

• After the Aid Group meeting

— *Mervyn de Silva*

LANKA

GUARDIAN

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TRENDS

PRICE OF AID

President Premadasa addressing the nation on the 44th Independence anniversary on Feb. 4 reminded the people that to the extent the nation depended on external assistance, so shall it be subject to external pressure. Also: "Let us not forget that to the extent that we are divided and disunited, external elements will be able to interfere in our affairs. Let us not forget that to the extent we allow the growth of immorality, we shall be victims of external influence".

NIGHT AND DAY

Among some multi-million rupee projects signed by the Greater Colombo Economic Commission is a television station that will telecast programs day and night. It will be a joint venture between Sunpower Systems (Pvt) Ltd and Singapore Telecom International. This will be in addition to a Maharaja Organisation TV project.

MORE SECURITY

Following the payroll robbery and killing of an estate superintendent in the tea county by suspected LTTE infiltrators, the Security Council has decided to step up security arrangements in the Uva.

Briefly . . .

Heart to Heart

Man is closest to the pig — at least where the heart is concerned. This is the view of heart transplant pioneer Dr Christian Barnard who was in Sri Lanka recently as a guest of a Rotary Conference. The world, said Dr Barnard, who transplanted the first human heart a quarter century ago, is now facing a shortage of donors (of hearts). So, the time had come to look into the possibility of transplanting animal hearts into humans. The closest non-human heart to man's was that of the pig, he said.

Animals had helped a lot in open heart surgery as much research had been done with them. There was another visitor to Sri Lanka with Dr Barnard, also a guest at the Rotary Conference, who strongly objected to this. That was Maneka Gandhi, widow of Indira Gandhi's son Sanjay. Maneka, the politician turned environmentalist said: "About 90 per cent of animal experiments are unnecessary, only about 10 per cent help human beings".

"Are you against animal experimentation? Would you rather expose your child to experimentation?" Dr Barnard

shot back, at a media meeting. Rather an unkind way of putting it, perhaps; Mrs Gandhi kept her cool. "I am against animal experimentation; I would not sacrifice my child or the animal", she said.

Christian Barnard is now looking beyond heart transplants. He wants to stop the process of ageing.

No connection

Work on a new VOA station at Iranawila, near Chilaw, will proceed as planned despite local protests led by the Catholic church. This was a continuation of an agreement with the United States signed way back in 1951, a government spokesman told a press briefing. Also, there was no connection between the VOA project and a proposed tourist resort. It was not a potential threat to indigenous life styles.

Bar Association, Council asks for probe

The Bar Council has passed a resolution supporting Bar Association of Sri Lanka President Ranjit Abeyseriya's request from President Premadasa to appoint a Commission to probe the disappearance of more than thirty schoolboys from schools in Embilipitiya.

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The parents of the missing children had appealed to the Bar Association to help them trace their abducted children.

A School principal involved?

Evidence has surfaced pointing to the possible involvement of a school principal in the abduction of 32 school-boys from schools in the Embilipitiya district. The children have since disappeared.

Human Rights Task Force chairman J. F. Soza told the Sunday Times that he would place available evidence before the Attorney General and that it was upto the AG to decide on indictments.

Aid and Human Rights

A Canadian Human Rights group who visited Sri Lanka to see for themselves asked

the Sri Lanka Aid Group meeting in Paris to make aid conditional on an end to abuses. "We were flabbergasted by the apparent willingness, the ability to tolerate violence that seems to be going on in that society", a spokesman for the HR group told a news conference in Ottawa.

Major offensive in the East

The Sri Lanka Army threw five battalions into a major offensive to oust the "Tigers" from the Eastern Province. Northern operations were not slowed as a result, a military spokesman said.

Meanwhile 20 "hardcore" LTTE cadres surrendered to the security forces in the East, the spokesman told the press.

They will quit

A UNP Pradeshiya Sabha member told the (district) council's monthly meeting that all thirteen government party men would quit the sabha if the central government accepted Rural Industries Minister and CWC boss Saumyamurti Thondaman's proposals to end the ethnic conflict.

"Mr Thondaman is overstepping the mark. I object to his proposals. I am sure the government will not accept them. If the government does all 13 of us will resign from the UNP", the member, Henry Dominic said.

(Continued on page 16)

LETTERS

R. A. W. Hand

M. H. F. Jayasuriya's article on "The Sri debate" which appeared in the *Lanka Guardian* dated 15th December 1991, was most interesting.

I for one would not care if they spell the word Sri as Shri, Siri, Sree Chiri. But why Indianise the name of beautiful Sri Lanka.

It appears that the RAW (Research and Analysis Wing) of the Indian Secret Service has infiltrated Lake House to dictate and Indianise the word Sri to Shri. The next move of the RAW will be to make the Sri Lankans change their names to Indian names. What strange things are happening in poor little Sri Lanka?.

E. Rajah

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* * *

Native Sons Neglected

While glad that the two American professors were honoured by the University of Peradeniya as part of its fortieth Anniversary celebrations, I think it would have been more appropriate to have honoured on the same occasion those academics who stood by their University in times of grave trouble and did not seek greener pastures.

"Old Boy"

Colombo 8.

* * *

Edmund Samarakkody

The news of veteran Samasamajist leader Edmund Samarakkody's death saddened me (*LG*, Jan. 15). In my opinion, he was one of the handful of Sinhalese political leaders who commanded respect among the Tamils for the stand he took on the ethnic conflict. He never compromised his principles for office.

Though you have mentioned his victories in the 1952, 1956 and July 1960 general elections which enabled him to serve as

a member of parliament, what I consider of more significance are the two losses he suffered in the 1947 and 1965 general elections. In 1947, he contested against the "father of the nation" D. S. Senanayake in the Mirigama constituency and garnered 10,000 votes against 25,000 received by the first prime minister of Ceylon. It was certainly a pyrrhic victory for D. S. Senanayake and I think that young Samarakkody's 10,000 votes scared the 'old man' out of his wits. The 1965 election loss of Samarakkody, as a sitting MP in Bulathsinhala electorate, where he couldn't even save his deposit and polled less than 500 votes showed the Tamils, how much Sinhala opinion had hardened on the parity of status for languages question on which he campaigned. After Samarakkody's exit from the parliament, there hardly any Sinhalese leaders who gained the trust of Tamils.

Sachi Sri Kantha

BioScience Institute,
Osaka, Japan.

* * *

AID GROUP

ALMS BUT NOT WAR

Mervyn de Silva

WE WILL NOT CEDE AN INCH OF LAND — So ran the headline on the frontpage of the HINDU on Feb. 10. The lead story was Prime Minister Narasimha Rao's statement to the press at Guruvayur. Just before he met the press, he had worshipped at the Sri Krishna Temple, the HINDU correspondent's despatch said. **"We are ready to meet any eventuality arising out of the present posture of Pakistan. . . . India had a long tradition of peaceful co-existence and had not coveted the territory of anyone. Similarly India would not let anyone violate or take away any inch of her land"**.

The Indian Prime Minister was speaking as "the long march" planned by the JAMMU-KASHMIR LIBERATION FRONT (JKLF) approach the "line of control" in disputed Kashmir, the bitterest dispute between India and Pakistan and the South Asian region's generic conflict. Anybody who tries to cross over to India "would be shot" warned the governor of Kashmir, Girish Saxena, the head of the "Research and Analysis wing" (RAW), India's CIA, under Prime Minister Indira Gandhi. (The LTTE cadres were trained and armed during those years).

The Indian thesis that the LTTE's secessionist war could be concluded if only Colombo conceded "autonomy" on the constitutional model adopted in post-colonial India was the cornerstone of India-Sri Lanka Peace Accord. High Commissioner Mani Dixit, now Foreign Secretary, has used that argument on many a public occasion.

Kashmir is the weakest link in the Indian federal or quasi-federal system. Delhi, with or without the help of the Indian army, or para-military forces has "managed" the low-intensity conflicts fairly well in the Punjab and Assam. . . . well enough anyway to have polls in Assam last year, and to announce elections in Punjab on Feb. 19. In Kashmir, the "external" factor (Pakistan) is more important.

But the Kashmir issue was not only an inter-State conflict between South Asia's major military powers, but involved indirectly the two superpowers — the US and the Soviet Union, the US on Pakistan's side and Moscow staunchly pro-Indian. US commitment to Pakistan was reinforced when Islamabad agreed to allow its territory to become the main staging-post for America's "proxy war" against the Moscow-backed Communist regime in Kabul. That complex equation doesn't exist anymore with the collapse of Communism and the disintegration of the Soviet State.

In a dramatic switch, the most spectacular in any key region of the world, the US has moved close to India, suspended aid to its long-standing ally, Pakistan, under the Pressler Amendment, and abandoned its old position of supporting the idea of a plebiscite in Kashmir. The US now wants the two countries to resolve the dispute themselves.

If Prime Minister Rao said "not an inch" after prayers at the Sri Krishna Temple, the JKLF leader Amanullah Khan was no less religious in decla-

ring his commitment to a "free" Kashmir. "I have taken an oath before the Koran and my conscience, and I will give up my life in the way of Allah for the liberation of Kashmir".

