

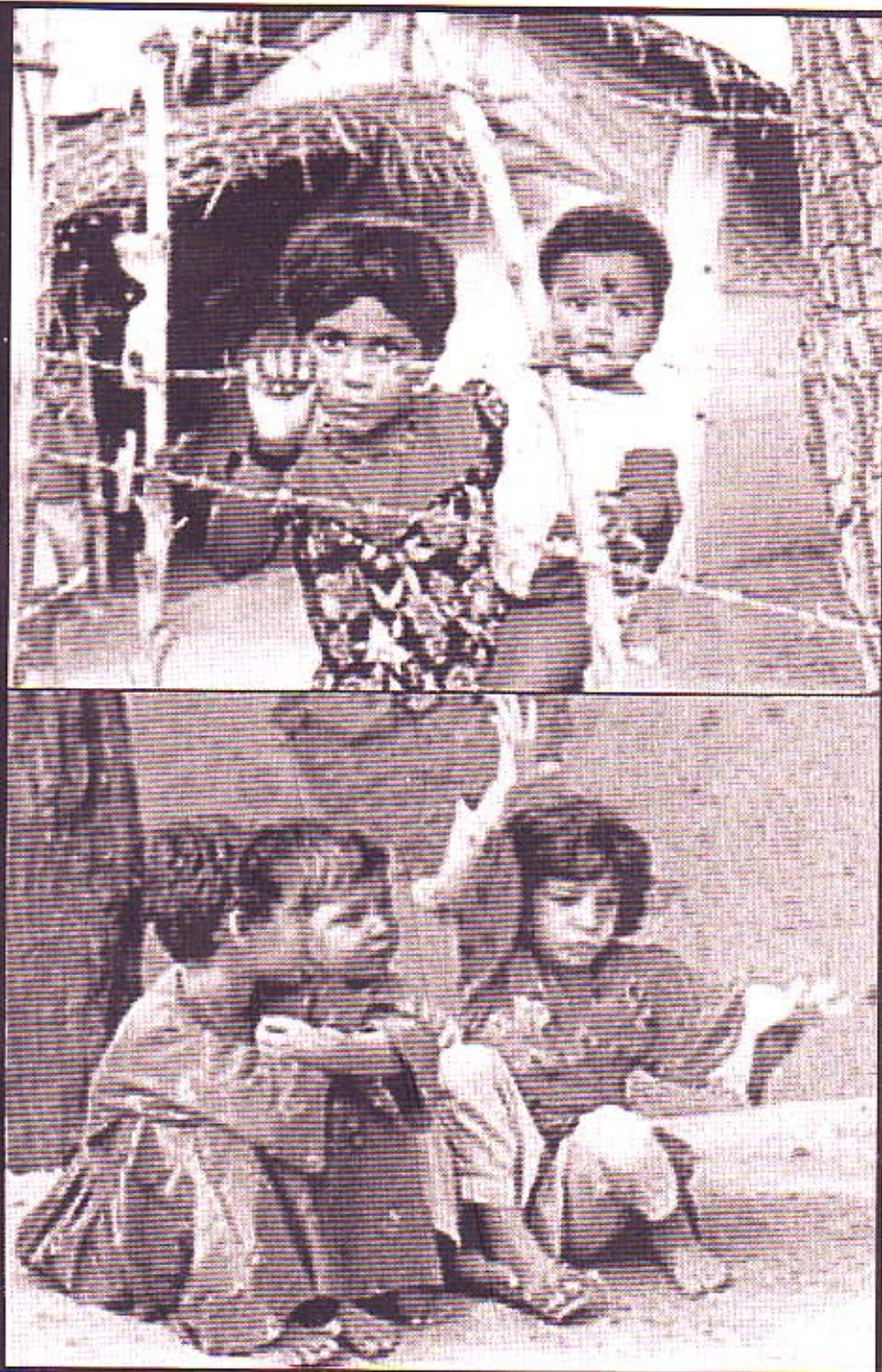
Tamil **TIMES**



VOL XX No. 10 ISSN 0266-4488 15 OCTOBER 2001 90p

Children - Victims of War

Top: In north east Sri Lanka; Below: In Afghanistan under Taliban





TAPROBANE TRAVEL

Sri Lanka Tours

**TOP AGENT FOR SRI LANKAN AIRLINES
OVER 10 CONSECUTIVE YEARS SINCE 1991**

TAPROBANE TRAVEL OFFERS OUR CLIENTS
TWO XMAS FLIGHTS TO COLOMBO
DEPARTURES FROM LONDON - 15th & 22nd DECEMBER
DEPARTURES FROM COLOMBO - 5th & 8th JANUARY
CONTACT US FOR DETAILS

20th OCT to 9th DEC & 25th DEC to 23rd MARCH(2002)

LONDON-COLOMBO-LONDON from £440 + tax

COLOMBO - LONDON - COLOMBO from £ 648 inc. tax (Valid for 3 months)

CONTACT THE AGENT WITH 24 YEARS OF EXCELLENCE IN SERVICE

For accurate information, reservations and fares
Contact Our Travel Consultants: Kamini, Upali or Chris

020 7437 6272, 020 7437 6273, 020 7734 9078

WEBSITE: [HTTP://WWW.SRILANKATOURS.CO.UK](http://www.srilankatours.co.uk)

London Office - 4, Kingly Street, London W1B 5PE
Colombo Office - 252 Galle Road, Colombo 4. Tel: 587767
AN EMERGENCY PHONE SERVICE ONLY FOR IMMEDIATE TRAVEL - 07860 439 483







SPECIAL RATES AT THE 5 STAR LANKA OBEROI

£28 PER PERSON PER NIGHT B&B TWIN SHARING

PHONE SRI LANKA HOLIDAYS 020 7439 0944



FAST CASH

**COLLECT CASH
WITHIN
5 MINUTES**

*Transfer
your money
back home
to Sri Lanka
the fastest,
safest, most
trusted way*

**REASONABLE
TRANSFER FEES
FROM ONLY
£6.00**

**NO
BANK ACCOUNT
NEEDED**

**CUSTOMERS
OF ALL OTHER
BANKS WELCOME**



COLLECT YOUR CASH FROM OVER 90
SEYLAN BANK
BRANCHES, ISLAND WIDE

**CURRENCY
EXCHANGE
CORPORATION LTD**



*FOR MORE INFORMATION CALL
THE CURRENCY EXCHANGE CORPORATION LTD
13-14 HANOVER STREET, LONDON W1
CLOSEST TUBE OXFORD CIRCUS
AUTHORISED REMITTER - UNITED KINGDOM

020-7355 3800

**SEYLAN
BANK LIMITED**
THE BANK WITH A HEART

Motor & Home Insurance

All Classes of Insurance Transacted
At Very Competitive Rates
Young Drivers Specialists
Special Rates for
Ladies/Mature Drivers
Building ● Fire Liability ●
Shop/Office ● Health Insurance ●
Instalment Terms Available
Computerised Quotes

J. Kulendran

Beddington Insurance Services
(Wimbledon) Limited
157 Hartfield Road, Wimbledon,
London SW19 3TJ.

Tel: 020 8543 5181 Fax: 020 8543 0728

**We Excel in The Personal Service
We Provide**

*"I do not agree with a word
of what you say, but I'll
defend to the death your
right to say it."*

-Voltaire

Tamil TIMES

ISSN 0266 - 44 88
Vol. XX No. 10
15 OCTOBER 2001

Published by:
TAMIL TIMES LTD
PO Box 121, Sutton,
Surrey SM1 3TD
United Kingdom
Phone: 020 - 8644 0972
Fax: 020 - 8241 4557
Email: prajan@gn.apc.org
editor@tamiltimes.org
admin@tamiltimes.org

ANNUAL SUBSCRIPTION

UK/India/Sri Lanka.....	£15/US\$25
Australia.....	Aus\$45
	(Australian Bank cheques only)
USA.....	US\$35
Canada.....	Can\$40
All other countries.....	£20.US\$35

Views expressed by contributors are not necessarily those of the editor or publishers. The publishers assume no responsibility for return of unsolicited manuscripts, photographs or artwork.

CONTENTS

Whither the Election?	03
News Track	04
Child Soldiers	09
A Decisive Election	10
UN on Terrorism	11
Defections and Elections	14
Partition as an Option	17
Death of a 'Tiger'	19
Exit Jayalalitha	21
Return of Khaleda Zia	24
Pakistan at Crossroads	25
Marga Monographs	27
Classified	29

Whither the Election?

The Parliament elected last year for five years had barely finished its first year when it was dissolved on 11 October with general elections scheduled to take place on 5 December. Confronted by mass defections to the opposition from the ruling Peoples Alliance and facing the inevitable prospect of certain defeat of her government in parliament on the UNP-sponsored no-confidence motion, the hands of President Chandrika Kumaratunga were forced to adopt the only course of action open to her. Even the temporary reprieve that was expected from the offer of conditional support from the Janatha Vimukthi Peramuna (JVP) could not save her government. The timing of the election was therefore not of her choosing.

The Peoples Alliance, which she leads, is going into the election fray very much weakened primarily because of the defection of many of its powerful and influential leading members. Besides, her long time electoral allies, the Sri Lanka Muslim Congress (SLMC) led by Rauf Hakheem, other Tamil parties including the Tamil United Liberation Front (TULF), the Ceylon Workers Congress (CWC) led by Arumugam Thondaman who resigned from her cabinet only recently and the Upcountry Peoples United Front are all now ranged against her in an alliance with the main opposition United National Party (UNP) which has been engaged in a sustained, relentless and ruthless campaign to topple her government.

The Lanka Sama Samaja Party (LSSP) and the Communist Party (CP) are expected to continue their support to the PA. Among the parties representing the minorities, only Mrs Ferial Ashroff's faction of the SLMC/NUA and the Eelam Peoples Democratic Party (EPDP) led by Mr Doulas Devananda are with the PA.

The only silver-line in an otherwise darkening electoral clouds for the PA is the return of the prodigal son to the party and family fold – the Speaker of Parliament Anura Bandaranaiake who defected from the SLFP to the UNP in a rift with his elder sister Chandrika when she became President resigned from the UNP and rejoined the SLFP. He is expected to play a leading role in the PA election campaign.

The JVP, which had ten MPs in the dissolved Parliament, has decided to contest on its own without aligning with either with the PA or the UNP combine. Since the last election, the JVP appears to have increased its influence and support particularly among the rural population. Not that on its own the JVP will be able to secure a majority of seats to form a government. But some analysts predict that the JVP will increase its strength in Parliament so as to be able to decide which party or side will form the next government.

Excluding those who have already joined the UNP, the PA defectors, including former Ministers G L Peiris, S B Senanayake and Mahinda Wijesekera, have formed themselves into the Sri Lanka Free Patriotic Alliance (SLFPA). This group has negotiated with the UNP a 24-point Memorandum of Understanding (MoU) that covers a wide range of issues. While this Alliance hopes to register itself as a separate political party, it will not happen before the general election, and therefore will contest under the UNP banner.

The SLMC has also decided to participate in the elections as a partner of the UNP, and many of its candidates will contest with the UNP's 'elephant' symbol.

Another interesting development has been the coming together of most of the Tamil political parties, which have formed themselves into the Tamil National Alliance. The TNA composed of the TULF, All Ceylon Tamil Congress (ACTC), Tamil Eelam Liberation Organisation (TELO) and the Eelam Peoples Revolutionary Peoples Front (EPRLF-Suresh Faction) is expected to field a single list of candidates mainly in the North-East of the island. It is learnt that the LTTE which has made no secret of its determination to bring down the Kumaratunga government brought to bare its considerable pressure upon these Tamil parties to forge the common alliance. Up to recently and during previous elections, the TULF had deliberately kept its distance from other Tamil parties and groups on the ground that they were "armed groups". The fact that the TULF has now decided to join the other parties in a common alliance is quite significant and is demonstrative of the realignment of forces within the Tamil political spectrum. The TNA is said to be prepared to call upon the Tamils living in the south of the island to vote for the candidates of the UNP and its partners provided the UNP withholds from contesting in certain constituencies in the North-East to maximise Tamil representation in Parliament.

The UNP seems confident of regaining power after seven years, and the UNP leader is sounding euphoric about his victory even before the nominations have been filed. However, if one were to go by the experience of the outcome of the last two general elections, there is no guarantee that the country will have a stable government when the new Parliament convenes on 1 January 2002. Whatever happens, in spite of past experiences of electoral violence and malpractices, one hopes that the people will be given the opportunity of a free, fair and non-violent election.

US Support to Curb Terrorism: Sept 24 - The United States Embassy stressed they would continue to assist Sri Lanka in its fight against terrorism. Lewis Amselem, from the US embassy in Colombo said their government had supported and would continue to support the policy of the government of Sri Lanka. Mr. Amselem maintained that while resisting terrorism the US also believed that a political solution must be found to the civil conflict in this country.

"We have long agreed with President Kumaratunga's position that negotiation offers the best hope for long-term peace in Sri Lanka," Mr. Amselem said. "Our long-standing opposition to terrorism around the world is well known and has been underlined by President Bush's recent statement".

"In regard to the conflict in Sri Lanka, I don't need to remind Sri Lankans that the US was the first Western country to declare the LTTE a terrorist organisation." "In support of this policy, the US has conducted numerous training exercises with the Sri Lankan armed forces and will continue to do so," Mr. Amselem said.

"We have also supplied the Sri Lankan armed forces with considerable material support, including, among many other items, the delivery last year of 300 military trucks, which were given to Sri Lanka for the cost of shipping. The recent terrorist attacks in the US have provoked worldwide revulsion against the groups which commit these heinous acts and strengthened the resolve of countries around the world to eliminate this global plague," he said.

LTTE warns civilians Keep off Vessel: Sept 24 - The LTTE has warned residents in the North-East not to travel in the merchant vessel Lanka Muditha which was used to transported only goods from Trincomalee to Jaffna. Trincomalee police Inspector H. W. Siriwardena said the LTTE had issued a leaflet warning civilians not to travel in the vessel as it had been used to transport military personnel. They had been asked to use only vessels carrying the Red Cross flag. He said of late as many as 500 civilians were being transported in the vessel. Following the LTTE warning the Navy boats had intensified escorting the ship.

NEWS TRACK

Constitutional Amendment Passed: Sept 25 - Sri Lanka's Parliament passed the draft bill for the amendment of the constitution by the required two-third majority with the support of opposition parties. The total votes in favor of the bill were 208. The main United National Party, the leftist JVP or People's Liberation Front and the ruling People's Alliance voted for the bill while the lone member of the Sihala Uramaya (heritage) abstained from the voting. Fifteen members from three Tamil parties - Tamil United Liberation Front, All Ceylon Tamil Congress and Tamil Eelam Liberation Organization absented themselves at the time of voting.

Call for Stop on Recruitment of Children: Sept 26 - Human rights activists led by the Bishop of Trincomalee and Batticaloa, Dr. Kingsley Swamipillai met LTTE leaders Karikalan and Vijayan Master 26 September to plead with them to stop recruiting youngsters forcibly and appropriating lands and houses of people who would not led their wards be taken away. The ten member team tried to impress upon the LTTE leadership that the organisation's international image would suffer if it was perceived as an outfit forcibly recruiting people, especially kids.

The meeting took place at Ambilanthurai near Paduvankarai in the LTTE controlled part of Batticaloa district.

There is deep concern in Batticaloa district over the arrival of refugees from the LTTE controlled areas. Sources said that 80% of the people of Vaharai had left unable to bear the demands made from them. It is reported that the LTTE leaders said that the recruits were joining voluntarily and that their parents were letting them go freely. The LTTE had only requested that each family give at least one member for the cause, Karikalan and Vijayan are reported to have said.

The University Teachers for Human Rights (Jaffna) had said in their report dated September 20, that "conscriptio-

of kids of 12 and 14 was going on in Batticaloa and Madu church area in West Vanni.

Some reports said that schools in the LTTE controlled areas of Batticaloa district have not been functioning normally because parents are scared that the LTTE will forcibly take their children away. Sources in Batticaloa said that the LTTE was even holding some parents hostage to secure their children. Many parents had sent their children away to safe havens in the government administered areas of the district.

Over 500 cattle worth Rs.50 lakhs belonging to the Muslims of the district have been seized by the LTTE so far. Abduction of Muslims for ransom is also going on. It was to put an end to this that the Brigadier in charge of the army in Batticaloa requested the area Bishop Rev. Dr. Kingsley Swamipillai to go and talk to the LTTE bosses in the area. The Bishop, who had discussions with LTTE leaders Karikalan and Vijayan Master on Tuesday, was accompanied by the Ramakrishna Mission chief Mr. S. Pathananathan, the Batticaloa Peace Committee President Mr. Anton Martin and the Human Rights Agency Centre representative Mr. S. Kamalanathan.

LTTE Top Leader Killed in Vanni: Sept 26 - A senior leader of the LTTE, Vythiyalingam Sornalingham alias Col. Shankar has been killed near Oddusudan in the Vanni in northern Sri Lanka when his vehicle was hit by a Claymore mine. A close confidante of the LTTE supremo Prabhakaran Col. Shankar has been involved with the Tigers for nearly two decades. The incident occurred in the Tiger-held territory when the rebels were making the 13th anniversary of Thileepan who fasted unto death in 1987 demanding withdrawal of the Indian peace-keeping forces from the country's north-east. Shanker was a pilot engineer and a close relative of LTTE supremo Velupillai Prabhakaran. Also, he was among the three-member team led by Prabhakaran which participated in the peace negotiation with Norway's special peace envoy Eric Solheim on November 1, 2000. Shanker's two brothers were also members of the LTTE and killed in action.

The Tigers condemn the assassina-

tion and went on to point the finger at the Sri Lankan Army (SLA) which denied any responsibility for the killing and alleged that the killing was the result of internal factional fighting within the LTTE.

Mosque Demolished: Sept 24 - A group of unidentified persons in Oddamavadi, 34 kilometres north of Batticaloa in eastern Sri Lanka attacked and demolished a mosque built by a "fundamentalist" Islamic sect. Friction between the followers of the sect and other Muslims in the general area has been brewing since January this year when a small group of adherents erected a temporary mosque in Brianthuraichenai, a small village on the outskirts of Oddamavadi, The sect preaches that women should remain at home and should be fully covered if they have to go out and prohibits them from wearing jewellery. They were in the habit of denouncing other Muslims as Kaffirs (unbelievers) and their mosques as the dwellings of Satan.

Tribute to Lt. Col. Shankar: Sept 27 - Colonel, September 26, being the Remembrance Day of Martyr Thileepan. The final farewell tribute was given to a senior leader Vythiyalingam Sornalingham alias Lt. Shankar at the Martyrdom cemetery in Mulliyavalai in the presence of LTTE leader Mr. Pirapaharan on 27 September. Shankar was killed in a landmine explosion. LTTE had accused the deep penetration team of the Sri Lankan army for the killing. Schools and business centers remained closed in the LTTE controlled areas of the Vanni. The sacred remains of Col. Shankar was carried in procession through the main streets of Vaddagkatchchi, Visuvamadhu, and Puthugudiyiruppu with thousands of school children, businessmen and LTTE soldiers to the cemetery where the LTTE organized a meeting at which the regional political Chief Mugunthan, Chief of Sea Tigers Soosai, Chief of political women LTTE wing Chaampavi and community leaders addressed the large gathering. The sacred remains of Shankar was cremated shortly after 5 p.m. with the full military honors by the LTTE.

No-confidence Motion Submitted: Sept 29 - Sri Lanka's main opposition leader Ranil Wickremesinghe and four MPs belonging to his United National

Party (UNP) handed over a fresh no-confidence motion against the PA government to the Parliamentary secretariat. Even though the UNP and allied parties do not have the required majority to oust the PA regime, the MPs, who submitted the motion were hoping for defections from the government side, especially from among disgruntled former Ministers. An earlier move three months ago to oust the government through a no-confidence motion failed when President Chandrika Kumaratunga prorogued Parliament for two months.

Medical Team Travels Vanni: Sept 29 - Dr. Jayalath Jayawardena of the opposition UNP went on his way with a ten member medical team to LTTE controlled Vanni areas to provide eye treatment to the people living there with eye problems. Dr. Jayawardena visited Vanni in May this year, and stayed for four days. He promised the people there at his last visit that he would return with more medical supplies and doctors. The medical team went to the LTTE controlled Madhu on September 28 with the permission of Ministry of Defense, sources said.

Yemen departs 116 Lankans: Sept 29 - Yemen deported 116 Sri Lankans who had arrived at Aden last month aboard ships whose captains are now on trial for entering the port illegally, the port authority said. Officials have said they have evidence Yemen is being used as a staging post in smuggling illegal migrants from Asia to Europe. Yemen's wealthy Gulf neighbours, including Saudi Arabia, are also favoured destinations for Asian migrant workers. Captain Mohammad Mubarak of the Aden port authority said that the passengers had been flown back to Sri Lanka aboard a chartered Russian airliner. The captains of the Ukrainian and Sri Lankan-flagged vessels that brought them also face charges of endangering passengers' lives by smuggling them in unsafe boats. The captains had not disclosed where they were heading for.

Lankan hideaways found at Dover: Sept 29 - British police arrested a German woman driver on Saturday after 26 would-be illegal immigrants were found in a van that arrived at the southern English port of Dover. Police said customs officials spotted 23 men and three

women believed to be Sri Lankans in a German-registered hire van which arrived on a ferry. "A 27-year-old female German national van driver is in custody at Dover police station on suspicion of facilitating the illegal entry of those persons into the UK," a police statement said.

