were present in some form either in the Grenada or the

The U.S. military intervention in the tiny island of Grenada 1000 miles away or the Unilateral Declaration of Independence by the Turkish minority in Cyprus, was condemned by many nations including Sri Lanka.

But the lesson to be learnt is not merely for the T.U.L.F. or the Elamites as the "SUN" newspaper, plugging its usual line, tries to make out. These are lessons that must be pondered over by all concerned in this country. It might help our leaders to pursue seriously the quest for a negotiated settlement of the Tamil problem.

COMPENSATION FOR VICTIMS OF ETHNIC VIOLENCE

Ex-Chief Justice of Sri Lanka, Mr. M. C. Sansoni, on the question of compensation for victims of ethnic violence of August-September, 1977 incidents, had this to say: in his Report, sessional paper VII of 1980.

"On the question of compensation, it has been said that while it is true that laws providing compensation to victims of crime are rare, they are desirable.

"They should be framed as part of the effort to do justice, when a crime has occurred as a symptom of social disunity and a further disruption of the social order. If we are to regard justice after a

crime as social restoration, victims should be compensated. When a community has been wounded by a crime, the community has not been made whole while its living members who have most grievously suffered for the crime, are uncompensated" (Crime and Justice in America, by Professor L. Herold de Wolf (1975) page 195).

"Whatever may be the rule in this island under normal conditions, the incidents which occurred during the specified period were of such an extreme nature and so

M. C. Sansoni
(Ex - Chief Justice of the Supreme Court)

widespread, that an exception should be made as regards the payment of compensation to all those persons who were adversely affected. I suggest that full compensation for all losses sustained should be paid to all such persons by the Government. I have recapitulated the evidence given by witnesses. But there are also 275 affidavits filed by affected persons which should be taken into consideration when compensation is being assessed. A great deal of time was saved by the pro-

duction of these affidavits.

"In some cases the sufferers have, either in evidence given by them or by way of affidavits, given their own estimates of the damages they sustained. It was not possible for me to examine the correctness of these estimates and arrive at accurate findings on the actual damages sustained. To have attempted to do so would have prolonged these proceedings unduly. It will be necessary to have the claims made by those who suffered losses carefully investigated by per-

sons who are competent to assess the quantum of compensation which should be paid in each case.

"There have been many cases where public servants and others have been killed in the prime of life, leaving widows and children. They could have worked, in some instances, for many more years and their heirs would have received larger pensions if they had done so.

"Their dependants have suffered by losing the breadwinner under such circumstances, while if he had enjoyed the normal life expectancy they would have been

(Continued on page 11)

MEMORANDUM OF THE CEYLON INSTITUTE OF NATIONAL AND TAMIL AFFAIRS

M. C. Sansoni Esq.,
Chairman,
Commission on the August
1977 Disturbances,
Colombo.
Your Honour,

The Ceylon Institute of National and Tamil Affairs (CINTA) is a body interested in the study of National Affairs and within the national context, of the affairs of the Tamil speaking people in Sri Lanka. The members of the Institute are largely professionals, academics and retired Senior Government Servants; they also claim to be non-aligned politically.

This Memorandum aims at exploring ways and means of removing the causes of communal violence that has periodically broken out during the last quarter century in our country. The organisers of the UNESCO declared that the foundations of peace should be laid in the hearts and minds of people. To recover the lost communal harmony, a long programme of re-education of both the young and old of Sri Lanka must be embarked on. If Sri Lanka is to be one nation, all citizens, whatever their race, religion or language, should have equal rights.

This should be the basis of the process of re-education. It must be realised that continued discord will seriously hamper the nation's progress. The President, by his utterances on several occasions has given the lead, and if the other members of the Government political leaders, members of the clergy, administrators, educators and the mass media join in the effort, success should follow. In this Memorandum we refer to some of the fundamental inter-communal problems.

EQUALITY IN INDEPENDENT CEYLON:

In 1948, Ceylon was held up as a model of a country passing peacefully from colonial rule to independence, and as a country where the various communities continued to live in amity. Then when the cry of 'Sinhala only' was raised passions were unleashed and the country suffered a serious set-back. These passions have clouded the ideal of national unity, and there has grown among many Sinhalese the idea that the land belongs to them alone, and that the others are here on sufferance. True unity can be built only by the realisation that, in a

country composed of people of different races, languages and religions, special efforts must be made by all to co-operate for the nations' good. "Magnanimity in politics is not seldom the truest wisdom", was the advice of Edmund Burke to the English people when the American colonists asked for their rights. It may be said that on the majority community devolves the duty of making the minorities feel secure. A climate of equality like the one found in Switzerland should be created in Sri Lanka.

LEADERS;; MASS MEDIA:

We are of the opinion that the political leaders

This article on the Problems of the Tamils was submitted on behalf of the Ceylon Institute of Tamil and National Affairs (CINTA) by Mr. V. Manicavasagar, its President, in the form of a Memorandum dated 10th December, 1979, to the Sansoni Commission of Inquiry into the August - September, 1977, incidents. It has been referred to by Mr. Sansoni in his Report published as Sessional Paper No. VII of 1980. The Problems as set out here still remain and call for a solution. in an ethnic climate that has steadily deteriorated as the result of continued failure to find one.

confidence that the Tamil language would have parity with the Sinhalese language.

After the Official Language Act declaring Sinhala as the only Official Language of the country was passed in 1956, the nation was split, and the Tamil people felt that there had been a breach of faith. The recognition granted to Tamil in the Constitution of 1978 as a National Language is a forward step; but Tamil speaking people continue to suffer. Letters written in Tamil get replies in Sinhala, and in public name-boards, Tamil has yet to find a place. Until the implications of a "National Language" are satisfactorily worked out and implemented,

people, and these traits have naturally been carried over into other fields of endeavour—studies, business, Government Service, etc. In addition to the positive straits of endurance and hard work, there was the motivation provided by the desire to escape from toil on the soil to the comparative comfort of work in office. On the other hand, to the people who lived on the bounty of the soil, the routine of studies or of work all round the year implied in Government service, did not hold the same attraction.