Neither God nor Religion has been invoked by Prabhakaran in his "war" for the "liberation" of Eelam but "not an inch" is very much part of the mindset, to use an American expression, of the Sinhala Defence League (SAS) of Mr. Gamani Jayasuriya, former minister and UNP General Secretary, and of HELA URAMAYA of the S.L.F.P. "dissidents" or hardline "caucus". For both every inch belongs to every Sri Lankan. The concept of "traditional homeland" or "area of historical habitation" which President JR, shrewdly preferred, is rejected outright and instantly by a resurgent Sinhala 'New Right', vigorously supported by the Buddhist clergy, including the Maha Sangha. The territorial imperative is now the core issue in the new (or renewed) debate on the Tamil problem. This of course was what the Thondaman controversy was all about.

If the ethnic identity/territory connection (however large or small the territorial unit) is rejected, then no talks need be held, since the "concept" is non-negotiable. And no jaw-jaw only means "war-war". India does not need weapons from any external source to meet the threat in Kashmir. All that worries Delhi is whether it will lead to another direct or indirect military confrontation with Pakistan, and whether its escalation of the "war" will alienate a larger section of Kashmiri society.

NEWS
BACKGROUND

The Sri Lankan State is in much greater difficulty. Already the defence budget approaches 6% of G. N. P., the third highest for the 22 countries in the Asia-Pacific region. . . . after Pakistan and Myanmar (Burma). The donors who have just pledged 825 million US dollars have decided NOT to cut or suspend aid but they have told the government quite firmly that it must "keep exploring ways to achieving peace. . . the economic cost of not doing so is too high."

Ironically, Canada, the strongest critic of the Premadasa regime on "the human rights" issue is the donor who insists most firmly on the government "demonstrating its good faith by presenting proposals and a clear time-table for a concrete political settlement to the ethnic conflict as soon as possible". And the sternest critics of the regime on human rights, the "rebel" DUNF, regards Canada as their "ally"! The virulence of the S. A. S. and SLFP caucus "Hela Uramaya" served the UNP negotiators quite well. If unconsciously, by projecting an image of prejudice intolerance, and insularity. Gaining a great deal by contrast, the Premadasa regime left the donors and the World Bank no option.

The Premadasa government's luck holds. Despite the spirited Human Rights campaign mounted by the Opposition parties, particularly the 'dissident' DUNF and its voluble co-leader Mr. Lalith Athulathmudali, the World Bank-sponsored Paris meeting of the Sri Lanka Aid consortium, pledged 825 million dollars, 25 million more than Sri Lanka had requested.

What does it mean? First, the principal donors, Japan, the US and of course the Bank itself, are more than satisfied that the government is implementing the economic reforms recommended by the IMF and the World Bank. They may not be wholly impressed with the **pace** of change or its **thrust** but the **direction** is right, and the **political will** exists. Not

all Third World recipients can make that claim.

Second, the Human Rights record is not that unsatisfactory to justify punitive measures. Third, the government faces problems and pressures that most elected regimes are bound to confront. Sri Lanka's backers cannot be perversely blind to these realities, particularly so when an elected government is politically besieged, and that fact was dramatised by the "impeachment crisis". In that sense, these politicians and parties that engineered the crisis, did the President a favour. Hence the "luck" factor.

Third, there is no viable alternative in sight; no party or personality with a coherent program that can do the job which the IMF-IBRD think needs to be done. And when one speaks of those two agencies, we are in fact speaking of the U. S. In the post-Gulf War world, where the US is increasingly calling the shots, the UNP government is playing according to the basic rules that have been made by the "sole superpower". A few foreign policy deviations, such as voting in the UN on Zionism issue, are well within the limits of American tolerance. On an issue of substance which is of direct concern to Washington (e. g. the V. O. A.) the Sri Lankan government's compliance won plus points. (Incidentally, the government also accommodated the Church on the Iranawila Hotel complex, an issue of more direct concern to the Church than the VOA). Economic strategy is far more vital than foreign policy in serving Washington's fundamental objective — the integration of Third World into the US-dominated global economy. It is only when countries as important as Japan or powerful regions like Europe oppose such integration — and indeed challenge and resist US hegemony — that friction and confrontation undermine the American "new world order".

Apart from that the donors who have raised "human rights"

in an attempt to stop or reduce aid to the Premadasa regime are modest contributors to the World Bank "aid package" or face such serious economic problems at home that their capacity to offer substantial project aid is in any case limited. As a matter of fact, the outrage over 'human rights' may well be moralistic gesture to divert attention from the truth. They have not much money to spare anyway. It is nice to be able to retreat under the moralistic smokescreen of "human rights".

WAR FRONTS

Invasion? LTTE prepares

"We shall resolve to defeat the invasion" is a message from Mahattaya, the LTTE's No. 2 to the people of the Jaffna peninsula. It was carried by VIDUTHALAI PULIHAI, the LTTE organ, writes the well informed ISLAND columnist TARAKI." We keep the doors of peace open but the SL government beats the drums of war. Colombo's strategy, says Mahattaya, is a 'war of attrition' until the LTTE is weak, and then a full-scale invasion to force the LTTE to negotiate from a position of weakness. . . . We cannot permit an imposed solution. . . so we will prepare. . . if the Army comes, it will be the biggest battles. The paper claims that in the 3 month period Oct. — Dec. the Army has lost 256 men, while the LTTE has had 86 casualties.

Third Front

The army has confirmed that the LTTE killed 68 servicemen in the past 4 weeks, notes Rohan Gunasekera in the same paper. But what really worries the army is the possibility of a "THIRD FRONT". The LTTE has mounted 14 attacks in this period — two in the UVA, which borders the "south eastern districts of EELAM".

U. S. REPORT

The Constitution provides for freedom of speech and expression but permits these rights to be restricted by law in the interest of national security. The ER has been used directly and indirectly to restrict free speech. For example, persons wishing to post bills advertising meetings of any type are required under the ER to secure police approval of the text, although, pursuant to a Supreme Court ruling in 1987, the police must specify a reason for denying permission. There were no prosecutions for distribution of "anti-government" literature in 1991. However, the Government considers possession of JVP literature prima facie evidence of involvement in the organization and reason for detention under the ER. Under the amended 1978 Parliamentary Powers and Privileges Act, Parliament may impose an unlimited fine or up to 2 years imprisonment on anyone who criticizes a member of Parliament, a clear deterrent to freedom of expression. The amendment was not applied in 1991.

The Government controls the country's largest newspaper chain. A variety of independent newspapers and journals provide a range of viewpoints on foreign affairs and most domestic issues, including human rights. Many newspapers openly criticize the ruling party and the Government. Many small-circulation periodicals are also published by opposition political parties and special interest groups. They have claimed that various groups have required them to publish articles the groups have provided, threatening them if their demands were not met. Tamil-language newspapers in particular have claimed that militant Tamil groups have required them to publish articles the groups have provided. The media based in the northern peninsula have been subjected to particularly tight control by the LTTE.

There was no formal political censorship in 1991, but journal-

ists assert that government pressure — or the threat of pressure — forces the press to exercise self-censorship. Although the Government denies it, it is widely alleged that the Government exerts pressure on the press by controlling permits for the import of newsprint and through placement of paid government announcements and advertising. In October several state-owned and state-affiliated banks were directed to check for any loans in arrears that an opposition news paper might have, suggesting that such loans be called in, according to credible sources. The Government also sealed the printing press of an independent weekly without giving legal grounds. A fundamental rights suit filed with the Supreme Court on this action was still pending at year's end. In 1990 the Government announced that it would enforce the Press Coun-

cil Law, which prohibits unauthorized publication of cabinet discussions and decisions. No charges have been brought under the law, but fear of ist sanctions further encourages self-censorship. However, during an impeachment challenge that began in August, there were no known cases of censorship of the print media beyond the sealing of the printing press mentioned above, and the press generally seemed emboldened. English and Sinhala-language newspaper editors say they are now more subject to business pressures than physical threats.

The Government owns the radio and television networks, and only news approved by the Government may be broadcast on television. For example, during the impeachment crisis the resignation of dissident parliamentarians was not reported, on radio or television. Although academic freedom is generally respected, a new ER was imposed in 1990 banning political or disruptive activities at all schools. The Government has justified this action as necessary to ensure that student political activity, such as that used earlier by the JVP to close down the universities for 3 years, would not force a new school closure.

Donors link aid to arms spending

Following a 4 December ministerial meeting, Western aid donors in the Paris-based Development Assistance Committee (DAC) — which includes OECD members like Japan, the US and EC countries — have served notice on developing countries that future allocations of development aid will depend on these countries effecting cuts in military expenditure. Under particular scrutiny are the Pakistani and Indian military budgets. There is also concern about the arms build-up in China, Thailand, North Korea, Burma and Sri Lanka. The emphasis is not on specific targets or overnight reductions but a progressive decline in military budgets. DAC chairman Alexander Love said donors were determined to start implementing the new conditions immediately. — F. E. E. R.

J.V.P.'s New Move?

INTERPOL has been alerted after Paris police picked up on suspicion Gamini Vasantha Vanderkoon and his brother. Documents which indicated their JVP connections were found, the DAILY NEWS said. One such "document" was a letter posted from Italy. Its author is Somawansa Amerasingha, evidently the JVP's No. 1 today. The letter argues that the JVP should follow LTTE strategy — infiltration of all other parties and NGO's, especially Human Rights bodies, and setting up pro-JVP networks overseas. With stepped-up recruitment to armed forces and police, JVP sympathisers will be told to infiltrate to services too.