Abandoned suicide kit: Sept 30 - A LTTE suicide kit containing three and a half kilogrammes of C4 plastic explosives was found abandoned inside the Vihara Maha Devi park in Colombo on 29 September, police said. The lethal contraption complete with four batteries and two detonators was found inside a plastic bag which aroused the suspicion of a park worker who had informed a security officer on duty, police said. The security man who spotted some wires jutting out had called the police who sealed off the area and summoned the bomb disposal squad. The explosive kit was not connected to the batteries but the detonators were in place. It was neutralised by the bomb disposal officers, police said. Police believe that the kit, found at a location opposite the Art Gallery, may have been dumped by a LTTE suicide bomber after an abortive mission. Four people including two women have been arrested by Sri Lankan police following the discovery of the suicide kit.

US may freeze student visas: Sept 30 - The United States may impose a six-month moratorium on inflow of foreign students into the country following the September 11 terrorist attacks. The measure is among the most extreme being considered in view of the growing feeling that terrorist organisations are using the student visa route to infiltrate the country. Other steps being considered include mandatory fingerprinting and a 30-day waiting period for foreign student visa applicants in their home country to enable a background check before the entry is cleared.

India to fight its own terrorism war: Oct 1 - "We have been told that Jammu and Kashmir would be the focus in phase II, phase I being Osama bin Laden and his Al-Qaida network. Can we afford to wait for that, specially when there is no formal statement indicating that the Kashmiri terrorists would also be targeted," said the retired general, an expert with vast experience in Kashmir.

Gen (ret) Karim, who was also member of the national security advisory board of the national security council, said the US approach in the aftermath of the September 11 events was "very selective." "The official US statement speaks of targeting first Osama bin Laden, his network and the Taliban in the first phase and then targeting international networks with global reach." "Does that mean that organisations like the LTTE in Sri Lanka or Laskar-e-Toiba and several other such organisations in Jammu and Kashmir, which are "regional" would not be targeted in the international fight against terrorism, wondered Gen Karim.

Norway signs terrorism Convention:

Oct 2 - Norwegian government signed the United Nations convention against financing of terrorism today. A proposal for necessary changes in the Norwegian law and ratification of the convention against financing of terrorism will be presented to the parliament shortly a press release issued by the Norwegian Ministry of Foreign Affairs said. It said that the Norwegian governments effort to strengthen and further develop the international legal frame work in their fight against international terrorism had become more so urgent after the terrorist attack on the World Trade Center in New York and the Pentagon in Washington. The United Nations Convention against financing of terrorism requires signatories to make the act punishable and calls the parties to prosecute, punish or extradite persons concerned to countries that ask for them.

Tamil gang member gunned down:

Oct 3 - Gang violence has apparently claimed another Tamil victim as a 23-year-old man was shot dead on the steps of his girlfriend's house, according to a Toronto Star news report. Sudarsan Velauthapillai, 23, known to friends as Madu, was shot at 9:30 p.m. in Etobicoke in Toronto. Police and community sources said he was a low-level member of the Silverspring Boys, a Scarborough gang affiliated with AK Kannan. Police and ambulance crews arrived to find the courier sprawled on the steps of his girlfriend's home on Avening Dr., near Albion and Martin Grove Rds. in the traditional territory of the AK Kannans' rival, the VVT gang.

Toronto homicide detectives are trying to determine if the slaying of Suda-

rsan Velauthapillai a Tamil man is linked to other recent killings, and whether it is part of a war between rival gang factions. The victim was dead on arrival at a nearby hospital. The detectives are seeking to identify any links between Velauthapillai's death and the September 16 slaying of Saravanan Yogarajah, 24, outside a Scarborough doughnut shop.

Gang leader suspected of fraud:

Oct 4 - A man cited by an Ontario judge as a notorious Tamil gang leader has been arrested in an alleged sophisticated credit-and debit-card scam that used pin-hole cameras to record PIN numbers at Toronto-area gas stations, according to a news report in the Globe & Mail. Niranjan Fabian, 33, appeared in court on October 3 on charges of conspiracy to commit fraud over \$5,000, possession of instruments used in forging or falsifying credit cards, and trafficking in credit-card information. In 1998, Mr. Fabian was found by Judge J. David Wake of the Ontario Court's Provincial Division to be an active member of an organized-crime group that readily uses violence on the streets of Canada's largest city.

Annan warns of nuclear attacks:

Oct 3 - The possibility of terrorists acquiring nuclear, biological and chemical weapons was the greatest danger facing the world, United Nations Secretary-General Kofi Annan has warned. "It is hard to imagine how the tragedy of September 11 could have been worse," Mr Annan said, "yet the truth is that a single attack involving a nuclear or biological weapon could have killed millions."

More Finds in Jaffna hospital grave:

Oct 3 - Forensic investigators found more human skeletal remains in a pit dug near the mortuary of the Jaffna Teaching Hospital. Medical-legal sources said that the bones appeared to be mostly those of young persons. Bones and teeth that were found in the pit were taken in three boxes for further forensic examination. The Jaffna courts ordered an investigation after construction workers of the Jaffna Municipal Council who were digging at the site came upon human bones and a saree on 18 September. The Jaffna district judge directed the Police on 20 September to investigate the gravesite with the assistance of forensic experts. Accordingly

Dr. P.R. Ruwanpura Judicial Medical Officer (JMO) of the Karapitiya hospital in the Karapitiya Hospital in the Galle district and Assistant JMOs Dr. S. Fernando and Dr. Dayananda Samaraweera investigated the site.

US Navy team survey Colombo Port: Oct 4 - A US navy team has carried out a survey of the Colombo port to study the feasibility of US ships using the port. A spokesman for the Sri Lankan Navy said two from the US navy and two diplomats from the US embassy in Colombo carried out the survey 3 October. It is not clear whether the survey has any connection to the US build up of forces for the expected attack on Afghanistan. The Sri Lankan government has offered all assistance to Washington for the fight against terrorism.

US Designates LTTE again: Oct 5 -

The network headed by Osama bin Laden, the LTTE and several Palestinian groups were cited by the US State Department today as foreign terrorist organisations. They were included in a list of 25 groups issued by the State Department. It updated, with a few changes, the department's 1999 list. "Every one of these groups has continued to engage in terrorist activity over the past two years," department spokesman Richar Boucher said. And most of them have carried out murderous attacks on innocent people, he said in a statement.

These included Hamas, the Palestinian Islamic Jihad, the Tamil Tigers in Sri Lanka, the FARC in Colombia, the Basque ETA separatists in Spain and al-Qaida, Boucher said. Also, he said, two of the groups, Egyptian al-Jihad and the Gama'a al-Islamiyya, have provided direct support for bin Laden's network. Under a 1996 law, US citizens are prohibited from providing listed organisations with assistance. Banks and other American financial institutions must freeze their assets.

Al-Qaeda, which bin Laden operates from his sanctuary in Afghanistan, is on the list, which appeared in the Federal Register. Among the Palestinian groups listed were Hamas and the Popular Front for the Liberation of Palestine. Hezbollah, which wages guerrilla war against Israel from Lebanon and is known also as The Party of God, is also on the list.

Dropped from the list were the Japanese Red Army and Tupac Amaru, a Pe-

ruvian group. Two others were added to the list during the year. Their names do not appear in the Register. One is AUC, formerly known as the United Self-Defense Forces of Colombia, a right-wing paramilitary group. The other is the Real IRA, an offshoot of the Irish Republican Army. It was implicated in the bombing of Omagh in Northern Ireland in 1998.

Constitutional council formation delayed: Oct 5 - The formation of the constitutional council has been delayed after minority Tamil parties failed to agree on its nominees. The disagreement is on a nominee by Tamil parties and a nominee for the Indian Tamils. Meanwhile the Muslim MPs agreed on former supreme court judge Ismail as their nominee to the council. The Constitutional Council set up under the 17th amendment to the constitution is empowered to make appointments to key government positions.

Navy craft hit in sea battle: Oct 5 - A Sri Lanka Navy (SLN) Fast Attack Craft was damaged in heavy fighting with the Sea Tigers in the seas 36 kilometres off the Mullaitivu coast, the Voice of Tigers radio (VoT) said in its night newsbroadcast on 5 October. The SLN, meanwhile, claimed that twenty Tigers might have been killed in the fighting and that two Sea Tiger boats were sunk. The VoT categorically denied the SLN's statement. "The Sea Tigers did not sustain any casualties," the radio said. SLN sources in the east said that a sailor was killed and several wounded in the LTTE attack. The VoT said that a Sea Tiger attack group had intercepted a SLN flotilla around 10 a.m. this morning and engaged it with naval gunfire. The fighting raged in the seas until 1 p.m. according to the radio.

Lankans deported Back home: Oct 6 - A total of 200 Sri Lankan illegal immigrants in Italy were back home on 5 October and they will remain in custody pending inquiry. The illegal immigrants were the first batch to be repatriated under the deportation agreement signed between Italy and Sri Lanka last month. The illegal immigrants will be deported in a phased manner under the agreed terms between the two countries. Sri Lanka has signed similar agreements with Britain, Denmark, Netherlands, Switzerland and Norway for the repa-

triation of illegal immigrants entering these countries.

Dissanayake dismissed: Oct 8 - Mr. S. B. Dissanayake, a former cabinet minister and one time close confidante of the Sri Lanka's President Chandrika Kumaratunge was removed from his powerful post of General Secretary of the Sri Lanka Freedom Party (SLFP), which is the major constituent of the ruling Peoples' Alliance. The executive committee of the SLFP unanimously resolved amid strong speculation that Mr. Dissanayake would cross over to the opposition with several ruling party parliamentarians when the no confidence motion of the United National Party against the government is taken up for debate on 11 October. Mr. Maithiripala Herath, the Mahaweli Development Minister has been appointed the acting general secretary of the SLFP with immediate effect.

Lankan asylum seekers play cricket: Oct 9 - There will be an international cricket match on the Cocos Islands this weekend. While the future of 71 Sri Lankan asylum seekers detained on the Islands two weeks ago remains uncertain, the group is managing some lighter moments. They have formed a team to play a Sri Lanka versus Cocos Islands cricket match tomorrow. The men have been provided with sporting and fishing equipment, and are allowed to swim at a nearby beach. They are being detained in a former quarantine station. However, in a situation vastly different to mainland detention camps, the Sri Lankans are only locked up at night. Cocos Islands Shire chief executive Bob Jervis, says the cricket match could go the Sri Lankans' way, as they have been busy practising.

Heroin worth Rs 10 cr seized: Oct 9 - About 10.63 kgs of heroin, valued at Rs 10.60 crore in the international market, was seized and three persons including a Sri Lankan national were arrested from the Guindy area of the city today. NCB zonal director Shankar Jiwal told newsmen that with the seizure the zonal unit had once again busted a major drug trafficking syndicate having international links in less than a month. The narcotic substance was meant to be surreptitiously exported to Sri Lanka via Chennai and the consignment had been sourced from Mandasur in Madhya

Pradesh, he said.

Parliament dissolved, election on 5 December: Oct 10 - The Sri Lankan President dissolved the Parliament by a special gazette notification. Fresh elections to the legislature have been fixed for 5 December. Nominations for the general elections would called from 20 October to 27 October. The President decided to dissolve the Parliament to preempt an ignominious defeat on a no-confidence motion against her government.

CWC leaves, government: Oct 10 - A senior cabinet minister of Sri Lanka's People's Alliance government, Mr. Arumugam Thondaman resigned from his ministerial post. MPs of the Ceylon Workers' Congress (CWC) also resigned from their positions in the government. The CWC, a major coalition partner of the PA regime has four members in the house including Mr. Thondaman. The other CWC MPs are Mr. Muthu Sivalingam, Mr. Ramaiah Yogarajan and Mr S. Jegatheeswaran.

Tigers overrun airforce camp: Oct 10 - The Liberation Tigers overran the Sri Lanka Air Force camp at Velvery, about 12 km northwest of Trincomalee town off the high way to Anuradhapura, on 9 October. Four SLAF men were killed and 17 are reported missing in the attack, military sources in the eastern port town said. The SLAF and the Sri Lanka army shelled the overrun camp till the early hours of the morning. The Liberation Tigers withdrew from the overrun camp before the crack of dawn. SLAF jets were also called to bomb the area, sources said. The Liberation Tigers entered the camp shortly after midnight and held it until the early hours of the morning when SLAF and SLA reinforcements moved into the area after heavy bombardment.

Pre-election sops: Oct. 13 - Within days of calling general elections in the country, Sri Lankan President Chandrika Kumaratunga has announced a series of populist concessions, including a salary hike and tax cuts even as her Ministers denied that they were sops to woo the electorate. The caretaker Cabinet has approved an interim allowance of Rs 1,200 a month for Government employees and Rs 750 for pensioners apart from new subsidies on gas and

wheat flour, cut back import duty on cement and abolition of tax on diesel while reducing the national security levy by one per cent. "It has nothing to do with elections, as the Cabinet paper seeking approval for the concessions were submitted on October 5 itself, that is five days before the dissolution of Parliament," Urban Development and Deputy Finance Minister Mangala Samaraweera said.

JVP to contesting alone: Oct 15 - The Marxist Janata Vimukti Perumana or People's Liberation Front, which failed in their attempt to prop up the ruling People's Alliance government's majority in parliament, has decided to contest on its own the forthcoming parliamentary elections. The JVP ruled out the possibility of contesting with the PA despite some of the government members' claim that they were looking into the possibility of fielding a joint list with the JVP. JVP's General Secretary Tilwin Silva said that the party had taken a firm decision to contest in all districts, under the JVP symbol - the bell.

Election commissioner calls for EU monitors: Oct 15 - Election commissioner Dayananda Dissanayake has requested the European Commission office in Colombo to send election monitors from the European Union to monitor Sri Lanka's general elections scheduled for December 5.

Tata palm oil plantation attacked: Oct 15 - A subsidiary of the Tata Group in Sri Lanka has sought government intervention after acres of its palm oil plantation were destroyed and a Malaysian expert advising the firm was attacked by angry villagers. Tensions were running high after Watawala Plantations, in which Tata Tea of India has a 49 percent stake, had its palm oil plantation in southern Sri Lanka raided and set alight by villagers, allegedly instigated by provincial politicians in a land grab bid, local news reports said.

Sri Lanka Trade Surplus: Oct 15 - Following a substantial drop in both exports and imports in August this year, Sri Lanka recorded a surplus external trade balance in U.S. dollar terms, according to the country's Central Bank. The bank has reported that export earnings in U.S. dollar terms declined by 20 percent and expenditure on imports de-

clined by 27.5 percent for the eighth consecutive month. The declining trend in imports was due to a surcharge imposed on imports, exchange rate depreciation and slower economic growth.

Anura joins ruling PA: Oct 16. Speaker Anura Bandaranaike today resigned his membership from the main opposition United National Party. In a letter to Opposition Leader, Ranil Wickremasinghe, Bandaranaike said they would always remain friends, citing the fact that they had been school mates at Royal College. Bandaranaike has officially informed the UNP Leader that he will be joining the ruling Peoples Alliance as a member.

SLMC with UNP, NUA with PA: Oct 16 - The Sri Lanka Muslim Congress (SLMC) led by former Kandy district parliamentarian Mr. Rauff Hakeem has decided to contest the forthcoming general election alone in some districts and in alliance with the main opposition United National Party (UNP) in other districts under the symbol 'Elephant'. Ms Ferial Ashraff's National Unity Alliance (NUA) has decided to contest the forthcoming general election under the People's Alliance banner.

In the Trincomalee district, the SLMC is to contest on the United National Party list. In the Ampara district, UNP Muslim politicians have requested their high command not to include SLMC former parliamentarians in UNP list of candidates. The matter is now before the UNP high command to take a decision.

Transfers of senior cops: Oct 16 - The transfer of a number of cops in charge of police stations outside Colombo are being transferred on the orders of the Inspector General of Police, Lucky Kodituwakku. The transfers are being enacted weeks before elections on December 5, this year. Already, top cops in charge of the Nuwara Eliya, Hatton, and Hanguuranketha, (former minister S. B. Dissanayake's stronghold) have received transfer orders. The opposition parties have criticised the action alleging that the government was preparing the ground for vote-rigging. "A conspicuous feature of the current political scene is the largescale transfer of police officials, indicating a deliberate attempt to rig the election on a massive scale," said, Prof G L Peiris, a former

Minister under President Chandrika Kumaratunga who defected to the Opposition camp recently.

Elections raise tour doubts: Oct 17 - Parliamentary elections in Sri Lanka have created a major problem for the West Indies' cricket tour. Sri Lankan police have confirmed that they will not be able to provide security for the tourists during the week the elections are held. The country goes to the polls on 5 December and police believe that full security will not be available from the 3rd of that month.

Nimalarajan Commemorative Lecture in London: Oct 17 - Nimalarajan Foundation in London is to commemorate the first death anniversary of murdered journalist Mylvaganam Nimalarajan. BBC Breakfast TV presenter and journalist Jeremy Bowen, Broadcaster and Political Commentator Mark Thomas, UK representative of RSF Veronica Forwood and Editor of the "The Journalist" Magazine Tim Gopsill are to address the gathering. The meeting will be chaired by Priyath Liyanage, Editor of "Sandeshaya", BBC's Sinhala Section. Nimalarajan, the only source out to the world from war torn Jaffna peninsula, was killed on 19th October, last year.

Up-country parties in alliance: Oct 17 - The Ceylon Workers Congress, led by Arumugam Thondaman and the Up-country Peoples Front (UPF) will contest upcoming elections on December 5 together. Leader of the UPF, P. Chandrasekaran, said that both parties will retain independent identities but contest together. He asserts that they are trying to convince other up-country political parties and groups to also join the partnership. Meanwhile, the Sri Lanka Muslim Congress will contest under the Elephant symbol in some districts, in an alliance with the United National Party, and alone in others.

Tamil parties form alliance: Oct 17 - The main opposition Tamil parties in Sri Lanka have agreed to form a Tamil nationalist alliance to contest the general elections on 5 December 2001. The agreement was reached late on 17 October following protracted negotiations over the week. The Tamil United Liberation Front (TULF), the Tamil Eelam Liberation Organisation (TELO) and the All Ceylon Tamil Congress (ACTC)

decided to cement the alliance by signing a memorandum of understanding. Nominations for the 2001 elections begin on Friday, 20 October. Negotiations to forge a united Tamil front which began last week were stymied by ACTC's insistence that it would go it alone in Jaffna. The alliance was largely due the efforts of pressure groups in Colombo, Batticaloa and Trincomalee. Under the agreement reached today the TULF, TELO, ACTC and the EPRLF (Suresh faction) will contest in all the north and eastern parts of the island under the rising sun symbol. The Trincomalee branch of the Tamil United Liberation Front (TULF) unanimously decided to nominate Mr. R. Sampanthan, Secretary General of the party as the lead candidate of Tamil parties' alliance for the Trincomalee district at the forthcoming general election.

"Without involving the Liberation Tigers of Tamil Eelam in peace negotiations through third party mediation, no satisfactory and lasting political solution could not be found to the Tamil national question", said Mr. Sampanthan addressing the branch committee meeting held to discuss the strategy to be adopted at the forthcoming general election.

Sri Lanka offers free holidays, air tickets: Oct 18 - Sri Lanka is to offer free hotel stay and airline tickets in a bid to attract foreign holidaymakers to fill up empty hotel rooms and protect thousands of jobs, officials said. The official tourism promotion agency, the Ceylon Tourist Board, has arranged with 65 hotels and 47 travel agents to launch the offer between November 1 and December 20. Sri Lanka's national carrier, SriLankan airlines, will offer a free ticket with every ticket purchased for travel to Sri Lanka until the end of next month for travel from London, Paris or Zurich.

Defectors sign accord with Opposition: Oct 17 - Sri Lanka's recent defectors from the ranks of President Chandrika Kumaratunga's People's Alliance (PA) government entered into a 24 point Memorandum of Understanding (MoU) with the main opposition United National Party (UNP). Former Minister Mahinda Wijesekera said they had decided to call themselves the Sri Lanka Free Patriotic Alliance (SLFP-A) and hoped to register themselves as a political party at a later date. He said the MoU covered a wide range of issues including the North-East problem and the economy. Wijesekera claimed that there was a huge difference between the MoU signed by them and that signed between the PA and the leftist JVP or People's Liberation Front.

"Recruitment of Child Soldiers must Stop"

Amnesty International on 11 October appealed to the leadership of the Liberation Tigers of Tamil Eelam (LTTE) to put an immediate halt to the ongoing recruitment drive of children as combatants and to return all child soldiers to their families or communities.

"Whether the recruitment is forced or not, children have no role to play in war. The LTTE must live up to its own pledge not to use child soldiers, cease recruitment immediately and return the children to their families," Amnesty International said.

According to international standards and the LTTE's own policy commitments, no children should be recruited, regardless of whether they joined voluntarily or were coerced or forced to do so. The organization has received disturbing reports of an intensive recruitment drive in areas controlled by the LTTE in the north and east of Sri Lanka. In Batticaloa district, hundreds of people have been recruited over the last month or so in the divisions of Vakara, Vav-unativu, Pattipalai, Porativu, Eravurpattu and Koralaipattu. There have also been reports of intensified recruitment in the Vanni, the area to the south of the Jaffna peninsula largely controlled by the LTTE. Several reports also indicate that many families in the Batticaloa area were coerced with threats into letting their children be recruited. Other families who refused were forced to leave their homes and have now taken shelter with relatives in Batticaloa town.