We feel that it is not just by the Tamil people to attribute their performance to favouritism of the colonial rulers, or to dishonesty on the part of Tamil Examiners at University Examinations. We consider it grossly unfair that a Cabinet Minister should have been allowed to make allegations of dishonesty against Tamil Examiners in the marking of scripts of Tamil students. The University Teachers' Association of Peradeniya challenged these allegations but their protest was not published. Be it noted that the President and the Secretary who signed this letter were both Sinhalese. A similar fate befell the letter of the University Teachers' Association of Jaffna, in which besides statistics, were statements that the answers of the Jaffna University candidates were in English and were marked by Sinhalese Teachers of other Universities. The failure to hold an inquiry, though insisted upon by both the University Dons and the Tamil Members of Parliament, has resulted in fastening upon the Tamil students and public servants an undeserved stigma. A justifiable sense of grievance prevails and has contributed to impairing the confidence of the Tamil speaking people in the fairness of the Government.

A word must be said about the better performance of the Tamil candidates at the G.C.E.(A/L) and University examinations. Allegations of unfair marking made earlier, in the time of Minister Iriyagolle, led to the appointment of a Committee of Inquiry with Prof. B.A. Abeyawickrema, the then Vice Chancellor, as Chairman. The report of this Committee was that the allegation had no foundation. There is also the fact that the Government in office in 1968 laid it down that the mother tongue should become the medium of instruction in the A.L. classes too. The first batch that was taught in Sinhala and Tamil sat the examination in Dec. 1969, and of the 150 students selected on merit for admission to the Engineering

(Continued on page 7)

The Problems of the Tamils

by V. MANICAVASAGAR

Ex - Justice of the Supreme Court.

Chancellor of the University of Jaffna

and

President, Ceylon Institute of National

and Tamil Affairs

and Members of Parliament must avail themselves of every opportunity to stress the idea of unity and equality and refrain from making communal speeches. The clergy of every religion too should help in this matter, using the mass media as well. The press of the country should realise its responsibility in this task of re-education. In recent years some items of news have been slanted, suppressed or exaggerated, thus increasing communal ill-feeling. The mass media should actively share in the task of restoring good feelings.

Schools:

The segregation of pupils by language media in the same schools has led to inter-communal rivalry, and hostile feelings. For the teaching of subjects like English, Art and Physical Education, the pupils of different communities could be put together, as is being done in some schools. We heartily approve of the

Government's plan of making all pupils learn the two national languages, besides English.

School Text Books:

These ought to be written with care: If a class reader used in Sinhalese primary classes said "Sri Lanka is the land of the Sinhalese", instead of saying "In Sri Lanka live the Sinhalese, the Tamils, the Muslims, and the Malays and the Burghers", it is sowing the seeds of future trouble, and creating the kind of attitude we deplore. Books should avoid distorting historical facts and high-lighting matters which tend to portray one community as superior to the others.

THE TAMIL LANGUAGE:

When the Board of Ministers led by the late D. S. Senanayake asked for independence, the representative of all the communities signed the petition. When the Tamil representative supported the request, he did so in the

the Tamils will continue to feel that faith has not been kept.

IMBALANCE IN PUBLIC SERVICE RECRUITMENT & UNIVERSITY ADMISSIONS:

There prevails the idea that the Tamils hold a disproportionately larger number of Government jobs and University places than their numbers in the country's population warrant. To understand the situation aright, we should remember that, broadly speaking, in Sri Lanka, there are three geographical regions—the very fertile up-country, the well watered South West, and the arid North and the not-so arid East. It is obvious that to make a living, the inhabitants of the arid area had to endure hardship and work longer hours than the inhabitants of the other areas. Endurance and hard work have over the centuries become the traits of these

The President and the Faith placed in him

The Daily News of Tuesday November 15, 1983 carried a front page report headlined: 'President - only man who can solve the problem'. According to this report:

To Find a

Responsible Solution

"Rural Industrial Development Minister S. Thondaman has told a South Indian Tamil political weekly that he is continuing in the cabinet because of his belief that President J. R. Jayewardene is the only national leader who could find a reasonable solution to the Tamil problem here". More recently a number of Ven. Mahanayake Theros have said exactly the same thing about the President being the only man who can solve this national problem.

According to the Lanka Guardian of November 1, 1983, on the day after his return home at Reid Avenue, in an exclusive interview, answering a question about his view on a Round Table Conference, Mr. Thondaman is also reported to have said:

"The President who was elected by the people with such a large majority should take the initiative".

This is not the first time that Mr. S. Thondaman, the leader of nearly a million Tamils of Indian origin, has reiterated his faith in President J. R. Jayewardene through all the years and months of suffering, agony and humiliation since 1977.

Faith shared

by many

This faith in the President appears to have been shared even by the Sri Lankan Tamil Leader, Mr. A. Amirthalingam who through all the months when the T. U. L. F. carried on what turned out to be a sterile dialogue with the President, is reported to have said that the President was always sympathetic but that the bureaucrats and other forces in the Government were obstructing the implementation even of what had been agreed on between the T. U. L. F. leaders and the President.

This same faith in the President appears to have been shared even by a number of Indian leaders, though many people, both in Sri Lanka and abroad, were taken aback at the significance of the President's first address broadcast to the nation during the riots on the 28th

July, 1983 when he had referred - "to the Sinhalese having reacted" and that he had suddenly decided to outlaw Tamil demand for a separate state because he and his Government "could not see any other way by which they could appease the natural desire and request of the Sinhalese people to prevent the country being divided". Should not lose

opportunity

The late Rt. Rev. Lakshman Wickramasinghe, Bishop of Kurunegala hailed for long as a great friend of the oppressed, is known to have told a number of his Tamil friends in the North that the T. U. L. F. leaders should not lose the opportunity to settle the Tamil problem with the President when he was still there as he pointed out that President J. R. Jayewardene, coming as he did from the pre-independence era, could be expected to understand the problems of the Tamils better than many of the younger Sinhalese politicians today.

by Ariel

Even outside the Indian sub-Continent, there are many who appear to have the same confidence in President J. R. Jayewardene believing that with the President at the head there was still hope for Sri Lanka in spite of all the trouble and the recent terror.

The SAUDI GAZETTE of Tuesday August 2, 1983, published an Editorial comment on Sri Lanka under the caption "ISLAND OF TERROR", giving a very brief account of Sri Lanka and its ethnic troubles, and referring to President J. R. Jayewardene as a leader of exceptional vision and statesmanship, in whose handling of the difficult problems Sri Lanka could have hope.

