

LANKA

GUARDIAN

Vol. 14 No. 16 December 15, 1991 Price Rs. 7.50 Registered at GPO, Sri Lanka QD/09/NEWS/91

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TRENDS

Solve politically, EC

Following allegations of human rights violations in Sri Lanka the European Community has asked the government to find political solutions to its problems. The EC had earlier resolved to tie aid to guarantees of human rights in recipient countries.

High-ranking government officials have been sent to Europe to explain steps taken by government to safeguard human rights.

A private TV station

The Maharajah Group and Singapore Telecom International are expected to set up a privately owned and operated TV station in April. The estimated cost is Rs. 250 Million. There will be no local political news on its programs.

50,000 prostitutes in Colombo

There are over 50,000 male and female prostitutes in and around Colombo, a survey has revealed. In the city there are close to 2000 brothels.

A House of Lords?

The All Party Conference (APC) is deliberating a revival of the Senate, or a Sri Lanka style House of Lords, following a suggestion by the Liberal Party. Among those

who would be sitting in this chamber if the proposal finds consensus will be retired Presidents, Prime Ministers, Speakers of Parliament and Chief Justices; some will be elected by the people, others will be nominated.

Privatisation postponed

"Commercialisation" of the two state banks, the People's Bank and the Bank of Ceylon has been postponed, Bank Employees Union president T. Rusiripala told the Island. He quoted the chairman of the two banks, who had been informed of this by the Secretary to the Treasury.

Two more expelled

The UNP has expelled two more rebels, Messrs Ariyaratne Jayatilake and S. A. Muthu Banda. These two MPs had admitted signing the recent impeachment motion against President Premadasa.

Infected but unaware

There are about 800 Aids infected people in this country who are unaware that they carry the disease, health authorities believe. Only 42 positive cases have been discovered in Sri Lanka so far. The estimated 800 who have not been AIDS tested could possibly infect thousands over the next few years, Dr George Fernando, the Director General of Health Services told a seminar in Colombo.

LETTER

Uduppidy

I'm grateful to reader P. Kirupanathan for correcting me by informing us that 'R. R. Dharmaratnam of the LSSP contested in the 1977 general election in Uduppidy' (LG, Nov. 15). However I would have been pleased if he had included how many votes Dharmaratnam attracted against TULF's nominee and ultimate winner T. Rasalingham, and whether he saved his deposit. What does Kirupanathan mean by saying that Dharmaratnam was "drawing sizeable support in his native Uduppidy village"? Was there exit polls conducted in any of the general elections contested by Dharmaratnam to corroborate the voter preference in the Uduppidy village, if not the Uduppidy electorate? In the absence of such an indicator, how could one infer that the Uduppidy village was supporting Dharmaratnam (who had been a loser at every election he contested) exclusively and not the winning candidate?

I grant that in 1991, "many a 12 year old is fighting in LTTE ranks", as asserted by Kirupanathan. But Sivarajan, the alleged mastermind in Rajiv Gandhi's murder was a 12 year old in 1970, and not in 1991. The political and social environment in Uduppidy of 1970 was completely different from the one in 1991.

Kirupanathan also need not unduly worry about being battered by my "great knowledge". All the comments which I send regularly to the LG are sieved and screened by an erudite editor and only those what he feels deserve to be printed appear in the LG.

Sachi Sri Kantha
Osaka BioScience
Institute,
Osaka, Japan

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Vol. 14 No. 16 December 16, 1991

Price Rs. 7.50

Published fortnightly by
Lanka Guardian Publishing Co. Ltd.
No. 246, Union Place,
Colombo - 2.

Editor: Mervyn de Silva
Telephone: 447584

Printed by Ananda Press
82/5, Sri Ratnajothi Saravanamuttu
Mawatha, Colombo 13.
Telephone: 435976

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Briefly . . .

Rej-oins SLFP

Opposition Leader Sirimavo Bandaranaike's younger daughter Chandrika has rejoined her mother's party, the SLFP, along with all the political bureau members of her Bahujana Nidahas Peramuna (which again was a split away faction of the party she formed with the late Vijaya Kumaranatunga). Chandrika's brother Anura, National Organiser of the SLFP, has protested that his sister's re-admission to the party his father founded was not properly conducted.

Meanwhile, the UNP rebel MPs led by Lalith Athulathmudali and Gamini Dissanayake who lost their seats in parliament after they were sacked from the party have formed a new political organisation called the Democratic United National Front.

Buddhists oppose

The Council for Monitoring and Implementing Matters Pertaining to Buddha Sasana and Buddhist Affairs has informed President Premadasa that in finding a solution to the ethnic problem the Northern and Eastern Provinces should not be accepted as traditional homelands of the Tamil people and under no circumstances should these two provinces be merged.

Among the signatories to the memorandum submitted to the president are the Venerable Madihe Pannaseeha Maha Nayake Thera, Maha Bodhi Society president Gamini Jayasuriya and All Ceylon Buddhist Congress president Professor M. B. Ariyapala

Yogi attacks TN leaders

Tiger political wing leader Yogi in his weekly address over the LTTE's clandestine radio 'voice of Tigers' has attacked Tamil Nadu Chief Minister Jayalalitha and DMK leader M. Karunanidhi for not helping the Tigers. It was only the late TN Chief Minister M. G. Ramachandran who helped them, he said last week.

Yogi also said that the LTTE would not surrender to Sri Lanka's armed forces.

Suspected 'Tiger' group arrested

Sixty suspected members of the LTTE were arrested with arms and ammunition in the Badulla district during a cordon and search operation. Among those arrested were six women.

Caught in Norway

Thirteen Sri Lankan Tamil youths who attempted to enter Norway illegally have been detained pending investigations as they have claimed political asylum.

No light

Mr Thondaman, the would-be peace maker in the Cabinet, has not been shown a "green light or a red light" by President Premadasa, he told Island interviewer S. Vipulananda. But Mr Thondaman, the Minister of Tourism and Rural Industrial Development (and plantation workers' union boss) said that he was hopeful that a solution to the ethnic conflict could be evolved by the middle of next month.

Refuses amnesty

The LTTE has rejected the amnesty offer conveyed in

leaflets dropped by government aircraft over the North.

No return

Most Sri Lankan refugees living in India are reluctant to return home, an Indian government official told the Press Trust of India. Official estimates put the total number of refugees at 200,000.

Places filled

The seats of the sacked UNP rebels in Parliament have already been filled, the Elections Commissioner said last week. The new MPs have been drawn from the district lists of the last general election.

JVPers arrested

Police arrested nine JVP suspects in the Ratnapura district. They included a military wing leader suspected to have committed ten murders. Police also roped in a ganja plantation in the vicinity and uprooted 37,000 plants.

Pulls out from C-Plan

Canada and the United Kingdom have announced that they will be withdrawing from the Colombo Plan, after four decades of participation. These two have been leading donor nations benefitting many developing countries in Asia.

Near self-sufficient

Agriculture Development and Research Minister Dharmadasa Banda told a public meeting that Sri Lanka was now 85 per cent self-sufficient in rice, the people's staple food.

Same System, Same Powers, Another Style

NEWS
BACKGROUND

Mervyn de Silva

Until S. W. R. D. Bandaranaike, Prime Minister D. S. Senanayake's Leader of the House and the UNP's No. 2, quit the party to establish his own SLFP the contest for parliamentary power was primarily Right Vs. Left, with class and ideology seemingly dominating, if not defining, the struggle. But the leaders of the Marxist (revolutionary) Left came in fact from the self-same English-educated, Colombo-based elite. Family has remained an important factor. The debate within the Left was influenced by "isms" (Trotskyism vs. Stalinism) and by international currents of thought.

Mr. Bandaranaike decided to leave the UNP largely because he realised that Old Man D. S. was grooming his son, Dudley. (That fact was later confirmed by Lord Soulbury's behaviour when D. S. fell off his horse and Soulbury rushed back from London).

Sir John Kotelawela, much older than Dudley, was also to learn all that when Dudley rather than he, the Leader of the House, was summoned by the Governor-General. Sir John had to wait his turn.

It was S. W. R. D.'s decision to form the SLFP that made the most significant structural change in the island's politics. By the SLFP's intervention, the character of the contest for political power was radically altered — Right Vs. Centre, to begin the steady decline of the Left movement's role as an autonomous actor. It became an appendage — Philip Gunawardena becoming a Minister

in Dudley Senanayake's Cabinet and Drs. N. M. Perera and Colvin, and Leslie (three ex-Trotskyists) accepting portfolios in Mrs. Bandaranaike's United Front Cabinet, along with the Stalinist *bete noire* of the past three decades, the pro-Moscow CP's Pieter Keuneman. The end of ideology, in the old form, with 'family' emerging as the decisive force in the rival, SLFP. Mrs. Bandaranaike became the SLFP leader, the "other" dominant personality in Sri Lankan politics, the sole credible threat to the UNP leader, President J. R. Jayewardena, and right now, President Premadasa.

The UNP has governed the island since 1977... the longest innings.

Mrs. B. had been legally converted into a non-person, stripped of her civic rights by Mr. Jayewardena, who also converted the post-independence, Westminster model to a "Gaullist" executive presidency. As the autocratic and cold-bloodedly cynical J. R. stamped the new institution with his personality a major rupture with Sri Lanka's parliamentarist past followed: (a) Parliament itself was reduced to a rubber-stamp and Sri Lankan democracy lost its heart and its will to resist (b) the blatantly naked use of the two-thirds (actually five-sixths) majority to legalise and legitimise every dictatorial act, every whim and fancy of the Great Leader, eroded the spirit of independence in the most vital institutions, the judiciary, the civil service, the police and the national press. (c) the steady alienation of the Tamil community and the

democratic Tamil leadership, and thus a parallel growth in Tamil militancy, most of all the separatist Tamil 'Tigers'.

From the mid-70's, one of the main aims of the UNP leader, J. R. J., was to erase Mrs. Bandaranaike one way or another from national politics. His technique was to divide the SLFP by the most insidious devices. To do so, he concentrated on the Bandaranaike family, exploiting to his advantage, the party's strength and weakness.

While Anura Bandaranaike joined the party's deputy leader, Maitripala Senanayake to form a "new" SLFP, Mrs. Bandaranaike's son-in-law, Vijaya Kumaranatunge, teamed up with the radical Mr. Hector Kobbe-kaduwe to challenge the "rightists". The political behaviour of the SLFP was more or less controlled by its long-standing rival, the UNP!

Once Mr. Vijaya Kumaranatunge married Mrs. Bandaranaike's younger daughter, Chandrika, the politics of what the SLFP and its off-shoots, were more or less the direct consequence of the manoeuvres of the master of intrigue the puppet-master JRJ!

As his final second term drew to a close (and thoughts of a third term had to be abandoned in the context of 2 armed revolts) the main features of the political situation were (1) a rapidly emerging JVP rebellion in the south, more passionately and crudely 'patriotic' than Marxist (2) the presence of an IPKF in the north-and-east battling the LTTE and its impact on Sinhala

opinion in the South and (3) a fierce contest in the UNP hierarchy for succession, particularly among Prime Minister Premadasa, and senior ministers, Gamini Dissanayake, (Lands) and Lalith Athulathmudali (National Security). An equally important front-line figure, with no presidential ambitions but equally keen on office, Finance Minister Ronnie De Mel, had already decided that Mrs. Bandaranaike and her SLFP would be the winner. Soon he was a star on the SLFP's election platforms.