The total number of children recruited is difficult to establish but it is estimated to be several hundred. The LTTE's recruitment policy is that one person from each family has to do "military service". The age limits reportedly currently applied in Batticaloa district are from 15 to 45. However, Amnesty International has received reports that children as young as 14 have been among those recruited.

In an interview with Uthayan newspaper on 4 September, Karikalalan, a senior LTTE leader was quoted as having said: "We were deeply moved recently to witness parents bringing their children to enrol to fight. Mothers of Arasaditivu and Kokkadicholai have written a new chapter in the history of the Tamil struggle by their bravery." Karikalalan has also been quoted to have said that reports of forced conscription "were malicious rumours spread by the military and government media".

Background

In May 1998, the leadership of the LTTE told the United Nations (UN) Secretary-General's Special Representative for Children and Armed Conflict that it would not use children under the age of 18 in combat, and would not recruit anyone under the age of 17. However, since then, Amnesty International has received reports that children much younger than 17 years of age have been recruited as combatants.

LTTE representatives have admitted that some of their members are very young, but argue that they have not been forced to join. They have also promised to investigate any complaints regarding the recruitment of children under the age of 17, and that if such children are found to have been recruited, they will be released.

Amnesty International opposes the use of children under 18 as soldiers by government and armed opposition groups, whether they have been conscripted by force or joined on a voluntary basis. It also opposes any form of recruitment, training or deployment of children under the age of 18, including for support roles such as messengers or porters.

The LTTE are not the only armed political group recruiting children in Sri Lanka. Amnesty International has also received reliable reports of the recruitment of children by armed Tamil groups cooperating with the security forces such as the People's Liberation Organization of Tamil Eelam (PLOTE). PLOTE members were known to have recruited children as young as 12 in the Vavuniya area in early 2001. Amnesty International raised concern with President Chandrika Bandaranaike Kumaratunga at the time. An inquiry by the Criminal Investigation Department later found three children being trained at a PLOTE camp. They were returned to their parents. Others known to have been recruited by PLOTE however remained unaccounted for. Amnesty International aims to promote the adoption and adherence to national, regional and international legal standards (including the Optional Protocol to the Convention on the Rights of the Child), which prohibit the military recruitment and deployment in hostilities of any person younger than 18 years of age. It also aims to promote the recognition and enforcement of this standard by all armed forces and groups, both governmental and non-governmental.

A Decisive Election

Jehan Perera

The passage of the 17th Amendment to the constitution would count as one of the more important political accomplishments in the past decade. All the main political parties grappled with the issues of good governance and came up with a solution that was in the national interest. At times it seemed that the parties would not be able to agree, either on matters of principle or for partisan advantage. But finally they did agree, and showed the country that there is still hope of bipartisan problem-solving. Both the government and opposition made significant compromises along the way to their agreement. Only some of the Tamil parties representing the north-east did not vote in favour of the new law, abstaining instead. But this in the nature of a symbolic protest against the neglect of the peace process, which to the people of the north-east is of paramount importance.

There is no hiding the euphoria with which sections of society, both in Sri Lanka and among its expatriate community, have greeted the downfall of the PA government. Usually the fall of a government, and the political instability it gives rise to, would impact adversely upon the economy. But the reverse seems to be the case in Sri Lanka at the present time. The long sinking stockmarket has staged a sudden recovery with frantic buying of severely underpriced shares. It is doubtful whether this rise can be sustained in the context of global crisis and Sri Lanka's own devastated economy. But the anticipation of a decisive change of government will probably keep on fuelling the rise of the stockmarket until the day of reckoning on December 5 when the general election takes place.

A large part of the jubilation at the fall of the government is its failure to satisfactorily engage in problem-solving over the course of the past seven years. The ethnic conflict is continuing, and the costs of war have increased beyond all measure, especially after the LTTE's attack on the international airport. There is a protracted power generation crisis that has led to unprecedented 8-hour daily power cuts which

highlights the gross economic mismanagement the country has been subjected to. But whether these failures will lead to a major shift in the pattern of voting of the general population is not clear.

Unlike in societies where economic self-interest and political problem-solving capacity may take first place in voter choice, in South Asian societies other factors are likely to come into play. The recent election in Bangladesh illustrates this point. By any economic criteria, the Bangladesh economy performed well under the former government of Sheikh Hasina. Bangladesh reached self-sufficiency in foodgrain production and even began to export its surplus stocks. The former government also engaged in problem-solving, resolving a two decade long ethnic insurgency in the Chittagong Hill Tracts, and resolving a similarly protracted dispute over water sharing with neighbouring India.

However, at the general elections held earlier this month, the government of Sheikh Hasina was routed by the opposition led by Begum Khaleda Zia. The results of the Bangladesh suggest that success in political problem-solving and in boosting the economy are not the main criteria that determine voting patterns. This observation has implications for Sri Lanka as well. On both criteria outlined above, it cannot be denied that the PA government has performed poorly. But there are also other criteria that can determine the way in which people vote. If the Bangladesh election is examined more closely, some of the other criteria that can determine the outcome of elections may be discerned. The first is the issue of corruption and breakdown of law and order. Under the former government of Sheikh Hasina, corruption reached extreme levels. Politically connected thugs engaged in open extortion. Those thugs were persons who were deemed to be invaluable for staying in power at all costs. An example was Jainal Hazari, known as a criminal godfather, for whom Sheikh Hasina openly campaigned at the elections.

Like the PA in 1994 that came into power on a platform promising clean government, so did Sheikh Hasina come into power. But she ended up

embracing those who were corrupt and violent to stay on in power. The corruption and vote rigging in Sri Lanka over the past 7 years of PA rule would put President Kumaratunga in a similar situation. It is however significant that some of those whom the UNP accused of engaging in corruption and vote rigging as members of the PA government have now crossed over and joined it. While many in the UNP and its supporters appear overjoyed at having got the "efficient vote-getters" on their side, the masses of ordinary people may think differently. Such a public response would be more marked if highly respected UNP leaders such as Karu Jayasuriya are seen to be sidelined. A second reason for the defeat of the former Bangladesh government could be different campaigning styles of the two rival leaders. Former Prime Minister Sheikh Hasina campaigned in a negative manner using abusive language against her opponent Khaleda Zia. By way of contrast, as pointed out by Ashraf Ud Doula, the Bangladesh High Commissioner in Sri Lanka, Begum Khaleda Zia did not retaliate at the same level but instead projected a warm and caring image to the voters. Both of Sri Lanka's rival leaders could take a lesson from the new Prime Minister of Bangladesh.

Reasons of political self-interest would certainly suggest a Khaleda Zia style of approach to electioneering. It would win more votes. But there is another reason why it is advisable. In Bangladesh the opposition won a 2/3 majority of parliamentary seats because of the first-past-the-post system. The alliance of parties led by Khaleda Zia won 214 seats in the 300 member Parliament. The defeated former Prime Minister Sheikh Hasina's party won only 62 parliamentary seats. This would seem to be a landslide.

But when the actual voting figures in Bangladesh are looked at, it will be seen that the result was a close 46 to 40 percent of votes obtained nationally.

This shows that there was no landslide at all. In Sri Lanka, the margin of victory of either the government or opposition is unlikely to be different in terms of the popular vote. Probably it will be less. The allocation of parliamentary seats on a proportional basis (as against the first-past-the-post system) would ensure that there is no landslide victory like in Bangladesh.

Political commentators in Bangladesh, such as Prof. Rehman Sobhan, have pointed to fact that the landslide

(continued on next page)

UN Resolution Suppression of Terrorism

Reaffirming its unequivocal condemnation of the terrorist acts that took place in New York, Washington, D.C., and Pennsylvania on 11 September, the Security Council unanimously adopted a wide-ranging, comprehensive resolution with steps and strategies to combat international terrorism.

By resolution 1373 (2001) the Council also established a Committee of the Council to monitor the resolution's implementation and called on all States to report on actions they had taken to that end no later than 90 days from today.

Under terms of the text, the Council decided that all States should prevent and suppress the financing of terrorism, as well as criminalize the wilful provision or collection of funds for such acts. The funds, financial assets and economic resources of those who commit or attempt to commit terrorist acts or participate in or

facilitate the commission of terrorist acts and of persons and entities acting on behalf of terrorists should also be frozen without delay.

The Council also decided that States should prohibit their nationals or persons or entities in their territories from making funds, financial assets, economic resources, financial or other related services available to persons who commit or attempt to commit, facilitate or participate in the commission of terrorist acts. States should also refrain from providing any form of support to entities or persons involved in terrorist acts; take the necessary steps to prevent the commission of terrorist acts; deny safe haven to those who finance, plan, support, commit terrorist acts and provide safe havens as well.

Prevent

By other terms, the Council decided that all States should prevent those who finance, plan, facilitate or

commit terrorist acts from using their respective territories for those purposes against other countries and their citizens. States should also ensure that anyone who has participated in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice. They should also ensure that terrorist acts are established as serious criminal offences in domestic laws and regulations and that the seriousness of such acts is duly reflected in sentences served.

By further terms, the Council decided that States should afford one another the greatest measure of assistance for criminal investigations or criminal proceedings relating to the financing or support of terrorist acts. States should also prevent the movement of terrorists or their groups by effective border controls as well.

Also by the text, the Council called on all States to intensify and accelerate the exchange of information regarding terrorist actions or movements; forged or falsified documents; traffic in arms and sensitive material; use of communications and technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction.

By the text, before granting refugee status, all States should take appropriate measures to ensure that the asylum seekers had not planned, facilitated or participated in terrorist acts. Further, States should ensure that refugee status was not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation were not recognized as grounds for refusing requests for the extradition of alleged terrorists.

The Council noted with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money laundering and illegal movement of nuclear, chemical, biological and other deadly materials. In that regard, it emphasized the need to enhance the coordination of national, subregional, regional and international efforts to strengthen a global response to that threat to international security.

(Continued from page 10)

margin of victory in terms of parliamentary seats does not represent the real balance of forces in the country. They have called for the new government to do everything possible to bring the opposition into the system of governance, rather than exclude them. Begum Khaleda Zia's style of campaigning at the elections does not put insuperable obstacles in the path of such a collaboration. At the present, however, it appears that Sheikh Hasina is set on adopting a confrontational course, refusing to permit her party to take their seats in Parliament, and refusing to answer phone calls from the new Prime Minister Khaleda Zia.

In Sri Lanka, the proportional system of voting would ensure a much closer result in terms of seats in Parliament. There is unlikely to be a clear cut victory or defeat for either side. Further, even if the UNP-led alliance succeeds in obtaining a majority in Parliament, it will face the charismatic twice

elected President armed with the extraordinary powers of the Executive Presidency. Any clash between the President and Parliament at that time will be to the detriment of the country. A protracted conflict between those two great branches of government would undermine the peace process and block the constitutional reform process without which there cannot be long term peace. The two rival political formations under the leaderships of President Chandrika Kumaratunga and UNP leader Ranil Wickremesinghe therefore will need to find the ways and means to work together after the elections if they hope to take the country on the path of peace and prosperity. For a start they need to ensure that the emotion and passion of electioneering does not lead to an irrevocable severing of relationships. There should be an agreement between them that the elections will be free and fair and that the use of violence and underhand tactics by their members and supporters will neither be tolerated nor condoned.

Full text of resolution

"The Security Council -

"Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

"Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C., and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

"Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

"Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

"Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

"Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

"Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

"Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

"Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

"Acting under Chapter VII of the Charter of the United Nations,

"1. Decides that all States shall:

"(a) Prevent and suppress the financing of terrorist acts;

Funds

"(b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;

"© Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;

"(d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

"2. Decides also that all States shall:

"(a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

"(b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;

"© Deny safe haven to those who finance, plan, support, or commit ter-

rorist acts, or provide safe havens;

"(d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

"(e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

"(f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

"(g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

"3. Calls upon all States to:
Movements

"(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

"(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

"© Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such



CARLTON LEISURE **CL**

**APPOINTED AGENT
OF SRI LANKAN AIRLINES**

From now till - 9th Dec. COLOMBO from £440 +tax

COLOMBO - LONDON - COLOMBO from £535+tax



"Fly with us once, Fly with us always"

For Fares & Reservations

Call Harry Vabeeran, Chandima or Vasuki



**We accept
all
major
credit cards**

Tel: 020 - 7636 7636

Fax: 020 - 7636 7236

e-mail: info@carltonleisure.com

Website: <http://www.carltonleisure.com>

FREE PHONE

0800 043 1943

68 GT. PORTLAND ST.

OXFORD CIRCUS

LONDON W1N 5AL

WE ARE FULLY BONDED FOR YOUR FINANCIAL PROTECTION

acts;

"(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

"(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

"(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts;

"(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motiva-

tion are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

"4. Notes with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance co-ordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

"5. Declares that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

"6. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

"7. Directs the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

"8. Expresses its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

"9. Decides to remain seized of this matter."

Defections and Elections

Colombo Correspondent

October 12 - All are hurriedly gearing themselves up for the December 5 parliamentary election, the second in two years. Political alignments are changing: Speaker Anura Bandaranaike and Deputy Speaker Major General Sarath Munasinghe have switched parties, Bandaranaike quitting the main opposition United National Party (UNP) to join his sister's People's Alliance (PA) and Munasinghe leaving the PA to join the PA rebel group that had aligned itself with the UNP.

Bandaranaike, estranged younger brother of President Chandrika Kumaratunga, had moved in to salvage his sister's sinking party prompting political analysts to quip about blood being thicker. Munasinghe, an up-coming political star from the North Western Province, joined the rebel band of PA defectors to chorus: "Nobody can survive her leadership any longer" referring to the President. He added that she had failed to solve Sri Lanka's major troubles: restoring peace and developing the economy.

The second week in October saw mass cross-over of PA legislators to the opposition which forced President Chandrika Kumaratunga to dissolve parliament on October 10 and call for a snap election. An upbeat opposition claimed that more government politicians were "queuing-up" to join the UNP-led opposition coalition. Two had in fact joined the opposition: former ministers Lakshman Kiriella and Nandamitta Seneviratne. Former trade minister Ronnie de Mel, a seasoned pole-vaulter, was rumoured to be waiting in the wings.

Rukman Senanayake, a grandson of Sri Lanka's first prime minister and a founder of the UNP, was reported to be ready to defect to the PA thus bringing Bandaranaike and Senanayake, the two most influential families in Sri Lankan political families, into one political camp, but the rumour turned out to be a false alarm.

The spate of defections from the governing PA started on October 9

when Bandula Gunawardena, a member of the Mahajana Eksath Peramuna (MEP), announced his decision to cross over to the opposition. Explaining the reasons for the crossover Gunawardena told Parliament the next morning that the PA was dancing to the dictates of the Marxist Janatha Vimukthi Peramuna (JVP). He said the government had failed to deliver its promises.

He was mobbed by government legislators, jeered at and pushed towards opposition benches. He was insulted in unparliamentary language and one of them, Mervyn Silva, attempted to assault him while another, Chandana Kathreearachi, threw a thick book at him. Many Opposition lawmakers rushed to the well of the House to protect and conduct him to the Opposition benches amidst cheers. Gunawardena sought the protection of Parliament saying that his life was in danger. "We know what thugs could do but according to my conscience I could not remain idling in this government."

"When I expressed my personal opinion on the LTTE attack on the Bandaranaike International Airport, they tried to put pressure on me," Gunawardena charged. "My personal opinion is that the whole responsibility of the attack should have been taken by the Defence Secretary Chandananda de Silva. He should have resigned and he should have taken the full responsibility, Sir, what the wife of the Defence Secretary, who is the head of the Department of Income Tax, did was that she sent me a letter asking for my personal income tax file number. I would like to tell that I have no illegal money with me. Unlike others, I earned every penny myself and not from corruption, bribery or commission I earned by teaching over 200,000 pupils till I felt the blood taste on my mouth."

On the same morning a group of PA supporters conducted a protest outside the house of former minister Prof. G.L. Peiris, asking him to support the government and not leave the PA. "We voted for you not to cross over to the

UNP," they shouted for about 20 minutes. Prof. Peiris who was in his house at that time said that the protesters numbering about 40-50 were brought in vehicles by the Parliamentary Coordinating Secretary of Deputy Minister Chandana Kathreearachi.

Seven parliamentarians led by former Ministers S.B. Dissanayake, Prof. G.L. Peiris, Mahinda Wijesekara, Wijeyapala Mendis and Ananda Munasinghe, Jayasundara Wijekoon, Ediriweera

Premarathne entered the chamber through the opposition door and sat on the backbenches amidst applause of the opposition legislators.

"It's a conspiracy," shouted government members. "More will cross tomorrow," opposition members retorted.

Opposition Leader Ranil Wickremesinghe's office had bought 20 orchid garlands and had used only eight on October 10 with the balance to be used next day to welcome those who were expected to defect during the debate on UNP sponsored no-confidence motion.

Garlanding of the eight rebels was done during the media briefing held in the afternoon in the parliamentary complex. Dissanayake, whose sacking from the powerful post of general secretary of the Sri Lanka Freedom Party (SLFP), the main constituent of the ruling PA, which precipitated the cross-over attacked President Kumaratunga for her well known unpunctuality and her desire to everything herself. He said: "How can one who does not know to manage her time run a country?" and added that she had kept Queen Elizabeth as well as Indian Prime Minister Wajpayee waiting. He also cited cases where funds for medical treatment granted by the President's Fund had been delayed because of her failure to approve the payment in time and when the cheques were sent the patients had died.

"She wants to do everything herself and will not allow anyone to do his work. And she does not do anything correctly," Dissanayake charged.

Substantiating that complaint Prof. G. L. Peiris said: She has told the ministers not to take any decision without consulting her. She had also instructed ministry secretaries not to take action on anything not approved by her.

"There was no internal democracy in her cabinet."

He charged that the President took decisions on matters without consulting the concerned ministers. He cited the instance where she decided to prorogue parliament without facing the no-confidence motion. "It is a convention that priority is accorded to no-confidence motions. It is fundamental to the proper functioning of democracy that the government in power should enjoy the confidence of parliament," Prof. Peiris said.

Relations between President Kumaratunga and Dissanayake and Peiris soured after they advocated the formation of a national government involving the UNP to salvage the country out of the mess it had got into. President Kumaratunga interpreted that as a plot the two had hatched with Wick-

emesinghe to clip her powers.

Dissolution

President Kumaratunga and her confidant Minister Mangala Samaraweera were confident till October 10 that they would defeat the no-confidence motion. That morning's crossover was a great shock for them. Only the previous day, Samaraweera had told the media, "The government is not intending to dissolve parliament before or after the no-confidence motion is taken up for debate."

"The PA government has the ability to defeat the no-faith motion," he stressed, amidst reliable reports that about ten PA parliamentarians were likely to defect to the opposition. He alleged that, "the business Mafia that defaulted millions of rupees to State banks are now trying to buy PA parliamentarians at the rate of 3 million ru-

pees per head."

With the defection of eight parliamentarians on October 10 the situation drastically changed. President Kumaratunga who addressed her parliamentary group that night looked on television shaken, angry and attempting to put up a brave face. At one stage she asked her crest-fallen partymen whether they were worried. When there was no response, she asked them not to worry.

She used vituperative language against the eight MPs who crossed over especially targeting S.B. Dissanayake by name. Dissanayake hit back calling the President a crab dancing in the pot not knowing the water was boiling. He ridiculed the President's charge that the opposition leader had a secret pact with the Tamil Tiger (LTTE) rebels and the existence of a 'media mafia'.

The President knew that some of

Sequence of Events

Sequence of events that led to the dissolution of Parliament on October 10:

June 7 - Impeachment motion against Chief Justice Sarath N. Silva handed over to the Speaker. Supreme Court issues writ against Speaker.

June 20 - PA reduced to a minority in parliament following the sacking of SLMC leader Rauf Hakeem.

Speaker rejects SC injunction. Opposition submits no-confidence motion against the government.

July 10 - President prorogues parliament ahead of the no-confidence motion debate fixed for July 17 & 18. President orders a referendum for August 21 to determine whether the people want a new Constitution.

July 16 - JVP refuses to join the joint opposition effort to re-summon parliament.

July 20 - Movement for the Protection of Democracy. The UNP conducts a massive rally. Police kill two demonstrators and hundreds were injured.

July 24 - Tigers attack Katunayake airbase and the international airport.

Aug 07 - President by special gazette notification postpones referendum for October 18.

Aug 16 - President collects undated resignation letters from ministers, deputy ministers and parliamentarians.

Aug. 23- Talks between PA and UNP to form a National Government fails.

Sept 05 - PA and JVP sign memorandum of understanding for a probationary government of one year.

Sept 06 - Parliament summoned. No formal opening by the head of state.

Sept 12 - Cabinet reduced to 20 members from 44 under the probationary MOU with the JVP. Ministers S. B. Dissanayake, Prof. G. L. Peiris, Mahinda Wijesekera and

Jayaraj Fernandopulle refuse to join the cabinet.

Sept. 13 - Wijayapala Mendis joins the cabinet filling the 20 slots.

Sept. 14 - Fernandopulle breaks ranks and joins the cabinet. Minister Mangala Samaraweera resigns to reduce the size of the cabinet to 20.

Sept. 17 - CWC leader Arumugan Thondaman sworn in as Minister raising the size of the cabinet to 21. Mendis Declines to resign.

Sept. -19 Mendis sacked.

Sept 24 - Parliament passes 17th Amendment to the Constitution with a two-thirds majority. It aimed to appoint a Constitutional Council and four independent commissions on elections, the judiciary, police and public service.

Sept 28 - UNP hands over a no-confidence motion against the PA-JVP probationary government.

Oct 5 - Prime minister and opposition leader fails to appoint the 10-member Constitutional Council, which in turn will appoint members for the independent commissions.