The Editorial is reproduced below in full:

Island of terror

"The riots in Sri Lanka, triggered off by the killing of 13 soldiers in an ambush by 'Tamil Tigers' have, still after more than a week, not been quelled.

They have already caused a havoc. More than 200 people have been murdered and property worth millions burnt down. Looting was widespread, and Sinhalese youths rampaged through streets ransacking homes, offices and shops. There

have been unbelievable acts of barbarity; motorists dragged out of cars and stoned to death, individuals drenched in petrol and set ablaze, prisoners slain by fellow prisoners.

But the worst loss to Sri Lanka has been to its reputation and to the relationship between its two main communities, the majority Buddhist Sinhalese and the minority Hindu Tamils.

Reputation in ruins

Sri Lanka was renowned as a haven of peace and tranquility. An emerald island set in the silvery Indian ocean, it was as celebrated for its beautiful landscape as for its friendly and peace-loving people. Now that reputation is in ruins, the island of tranquillity has become the island of terror.

The problem of racial and religious minorities have plagued many nations, but one great test for any civilised country is treatment of the minority, in theory as well as in practice. In this respect Sri Lanka's record in the past was nothing to be ashamed of. The two communities lived in peace, and though there were points of conflict lived happily.

The trouble started when the late S. W. R. D. Bandaranaike and his Freedom party came into power and made Sinhalese the sole official language, gave state support to Buddhism and fanned Sinhalese passions. Such chauvinistic policies were hardly necessary, because the Sinhalese formed three-fourths of the total population and the country's institutions and customs were bound to have their stamp. But they helped to win votes and President Junius Jayewardene's United National Party did not lag behind in appealing to these parochial sentiments.

Gulf widens

The gulf between the two communities has been widening ever since. The Sinhalese have failed to produce a leader strong enough to control the extremists in the community: while the Tamils, complaining of increasing discrimination against them in education, jobs and business, have listened more and more to the extremists in their own community, who are now demanding a separate Tamil state.

The problems...

(Continued from page 6)

Faculty in 1970, 100 were Tamils.

The explanation for this disparity is not far to seek. In a number of schools in the Sinhalese areas, the teachers of Mathematics and science before 1968 had been Tamils teaching in English. In 1968 these teachers could not continue to teach Sinhalese students. They were sent to the Tamil areas, to reinforce staffs that were already adequate as well as competent. In the Sinhalese areas there were not enough teachers to teach mathematics and science in Sinhala: and of the Sinhala graduates in the teaching service, many left as they were appointed to executive staff jobs in the public and the private sectors. It was the A. L. students in the Sinhalese areas who suffered because the Government pushed up, for political reasons, the use of Sinhala for instruction in A. L. Classes before it was ready with the staff to teach in Sinhala. The Government was forced to ask Tamil graduates to undergo crash courses in Sinhala so that they could teach mathematics and science to Sinhalese students. The dearth of Sinhalese graduate teachers alone should satisfactorily explain performance of Sinhalese students. The Tamil areas on the other hand had staffs that were adequate and competent, and in 1968 were further reinforced. Without a proper inquiry into the causes for the differences in performance among the language groups, the Ministry of Education in 1970, fixed higher aggregates for the Tamil candidates, and lower ones for the others. Later, media-wise standardisation was introduced; a little later, regional quotas were fixed and varied from year to year. All this agitation was in pursuit of fairness! It is relevant here to refer to the observation of Prof Dudley Seers of the I.L.O. Delegation that the Government was concerned about the imbalance as between one language and another, but not about imbalances as between social groups in the same language or ethnic group. The Government was thinking communally. To admit to the University of the public service candidates on grounds other than merit is to weaken incentive to the best effort possible. In India, according to the Constitution, merit is the only criterion for all forms of recruitment except for the reserved places for the scheduled castes; and admissions on the basis of numbers in a racial, linguistic group or on an area basis are prohibited.

This attitude of fairness and of making decisions on merit should extend to all areas of Government action. In development programmes too, the Tamil areas should get their share of attention and funds, excluding what is spent on cyclone rehabilitation. We commend this matter to the Government as one that will give concrete proof of its will to be fair and just by all sections of the people.

STATE SPONSORED COLONISATION:

In a democracy, its citizens have the right to move about freely, to reside or to work where they like. But this freedom is lost when the state takes a hand and induces large numbers of one ethnic group to settle in areas already occupied by another group, thus making the indigenous population a minority in the area. Also delimitation of electorates is being done in such a way as to make the Tamil people minorities in many electorates. Amparai, Trincomalee, and now Vavuniya come to mind. The combination of state-sponsored colonisation and purposeful delimitation of electorates can result in the indigenous ethnic groups losing their legitimate number of representatives in the legislatures. The forms of democracy may be in operation, but the spirit of democracy will be conspicuous by its absence. We feel that this policy of colonisation will be a point of continuing friction, and strongly urge the Government to desist from it.

CONCLUDING REMARKS:

Here we would respectfully submit that the Tamil leaders "had, before the sixth amendment (Editor's correction)" a right to speak about Eelam and to canvass opinion. It is on justification of the violence that erupted for the Government to say that the Tamil leaders were provocative. To make this defence is to admit the Government's inability to maintain order. In the USA, about 120 years ago, when the slave-owning states spoke of secession from the American Union, President Lincoln did not send a punitive force. In the UK, the English people have not committed violence against the Scots, the Welsh or the Irish, because of the utterances of the separatists.

The fact that in the past, outbreaks of violence were allowed to run their course, had led many people to doubt the Government's will to maintain order or to protect the minorities. The Police and the Armed Forces

(Continued on page 8)

The Plight of the Estate Workers and Father Caspersz

In what the Island of 31st October, 1983, was pleased to call "the haunting words of a Christian Prelate", referring to the last Pastoral letter to the Diocese of Kurunegala of the late Bishop Lakshman Wickremasinghe, we find that the Bishop's "deepest sympathy is for the Tamils whose ancestors arrived during the period of the British rule. And it is especially so, for the estate labourer who has contributed so much to our income from exports. They have been innocent victims who have faced arson, loot,

and death in 1977, 1981, and 1983 as a result of a conflict in which they have no part. Even in 1976, some of them within the fenceless. I feel deeply ashamed for the pain and the loss they have undergone. It is a moral injustice that cries out to heaven".