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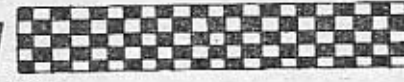
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INDIA: Presidential System – Last Hope?

Inder Malhotra

For well over a decade Mr B. K. Nehru, one of the few elder statesmen 850 million Indians can boast of, has been publicly agonising over the country's relentless descent into chaos and political degeneration. As is well known, his preferred remedy for the ills afflicting the body politic is a switch over from the present parliamentary system to an executive presidency. In a lecture in New Delhi the other day, the former civil servant, diplomat and governor did a lot more than just reiterate his plea with verve and eloquence. He also spelled out his ideas in greater detail than before which should facilitate an informed and much-needed debate on the subject.

In Mr Nehru's scheme of things, the President would be elected by a large enough electoral college, on the basis of proportional representation and a single transferable vote and with the Nigeria-like safeguard that while having a clear majority of votes in the country as a whole, he or she must also have a certain minimum percentage of votes in all four regions — northern, southern, eastern and western.

More importantly, the president will have only one tenure of seven years and no more during which he could be removed only through impeachment for "moral delinquency" and will appoint ministers only from outside the legislature so that the current Gadarene rush towards Parliament and state assemblies can be stemmed.

What Mr Nehru prescribes for the Centre he wants extended to the states even more urgently. There an elected governor would be in the same position as the President in New Delhi with slight difference that the single tenure to which the governor would be for five years.

Mr Nehru's persuasive arguments in support of his proposals need to be read in full. Here, however, they can be summarised only very tersely. Interestingly, his point of departure is a lament that so large a proportion of the "intellectuals who guide our thought live in Delhi and are so absorbed with the doings of the Government of India that they fail adequately to appreciate what is happening in the rest of the country. The levels to which the state governments have fallen is simply not understood by those whose eyes are riveted on Raisina Hill".

Other pertinent points made by Mr Nehru are: that, under the present system unpopular decisions, even when imperative in national interest, cannot be taken because "the vote has become our God"; that both instability and inefficiency are inevitable when the political life of a chief minister depends on hordes of "rapacious legislators" whose hunger for power, pelf and loaves and fishes of office knows no bounds; that election costs have become so huge that there is "no possible honest way in which that kind of money can be raised"; and that, as a cumulative result of all this, even criminals and history sheeters have been catapulted to positions of power and corruption has assumed gargantuan proportions.

Anything which holds the promise of mitigating the present horrendous state of affairs is surely worthy of the most serious consideration. But the case for a change over to the presidential system, for all its apparent attractions, need to be examined with minute care. For there are no quick fixes in life and the search for a short-cut can sometimes turn into a classic case of the remedy being worse than the disease.

To underscore the difficulties that might arise as a result of a hurried systemic change, one might raise only two of the many ticklish questions that are bound to arise.

The first of these is as to the Centre's authority in this country to place a state under President's rule if elected governors rule the states and an executive president controls what would presumably continue to be a federal centre? Will the president be able to dismiss an elected governor, if necessary? In the United States, such a power does not exist. But how can we be sanguine that in our conditions also this power is dispensable? How does the country cope with the kind of problems that have plagued Punjab, Kashmir and Assam in recent years?

The importance of the second question is heightened by the first. Even under the present system, both Indira Gandhi and Rajiv Gandhi were accused of having converted the office of Prime Minister into an "imperial presidency". In Tamil Nadu, the late MGR ruled like an absolute monarch just as his political heir, Ms Jayalalitha, is trying to do now. And in Haryana, Mr Om Prakash Chautala very nearly succeeded in making the state his family fiefdom.

Under these circumstances, the question that arises is whether there can be effective checks and balances on a head of state who is also the head of government and thus something akin to an "imperial" president? The experience of the United States, far from being reassuring, is a source of concern, especially in view of the sharply different milieus in the two countries.

(Continued on page 9)

Is Kashmir struggle a proxy war?

Pervaiz Iqbal Cheema

None of the large scale military operations undertaken by the Indian security forces had been able to either crush the spirit of the freedom fighters or even minimise the intensity of struggle. Unlike the Soviets who were not willing to incur the necessary human cost in their efforts against the Afghan Mujahideen, the Indians with repeatedly expressed determination to wipe out the Kashmiri freedom movement at whatever human cost have yet to attain any major success. Despite the concerted military operations, the Kashmiri struggle for freedom continues unabated. It appears that the resultant creeping frustrations have begun to overwhelm the Indians and in consequence they seem to have now opted for a more comprehensive strategy than what has been employed so far.

This revised Kashmir strategy consists of varied policy strands, some of which are currently subjected to serious considerations whereas others are already being practiced. Five policy strands, that need to be highlighted, are the sealing the borders with barbed fence consistently accusing and pressurising Pakistan even if Pakistan does not seem exasperated at the situation in any way; undertaking repeated reprisals against freedom fighters' strongholds; initiating talks with pliable local leaders; and finally checking the rising tide of sympathy for the Kashmiris outside the region.

Among these, perhaps the most ludicrous is the act of fencing the entire Indo-Pak border. Not only that the border is around, 1,400 miles long from

the northern areas to all the way down to the Rann of Kutch, but it also consists, plains, deserts, rivers, marshes etc. According to a newspaper report the Indians have spent about Rupees one crore per kilometer on fencing the East Punjab border. To fence such a large border entails billions of rupees. Given the existing state of Indian economy, even the slightest sympathetic consideration for such a project certainly appears ludicrous. In addition, the past experience has clearly indicated that fencing has rarely been able to secure the objectives for which it was originally installed. A close scrutiny of the fencing notion reveals that such a step could lend some credibility to what is otherwise often brushed aside as mere habitual accusation. Fencing the border and continuously accusing Pakistan seem to be part of a well knit tactical move. Awareness of Pakistan's interest in the Kashmir issue makes Pakistan easy target in the eyes of the outsider. While India's continuous accusations levelled against Pakistan were unable to invoke strong sympathetic response from the outsiders, the notion of fencing the entire border might elicit serious thoughts. Perhaps that's why the Indian Prime Minister Narasimha Rao deemed fit his wisdom to raise such points in an all party meeting. The objective: to appear more loyal than the king himself and believe that such a move will lend some credibility to India's consistent accusations. Slings and arrows of well devised propaganda are pointedly directed against Pakistan. No let up is experienced in this second strand of Indian policy. Interdependence of first and second strands seem mutually reinforcing.

The third aspect of Indian strategy is being vigorously practiced. Refusing to recognize the popular support the Kashmiri freedom fighters enjoy, the Governor and the commander of Indian forces are relying on shelling the strongholds as well subjecting surrounding civilian population to indiscriminate killings. Frequently the major cities endure long curfew hours in which not only the houses are searched but almost regularly the looting and raping also take place. Such tactics are meant to inject terror and isolate the freedom fighters. Undoubtedly the price paid by the civilian population has been extremely high. Yet neither the popularity of the movement has decreased nor the spirit suppressed. With the imposition of long curfews, the area is totally shut off and the local population is subjected to all types of inhuman treatment. Innocent civilians are denied all their basic rights and treated like animals. No human rights activists or associations have yet been able to ascertain the exact intensity of human rights violations. Whatever little is known about atrocities and human rights violations, is primarily the product of local Kashmiris efforts. During the last two months the intensity of military operations has rapidly multiplied and with them accompanied the massive human rights violations.

The fourth aspect of the current strategy is to initiate talks with more pliable local leaders. Although the traditional leaders no longer enjoys support among the masses, but their experience and long stay at the top of Kashmiri political scene equip them with sufficient expertise and knowledge to be of great assistance to the Indian government. With the return of Congress I at the helm of power in India, the traditional Kashmiri politicians are helping the Congress government to identify the pliable leaders with whom some kind of compromise could be worked out. The current Indian government is keen to revive political activities in the

The writer is Chairman, Department of International Relations, Quaid-i-Azam University, Islamabad. An Indian view on Kashmir was published in L. G. Jan. 1.

valley as soon as possible. Orders have already been communicated to military commanders to secure the normalcy quickly, enabling the government to hold elections. Even the chief of Indian army also made a quick trip to Kashmir in order to convey the intensity of seriousness and the determination of the Indian government. In an attempt to alleviate the atmosphere, not only the pliable Kashmiri politicians are busy making contacts but the government has also expressed to grant many concessions.

The fifth strand of India's Kashmir policy is to check the rising tide of sympathy for the freedom movement outside South Asia. While it is true that in comparative terms the Indian global propaganda has been far more effective than that of Pakistan, there is no doubt that the awareness of Indian butalities inside Kashmir along with extreme violations of human rights is gradually increasing. Many reports compiled by either the reporters or the human rights activists the human rights association have now been published in various parts of the world. Despite the publication of such reports, the major actors of global politics have not been really disturbed to the extent that warrants if not open condemnations. Such an attitude undoubtedly reflects, the hollowness of acclaimed platitudes about human rights and civilised behaviour.

The Indian government is not only attempting to systematically counter the allegation projected in various reports but has also begun to employ a new propaganda ploy. It is now engaged somewhat feverishly in demonstrating to the world how deeply Pakistan is involved in the current crisis. Almost all independent observers, who wrote about the ongoing crisis in Kashmir did not give too much credit to Pakistan. On the contrary, the credit was given only to the deserving ones; the Kashmiris themselves. In addition, the negativism of Indian policies was highlighted with a view to ascertain the contributions it

made towards the eruption of the current crisis, India, on the other hand, is engaged in portraying Pakistan as the only factor responsible for the current crisis.