Oct 8 - Parliament decides to take up the debate of the no-confidence motion on October 11.

Government sacks former minister S.B. Dissanayake from the post of SLFP general secretary.

Oct 9 - Parliamentarian Bandula Gunawardene, leading MEP partner of the PA, crosses over to the opposition.

Oct 10 - Eight parliamentarians led by former ministers S.B. Dissanayake, Prof. G.L. Peiris and Mahinda Wijesekera cross over to the opposition. President dissolves the one-year old parliament, elected on Oct 10, 2000, for six years.

Oct 12 - Former Speaker Anura Bandaranayake announces his intention to join the PA.

Deputy Speaker Major General Sarath Munasinghe and PA former minister Laxman Kiriella resign from the PA.

Oct 13 - PA dissidents and the SLMC decide to contest the next election under the United National Front, an alliance of opposition parties.

the parliamentarians who were listening to her had agreed to defect. At one stage she said that she had heard of the rumour that two more MPs were going to defect, one of them a Tamil. Sarath Munasinghe contradicted the rumour and Ganeshamoorthy kept silent. Munasinghe quit two days later.

President Kumaratunga decided around October 10 midnight to dissolve parliament and order a snap election. She fixed the nominations from October 20 to 27, election on December 5 and the meeting of parliament on January 1 next year.

The decision to dissolve parliament was taken when she got the information that the UNP was planning to move an impeachment motion against her. They had planned to submit the motion to the Speaker while the no-confidence motion against the government was being debated on October 11. If the Speaker entertained the motion the President would be barred from dissolving parliament. That would create more difficulties to the President by fuelling more desertions from her party.

Clamber for alliance and seats were on at the time of this writing. The UNP-led United National Alliance (UNA) was being chiseled. It would field candidates under the common symbol elephant with the view of defeating the PA and forming a strong government. Similar groupings are being forged in the north and the up-country.

Ranil Wickramasinghe said the top priority of the UNA would be to find a solution to the Tamil minority ethnic issue and end fighting with the Liberation Tigers of Tamil Eelam (LTTE). "With the priority to end the ethnic war, the main objective of our government would be to solve the problems of the

people," Wickremesinghe said.

Reports from Vanni say that LTTE chief Velupillai Pirabakaran is preparing himself for talks with the new government headed by Ranil Wickremesinghe, whom he expects to sweep the polls. Thamilchelvam would head the LTTE delegation which is expected to talk directly with the Sri Lankan government.

Pirabakaran, who now concentrates in outsmarting President Kumaratunga and Foreign Minister Lakshman Kadirgamar has, it is said, taken note of US ambassador Ashley Wills's comment on October 10, two days after United States re-designated LTTE as a terrorist organization. Wills said: "I sincerely hope the LTTE will renounce violence, as such an action will be in the interest of the Tamil community in Sri Lanka," while addressing the Rotary Club of Colombo. The US Envoy said his country was forced to re-designate the LTTE as a terrorist organization as it still fell within the definition of terrorism under American law. He warned a few countries including US, Britain and India had banned the LTTE and if it failed to renounce violence more countries would follow.

The United States is opposed to the concept of an independent "Tamil Eelam" and has in the past asked the government to adopt policies that will meet the aspirations of the Tamils and ensure dignity and equality to all ethnic communities in the island. US also backed Norwegian peace initiative. The United States has long been pressurizing the Sri Lankan Government to negotiate with the LTTE fighting for a separate state, in the country's North and East.

Stephen Holgate, a spokesman at


the US Embassy in Colombo recently said that the difference with the Tamil Tigers in Sri Lanka is that they are "asking for something". Osama Bin Laden so far has not "asked" for anything. His sole priority in life being, according to Holgate, is to kill as many Americans as possible.

Oozing out confidence, the business community reacted positively to the announcement of the dissolution of Parliament and the holding of the election. The Colombo Stock Exchange and its Matara outlet witnessed a major rally with many investors who stayed in the sideline for over a year due to depressed sentiment returned in hordes. The CSE All Share Price Index which stood at 401.2 when trading commenced on October 8 shot up to 477.2 when trading concluded on October 12, an unprecedented swell of 76 points in a week. Similarly, Milanka Index jumped from 598.4 to 783.6, a rise of 185.2 points. HNB stockbroker Deva Ellapola said: "Dissolution of parliament and the prospect of a business-friendly government being elected has infused confidence in the investors."

The JVP, the Marxist revolutionary party that enjoyed a brief period of importance, is dejected. In an angry statement it accused the "power-hungry UNP" for spoiling all the gains it achieved in one month and five days. "We got the government to reduce the number of ministers to 20 and got it to write off farmer loans. We got the government to pass the 17th amendment. Now all that is gone," JVP statement said.

UNP answered; "True the cabinet was reduced to 20 but the country did not gain as former ministers continue to enjoy all the perks. True the order for the cancellation of farmer loans was issued but it was not sent to the banks. True the 17th amendment was passed but it was done because we helped the government to do it. JVP was taken for a ride."

JVP was in fact taken for a ride. President Kumaratunga needed its help to reach October 10, when the constitutional ban on the dissolution of parliament ended. And she dissolved parliament the moment the deadline passed..

	<p>Annual Subscription Rates</p>	<p>UK/India/Sri Lanka: £15.00/US\$25.00 Australia: Aus.\$45.00 (Australian Bank cheques only) Canada: Can\$40.00 All other Countries: £20.00/US\$35.00</p>
<p>Deleteing whichever is inapplicable</p>		
<p>I wish to pay/renew my subscription for one year/two years/three years</p>		
<p>I am sending you a gift subscription on behalf of</p>		
<p>Please send an introductory copy to:</p>		
<p>I enclose a donation of.....My cheque/draft/M.O. in favour of Tamil Times Ltd is to the total value of..... Name:.....(BLOCK CAPITALS PLEASE)</p>		
<p>Address:.....Pos Code.....Tel.No:.....</p>		

Sri Lanka: Partition as an Option

Dr Sumanasiri Liyanage

The LTTE attack on Katunayake International Airport and air base has shown two things, namely, (1) the Sri Lankan security establishment cannot achieve a final military victory over the LTTE; (2) the war cannot be confined to the North and Eastern part of the island. So the positive side of the LTTE attack on Katunayake airport and air base is that it brought these two essential truths home. People in every walk of life have now realized war, if continued, would affect the whole social fabric of the country. The Katunayake attack triggered a generalized crisis for the first time after 1988-89 period. It has amply demonstrated that the political and military leadership in this country cannot handle the situation effectively. So the generalized crisis has a personality dimension as well. In this sense, it is different from the 1988-89 crisis. It was predicted that the GDP growth rate would be around 2 per cent this year. The drought and the unresolved problem of power supply may lower the growth rate below 2 per cent. This may be disastrous in terms of standard of living, employment and economic development. What is the root of the crisis? It is true that mono-causal explanations may not explain fully the antecedents and magnitude of the crisis. Nevertheless, I suggest that the current crisis be called "Jaffna Crisis" as I believe that the main cause of the crisis is the cost of holding Jaffna. The lower productivity growth, politicization and militarization of institutions are associated with the cost of holding Jaffna. So the ethnic problem is at the heart of the current crisis. However, the political leadership of the country, both Sinhalese and Tamil, has time and again shown that they are not prepared to come to an amicable solution to the ethnic problem through negotiations. Negotiation, ceasefire and peace talks have become parts of the

political strategy to achieve/maintain the monopoly of power. Negotiated settlement needs a different approach and demands a power-sharing perspective. It has clearly shown that the Sri Lankan government, the UNP and the LTTE lack such an approach and perspective. So the current crisis forces us to find different options that would be compatible with the approaches and perspectives of the main actors of the conflict, notwithstanding the fact that those options may not be the best and ethical solution to the problem.

In this article I examine the pros and cons of partition as an option for the solution to the ethnic conflict in Sri Lanka. I do not suggest that partition is the only available solution, but I argue that it has to be treated as a serious option.

Right of Self-Determination

In the past, many attempts had been made in order to resolve the ethnic problem within a single state. I do not intend to give a detailed account of those attempts here. Although some Tamil politicians raised a demand for a separate state in the past, it gained national political importance only after the Tamil United Liberation Front decided to include it in its program at the Vaddukodai Convention in 1976. Vaddukodai resolution justified the demand for a separate Tamil state by emphasizing that Tamils "are a nation distinct and apart from the Sinhalese" with the right to "their own territory". The distinct Tamil homeland was based on the Cleghorn Minutes, the validity of which is questioned by Sinhalese academics. In the first parliamentary election after Vaddukodai Convention of the TULF, TULF had won a landslide victory in the Northern Province and significant support in the Eastern Province. With this notion of a separate Tamil nation with its own homeland,

the right of Tamils for self-determination has naturally become a fundamental political demand of the Tamil political parties. The TULF manifesto emphasized the right of the Tamil nation for self-determination in the form of a separate sovereign state, Tamil Eelam. The Manifesto declared:

Hence, the TULF seeks the mandate of the Tamil nation to establish an independent, sovereign, secular, socialist state of Tamil Eelam that includes all the geographically contiguous areas that have been the traditional homeland of the Tamil-speaking people in the country.

The demand was transformed into three cardinal principles at the Thimpu discussion at which militant Tamil organizations played a major role. So the right of self-determination expressed in the form of a separate, sovereign state has become the main agenda of the Tamil militant politics. Three cardinal principles unanimously approved by the TULF and the militant Tamil organizations are:

1. Recognition of Tamils of Sri Lanka as a distinct nationality;
2. Recognition of an identified Tamil homeland and the guarantee of its territorial integrity;
3. Based on the above, recognition of the inalienable right of self-determination of the Tamil nation.

A significant difference can be found between the Vaddukodai Resolution, TULF manifesto and the Thimpu principles. One is that the two terms, nationality and nation, are used in the Thimpu principles as synonyms and interchangeably. Secondly, the Tamil-speaking people in the TULF manifesto was dropped in favour of more specific Tamil nation.

The significance of the second difference has been indicated in the attitude of the Tamil parties towards Tamil-speaking Muslims in the Northern and Eastern Provinces. The trajectory of the Tamil nationalism from Vaddukodai Convention through Thimpu Principles has clearly demonstrated that Tamil demands are nationalist demands and not the demands of the minorities. This is the issue all Sri Lankan governments since 1976 have failed to recognize and refused to accept. I will address this issue presently.

Minorities and Nations

It is customary to treat the minority problem and the national problem as almost equal issues. The question on how ethnic or national minorities should be treated has been widely discussed and the international community has come to some kind of consensus. So the issue of ethnic minorities appears to be less controversial today.

Major industrialized countries of the West have agreed that no disadvantage arises from exercising the choice of belonging to a national minority.

"They have the right

- to use their mother tongue freely in private as well as in public;
- to establish and maintain their own educational, cultural and religious institutions, organizations or associations;
- to profess and practice their religion;
- to establish and maintain unimpeded contacts among themselves within their country as well as contacts across frontiers with citizens of other States;
- to disseminate, have access to and exchange information in their mother tongue;
- to establish and maintain organizations within their country and to participate in international non-governmental organizations.

Persons belonging to national minorities can exercise and enjoy their rights individually as well as in the community with other members of their group". (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE June 1990, US Commission on Security Cooperation in Europe, Washington DC. US Government Printing Office 1990. pp 16-17)

Gurr (1993) notes that many would add to this list the greater equity in the distribution of economic resources and control of regional or national governments. It's true that many deviations from these principles can be found in practice and ethnic and national minorities often times complain about de facto as well as de jure discrimination against them by the state and other public bodies. Nevertheless, there has been a greater understanding at national and international level on how to treat ethnic and national minorities. However, there are groups that do not want them to be treated as minority ethnic and

national groups. They call themselves "nations". Their demands and aspirations go beyond the demands and aspirations of ethnic/national minorities. And the issue is not about rights but about power. What arrangement can be made for them to exercise power as a different nation?

I propose that the issue of Tamils in Sri Lanka be viewed from this perspective. And my observation is that the Sri Lankan governments invariably try to avoid looking at the problem from this perspective. This may partly explain why peace negotiations in the past have failed. Indo-Sri Lanka agreement in 1987, at least to a limited extent, tried to address the national issue in line with the principles that were laid down by the designers of Indian Constitution. Nevertheless, inherent weaknesses of the 13th Amendment to the Sri Lankan Constitution and the conventional perspective of the Sinhalese elites appeared to have scuttled the successful implementation of the Provincial Council System. This cannot be attributed to misunderstanding of the problem. As Gurr notes, "(national) demands are highly threatening, because they challenge the nationalist ideologies held by most dominant groups and imply the break-up of the state. So it is safe to depict the problem as a minority problem rather than a national problem. I found the use of the term "ethnic" in Sri Lankan academic discourse rather intriguing.

Anton Balasingham gives the clearest explanation on the subject in my knowledge. He writes: "For nearly an hour, I gave a thorough theoretical exposition of the Tigers political project arguing our case for political independence and statehood based on the right to self-determination of the Tamil people. While her husband listened politely with patience Chandrika was argumentative (sic). Presenting a pluralistic model of Sri Lanka's social formation, comprising of different ethnic groupings, she rejected the conception of Tamil nation and Tamil homeland. Chandrika's thesis, in essence, was that the Tamil problem was a minority issue, not a nationality question and that the Tamils were not entitled to the right to self-determination and statehood." (Politics of Duplicity: Re-visiting the Jaffna Talks, p.9)

There is no doubt that Chandrika Kumaratunga's position is the most far-reaching and progressive position among Sinhalese elites. But it is still trapped in the liberal political discourse and fails to go beyond it. Now one may ask: isn't it possible to meet national aspirations and demands within one state project? I may answer this question in the affirmative. But, abstract theorizing should not be substituted for concrete understanding of the problem. I do not refute the fact that some Tamil politicians and intellectuals prefer the project of meeting Tamil aspirations and demands within a one state. But the Tamil politics are primarily governed by the secessionist project. This was clearly demonstrated in the event of the assassination of Neelan Tiruchelvam by the LTTE. The attendance of the funeral proceedings expressed opinions of the leadership of his own party and semi-public comments by Tamil academics, and their silences proved the separatist project has now gained currency among Tamil politics.

Partition as a Political Option

This may lead me to question Paffenberger's notion of defensive nationalism of Tamils. Tamil nationalism has gained support among ordinary Tamil people in the context of discriminatory policies of the successive Sri Lankan governments. But Tamil nationalism cannot be reduced to this defensive dimension. It has its own logic and has to be understood in terms of the rising wave of nationalism in the post World War 2 period.

My analysis of the genesis and development of Tamil nationalism and the present state of the military conflict in Sri Lanka leads me to believe partition through negotiation as a politically justifiable option. I emphasize the term "politically justifiable" because my belief is not based on ethical judgment or principles. Let me also add some cautionary remark. Even the partition may bring about a solution to some ethno-political conflicts. It is definitely not a panacea and cannot be applied as a general rule in finding solutions to ethno-political conflicts. Nonetheless, I believe it has to be considered seriously as a possible and viable alternative. Partition may pose many practical, political and social problems that

have to be negotiated, taking into consideration the needs and interests of all the communities.

Here, I focus on two major problems. The first issue is the demarcation of boundaries. A substantial amount of writings has already discussed the issue. The extreme Tamil nationalist position is based on their reading of the boundaries of Jaffna kingdom in the 13th Century and the Tamil homeland include some parts of the North Central, North Western and Southern Provinces. But the map that is used widely is based on the Cleghorn Minutes. In current political discourse, the Tamil territory includes North and Eastern Provinces. In the discussion on constitutional changes, some Tamil parties agreed that the Tamil autonomous region includes North Province, Trincomale and Batticaloa districts of the Eastern Province. What was the Sinhalese position? I guess that Prof. Madduma Bandara's article on re-demarcation of provincial boundaries throws some light on the subject. Yalpanam Province, in his map, appears to be the area that the Sinhalese could give for a separate Tamil state, if the worst-case scenario was to happen. So the boundary problem appears to be a negotiable problem, and some agreement may be reached between the two parties.

However, the second issue is more humanely problematic. Would a partition include a population transfer? Although it may involve a lot of hardships and pain, the answer to this question may be in the affirmative. When the issues of identity and security of the Tamils are addressed in terms of a separate and sovereign state, Eelam, the Sinhalese may raise the issue of security if the multi-ethnic or multi-national characteristics of Sri Lanka remain unchanged. The option of partition should satisfy the needs and interests of all the communities.

The conflict in Sri Lanka may be easily characterized following Edward Azar as a protracted social conflict. In many situations, protracted social conflicts are intractable and need critical surgery for their resolution. So the means of resolution may be painful. Partition may create a situation in which a husband may prefer to live in Sri Lanka while a wife prefers to live

Death of a 'Tiger'

D B S Jeyaraj

The year was 1985, when several Sri Lankan Tamil militant groups were active in Tamil Nadu. One afternoon, the residential area of Mahalingapuram in Chennai was rocked by gunfire. The venue was the Tamil Information Centre (TIC) and the events there reminded one of scenes from "B" grade Hollywood thrillers. One man was bundling another, with a bleeding foot, into a vehicle, holding a gun to him while firing shots into the air from another gun to keep at bay the armed bodyguards of the latter. The man performing the act was Shankar of the Liberation Tigers of Tamil Eelam (LTTE). On September 26, he was killed in a landmine attack in Sri Lanka's northern mainland the Wannai.

The incident at Mahalingapuram was a sequel to the abduction of LTTE leader Pottu Amman by the rival People's Liberation Organisation of Tamil Eelam (PLOTE). Pottu Amman, who currently heads the LTTE's intelligence wing, was then in charge of the coastal camp in Vedaranyam in Tamil Nadu. He was taken captive following an argument with PLOTE operatives. A furious LTTE chief Velupillai Prabhakaran assigned his deputies Shankar and Aruna with the task of freeing Pottu Amman. A round of talks between PLOTE military commander Jotheeswaran alias Kannan and Shankar took place in the residence of a Tamil United Liberation Front (TULF) Member of Parliament considered to be close to the PLOTE leadership. However, the talks

in Eelam. Nobody knows where the children can live. So those with mixed marriages would definitely suffer from this kind of solution. These are the humane problems sadly associated with the partition. But we have to ask the question: When the issue of power is dominant and overarching, will humanity prevail?

- Dr. Sumanasiri Liyanage
(Teaches Economics at the University of Peradeniya)

failed as an enraged Shankar stormed out of the meeting after slapping the parliamentarian.

Shankar then revised his strategy and telephoned Dr. Sivanathan of the TIC at Mahalingapuram and asked him to arrange a meeting with the PLOTE's Kannan. Kannan arrived with his retinue of bodyguards and engaged in discussions with Shankar. At one point Shankar whisked out his gun, fired on Kannan's foot and quickly placed his gun against Kannan's head. Shankar pulled out Kannan's firearm and began firing into the air, while prodding Kannan with his own gun towards a waiting vehicle. The PLOTE bodyguards could do nothing as their leader was taken captive. Later, the LTTE exchanged Kannan for Pottu Amman. The incident attracted negative publicity and, as a result, Shankar was incarcerated for a while though ultimately no serious punishment was meted out.

The man who earned Prabhakaran's praise for the daredevil act remained a close associate and trusted lieutenant of the LTTE supremo for nearly two decades, until the day of his killing. Shankar was travelling from Oddusudan on the A-34 highway, or the Mankulam-Mullaithivu road, to Puthukkudiyiruppu on the A-35 highway, or the Paranthan-Mullaithivu road. He was travelling alone in his two-seater, four-wheeler pick-up vehicle along a fairweather jeep track cutting through a swathe of thick jungle when a claymore device, concealed on a tree, exploded at 10-45 a.m. "Colonel" Shankar was killed on the spot.

Vaithilingam Sornalingam alias Shankar was born in September 1948. He was educated at the Tamil Maha Vidyalayam in Vavuniya and at the Hartley College in Point Pedro. A keen footballer, he played for his college and a club.

Shankar was the second of six sons. Three of his siblings also joined the LTTE. One brother, Manoharan alias

"Captain Haran", was the commander of the Tiger boat which was seized on the high seas by the Sri Lankan Navy in October 1987. This happened after the Indo-Sri Lanka accord was signed. When attempts were made to transport the arrested persons, including LTTE leaders such as Kumarappa and Pulendran, to Colombo they committed suicide by consuming cyanide. The incident resulted in war breaking out. Shankar married the widow of his brother Haran.

Another brother, Vaseekaran alias "Lieutenant Siddharth", was killed in an explosion in Kaithadi in February 1987. Shankar's youngest brother was reported missing in a skirmish with the Army in Mannar in the 1980s. Nothing is known about him since. Another brother, an engineering student, was killed by a Sri Lankan Air Force bomb. Only the eldest brother, a medical doctor in the United Kingdom, is alive now.

People in the LTTE-controlled areas of the Wanni mourned the death of Shankar. His body was taken in a procession to the Great Heroes' Commem-

orative Hall at Mulliyawalai and kept there for people to pay their last respects. Although Prabakaran paid his last respects to Shankar, he did not attend the funeral.

Shankar became a full-time member of the LTTE in 1983. He left Montreal, where he was residing, and arrived in Chennai after the July 1983 pogrom of Sri Lankan Tamils. However, his relationship with the LTTE had begun almost a decade before that.

Shankar had pioneered several projects for the movement. He was responsible for setting up the LTTE's Office of Overseas Purchases (OOP), the department responsible for armament acquisitions abroad. It is now run by Kumaran Pathmanathan alias "K.P." Shankar also helped establish the LTTE's sophisticated communications network and personally procured the necessary equipment from Singapore. He was also associated with Prabakaran in purchasing the LTTE's first ship and trawler. Shankar was personally involved in re-furbishing the latter and equipping it with a radar.