'... a moral injustice that cries out to heaven...'

region covered by our Diocese, faced eviction, arson, loot and starvation owing to the activities of thugs with political patronage. They have suffered and been humiliated because they have been de-

To study their problems

If Bishop Wickremasinghe and a number of others have been touched and expressed

deep concern for the plight of Indian Tamil workers in the plantation areas, it was Father Paul Caspersz who systematically got down to working among them, to study their problems and conditions and to have them to seek redress wherever it was possible. For that purpose he equipped himself with an efficient organization called the Co-ordinating Secretariat for the Plantation Areas.

It was on the result of the work of this organization of Father Paul Caspersz that the five Bishops sent a memorandum to Prime Minister, Mrs. Sirimavo Bandaranaike in early 1977 pointing out the deteriorating conditions and the pathetic plight of Indian estate workers resulting from land alienation policies and the nationalisation of estates. Father Paul Caspersz's organisation was very active during the August, 1977 riots and submitted a memorandum which was the most detailed, instructive and informative of all the memoranda that were presented to the Sansoni Commission of Inquiry.

Birth of MIRJE

Father Paul Caspersz himself gave evidence before the Sansoni Commission. Mr. Sansoni in his report (Sessional Paper No. VII of 1980) drew much material from the documents produced by Father Paul and from his evidence. Since then, finding the country plunging towards another possible communal conflict, he set up a movement which has now come to be well-known - MIRJE or The Movement for Inter Racial Justice and Equality.

Organization like these perform a great function. In voicing the grievances of any section of the people or of individuals who have been deprived or adversely affected in the enjoyment of any of the universally accepted fundamental rights, they make both Governments and people aware of situations which, if not attended to, would lead to trouble both for Governments and for society. It is through organisations like these that Governments learn well in time how to adjust themselves to the needs, sufferings and aspirations of the people, before it is too late.

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PERIOD	INTEREST PAYABLE PER ANNUM	
	MONTHLY	AT MATURITY
7 Months	—	15%
9 Months	—	16%
1 Year	18%	20%
2 Years	18%	22%

Principal Lines of Business: Pledge Loans for Merchandise
Guaranteeing Bank Loans
Hire Purchase Finance
Intermediate Finance

FINANCIAL INFORMATION

	For the accounting year ended 31st March 1981	For the accounting year ended 31st March 1982	For the accounting year ended 31st March 1983
	Rs. ,000	Rs. ,000	Rs. ,000
Share Capital	100,	100,	100,
Reserves	—	300,	560,
Perpetual Debentures	585,	597,	597,
Deposits	3,444,	6,615,	10,157,
Borrowings	—	—	—
Profit before Tax	193,	191,	644,
Profit after Tax	193,	191,	324,
Dividend declared	25%	30%	—
Proposed dividend	—	—	30%

+ under audit

DIRECTORS:

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Director - Consultant
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The problems

(Continued from page 7)

should have been called in at once to restore order and stop violence. The Police cannot claim to have been unaware of such a general flare up. The first evidence of the Government's will to maintain order was the appointment by President J.R. Jayawardene of your Honours, Commission. Another was in July this year, when timely action prevented a repetition of the 1977 holocaust. We now feel that active steps are being taken to stop the recurrence of violence.

We have confined our views to what we consider are basic matters. We look forward to your Honour's report and recommendation and trust that, ere long, outbreaks of communal violence will be no more. We pray that communal harmony and the rule of law will be re-established, and that all communities can march forward to a great future.

J. R. ...

(Continued from page 5)

dhi, preached by the Buddha, preached by Jesus Christ, preached by Mohammed and all the great religious leaders.

Why do we practise non-violence only in the church, in the mosque, in the temple, why not at the Summit commonwealth conference?

At least, let us talk about it. The President of Guyana, I think, said something very fundamental that goes to the root of what we are discussing. I hope that what I say will also be considered in some way or another at these talks".

We ourselves in Sri Lanka need sermons on non-violence more than at any other time in our history. We need leaders who will give the true impression that the non-violence they sometime talk about is meant to be practised also at home in Sri Lanka.

Under the auspices of the Students' Congress Mr. S. W. R. D. Bandaranaike, B.A. (Oxon), Barrister-at-Law, delivered a very interesting lecture on "Federation as the only Solution to our Political Problems". Dr. Isaac Thambyah presided.

Mr. Bandaranaike said that it was necessary in the first place to realise the importance of the present time. A revision of the constitution was due in 1928. A satisfactory measure of self government was expected. It was therefore necessary to think very clearly and realise in its entirety the whole political question. A false step taken, a false proposal made now would be very difficult to retrieve in the future. They all wanted self-government. The question remained what was the measure of self-government they were aiming at.

'Nindagama' and Headmen Systems

There were briefly two forms of Government met with in Ceylon. One form was the "Nindagama" system of land tenure, the other was the Headmen system of provincial administration.

The Nindagama system was a feudal form of Government. As long as the feudal dues were paid (they were always paid in hand) no notice was taken of anything else. In the Headmen system, the village was considered as the unit. The King had his various Disawas, Rate Mahatmayas etc. The various provinces were divided and subdivided till one came to the Gansabawa. The Gansabawas were composed of the head of each family of all those in the village irrespective of wealth. The litigants had the right to appeal to the King himself but the Gansabawas' decision was rarely upset. All that meant that the whole land was a loose federation bound by one common oath to the King. When the British came to the island they introduced a centralised form of Government. That centralised form of Government as introduced had a semblance of a free institution. Even to the present day it was nothing else but a bureaucratic form of Government.

Agitation for

Reforms

The lecturer then referred to the course of political agitation for larger measure of reforms. It didn't start till 1915 when the riots took place. The lecturer then referred to the great part played by Sir P. Ramanathan then the Educated Ceylonese Member. Sir P. Arunachalam started the National Congress. It was he, who fathered the movement for agitation for reform. When the Congress

S. W. R. D. Bandaranaike on A Federal Solution

It is generally not known that long before the Federal Party was formed in 1949 and before any group of Tamil politicians even thought of a Federal demand, demands for a Federal structure was first submitted as a serious constitutional proposal by the Kandyan National Convention to the Donoughmore Commission in 1929, but on record the idea had been first mooted by no less a person than the

late Mr. S. W. R. D. Bandaranaike in 1926.