An intrigue-infected SLFP was now confronted by an increasingly divided UNP, by no means certain of who will be picked as party candidate.

President JR made up his mind when the JVP insurgency hit Colombo and the JVP proved it could paralyse transport at will. Already party secretary Ranjan Wijeratne had reported to JR that a majority of UNP branches held the view that Prime Minister Premadasa would put up a better show against the formidable Mrs. B. than Mr. Dissanayake. Evidently Mr. Lalith Athulathmudali was not regarded a serious alternative to the PM.

Ever since then, and more so after Premadasa's polls victory, by no means a runaway victory, the UNP has been exposed to internal friction. There is no serious difference on policy, except perhaps on the most critical foreign policy issue, the attitude to India. The problem is personality and style but largely because Mr. Premadasa comes from a social group that is NOT the traditional nursery of Sri Lanka's top politicians, whatever their ideological inclinations. Mr. Premadasa is not from the English-educated upper middle class i.e. the dominant social stratum.

The extraordinary power vested in the Executive President by the 1978 constitution did NOT invite the slightest expression of concern from the Cabinet or from the UNP Parlia-

mentary group. As J. R. himself said proudly "not one minister objected". This was in response to a question that I had asked him. Nor were there howls of protests from the Commonwealth or the US. After all, it was not the constitution under which the elections were held. Piyal Gamage, a regular contributor to the L.G. on this and related matters, has patiently laid bare what was done between 1977-1979 in four vital areas—the judiciary, the electoral process and parliamentary practice, the administration (especially the police) and the media. Why didn't we see any conscience-stricken "liberals" quietly leave government and/or party? Why the deafening silence of the Commonwealth until the early 80's and this only on the rights of the Tamil minority and the issues involved in the ethnic conflict?

For the current eruption therefore we have to find other explanations. There was a qualitative change after the brutal killing of Richard de Zoysa and the discovery of his tortured body. It was that horror and revulsion and sense of outrage that this little journal strove to express in our cover portrait of young Richard, and what we wrote in that LG issue.

The murderous anti-JVP campaign was by then over. Richard de Zoysa was "State Terror" wrapping up. But the well-orchestrated campaign since then, local and abroad, demands a more convincing explanation that moral outrage over human rights. This is politics, local politics, but working closely with external agencies; whether the latter means regimes or non-governmental bodies or both, is still not entirely clear.

As for the exclusively domestic confrontation, things are much clearer. Same system, same powers, same abuses.... but because there is no two-thirds majority, very few fundamental changes.... but different personality. And that's it. The westernised intelligentsia,

which includes professions, bureaucracy, business and the upper echelons of the Political Establishment, finds the man and his style offensive, an insolent challenge to their value-system and their interests. And this collective response embraces the topcrust of all the major parties. The Establishment Strikes Back.

The newly formed D.U.N.F., the party launched by the dissidents, is close enough in name to the U.N.P. to suggest a deliberate effort to claim that it IS the United National Party. DUNF stands for DEMOCRATIC UNITED NATIONAL FRONT. Its President is Mr. A. C. Gooneratne, a leading pro-UNP lawyer who once led another 'rebel' UNP group, Mr. Rukman Senanayake's party which performed so poorly at the 1989 parliamentary polls, even at Dedigama, former prime minister Dudley Senanayake's borough. Rukman launched his party not only to keep the Senanayake name alive in national politics but to challenge the 'Jayewardenisation' of Sri Lanka's largest mass-based party.

The real leaders of DUNF are of course Lalith Athulathmudali and Gamini Dissanayake. In the past two months, Lalith has done all the running. This has puzzled many UNP'ers. Lalith is a Royal Oxford-educated city slicker who entered Parliament only in 1977, whereas Gamini Dissanayake, son of the SLFP MP, Andrew Dissanayake, had his seat in the hill country, and his other 'home' in Kandy.

A third UNP front-bencher likely to join the DUNF leadership is ex-Finance Minister Ronnie de Mel who began his political career after a brilliant school and, university career and a long public service. The ex-Finance Minister then quit the UNP, and after the briefest of exiles in London, joined the SLFP. Now he's expected to be back in the UNP 'rebel' camp as a first step to DUNF membership.

There can be no doubt that this trio represented the "cream", so to say, of the Jayewardena cabinet. Their group behaviour is a study in the clash of class and culture within the PARTY OF THE ESTABLISHMENT. The struggle now in the open is more than a challenge to Mr. Premadasa and his populism. The roots of the conflict go deeper into our society, culture and the clash of class interests.

FAMILY PROBLEMS

On a Saturday afternoon recently I had a long, nearly two-hour, chat with the SLFP leader, Mrs. Bandaranaike in her Rosmead Place home. Since the early 50's, the SLFP has been the only credible and radical parliamentary challenger to the conservative U.N.P.

In Sri Lanka's pre-and-post independence politics, Mr. Solomon West Ridgeway Dias Bandaranaike represents a strange but fascinating paradox. Named after a British governor, looked after by a Scottish governess, and sent abroad at 18 for the customary "Oxbridge education", SWRD was also the first UNP "dissident". On his frail shoulders was thrust the surprising historic task of becoming the unlikely spokesman of an emergent, Sinhala-educated national bourgeoisie. It was more a cultural re-assertion, than the deliberate advancement of economic interest. After 450 years of colonial rule (Portuguese, Dutch, English) national identity was the main problem, and self-expression the pressing need. The B.J.B. (Buddha Jathika Balavegaya) provided the ideological Sinhala-Buddhist shock-troops.

In the next stage too we find history in an ironic, playful mood. The "new class" too weak to fight the old, established on its own, needed State intervention and party patronage in the initial stages of its self-advancement. The convent-educated widow of S. W.R.D., from a feudal, Kandyan family, was entrusted the historic task. In doing so, Sirima Bandaranaike slipping easily

into an ordained role, emerged a formidable politician, the only serious "threat" to the UNP..... thus, the reason why President JR violated all the decencies of bourgeois politics and the M.C.C. rules of the game to rob her of political rights.

The family-centred party leadership and large residual traces of the SLFP's feudal mental make-up have burdened the party with the problems of "transition", a favourite S.W.R.D. word. It simply cannot conceive of a party leader from outside the family. And so its current self-inflicted wounds.

The larger question of course is whether the DUNF will

emerge as a significant 'third force' or will it try to undermine the Premadasa leadership in what would ultimately be a take-over bid. In the short-run, it will try to pull out the 'dissidents' who are already "hidden assets" in the parliamentary group.

Dissension, conflict, and divisive tendencies are the most prominent feature of our national life and politics. The war in the north and the JVP insurgency were the most violent form of expression of this basic fact. Now the two major parties are also seized by this larger, powerful force of internal warfare.

'HINDU' VIEW

The Government camp was naturally jubilant at the outcome of the case, and the President's supporters lit fire-crackers outside the court complex to celebrate the verdict. "The Supreme Court judgment has vindicated the judgment of the President," said Mr. Ranil Wickramasinghe, Minister for Industries and Cabinet spokesman. He was confident that the ruling party would not suffer any long-term damage, but would emerge stronger from the ordeal. "When you go through fire you must either burn or emerge stronger, like steel," he said.

In the short-term, the court verdict has definitely strengthened the Government and removed the last traces of a challenge to its parliamentary majority. The Government will be strengthened in Parliament, since the eight dissidents will be replaced by party loyalists.

With no election in sight for the next three years either to Parliament or the Presidency, the impact of the split in the UNP will only be felt in the long term. The ruling party has lost two of its most seasoned campaigners in Mr. Athulathmudali and Mr. Dissanayake, and the loss will undoubtedly be felt in the next elections. More important will

be the extent to which the two dissidents will be able to persuade the UNP's grassroots level workers to cross over to them. Mr. Athulathmudali and Mr. Dissanayake claim that their new party has already received 48,000 applications for membership, and that more than 75 per cent of them are grassroots level UNP workers who want to cross over. "In some areas, we have had branch presidents and secretaries coming over to us," Mr. Athulathmudali said.

The UNP has a higher core of committed voters than the SLFP, which is why it has been able to win elections continuously since 1977. The political impact of the expulsion will depend on how much the UNP's base the dissidents will take away. The last Presidential and Parliamentary elections were closely fought, and the swing of a percentage point or two would make the difference between defeat and victory for the ruling party.

Two major questions relate to the impact the dissidents are going to have on the debate on the ethnic issue and on relations with India. They have not spelt out their policy on either issue, except in very broad terms.

— Thomas Abraham

Justice Fernando's Judgement: Excerpts

The 8 UNP "rebel" MP's were expelled from the party and lost their seats. Justice Fernando, chairman of the 3 judge bench, in a dissenting judgement, held that they should have been given a hearing. In the case of the two Cabinet Ministers, Mr. Athulathmudali and Mr. Premachandra, Mr. Justice Fernando said they lied and deceived the Cabinet. Some excerpts from the brilliantly argued judgement of Justice Mark Fernando,

The case against Messrs Premachandra and Athulathmudali:

I have now to consider the allegation against Messrs Premachandra and Athulathmudali that they misled and deceived the Cabinet on 28.8.91. Learned President's Counsel submitted on their behalf that secrecy was necessary, during the period when the requisite signatures were being collected. I will assume that secrecy was justified upto 27.8.91, when the notice was received by the Speaker; or even right upto the time on 28.8.91 when the President was informed by the Speaker that he had entertained the notice. Thereafter disclosure could not have caused any prejudice to the notice of resolution. It is not clear when these two Petitioners signed. The material before us suggests that it is possible that they signed after the Speaker had written to the President; but that would be in itself extremely grave misconduct; and it would not in any way mitigate their conduct on the 28th, for it would strain one's credulity to assume that on 28.8.91 they had not made up their minds to sign, and decided to do so only after the vote of confidence. I will take, in their favour, the more lenient view, that they signed before the Speaker received the notice. When, as Ministers, they joined in a vote of confidence in the President at the Cabinet meeting on 28.8.91 they thereby represented to the President, and to the Cabinet collectively, that they were not associated with the notice, and that they did not consider that there was justification for presenting a resolution for removal. But how could they possibly have had confidence in a man whose removal from office they actively desired? Even to a person who knew that they had previously signed the notice, their conduct amounted to an assertion that they had changed their minds, and were no longer of the opinion that such a resolution should be supported. They lied to the Cabinet, and deceived the Cabinet. The Cabinet is charged with the direction and control of the government, and operates on the basis of collective responsibility. Deception completely undermines loyalty, trust and confidence, vital for its functioning.

Members of democratic institutions owe a duty to be frank and candid

with their colleagues and the public. It is not conducive to the working of such institutions, whose affairs must be characterized by openness, honesty and fair disclosure. Thus judges function in open court; people know what they decide, and why, and if they disagree, why they disagree, and what each has decided. Proceedings in Parliament too are generally open to the public; secret or unpublished laws and regulations are anathema to a democratic society. In regard to the executive government too, there is a growing global trend towards recognition of the citizen's right to freedom of information. Democracy is not furthered by practising economy with the truth, but rather by full disclosure: the truth the whole truth, and nothing but the truth, subject to statutory provisions for confidentiality in the public interest. A member of Parliament who lies to or otherwise deceives Parliament is guilty of a serious breach of privilege:

The House may treat the making of a deliberately misleading statement as a contempt.