Shankar was the founder-commander of the LTTE's marine division, "Kadal Puligal" (Sea Tigers). He pioneered and developed the LTTE's undersea attack unit, which consists of well-trained frogmen. Shankar also established and developed the LTTE's anti-aircraft unit, which has downed a large number of planes and helicopters with its anti-aircraft artillery and surface-to-air missiles. Shankar was involved in the planning and execution of the recent LTTE attack on the Katunayake Air Force base.

He was perhaps Prabakaran's closest confidant. Shankar used to accompany Prabakaran on several confidential missions. The latest and well-known one was the meeting with the Norwegian peace envoy, Erik Solheim, in 2000. Prabakaran, political wing chief Thamilselvan and Shankar participated in the meeting representing the LTTE. At the meeting, Shankar also played the role of an interpreter.

There is little doubt that Shankar's demise is a tremendous blow to the LTTE, particularly to Prabakaran.

(Courtesy: Frontline)

WE HAVE SPECIAL FARES TO



Srilankan
Appointed Agent

COLOMBO

AND MANY OTHER DESTINATIONS

We can arrange insurance, car hire, hotels and transfers

**Please call: Moly,
Reshma, Prem
or Siva
for details**

LinkAIR



361 London Road, Croydon, Surrey CR0 3PB

Tel: 0208 665 0206 Fax: 0208 689 2576

Travels Limited



Emergency: 07956 676 360 e-mail: sales@linkair.wslmail.co.uk Website: http://www.linkair.co.uk

TAMIL NADU

Exit Jayalalitha

V.VENKATESAN

In a landmark verdict, the Supreme Court quashes the appointment of Jayalalithaa as the Chief Minister of Tamil Nadu. In doing so, the court also settles questions with regard to the eligibility of a person convicted of an offence to hold such office.

The judgment of a five-member Constitution Bench of the Supreme Court quashing the appointment of Jayalalithaa as the Chief Minister of Tamil Nadu establishes a new orthodoxy: that constitutional legitimacy takes precedence over electoral legitimacy.

In the main judgment, delivered by Justice S.P. Bharucha, who also spoke for Justices Y.K. Sabharwal and Ruma Pal, the Bench held that a person who is disqualified from contesting elections to a legislative body cannot assume office in the executive branch of the government. It also held that membership of the legislature is a prerequisite for holding ministerial authority and the expedient clause that enables a non-member to assume office for a period of six months cannot be applied in the case of an individual who has been disqualified from contesting.

The Bench concluded that on the day Jayalalithaa was sworn in Chief Minister, she had been disqualified from membership of the legislature by reason of her convictions under the Prevention of Corruption Act (PCA) which had attracted terms of imprisonment in excess of two years. Under Section 8(3) of the Representation of the People Act (RPA), she was ineligible to contest the Assembly elections held in May.

The Bench interpreted Article 164(4) of the Constitution, which allows an individual to hold office as a Minister even without being a member of the legislature, to mean that such a person would be eligible to seek election. In the event of that person failing to secure a seat in the legislature within

the stipulated time of six months, he or she would cease to be a Minister.

The Bench was confronted with two rival interpretations of Article 164(4). K.K. Venugopal, senior counsel for Jayalalithaa, suggested that the Article should be interpreted as it is, and since it is devoid of any qualifications or disqualifications, none could be read into it. In its final determination, however, the Bench ruled that this one clause of the Constitution cannot be read in isolation of the others. A Minister who secures appointment under Article 164(4) should satisfy the qualifications for membership of the legislature specified in Article 173 and should not suffer any of the disqualifications under Article 191 on the date of his or her appointment, it held.

The Bench added: "It would be unreasonable and anomalous to conclude that a Minister who is a member of the legislature is required to meet the constitutional standards of qualification and disqualification but that a Minister who is not a member of the legislature need not. Logically, the standards expected of a Minister who is not a member should be the same as, if not greater than, those required of a member." Drawing sustenance from the doctrine of the basic structure of the Constitution, the Bench held that it would be permissible for the court to read certain interpretations into the Constitution, based on its language, scheme and spirit. This doctrine was first articulated in the Supreme Court's judgment in the Keshavananda Bharati case in 1973, which pertained to Parliament's power to amend the Constitution.

Justice Bharucha's judgment is based on the reasoning that Jayalalithaa's appointment can be set aside without exploring the foundations of the decision of the person who appointed her. This has exempted the actions of the then Governor of Tamil Nadu, M. Fathima Beevi, from judicial

scrutiny.

As the writ petitions only challenged Jayalalithaa's right to hold office as Chief Minister, the Bench claimed that it was not concerned with the Governor's exercise of discretion in swearing Jayalalithaa in. A writ of quo warranto lies against the person who, according to the petitioner, was not entitled to hold public office and has usurped one, explained Justice Brijesh Kumar in his concurring judgment. Article 361 of the Constitution exempts a Governor engaged in the discharge of her duties from judicial scrutiny, but there is no impediment against examining whether a person appointed by the Governor is actually entitled to hold that office, said Justice Brijesh Kumar.

The issue is a tricky one and certain experts have expressed concern that the Bench has yielded too much to the discretionary powers of the Governor.

Justice Bharucha, for instance, has observed: "We are in no doubt at all that if the Governor is asked by the majority party in the legislature to appoint as Chief Minister a person who is not qualified to be a member of the legislature or who is disqualified to be such, the Governor must, having due regard to the Constitution and the laws, to which he is subject, decline, and the exercise of discretion by him in this regard cannot be called into question." This means effectively that there is an asymmetry in the judiciary's power to correct an aberrant exercise of gubernatorial discretion. There is no corrective for the denial of a rightful claim, though the acceptance of a wrongful claim could be set right. If the Governor does appoint an ineligible person, the authority of the appointee to hold the appointment can be challenged in quo warranto proceedings, the Bench made it clear. "That the Governor has made the appointment does not give the appointee any higher right to hold the appointment," the judgment held.

Justice Brijesh Kumar said in his judgment: "The choice of the majority party regarding its leader for appointment as Chief Minister is normally accepted, and rightly. But the contention that in all eventualities whatsoever the Governor is bound by the decision of the majority party is not a correct posi-

DPK Group Ltd

DPK *financial services ltd*

one mortgage solution

one Finance

Independent Specialists in Mortgages, Commercial Loans and Financial Services

- ❖ Commercial Finance
- ❖ Capital Raising
- ❖ Residential Mortgages, Buy-To-Let
- ❖ Pensions, Investments & Savings
- ❖ Life & Health Assurance

Please call us on: **Tel:020 8920 5800 Fax:020 8920 5801**

Visit our new web sites: www.onemortgagesolution.com

www.dpkfs.com

www.dpkfinance.com

Email: enquiry@onemortgagesolution.com

DPK HOUSE, 186 Chase Side, Southgate, London, N14 5HN

Your home is at risk if you do not keep up repayments on a mortgage or other loan secured on it.

Mortgage secured on property. All loans are subject to Status & Valuation. Written quotations available on request. One Mortgage Solution is registered with the Mortgage Code Compliance Board. Registration No:

5430614

tion. The Governor cannot be totally deprived of element of discretion in performance of duties of his office, if ever any such exigency may so demand its exercise."

Legal experts raised questions about this part of the judgment which gives enormous powers to the President or the Governor to deny the claim of a person duly elected as leader of the majority party to be appointed as the head of government, on the ground that the claimant suffered some disqualification or that all qualifications were not fulfilled. Though the Governor is obliged to show due regard for the Constitution and the laws, he could conceivably arrive at his own determination of legality in certain situations to deny the rightful claims of specific individuals to elected office. There would then be no judicial remedy available for the aggrieved person. Since Governors today are mostly political appointees of the party ruling at the Centre, they often carry overt and covert political agendas into their gubernatorial mansions. Rather than evade the entire question of gubernatorial discretion, the Bench, several legal experts believe, could have gone into the scope of judicial scrutiny over this exercise of power.

Justice Pattanaik sought to tackle this area of ambivalence in a separate but concurring judgment: "In a given case, if the alleged disqualification is dependent upon disputed questions of fact and evidence, the Governor may choose not to get into those disputed questions of fact and, therefore, could appoint such person as the Chief Minister or Minister." But he added that in a case like that of Jayalithaa's, the Governor would be acting beyond his jurisdiction and against the constitutional inhibitions and norms in appointing a disqualified person as the Chief Minister on the sole reasoning that the majority of the elected members of the party have elected him or her as their leader.

Although it was not called upon to address directly the legal basis of Jayalithaa's electoral disqualification, the Bench has dealt with some of the issues that have a bearing on this matter. Much of this debate has revolved around the issues of conviction and sentence: Can a conviction or sentence be

held to have been waived or suspended during the process of judicial appeal? Would the presumption of innocence apply to an individual despite his or her conviction in a trial court, until the final judicial appeal is exhausted? On these issues, Justice Bharucha has expressed himself with great clarity.

He has said, for instance, that it is not within the power of the appellate court to suspend the sentence against a convicted person. It can only suspend the execution of the sentence pending the disposal of appeal. This does not alter the fact that the offender has been convicted of a grave offence. The suspension of the execution of the sentences, therefore, does not remove Jayalithaa's disqualification, he reasoned. He also held that the Madras High Court had been in error when it purported to suspend the sentence against Jayalithaa, rather than its execution.

As for the presumption of innocence, Justice Bharucha's findings are fairly unambiguous: "When a lower court convicts an accused and sentences him, the presumption that the accused is innocent comes to an end. The conviction operates and the accused has to undergo the sentence. The execution of the sentence can be stayed by an appellate court and the accused released on bail. If the appeal of the accused succeeds, the conviction is wiped out as cleanly as if it had never existed and the sentence is set aside. A successful appeal means that the stigma of the offence is altogether erased. But that is not to say that the presumption of innocence continues after the conviction by the trial court."

In his concurring judgment, Justice Pattanaik has made a fervent plea to Parliament to consider the question of bringing conviction under the PCA as a disqualification under Section 8(1) of the RPA so that such convicts are disqualified from contesting elections irrespective of the quantum of sentence. Very much the same concern - of raising the bar for those found guilty of corruption - prevailed when Justice Malai. Subramanian of the Madras High Court expressed his inability to suspend Jayalithaa's conviction, as she has been convicted under the PCA. But it would be anomalous to raise only the bar for those convicted for corrup-

tion, while maintaining the existing qualifying requirements for those found guilty of political crimes, such as demolition of religious shrines or participation in communal riots.

A major flaw in the judgment would perhaps be with regard to its interpretation of Section 8(4) of the RPA, which provides for immunity from disqualification to sitting legislators, if they appeal against their conviction within three months of being found guilty by a trial court. Since the presumption of innocence ceases for non-legislators on conviction by a trial court, this effectively institutionalises a differential scale of rights: with legislators being more privileged than the common citizenry. This, in the opinion of several legal experts, is grossly violative of Article 14 of the Constitution, which guarantees equality before the law to all citizens.

In the narrow sense, the Bench was undoubtedly right in not going into this issue. As Justice Bharucha put it, there was no challenge to Section 8(4) of the RPA on the basis that it violated Article 14. He has, however, expressed his deep unease at the superior rights that it institutes for legislators. He has said that if there were a challenge to Section 8(4), it may be tenable to contend that legislators stand in a class apart from non-legislators, "but we need to express no final opinion". In any case, he concludes, if it were found to be violative of Article 14, it would be struck down in its entirety.

Venugopal had argued that in order to preserve uniformity among the sub-sections of Section 8 of the RPA and to prevent any apparent discrimination, the Bench could "read down" Sections 8(1), (2) and (3) to save the constitutionality of Section 8(4). That would mean accepting the simple solution that final conviction by the appellate court should be the criterion under which disqualification from contesting elections would be deemed to operate under Sections 8(1), (2) and (3). The Bench refused to concede his argument for two reasons: first, Section 8(4) opens with the words "notwithstanding anything" in sub-section (1), sub-section (2) and sub-section (3). And secondly, to apply the principle of Section 8(4) uniformly to all sub-sections would be reading up rather than

reading down and this is not known to law.

The effect of the Bench's interpretation would be that the presumption of innocence would apply to a sitting member until the conviction was finally affirmed but in the case of a non-legislator the disqualification would operate on conviction by the court in the first instance. After all, the intention of the Select Committee of Parliament which considered the Representation of the People (No.2) Bill, 1950, was not to restrict immunity from disqualification because of conviction to sitting legislators, even though the language of the Bill failed to reflect this sentiment (Frontline, June 22, 2001).

Again, consistent with its fair interpretation of Article 164(1), the Bench could have restricted the applicability of Section 8(4) of the RPA to the legislators' current term, when they are convicted. Otherwise, the judgment implies that there is no judicial remedy if R. Balakrishna Pillai, who has been elected to the Kerala Assembly despite his conviction by a trial court during his previous term in the Assembly, becomes a Minister by virtue of his appeal against his conviction, even though Kerala Chief Minister A.K. Antony dropped the proposal to include him in his Cabinet reportedly on the advice of the Governor.

In holding Jayalalithaa's appointment illegal, the Bench, however, went by the doctrine of necessity, that certain actions are irreversible. This meant that all acts, otherwise legal and valid, performed between May 14 and September 21 - whether by Jayalalithaa as Chief Minister or by her government - would not be adversely affected.

The Bench pronounced itself unimpressed by the argument that the writ petitions for quo warranto fell outside its jurisdiction because no fundamental rights were involved. One of the petitions filed before it had spoken of a breach of Article 14 of the Constitution. Yet, this issue is not elaborated in necessary detail by the Bench. Neither is it clear why the Bench refused to go into the anomalies inherent in Section 8 of the RPA when it was examining the issue in the light of the fundamental right to equality before law. The Bench may have imagined that the violation of Article 14 was implicit and required no elaboration. Considering that the Bench dealt with a question of great constitutional importance, the reluctance to address the full scope of the issues before it does not appear to be a minor flaw.

(Courtesy: Frontline)

BANGLADESH

The Return of Khaleda Zia

Haroon Habib

It was a landslide victory for the four-party alliance led by Bangladesh Nationalist Party (BNP) leader Khaleda Zia in the elections held on October 1. The alliance inflicted a crushing defeat on the Awami League, which has the distinction of having led the war for the liberation of Bangladesh (erstwhile East Pakistan) from Pakistan and having sustained the country's secular character. With the fundamentalist Jamaat-e-Islami and Islamic Oikya Jote (IOJ) as its major partners, the BNP has won a two-thirds majority in the 300-member Parliament, an achievement made earlier only by the Awami League led by Sheikh Mujibur Rahman in 1973. With its massive majority, the BNP-led alliance is in a position to reshape the destiny of the country of 130 million people, an overwhelming majority of them Muslims.

The BNP-led alliance won 202 seats and the Awami League 62. The Islamic Jatiya Oikya Front (IJOF), in which the Jatiya Party of former President Gen. H.M. Ershad is a major constituent, won 14 seats. A Jatiya Party faction led by Anwar Hossain Manju and the Krishak Sramik Jatiya League led by veteran Awami League leader-turned-rebel Abdul Kader Siddique won a seat each. Among the winners are three independents. The results of 16 constituencies have been withheld following complaints of electoral irregularities. Owing to the death of a candidate, the election in one constituency has been countermanded. At least 20 Ministers and several senior leaders of the Awami League were defeated. Among the prominent winners were the leaders of the Jamaat-e-Islami, including Ameer Maulana Matur Rahman Nizami, and Mufti Fazlul Haq Aminee, general secretary of the IOJ.

Khaleda Zia was Prime Minister from 1991 to mid-1996. A mass movement demanding elections under a non-

party caretaker government led to her resignation. Although the BNP has a majority on its own (with 186 parliamentary seats) this time, Khaleda Zia will lead a coalition government that will include representatives of the Jamaat-e-Islami, which opposed Bangladesh's independence from Pakistan and collaborated with the Pakistani troops' genocide during the Liberation War of 1971. The Jamaat-e-Islami won 16 seats and the IOJ one seat. This is the first time in Bangladesh's electoral history that fundamentalists have won so many seats. It is widely believed that the "reserved votes" of the fundamentalist parties played a vital role in the victory of the BNP-led alliance.

The results belied forecasts that the Awami League and the BNP-led alliance were evenly poised. The magnitude of the victory was reportedly a surprise for the BNP itself.

Awami League president and former Prime Minister Sheikh Hasina rejected the results, saying that they were "crudely manipulated". Addressing a press conference in Dhaka on October 2, she said: "The people have rejected the results and there is no question of the Awami League accepting it." She compared this round of elections to the "farcical" elections on February 15, 1996. The Opposition boycotted the elections and the new Parliament was dissolved within two months after it was constituted. Sheikh Hasina complained that Justice Latifur Rahman, who led the non-party caretaker government that assumed office on July 15, used his administration blatantly to implement its "blueprint". She alleged that there was an "administrative coup to subvert a popular mandate". The people's right to vote, which was restored after a long-drawn-out struggle against military and "pseudo-democratic" governments, was snatched in a "very crude way", she said.

Asked whether successful Awami League candidates will join Parliament, she said: "Let the time of oath-taking come first, then we'll see what to do." She also indicated that a massive agitation will be launched. There is a possibility of the Awami League candidates who won not taking the oath, thus forcing the incoming government to order fresh elections to the 62 seats won by the party. In that eventuality, the Awami League is expected to launch a countrywide agitation against what it has termed "a naked manipulation and blatant denial of popular mandate".

Hasina said that the election outcome would establish a "terrorist government" in Bangladesh. "Those who practice terrorism in the name of religion, those who do not believe in the very independence of Bangladesh, would now form the government," she said.

There is no denying the fact that the October 1 exercise to elect the country's eighth Parliament was free. An overwhelming majority of the 75-million-strong electorate participated in it. It was a unique election in that the two major streams of national politics - secularists or liberal democrats and fundamentalists - fought it with all their strength and strategies. There were allegations of booth-capturing, of collaboration of security forces with a particular party, and of voters from the minority community being intimidated. The Opposition alleged that there was "serious manipulation" in the process of compiling and announcing the results. However, some Western and local non-governmental organisations, including the controversial Fair Election Monitoring Alliance (FEMA), have given a clean chit to the government.

A triumphant Khaleda Zia, the wife of former President Gen. Ziaur Rahman, appealed to all political parties, including the Awami League, to join what she termed the fight against "terrorism and corruption". Addressing a press conference on October 2, she appealed for unity, peace and stability. Khaleda's observation that the people had voted against "divisive politics" as they did not want to see a "divided country" is seen as a veiled appeal for unity between the forces of religious fundamentalism and those who stand for secularism, between the opponents of the country's independence from Pakistan and the supporters of a sovereign Bangladesh. But it remains to be seen whether these contradictory streams of national politics can come together to ensure the smooth function-

Pakistan: At Critical Crossroads

Asma Jahangir

The horror and terror of September 11 has now turned into moments of suspense and worry. Pakistanis are familiar with acts of terrorism and its consequences. They, have, therefore, almost unanimously condemned the killing of innocent people in New York and Washington. There can be no justification for or rationale behind such acts.

It does, however, call for reflection by the entire world leadership. The North needs to change its policies towards the South, just as much as the Muslim world needs to correct its rhetoric against "infidels" and promote a culture of democracy and tolerance within their own countries.

The solution to terrorism does not lie in "waging wars" but in bringing those responsible to justice and in ensuring that governments do not tolerate or promote terrorist gangs. A measured response is called for because an all-out war may polarize the world further, thus playing into the hands of the very forces which encourage terrorism. Since the international alliance against terrorism claims to fight this battle to protect freedoms, it will be expected to be transparent in its moves. It will require greater resolve to uphold the norms of justice, particularly in the face of an adversary who spurns universal values of freedom.

The issue of terrorism is one of the most controversial in contemporary international law and politics. Acts of ter-

ror have been glorified as "freedom fighting" and genuine freedom fighters have often been dubbed terrorists. The United Nations too failed to define "terrorism" because the term is emotive and highly loaded politically. The League of Nations failed in 1937 to determine the parameters of "terrorism" and since then there has been no serious attempt to define the term, which continues to be used selectively and vaguely.

But whatever definition one accepts, the tragedy of September 11 will cover it all, particularly as none has so far claimed responsibility for it. It has violated the right to live free from fear and the right to life, liberty and security. The world has changed after September 11. Freedoms will now be compromised in favour of the pressing need for security. Despite the assurances of the West that its campaign will not discriminate against any religion or nationality, Muslims, Pakistanis and Arab nationals are experiencing more prejudice and bias. Airport terminals, employers, buyers and business houses of the West are being selective. The growing flow of refugees from Afghanistan will bring multiple problems for Pakistan. Despite foreign aid, our resources will suffer and our governance deteriorate. Many freedom fighters will be unfairly painted as terrorists and oppressive regimes will take advantage of this new wave of anger against "terrorism".

In the wake of efforts for a new world of security, Pakistan must strive to acquire a new image. It must be seen as being independent of the West but no friend of terrorist regimes or gangs. Above all, we must make sincere effort at cleaning up our cupboards of all the skeletons we have gathered over the years. Let there be no ambiguity about our present position. It was not courage but plain good sense that compelled us to side with the international community on the question of terrorism.