All these proposals, with documentary evidence supporting them, were placed before the Presidential Commission of Inquiry into the August-September incidents of 1977. A record of Mr. Bandaranaike's position expousing a Federal solution, as it appeared in the Ceylon Morning Leader of Saturday, July 17th, 1926,

under the title "Federation as the only solution for our political problems by S. W. R. D. Bandaranaike has been made available to us by Dr. James T. Rutnam. It was in the form of a lecture to the Students' Congress by Mr. Bandaranaike at a meeting at which Dr. Isaac Thambyah presided. The report as it appeared in the Ceylon Morning Leader is reproduced here:

who thought that the differences were created by a few ambitious persons and when those persons died the differences would disappear. A hundred years ago there were no such differences. They did not appear because the English man sat on the heads of the Tamil, the Low Country Sinhalese and the Kandyan Sinhalese. The moment they began to speak of taking the Government in their hands, then the differences that were lying dormant smouldered forth. If they considered past history they would see that the three communities, the Tamils, the Low Country Sinhalese and the Kandyan Sinhalese had lived for over a thousand years in Ceylon and had not shown any tendency to merge. They preserved their language, their customs, their religion. He would be a very rash man who would pin his faith on the gradual disappearance of those differences.

Result of Agitation

The Legislative Council had a certain measure of control over the finances, but that did not amount to much. The Executive Council was divorced from the Legislative Council which looked like a School Boys Debating Society. That was the nett result of the agitation of the last few years. The price paid for it was the Sinhalese - Tamil split and the Low Country and the Kandyan Sinhalese split. The minorities looked with mistrust one at the other. It was wrong to think that the differences were not fundamental. There were men

under such conflicting circumstances as would be experienced in Ceylon. Those would be the troubles if a centralised form of Government was introduced into countries with large communal differences. In a Federal Government, each federal unit had complete power over themselves. Yet they united and had one or two assemblies to discuss matters affecting the whole country. That was the form of Government in the United States of America. All the self-governing dominions, Australia, South Africa, Canada had the same system. Switzerland afforded a better example for Ceylon.

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The Need for a ROUND TABLE

(The need for a Round Table Conference and the nature of the Round Table Conference that is needed was set out by Father Paul Caspersz in 1979 before the Sansoni Commission of Inquiry. Ex-Chief Justice Sansoni thought it fit to set out this portion of the

Ex - Justice Sansoni quotes Father Caspersz

evidence on the concluding page of his Report. The full paragraph is reproduced below:)

"Before I end, I wish to quote a passage which appears at the end of the evidence given by Fr. Caspersz. It is this: 'The ultimate solution of the problem of the inter-communal relationships in our

It was a small country, but three races lived there. French, Germans and Italians. Yet Switzerland was a country where the federal form of Government was very successful. Each canton managed its own affairs. But questions of foreign affairs, commerce, defence etc., matters about which differences and controversies would be at a minimum were dealt with by the Federal Assembly. In Ceylon each Province should have complete autonomy. There should be one or two assemblies to deal with the special revenue of the island.

Federal form: Only Solution

A thousand and one objections could be raised against the system but when the objections were dissipated, he was convinced that some form of federal government would be the only solution. He had not dealt with the smaller communities. For such communities temporary arrangements could be made for special representation. Those temporary arrangements would exist till the fear existed about one community trying to overlord the other. He would suggest the same for the Colombo Tamil seat. The three main divisions in the island were the Kandyan Sinhalese, the Low Country Sinhalese and the Tamils. It was difficult to find a system that would completely satisfy everyone. That was in brief the Federal system. He would be amply satisfied if it was recognised that the problem did exist. If there were a better form of plan he hoped someone would think about it and place it before the people.

country lies in the establishment of a genuinely socialist society. In this society every man, woman and child will be given due place not because one is a Sinhalese, a Tamil, a Muslim, or a Burgher, not because one is a Buddhist, a Hindu, a Christian, or a Muslim, but because one is a

The Immediate solution lies in all the leaders of our country, the leaders of all political parties, of all communal and religious group, getting together to provide the climate for the rapid socio- (Continued on page 11)

Declaration of Judicial Independence

"The question of the independence of judges arise particularly when the government is a party to or is involved in litigation. The fact that one's judgment may affect one way or the other, the government of the day should not be a factor influencing one's judgment."

"If an executive action does not conform to the law, it has to be condemned however much such judgements are unpalatable to the powers that be. The merit of the case is the sole criterion."

ENSURING JUDICIAL INDEPENDENCE

"The architects of the Constitution were concerned about judicial independence and have inscribed provisions therein ensuring judicial independence. But as stone walls do not a prison make nor iron bars a cage, the constitutional provisions alone will not generate independence in a person. The quality of independence is something personal; it is part of your character, it reflects your priorities."

"It is an interesting phenomenon that political

parties in the opposition often turn out to be champions of judicial independence, but when in power they have reservations about it. A government while in office which eroded judicial independence cannot reasonably expect an independent judiciary when it is out of office. Likewise an opposition which has suffered at the subservient judiciary cannot be expected to respect genuine independence when fortune changes."

"Such attitudes on the part of the governments and politicians are bound to destroy judicial independence. For this situation both the government and the judges who succumb to blandishments or threat are equally responsible."

DIRECT REPOSITORY OF SOVEREIGN JUDICIAL POWER

"The argument that both Parliament and President are directly elected by the people does not afford justification for the judiciary, whose independence and integrity is warranted by the constitution to be reduced to the status of an instrument of Parliament. What is the justification for vest-

In the CINTA Journal of 16th December, 1983, Vol. 1, No. 1, contained the first instalment of an article under the above caption. It was indicated there that the next instalment setting out the keynote address of the acting Chief Justice S. Sharvananda to the Judicial Service Commission would appear in the next issue.

The first instalment ended with the text of Judge Wimal Wickremasooriya's address of welcome to participants at the Annual Conference of the Judicial Service Association. But if Mr. Wickremasooriya as President did not pull his punches on the matter of judicial independence, acting Chief Justice S. Sharvananda did not mince his words either. Justice S. Sharvananda appears to have dwelt a good deal on various aspects of judicial independence relating them to matters of current interest. Some highlights of his address on the subject are reproduced here;

ing the judicial power of the people in the legislature, when that power can be exercised through the

courts and through the judiciary only? Even though such vesting may be conceptual and practically not impair the independent status of courts, why should the institution of the court instead of being the direct repository of the sovereign judicial power, be constituted only an agency through which Parliament exercises the judicial power vested in it? No meaningful purpose is served by this process. This de-routing serves only to lend colour to the assertion that the judiciary is subordinate to the legislature and that the legislators are superior to judges. This arrangement is derogatory to the rule of law and the independence of the judiciary."