In 1963 the House resolved that in making a personal statement, which contained words which he later admitted not to be true, a former Member had been guilty of a grave contempt (Profumo's Case CJ (1962-63) 246)." (Erskine May, 20th ed, 1983, p. 149)

No lesser standard can be accepted for a Minister in relation to the Cabinet and Cabinet proceedings. It may be that our society no longer expects high standards from politicians or holders of public office; that politics is considered to be a dirty game, characterized by intimidation, bribery, false promises and deception. May be; may be not. Democratic institutions cannot accept or acquiesce in such views. The courts certainly must not give their blessings to such norms of conduct, especially in the case of high officers, and in that context it is relevant that the State accords to Ministers precedence even over Judges of this Court. How then can we lower the norms applicable to Ministers?

Free Speech

In their pleadings the Petitioners gave no explanation at all for their conduct, although in regard to the other charge they alleged that the climate was not conducive to free speech and dissent. Learned President's Counsel submitted on their behalf that they might have given half a dozen explanations had they been asked. He ventured to suggest that premature disclosure was avoided on account of apprehensions about the personal safety of themselves and members of their family. This is unacceptable in the absence of even a suggestion as to the nature and source of any anticipated threat, and nothing but a serious threat would have sufficed. It is also implausible since they felt able to disclose their role within a day or two. He also, submitted that disclosure might have prejudiced the ultimate passing of the resolution; not only is this highly speculative, but it proceeds upon the assumption that action intended to ensure purity at the highest levels of executive government can itself be founded upon deception and falsehood. Deception may have been politic or expedient, but it was neither right nor honourable. In the result I find that -

(i) the charge was clear and unambiguous from the inception;

(ii) the facts are undisputed; the only uncertainty lies in the possibility that these two Petitioners may have signed the notice of resolution after it was delivered to the Speaker, which in my view would aggravate rather than mitigate their conduct;

(iii) no explanation has been offered in their affidavits, nor is one to be found in the documents produced; the explanations suggested by Counsel in his submissions are speculative; accordingly, an antecedent hearing would have made no difference; and

(iv) the misconduct was grave, and expulsion was intrinsically a perfectly proper penalty.

I hold that the expulsion of the Petitioners in S.C. (Special) Nos 5 and 8/91 was valid.

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In a Goiya's Looking Glass

Manik Sandrasagara

It is always good to see ourselves as others see us. This is not easy when we are attached to our views.

In order that an English reading public hears another version of our Society's rapid disintegration into anarchy I spoke to Malwila Sri Brahamana Wanninayake Mudiyanse Mudiyanse Tennekoon.

Mudiyanse is a Goviya from Thimbiriawewa in Wyamba.

Early last year, the editor of the British journal *The Ecologist*, Edward Goldsmith who predicts a gloomy future for the world if present development trends continue, introduced Mudiyanse to European audiences as 'the an with the answer' in his one-hour biographical programme on British Television. Mudiyanse's peers in this documentary directed by Nicholas Claxton (who also made the critically acclaimed 'Price of Progress') were former U. S. Secretary of State Henry Kissinger, Head of the F. A. O. Edward Saouma and the widely respected 'Father of the Green Revolution' 'Norman Borlag.

In 1971 Tennekoon was arrested along with Rohana Wijeyewera, and others for alleged complicity in the J. V. P. uprising. There was no charge brought against him, as Tennekoon insisted that no armed insurrection was required to destroy the system. He maintained that it would destroy itself.

The late Upali Senanayake, founder of the National Heritage Movement was the first to introduce Tennekoon to Colombo audiences. Senanayake, in an interview published in the *Ecologist* in September 1982, refers

The writer is a leading figure in The Cultural Survival Trust.

to Tennekoon as follows: "You will be the model and our youth will flock here to learn our traditions from you. This must be so because current trends cannot be sustained. The problem has got out of hand".

On the 31st of October last year an audience of students at the New Arts Theatre of the Colombo Campus listened spellbound when Mudiyanse addressed them under the auspices of Dr. Nalin de Silva, a leading advocate of 'Jathika Chintanaya'.

In January 1991, Britain's famous television personality Dr. David Bellamy whose films on nature and environment have earned him a large following in the English-speaking world returned to Sri Lanka to film several sequences with Tennekoon for his six-part series 'I HUS HAVE I HEARD' based on oral tradition and indigenous culture.

Tennekoon is fast becoming a cult figure in the international 'Green Movement'.

The following extracts from my conversations with him will further illustrate Mudiyanse's view of life.

POLITICS

With the roads came the carts the landgrabbers. Where the carts stopped every six miles became a 'Kuda Kadamandiya' (Small Bazaar). Every 12 miles where they stayed the night became the 'Maha Kadamandiya' (Big Bazaar). These carts brought with them coconut arrack and goods from the port. Strange gods, new laws and customs followed. These invaders took back with them the treasures of our land: our primeval forests. Carts, thus became the first transport business with middlemen or 'Kanakapulles' running them.

With the carts also came the United National Party.

Every 'Kadamandiya' also had a Tobacco or 'Suruttu Kade'. With these 'Kades' came the Lanka Sama Samaja Party.

This Kadamandi Dialogue where the 'loud mouth' became King took place either under a 'Pacha Gaha' or in 'Kopi Kade'. This was how politics first came to the village. To support this new conflict oriented system villages had to provide the natural resources, cheap labour and votes. Very soon even in agriculture a traditional farmer became the pupil and the city 'poth karaya' or theorist became the teacher.

How then can a villager respect systems advocated by politicians? We see politicians as those possessed by 'Bala Karma'.

POLITICAL LEADERSHIP

The students of imperialism became our political leaders. D. S., Dudley, Sir John, S. W. R. D., Phillip, N. M., Colvin, Dr. S. A. Wicks, G. G. Ponnambalam, Chelvanayagam, Pieter Keuneman, J. R. — they all come from the same background. We had to listen and follow them. The politician and the platform became the new stars. They screamed and shouted like mad men casting doubt and fear. This became a new religion. Monks and Priests, also joined this bandwagon. Sri Lanka was made up of over 24,000 small villages who had lived peacefully for centuries. Kings fought battles with mercenaries — villages did not participate in this madness. Even today with radios, TV's and the Press the simple villager is still uninvolved... he cannot understand this power lust. How can for example a villager understand impeachment when even Colombo pundits cannot understand it?

THE BUREAUCRACY

Centralised political domination is only possible because of a Bureaucracy. They protect the laws and institutions under which they exist. The bureaucracy came into being in Portuguese, Dutch and British time in order to extend their influence in the villages which they had decided to control, govern and exploit. Our colonial masters went away but the bureaucracy remained. This became the new colonialism.

TRADE UNIONS

There was a Sanitary Service Department in Colombo called 'Sandiboard Mahattaya' by the village. This became the first Trade Union. With the growing dependence on the port for many of the necessities of modern living trade unions were soon able to control the country with strikes. The village however remained unaffected. With the expansion of the Bureaucracy villagers were given small jobs by the government and they in turn joined trade unions and very soon the entire country was caught up in the fight between the Government and the Unions; or between capitalism and socialism, communism or marxism as they called it.

EVANGELISM

In the Vanni for every 5 or 6 villages there was one temple. A villager from the area was always the incumbent and the lineage, village based. We participated in the occasional 'Bana Pinkama' and the 'Malvatti Vendshi'. As outsiders started invading our lands on various colonisation schemes new temples were also built and monks came with them. They brought with them new customs and beliefs. This, they called Buddhism. Our beliefs and customs they called 'folk religion'.

'AMMA'

In the village we consider our 'Amma' (Mother) as 'Buddhas'. For us there are many Buddhas not one. We say 'Budu

Ammo', 'Budu Appo', 'Budu Maniyane', 'Budu Nande', 'Budu Marme'. The word Buddha was associated with reverence.

Our mothers were the only Buddhas we could see. We learned from them and from our fathers and other elders. The new 'Pansal Ischola', however taught 'akuru' in order to tell us what is in some book. A book we know is the obsession of individuals. We villagers are taught by experience. With one book came many books, each claiming to be the truth.

EDUCATION

When 'akuru' and books became the vehicle for education, Mothers, fathers and elders ceased to be our teachers. Children went to the temple to learn. Here they learned rules and regulations. Experience was substituted for theory and words. A new class emerged with a new mentality. For example, a child who was 10 years old in 1977 took up arms in 1987 — some to rebel against the State and others to protect it. Who benefitted by this? Arms dealers and conflict peddlars. How can one family fight, unless the system teaches them to do so? Monks and students are all divided — why? Instead of village monks learning from their elders the Pirivena System created educated monks with a theoretical knowledge devoid of experience. The village monk taught what was applicable to the village — a pirivena educated monk taught the 'Potha'.

RELIGIOUS DOMINATION'

A Sigiriya fresco shows a maiden indicating the 'Mulabija' — the seed mantra — the breast. Our village religion is based on this. 'Kiri Rasa Danno' is the best illustration of our collective culture both Sinhala and Tamil. Villages across Sri Lanka know this as the only truth. Rain is the energy of the Kingdom and Rain determined the Just King. When there is drought, there is ignorance. City based doctrines however seek domination. Every

villager was a free person, who under religion became a slave to some doctrine that sought to control lifestyles. Mahasen is today worshipped as 'Minneriya Deviyo' — Why? He eliminated religion and re-established a water culture.

THE NEW MORALITY

Today we are harvesting the result of 'Sadacharaya' or Neecha Kula bandanaya'. This new morality came to the village from the city via religion. The youth started seeking new truths instead of doing what came naturally. All the 'Yakkas', 'Bhuthayas', 'Perethayas' and 'Kunubandanayas' in their minds came to the forefront. 'Mahasammatta' (common consensus) turned to parliamentary democracy brings with it a million opinions and plenty of confusion and conflict.

LANKA'S VALUE

The buddha once told Ananda that what he had taught is only like a handful of leaves when compared to a forest. Life itself is the learning process. This cannot be put in the pages of a book. When people leave their natural environment, they become conditioned by their new environment. In our village, the 'Wewa', our cattle and the forest came first. This, we protected as teachers. When the town influence crept into the village, the emphasis shifted to other things. The radio, the bicycle, the tractor, the umbrella, the sewing machine — these were the new necessities. This, we cannot stop. Desires will grow in proportion to what we know. We are now a part of the world linked by modern communications. We must however not be stupid in our decisions. Land may be limited but we have been farmers for centuries. With the current worldwide interest in organic food we can return to the land and market our priceless genetic diversity. This is our real-culture. Why must we sell our Mother for less?