While India is vociferously charging Pakistan of waging a proxy war in Kashmir, Pakistan needs to highlight the systematic fragmentation of Nehru traditions and gradual transformation of India from pacifism to a regional bully. Nehru envisioned India a great secular state always ready to serve the cause of peace and often opted against the use of force. A year after his death the deliberately applied restraints on the use of force were quickly withdrawn and gradually reliance upon the use of force became a common practice. Since the departure of Nehru, the use of force is

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During the last three years. President Bush has vetoed the laws and resolutions passed by Congress no fewer than 22 times. One of the vetoed bills had sought to extend from 26 to 46 the number of weeks for which the growing army of the unemployed in the richest country in the world can claim social security! What kind of social consequences a similar presidential obduracy in this country might have can be easily imagined

On the other hand, during a recent stay in America I had the opportunity to watch on TV the live coverage of the prolonged hearings by the relevant Congressional committees for the confirmation of the appointments of Judge Clarence Thomas to the supreme court and of Mr Robert Gates as the director of the CIA. This was a remarkable — and, at times, awesome — lesson in both the accountability of public officials and the politicking, often of a low order, that went on behind the scenes.

What made me shudder was the thought that some day the appointments the judges of the Indian supreme court, director of the Intelligence Bureau or

of the RAW, ambassadors and chiefs of armed services would be subject to hearing the confirmation by parliamentarians deprived of all other powers and perquisites including ministerial office, lucrative portfolios, chairmanships of corporations and so on!

Mr Nehru and other votaries of the executive presidency would do well also to ponder another point. After the loss of Bangladesh and the fall of General Yahyah, Pakistan lost no time in discarding the presidential system, introduced by Ayub, and opting for parliamentary democracy. Another military dictator, General Zia-ul-Haq, introduced many distortions in the system of which the chief beneficiary is the present civilian president, Mr Ghulam Ishaq Khan. But there is a great perturbation in Pakistan on this score and growing body of opinion that the president's discretionary powers sought to be curbed before irreparable damage can be done to the Pakistani polity.

Similarly, it is instructive that not long ago when democracy at last returned to Bangladesh, Begum Khaleda Zia, who won the election, as well as others were quick to bid farewell to the presidential system — initiated by her slain husband and inherited by the now disgraced General Ershad — and go in for the parliamentary pattern. And now, in spite of the forthcoming presidential elections there, the Philippines, too is thinking of changing over the kind of system now prevailing here.

In his address — delivered in honour of a distinguished civil service colleague, the late S. Ranganathan — Mr Nehru did not confine himself to a plea for the presidential system. He also spoke out from his heart on the plight of the civil services which are no longer being "allowed" to discharge their function of implementing the laws impartially and fairly. Both the subject and what he had to say on it are of the greatest importance and must therefore be discussed separately in a full-length article.

Whither the Muslim Republics?

Bertram Bastiampillai

Those who have been carefully watching recent events in the former Soviet Union will be surprised to know that about 10 years ago a French political scientist had foretold the breakdown of the Soviet Union. Helene Cartere d'Encausse argued in her book translated as the *Decline of an Empire* that "the Soviet people" do not exist; within the USSR's constituent republics are some 100 different national cultural and ethnic groups, speaking more than 100 different languages, separated by history, religion, racial characteristics, traditions and beliefs. The allegiance of these heterogeneous peoples to one another and to the USSR as a whole is precarious — and likely to break down under pressure. She has been proved correct now!

When the Communists seized power in 1917 they promised equality for all the country's divergent groups but really practised a new kind of imperialism. The Russian Soviet Federated Socialist Republic with about half the total population became a kind of elder brother to the other republics imposing "Cultural Russification" on every aspect of their lives. Yet the other half had no desire to be "Russified".

Stalin responded in 1943 and 1944 when many peoples in the empire's fringe had shown more sympathy to the invading Germans than to Moscow during the Second World War by deporting residents of these "traitor" nations to Central Asia. He declared then that the heroic Russian republic had "learned the right to be recognised as the guiding nation of the USSR". But what happened during the

Second World War and thereafter showed that other republics where unwilling to reconcile themselves to Russian primacy or headship. This feeling remains even today. The independent republics are not inclined to tolerate Russian headship.

In Stalin's vendetta against peoples who allegedly collaborated with Germans all 200,000 Tatars of the Crimea were deported to Central Asia. Shortly after Stalin's death in 1953, they sent delegations to Moscow to claim return of their civic rights and return to their homeland. In 1967 after their demands had been long ignored the government grudgingly restored to the Tatars their legal existence as a people, but still refused to return them to their homeland in the Crimea. Since then demonstrations increased in frequency, volume and violence and the Tatar cause became a rallying point for anti-Russian dissent. A localized confrontation assumed Soviet-wide significance.

Yet, although the Tatars are Muslims' they did not gain much support from groups articulating Muslim solidarity. Such groups themselves had their own claims to win, but this illustrates that it is facile to assume that all the Muslims in the former Soviet Union would see eye to eye even now. Unity is unlikely among them because of their common religious affiliation alone.

However, the Kremlin had been particularly watchful of dissidence in its Islamic peoples. Their population was quickly increasing and moreover, Islam was not only a religion but also a way of life. Islam was a strong col-

lective conscience of the USSR, that of the Communist party. The Soviet leaders therefore adopted an ambivalence towards Islamic peoples: they wanted to suppress all religions and yet have closer political connections with the nations of the Muslim World, particularly in the Middle East. Hence the Soviet leaders while tightly controlling, Soviet Muslims also allowed them token liberties to pursue their beliefs. Against this experience Islamic peoples and republics will now endeavour to build their future.

Perhaps only some of the millions, about 40, in the late seventies and now more, are professed believers yet however, almost all of them "practise" in the sense that they participate in the social ritual of Muslim life. Some of these Muslims as in the Caucasus were members of Islamic secret societies even in the days of strict Soviet Union control. Moreover, many other Muslims are faithful followers of the Councils of Elders and the latter's advice differed from the views of Moscow.

What is more significant now is the Islamic government in neighbouring Iran and what that could mean to Islamic republics such as especially Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan and Kirghiza, the Central Asian republics. This is more important because Iran can remind them "that Islam is a political and social as well as a religious ideology...". Azerbaijan is also predominantly Muslim, but lies in the Caucasus.

The mainly Muslim republic of Azerbaijan with a population of 7 million has oil in the

Baku region, produces cotton, carp and sturgeon (for caviar). Turkmenistan is also mostly Muslim has 3.5 million people. Most of its area is desert and crops are grown by irrigation. It produces more cotton than Azerbaijan, and gas too. Uzbekistan contains 20 million peoples, the third most populated of the former union, and produces substantial quantities of cotton, some gas and fruits. Tajikistan is smaller with a population of 5.1 million. Its large Nurck Dam provides hydro-electricity for a large aluminium factory and the republic grows some cotton. Kirghizia or Kirjizstan is smaller with 4.3 million; a poor republic; the people were nomads. It produced some washing machines. Kazakhstan, geographically the second largest republic, was the site of many atomic weapon tests. It produces a fair amount of wheat; some coal and grain. This concise survey indicates that these republics are not so industrialized, and are not self sufficient and economically weak. Their viable existence as independent units will depend on economic relationships they could build and on quick development of their economy and infrastructure. Their future while preserving independence and identities along with their cultural characteristics, on which they are bent, depends to a large extent on their economic take off, progress towards modernity; in short their viability to remain as non-dependent units. However, these republics have now enhanced the demography of Muslims in the world and can become with others a bloc spread over an area. This is a development which can invite the attention of others.

From being in the state of captured nationalities these republics and the people within are now free after the break-up of the union. Also, in the past six years or so, the era of Mikhail Gorbachov, like the other republics, these republics too have developed a taste for democracy and more crucially, a feel for politics. It is not possible

to imagine that they can be either pushed backward or kept away from advancement in a stagnant state. At the same time it is true that only the republics and their peoples themselves can transform their republics into modern, efficient industrial democracies. The Communist way of transforming their economies failed and the republics will not fall back on it. They will pursue other and new paths to attain economic independence.

By August, 1991 itself the five Asian republics had already agreed to form a regional common market. But as we can see they seem to be producing mostly similar articles and within themselves they do not have all what would be needed by their peoples. Therefore, they will have to look outward and it is interesting to note where they would turn too. The five republics of Central Asia have a control over the rich mineral resources of the Central Asian area. Boris Yeltsin and the Commonwealth of Independent states will try to stay on good terms with the Central Asian republics and the states have agreed at least currently to reciprocate their relationship.

At the same time it cannot be overlooked that the centrifugal forces that had even recently been given inadequate credit in the analyses of the Soviet Union remain still strong. The Commonwealth of Independent States may after all be nothing more than a convenient contraption which can be abandoned by individual republics after they have used it to destroy the Centre. If, however, the Commonwealth is not merely a vehicle of opportunism then it is the first instance of the rise of centripetal forces. In this light it is wrong for the West to gloat over with universal relief that the Soviet Union has collapsed and will not rise again. Such an opinion overlooks the pain of the peoples of former union and under-estimates their capacity to recreate something

very close to what they had before if they are left to languish in more misery.