The people of Pakistan are paying for the sins of their past leaders. It ought to be made amply clear so that we are not led into another myth, another trap by our leaders. Pakistanis take crisis

ing of the democracy. Unless the Constitution is amended, Sheikh Mujibur Rahman will continue to be regarded as the "Father of the Nation" and the day of his assassination will be observed as the "National Mourning Day". There are fears that the new administration will give scope for the consolidation of forces that want Bangladesh to be an orthodox Islamic republic, negating the concept of secular Bengali nationhood, which was the basis of the Liberation War. If Khaleda Zia's government tries to be neutral, it will invite the wrath of the Bangladeshi variety of the Taliban.

(Frontline 13-26 Oct 2001)

well. This has been no exception. There is no panic and the common people have not taken to the streets in support of the Taliban regime. Their lack of support for the Taliban is not because they respect the government of the US - whom they closely associate with the Israeli atrocities against the Palestinians - but because there is a growing resentment against domestic jihadi groups and disrespect for the Taliban style of government. As such, there was a sigh of relief at the military regime's decision to join the world alliance against terrorism.

It was not courage but preservation that drove President Musharraf to fall in line with the alliance. The few Jihadi groups and religious parties, who oppose the government's decision stand alone. The people have wisely decided to back the regime, not because they support army rule but because they have had enough of religious extremism. Tension between the army and the jihadi groups may bode well for the country and democracy but there will be a price to pay for the legacy of the past.

No one can predict the turn of events to follow. It is difficult to grasp the full impact of the future shape of globalization in the wake of the terrorist attacks in the US. So far the emerging signs are not very helpful for Pakistan. We have a tendency to jump to conclusions. The signals given by the West, and reinforced by our government, is that we will be awash with dollars for our support to the world alliance against terrorism.

Such expectations are unreal as the West will carefully watch a nuclear power with a military government at the helm and a tendency to promote obscurantist ideas and practices. The separate electorate system, the so-called Islamization of laws and periodic calls for jihad are breeding grounds for extremism - a spur for the worst type of conservative elements, which, given a chance, will keep us perpetually hostage to Ziaism.

If we wish to turn the present crisis into an opportunity for ourselves, we will have to find the political will to radically change our domestic and foreign policies. It will require a sustained

process towards democratization of Pakistan and promotion of higher human values and norms. As a first step the military government has to change its orientation and recognize the follies of the past. It has to take the lead in reining in the militant forces they so openly patronized at one time. At the same time, political forces have to be involved in mobilizing public opinion and in decision making at this critical juncture. Therefore, general elections should be held sooner rather than later.

The government can force people to attend its rallies but it cannot command the receptivity and enthusiasm needed to carry the actual message of the moment far and wide. The armed forces can easily control the militants but recent events have shown that without involving the political forces, the military cannot motivate and mobilize the people sufficiently to express their strong disapproval of acts of terrorism carried out in the name of religion. Militant religious groups could easily exploit the emotions of a large conservative fringe in the country if they are seen to be taken to task because of the demands of the West and without visible support of the people of Pakistan. Any such backlash will only strengthen militant groups and marginalize the people, silencing their voices infinitely.

The campaign against terrorism, as it is being called, will last quite a while, its first target being Osama bin Laden and the Taliban regime in Kabul. This puts Pakistan's foreign policy in a dilemma. The Northern Alliance, an avowed enemy of Pakistan, will be on board to push the Taliban southwards. As a reward, the Northern Alliance will ask for their piece of the cake when the booty in Afghanistan comes to be distributed. Pakistan will need better political and diplomatic skills along with a vision to play a positive role in the emerging context. It is, therefore, imperative that the democratic process starts immediately so that a broader-based government brings full force of public opinion to bear on the critical decisions that are clearly involved.

Generally, politicians rather than generals have a better understanding of political dynamics and will be more

willing to take a regional approach in the days to follow. Pakistan must acquire an image of a serious player with a fresh approach in building peace in the region. We are being led to the final crossroads with an opportunity to choose between being regarded as hide-bound or counted as a mature player, capable of moving ahead with a new resolve and confidence. (DAWN 11 October 2001)

(Continued from page 28)

eral of the Ceylon Broadcasting Corporation. He took early retirement in 1972 and worked for two years as Addl. Director in the Marga Institute. For seventeen years thereafter he was the Director of Research in the World Association of Christian Communication in London. In 1989 he resumed his career with the Sri Lankan Government and after a short posting as Media Consultant in the Presidential Secretariat went as Sri Lanka's Ambassador to the Scandinavian Countries. He has lectured and written widely on communication and development issues. He now lives in retirement.

The Media and the Ethnic Conflict in Sri Lanka

The comparative lack of scholarly attention to the role of the media in the ethnic conflict has led to insufficient understandings of its nature. Basing itself on an examination of instances of media treatments of the conflict in all three languages and also of the historical development of modern media in our polity, the paper undertakes a theorisation of the workings of the media which will, hopefully, supply the deficiency. The examination reveals a very negative picture, which accounts for the scepticism which people generally entertain about the media. At the same time, their belief in the media and their receptivity to their persuasions remain strong. The paradox points towards the need to see the media in terms of a dialectic. Its positive strand relates to the crucial role of the media in helping create democratic public opinion among the people, and in helping them construct their post-colonial identities, associated with ontological security. However, it also carries within itself a negative strand which converts this positive potential into a destructive force. This conversion is explained in terms of the contestations of rival power groups in the polity, who subvert what could have been a valued democratic instrument of the popular will into a populist tool for the pursuit of their own parochial interests.

Thiru Kandiah holds the Chair of English at the University of Peradeniya. He has taught and published in several sub-fields of Linguistics and in the field of post-colonial literature.



EMERGENCY TRAVEL ONLY ▶▶▶

Please Call: 07956 676 360

-SRI LANKA
-SOUTH INDIA
-SINGAPORE

Marga Monograph Series on Ethnic Reconciliation - Abstracts and Authors

Negotiations for the Resolution of the Ethnic Conflict:

In this essay, Gunatilleke recapitulates the story of Sinhala-Tamil negotiations as they passed through different phases of the ethnic conflict during the last five decades. He examines the processes that have led to the major changes in the negotiating positions of both Sinhala and Tamil parties. With the Sinhala community asserting itself as the overwhelming majority in Sri Lankan society, the vast asymmetry between Sinhalese and Tamils became more sharply defined and the conflicts that were inherent in it surfaced rapidly.

Gunatilleke argues that one of the main impediments to a settlement within the democratic framework was the violence with which the Sinhala majority reacted to Tamil demands, thereby driving the Tamil political agenda from one of limited regional autonomy to an independent separate state. In this mix of asymmetry and violence none of the political options within a unitary state appeared to offer the prospect of an equitable relationship, let alone an equal one. The essay analyses the lessons to be learnt from the failures of past negotiations and goes on to explore the approaches that could overcome the present obstacles to a negotiated settlement.

The Ethnic Dimensions of Socio-Economic Development:

Did the social welfare programme that was responsible for the country's remarkable social achievements reach all communities without ethnic bias? Gunatilleke argues that while the impact of social welfare policies was positive in raising the well-being of all communities, it generated expectations that were more rudely frustrated for the Tamil youth than for any other segment of the population. He stresses the need for a fuller and mutually sympathetic understanding of the socio-economic processes that were at work, on the part of both Sinhalese and Tamils. The ethnic disposition of power and status in the colonial regime had to give way inevitably to the political economy that emerged out of post colonial democratic processes. Gunatilleke explores the contrasting perspectives of both the Sinhala majority and the Tamil minority on what should have been the equitable outcome of that transition. He goes on to inquire how both the goals of equality and proportionality need to be accommodated in a multi-ethnic society.

Godfrey Gunatilleke B.A. Univ of Ceylon; Ceylon Civil Service (1950-1971); Ministry of Planning and Economic Affairs (1965-72); Founder member and Head of the Marga Institute (1972-1995); Founder member, Citizens' Committee for National Harmony (1977-1994); Member, Committee for Monitoring Cessation of Hostilities 1984-85; Resource person, All Party Conference (1984); Member, Human Rights

Commission Sri Lanka (2000-); Consultant, ILO World Employment Programme (1973-74); Special Advisor to the Secretary General UNCTAD (1974-1978); Co-ordinator UNU project on International Migration (1984-1992); Member, WHO Taskforce on Health and Development (1995-1998); Member, Board of Trustees, International Food Policy Research Institute (1993-2000); Awarded honorary D.Litt Colombo University (1996).

Edited and co-authored *Ethical Dilemmas of Development in Asia* (Lexington, USA, 1983); *Asian Migration to the Arab Countries*, 3 vols. (Tokyo, 1986, 1991, 1992). Other publications include *Welfare and Growth* (Colombo, 1978); *Intersectoral Linkages in Health Development* (Geneva, 1984); *Government Policies and Nutrition in Sri Lanka* (Cornell, 1989); *Ideologies and Realities of the Ethnic Conflict* (Colombo, 1995); *Sri Lanka's Social Achievements and Challenges* (London, 2000); *Development Policy Regimes* (New York, 2000).

Negotiating Processes in Sri Lanka:

After a very brief introduction to conflict resolution the chapter identifies some elements missing from previous Sri Lanka government negotiations with the LTTE which contributed to failure. Space limitations preclude a full analysis of previous negotiations but a (a) process approach; (b) a researched analysis; (c) longer term, wider perspectives; and (d) preparation and professionalism are looked at in the light to earlier talks. The chapter stressed the need for Sri Lanka to be central in the transformation of the conflict from violence to political processes.

This is followed by a section which looks at some of the principles of negotiation and how one might approach enshrining such principles into the process. The role of civil society in transforming agreements into reality is stressed and the dangers of upholding peace as a panacea outlined. Then the chapter outlines establishing norms, interests and needs based bargaining, inclusivity and flexibility and justice.

Liz Philipson is a Visiting Research Fellow at the Centre for the Study of Global Governance at the London School of Economics and Political Science. She is a part time teacher in the International Relations Dept at the LSE and at the London Centre for International Relations of the University of Kent. Sri Lanka has interested her for almost 20 years since she first began studying and visiting the country. She is a Programme Associate of the London based non-government organisation Conciliation Resources and works on a free lance basis for several others. Previous employment includes South Asian Programme Manager for International Alert and Researcher in the British Parliament. Recent Publication include *Breaking recurring themes in the cycles of war and peace in Sri Lanka* CSGG, London School of Economics 1999. *Demanding Sacrifice - War and Negotiation in Sri Lanka* (Ed) Conciliation Resources 1998; *Workers Rights are Human Rights - Labour Conditionally and the World Trade Organisation Solider*, Brussels 1998 and various reports and magazine articles on countries in the Sub Continent and SouthEast Asia.

India's Role in Sri Lanka's Ethnic Conflict:

Indian involvement in Sri Lankan affairs in the decade of 1980 to 1990 was largely dictated by New Delhi's desire to be recognized as a regional hegemony. While much has been written about Tamil Nadu's secessionist proclivities and pressure from the Dravidian political parties as reasons for India's high profile intervention in Sri Lanka's ethnic conflict, this paper suggests that the Tamil Nadu factor has been greatly exaggerated in existing literature. It was used as a convenient alibi by New Delhi to justify its policies in Sri Lanka. In the altered regional and global geopolitical dispensation of the post-Cold War world, there appears to be little likelihood that India will involve itself in any significant way in Sri Lankan affairs - and that may be for the best for all parties concerned.

Sankaran Krishna is Associate Professor and Chairman of the Department of Political Science at the University of Hawaii in Honolulu, USA. He works in the areas of Comparative Politics, South Asian studies, and International Relations. Originally from Chennai, he has a doctorate from Syracuse University, New York.

Sinhala-ness and Sinhala Nationalism:

This essay follows a culturalogical perspective in deciphering the character of Sinhala consciousness between the 16th and 20th centuries. It opposes those views that deem "Sinhala" to be a politically insignificant category in pre-British times. It nevertheless differentiates the hierarchical, king-centred forms of collective identity associated with the concept *Sihalé* or *Tunsihalaya* on the one hand and the Sinhala cultural nationalism that emerged from the late nineteenth century on the other. The influence of the more or less continuous wars from the 1550s to the 1670s and the processes of cultural transmission through *hatan kavi* are among the factors that are marked in developing the argument for the era before 1815/18. However, links across the two periods are suggested by reference to (a) the *Dhammadvipa* and *Sihaladvipa* concepts on the one hand and (b) the subterranean force of the inside/outside contrasts within the structure of Sinhala-talk as perpetuated by the linkages between the words *pita*, *rata* and *para*.

On these foundations the essay reveals how in the modern period the concept "Sinhalese" has revealed a capacity to subsume the idea "Ceylonese" (or Sri Lankan) in much the same way as "English" has subsumed "British" during the past few centuries. In brief, we have an insidious form of ideological hegemony built into thought-forms. Viewed in this light the essay raises the question why ardent Sinhala advocates today cannot allow for a confederal structure of loyalty that permits "Sinhala patriotism" to nestle within "Lankika patriotism" in its all-island, trans-ethnic sense. It ends on this question-raising note, not having the wherewithal to answer this question today.

Michael Roberts (D. Phil., Oxon) taught History in Sinhala and English at the University of Peradeniya from 1961 to 1976 and since 1977 has been teaching at the Department of Social Anthropology at the University of Adelaide where he is now a Reader. His major works include *Elites, Nationalisms and the Nationalist Movement in British Ceylon*, in *Documents of the Ceylon National Congress*, Vol I (Co-

lombo: Department of National Archives, 1977); Caste Conflict and Elite Formation: The Rise of a Karava Elite in Sri Lanka, 1500-1931 (Cambridge University Press, 1982); People Inbetween: The Burghers and the Middle Class in the Transformations within Sri Lanka, 1790s-1980s, Vol 1 (Colombo: Sarvodaya Press, 1989); Exploring Confrontation. Sri Lanka: Politics, Culture and History (Reading: Harwood Academic Publishers, 1994); Crosscurrents: Sri Lanka and Australia at Cricket, (Sydney: Walla Walla Press, 1998). He has also published numerous articles and edited several works. Among the latter are (a) Using Oral Sources: Vansina and Beyond, special issue of Social Analysis, vol. 4, Sept. 1980, edited by Kenneth Brown and Michael Roberts, and (b) the two series on nationalism and politics in Sri Lanka published by the Marga Research Institute under the generic title "Collective Identities" in 1979 and 1997/98 respectively: 1979 Collective Identities, Nationalisms and Protest in Sri Lanka during the Modern Era; 1997 Sri Lanka. Collective Identities Revisited. Vol 1. and 1998 Sri Lanka. Collective Identities Revisited. Vol. 2.

Tamil Nationalism:

This essay proceeds from an exploration of various concepts of nationalism to a definition of topical relevance, and goes on to trace the background and the evolution of Sri Lankan Tamil nationalism. The paper identifies and examines the succession of crises along this trace in relation to the transformation in the potency of this nationalism as reflected in the emergence and rise of the LTTE, the on going civil war, and the global diaspora. The essay discusses the concepts of internal and external self-determination and highlights the issues that need to be resolved with a view to negotiating an end to the civil war and achieving a lasting peace on the basis of internal self-determination.

A shorter adaptation of this essay, with focus on self-determination, appears in Contemporary South Asia, 10:1 (March 2001) Dr. Devanesan Nesiiah entered the Ceylon Civil Service in 1959 and, at the time of this retirement in 1995, was Secretary/Ministry of Transport, Environment & Women's Affairs. His doctoral dissertation at Harvard University was titled, An Inter-Country Study of Affirmative Action. A revised, updated version of it was published in 1997 by the Oxford University Press under the title, Discrimination with Reason? The Policy of Reservations in the United States, India & Malaysia.

The Sixth Genre: Memory, History and Tamil Diaspora Imagination

This paper analyses Tamil diaspora nationalism. The first part of the paper critically examines the notion of defensive nationalism in the Tamil context and argues that the notion of defensive nationalism has to be re-evaluated. The rest of the paper describes and analyzes the various strands of Tamil nationalism among the Diaspora Tamils in Toronto, Canada and traces the narratives of liberation that exist among the diaspora writers.

R. Cheran is a Research Associate, Centre for Refugee Studies, York University, Toronto. He received his M.A. from the Institute of Social Studies, The Hague, Netherlands and his Ph.D. in Sociology from York University in Toronto. He is also a poet and journalist. Born in Jaffna, Sri Lanka, Cheran was the deputy editor of the *Saturday Review*, the only independent English language weekly in Sri Lanka between 1981 and 1987. Cheran's published anthologies include: *The Second Sunrise*, *The Lord of Death*,

The Song of Mirage, *The Procession of Skeletons*, and *At the Time of Burning and One hundred poems of Cheran*. Cheran was the co-editor of *We'll Live Amidst Death*, an anthology of Tamil resistance poetry published in 1985 and 1997 in Sri Lanka and India. Cheran's poetry has been translated into English, German, Sinhala and Kannada.

Landscapes of Malayaha Tamil Identity:

Although Sri Lankan citizenship has been denied to them for generations, Tamil tea estate workers, who now call themselves Malayaha (Hill-Country) Tamils, have gradually become Lankan. In this article, the author examines how one can be both Sri Lankan and Tamil, how formerly "Indian" Tamils became Sri Lankan, and what being Sri Lankan means to them. In doing so, he proposes a distinction between a political identity as "Sri Lankan" and a social identity as "Lankan." This rests on a distinction between space and place and the transformative potential of overlapping senses of place.

Daniel Bass is a Ph.D. candidate in the Department of Anthropology at the University of Michigan, from where he has received Master's degrees in South Asian Studies and Cultural Anthropology. He is currently working on his dissertation on the historical formation of a distinct Malayaha Tamil community in Sri Lanka.

Plural Identities and Political Choices of the Muslim Community:

The Muslim Community in Sri Lanka has assumed several identities over the years to keep with the changing political circumstances. This paper traces the development of those identities and analyses the present predicament of the community in the context of the ongoing ethnic crisis. The political stances taken by the Muslim leaders since independence are highlighted in the course of this development. How these identities have affected the intercommunal relations in the country is the additional focus of this paper. The rise of the SLMC and the problem it has created to the community at large is also a subject discussed here.

Ameer Ali completed his BA (Ceylon) in 1965, and went on to his MPhil (LSE) and PhD (West Australia) in Economic History. He taught at the Universities of Ceylon and Brunei Darussalam, and is now on the economics faculty of UWA. He has published several articles on the ethnic crisis in Sri Lanka, authored *From Penury to Plenty: Economic Development of Brunei Darussalam* (1996), and is the associate editor of the *Journal of Muslim Minority Affairs*.

The Role of the Sangha in the Reconciliation Process

In recent years, much scholarship on Sri Lanka's protracted war has focused upon the divisive role that monks have played in hardening Sinhala attitudes toward the Tamil. In this essay, we argue that, while some monks indeed are purveyors of Sinhala ethnic chauvinism, based on their perceived duties as "sons of the soil," they nonetheless are posed to be peace brokers. In a retrospective of the past as well as an examination of the present, including the education of the sangha, we argue that monks are perfectly situated to enact their time-honored position of "sons of the Buddha" provided that their curriculum is altered to reflect the concerns of civil society.

Chandra R. de Silva, BA (Cey.), PhD (Lond.) is Professor and Chair of History at Old Dominion University. He was previously at the University of Ceylon (1962-89), Bowdoin College (1989-91), and Indiana State University (1991-98). His major publications include *The Portuguese in Ceylon, 1617-1638* (Colombo: 1972), *Education in Sri Lanka 1948-1988* (New Delhi: 1990), *Sri Lanka since Independence* (New Delhi: 1992), *Sri Lanka: A History* (New Delhi: 1987, 1997) and *Buddhist Fundamentalism and Minority Identities in Sri Lanka* (Albany: 1998). Tessa Bartholomeusz is an Associate Professor of Religion at Florida State University. She received her PhD in 1991 in Buddhist Studies from the University of Virginia and is the author of *Women under the Bo Tree: Buddhist Nuns in Sri Lanka* (Cambridge, 1994) and co-editor and co-author with Chandra R. de Silva of *Buddhist Fundamentalism and Minority Identities in Sri Lanka* (SUNY, 1998). She is also the author of numerous articles, which have appeared, among other places, in the *Journal of Feminist Studies* and the *Journal of Ecumenical Studies*. At present she is a book review editor for the *Journal of Asian Studies*.

The Role of the Churches in the Ethnic Conflict

The paper warns against the risks involved in trying to deconstruct history and argues that no amount of deconstruction can make the facts of the conflict go away. Reconciliation is not an outcome of an intellectual activity but the product of a moral catharsis which in turn presumes a willingness of both protagonists, with contrition and humility, to confront their mutual guilt.

The paper analyses the churches involvement both at the international level as well as the national. At the international level it points to a divergence between the balanced approach evinced in textual statements issued by various Christian international bodies and the bias on the side of the Tamil cause revealed in their day to day activities. However at the national level the paper finds a remarkable consistency in the values and policies to which all churches seem committed.

All churches seem unequivocally committed to the defence of fundamental rights and to a multi-lingual, multi-cultural and multi-religious Sri Lanka. They are also committed to a single undivided nation and do not accept that separation is inevitable. They reject the claim that peace can be ushered through military means or through terror tactics and urge dialogue, negotiation and compromise as the only way out. They bemoan the nation's lack of statesmanship and urge a greater reliance on spiritual resources such as humility and prayer. However the paper also draws attention to the churches' lack of credibility because of their historical association with foreign power systems.

The paper concludes by reiterating its fundamental claim that reconciliation will not come about merely through secular activities unless they are combined with an essentially spiritual initiative such as is represented by the Truth Commission in South Africa.

