

LANKA

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TRENDS

Rubber in danger

New management companies that have taken over the state owned plantations are disregarding the tried and tested planting practices recommended by the Rubber Research Institute where the rubber estates are concerned. To maximise profits foreign advisers working for these management companies are urging over-exploitation of the plantations.

RRI scientists have made known their view that practices adopted by the new management companies will cause "serious long term undesirable effects". The scientists have described some of the practices as "alarming".

A levy on diesel vehicles

Diesel fueled vehicles which cost only a third of the price paid for petrol will not be that economical to run come October. The Treasury has announced a diesel tax of Rs 300 per month on these vehicles. A Treasury spokesman said that the Government wished to bring some equity between diesel car owners and petrol car owners. "Diesel car owners pay only Rs 11.80 per litre; petrol car owners pay Rs 33", he said.

Briefly...

A yarn from the Yard?

A Yard-man's opinion may be the last word in crime detection in the United Kingdom but not so here, apparently. The Democratic United National Front (DUNF) and the slain DUNF leader Lalith Athulathmudali's family will both challenge the Scotland Yard report on the assassination of Mr Athulathmudali. A four man team from the Yard probed the killing, at the request of the government of Sri Lanka, immediately after the shooting incident on April 23.

According to a DUNF spokesman the report is inconclusive, speculative, contains many discrepancies and unacceptable comments. The DUNF has asked the government to appoint an independent commission of inquiry to fully probe the killing.

A clean bill for Udugampola

Former top-cop Premadasa Udugampola once listed as a human rights violator in a Sri Lanka status report on human rights, is to be rehabilitated by the government and appointed to a prestige diplomatic post. Reports said he is to be posted to Washington, which earlier refused him a visa because of his human rights record.

Udugampola fell from grace and accused state sponsored death squads of extra-judicial

killings of political opponents, particularly those in the SLFP; he went underground fearing for his life and into hiding in India. Later he recanted, following a suspected backstairs deal.

Pressing for a free press

"Article 19" an international organisation campaigning against censorship has urged the Sri Lankan Government to ensure that the press is allowed to operate free from the harassment suffered repeatedly in the past year.

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TIGER THREAT : 1983 — 1993

Mervyn de Silva

"Those who do not remember the past, are condemned to re-live it"

— George Santayana

It was thirteen the last time — ten years ago. It was thirty one at least on July 24. The LTTE celebrates anniversaries in its own ferocious fashion. The clandestine 'Tiger' radio claimed that it was a tenth anniversary salute to Kuttimuni, who was among the Tamils slaughtered in Colombo's maximum security prison, Welikade, in the seven days that shook Sri Lanka. That by the way was our cover story in the August 15 issue. (The L.G. could not come out on Aug. 1st).

In "Seven Days that Shook Sri Lanka", this journal emphasised two new developments: (i) the Sixth Amendment, a dilemma for a Federal party that had changed its name to the Tamil United Liberation Front, a self-protective tactical move vis-a-vis the armed youth groups from LTTE to PLOTE and EPRLF and (ii) the increasing concern expressed by Prime Minister Indira Gandhi and the Tamilnadu authorities; in short, the Indian and the external factor.

President JR adopted a hard line — the TULF's disavowal of separatism (i.e. taking oaths under the 6th amendment if the party is to remain in Parliament).

More significant was the foreign policy implications; India primarily; the international community, particularly the aid donors. At first, President JR thought he could keep Delhi at bay by simply ignoring Mrs. Gandhi and official (South Block) reactions. But Indian press reports showed that Delhi had not been too impressed by his advice. India, JR told a group of visiting foreign correspondents,

should "maintain a low profile". He later amended that to "no immediate role" and then suggested that any Indian mediation move "be kept in reserve". President JR, resting on his 5/6ths majority ("I cannot make a man a woman") believed he was still in command, though it was now clear that he had exposed Sri Lanka to intervention, diplomatic or military, benign or malign.

In the face of mounting Indian pressure, he sent Mr. H.W. Jayawardene his brother, to Madras and Delhi. And so the Colombo-Madras-Delhi connection brought home to the intelligent Sri Lankan observer that the ethnic problem had been, externalised, perhaps irrecoverably.

What ethnic problem? On August 18, just a few weeks after he took office as Prime Minister, he informed the House that 'the reason for this conflict I do not know'. And this was the politician who had started a "long march" to Kandy to protest against any concessions by the Sirima Bandaranaike government to the Federal Party! And just before the 1977 polls, he had solemnly pledged to find a solution through an all-party conference.