THE RECENT DEMONSTRATION AGAINST JUDGES

Justice Sharvananda also dealt with the recent demonstration outside the houses of some Supreme Court judges which had raised lawyers all over the country into a series of organised protests. He said: "It is depressing that though the so-called demonstration took place at 11 a.m., in broad daylight,

at
BMICH
by acting Chief Justice
S. SHARVANANDA
and Judge
WIMAL
WICKREMASOORIA

in the heart of Colombo the police should have reported that not one of the 600 demonstrators could be identified nor the buses which carried the demonstrators traced."

"It is a sad reflection that such things did happen and the culprits could have got away with impunity. I trust that police vigilance and intelligence will not fail on the occasion of any future repetition of such outrageous demonstrations and that the dignity of the courts and the inviolability of our judges will be preserved. Justice can never be administered in an environment of fear and intimidation."

"Judicial independence postulates that judges should discharge their duties without fear or favour, affection, ill-will or bias. Their judgements should be based solely on the merits of the case, uninfluenced by any personal considerations. The conscientious and not the popular judge is the ideal judge."

THE PEACE WALK THE PRESIDENT CALLED OFF

The Peace Walk of over a 1,000 miles in nearly four months and covering the months from December 1983 to April, 1984, was suddenly called off in one day after about 5 miles had been covered and Tissamaharama had been reached.

The Walk had been planned and organised over some months on the initiative of Sarvodaya's Dr. A. T. Ariyaratne, in association with or with the blessings of various organisations and individuals among whom were the Centre for Society and Religion with Father Tissa Balasooriya taking an active part.

To Evoke Humanity

The Walk had no political objective and in a statement issued by the National Central Council for Peace and Harmony, it was categorically stated "It will not deal with political issues or solutions". The statement also added that "the generation of the spirit of understanding and righteousness is indispensable for the success of any political solution." The objective of the walk could be found in one sentence of the Councils "We want to evoke this humanity in others while we are trying to do so within

ourselves"

But the fact of the matter is that the Peace Walk also evoked fears and anxieties among the people of the North. Apart from the tragic events of 1983, the memories of what had happened in May-June, 1981, had not faded yet. Everybody still remembered the trail of destruction, the burning of the Jaffna Public Library and the arson and destruction that accompanied the attack on the residence of the member of Parliament for Jaffna by those who had come to the North in connection with the District Development

Council elections.

Anxieties in the North

The danger in any movement like the Peace Walk is that it might provide opportunities for vicious elements to infiltrate and do their dirty work. The Tamil people had been the victims of three major explosions of ethnic violence in six years, in August 1977, August 1981 and July 1983. This apart, they have been living under continuous tension in between these riots particularly when placed under emergency and other laws made specially applicable to the Jaffna district or to Tamil organisations.

President Calls off

Yet the sudden cancellation of the Peace Walk by the President himself soon after the Walk had just got under way and when it had reached Tissamaharama, long in time and distance from Point and Naga Deepa, took most people by surprise.

Since a good deal of publicity had been given to the Walk much earlier, it is obvious that the President must have had pressing reasons for having the Peace Walk called off.

What is alarming is that the forces which might have had a hand in contributing to the calling off of the Peace Walk, might also be at work in making it difficult for the peace process and negotiations for a settlement that are on.

In any event, with only one train running to the North on alternate days accompanied by postal facilities, which take four days for a letter to reach Colombo from Jaffna, and a person like Dr. Ariyaratne's standing not being able to do a Peace Walk in the South what is one to say as to say as to how normal times are in Sri Lanka today?

- Zaky

THE BRAVE WHO RISKED THEIR LIVES

A number of organizations and prominent persons have spoken without any mental reservations of instances in which some Sinhalese risked their lives to come to the assistance of the Tamils during periods of ethnic violence against them.

The concluding paragraph of the Memorandum dated 16th January, 1978, of the Tamil Refugees Rehabilitation Organisation (President, K. C. Nythianantha) submitted to the Sansoni Commission of Inquiry into the August-September, 1977 incidents, had this to say:

"One more point. During all these sickening days, there was one ray of hope in this country. Hundreds of Sinhalese people, men, women and children risked their lives and limbs to save the lives, properties of their Tamil neighbours and friends, often with success. This also should be put on record with gratitude."

This Memorandum was signed by the late, Mr. K. C. Nythianantha as T.R.R.O

The Need..

(Continued from page 9)

economic development of our country. These leaders today belong to the middle class. They must realise that communal conflicts which since 1956 have been recurring periodically, are inimical to the socio-economic progress of our country. Indeed, they are inimical to the interests of the middle class itself.

The leaders of the majority community and the majority religious group must realise that the minorities have their rights and that the redress of their grievances needs to be given full weight. They must remember that parliamentary democracy is the rule of the majority with the consent of the minorities. The leaders must start their deliberations at a round table or elsewhere on two inalterable premises. The first is that the country should never again witness events such as those of August 1977, which are a disgrace to a country which professes to live by the ideals of Metta, Karuna, Mudita and Upekha, by the ideals of brotherhood and compassion. The second premise is that "the country should not fritter away its time and its energy in inter-communal violence and conflict, while the main task that awaits it is the liberation of all our people from poverty, unemployment, hunger, ignorance, and disease".

President.

Father Paul Caspersz of the Satyodaya and the Coordinating Secretariat for Plantation Areas, in one of the papers he submitted to the Sansoni Commission after the ethnic violence of August-September, 1977, reflected similar sentiments in an article entitled 'Hope for a Nation in Anguish'. Father Paul Caspersz said:

"The full extent and intensity of the tragedy is not yet known. We have seen the refugee camps in Kandy and Matale, the looted houses, the burnt homes, the senselessly broken furniture, the smashed cooking utensils, the desolate hunted looks on the faces of hundreds and thousands of Tamil children and their powerless parents, their anxiety, their fear, their despair.