The international community and others, from the West or East, have to address themselves to the post dissolution position of the republics, including those from Central Asia, and Muslim. Just now each republic is independent with some uneasily allied to others and a tentative sort of confederation. The people have to live on very little money, hospitals have no medicine, inflation is rocketing and decontrol of prices can hit the people worse. An attempt is now imperative to resuscitate the weak economic republics, especially the Muslim ones which are so poorly off in the present plight prevalent all over the former union.

In the Central Asian Muslim republics more particularly the infrastructure, incentives, expectations and habits of a sound economy are not only missing but are even unknown. Such a situation makes the Islamic republics as much as the others look out for massive economic aid. If such assistance is not forthcoming abundantly and readily, then like other republics, the Islamic ones too will get humiliated. Then they could all together actually transform abject defeat into an angry reconstitution similar to the former Union. This ominous scenario can be averted only by democracy and aid from the International Community and those that have. Or else democracy either in Russia or the Central Asian Muslim republics can easily be misplaced.

Another more likely scenario is that there can develop a new arc of influence across Central Asia. Devoid of the patronage and funds which had come from Moscow the communists in all those republics are now on the defensive looking for new identities to sustain them in power. Uzbekistan, Tagikistan and Kirghizstan are independent as much as the others.

From Devolution to Federalism

Amita Shastri

H. L. de Silva. **An Appraisal of the Federal Alternative for Sri Lanka** Dehiwela: Sri-devi 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 the 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 of success or failure'. So he argues, the devolution experiment should not be abandoned because 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 northeast, 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 govern-

ment started talks who today form the intractable part of the politico-military equation in the north-east.

Old thesis

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 Centre 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)

Federal principle

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 are regional autonomy. This clearly is a cautious, pro-centrist point of view. It ignores the fact that the past decades have been precisely the strong centralizing tendencies of the state, especially in the eighties.

Provincial powers

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 the 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 strongly objects to doing so to a merged North-Eastern Province. In his words, the single most intractable 'formidable obstacle' (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 or a significant part of a 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 pub-

lic 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 Centre 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. Suriyakumar 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 provisions which are unsatisfactory and, indeed dysfunctional for the attainment of harmonious participatory and decentralized development.

Suriyakumar 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.

Lucid exposition

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 centre. 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 Centre 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 Suriyakumar, 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 Suriyakumar'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 Centre.' 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 Centre 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 Centre. Important powers relating to land, port and harbours, foreign trade, and foreign finance remained on the reserved list of the Centre. 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 Centre to divest itself of the controls it has exercised traditionally since colonial times.

Muslim minority

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 neg-

lected were provisions for effective minority participation in the structures of Central government as essential ingredients to enhance national unity and integrity

He calls for a need to understand, accept, and straighten out several concepts and arrangements if the goals of participatory development and ethnic satisfaction are to be attained. As he emphasizes, at the heart of devolution is its characteristic of sharing of powers between the Centre and the regions. The process is not merely about a performance of functions or a receipt of fundings from and on behalf of the Centre by the provinces. Consequently there is a need to do away with the current system of dual control exercised by the Centre 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 Centre 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 Centre. 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 NEP could be joined to adjoining provinces and a cantonal-type arrangement and sub-committee would perhaps, in his view, serve to protect Muslims 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 Centre. As he says, this is 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 Centre of Regional Development Studies and should constitute essential reading for anyone interested in public affairs on the island. The series producers 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 fulfil their objectives and should be given serious consideration by policy-makers in Sri Lanka.

Restorer of great tank civilisation

By A. Jeyaratnam Wilson

D. S. was very much like Tunku Abdul Rahman and his Alliance Party at Malaya's independence. It was not for D. S. Senanayake to be a Nehru or a Jinnah. Thus on Barber's paradigmatic scale, D. S. would be an active-negative prime minister.

D. S. Senanayake more than satisfied the "climate of expectations" of, in the main, the conservative Ceylonese bourgeoisie, its bastions, especially the compradore elements of commerce and planting and its entrenched institutions such as the Church and their schools as well as the other component comprising the traditional countryside which was contended with the state's welfare system and as a whole the agricultural policies that were in place. "People" had confidence that the Prime Minister was an able leader and they would be safe with him at the helm.

Could we have predicted D. S. Senanayake's prime ministerial performance using Barber's paradigm? Much of the answer lies in what has already been stated though this has to be accompanied with many an explanation given the colonial context. As well, D. S.'s *character, worldview, style* and climate of expectations were discernible in the man's lone apprenticeship for the office.

A more difficult question is whether this earlier discernment could have foreshadowed the future events. The answer is in the affirmative. After the demise of F. R. Senanayake (1925), D. S. Senanayake inherited the mantle. He had the cooperation of the most influential press baron, D. R. Wijewardene. The boudoirs of Colombo readily accepted him including its *haute* elements. The only

obstacle to a *blitzkrieg* operation was the ailing and aging Baron Jayatilaka. But D. S. Senanayake knew that time and tide awaited him. Jayatilaka was moved "upstairs" when he was no longer able to cope.

It was war time. D. S. Senanayake made full use of the opportunity to demonstrate his country's loyalty. His warm and genial personality and the social backing he commanded did the rest for him. From around the mid-thirties, especially after the Reforms Despatch of Sir Andrew Caldecott in 1938, there was no doubting that D. S. Senanayake would be summoned as Prime Minister at the appropriate moment.

D. S. Senanayake had however passed his peak at the time he became Prime Minister primarily because he was being increasingly smitten by his debilitating diabetic condition. His best phase was the preceding ten years. As Minister of Agriculture and Lands, he had envisioned and implemented irrigation schemes in the dry zone, a successful exercise in the restoration of the great tank civilization of the ancient Sinhalese kings. He was the one and only leader to whom Britain willingly transferred power and he was adept in negotiating that transfer. His personality surely impressed Whitehall as well as others who knew him, Sir Henry Monck Mason Moore, Governor and later the first Governor-General, Mr. L. M. D. de Silva, the distinguished lawyer, Sir Fredrick Rees, member of the Soulbury Commission and Sir Ivor Jennings. For the rest, D. S. Senanayake concentrated on winning the leadership of the movement for constitu-

tional reform, not an easy task given the complexities of communal politics. Surprisingly, D. S. Senanayake was not influenced by the nationalist struggle of Gandhi, the Mahathma, in India, not even as much as expressing any sympathy. An indirect criticism of Senanayake's leadership by Sri Lanka's scholars and politicians is that the failure to enlist the masses in an independence struggle is one reason for the postcolonial fissiparousness. But this is a matter open to debate.

Briefly. . . .

(Continued from page 2)

Opposed to sanctions on Libya

A gathering of educationists, professionals, political party leaders, on February 2 deplored US threats to impose economic sanctions and launch military attacks on Libya. The meeting was convened by the Sri Lanka Association for Ethnic Relations.

The meeting condemned the US, UK and France for "abusing their membership of the UN" and urged the Security Council not to permit itself to become a party to contentious issues between member states.

De Beers moves in

De Beers, the internationally famed diamond merchants who control the industry, has moved in to promote Sri Lanka's Blue Diamond Jewellery Worldwide Limited and its products in over 30 countries. De Beers will foot the promotion bill amounting to a million US dollars.

Buddhaputra and Bhumiputra?

Sarath Amunugama

President Jayewardene had a reputation as a hardliner on the ethnic issue. A student of archaeology, passionately involved in Buddhist historical research, and a former office bearer of the Anagarika Dharmapala Trust, he was very sympathetic to the Buddhist view. But he was fast running out of options. As a clever politician, he had come to the realization that the ethnic impasse could not be overcome without a concession on the 'homelands' issue.

The MSV was formed at this juncture with a variety of manifest and latent objectives. Buddhist leaders feared that there would be a 'sell out' by way of a negotiated settlement, which gave recognition to the Tamil 'homeland' concept. They had by now, come to dislike and distrust Jayewardene. In particular they felt that he was not hard enough in prosecuting the war against Tamil separatists. In their estimation he was not a person who would ultimately give way to the Buddhist leaders. The MSV was also aware that Marxist parties and their allies — the LSSP, CP, NLSSP, and SLMP, would support the President in reducing the power of the centre and devolving powers to Provincial councils. At the all-party conference convened by the President in 1986, devolution of power had been discussed and endorsed by the Left. Buddhists felt that the need of the hour was a coalition which would be powerful enough to influence political events. Upto now they had acted independently, with little effect on government policy. The MSV was therefore primarily designed to be 'the voice of' of the unified Buddhists. It

was to be a pressure group which no power in the country could ignore. To the non-Marxist opposition (SLFP and MEP) pursuing its own agenda, the SMV provided an opportunity of building a broad coalition against the UNP. The new electoral system, for both the Presidency and Parliament, did not favour a single party approach. The SLFP which had emerged as the only credible alternative to the UNP, realized that it had to reach out to voters beyond its party bank. Traditionally, 'nationalistic', it saw great electoral possibilities in this new configuration.