INTER-MESTIC

Soon the Tamil problem became what American political scientists call the intermestic i.e. those problems which lie at the interface of the international and the domestic. The nature of ethnic conflict today is such that most problems qualify for inclusion in this category. South Asia is a particularly striking illustration, largely because language or linguistic allegiance seems to be the most dynamic force in a world tormented by violent ethnic disputes. One language or another connects India with each of its neighbours.

The 'reasonable use of Tamil' did not satisfy the Tamil middle-class and the new generation. The public administration had been the "job bank" for the Tamil community, particularly the Jaffna-based lower-middle class that found the land and weather in the north rather inhospitable. Denied agricultural opportunity, they made a heavy industry out of the clerical service. The Sinhala Only Act was identified as gross discrimination. Though Jaffna Mayor Durayappaah's murder took place when Mrs. Bandaranaike's United Front was in office, it was under President JR's regime that the minor, containable revolt became a full-scale secessionist insurgency. The reason for that lies not merely in his authoritarian "Gaullist" presidency but in his provocatively anti-Indian, anti-Indira foreign policy.

INDIRA DOCTRINE

The *Lanka Guardian* was the only journal to note instantly the new Indira Gandhi "doctrine". For this, we owed a special debt to Dr. Bhabani Sen Gupta, of the Centre for Policy Research in Delhi, a former student of Dr. Zbigniew Brzezinski at Columbia. He argued that the Sri Lankan crisis had "spawned an Indian doctrine of regional security". His commentary, published in the LG 15/8/83, stated:

"An important aspect of the Indian regional security doctrine is that it emerged from a series of conversations between Prime Minister Indira Gandhi and leaders of the Opposition. It is therefore cushioned on a national consensus.

A flurry of diplomatic activity ensued in the Indian foreign office. The four governments and others were immediately told that while India was inevitably deeply concerned with

developments in Sri Lanka, it had absolutely no intention of intervening. At the sametime, India would not tolerate intervention by any other country within or outside the region. It was made clear by implication that intervention by a third power might compel India to intervene.

The doctrine has received prompt implicit or explicit approval of the regional as well as international communities. It can be explained in the following terms: India has no intention of intervening in internal conflicts of a South Asian country and it strongly opposes intervention by any country in the internal affairs of any other. India will not tolerate external intervention in a conflict situation in any South Asian country if the intervention has any implicit or explicit anti-Indian implication. No South Asian government must therefore ask for external military assistance with an anti-Indian bias from any country.

If a South Asian country genuinely needs external help to deal with a serious internal conflict situation or with an intolerable threat to a government legitimately established, it should ask help from a number of neighbouring countries including India. The exclusion of India from such a contingency will be considered to be an anti-Indian move on the part of the Government concerned.

Power Confirmed: This regional security doctrine reflects, on the one hand, the reality of India's preponderant power position in the South Asian region and, on the other, the South Asian consensus that there should be no interference by any country in the internal affairs of any other. It goes two significant steps further. First, it asserts India's right to be included in any regional assistance sought by a South Asian country to deal with a serious internal conflict situation. Secondly, it stresses that assistance in such contingencies should be regional rather than by individual countries."

The arrival of the IPKF and the JVP insurgency were part of the huge price paid by the people of Sri Lanka for JR's *folie de grandeur*.

The Scholar's Tale

Part II

*Our Hero's late acclaimed debut
Fell in line with lifting of taboo
On the infernal Imperial unction
Of smooth tongued Global Gumption*

*For what the Drug Lords had failed to deliver
The Empire enlisted each Scholar
Our Hero was one of a Bunch
With much crispy Dollars to crunch*

*Asoka and Alexander had known
Without much homework at home
That clever conflict Resolution
Required lumpen Conflict Creation
Creation was Priestcraft and Genes
For resolution by Philosophy and Deans*

*Elitism our Dean had realised
Rides cross-currents, confusion catalysed,
In tangential cross-class trajectories
Of emerging Professional categories.
Class Confusion is thus carefully wrought
By Myth mired in enscribed thought
Like hired reserch on the Noah story
Hurling quiet Armenian against friendly Azeri
Casting seven decades of toil and cameraderie
In the green fires of middle class frenzy.*

*As good Pilgrims lets shun the conclusion
That all this Academic convolution
Was disinterested, doctrinaire, and pure
For we know Conscience does not endure
With contemplation as the years advance
As a famous Physicist once observed at a dance
While his partner allayed his fear
Saying a Nobel citation was near*