"But neither is the full extent and intensity of the heroism of some Sinhala people yet known. We have seen some of this in action too. There was the Sinhala family in Ampitiya that protected the aged grandmother of a Tamil family by hiding her under a bed and then spent five days walking the streets 'of Kandy looking for the grandmother's children and grandchildren. When they finally

seek the pardon of those they have wounded, retrace their steps over the blood they have spilt to that common humanity which in their brief hour of madness they had so tragically forgotten."

Lastly, Mr. Sansoni himself had this to say in his final observations of his Report (published as Sessional Paper No. VII-1980):

"Another lesson is that there live in this island a solid, incorruptible core of decent, law-abiding citizens of all races and religions, of which any country can be proud. In many instances that have been spoken to, men and women spontaneously risked their lives to play a heroic role. These splendid persons proved that courage and charity can survive under all circumstances, and when most needed. Some have been mentioned by name, while the others are nameless. They understood and practised the duty of obedience to the unenforceable, which is the test of civilisation in any country. There is no law which compels a person to rescue a drowning man, or to defy a howling mob, or to hide a neighbour or even an unknown man flee-

'... These splendid persons proved that courage and charity can survive under all circumstances...

found them, they learnt that the father had been killed and broke down in tears. There was the estate superintendent who sent a group of Tamil workers and their children into the rooms of his house and kept an all-night vigil himself alone on his verandah, determined that if any life was to be lost, the first would be his own..."

He also added in the same Paper:

"But Satyodaya is fully committed to yet another task; recreating the hope of their own humanity in those who have done their utmost to stifle it in others. We have to do all that we can to recall the killers, the looters, the purveyors of communal hate to their senses. We have to rekindle in them too the hope that all is not lost even in themselves, that they can still come back,

ing like some poor animal from a crowd bent on killing him"

The ex-chief Justice also added:

"One can contrast with those shining examples of bravery given by ordinary men and women, the crowds of men, women and even children who comprised the mobs that roamed the streets of towns and villages. They shared "a unity of purpose passion and hatred which merges the many minds of a crowd into the mindlessness of a mob. No mob has ever protected any liberty, even its own but if not put down it always wind up in an orgy of lawlessness which respects no liberties. The crowd mind is never tolerant of any opinion which does not conform to its herd opinion. Brave with the courage of numbers, mobs endanger liberty as well as order." Thus has

Compensation..

(Continued from page 5)

in a much more favourable situation. Such cases should be suitably dealt with, and an enhanced pension paid to the heirs.

"I recommend that all persons who suffered damages arising out of the incidents which occurred during the period 13th August, 1977 to 15th September, 1977, be paid full compensation to the extent of such damages. Any sums already received from the Government, or payable by reason of insurance policies in their favour, should of course be deducted."

Mr. Thondaman (C.W.C.) on compensation and rehabilitation:

Mr. Thondaman, in a memorandum submitted by the C. W. C. to the Sansoni Commission, pointed out an important aspect of compensation and dealt with the question of rehabilitation and assistance to persons affected by the August - September, 1977, incidents, as follows:

"Item 3 (a) of the Terms of Reference calls upon the commission to recommend such measures as may be necessary, inter alia, to assist in any manner the persons affected by such acts. The Congress will be leading evidence of a selected instances to establish the extent of the loss and damage suffered. In some instances, the family breadwinner has been killed. In several others, persons have lost their life-savings or the roof over their heads, or their means of livelihood. The Government should take full responsibility to make good all these losses and compensate the victims in full for actual loss suffered. In instances such as loss of the bread-winner in the family or permanent injury, prospective loss and hardship must also be adequately compensated. The Congress will be making representations on the extent of the compensation the Commission should recommend.

'Speedy and adequate

Mr. Justice Jackson of the U.S. Supreme Court spoken of the danger of tolerating mob rule."

But, it needs even braver men and takes genuine courage to have seen to that not a single man, woman or child of the Sinhala community in the Jaffna Peninsula was killed or raped. The Sinhalese were a small minority in the North, but they were amply protected by their Tamil brethren in the Peninsula where you find the greatest concentration of Sri Lankan Tamils.

compensation will also be a dampner against recurrence of such incidents, since it will bring home to the perpetrators that their objective of destruction and deprivation is but shortlived.

An important aspect of Item (3) (a) of the Terms of Reference of this Commission is to recommend such measure as are necessary to rehabilitate persons affected by the disturbances. In our view, this is of extreme importance. The impact of the violence in terms of human misery, mental agony and concomitant insecurity is immeasurable. The instability and insecurity created by the disturbances should be put right by meaningful measures to be recommended by the Commission. Large numbers of persons and families were displaced. What steps should be taken to rehabilitate them is important. They cannot be allowed to remain wanderers. They are too frightened and disillusioned to return. The choice of places of re-settlement irrespective of their citizenship status, if re-settlement is not desired by those affected, what steps should be taken towards rehabilitation will also have to be considered. As stated earlier in this Memorandum,

(Continued on page 12)

The Bomb.

(Continued from page 3)

did not say a word against the Irish. Neither she, nor her Ministers, nor any Member of the British Parliament said one word against the Irish residents in London or Britain.

Even more significant is the fact that -

(a) the Members of British Police Force and the personnel Army, many of whom were frequent victims of the I.R.A., never took it out of the thousands of Irish living in London and elsewhere in Britain, either by attacks on their person, or property or even by harassing them.

(b) The English people never at any time acted with either violence or hostility against the Irish living among them.

(c) The thousands of Irish men, women and children at no time felt any sense of insecurity as a result of any reactions following from the frequent acts of horrible violence perpetrated by the Irish Republican Army.

A glance at the situation in present Sri Lanka will show what a sorry contrast we have here.

A pirate radio station listened to in both Sri Lanka and India's southern Tamil Nadu state, has fallen silent after announcing it was voluntarily suspending its militant Tamil propaganda pending the outcome of the all-party round table conference called by Sri Lankan President Junius Jayewardene to try to solve the country's simmering ethnic problem.

The silence of the radio station, believed to be operat-

Compen...

(Continued from page 11) the problem is one of integration, and has to be resolved by providing and guaranteeing a proper environment of stability, security and the peaceful and uninterrupted pursuit of the vocations of the members of the Tamil community. Achievement of this can be possible only by re-thinking and political policies and actions for the Indian Tamil community."