(To be continued)

The case of Sevana Army Camp

Tens of thousands of people have reportedly "disappeared" in Sri Lanka after being detained by the security forces in recent years, yet the government has taken few steps to acknowledge responsibility publicly, to investigate the fate or whereabouts of the "disappeared" or to bring those responsible for "disappearances" to justice. Amnesty International believes that the government's lack of action over the years to curb "disappearances" and extrajudicial executions committed by the security forces has contributed to a sense of impunity among security forces personnel confronting armed opposition, and has given the impression that the government condones these gross violations of human rights in certain situations. This impression was reinforced when the Indemnity (Amendment) Act was passed in December 1988, providing immunity from prosecution for acts done "in good faith" between 1 August 1977 and 16 December 1988 by government and security forces personnel and others involved in enforcing law and order. It was further reinforced in January 1991, when a Presidential Commission of Inquiry into Involuntary Removal of Persons was created with powers to investigate only new cases of "disappearance"; that is, only "disappearances" reported to have taken place between 11 January 1991 and 11 January 1992. The Commission is not empowered to investigate the tens of thousands of reported "disappearances" which occurred before January 1991. It thus appears that the government does not intend to provide proper redress for the relatives of those who "disappeared" in earlier years.

This paper contains details of a group of at least 46 young men who disappeared" in one

community in southern Sri Lanka in late 1989 and early 1990. All of them were believed to be detained at Sevana army camp, Embilipitiya, Ratnapura District, at the time they "disappeared". In several cases relatives had received information from witnesses or military officers that the missing person was indeed detained there. At the time these youths were detained, the Sixth Artillery Unit was stationed at Sevana camp. According to the relatives, when the Sixth Artillery Unit moved out of this camp in late January 1990, these and other prisoners held there simply vanished. No prisoners remained at the camp, and the relatives have been unable to trace them elsewhere. The relatives do not know the fate of the youths. They fear they may have been extra judicially killed and their bodies secretly disposed of in the hours before the camp was handed over to soldiers belonging to the Fourth Gemunu Regiment. Many continue to hope that their sons or brothers may be alive somewhere, held in unacknowledged detention.

Amnesty International does not know the total number of prisoners who "disappeared" from Sevana camp. The cases included in this paper exemplify aspects of the pattern of "disappearances" during this period, and demonstrate the continuing plight of the "disappeared" who have so far had no clarification from the authorities of the fate of the youths, and have no means of redress through official channels.

For the two years since the young men "disappeared" from Sevana camp, their relatives have persisted in a determined but unsuccessful search for them. They have petitioned numerous government and security forces authorities, requesting information on the whereabouts or fate

of their sons. They have contacted members of parliament as well as local and national human rights organizations. They, like the relatives of many thousands more who have "disappeared", live with the anguish of not knowing whether their children are alive or dead. In the words of one parent, "For so long, we parents of the 'disappeared' have survived only on our tears".

The "disappeared" listed in the second part of this document are mostly young men, who attended schools in the Embilipitiya area. Like many others of their age, they "disappeared" between August 1989 and January 1990, at the height of the government campaign to eradicate the Janatha Vimukthi Peramuna (JVP, People's Liberation Front), which had been waging a violent campaign to overthrow the government since mid-1987. Reports of "disappearances" in southern Sri Lanka reached a peak in this period, but became less frequent in the months after the leadership of the JVP had been captured and killed in disputed circumstances. "Disappearances" have continued to be reported from the south since, but at a considerably lower rate.

Despite the reduction in "disappearances" in the south, government forces continue to be cited as responsible for large numbers of "disappearances" in northeastern Sri Lanka, where Tamil separatists are fighting for a separate state. Over 3,000 people are believed to have "disappeared" in the northeast since June 1990, when fighting resumed between the Liberation Tigers of Tamil Eelam (LTTE) and Sri Lanka government forces.¹ These more recent "disappearances" in the northeast have taken place in circumstances similar to those in the south described in this

paper, and in some cases involved the same military units earlier deployed in the anti-JVP campaign in the south. This has reinforced Amnesty International's belief when government forces undertake large-scale counterinsurgency operations against armed opposition, the Sri Lanka government appears to be prepared to tolerate gross human rights violations committed by its forces.

The cases summarized in the table below all concern people who were reportedly detained by the army and illustrate several features of the widespread pattern of "disappearances" which prevailed at the time. Many of the "disappeared" were detained in the middle of the night, taken from their homes by groups of men in plain clothes who threatened and abused the occupants of the house. With widespread violence also being committed by the JVP, confusion could be sown by security forces personnel operating in plain clothes, attempting to evade recognition and their legal responsibilities. They often used unmarked vehicles without numberplates so that they could not be traced, and sometimes claimed to be police. In some instances, however, witnesses to the arrests recognized those who had come to the house as soldiers. A witness to the detention of G W Ruwan Ratnaweera, for example, reportedly recognized the men who had come to the house as being members of the army, despite the fact that they said they were police officers. In other cases, circumstantial evidence pointed to the respon-

sibility of security forces personnel for abductions carried out by men in plain clothes. Thus, S P Prasantha Handuwala was abducted by men driving a yellow Lancer car which had been seen a little earlier that day at Sevana army camp. Handuwala had just been to the camp to sign in, as he was required by the army to do weekly.

The security forces frequently denied that they had arrested a person who had been abducted. Yet sometimes relatives learned the truth from a prisoner who was released and who had seen the person concerned in detention. For example, although K P Prabath Kumara was seen in detention at Sevana camp by a former prisoner, his relatives have not received official acknowledgement of the fact that he had been arrested. Some prisoners were seen to have injuries, apparently from beatings or other forms of torture. Ruwan Ratnaweera was reportedly seen at Sevana camp in early December 1989, with swellings apparently sustained from beatings. On 21 October 1989, K D Aloysius Stephen was seen to have burns down the right side of his back, and on his right buttock.

Torture and ill-treatment appear to have been commonplace at Sevana camp. One prisoner who was released from the camp told Amnesty International that he had been kept for about a month in a communal bathroom, where he got wet from the showers, and that he had been blindfolded for several weeks. He had also been subjected to several forms of torture: he had been beaten with bottles, rubber hosing and cricket stumps; he had been suspended from a bar, and burnt with cigarettes. Loops had been tightened around his ankles causing great pain, and electric shocks had twice been applied to his genitals. Marks remain visible on his body which are consistent with the forms of torture he described. This young man had been abducted by men

in plain clothes, and the security forces had denied for some time that they held him. In his account, which is supported by the account of another prisoner released from Sevana camp who Amnesty International has interviewed, torture and ill-treatment were widespread at the camp. He once claimed to hear a prisoner being beaten to death.

Relatives of some of the "disappeared" believe that their children may have been detained for arbitrary reasons, such as private animosities. At the time these detentions took place, accounts indicate that many people were being taken in as JVP suspects by the security forces on the basis of lists drawn up by politicians and other influential people, as well as on the basis of information supplied by other individuals. These people are suspected of having used the opportunity of a counter-terror campaign by the security forces to include personal opponents in their lists. One person interviewed by Amnesty International described being instructed by a local official to supply names of young people who would be taken in systematically by the security forces. When this person queried this and refused to cooperate, he was told "What do you know? We will go in the middle of the night and take one from here, one from there, and who will know?"

The parents of over 30 school boys from the Embilipitiya area who have "disappeared" have collectively appealed to the authorities on numerous occasions to account for their missing sons. They have been unsuccessful so far. Among others, they have appealed to the President of Sri Lanka, the Prime Minister, the Minister of State for Defence, the Commander of the Army, the Commissioner General for Rehabilitation, the Secretary to the Ministry of Defence, the Presidential Adviser on International Affairs, and the police authorities. They

¹ See *Sri Lanka - The Northeast: Human rights violations in a context of armed conflict*, (AI Index: ASA 37/14/91), September 1991. Earlier, between 1984 and mid-1987, Amnesty International recorded over 680 "disappearances" in the northeast for which Sri Lanka government forces are believed responsible. From mid-1987 to 1990, when the Indian Peace Keeping Force (IPKF) was responsible for the security of the northeast, Amnesty International recorded 43 "disappearances" attributed to the IPKF.

have sought help from the leader of the parliamentary opposition party, from the Chief Justice of the Supreme Court and from the local government administration. On 14 October 1990 an opposition member of parliament asked a parliamentary question about the fate of their children. On 24 October 1990 the Minister of State for Defence denied that they had been taken into custody by the armed forces. In November 1990 the Superintendent of Police, Ratnapura, appeared to be starting investigations when he took statements from some of the parents about the circumstances of the arrests and "disappearances". Since then, however, they have heard no more about the investigation.

The parents of these school boys have also appealed to the Presidential Commission of Inquiry into Involuntary Removal of Persons, but their cases have been rejected by the Commission because, like many thousands more, they fall outside its terms of reference.

Amnesty International has urged the Government of Sri Lanka to extend the terms of reference of the Commission of Inquiry into Involuntary Removal of Persons so that it is not restricted to investigating only those cases which occur between 11 January 1991 and 11 January 1992. It has also recommended that the Commission be made more accessible to those who wish to submit cases.

"Disappearances" have regularly taken place in Sri Lanka since 1988 to 1990 they were reported in the south in numbers that constitute, in global terms, historic proportions. From June 1990 "disappearances" have continued at alarming levels in the northeast according to a similar pattern. These tens of thousands of "disappearances" still need to be investigated so that the relatives of the "disappeared" and any surviving victims can be given a proper means of redress, and so that the government can demonstrate conclusively that it will not permit members of the security forces and other officials to continue to commit grave human rights violations with impunity.

**Reported cases of "disappearance" from Sevana army camp, Embilipitiya, Ratnapura District
Listed in order of the date arrest.**

<i>Personal details</i>	<i>Reported date and place of arrest</i>	<i>Reported agent of arrest</i>	<i>Other information, including additional remarks taken</i>
K Rupasena, age 18, of Embilipitiya. Student at Konkatuwa School.	2 August 1989 at about 10p.m.	About six soldiers from the army camp at the fourth mile post, Embilipitiya. Where a sub-unit of the Sixth Artillery Unit was stationed.	K Rupasena was reportedly held at the fourth mile post camp until it was closed about four months after his arrest.
G A Rohana, age 18, of Embilipitiya. Student at Embilipitiya Central College.	2 August 1989 at about 10pm.	Army	G A Rohan was reportedly held by the Artillery unit for about four months after his arrest. Since then, relatives have no knowledge of his whereabouts.

SAARC Blunder

The cover story of the current issue of INDIA TODAY is on INDIA'S FOREIGN POLICY which in the journal's view is losing direction. On the recent SAARC fiasco, it says:

Confusion on the Soviet front is only matched by bloody-mindedness in the neighbourhood.

Last month's SAARC summit fiasco is a case in point. Top-level sources admit it was a clear instance of vindictive diplomacy. "You have no idea how much hatred there is for President Premadasa within the MEA," says a former foreign secretary. The MEA succeeded in rebuffing him by scuttling the summit. But in return for savouring a point of pique, India caused itself long-term damage. First of all, this hel-

ped Pakistan and Sri Lanka to mount a propaganda war against the "bully" India. Second, it delivered a serious blow to the grouping which should ideally be India's platform for building a status of regional leadership. Finally, it gave a beleaguered Premadasa the opportunity to play the India bogey, putting dissidents on the defensive. It was a classic case of cutting your own nose to spite your neighbour.