Neville Jayaweera graduated in Philosophy in 1953 from the University of Ceylon - Peradeniya and lectured in the subject after graduation till he passed into the Ceylon Civil Service in 1955. In the Civil Service he held several senior positions including that of Government Agent (Head of Administration) of several Districts, General Manager of the Gal Oya Development Board and Chairman and Director Gen-

(continued on page 26)

CLASSIFIED ADS

First 20 words £10. each word 60p charge
Box No. £3. (Vat 17 1/2% extra). Prepayment essential.

The Advertisement Manager

Tamil Times Ltd., PO Box 12

Sutton, Surrey SM1 3TD

Phone: 020-8644 0972 FAX: 020-8241 4557

E.mail admin@tamiltimes.org

MATRIMONIAL

Jaffna brother seeks professional groom for sister, 28, British citizen in good employment. Please send details. M 1258 c/o Tamil Times.

Jaffna Hindu mother seeks partner for her cheerful, smart daughter, 40, Director on leading Montessori school, Vancouver, Canada. Religion no bar. Please send full details. M 1261 c/o Tamil Times.

Hindu brother seeks bridegroom in good employment for his sister, British citizen, 35, in good employment in UK. M 1262 c/o Tamil Times.

Jaffna Hindu Doctor father seeks doctor/professional bride for his Computer Consultant son, 30, 5'8", British citizen. No Mars Dhosa. Please send horoscope, photo, details. M 1263 c/o Tamil Times.

Jaffna Hindu father seeks professional groom for attractive, cultured and sociable daughter, 26, accountant, educated and qualified in UK. Please send details. M 1264 c/o Tamil Times.

Batticaloa born, Melbourne resident, Christian Hotel - Management qualified groom, 30, seeks graduate or computer science qualified bride under 28. Please send details. M 1265 c/o Tamil Times.

Post Office For Sale

One of the Busiest Post Offices in Bromley District - London South East for Sale. Post Office Income up to March 2001 £51,943 a year and increasing. Shop CTN Trade £5,500 approx a week. 5 1/2 days trading. Owner wanting to retire after 25 years, due to ill health. Any reasonable offer considered for a quick sale. Telephone 020 8650 5192 or after hours 020 8650 7512.

OBITUARIES



Kanapathypillai Sitsapesan, formerly Director of Water Affairs, Zambia and later Chief Project Engineer, Nigeria; beloved husband of the late Sivagamasunthary Sitsapesan; loving father of Manoharan and Savithri; father-in-law of Varathan and Rebecca; loving grandfather of Holly, Daniel and Luxmmi; brother of Dr. K. Yogeshwaran (Sri Lanka) passed away on 5th September 2001 and was cremated on 9th September.

The entire family thank all friends and relatives who attended the funeral, sent messages of sympathy and assisted them in several ways during the period of bereavement. - 11 Stapleford Close, Southfields, London SW19 6TG. Tel: 020 8789 4798.



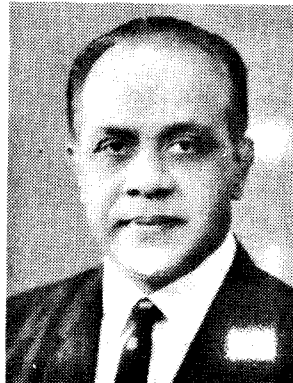
Mr. S. Narenthiran, Former Engineer RVDB & Director of

Fisheries/Land Development Board of Sri Lanka passed away on 15th August 2001 at the age of 60 and was cremated at Kanata Crematorium, Colombo on 19th August 2001.

He is the son of late Mr. K.S. Subramaniam (popularly known as KSS Jaffna Hindu College) and Mrs P. Subramaniam; husband of Kala; father of Aravindan and Ananth; brother of Gunapakiam Shanmugalingam, Pararajasegaram, Maheswary Thisaveerasingam, Ranji Ramanathan, Chandri N Sabapathy and Sriathan.

Members of the family thank all friends and relatives for attending the funeral, tributes and sympathy. Special appreciation to Dr. Nirmla Benjamin who looked after him during the last days of his illness.

You left us all with tears and deep pain. We adore your sincerity and simplicity. You lived for others more than yourself. You will be always remembered. - Chandri Saba, 2 Edgehill Road, Glasgow, G11 7LP. Tel: 0141 337 3917.



Mylvaganam Thillaiampalam (Myl) of Alaveddy, Sri Lanka; formerly in charge of the Australian Trade Commission in Colombo and who had been living in Strathfield, Australia since 1984 passed away aged 83 on 12 September 2001. Beloved husband of Tilaka, retired teacher - Royal Primary School, Colombo; devoted father of Chitta, Deva, Janaki, Dr. Arul, and Dr. Vasuki; father-in-law of Dr. Kausala, Balini, Ramachandran and Rocco; grandfather of Gaithri, Brannavan, Shankari, Aranee, Haran and Narmatha; brother of late Sellathurai, late Dr.

Kanagaratnam, late Rajaratnam and late Kailasapathy.

The family members thank all relatives and friends who attended the funeral in Sydney and sent floral tributes and messages of sympathy. - Mrs. T. Mylvaganam, 16/88 Albert Road, Strathfield, NSW 2135, Australia.



Mr. Sivagnanam Gratian Nirmalanathan, Solicitor, beloved husband of Chandra; son of the late Sivagnanam and Mrs Nancy Saraswathyrani son-in-law of Mr. Muthukumarasamy and the late Mrs. Sivapakiam Muthukumarasamy; brother of Mr. Gananathan, Mrs. Gnanarani Jesudasan, Mrs. Yogarani Anthonypillai (all of Canada) brother-in-law of Jaya, Santhy, Viji, Siva, Skantha, Aruna, Suganthy (All of UK) and Ananthan Tharmi (South Africa) passed away on 30th September 2001 and was laid to rest on 6th October at the Hounslow Cemetery, after funeral service at Rivercourt Methodist Church, Hammersmith.

The members of the family wish to thank all relatives and friends who attended the funeral services at the Hammersmith Methodist Church and the Hounslow Cemetery, sent floral tributes and messages of sympathy and assisted them during the period of bereavement. - 216 Cranford Lane, Hounslow, Middx TW3 9JD. Tel: 020 8696 6731.

For Sale

Large house, 6 bedrooms plus garden 27 perches in Wellawatte, Colombo

Contact: London: 0208 572 2983.

OBITUARIES (ctd)



Subramaniam Sivagnanasekeram (67) of 43 Lynton Road, New Malden, Surrey eldest son of late Mr. Subramaniam & late Punithavathy; son-in-law of late Sivagnanam (Attorney-at-Law) and Mrs Devi Sivagnanam of Chankani, Sri Lanka; beloved husband of Gnanadevi; loving father of Ranjan and Mohan passed away on Thursday 4th October 2001. The funeral rites were performed on 8th October at his residence and later the cremation was at Putney Vale cemetery, London SW15.

Mrs. Gnanadevi Sekeram and children Ranjan & Mohan wish to thank all friends and relatives, who attended the funeral, sent floral tributes, messages of sympathy, and assisted and supported them during the bereavement. They regret their inability to thank everyone individually. - 43 Lynton Road, New Malden, Surrey KT3 5ED.

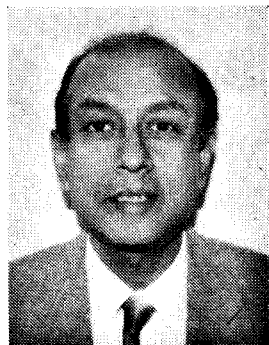


Mr. Aiyadurai Sivanandan, retired Judge of the High Court of Zambia (Lusaka); formerly Advocate of the Supreme Court, magistrate and acting District Judge, Sri Lanka; loving husband of Dr. Pushpa-

vathy; father of Sivaraman (UK), Lakshmanan (Melbourne), daughter Umayya (Sydney); grandfather of Arabhi, Kanna, Abhilash, Akilesh and Krishna passed away on 25th July 2001 at the age of 71.

Justice Sivanandan was the youngest son of late K. Aiyadurai, Proctor SC and Nagapooshani Aiyadurai of Neeraviady, Jaffna; brother of late Dr. A. Karunanandan, Mrs. Pathma Jayaseelan, late Leela Balasingham (Ponnar), Mrs. Thilaga Wijeyaratnam, late Sivayogavalli (Sivam) Aiyadurai; brother-in-law of Mr. K. Jayaseelan, Mrs. Thayalnayaki Karunandan, late Mr. Balasingham, late V. Wijeyaretnam, Dr. (Mrs.) Selvam Thavasoathy, Dr. Rajagopal, late Dr. Balakrishna, Dr. Krishnartna, Mrs. Sunthari Annamallai, Mrs. Mano Srikantha, Ranganathan and Krishna Selvalingam.

The members of the family wish to thank all those who attended the funeral, sent messages of sympathy and assisted during the period of bereavement. - From Mrs. P. Jayaseelan, 18 Lee Court, Lee High road, London SE13. 5PE.



Dr. Karthigesu Jeganmohan, beloved husband of Benita, loving father of Dr. Janandana and Thanuja (Lawyer); father-in-law of Jeff and Shanthan; grandfather of Jeffrey Janarthan; eldest son of late Yarlpnam Vairamuthu Karthigesu and Mrs. Packialakshmi Karthigesu; brother of Mrs. Meenalagini Sivanesan (Canada), Logesan (Germany), Nagulesan (Colombo) and Sivanesan (UK) passed away in the morning of 8th October 2001 and was cremated at South London Crematorium, Streaam Vale on 13th October 2001.

The members of the family

wish to thank all friends and relatives who attended the funeral, sent floral tributes and messages of sympathy and helped them in several ways during the bereavement. - 27 Sandford Road, Bromley, Kent BR2 9AL. Tel: 0208 4027079.

IN MEMORIAM



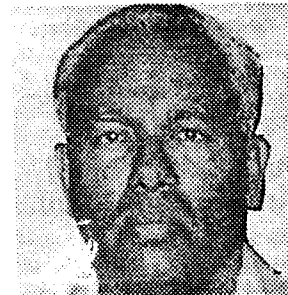
In fond memory of **Mr. M.A. Rasiah** (former Head Master, Illavalai, Sri Lanka and Teacher at Herts. Tamil School, Watford, UK) on the ninth anniversary of his passing away on 18th September 1992.

The love and kindness you bestowed on us shall for ever be treasured in our hearts. May God bless you.

Sathianathan (Watford),

Packiarajah (Batticaloa), Stella Devendra (Dubai), Shankar (New Malden), Theresa Nagarajah (Mathagal), Logan Rasiah (Watford) and Emilda Daniel (Canada).

Tenth Anniversary Remembrance



In loving memory of **Dr. Saravanamuttu Paramanathan** on the tenth anniversary of his passing away on 26th September 1991.

Remembered with love and great affection by his wife Vallambihai; children Lohini, Mohini, Thamby; sons-in-law Ganesh, Napo; daughter-in-law Bernie; grandchildren Kumaran, Vanathy, Dhakshila and Haran.

First Death Anniversary



In loving memory of **Mr. Kathirgamar Nallathamby RAJANAYAGAM** on the first anniversary of his passing away on the 2nd of October 2000.

Sadly missed and fondly remembered by his loving wife Kanagasavundary; dear sons Dr. Nirmalan and Niranjan; daughter-in-law Deepalakshmi; grandchildren Aneesha and Prajeshan; sister Nesamany; brother Dr. Pathmanathan; brother-in-law Ratnasabapathy; sister-in-law Thayapathy, nephews and nieces and their children. - 18 Stratford Court, Kingston Road, New Malden, Surrey KT3 5NU.

IN MEMORIAM

Lovingly Remembered on the 12th Anniversary of the
Passing Away of



DANIEL SELVARAJAH SANDERS PH.D., ACSW
September 28 1928 – October 14 1989

**THE ELEVENTH ANNUAL DANIEL S. SANDERS PEACE,
HUMAN RIGHTS AND SOCIAL JUSTICE LECTURE**

Internationally known as a leader in efforts to achieve world peace, human rights and social justice, Daniel S. Sanders was Dean, Professor and Director for International Programs, UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK, HONOLULU, HAWAII USA, FROM 1971-1986; Also Dean, Professor and Director for the Center for Study of International Social Welfare Policies and Services, UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN, SCHOOL OF SOCIAL WORK, USA FROM 1986-1989. A FOUNDER AND FIRST PRESIDENT INTER-UNIVERSITY CONSORTIUM FOR INTERNATIONAL SOCIAL DEVELOPMENT, USA FROM 1980-1989.

Dr. Peter Edelman, Professor of Law, Georgetown University Law Center & Assistant Secretary for Planning and Evaluation, Department of Health and Human Services delivered the Eleventh Annual Daniel S. Sanders Memorial Peace and Social Justice Lecture on March 29, at the University of Illinois at Urbana-Champaign. His subject was **'POVERTY AND WELFARE POLICY: CHALLENGES FOR THE NEW CENTURY'**. Professor Edelman described the welfare reform of the mid-1990s and looked at the complex relationship between welfare and poverty. He also included continuing issues such as income for workers, health coverage, childcare, assistance, housing and education.

THE DANIEL SELVARAJAH SANDERS DOCTORAL AWARD FOR INTERNATIONAL SOCIAL WORK University of Hawaii, School of Social Work was awarded to Katalina McGlone, for the year 2001.

**THE SEVENTH BIENNIAL DANIEL S. SANDERS PEACE
AND SOCIAL JUSTICE LECTURE.**

The Inter-University Consortium for International Social Development (IUCISD) biennial symposium was held at the University of Bogazici, Istanbul, Turkey in June 19-23, 2001. The conference theme was 'Social Development, Public Expenditure and Participation: The Sharing of Social Responsibility'. The Daniel S. Sanders Peace and Social Justice Lecture was delivered by Dr. (Mrs.) Gulden Kazgan, Economist and Professor at Bilgi University, Istanbul. Dr. Kazgan spoke on **'GLOBALIZATION AND THE SOCIAL RESPONSIBILITY OF THE STATE IN DEVELOPING ECONOMIES'**.

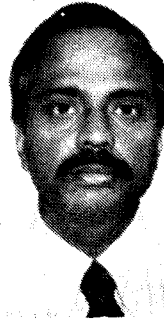
THE DANIEL S. SANDERS FELLOWSHIP IN INTERNATIONAL SOCIAL DEVELOPMENT AWARD, at the University of Illinois at Urbana-Champaign School of Social Work, the recipient was Hyun-Ah Kang for the year 2001.

The National Institute of Social Development, Sri Lanka had its graduation ceremony on July 24th, 2001. Mrs. Christobel C. Sanders was present at this happy occasion. There were several who distributed the awards to the graduating students. The Daniel S. Sanders Scholarship Award was presented by Mrs. Sanders to the recipient Mr. G. Ketheswaran, Lecturer, Cooperative Training Institute, Vavuniya, Sri Lanka.

With our love to Rajan.

Chelvathy Sanders, Sanders/Niles families – Selvaranee, Chandraranee, Chandran and Mangai, Balan and Susila; Ariam and Sushila, Alagan and Thavayogam; Augusta; nieces and nephews.

1807 Vancouver Place, Honolulu, Hawaii 96822 USA.



In loving memory of **Pararajasingham Vasanthakumar**, FCA (Sri Lanka), CPA (USA) on the third anniversary of his passing away on 24th September 1998.

Sadly missed and fondly remembered by his grieving wife Savitri and children Prasanthi (McMaster) and Ashwini (Harvard); father-in-law Dr. P. Sivasothy and mother-in-law Mrs. S. Sivasothy; brothers Thirugnanam, Thambipillai and Gnanasivam; sisters Sivayogawathy and Sivagnanawathy; brothers-in-law Natkunasingham, Sivapathasundaram and Sivakumar and sisters-in-law Indra, Gowri, Saraswathi and Ramani. - 5038 Heritage Hills Blvd., Mississauga, Ontario, Canada L5R 1V5.

FORTHCOMING EVENTS

Nov 1 All Saints' Day.

Nov 2 Karthigai; All Souls Day.

Nov 4 Sankadakara Sathurthi.

Nov 10 South London Tamil Welfare Group (SLTWG) Drop In. Tel: 020 8542 3285; Feast of St. Leo the Great.

Nov 11 Krishna Eekathasi.

Nov 12 Pirathosam.

Nov 14 Amavasai; Deepawali; Keethara Gowri Viratham ends.

Nov 15 Skantha Shashti Viratham starts.

Nov 16 Feast of St. Margaret of Scotland.

Nov 18 Sathurthi.

Nov 20 Shashti; Soora Samkaram; Skantha Shashti Viratham ends.

Nov 21 Thirukalyanam; Feast of the Presentation of Virgin Mary.

Nov 22 Feast of St. Cecilia.

Nov 24 SLTWG Drop In – Sai Bhajan. Tel: 020 8543 3285.

Nov 26 Sukkla Eekathasi; SLTWG Trip to Neasden Temple. Tel: 020 8542 3285.

Nov 28 Pirathosam.

Nov 29 Karthigai.

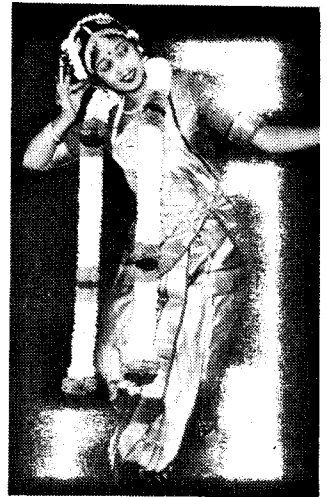
Nov 30 Full Moon; Sarvalaya Deepam; Feast of St. Andrews, Patron Saint of Scotland.

At the Bhavan Centre, 4A Castletown Road, London SW14 9HG. Tel: 020 7381 3086/4608.

Nov 3 6.30 p.m. Carnatic Violin by Balu Raghuram with Umayalpuram K. Sivaraman from India on Mridangam.

Nov 17 6.30 p.m. Hindustani Vocal by Sandipan Samajpati from India.

**Nishkkala's
Bharatha Natya
Arangetram**



The Bharatha Natya Arangetram of Nishkkala, disciple of Smt Geetha Yogendran of Nartanalaya, 'Canadian Centre of South Asian Dances' took place on 7th July 2001 at the Burton Auditorium, York University, Toronto. She is a daughter of Arichandran and Sumathy of Scarborough, Ontario, Canada.

Nishkkala's performance commenced with the Pushpanjali, followed by Alaripu, Jathiswaram in Vasantha Ragam, Sabtham and an elaborate Varnam in Valaji Ragam for the first half of the programme. This Varnam was the highlight of the day's recital as it consisted of Sanchari bhavas, where Nishkkala brought out her various emotions and moods.

After the interval came 'Ganamalai' a patham on Lord Krishna, 'Anantha Nadanam'

continued on page 32

continued from page 31

on Lord Siva and a song from the opera 'Ramanavakam' by Arunachalam Kavirayar, 'Kanden Kandaen' in Bagosui Ragam, which received acclamation from the audience. The finale of the evening's programme was the Thillana in Yamuna Kalyani ragam, which Nishkkala danced with flawless footwork (Nritya) and sculptural poses choreographed by the Guru. Nishkkala is a multi talented girl, who is also a good vocalist.

The Chief Guest for the evening was Gaana Bhushanam Smt Ambika Thamotheram from London. She praised Nishkkala for her commitment and passion for this divine art and said that she had all the characteristics that make a good dancer.

The accompanists for the Arangetram were Nattuvangam – Smt. Geetha Yogendran, Vocal – Smt. Saroja Jayaratnam, Mir-dangam – Sri. R. Balaskandar, Violin – Selvi. Abhirami Vivekanandaraja, Flute – Sri. E. Edward.

A Unique Bharatha Natya Arangetram



The Bharatha Natya Arangetram of 14 year old Maithili Nagarajah, a student of Smt. Pushkala Gopal and Sri Unnikrishnan of Mudralaya, took place on 1 September 2001 at the Logan Hall, which was full to capacity from start to end.

This Arangetram was unique as this was the first time in the UK and possibly in the world, that the dancer was accompanied by her two brothers on the two main accompanying instruments, namely Miruthangam and Violin. All credit goes to the Gurus and parents for the courage and determination needed to produce an Arangetram of such a high standard involving three British born children. This would have been especially difficult knowing their academic schedule with Nirshanthan (who played the Miruthangam) being a final year medical student at Guy's, King's and St. Thomas', and with Parthiban (who played the Violin) entering undergraduate education at University College London. Further-

more, Nirshanthan and Parthiban had not previously accompanied for dance.

For their parents, Dr. & Mrs. Nagarajah, this is the fourth Arangetram within the family. The young professional vocalist, Sri B. Umashankar, from Madras also performed for dance for the first time and this was also his first performance outside India.

Selvi Dhanusha Maheswaran, herself a dancer, compered the evening beautifully, allowing the audience to understand the significance of the different dance items and credit should go to Dr. & Mrs. Maheswaran for their support.

This Arangetram was a class act rendered to perfection with the recitals comprising Thalamalikas, and Ragamalikas containing very rare ragas, all choreographed by Maithili's Gurus

Maithili commenced the dance recital with Vinayaka Stuti in Tisra Matyam, followed by Alarippu in Thalamalika and Ganapathi Padyam the ritualistic opening dance using an unusual time cycle and leads the dancer's body into delicate movements of her eyes, neck, limbs and the whole body in various tempos within the rhythmic arrangement of 3-2-3 beats. This opening piece captivated the whole audience. Maithili's Alarippu was different from others as her eye movements have occupied an important place. Her neck, finger and body movements were very discrete and attractive to the audience.