In spite of the talk about compensation by Government spokesmen, the Government has not yet been able to take any meaningful steps either to implement the recommendations of ex-Chief Justice Mr. Sansoni in his Report for the victims of ethnic violence of August-September, 1977. What the Government proposes to do about the countless victims of the later explosions of ethnic violence of 1981 August, and 1983 July-August is anybody's guess.

The Evelyn

(Continued from page 2)

fessor K. M. de Silva of the University of Peradeniya, and Mr. Roland Rilva, Commissioner Archeology.

Of Evelyn Rutnam (nee Wijayarathne), whose name the Institute bears, some remember her interest in human rights affairs. She was a member and on the Committee of the United Nations Organisation Association of Sri Lanka.

Probably the best tribute paid to Evelyn Rutnam was by Mr. S. P. Amarasingam on 19th September, 1964 in the *Tribune*:

"Evelyn Rutnam who moved unobtrusively, in every circle, never losing the common touch, presided at a home in Cinnamon Gardens, Colombo, which was known to her friends as Freedom Hall where the white and the black, the brown and the yellow, the gay and the reserve, the loyalist and the rebel, all met on a footing of equality and broke bread together."

Printed at Kalanilaya Atchaham 303, K. K. S. Road, Jaffna for the publishers - Ceylon Institute of National and Tamil Affairs, 78/1, Ward Place, Colombo 7 on January 6th 1984.

A Helpful Move In the Air

ing from a ship some 20 kms off the Indian coast, is almost symbolic of the way that most of the parties involved—both in Sri Lanka and India—are holding their breath, hoping against hope for a solution to the potentially explosive problem of Sri Lanka's minority Tamil population.

Although differing sharply in their evaluation of J. R. Jayewardene's intentions, political sources in Tamil Nadu profess a unanimous belief that grave repercussions will follow in both India's and Sri Lanka's domestic politics if the Colombo conference, due sometime this month, fails to find a solution.

The wait-and-see attitude only partly conceals apprehension about yet another outburst of anti-Tamil riots in Sri Lanka in the coming weeks. This fear stems from a locally perceived possibility

This article by Salamat All reproduced in parts from the *Far Eastern Economic Review* of December 22, 1983, show show even a Tamil pirate radio has made a helpful move in the air not to obstruct the peace process of looking for a negotiated settlement which, it is hoped, will be the outcome of the All-Party roundtable conference called by President J. R. Jayewardene to solve "Sri Lanka's simmering ethnic problem".

of the extremists among the majority Sinhala community in Sri Lanka reacting adversely to the demand for a secure and unified home territory for Tamils comprising the island's northern and eastern provinces, where the Tamil population predominates.

Asked what repercussions

might follow in Tamil Nadu should there be another flare-up of racist violence in Sri Lanka, the speaker of the state legislative assembly, K. Rajaram told the *REVIEW*: "In such a situation, if New Delhi were to fail to react to the satisfaction of the people of Tamil Nadu, it will signal the beginning of India's Balkanisation".

This intertwining of Indian

and Sri Lankan politics accounts both for Sri Lankan fears of Indian intervention and India's efforts to cool matters in Sri Lanka.

With Jayewardene refusing to talk directly to the leaders of the nation's secessionist Tamil United Liberation Front (TULF), Parthasarathy shuttled between the two with proposals and counter proposals until he Sri Lanka president agreed to present the proposals for a conference of all Sri Lankan political parties except the banned Janatha Vimukthi Peramuna (People's Liberation Front) and New Socialist Party to work towards a national consensus....

1983...

(Continued from page 2)

cence had continued for centuries without number. It was there when Elara, called a just King, ruled from Anuradhapura for over 40 years. It was still there when Dutugemunu, having conquered him, built a monument to him and ordained respectful worship at Elara's tomb for all his subjects. It was there even six centuries or more after that when the writer of the *Mahavamsa*, indicated in that precious ancient record that the custom was still being observed during his time.

According to Minister, Dr. Anandatissa de Alwis, when he was interviewed by Roger Pereira of India, as reported in a Ministry of State publication, the custom ordained by Dutugemunu was very much still there when a Sinhala Prince, running from the wrath of the King of Kandy, finding himself in an area in which Elara's tomb was somewhere,

got down and walked out of respect for Elara's tomb at the risk of being caught by the King's men. In fact, the ethnic innocence could be said to have been still there when the Sinhalese had as their last King (of Kandy) a Tamil, Sri Wickrema Rajasinghe.

As the 19th Century advanced soon after the British conquest of the whole Island, social and economic changes, which were necessarily gradual and steady, soon undermined ethnic innocence and paved the way for the ethnic conflict of the future. One symptom of this was the Kotahena Riots of 1883 between the Buddhists and the Catholics. Nevertheless, the erosion of ethnic innocence was gradual.

Even in the 20th Century, when revolutionary economic and social changes were rapidly transforming the picture, ethnic innocence could still be said to be there during the first half of the 20th Century

though ethnic conflict had already begun to surface. I was still possible to the Sinhalese join the Tamils in electing as their leader in the Legislature, Sir Ponnambalam Ramanathan whom they still honour. But the rumblings, that the day of ethnic innocence was about to end, could be felt in the very events that made the Sinhalese support Sir Ponnambalam Ramanathan. This was the first instance of race riots in Ceylon. The ugly events of 1915 are remembered less for ethnic nature of the violence, than for the brutality with which the British rulers dealt with the Sinhalese because they feared that there was a conspiracy to overthrow the British Government while the First World War was on.

Nevertheless, though the frontiers of historical eras cannot be exactly defined, it may be said that the long era of ethnic innocence had begun to gradually fade throughout the early 20th Century especially since 1931. It finally ended shortly after Independence with the first U. N. P. administration when Mr. D. S. Senanayake fell from his horse and met his death on the 22nd March, 1952.

With the election of Mr. S. W. R. D. Bandaranaike of the newly formed Sri Lanka Freedom Party, as leader of the victorious coalition and Prime Minister, winning on the Sinhala Buddhist cry, the era of ethnic conflict had actively begun. Let us hope that the climax had been reached by 1983.

If we cannot have ethnic innocence any more, let us, at least, have ethnic peace on the basis of peaceful co-existence as has been successfully worked out in other parts of the world.