Democracy and the Personal Pronoun

Reggie Siriwardena

We have noted the difficulties, in studying historically pronominal usages in any language, of obtaining reliable evidence regarding the spoken language of earlier times. We are fortunate in the case of Sinhala that we have a record of Kandyan usages in the 17th century by Robert Knox who, as a British captive in the kingdom for nineteen years, knew colloquial and not literary Sinhala. In the chapter of his **Historical Relation of Ceylon** (1681) devoted to 'laws and language', he says: "They have seven or eight words for Thou, or You, which they apply to persons according to their quality, or according as they would honour them. He then lists of eight words I have set out in the Table. Knox doesn't tabulate them but places them in serial order, and adds: "All these words are gradually one higher than the other." This last statement is rather loosely expressed, since it is apparent that after the singular form of three of the pronouns Knox places the plural form. I have therefore in tabulating the pronouns set the plural form, where it was given by Knox, on the same line as the singular, but otherwise preserved Knox's order.

Knox's transliterations of these Sinhala pronouns are somewhat

distorted by the foreign accent with which he probably spoke them, but it is not difficult to restore the originals. **Tho** and **thopi** are appropriately placed as the beginning as the pronouns which situate the person/s addressed in the lowest position of subordination. In considering the other pronouns, it is noteworthy that **thamuse** and **thamusela**, from the position in which Knox places them, were only less honorific than **thamunnanse**. **Thamuse**, however has descended considerably in the social scale since Knox wrote.

What Sinhala possessed then in the 17th century was a multiplicity of second person pronouns, several of which continued to be in use down to the twentieth century, and this multiplicity can be paralleled in other South Asian languages. European feudalism, even in the strongly hierarchical society of medieval times, could manage with the binary systems of second persons pronouns that we have looked at in the earlier parts of this paper. I suggest that why Sinhala, and other South Asian languages, needed an elaborate array of second person pronouns was because the societies in which they were used had a gradation of castes. It is well known that down to near-contemporary

times **tho** and **thopi** were used to the castes who were lowest in the hierarchy. In the reverse direction, Knox himself mentions that the Rodi (who were accorded the lowest places of all) were obliged to use the most ceremonious terms in addressing even ordinary people of other castes.

What has been taken place in the twentieth century is that Sinhala has been striving to develop pronominal usages that are more appropriate to be modern democratic society. The process, I shall suggest, is going on but is still incomplete.

Let us look at the contemporary situation regarding some of the pronouns that Knox lists. **Tho** and **thopi** have virtually disappeared today, except when a speaker uses them deliberately in anger as an insult. However when I say this, I must not omit the case of Yasmine Gooneratne's 'Uncle Frederick' — at least, because it is an entertaining story. This was Frederick Obeyesekere, the son of Donald Obeyesekere and a Cambridge graduate and lawyer who in 1960 decided to contest the Dompe seat in Parliament. Since he was a kinsman of the Bandaranaiques, the SLFP would have been glad to give him nomination, but he spurned the offer because he despised mass parties, and stood as an independent against his own nephew, Felix Dias Bandaranaike. According to Yasmine Gooneratne in her family memoir **Relative Merits**, 'Uncle Frederick' stood up at his election meeting in the Dompe Town Hall, and in his 'most polished Cambridge tones' delivered a speech in which he addressed the audience as **thopi**:

'And so,' finished Uncle Frederick, beaming kindly from the rostrum on the vulgar multitude below him, whose

TABLE

SECOND PERSON PRONOUNS IN KANDYAN SPEECH (17 CENTURY) AS GIVEN BY ROBERT KNOX

Knox's forms	Actual Sinhala forms
To, Topi	The Thopi
Umba, Umbela	Umbe, Umbela
Tomnai	Thamunnehe
Tomsi, Tomsela	Thamuse, Thamusela
Tomanxi	Thamunnanse

growing irritation he mistook for murmurs of approval, 'let me not attempt to influence **thopi** in these important deliberations. That is not for me to do. But if any here have a desire to bestow their valuable votes on me, then I will offer them this encouragement **thopi** have my gracious permission to do so.'

Umbe has had a much longer life than **tho** and **thopi** as an expression of relation of power. And I said in the beginning of this paper, it was in the days of my childhood the normal pronoun with which middle class people would address anybody who was bare-foot and in sarong or cloth and jacket. When I made a first attempt twelve years ago to treat the subject of second person pronouns in an article in the **Lanka Guardian** — a rather superficial and amateurish article, I now think — a Christian priest, the Rev. D. J. Kanagaratnam wrote a letter to a subsequent issue of the journal offering some interesting information about the pronominal usages of missionaries. He reported that in the first Sinhala translation of the **Book of Common Prayer** (1820) God was referred to as **Unvahanse**, the clergyman as **Unnanse**, and the people as **tho** and **thopi**:

'Even in the 20th century till the 50s these forms were retained along with 'obavahanse' for God and 'umba' and 'umbela' used individually and collectively when people are referred to. Some translations even have 'thope hith osavapalla' (lift up your hearts) and 'kapalla' and 'beepalla' (eat and drink).

However, Sinhala nationalists in the early part of this century were not ahead of Christian missionaries in their use of pronouns of address. Angarika, Dharmapala followed the norms of his time when addressing working class audiences, speaking to them as **umbela**. The man who transformed public political discourse in

this respect was the labour leader A. E. Goonesinha.

When I was a young student in the 'forties and working for the LSSP, I used to know Henry Peiris, then editor of the illegal **Samasamajaya**, he later became an M. P. in the first Parliament Henry Peiris had begun his political life with A.E. Goonesinha. He told me that Goonesinha made a tremendous impact on the working class by addressing them for the first time as **mahatvaruni** (gentlemen). This, coupled with his virulent attacks on the imperialist police, Peiris said, raised the self-respect of the workers and broke their fear of authority. Henry Peiris even used to give, for the edification and delectation of younger comrades, imitations of Goonesinha speaking at mass meetings in his heyday.

While **umbela** disappeared from political life as a result of Gonesinha's innovation, both singular and plural forms of this pronoun continued to be alive among middle-class people in address to the lower orders for a much longer period. In **The Cherry Orchard** Chehov makes his student Trofimov say of some people that 'they call themselves intelligentsia but they say **ty** to their servants.' I don't doubt that there are still some people in Sri Lanka who are in the same position, but their number is dwindling all the time.

However, the movement in the direction of more democratic pronominal usage was for a long time impeded by one fact. Once the old hierarchical pronouns had declined, there was no second person pronoun readily available for use in ordinary conversation in order to place the hearer on a footing of equality with oneself. What was one to use? **Obe** was too stiff and stilted; it could be used in writing, or in formal speeches, or in dialogue in bad historical plays, but it was impossibly bookish for everyday speech. **Thamuse**, which had

come down in the world since Knox, was too patronising. I know a middle-class person who once lost his temper when a policeman addressed him as **thamuse**, and I recall an occasion when a film director was most upset and apologetic because one of his assistants, who didn't know me, had said **thamuse** to me. "Thamuse! My heavens!" the director exclaimed. Peasants and urban workers could and did use reciprocal **umbe** to each other in familiar conversation; and this usage has been adopted by some middle-class males (less frequently by females) when they are on a footing of intimacy with each other; but it obviously unusable by non-intimates. I have been told that **ohe** has existed for a long time in the southern dialect, but in my experience (almost entirely urban) of Sinhala, I have rarely heard it used. I knew a lady from an aristocratic Kandyan family who had adopted the form **thama**, but this generally sent the urban girls who worked with her into fits of giggles.

When I look back on my own practice in the 'sixties and 'seventies, I recall that most often in Sinhala conversation, I would avoid using a pronoun by addressing the person by name: 'Rani hete gedere yanawadhe?' Or, if I was speaking to someone with whom I was less familiar, 'Mister Silva mokakdhe hithanne?' I believe this was a strategy that many others besides myself adopted at that time, and this pointed to a hiatus in pronominal forms.

However, the democratic pronoun that has emerged in the last two decades or so to fill this vacuum is **oya**. It was almost certainly first adopted in urban speech, where the need for such a pronoun would have been felt most strongly, though there are no field studies on which to base this conjecture. When I wrote on the subject of second person

pronouns twelve years ago, I said that I still had an inhibition against using **oya** to strangers because it seemed to me too brash. However, in the course of that decade I have overcome those feelings through my own habituation to that usage and through hearing the pronoun every day around me. What is particularly significant is that such persons as bus conductors or peons now use **oya** to people in trousers whom a generation ago they would only have addressed as **mahat-taya**. This is a striking assertion of equality across the class barriers, as is also the habit of younger bus conductors of addressing older middle-class males as **Uncle**. Of course, it is true that the former practice of calling anybody in trousers **mahat-taya** could not have been sustained in my case because trousers are no longer a badge of class: the bus conductor or peon is often in trousers himself.

While I believe I am right in saying that **oya** emerged in urban speech, it is no longer confined to it. Though my own contact with rural Sinhala is minimal, I have been assured by knowledgeable observers that it is rapidly taking root in the village, especially among the younger generations. I think very plausible a suggestion that Dr. J. Uyangoda has made to me that university students going back to the village from the city carry the usage with them, and that it is also spread by the media — films, teledramas, radio plays and popular novels I think, therefore that we can expect **oya** to become increasingly the standard pronoun of address to persons with whom the speaker has or claims equality — whether intimate or non-intimate.

Does this mean that **oya** is becoming a neutral all-purpose pronoun of address? No, we

still quite some distance away from such a development. This can be readily perceived if we recognise that no ordinary citizen would dream of addressing a Minister or even a higher official as **oya**; he would have to use an honorific such as **obathuma**, or even **thamun-nanse**. What this means is that the old feudal and caste hierarchies have lost their force, but they have been replaced by a new political and bureaucratic hierarchy, and some of the old pronominal usages have been transferred to that context. In short, our linguistic practices and the ideology they incarnate still carry with them a living legacy of the feudal past, which runs counter to the democratic or socialist discourse we have taken over in the course of our political development. That is why our linguistic usages, our thinking and our social relations are so often shot through with contradictions

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Secession or pluralism?

Paul Caspersz

The question of integrating national sub-identities in a general unicultural identity is largely a question of the relationship within the same nation-state between the majority national group and the minority national groups. This relationship is basically one of exclusion (the majority solves the problem by removing the minority or the minority successfully secedes) or of inclusion (the majority comes to terms with the minorities willingly make compromise settlements for mutual living-together). Exclusion and inclusion with the various possibilities under each may be depicted in the following diagram.*

* developed from Robert S. Bates, *Cultural Unity and Diversity: A Study in Religio-Ethnic Group Relations in Ceylon (Sri Lanka)*, Doctoral Thesis to the University of Chicago, 1974.

States of America) as a gross violation of human dignity and human rights, we are left with solution C, D, F and G. Solution D, in the case of minorities so large and well-defined as the Tamils and the Estate Tamils, is not practical in the short or medium terms, and can take place only over a very long period of time, precisely by way of solution G. Solution F is only an instance of solution G. Therefore, only solution C and G remain in the field.

Solution C has been proposed and sometimes used in our day and time as a solution to vexing problems of majority-minority relationships after either a period of violence or more or less peaceful negotiation. It cannot be rejected *a priori* on moral grounds, but only on the

grounds not only of pragmatic politics but also for certain valid emotional reasons, such, for instance, as appealed even to Gandhi, who is said to have prayed at the time of the possible dismemberment of India that what God has joined together, we should not lightly put asunder. However, those who exclude the solution by secession are for that very reason all the more obliged to work the solution by pluralistic acceptance. The Estate Tamils would, I submit, be prepared to work towards this solution. Another word for pluralistic acceptance would be integration which has, however, to be correctly understood.