*So our Hero got down to his task
With his earnestly Academic mask
Having expounded his Theory of Resolution
He now awaited the moment of Creation*

(Continued)

U. Karunatilake

BLACK JULY:

J. R. justifies the mob

Chanaka Amaratunga

The events that followed the killing of thirteen (some have argued that it was fifteen) soldiers of the Sri Lanka Army by guerillas of the Liberation Tigers of Tamil Eelam, on 23rd July 1983, marked a dramatic transition in Sri Lanka's ethnic conflict. It was the appalling racial riots that were the response to this killing in which Tamils both of Sri Lankan and Indian origin were brutally killed, looted, dispossessed and otherwise humiliated, throughout Sri Lanka, and particularly in Colombo, which dramatically altered the nature of the ethnic conflict. Prior to July 1983 some estimates had concluded that the LTTE had then no more than 500 men under arms and that even of them only 200 had received a proper military training. Several years later the military strength of the LTTE was estimated at approximately 5000 men under arms. In terms of the scale of violence there can be little doubt that July 1983 greatly aggravated the intensity of the conflict which continues to rage, even ten years later.

Few Sri Lankans, certainly not those even remotely interested in things political, would be unable to say where they were and what they were doing when the rioting, murder, arson and mayhem began.

I was in London when the riots of July 1983 took place. Indeed 1983 was a year in which I never visited Sri Lanka. I did not therefore witness any of the horrors of that month or year at first hand. Although my reading of newspapers and books that dealt with the events of July 1983 then and subsequently as well as several conversations with many of those who witnessed these tragic events, have left within me a vivid impression of the riots, I was perhaps fortunate to be spared an acute personal impression of the appalling inhumanity of which our people are only too capable.

My first intimation that something was very wrong in the state of Sri Lanka, came that hot July by means of the *Daily Telegraph*. This was not my usual newspaper

in London but I had noticed a long report in it, on the death of the 13 soldiers and immediately purchased a copy which I proceeded to read on the underground. I remember clearly that something told me there would be the kind of reaction in Sri Lanka that very soon took place. A few days later all British newspapers, radio and television, began reporting the growing atrocities in Colombo and elsewhere outside the Northern and Eastern Provinces. Although July 1983, accordingly lacks for me, the immediacy of direct experience, it was true that international coverage of the riots was a good deal more honest than the appallingly one-sided and unsympathetic coverage of this tragic event in our own media, particularly that section of it, under state-control. I was able at the time to witness much that Sri Lankans in Sri Lanka were therefore denied.

The almost total inaction of the J. R. Jayewardene Government to the riots and its desperate attempts at appeasing the murderous mobs were unbelievably immoral. Watching these events unfold in London, one's level of incredulity at the base opportunism of J.R. Jayewardene, (and his cronies) his insensitivity and cynicism, epitomised in the now famous because so appalling broadcast to the nation in which he offered not one word of apology or regret to the Tamil people who had been murdered, rendered homeless and otherwise traumatised but described the riots instead as

the understandable reaction of the Sinhala people who will never allow their beloved country to be divided

knew no bounds. I felt then that we had reached the ultimate depths of degradation as a nation. When it was not actively cheering it on, our establishment, was an assiduous apologist for the mob. It is amazing that ethnic relations in Sri Lanka have recovered even to the degree that they have, given a context in which the J.R. Government was so inclined to justify

the mob, so little inclined to demonstrate any sympathy for its victims.

Not surprisingly the most hideous polarisation took place among Sinhalese and Tamils scattered around the globe. In Britain the sheer absurdity of atavistic attitudes of racism were brought home to us on television by frequent clashes between two appallingly inarticulate and stupid men who emerged in the aftermath of the riots as the spokesmen of the two communities. One was a principal of a Tamil school who was President of an organisation which styled itself the Eelam Association of Great Britain. The other was an estate agent who was President of what called itself the Sinhala Association of Britain. The same infantile communalism was, I was told, very evident among Sri Lankan communities in Australia, the United States of America, Canada, and no doubt where to be found in appreciable numbers elsewhere across the globe.

Politicians and the people, Sinhalese, and Tamil, Muslim and Burgher, at home and abroad, could not have acted with such cruel insensitivity, if there were not a fundamental inadequacy in us, as a people. It is by recognizing that the poison of July 1983 was in the last analysis, a consequence of our nature as a people, that we can even now take real measures to ensure that racism is truly a thing of the past.