In many ways the strongest backers of the MSV were a

Political organizations

1. Sri Lanka Freedom Party (SLFP)
2. Mahajana Eksath Peramuna (MEP)
3. Sinhala Bala Mandalaya (SBM)
4. Sinhala Janata Peramuna
5. Sri Lanka Deshapremi Peramuna

Sangha associations

1. Deshapremi Taruna Bhikshu Sanvidanaya
2. Manava Hitavadi Bhikshu Sanvidanaya
3. Samastha Lanka Pragatisili Bhikshu Peramuna

Lay-Buddhist associations

1. Loka Sama Maha Sammelanaya
2. Sri Lanka Eksath Bauddha Maha Sammelanaya
3. Sinhala Sanvardana Sanvidanaya
4. Eksath Tri Sinhala Vimukti Sanvidanaya
5. Dudley Senanayake Gunanusmarana Sangamaya
6. Sinhala Taruna Peramuna
7. Sinhala Janata Vatu Kamkaru Sangamaya
8. Bauddha Saba Sammelanaya
9. Kelanipura Bauddha Bala Mandalaya
10. Anagarika Dharmapala Taruna Samitiya
11. Sri Lanka Bauddha Samiti Niyojita Sammelanaya

12. Buddhist Theosophical Society
13. Sinhala Kantha Peramuna

group of Sinhala-Buddhist politicians and professionals who could not be accommodated in the old hierarchy bound parties of both the Left. They could see in this new coalition a leadership role for themselves based on possession of modern skills (e.g. Dinesh Gunawardene, Gamini Iriyagolla, Nath Amarakone, Gamini Wijesekera and Rupa Saparamadu). For instance, though Dinesh Gunawardene is a charismatic politician, the new electoral system appeared to portend the demise of his small party. The SMV appeared to him to be a good platform to gather a wider constituency, leading later perhaps to an electoral arrangement with the SLFP.

What were the constituent elements of MSV and how was it organized? We could classify those constituting the SMV under three heads: Political organizations, Sangha associations and Buddhist lay associations⁵.

Represented by

Sirimavo Bandaranaike
Laksman Jayakody
Dinesh Gunawattene
Nath Amarakone

(JVP oriented)

(JVP oriented)

(JVP oriented)

(MEP oriented)

(SLFP oriented)

Businessmen's organization (Senanayake UNP oriented)

(Senanayake UNP oriented)

(SLFP oriented)

(Gamini Iriyagolla)

(Mrs. Indrani Iriyagolla)

⁵ Peter Schalk, "Unity" and "Sovereignty", Key concepts of a militant Buddhist organization in the present conflict in Sri Lanka', *Temenos*, 1989, pp. 55-82. Schalk, 1989, pp. 164-71.

Though the MSV proposed an elaborate organization on paper, reflecting preponderance of Sinhala Buddhist professionals who acted as 'back room boys' — lawyers, civil servants, engineers and businessmen, in practice each of the constituent parts continued to maintain their identity though, they did coordinate information and publicity. With well attended meetings, press statements, pamphlets and links with mainstream Sinhala newspapers, they were able to present themselves as the voice of Buddhist opinion. They were also successful in getting the endorsement of Sangha chiefs (*Mahanayakes*). Palipane Chandananda Mahanayake of Asgiriya chapter emerged as the strongest clerical supporter of the MSV. His pre-eminent role in the movement was recognized by the International media which dubbed him, 'Sri Lanka's Buddhist Khomeini'.

The stated objectives of the MSV were an encapsulation of the demands of organized Sinhala groups on the ethnic issue.⁶ The *Vinivida* magazine lists 29 points as a draft of a common programme amplifying the following core objectives:

Prevention of Sri Lanka becoming a colony of the Indian Empire; the establishment of national unity in the basis of independence, territorial integrity, sovereignty of the people, democracy, freedom and basic human rights.

Let us analyse how those 'code words' create dilemmas for the Sinhala monks and examine the ways in which they seek to resolve them within the realm of Buddhist ideology and symbolism.

The role of India

The traditional view is that Sinhala-Buddhist ideology is deeply permeated with anti-Indian feeling. We need however to examine countervailing beliefs within the same ideology. India is the land of the Buddha President Jayewardene's oft stated pronouncement, I am a lover of India

6 Schalk, 1989, pp. 64-71

and a follower of her greatest son' represents an important strand of Sinhala-Buddhist thinking India is *Aryavarta*, the land of the Aryans with whom the Sinhalese claimed kinship, thereby excluding 'the other' Dravidian Tamils. Even more significantly, it was from India that the gift of *Buddha Dharma* the most precious of gifts, was brought by the Thera Mahinda. In modern times Anagarika Dharmapala devoted the best years of his life to rekindling the flame in India, restoring sacred sites and making a pilgrimage to Buddha Gaya — the Buddhist Jerusalem — the touchstone of a Sinhala Buddhist commitment.

Dharmapala also set in motion a significant political trend by inducting young Sinhala Bhikkus for missionary activity in India. Several such monks, who were in Bengal, were fascinated by revolutionary politics in the province and the struggle for Indian independence. Vidyalankara Pirivena, a major centre of Buddhist learning, established strong links with India.

The Centenary Commemoration Volume of Vidyalankara Pirivena refers to these links, which were strengthened during the time of its third principal Lunupokune Dharmapala.

It is impossible to describe his contribution to Buddhist missionary activity in India. The world will recognize its value only in the future. A large number of Indian intellectuals came to him to study Buddhism. Many of them were so convinced by the doctrine that they entered the monkhood. Today they are engaged in Buddhist missionary activity in India. Though Buddhist missionary activity in India has a long history there was no interest in translating Dharma texts into local languages, till his students entered this field. Today the better part of the Tripitaka has been translated into Hindi. All this was done by his students.

With the establishment of a department of Pali studies in

the University of Calcutta, again thanks to Anagarika Dharmapala, several Sinhala scholar monks came to India to teach (Rambukwelle Siddharta, Walpola Rahula). Some others came to study Sanskrit. They were associated with the Vidyalankara Pirivena and were the driving force behind the pathbreaking Vidyalankara declaration of 1946, which justified the active social intervention of the Bhikku. (Among these monks were Walpola Rahula, Naravila Dhammaratane, Kotahene Pannakitti, and Bambarande Siri Sivali.) This declaration is taken as a charter by radical monks today.⁷

Thus to 'progressive' monks' India was essentially a friendly country counterbalancing the alleged 'pro-western' bias of UNP regimes. For these monks the India of Subhas Chandra Bose and Nehru, with its socialist objectives and traditional cultural symbols, was an attractive model. They first supported the dominant socialist party of the Forties, the LSSP. Later they threw their support to S. W. R. D. Bandaranaike, whose SLFP claimed a close affinity with the policies of the Indian Congress.

With the escalation of ethnic conflict however Sinhala opinion — encouraged by both government and private media — took a distinctly anti-Indian turn. Each of the Indian moves in this area were perceived as anti-Sinhalese. Let us examine the chronology of events. The growing estrangement between the two communities was intensified by the anti-Tamil riots of July/August 1983.⁸ The immediate provocation for this communal violence was the death of 13 Sinhalese soldiers, blown up by a land mine in Jaffna. These claymore mines and other sophisticated weapons were supplied by India as a way of escalating the civil war. The 1983 riots

7 *Vinivida* 14, June 1988, pp. 2-6

8 S. J. Tambiah, *Sri Lanka: Ethnic Fratricide and the Dismantling of Democracy*, Chicago, University of Chicago Press, 1986, pp. 28-33.

led to a new phase of Indian intervention in Sri Lankan affairs. An estimated 130 000 Tamils fled to India, particularly to Tamil Nadu.⁹ This strengthened India's hand as a 'broker' in the ethnic confrontation. From 1983 India engaged in a series of acts which showed up the inability of the Sinhalese to control events. Tamil guerilla groups were trained and equipped by India. Tamil leaders were received in India and accorded 'state guest' status in New Delhi, human rights issues were raised in International fora, the Sri Lankan military offensives were halted, food parcels were dropped from Indian planes to counter an economic blockade of the north, Sri Lankan air space was violated and a threat of military invasion was made public. This intervention culminated in the Indo-Sri Lanka accord of 1987 and the arrival of Indian troops.

The majority of Sinhalese looked on these Indian activities as an infringement of the sovereignty of Sri Lanka. Within the UNP itself, a group led by the Prime Minister R. Premadasa accused India of meddling in local affairs and denounced the Accord.

Let us now examine how the monks associated with the MSV looked at this dilemma from a religious perspective, as distinct from the political perspective, which they generally shared with the Sinhalese.

For Sinhala monks the Thera Mahinda, believed by them to be the son of Emperor Asoka and historically the founder of the *sasana* in Sri Lanka, is second in significance only to the Buddha himself. He is called *anubudhu* (like the Buddha) and monks claim ecclesiastical descent from him. How is Mahinda Thera represented in this time of trouble? The Founding Father from India is contrasted strongly with Rajiv Gandhi, son of the Empress of India — Indira Gandhi.

The *Vinivida*, celebrating *Poson*, the festival marking Mahinda's arrival, makes a direct comparison. It highlights Mahinda's words to Devanampiyatissa, the Sinhala King:

O great King, equal are the followers of Dharmaraja. It is with loving sentiment that I come from Jambudvipa.

The *Vinivida* states,

These friendly words of that great son of India the Arahat Mahinda still ring in our ears. It is a statement of peaceful coexistence. In the past sons of India treated this beautiful island with respect and affection. This was because we had within our country the strength to safeguard that noble religion which saw birth in India. Political and religious emissaries of that time had no desire to subjugate us. They made us the heirs to their (religious) inheritance for the benefit of mankind. This sacred trust has been honoured (by us) for over two thousand five hundred years. During this long period India has remained India. Sri Lanka remained Sri Lanka.