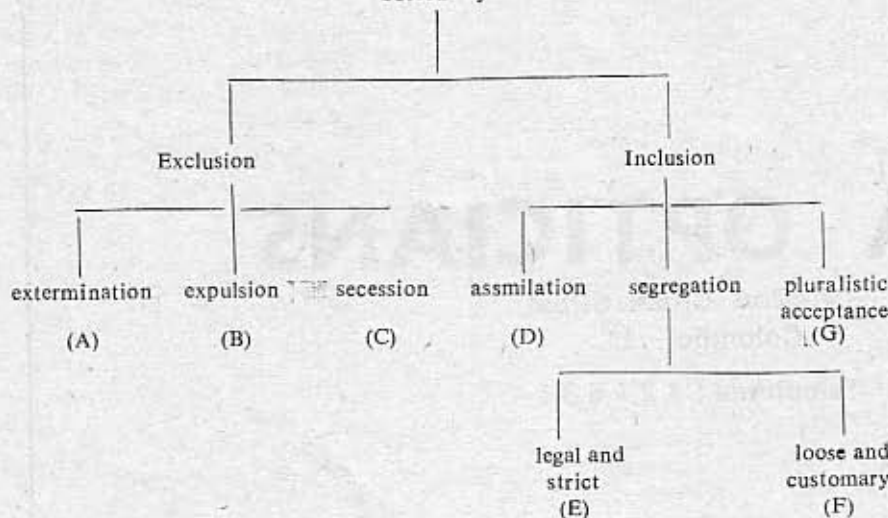
Integration

Integration has to be economic and social. Economic integration implies that the estate economy must not be, actively or passively, an enclave in the national economy but be vitally linked with the rural and the urban economy. The interlinks should result in advantage for each economy taken separately and for national economy taken as one whole. Social integration implies that the social inter-relationships between estates, village and town or city have to be interlinked in such a manner as to promote the steady and coordinated development of each sector of the population taken separately for the achievement of the aim of the steady and coordinated development of the population taken as a whole.

Economic integration does not mean subordination of the estate to the village, nor of both estate and the village to the town or the city. The exploitation of the village by the town, or the development of

(Continued on page 24)

Majority-Minority Relationships Solved by



If we have to reject solution A as most immoral, solution B as nearly as immoral as solution A, and solution E (urged as a solution not only in South Africa but also during a period of time in certain parts of the United

grounds of pragmatic political possibility. In Sri Lanka, the Estate Tamil national group is a formidable argument against the pragmatic politics of secession. The majority Sinhalese would exclude solution C on

A case for anarchy a serious proposal —

Piyal Gamage

In his "Parliament of Whores" P. J. O'Rourke has this to say about government: "This oozing behemoth, this fibrous, tumour, this monster of power and expense, hatched from the simple human desire for civic order. How did an allegedly free people spawn a vast, rampant cuttlefish of dominion, with its tentacles in every orifice of the body politic?" O'Rourke also writes: "Politicians are interested in people... Fleas are interested in dogs."

All we want, all we need, is civic order. We do not want we do not need politics and politicians. History proves and the current world scene amply demonstrates that government "by the people" (which is a euphemism for rule by the majority) brought about by free and fair elections, does not necessarily ensure a free and just society. Hitler and his thugs won power in 1933 in free and fair elections under the model Weimar constitution.

It was a massive electoral victory that sent S. W. R. D. Bandaranaike into power in 1956. Recklessly he passed the Sinhala Only Act without counting the cost. (Though he tried to make amends later, his opponents would not let him.) In 1977 J. R. Jayewardene won a 5/6 majority in the legislature in clean, fair and free elections. What happened? He welshed on his campaign promises, abused his parliamentary majority to give himself authoritarian powers and total immunity from suit, proceeded to abuse that immunity by breaking the law several times (including insulting serving Supreme Court Justices, promoting police law-breakers who had been found against by the Supreme Court, inviting his party supporters to use "violence" if necessary to

ensure a victory at the last presidential elections etc., etc.), sacked 12 Supreme Court Judges replacing them with his nominees, deprived his most charismatic rival of her civic rights for seven years, took over her party headquarters using emergency powers, extended the life of the first parliament by six years using a rowdy referendum in which impersonation and violence were openly resorted to, never held a parliamentary election in the 11 years he was in power, sacked 40,000 public servants for striking over a wage demand necessitated by his inflationary economic policies, crushed press freedom totally by grabbing the only group of news papers which was openly anti-U. N. P., called Mrs. Gandhi a cow and triggered off a massive retaliation by her in the form of arming, training and financing the L. T. T. E. etc., etc.

Our voters are not the only ones to have gone gung-ho over every saltimbando and scatamouch that promised them the moon. The German people led the way in 1933.

It is absurd to suppose that a government elected by the majority of the voters automatically guarantees us a fair and free democracy. What is wrong with politics is politicians. All our troubles were caused by them and their greed for power. A free democracy requires changes of government. It does not need politicians and it does not need elections as we know them. Consider the following:

1. A Parliamentary election is a very costly affair. It can occasionally happen (e.g. 1960) that an election does not produce a decisive result and a second election becomes necessary, thus doubling the expense.

2. In every election in Sri Lanka hundreds of people are killed in pre-poll and post-poll violence.

3. Election offences not only create bitter ill-will but also result in costly, long-drawn out legal actions.

4. Despite all constitutional safeguards ethnicity, wealth, caste, class etc continue to play unwholesome roles in all elections.

5. The party system has split the nation into hostile camps.

6. It is undesirable that the country should breed a class of professional politicians who make politics a career and strive to become experts in political survival and expedience. Every citizen is a potential legislator and should have a fair chance of becoming one, which is not the case at present.

7. Politicians grown old in the pursuit of office tend to lose their youthful ambition to serve the country selflessly.

We must — and we can — devise a method of selecting our governments which eliminates *every one* of these shortcomings, a method that is inexpensive, violence-free, one which leaves no room for election offences, or the unfair advantage arising from ethnicity, wealth, caste etc., one that is free from party rivalry **AND GIVES EVERY CITIZEN AN EQUAL CHANCE OF BECOMING A LEGISLATOR** This is my serious proposal:

1. In every electorate the Commissioner of Elections prepares a list of those qualified under the law to become Members of Parliament. (Those who do not wish to be parliamentarians can

ask that their names be left out.)

2. The names of Members of Parliament will be drawn from a barrel under the strictest security control such as exists for the National Lotteries.

3. The members thus chosen will meet and elect a Speaker and select by lottery executive committees to administer the government.

4. Each committee will elect its own Minister by ballot. No one over the age of fifty will be qualified to be a Minister. The Minister will have a casting vote but no other advantage over the other Members.

5. The Ministers will meet and elect by ballot a Chief Minister from among themselves. The Chief Minister will have a casting vote but no other advantage over the other Ministers.

6. No Chief Minister or other Minister will be permitted to serve more than one parliamentary term.

7. Executive power will reside in the Board of Ministers.

8. Political Parties will continue to exist but their role will be limited to acting as pressure groups to lobby for the policies they advocate and recommend appropriate legislation.

9. The Head of State will be a constitutional President of the sort we had prior to the 1978 Constitution, obliged to act on the collective advice of the Board of Ministers.

Constitutions are brought about not only, not even most frequently, by Constituent Assemblies. In Sri Lanka only the 1972 Constitution was made by a Constituent Assembly. The Soulbury Constitution was imposed on us by the Occupying Power (albeit with the concurrence of the elected leaders of the country) and the 1978 Constitution was an unconscionable coup impudently perpetrated by a legally elected party which abused its huge majority and violated its mandate as soon as it achieved power. The 1978 Constitution was drafted by a Parliamentary Select Committee, not a Constituent Assembly. Conceivably,

even a successful military coup could produce a leader who could impose a decent Constitution such as is suggested here.

The basis of the Greek democratic concept was that every citizen was a legislator along with all other citizens. The principle of electing delegates arose as a second best alternative because all citizens could not possibly physically meet together. Therefore a delegate (Member of Parliament) is just another citizen and he is certainly not *better* nor even *necessarily better qualified to legislate* than any other citizen.

Remember Robert Knox's *bon mot* — wash the mud off a peasant in his paddy field and he is fit to sit on the country's throne. Without taking this too literally, we can still accept that democracy means that one man is as good as another *as a legislator*. Ask yourself: Is the elective principle so sacrosanct that we must put up with the exorbitant expense, the mindless killings, the bitterness and ill-will brought about by election malpractices, the distortions caused by caste, creed, ethnicity, wealth, the cynicism of old men etc, always bearing in mind that election is only a second-best compromise in democracy. There can be democracy without elections as we know them, so long as parliaments are changed at regular intervals, and every citizen has a fair chance of being a legislator.

Of course this is only the barest sketch. Many parallel measures are necessary. Among them would be:

1. Restoration of judicial review of legislation;

2. Giving the Ombudsman real powers and greatly increasing the scope of his activities;

3. Abolition of the Press Council;

4. Totally freeing the media from any kind of state control;

5. Restoration of the Public Service Commission and the Judicial Service Commission to their status under the Soulbury Constitution;

6. Abolition of all forms of censorship of the media leaving

it to the Courts alone to deal with any trespasses by the media;

7. Repealing the clause in most recent legislation prohibiting ministerial decisions being challenged in the Courts of Law;

8. Restoration of Section 29 of the Soulbury Constitution;

9. Repeal of the Parliament (Powers and Privileges) Act of 1978, etc., etc.

Secession . . .

(Continued from page 16)

the town to the detriment of the village is basic to the model of industrial capitalist development. Similarly, the separation of estate and village and the exploitation of both for the benefit of the comprador town or city is basic to the model of imperialist colonial pseudo-capitalist development. The subordination of the estate to the village and of both to the interests of the urban and rural national bourgeoisie is basic to the model of national bourgeois development in former colonial countries which had a plantation sector with an originally immigrant workforce.

Steering our course carefully away from these three models, we have to understand economic integration as meaning, in the long term, the obliteration of the economic distinctions between town, village and estate and, in the shorter term, the building of economic relationship between town, village and estate that will work to the advantage of all. We shall later on consider some ways by which such economic integration may be achieved.

Social integration similarly does not mean social assimilation. In social integration the chief fields are the cultural arts, education, political life and religion. In these fields each sector of the population should be allowed freely to seek to preserve its own cultural identity. The ideal for Sri Lanka is not a unified homogeneous state, but a unified heterogeneous state that allows, even encourages, pronounced diversity among the groups that coalesce into the unity of one state.

From Devolution to Federalism

A Review Essay

On Monographs by H L de Silva and C Suriyakumaran

Amita Shastri

H L de Silva. *An Appraisal of the Federal Alternative for Sri Lanka*. Dehiwela: Sridevi Printers, July 1991. pp.41.

C Suriyakumaran. *Devolution in Sri Lanka: Origins and Concepts*. Colombo: CRDS. Monograph series, No. 1, April 1991. pp.29.

The two monographs under review are significant for the current debate on a political solution to be ethnic problem in Sri Lanka. They evaluate the existing provincial council system and the potential it offers for a more participatory form of governance to resolve the contentious problem of the north-east.