The Jathiswaram, composed by Maithili's Guru Smt. Pushkala Gopal, in Gamanashrama ragam and Misra Chapu thalam followed this and explored the Nritta aspect of Bharathanatyam as the dance embellishes the underlying sequences of melodic solfas strung together. The adavus and korvais were set beautifully to the swaras and Maithili has demonstrated her talent in her perfect footwork with ease and the adavus in purity and danced without mistake to the thalam.

Mahadeva Sivashambo in Revathi ragam and Adi Thalam extols the attributes of the great God Shiva and described his eternal dance before his devotees, and the whole audience felt the same effect.

This was followed by the Varnam or Nrithyopaharam. This was a Ragamalika in Adi Thalam, and a composition of Sri Lalgudi Jayaraman displaying Nritta, Nritya and Natya. It consisted of nine ragas to show the nine rasas and these were beautifully rendered by the accompanying artistes. Here the budding talent of Parthiban was well noted with him and Sri Thyagarajan on flute displaying Bilahari, Huseni, Valaj, Saranga, Sucaritra, Atana, Rasikapriya, Sahana and Nadanamakriya. The nine rasas were elegantly and exquisitely portrayed by Maithili, which reminded me of Dr. Padma Subramaniam. The control of rhythm, korvai and pacing on the Miruthangam by Nirshanthan was marvellous. The goddess Devi is seen here in her manifestations, which generate the gamut of the nine rasas or sentiments. As the

heroic Meenakshi, she was valorous and when she beholds Shiva and becomes woman in all modesty, there is love. She is wonderstruck by Shiva's acts of destruction or valour.

Murugan Maayam in Ragamalika and Chatusra Triputa Thalam, enumerated the different leelas of Muruga and how he wed Vaiti by playing many games. The selection of ragas contained Kunthalavarali, Vasantha, Kamas, Sindubairavi, Atana, Keeravani, Durga and Maand, which were beautifully rendered by Parthiban and Sri Thyagarajan.

This was followed by Javali and then by Ramayana Keerthanam in Ragamalika and Thalamalika. This brought alive the call of the devotee to his beloved Rama. The story of Rama's marriage, his advent into the forest and his victory over Ravana were depicted admirably by Maithili.

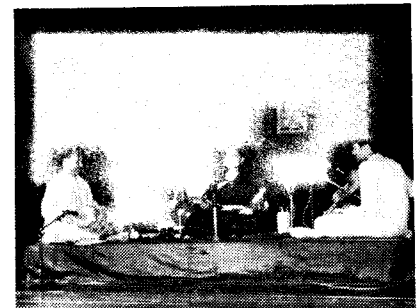
Thillana in Ahir Bhairav and Adi Thalam, based on an inimitable popular composition of Dr. Balamuralikrishna. This piece celebrated the joy of movement and melody, and the Arangetram concluded with Sai Slokam followed by Mangalam.

The unique and outstanding nature of this Arangetram was only possible due to the exceptionally talented and dedicated Gurus in Smt. Pushkala Gopal and Sri Unnikrishnan. Without their high level of expertise, this event would not have been this successful. In addition, this Arangetram would not have been possible without the devoted, dedicated and committed parents of Nirshanthan, Parthiban and Maithili, Dr. Nagarajah & Mrs. Padmini Nagarajah who have uplifted the fine arts standards and made greater awareness of the culture and tradition to the community at large. It was a greatly memorable evening for all those who attended.

The artists of the evening were Smt. Pushkala Gopal on Nattuvangam, Sri B. Umashankar on Vocal, Selvan Nirshanthan Nagarajah on Miruthangam, Selvan Parthiban Nagarajah on Violin, Sri R. Thyagarajan on Flute, and Sri Sithamparanathan on Morsing and other percussion instruments.

Dr. T. Nimalraj.

A New Star in the Horizon



Saturday, 8th September 2001, was a delightful evening at the Claremont School Hall for those who had gathered to encourage and enjoy a Carnatic Music Concert by

continued on page 33

continued from page 32

Aparna – An Admirably Prolific Adorably Resourceful New Artist. When the curtain was unveiled, there was a keen sense of spirited silence in the auditorium, expecting to witness what was to be unfolded creditably by the main artiste on her 'maiden performance' known as arangetram.

To those keen and critical ears, nervous parents and the Guru sitting in the audience, there permeated an aura of confidence and ability from the podium! All four on the stage were young and radiated happiness. The smiling beautiful 'A' level Artiste Aparna pursued the authentic and traditional path of singing in 'Aakaaram' and briskly started rendering a Varnam in Mohana Kalyani set to Adi Tala, composed by the giant and musical genius Lalgudi G Jayaraman, as if a tribute by Aparna to her Guru Dr. Lakshmi Jayan, who runs Sri Lalgudi School of Music in London and is his disciple too!

With the perfect support of the violin by Sri Arvind Jayan, on the Mrudangam by Sri M Balachandar and on the ghatam by Sri R.R. Prathap, Aparna swayed the audience and the response was positive indeed with generous applause – an Ace rightly served by Aparna, right at the start!

Aparna was alluring in her Atana delin-eation of 'Shri Maha Ganapathim' a composition by Mysore Maharaja, bringing out the majesty of the raga Atana. Then came the difficult piece, a 'pancharata' kruti, Dudukugala in Gowla raga sung in the lower octave & maintaining its majesty, thereby transporting the audience to 'Saint Tyagaraja's Sannidhi in Thanjavur, India!' The prolific and fine combination of Arvind, Bala and Prathap accompanying the mellifluous Aparna was indeed a treat to the ears and souls!

Aparna then rendered a superb raga alapana in Karnaranjani as a prelude to the kruti Vancha Thonuna by Muthiah Bhagavathar in Rupaka tala. This was followed by Asaindadum Mayil in Simmendra Madhyamam by Oothukkaddu Venkata Subbier in Adi tala and Innudaya Bharathe in Kalyana Vasantham by Shri Purandara Dasar in Adi tala. Aparna's rendition of the krutis of the above composers/saints in Telugu, Tamil and Kannada brought out her undaunted true grasp and grip of these languages of South India. The 'tani aavartanam' from the percussionists, their anticipation, the delectable bowing, the question and answer follow up of raga sessions between Aparna & Arvind and the way Arvind energised to unfold his authority and mastery of the ragas can only be experienced and not explained.

Aparna skilfully handled the kruti 'Marivere' by Saint Shyama Shastri in Ananda Bhairavi raga set to Misra Chapu tala. The traditional rendering of this raga in its Aruram culture was beautifully done by Aparna. Arvind excelled in exposing this raga to its splendour in all its intricacies.

Sri Narendran, Aparna's father introduced the Chief Guest, Dr. P.V. Nath, MBE

and the artistes of the evening and proposed the vote of thanks. Dr. Nath who had come all the way from Newcastle after blessing Aparna presented her his book 'Tatvam Asi'. He complimented her on her achievements that evening (and at her school and sports) and urged her to continue giving more programmes, thus upholding the greatness of her Guru, Dr. Lakshmi Jayan, her parents and grandparents.

After the intermission, there was an easy flow of the raga Behag in 'Aadum Chidambaram' (Tamil). The challenging Ragam Tanam Pallavi in Hamsanadam set to Kanda Jathi Tripura tala: lyrics 'Oh padaittha kanninay va va va, Uruthi konda nenjinai' by Subramania Bharathiar and set to pallavi by Dr. Lakshmi Jayan was meticulously rendered by Aparna and got the approval of the audience, from whom the applause echoed.

Akhilandeswari in Dvijavanti raga; Muruga Muruga, a ragamalika piece tuned by Sri Lalgudi Jayaraman; Kaliyuga Varadan, a viruttham in ragamalika and the kruti by Papanasam Sivan; the Thillana in the popular and captivating Kanada raga, a composition by Sri Lalgudi G Jayaraman brought laurels to Aparna and her accompanists. The finale was a Madhyamavathi piece, 'Shobanam (Mangalam)' by Arunachalakavi beautifully sung and accompanied.

Those who were there like me only know that it was a star performance by a rising Star ready to illumine the Carnatic Music World in all its splendour, tradition and dignity.

Yalini's Bharatha Natya Arangetram



Yalini's debut performance of Bharatha Natyam took place in the prestigious Logan Hall in Central London on 22nd September 2001 to a capacity audience. It was a delightful show all evening. She exhibited confidence with grace and poise and kept a captive audience for about four hours, executing the innovative choreography of her Guru, Smt Selvaluxmy Ramakrishnan.. Young Yalini had the privilege of learning from her guru's guru Smt Krishnaveni Lakshmanan, Chennai and per-

formed to her Choreography also on that day. Smt Krishnaveni who was the Guest of Honour at the arangetram commended highly on the artistic potential of Yalini and her skill in performing with ease and precision to the rhythmic fingering on the miruthangam by Sri M. Balachander. Selvi Diana Wynter, Headmistress of St. Catherine's School, Twickenham, the Chief Guest was mesmerised by Yalini's body movements, eye brows in particular and the costumes and jewellery, and expressed her delight at Yalini's academic achievements, veena performance in the school and her melodious singing as a soloist and senior member of the school choir.

The proceedings commenced on time with the 'Pushpanjali' and 'Ganesha sthuthi' in ragam 'Nattai' offering obeisance to the Almighty and the Guru, followed by a prayer to invoke the blessings of Lord Ganesha, the remover of all obstacles to success. Followed by 'Alarippu' in ragam 'Thisram' was a short piece with simple movements of the eyes, neck and limbs, building up to a complex sequence of pure dance performed to rhythmic syllables. The 'Jathiswaram' was in 'Kalyanavasantham' in which the dancer executed an elaborate rhythmic dance sequence set to simple musical notes.

The central Varnam in 'Lathangi' in praise of Lord Nataraja was the most demanding piece in the repertoire. Yalini expressed through gestures the subtle nuances in the words of the song 'Konchum sathangai' to the powerful rendition of the piece by Sri Kutralam Nagarajan. The dancer executed this challenging piece lasting about twenty five minutes perfectly, combining the elements of the art form in which passages of pure dance alternated with the lyrics of the song.

The second half of the programme started with a Patham in praise of Goddess Durga in 'Sinthu Bhairavi' in which Yalini expressed through gestures her feelings for her loving amamma, the late Smt Packiam Muthukkumarasamy who departed in February 2000. Selvan Piranavan, Yalini's older brother, who had his arangetram in 1996 under the tutelage of Guru Sri. M. Balachander played the miruthangam for Sri. Kutralam Nagarajan's song 'Chinnanchiru penpole', which portrayed Durga's divine beauty, her graceful walk and lotus eyes. Selvan Piranavan also compered the evening's programme and proposed the vote of thanks along with her cousin Selvi Arthi Sivakumar who had her vocal arangetram in 1996. Grandma Packiam's influence on her grandchildren's cultural and educational advancement were immense and it was felt that she was in the auditorium. The presence of Yalini's appappa and appamma, Sri & Smt Kandiah, recent arrivals from Colombo in the auditorium added further inspiration to the dancer.

The next two pieces were 'Arupadai' in 'Ragamalika' followed by 'Aadathu' in

continued on page 34

continued from page 33

'Madyamavati'. The former described the six shrines of Lord Muruga, the six-faced God who rode the peacock and while the latter described the beautiful dance of Lord Krishna. Yalini was able to establish the essential rapport of rhythm and melody and perform the pieces brilliantly. The dialogue between her and the miruthangist Sri Balachander, the violinist Sri Sivaganesh, and the flutist Sri Gnanavarathan was commendable. Yalini concluded her performance with 'Thillana', the most beautiful piece with a number of alluring poses, a varied pattern of movements executed with grace and elegance. Almost every 'adavu' was rendered in two or three tempos to bring out the beauty of the poses and scintillating 'theemanams'. The repertoire concluded with the traditional 'mangalam'. The audience was generous with the much deserved applause at every opportune moment. The huge dancing pose of Lord Nadaraja decorated the back of the stage adding quality to the programme. Guru Smt Selvaluxmy Ramakrishnan's dedication in training Yalini for eight long years has produced a fine promising artiste and her parents Smt Aruna and Sri Sucindran ought to be congratulated for their dedication to this divine art. This arangetram should hopefully encourage other young parents to introduce the art to their children.

S. Kanagasundaram.

AUSTRALIAN NEWSLETTER

Book Launch: The Eelam Tamil Association organised the launch of the 4th Edition of the acclaimed History of Jaffna (Yaalpana Sarithiram) by Dr. A. Muttuthamby Pillai (1858-1917). The author was a well-known historian, lexicographer, grammarian and stylist in prose. This edition of the book was published by the author's great-great grandson Sri. S. Danikaiskandakumar. He is the present copyright holder of all the books written by Dr. A. Muttuthamby Pillai and printed at the Navalur Press in Jaffna. He kindly offered to donate part of the proceeds from the sale of this book to the Eelam Tamil Association.

The book launch was held on 23.9.01 at Homebush Boys' High School Hall. The ceremonial lamp was lit by Sri. S. Jayaveerasingam. The chairman Mr. V. Eelalingam delivering the introductory address spoke about the book, the author and his family. Smt. Kalaiarasy Sinniah, a former lecturer at the University of Jaffna introduced the book to the audience. She spoke about the historical background, the sources from which the author drew his material and compared it with similar historical works written at that time. It was obvious from her speech that she had done a great deal of research herself on the subject matter. The book was reviewed by four other speakers - Sri. S. Ratnarasa, Sri S. Mahesan, Sri. S. Thanabalasingam and Sri Janaki Ramian. Sri. S.

Danikaiskandakumar thanked the Tamil Eelam Association, speakers and the audience. He stressed the fact that every Tamil should read the book and be proud of his or her heritage. Several prominent members of the Tamil community were then called upon to buy the first copies of the book. This was followed by a cultural show consisting of music and dance items presented by the descendents of the author after which the function ended with the serving of refreshments.

Prayer Meeting: A prayer meeting organised by the Hindu Council of Australia was held on 30.9.01 at the Sri Siva Mandir in Minto, Sydney in memory of those who lost their lives in the terror attack in USA on September 11th. The proceedings began with an address by the Chairman of the Council, Dr. A. Balasubramaniam. This was followed by Vedic chanting by Dr. Michael Comans and Nikesh Lalchandani. Representatives of Hindu and Buddhist organisations spoke of their sadness at the turn of world events and the significance of prayer and meditation. The speeches were followed by a Sanskrit prayer recited by Dr. Comans and Bhajans sung by Mrs Bhatt.

A vote of thanks was proposed by Mr. Jagdish Chawla on behalf of the Sri Siva Mandir and the Hindu Council of Australia. This was followed by arati and the distribution of prasadam.



P. SRINIVASAN



INDEPENDENT FINANCIAL ADVISER

REGULATED BY THE PERSONAL INVESTMENT AUTHORITY FOR INVESTMENT BUSINESS ONLY
32, Abbots Lane, Kenley, Surrey, CR8 5JH, United Kingdom

Fax: 020 - 8763 2220
Tel: 020 - 8763 2221
Mobile: 0958 - 42 42 22
Personal: 020 - 8763 1222

We have launched a Web Site on the World-wide web for the benefit of our clients in the U.K. and World-wide, who are interested in

**PENSION
SAVINGS**

**LIFE ASSURANCE
MORTGAGES***

**PROPERTY LETTING (ARM Estates)*
GENERAL INSURANCE (ARM Associates)***

(*Not regulated by Personal Investment Authorities)

Please pay us a visit
<http://www.financial.advisernet.co.uk>

or

contact us on E-mail
For Life Assurance

Srini@srinivasan.co.uk

For General Insurance

ARM@armassociates.co.uk

NATHAN & CHELVA



SOLICITORS



We Work For Your Interest

Contact us for prompt & proper service in all Legal matters including Immigration & Conveyancing
Domestic & Commercial
Legal Aid Work also undertaken

Partners: K. Chelva-Nayagam LLB., T. Sri Pathma Nathan
169 TOOTING HIGH STREET, LONDON SW17 0SY

TEL: 020 8672 1800

FAX: 020 8672 0105

T.S.T. SKY TRAVEL

- * We offer you flights on scheduled airlines at a fair price
- * We specialise in flights to Sri Lanka, India, Malaysia, Singapore, USA, Canada & Australia
- * We will gladly refund the price difference if you can convince us that you could have got the same ticket cheaper elsewhere on the same date of purchase.

Please contact Mr. Thiruchelvam,

69 Toynbee Road,

Wimbledon, London SW20 8SH.

Tel: 020 8542 5140/8543 3318

Experienced Tamil Jeweller In London



**WESTERN
JEWELLERS**

★ VISIT US NOW
FOR LATEST 22CT. GOLD JEWELLERIES
★ WIDE RANGE OF STOCKS ALWAYS
AVAILABLE

- ★ Thali Kodi ★ Necklace sets
- ★ Pathakkams
- ★ Various types of Ear Studs
- ★ Jimmikkies ★ Panchayuthams
- ★ Chains, Bangles Etc. Etc...

★ WE ARE AT YOUR SERVICE
SEVEN DAYS A WEEK
★ WE PERFORM THALI POOJA AS WELL

230 UPPER TOOTING ROAD, TOOTING
LONDON SW17 7EW
TEL: 020-8767 3445 FAX: 020-8767 3753
Web: <http://www.luxmi.com/western>

SKY WINGS

TRAVEL AGENTS

MAIN AGENT FOR SRI LANKAN AIRLINES, KUWAIT AIRWAYS, AIR INDIA & ROYAL JORDANIAN



COLOMBO FROM **£330** + TAX
SINGAPORE FROM **£355** + TAX
MADRAS FROM **£400** + TAX



Colombo - London - Colombo
£580 INCLUSIVE OF TAX (6 MONTHS RETURN)



CALL: BALA, MAYURAN or DASH For our Fantastic Offers
(Special rates in many Colombo Hotels)

WORLDWIDE TRAVEL ON
BRITISH AIRWAYS
& KLM

119 TOOTING HIGH STREET, LONDON SW17 0SY



TEL: 020- 8672 9111 (6 LINES)
FAX: 020-8672 0951 MOBILE: 0850 876 921(24 HOURS)
Internet: [http:// www.skywings.co.uk](http://www.skywings.co.uk) e-mail: bala@skywings.co.uk

OPEN SEVEN DAYS A WEEK INSTANT 24HR. TICKETING

Travel Shipping Air Freight

The Sri Lankan Company
that has served
the Sri Lankan Community
for 16 years

FARES ON SRILANKAN AIRLINES

Return To Colombo

From now till 09 Dec 2001 &
from 25 Dec 2001 to 23 Mar 2002 From £ **440**

Return To Madras or Trivendrum

From now till 30 Nov 2001
CONDITIONS APPLY From £ **400**

Return To Bangkok, Singapore, Kuala Lumpur, Hong Kong or Jakarta

From now till 30 Nov 2001
CONDITIONS APPLY From £ **355**

Colombo-London-Colombo
inc taxes - valid 3 months From £ **699**

ALL FARES EXCLUDING AIRPORT TAXES AND SRILANKAN AIRPORT INSURANCE PREMIUM

Forward
by
Sea or Air
In Colombo

All your goods go to our
associated bonded
warehouse
built to serve you
with efficiency & dedication

LAKSIRISEVA
66 NEW NUGE RD., PELIYAGODA. TEL: 575576



GLEN CARRIERS LTD

14 Allied Way, off Warple Way, Acton, London W3 0RG

Telephone: 020 - 8740 8379/020 - 8749 0595

020 - 8743 7353

Fax: 020 - 8740 4229

E-mail: glencarriers@netscapeonline.co.uk

Website:

www.glencarriers.co.uk

MAIN
AGENT FOR



**SRILANKAN
AIRLINES**
Passenger sales & Air Cargo

KUWAIT AIRWAYS

ROYAL JORDANIAN

We are also selling agents for
Gulf Air, Emirates,
Qatar & other
major
airlines

The most
Trusted
& Reliable
Shipper
in the
trade



TRICO



'TRICO' is the name you need to
remember when it comes to ship
your goods around the world.

We offer service to Sri Lanka,
India, USA, Canada, Australia,
Middle East, Hong Kong.

No Shipment is too small or too big for us.

Competitive price

Vehicles shipped at competitive price

We collect goods from anywhere in the UK

Deliver and collect packing cases within M25

Offering 25 years of professional shipping service to the
Sri Lankan community around the world.

Depend on us for a Fast, Efficient and Quality
Service for Your Money

Three Warehouses in Sri Lanka
Colombo, Boosa and Kurunagala

Friendly Staff to attend your needs all the time.

Vessel Name	Closing Date	Sailing	Arrival CBO
H/Fortuna	20.10.01	24.10.01	09.11.01
H/Federal	03.11.01	07.11.01	23.11.01 (2 days vessel)
T.B.A	17.11.01	21.11.01	02.12.01 (3 days vessel)

Trico International (Shipping) Ltd

Open Six Days a Week Call Us Now On:

Tel: 020 8888 8787, Fax: 020 8889 5445

Try Us and See the Difference - You Will Never Regret It



APPLE AIR

MAIN AGENT for COLOMBO
on

BRITISH AIRWAYS
 ROYAL JORDANIAN

AND FARES ON ALL OTHER MAJOR AIRLINES

5 STAR HOTELS From £23 Per person	KUWAIT	F R O M	£ 385 + TAX	Free Trans- fer on Air
	GULF		£ 383 + TAX	
	SRILANKAN		£ 440 +	
	JORDANIAN		£ 369 + TAX	

TEL: 020- 8563 0364

07957 543 007

FAX: 020-8748 4912

E-mail: appleair@appleair.btinternet.com

Web Site: http://www.btinternet.com/~appleair-appleair



338A KING STREET
LONDON W6 0RR



Travel Insurance plus Hotel Reservations