Mahinda's compassion is contrasted with the actions of Rajiv Gandhi.

Though we inhabit a small island, due the possession of the Dharma we are treated with respect by the world. Another highborn son of India has sullied this (age old) relationship by acting foolishly; by breaking all ethics of international behaviour by dropping dirt on this country by force.¹⁰

This same contrast is manifest in a feature in the magazine entitled *Letters to Thera Mahinda* wherein the problems caused by Indian intervention and even the faults of Senior monks who do not openly protest against such injustice, are 'reported' to the founding father¹¹ "Maduluwawe Sobhita a leading

ideologue of the MSV, on the other hand emphasizes the 'Sinhaleanness' of the Sangha by turning the spotlight on the Bhikku *Maha Aritta* — the first Sinhala monk. We see how skillfully he makes Maha Aritta important for the present time.

The Sri Lankan Bhikshu Sasana began when Arahat Mahinda arrived in the island and ordained, as a Bhikku, the Sinhala youth Maha Aritta. In the thousands of years since this (event) the Bhikshu Sasana has been the independent, driving force of our nation.¹²

What is noteworthy in this debate is the effort of the Sangha to separate the issue of the Indian origins of Buddhism from the ongoing political crisis with India. What is at issue here is the legitimacy of the Sinhala Sangha itself. Any doubt cast on the value of ecclesiastical succession originating with Mahinda would strike at the very roots of the Sangha organization. The history of each of the three main sects (*Nikayas*) of the Sangha begins with the validation of this succession. When the Mahavihara succession died out in the country, Sinhalese Kings facilitated its resumption by getting down monks from Siam with legitimate succession to give higher ordination to locals. The later sects sought this legitimacy in Burma. The *Amarapura* went to Ava while the Ramanna were first given higher ordination at Pegu in 1861.

The *Tapasa Nikaya* which created a furore in the late 1950s did not believe in such ecclesiastical succession.¹³ Its leader *Tapasa Himi* claimed the right to ordain monks even though he himself had not received 'Legitimate' ordination. Nor had he received higher ordination. This was one of main arguments used by other sects against the *Tapasa* monks.

¹² *Vinivide* 13, May 1988, p. 14

¹³ Michael Carrithers, *The Forest Monks of Sri Lanka*, Delhi, Oxford University, 1983.

⁹ *New YorkTimes*, 11 March 1990.

¹⁰ *Vinivida* 14, June 1988, p. 1

¹¹ *Vinivida* 24, July 1989, pp. 9,10.

The ethnic war was a crucial period for the Sangha. They were not only leading Sinhala opinion, they were also reacting to strong lay sentiment. Any dissonance could call into question their closely guarded claims to traditional charisma. Due to the Sinhala monks identifying themselves strongly with Sinhala anti-Indian and anti-Tamil political sentiment they pre-empted any move to question the grounds of their legitimacy. The need to 'indigenize' the Sangha did not arise.

The monk as a political activist

The Changing role of the monk is an ever present phenomenon in Buddhist society. Though Max Weber, emphasizing the canonical view, defined the Sangha as a 'community of renouncers' they have played an important social role from the very inception. While the salvation seeker (in contemporary terms the meditative forest monk) is held in high esteem as a role model, Buddhist societies have always accommodated village monks (*gramavasi*) who have provided religious and social services to the laity. The laity in turn provided sustenance (alms) to these monks in exchange for 'merit' (*punya*). The village monks had to be larger in number as a 'merit' needs of the laity could not be accommodated by 'meditation' monks, whose objectives in any case did not mesh with the needs of the laity.

Thus in Buddhist societies we see two distinct, though interacting, cultures. One is the canonical culture with the *Abhidhamma* as its apex. The other is the culture of *Bahujan Hitaya* — the Sangha's intervention in society which is clear from the *Vamsa Katha* and related Buddhist literature.

A key stage in the Sinhala Sangha's social interventionist culture was reached with the Vidyalkara Declaration of 1946 referred to earlier. This declaration clearly and directly recognized the changed status of the monk:

Today economic, social, and political conditions are different from the time of the Buddha. So, we must accept that the life of Bhikkus today is different from that of Bhikkus of the Buddha's time.

Then the monks' objective, by and large, was to achieve Nirvana in that birth. Later monks, postponing Nirvana for a later time, involved themselves in both self and social realization.¹⁴

The monk who postpones his own salvation, it is argued, has found time for social amelioration. Since the 1940s this has meant either pre-occupation with social work (e.g. rural development sponsored by Heenatiyana Dhammaloka: Sarvodaya monks) or politics.

The Vidyalkara declaration rationalized that Bhikkus involvement in the left politics of that time, despite the strong opposition of the Buddhist establishment. However, it was only with the founding of the SLFP by S. W. R. D. Bandaranaike that the radical monks found a party which was close to their concept of politics. They threw themselves into the 1956 election campaign and were largely responsible for creating the SLFP's identity as a 'Sinhala-Buddhist' party. (This was not Bandaranaike's original conception as the first SLFP manifesto and list of office bearers will show.) The election of 1956 was introduced in Buddhist terms by monks who were the chief speakers on SLFP platforms, as a '*Mara Yuddha*', a fight against evil.

With their success at the election, the immediate post-1956 period marks the zenith of Bhikkhu influence in the country. The new Prime Minister Bandaranaike made changes in his cabinet to satisfy the monks. Newly designated ministers started out from Kelaniya temple for

their oath taking. A new department of cultural affairs was set up to look after the interests of monks. Bandaranaike made Sinhala the sole national language with their approval. An agreement reached between Bandaranaike and Chelvanayagam, the Tamil leader, for the resolution of the ethnic problem was 'torn up' unilaterally in deference to the wishes of the monks. The recommendation of a leading monk that all vehicles should carry a Sinhala symbol, a direct affront to the Tamils, was implemented. Vidyalkara and Vidyodaya Pirivena were given university status.

The undoubted success of the monks in 1956 led to the institutionalizing of their political role. Every Sri Lankan party with a Sinhala base used monks in their election campaign. They also set up 'front' organization of monks sympathetic to their party position. The UNP, emulating the SLFP, proclaimed that they would create 'Dharmista' (Righteous) society, a phrase resonant with Buddhist hopes. Bhikkhu organizations were established by the UNP in every Sinhala electorate, thereby neutralizing the SLFP's advantage.

Though the UNP, after winning the 1977 election's continued to court the monks particularly the seniors in the sangha hierarchy, they could not make the same 'connection' that the SLFP established with their monks. Buddhist monks were never comfortable with J. R. Jayewardene who had his own vision of Buddhism drawn from a textual interpretation of the canon. He emphasized canonical concepts and downgraded the ritual and social role of monks. His was an intellectual Buddhism derived from the writing of western scholars like Rhys Davids and Edwin Arnold, as will be discerned in his Buddhist essays (later published as *Golden Threads* (Colombo, 1986).

(Continued on page 23)

14 Vidyalkara Pirivena Centenary Volume, Colombo, Government Press, 1975. p. 61.

Why the small farmer defaults

Kumudu Kusum Kumara

Agriculture in general is vulnerable to the vagaries of climate and weather. Pest attacks affect productivity of crops, significantly at times. As production is seasonal there are no quick returns to the investments, and a regular application of labour is difficult. Land fragmentation or a spatial diffusion of production increases operational cost and affects managerial efficiency. The distance of many farmers from marketing outlets causes other difficulties. There are also problems of storage and processing which place small producers generally at a disadvantage.

Paddy production in Sri Lanka is also beset with many other problems which affect its long run stability. There is a preponderance of small farms worked mainly by family labour, among whom tenancy is widespread particularly in the wet zone areas. While the surplus produce of each farm is marketed, the commercialisation of agriculture has been of a limited extent. The market for land and the market for labour remain relatively underdeveloped. To some extent, factor payments such as rent and interest and the repayment of loans are made in kind and not in cash. The level of capitalisation of these small farms is also low. Most cultivating operations have a high labour intensiveness and the level of labour productivity is consequently low. Furthermore, unequal trade between the rural and the urban sectors, undeveloped input and output marketing and transport system affect the profitability of paddy agriculture.

While all these factors contribute to make paddy cultivation in Sri Lanka generally a vulne-

rable production system, the relative stability of production depends on the differential combination of those major factors affecting it in a given situation. Therefore, the ability of farmers to borrow from institutional sources for paddy production and repay season after season depends on the uninterrupted favourable combination of those major factors affecting the stability of paddy cultivation, unless they have supplementary sources of income. However, supplementary sources of income sufficient to repay loans in the event of a considerable crop failure within time limits specified by the institutional sources, do not seem to be available to most of the small farmers judging by the fact that they default in such situations foregoing the benefits of future low-interest loans.

The data on major factors affecting the stability of paddy production in Sri Lanka show that the Dry Zone districts in the country are generally in a relatively favourable position compared to Wet Zone districts. Great variations in the frequently fluctuating weather patterns affecting agriculture in general are a common feature in any part of the island (Department of Census and Statistics, Census Reports). The main contributory factors in this connection are the rainfall levels and the large variations in rainfall in a given area decided by the seasonal monsoonic rains. While highly erratic rains can bring droughts and floods, which ruin entire crops, untimely rainy or dry seasons can severely affect the yield levels.