The first monograph has been given considerable publicity recently (see *Island*, 10 August 1991, and *Daily News*, 11 August 1991). Its author is distinguished lawyer, H. L. de Silva, who was appointed a President's Counsel under President J. R. Jayewardene. The monograph seeks to evaluate the suitability of an "undiluted federal system of government" in Sri Lanka. In doing so, de Silva is responding to the advocacy of federalism as a solution to the Tamil problem by several notable speakers of Tamil origin (both Indians and Sri Lankans) at an academic conference in Madras earlier this year, before the assassination of the former prime minister Rajiv Gandhi. He cautions against the acceptance of this "facile idea" and argues that the provincial council system which was introduced by the Thirteenth Amendment to the 1978 Constitution should be given a fair trial.

As de Silva points out, the constitutional scheme fashioned through the Thirteenth Amendment in September 1987 was not something imposed solely by the Sri Lankan government but

the outcome of negotiations and consultations over a period of nearly three years between the governments of Sri Lanka and India and "a number of Tamil parties" (p.3). After late 1984, the discussions were held with the understanding that any solution would have to be within the unitary framework of Sri Lanka because of the difficulty posed by the requirement of referendum in the event of a change to federalism. Except for the interim merger, the Amendment represented the proposals negotiated from 4 May 1986, to 19 December 1986. While he finds it "unnecessary at this point to go into the cause that led to the breakdown in the administration of the North East provincial Council (NEPC) culminating in a unilateral declaration of independence by its former Chief Minister, it would be clear to any objective observer that the NEPC operated for too short a time for anyone to assess its chances or failure" So he argues, the devolution experiment should not be abandoned coz of the intransigence of extremist elements. In doing so, de Silva blithely ignores the intransigence of the Sri Lankan government in not following through on their promises and swiftly devolving powers to the provincial councils, especially that of the north-east, where the Tamil groups who had given a more willing assent to the Accord had placed themselves at substantial risk through election to the NEPC. Yet, they failed to be given the police personnel, arms and funds to establish their authority leaving them ever more dependent on the Indian forces and increasingly seen as its creatures. It is precisely those elements with whom the Sri Lankan government started talks today form the most in-

tractable part of the politico-military equation in the north-east.

De Silva continues to advance the old thesis regarding the deep-seated fear and apprehensions of the majority community whose position worsened and deteriorated under colonial rule, and was threatened by an aggressive minority who had once enjoyed special privileges and benefits. Regrettably, the beliefs of Sinhala Buddhist chauvinists continue to inform the ideas of those who are the custodians and interpreters of the law.

Despite the tragic events in Sri Lanka, and the now publicly admitted biases in the constitutions and laws that have been promulgated in the post-independence period, he continues to advocate the need for a spirit of "higher nationalism and spirit of amity, tolerance and compromise" and holds the view that federalism would necessarily exacerbate inter-ethnic differences and rivalries and pave the way for secession. His chief argument against federalism is a quotation from Nordlinger citing the fear that a grant of partial autonomy could provide the impetus for demands for greater autonomy. And despite evidence and numerous studies to the contrary, de Silva continues to make a case for a unitary constitution due to Sri Lanka's small size, scarce resources, the efficiency and speed of centralized administration, the need for a nation wide uniform organisation of administration, the greater cohesion and unity created, as well as for the tradition of unitary government that exists on the Island.

He evinces surprise that there is enthusiasm with the federal system in India despite the imposition of presidential rule in various states. He, however,

seems oblivious to the fact that according to numerous observers, the problem in India has too often been control and interference exercised by the Center and its leadership which has led to regional reactions, more often than a problem of a misuse of powers by state governments. He looks on the agitation of new ethnic groups for separate Provinces in India and the government's recognition of them in a negative light, rather than as a positive recognition of regional differences and interests. (p. 20)

Interestingly, however, de Silva proceeds to argue the "federal principle" has already been incorporated into the political system through the Thirteenth Amendment, even though formally the political framework remains a unitary one. De Silva differs with the view of the majority opinion in the Supreme Court (Sri Lanka Law Reports 1987 (2) 312-410) and its interpretation of Wheare's definition of a federal constitution, characterizing it as being unduly narrow and unsound. He agrees with the minority opinion in the case: that the restrictions on the habitual exercise of legislative power by the Parliament on subjects allocated to the provincial councils amount to the federal principle being in place in Sri Lanka. He feels the exercise of power by the Parliament on provincial matters "quite exceptional" and "impossible" unless the central government controls more than six of the eight provinces. Likewise, unlike in Canada, the Governor can refuse assent to provincial statutes only if the Supreme Court determines that a statute is inconsistent with the Constitution. He views the restrictions on parliamentary power over provincial councils as being merely matters relating to the "manner and form" of legislation. He argues that the provincial councils, in effect, legislate over an exclusive field of subjects and that the statutes passed by them, in effect, do not constitute "subordinate legislation". In his view, the provincial councils can legislate on the concurrent

list of subjects also with no restrictions. He also challenges the position of the Supreme Court which contends that the governor is at all times required to act in accordance with the instructions of the President. (pp. 34-38)

Disagreeing with the Supreme Court, he feels that the Thirteenth Amendment changed the constitution to a quasi-federal one and that the constitutional position currently obtaining in Sri Lanka is not substantially different from the federal system in India. Consequently, he feels any demands for a federal structure of government, which could decrease the centralizing features, add further subjects and functions to the provincial list, or confer increased autonomy in financial matters on the provinces are unwarranted by "any demonstrable inadequacies in the content of regional autonomy" (p.40) and would want to know what powers are being demanded before conceding additional powers. Instead, he argues for the need for constitutional conventions to develop for appropriate central controls as regional autonomy. This clearly a cautious, pro-centrist point of view. It ignores the fact that the past decades has been precisely the strong centralizing tendencies of the state, especially in the eighties.

It is the issue of merger coupled with significant provincial powers over certain subjects that proves to be the most difficult to accept for de Silva. It is this that constitutes the crux of the problem and over which the fears of segments of Sinhalese majority continue to be reflected and represented in de Silva's arguments. It is perhaps why his views have been given such wide coverage in the media. He seems to have no problem with conceding control over the two most difficult subjects relating to (1) ("national") land resources, their development, use, alienation and settlement, (2) powers to maintain law and order in the regions, to the Tamil-majority Northern Province. But he stron-

gly objects to doing so to a merged North-eastern Province. In his words, the single most intractable "formidable (p.26) to the federal system in Sri Lanka is the lines of territorial demarcation for the proposed Tamil state. As he succinctly says, "The solution from the Tamil point of view is itself a problem from the Sinhalese point of view" according to which "...the federal demand is thought to be a cloak for the exclusive possession and appropriation of a significant part of country's territory" (p.26). The idea that the whole subject of land, land development, land settlement, land alienation should be a regional subject solely is considered "anathema" to Sinhalese opinion. He feels that since the only areas now available for future expansion and settlement are the Northern Province (NP) and Eastern Province (EP), it is "unconscionable" that the 74% of Sinhalese population be asked to concede control of 30% of land and 60% of coastline to 13% of the Tamil population.

Clearly, the latter figure omits the significant Muslim and estate Tamil population to be also found in the region. More importantly, we have here the familiar argument of a majority community raising questions about the resources the minority have or want to hold without taking into account the large areas of national political, economic and social life over which the majority community has increasingly established control. The argument has a familiar ring to it; similar arguments having been made in the past in order to establish disproportionate control by majority over seats in Parliament, the official language, recruitment to government services, university admissions, and effectively over public funds and projects. As a counter to the "evident injustice and unfairness" of the minority demand, de Silva proposes a new scheme which would be "just and equitable" (p.28) — and that is to sub-divide the EP for administrative purposes for inhabitation by all three ethnic groups in proportion to their

population in the province — a solution which was proposed by JR and agreed to by Rajiv Gandhi in the Bangalore meeting in November 1986, but which was rejected by all Tamil political parties who insisted on an amalgamation of the NP with the EP. How the administration of the three sub-divided units, with their non-contiguous territories would be carried out is not spelled out.

In a particularly interesting argument found in the book, de Silva raises doubts about the validity of the proclamation made by JR declaring NP and EP to be one administrative unit under an emergency regulation in contradiction of the provincial Councils Act No. 42 of 1987, section 37 (1) (b). He bases this argument on a narrow interpretation of the "law" used in Article 154 A (3) introduced by the Thirteenth Amendment, which has the effect of excluding the emergency regulation under which the temporary merger was effected. As a result, according to him, there is no need for a referendum to delink the two provinces!

In short, de Silva points to the paradoxical nature of the process of devolution that is underway in Sri Lanka when he concludes that Sri Lankans are practicing the essence of federalism even while professing to be "diehard unitarians" and foresees a problem of "acute constitutional schizophrenia" for future judges and lawyers, he has no problems with the existing distribution of powers and functions between the Center and the provinces, his main cause for concern being the possibility of a merged NEPC claiming control over the subjects ostensibly devolved to the provinces by the Thirteenth Amendment.

In contrast, for C. Suriyakumaran, the author of the second monograph under review, this schizophrenia is not a problem for the future but of the present. In his monograph, *Devolution in Sri Lanka*, he concretely investigates and identifies various pro-

visions which are unsatisfactory and, indeed, dysfunctional for the attainment of harmonious participatory and decentralized development.

Suriyakumaran is one of Sri Lanka's senior most civil servants who has wide experience of diverse contexts and international agencies. This experience with public administration and public finance is evident in his analysis. In addition, he has been visiting professor at the London School of Economics and Political Science. He has also been closely connected to SWRD's ideas on regional devolution and the Bandaranaike-Chelvanayagam Pact of 1957.

The monograph is an amazing piece of clear-thinking and lucid exposition. The dilemma of the unfounded fears of a majority and the need for acceptance of minority needs and interests in a process of "power-sharing" are treated in a restrained and balanced fashion. In a complete difference of perspective from the monograph reviewed earlier, it asserts that devolution involves a sharing of governmental power of the provinces or regions with the center. To quote him, "These powers are entrenched in the constitution, along with financial resources for them, and they may not be varied according to the whims or fancies of either party. The Center obviously has ineradicable prerogative on certain national policies such as, defence, external affairs, money, Simultaneously, under devolution, it has obligations to the periphery to honour and to support the latter's areas of power and authority, in use of resources, in functions, in finance, in development and so on." As he points out, these ideas are not restricted to a multi-ethnic society but are basic to democratic governance and development. To Suriyakumaran, the formal nomenclature adopted to describe the division of powers (federal, quasi-federal, union of states, etc.) is not material, but a genuine process of devolution is important. He asserts that

"...while the politics of devolution has been divisive, the principles of devolution are in fact highly integrative" (p.5). When the causes of dissension and discontentment of social and regional groupings are honestly removed, an overriding national identity has a chance to grow. This is an insight which substantially applies to the approach adopted by the Island's sprawling neighbour, India, but one which analysts like de Silva unfortunately continue to miss.