The adverse effects of rainfall levels and their large variations are regulated by provision of supplementary irrigation facilities and water control. In the Dry Zone, where the rainfall levels are low in general and

in the Yala season in particular, the development of major irrigation works has relatively stabilized the paddy cultivation, minimizing the effect of drought the major weather hazard in the Dry Zone both in terms of area affected and frequency. However, a considerable paddy area in the Dry Zone is still dependent on minor irrigation and rain, relatively more exposed to the vagaries of weather. Furthermore, even those Dry Zone areas with supplementary irrigation for both the seasons are not entirely spared of the adverse effects of weather. These areas also can be severely affected by weather changes resulting in droughts. Crop damages due to occasional floods are also not uncommon in the Dry Zone areas.

In the Wet Zone where there is ample rainfall in both the seasons, the problem is one of recurrent floods caused by lack of proper drainage facilities for excess water while the adverse effects of drought are also not insignificant in the region. Lack of drainages causes other problems such as water logging and boggy soils which are more frequently found in the Wet Zone and problems of salinity which are common in both the zones.

The average paddy holding in Sri Lanka is very small. Paddy holdings in many Dry Zone districts are relatively larger, while the number of holdings of large size classes are considerably higher in many Dry Zone districts (Census of Agriculture, 1982). While the average use of family labour in paddy cultivation in Sri Lanka is considerably high, areas under major irrigation in many Dry Zone districts record higher use of wage labour in contrast to most of the Wet Zone districts (Cost of Production of

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Paddy, Department of Agriculture). Share tenancy is found to be higher in the Wet Zone districts, whereas some of the Dry Zone districts report very low levels of share-tenancy (Census of Agriculture, 1982). The use of modern cultural practices as a package is at a higher level in most of the Dry Zone districts (Statistical Abstracts, Department of Census and Statistics; Cost of Production of Paddy, *ibid*). Capitalisation of paddy agriculture, measured in terms of the use of agricultural machinery and implements, and ownership of the same by operators, is greater in the Dry Zone districts (Census of Agriculture, 1982).

The data also show that within the Dry Zone areas themselves some districts are more favourably positioned than the others in terms of the above proposition. Even within such districts and under major irrigation those farmers who cultivate on smaller holdings are more liable to be affected in the event of a considerable crop failure and in the absence of sufficient supplementary incomes than those cultivating larger holdings under otherwise similar conditions.

Therefore, it is argued here that the paddy farmers who are able to benefit on a continued basis, from low-interest credit facilities provided by institutional lending sources are those who are in an economically better position, due to the higher stability of production system with relatively favourable combination of major factors affecting its stability coupled with sufficient supplementary sources of income. It is only on the basis of such categories of farmers that institutional lending for paddy can become a success in the long run. The fact that the volume of lending for paddy production has been in the increase in recent past in spite of the significant reduction in the number of borrowers may mean that while small farmers who become ineligible for institutional lending due to previous defaulting,

gradually drop out of credit schemes, middle and rich farmers have been increasingly availing themselves of subsidized credit.

While the foregoing discussion may provide some clues to understand the failure of institutional lending schemes to serve the mass of small paddy farmers on a continued basis, there are others factors which contribute to the continuous dependence of these same small farmers on non-institutional sources to finance their production.

Firstly, the commercial banks in general, however innovative they try to be, cannot simulate the credit procedures of the private money lender inclusive of his/her flexibility of operations and the personal nature of lender/debtor relations. Money lenders generally accept payment in kind mostly at the threshing floor itself, and making transactions in kind is quite compatible with those subsistent farmers who seek to avoid monetary transactions. Money lender's presence in the village and his/her personal relations to the debtor facilitate recovery of loans. Even in the case of crop damage (unless in total crop failure) money lender is assured of his/her share of harvest as loan payment as first priority because his/her presence in the village and in the threshing field is a factor which the farmer cannot overlook. Even in the event of total or a significant crop failure the money lender is in a position to lend to the farmers again and recover the debt due to his/her personal relations with the farmers and his/her physical presence at the village. Where necessary, the money lender can resort to mechanisms such as taking over the cultivation of land for a given number of seasons compensate for the loans, or in an extreme case to take over the ownership of land. In exercising an intensive level of supervision in loan recovery the costs incurred by the money lender is maintained at a minimal level and the interest rates

are such that it compensates for the risks and costs.

Secondly, supervision of the loan use and recovery has been one aspect which the banking institutions have been attempting to improve all along by devising various new credit schemes (such as the Loan Scheme which is the focus of this study). However, increased supervision by the banking institutions have invariably increased the operational costs as evident. Even with increased supervision at increased costs, high defaulting rates due to crop failure have caused the banking institutions to seek guarantees and refinance facilities of the Central Bank for rescheduling of loans and all these mechanisms further increase the operational costs of such lending, to the government. In the past, more often than not the loans of those who have defaulted due to crop failures have been written off by the government and even today the need to write off such loans are stressed in times of distress.

Thirdly, the Agricultural Insurance Scheme, which was introduced with the objective of compensating farmers in crop failures, has been tied to bank loans provided to the farmers. It was expected to help farmers not to default and continue their cultivation activities and to borrow from the commercial banks for their cultivation purposes. However, the Scheme has not been able to remedy the situation fully. The Agricultural Insurance Scheme has been considered by most farmers to be unfair by them in deciding on compensation procedures, and rates of compensation. Some of the reasons for such a consideration are as follows: The per acre indemnity paid is low; compensation is not paid for various types of partial crop damage; method of assessing crop damage is not realistic. It is also alleged that there is corruption, favouritism and inefficiency in reporting and assessing crop damage. This situation has resulted in only a meagre extent

of paddy cultivation being insured. Therefore, the heavy government subsidy on crop insurance, which helps the Agricultural Insurance Board to pay large sums of money as indemnity over the premia collected in fact becomes a part of the operational costs in maintaining the existing agricultural credit schemes. Thus, in spite of all the attempts by the government to ensure non-defaulting by farmers, defaulting has continued.

As such the ultimate success in continuously disbursing and recovering institutional credit to small farmers in the paddy sector is related to the sphere of production than that of credit delivery and recovery mechanisms *per se*. The causes for large scale defaulting by small paddy farmer borrowers are embedded in the production system and the scale of individual farming which determine the producer's financial strength. Attempts to sustain small paddy farmers through subsidised credit amounts to perpetuating the present production system in paddy of agriculture in situation where paddy cultivation is done under unfavourable agro-climatic condition. A strategy aimed at purely improving credit delivery and recovery mechanisms alone as a proxy would neither eliminate farming nor create a type of farmer who would be able to combat these risks. It is acknowledged that the present subsidized credit schemes are in some way attempting to improve the standard of farming and incomes of small farmers, while the need for sustaining the small farmer in the current context is acknowledged it becomes clear that the agricultural credit schemes have failed in their proposed goal of saving the small paddy farmers from recourse to non-institutional sources of credit and the alleged consequences, while promoting domestic agricultural development.

Therefore, our contention is that the two issues i.e. 1) promoting domestic agricultural

development; and 2) helping the small paddy farmers to maintain themselves should be treated separately. Credit should be provided to those who are credit-worthy and it is those farmers who can produce a surplus using credit, whom should be provided with credit facilities. It is they who could contribute significantly to the development of agriculture. Those who cannot avail themselves of credit facilities due to factors beyond their individual control may be granted subsidies pending other alternatives.

Notes

1. It is observed that in the island there is localized drought every year and a generalized drought once in four years on the average (Abeyratne, 1987).

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Buddhaputra. . .

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What was more significant for the monks however were the consequences of the UNP's free market economy. Though the state sector continued to be the dominant component of the economy, the UNP managed to liberalise the manufacturing and trade sectors leading to an influx of foreign goods and the creation of wealth and employment. This also meant, however an increase in inequality in the distribution of income. Tradi-

tional positions were downgraded while the 'mudalali' (trader) ethos was on the ascendant. It also meant that monks, intellectuals, artists, etc. who as custodians of traditional culture depended on state patronage, would be challenged by creators of new, more market oriented cultural products. Consumerism was a challenge to the 'modest life style' (alpecca) that Buddhism prescribed.

(To be Continued)

Is Kashmiris. . .

(Continued from page 9)

viewed by almost all successors of Nehru not only as necessary but an extremely desirable tool to achieve coveted objectives. In addition, India is slowly moving away from its secular image. While the constitution still contains clauses that promote the secular ideals in India, the rapid rise in popularity of fanatic religious parties indicate the trends, pulling towards the opposite directions. A Hindu India is viewed by many Indians as a desirable identity as compared to Nehru's secularism. Currently undertaken Ekta Yatra which is supposed to end on 26th in Srinagar is not merely meant to strengthen the unity but also to demonstrate the power and appeal of Hinduism.

The current strategy of diplomatic isolation by excessively projecting deep Pakistani involvement in the existing messed up and complex situation in the valley and consistently accusing Pakistan of waging a proxy war accompanied by intensified military operations involving roughly around half a million security forces is unlikely to satisfy the Kashmiris. But then it not meant to satisfy the Kashmiris. It is, in fact, part of India's international propaganda campaign aimed to influence those powerful global actors whose pursuit of double standards are too well known. To accept the Kashmiris freedom struggle as Pakistan's proxy war would amount to total denial of Kashmiri's right of self determination.

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