It is Suriyakumaran's view that the devolved structures set up in Sri Lanka "reflect many shortcomings, most of which, it would seem, are the result of inadequate formulation by the Center." To adequately recognize the needs for identity, security and opportunity for its peoples, devolution needs to adequately resolve issues of territory, language, land, police, judiciary, provincial functions and finance. He considers the Accord and the Thirteenth Amendment a "radical departure from previous patterns with some resemblance to the BC Pact arrangement, but certainly wider than even the latter in scope and content." In his view, it created a provincial system of offices, powers and functionaries with a potential for genuine devolution. The provincial council functions ostensibly include all the critical functions relating to police, planning, housing, roads, irrigation, land, industrial planning, taxation and borrowing. In this his view substantially concurs with de Silva's.

However, he identifies several shortfalls demonstrated by the manner in which provincial councils have functioned in political, administrative and financial terms. In his view, they emerged as badly served institutions alongside the Kachcheri and regional office structure. They suffered from inadequate staff, facilities, and funds. The Central government chose to interpret powers in a restrictive manner over a whole range of subjects which were apparently

within the provinces such as law and order, public services, education, transport, planning and development and so on. It also interpreted and used the capping provision over "National Policy" on the reserved list of the Center in generous fashion to effectively cover subjects which were ostensibly provincial ones. Similarly powers in the concurrent list remain ill-defined and were similarly generously construed by the Center. Important powers relating to land, port and harbors, foreign trade, and foreign finance remained on the reserved list of the Center. He considers the position of Governor, as presently constituted, possibly a "serious block to genuine autonomy" but which could be alright if it were rightly interpreted in keeping fully with the spirit and substance of a genuine democratic devolution.

Thus, in Suriyakumaran's view, provincial councils were from the beginning not destined to function properly or effectively. They could not undertake meaningful or progressive development and social activities. And the arrangements that have been made to date allow for a decentralized administrative rather than a devolved "power-sharing" type of process. The underlying factor responsible for this situation has been the reluctance of the Center to divest itself of the controls it has exercised traditionally since colonial times.

Totally neglected by the system brought in by the Thirteenth Amendment, however, were provisions for the special needs of the Muslim minority and, by extension concentrations of all minority populations. Also neglected were provisions for effective minority participation in the structures of Central government as essential ingredients to enhance national unity and integrity.

He calls a need to understand, accept, and straighten out several concepts and arrangements if the goals of participatory develop-

ment and ethnic satisfaction are to be attained. As the emphasizes, at the heart of the process of devolution is its characteristic of sharing of powers between the Center and the regions. The process is not merely about a performance of functions or a receipt of fundings from and on behalf of Center by the provinces. Consequently there is need to do away with the current system of dual control exercised by the Center and to fully devolve powers over certain subjects and their administration to the provincial councils. He feels the provisions relating to planning and finance are inadequately provided for the PCs under the Thirteenth Amendment and there is need to either reinterpret them very restrictively for the Center or to redefine them to Amendment and there is need to either reinterpret them very restrictively for the Center or to redefine them to clearly strengthen them for the provinces. Such provisions should be structured so as to allow for assured and progressively direct sources of revenues for the provinces. The provinces should, moreover, be allowed to actively explore and manage sources of external funding, even while the actual negotiation and authorization for such aid is the prerogative of the Center. The effort in all circumstances should be for Central powers to advance and harmonize genuine national needs, not to even "unconsciously" restrict provincial initiatives. (p.18)

In relation to the contentious issue of the unit of devolution and the merger, Suriyakumaran finds nothing sacrosanct about the existing number of provinces. To deal with the Sinhalese fear of an oversize NEP, he presents the advantages of a demarcation of boundaries to create as few as four or five units in all, which are drawn out keeping considerations of watershed areas and ethnic characteristics in mind. Sinhalese majority areas in the EEP could be joined to adjoining provinces and a can-

tonal-type arrangement and sub-committees would perhaps, in his view, serve to protect Muslim rights and entitlements in the merged NEP. Such an arrangement would be appropriate for other minority groups such as the hill-country Tamils too. He also upholds the need to provide the capital city with an autonomous national status of its own, administered to reflect national outlook and features. Such a structure would reap benefits of the larger, regional scale while also safeguarding smaller minority interests.

In addition, to strengthen the integrative intent of devolution, he prescribes measures that need to be taken to enhance national and minority security. He also suggests measures that need to be undertaken to increase the representation and incorporation of minority interests at the Center. As he says, this as an aspect which has been "amazingly neglected" in the whole discussion about the integrative possibilities (or otherwise) of devolution, despite being "so essential, and obvious." (p.21)

The monograph is the first of a series to be put out by the newly-established Center of Regional Development Studies and should constitute essential reading for anyone interested in public affairs on the island. The series plan to present carefully researched studies by experts in each field in a concise, readable form and to advocate solutions. If this and the next volume put out in the series (see C. Suriyakumaran, *Fiscal Devolution*. Colombo: CRCDS Monograph series, no 2, April 1991. pp. 45 are any indication, they promise to more than fulfill their objectives and should be given serious consideration by policy-makers in Sri Lanka.

An Independent Authority

Chanaka Amaratunga

1. There shall be a Sri Lanka Independent Broadcasting Authority consisting of 10 members of whom 9 shall be approved by the Standing Committee on Social and Public Affairs for 6 year terms, 3 every 2 years. The Secretary shall be approved by the President for a 5 year term. The membership shall consist of distinguished persons from the various ethnic groups in the country, shall have diverse political views and shall include at least 2 professionals in the field and 2 educationalists. Meetings of the authority shall be held at least once every 2 weeks.

2. The SLIBA shall by statute be established as the body responsible for radio and television broadcasting. The SLIBA shall exercise the powers, responsibilities and obligations vested in it through a Director-General and a Board of Management of not more than four other persons (of whom at least one shall be a member of the SLIBA) for each entity under its purview.

The writer is leader of the Liberal Party.

The SLIBA shall also set up as desired, Advisory Councils consisting of not more than three persons, functioning in an honorary capacity, in areas of special concern so that it might secure the constructive criticism and advice of representative men and women over the whole field of its activities.

Among the aims laid down for the SLIBA shall be the establishment of impartiality as a norm in the presentation not only of political news but in every field. This shall not preclude the necessity of broadcasting official announcements when required to do so by the government. Equally responsible comment of all shades should be permitted, so long as a fair and equal opportunity for rebuttal is made available.

The President may in writing request the SLIBA to refrain from broadcasting any particular matter in the national interest. While the right to exercise such powers should be permitted, their use should be carefully monitored

and, without breaching confidentiality, the SLIBA should in its annual reports draw attention to instances in which it might feel it was precluded from broadcasting items which need not have been withheld in the national interest.

The SLIBA shall encourage the establishment of broadcasting systems outside those under its own management, while ensuring that similar standards of objectivity and so on are observed as enjoined upon its own organs.

While refraining from didacticism, amongst the particular responsibilities of the SLIBA shall be ensuring the full exploitation of the educational potential of the broadcasting media and extending its availability to areas that have been relatively deprived in the past.

The SLIBA shall also be enjoined to provide such training facilities as are possible for aspirants in the field, independent of the particular facilities provided by the individual broadcasting entities under its control. Such training should not be only of a technical nature but should develop management and

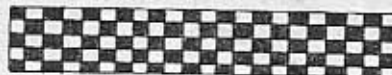
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The Standing Committee on Social and Public Affairs

(1) **Composition** — One nominee each from all recognized political parties, Cabinet Ministers where relevant, in fields such as Education, Higher Education, Information and Public Administration and the Chairmen of each of the bodies appointed by the Committee. The Committee shall elect its own Chairman and Secretary for not more than one term of two

years from amongst its members who do not serve *ex officio*.

Function (a) The Committee shall make appointments to the following bodies and any others that the President may require of it —

- (1) The Public Services Commission
 - (2) The Sri Lanka Independent Broadcasting Authority
 - (3) The Education Advisory Board
 - (4) The Sri Lanka Press Council
 - (5) The Arts Council
- (b) The Committee shall meet at least once every three mon-

ths to consider the reports of the above bodies and any other institutions answerable to these bodies. Based on such reports, and other relevant considerations it shall make recommendations to the President and the Cabinet of Ministers and to Parliament for consideration, discussion and action deemed appropriate in areas under its purview.

(c) The Committee shall, with the assistance of the Auditor General and the Public Accounts Committee of Parliament as required, consider the accounts of the above bodies and related ministries.

The Shri debate

M. H. F. Jayasuriya

Countries are generally known to the outside world by their names as they appear in the Constitutions of those countries. The English version of our own Constitution proclaims to the world that we shall be known as 'Democratic Socialist Republic of Sri Lanka.' However, a section of our local media, for reasons best known to themselves, has decided to deviate from the official practice. After all these years of Sri, we are now told that we should change to Shri, and, as if to show how very serious they are, they now proudly claim to be 'The English Daily with the largest circulation in Shri Lanka!'

This proposal raises several important issues. Firstly, should any national of a country or a newspaper be allowed to pontificate on a matter of such grave importance as the correct way to spell the name of their country? It is quite a different matter if the State, after having solicited the opinion of experts, decides to rectify what has been shown to be an error. In the meantime, why jump the gun, we might ask? Why this unseemly haste? Should not the State step in and order these people to desist from their folly, lest we become a laughing stock to the outside world?

The second issue concerns the soundness of the proposal

itself. Does it accord well with linguistic science? In my opinion it does not. One hundred per cent accuracy in the transliteration of Sanskrit words in the Roman script is only possible in technical writings where a series of diacritical marks are employed to indicate their phonetic value. In writings of a general nature, such as newspaper articles, this is not possible. Hence, in the case of some sounds, one has to make do with corresponding approximations. Sri is a Sanskrit word, the first letter of which is a palatal sibilant, while its vowel is long by quantity. In technical writings the word is transliterated with a vertical stroke above the s (to distinguish it from the dental and cerebral sibilants of Sanskrit) and a horizontal line above the i (to indicate it is long). This being impracticable as stated above, both in India and in our own country, it has been customary to transliterate this sibilant with sh. This same sh is also employed to render the cerebral sibilant (such as the one found in the word *purusha*). As a result we have *Ganesha* and *Purusha*, although the sibilants in the original words are not the same. *Sh* in *Shri* therefore is ambiguous. For this reason and also since no indication is given that its vowel is long, it cannot be urged that *Shri* is prefe-

rable to *Sri*. If the purpose of the proposed change is to secure maximum accuracy in pronouncing the word, then, *Shree* (where the final *ee* would be pronounced long, as in the English word 'sheet') seems to be the closest approximation to the original word. In India, *Shri* and *Shrimati* are employed as titles of courtesy prefixed to the names of men and women respectively. So, while on the one hand we are making a vigorous effort to let it be known that we are a nation with a sovereignty of our own, the change, on the other hand, of our name to *Shri Lanka* can be counter productive. Not only does *Shri* smack of being very Indian, but also it can be a tongue twister to people who are alien to this part of the world. Even our own forefathers found it to be so. That is why instead of borrowing the word as it is, they adapted it to our language as *siri*, eliminating both the palatal sibilant and the long vowel, and thus making it very easy to pronounce. *Siri* is both Pali and Sinhala, whereas *Shri* is Sanskrit and Indian. So, if at all the Government is considering a change, I would suggest, in all seriousness, that we change to *Sri Lanka*. This would help us to protect both our political as well as linguistic identities, while at the same time making it easy for foreigners to pronounce our name.



Black Knight
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