The most constructive response to July 1983 and its aftermath should be a determination to discover and document the responsibility for these terrible events. Who supplied rioters with voters lists through which to identify the houses of Tamils? Who were these rioters? Who was responsible for the massacres in our prisons? Whose idea was it to add insult to injury to a grievously wronged ethnic minority by imposing the Sixth Amendment to the Constitution which banished the moderate elected representation of the Tamil people from Parliament and from the political mainstream for over five years?

Ten years after the riots of July 1983 none of these questions has authoritatively been answered. Our political culture has deteriorated so sadly that we seem completely oblivious to the notion of public accountability. At the height of the apparently inequitable era of colonialism, the two Houses of the British Parliament appointed a Commission on Viscount Torrington's handling of the rebellion of 1848 in Ceylon, and found him wanting to such a degree that he was recalled. John Stuart Mill conducted a brilliant campaign to set up a Commission which totally condemned and removed from office a Governor of Jamaica named Eyre for gross cruelty in his administration of that colony. Yet scarcely anyone has demanded a full and open investigation of the events of July 1983. Are we not entitled to know how many people died, how many were rendered homeless, whether politicians, within or without the Government bore responsibility for those terrible events? Surely when there are still dedicated organisations committed to hunting down Nazi war criminals and bringing them to trial, there must be some concern for these who suffered in 1983 for no reason save an accident of birth?

I firmly believe that it is by confronting the full horror of the events of July 1983, by implacably insisting on justice, by holding those responsible for the crimes that then were committed, fully accountable, that Sri Lanka can evolve the consciousness that is so necessary for national reconciliation. A full commission of inquiry into the circumstances of July 1983 is the imperative need of the hour.

Over two hundred years ago a Government General of India, Warren Hastings was sought to be impeached by the great Whig (Liberal) leader Charles James Fox. Among those who participated in that debate in support of Fox were the famous political theorist Edmund Burke and the famous playwright Richard Brinsley Sheridan. Burke concluded his indictment of Warren Hastings in the House of Commons with the words

**I impeach him in the name
of human nature itself.**

Have we Sri Lankans no human nature left in us that calls for justice and truth, for the victims of July 1983?

July '83 and Collective Violence in Sri Lanka

Neelan Tiruchelvam

Ten years have lapsed since one of the cruelest weeks in the troubled history of modern Sri Lanka. Tamils of Sri Lanka have been exposed to collective violence in 1958, 1977, 1981 and 1983. There was however a qualitative difference in the intensity, brutality and organized nature of the violence of July '83. There is no other event which is so deeply etched in the collective memories of the victims and survivors. Neither time nor space has helped ease the pain, the trauma and the bitter memories.

It was estimated that about 2000 — 3000 defenseless people were brutally murdered, although official figures maintain that the death toll was about 400. Many were beaten or hacked to death, while several were torched to death. Thousands of homes and buildings were torched or destroyed. Within the city of Colombo almost a hundred thousand persons, more than half the city's Tamil population, were displaced from their homes, many never returned to their neighbourhoods or to their work places. Outside the country, it was estimated that there were about 175 thousand refugees and displaced persons. Hardly a family escaped the death of a relative, or the destruction of their houses or their livelihood and the dislocation of their families. One woman who had been victimised by the repeated cycles of violence, reconstructed her Tamil identity, 'to be a Tamil is to live in fear', she exclaimed in despair.

Many observers were disturbed by the organized and systematic nature of the violence. The rampaging mobs were fed with precise information on the location of Tamil houses and businesses. Their leaders were often armed with voters lists, and with detailed addresses of every Tamil-owned shop, house or factory. The business, entrepreneurial and professional classes were specially targeted, as part of the objective appeared to be to break the economic backbone of the Tamils. It was estimated that almost 100

industrial plants, including 20 garment factories were severely damaged or destroyed. The cost of industrial reconstruction was estimated at Rs. 2 billion rupees. This did not include the hundreds of shops and small trading establishments.

Equally disturbing was the element of state complicity in the violence. The state not only mishandled the funeral of 13 soldiers who had been ambushed by the LTTE on July 23rd, 1983 but also allowed the inflammatory news to be projected in banner headlines in the newspapers on the 24th. On the other hand, the retaliatory violence of the security forces in Tirunelveli and Kantharmadu which resulted in an estimated 50 to 70 persons being killed was suppressed from the media. Army personnel appeared to have encouraged arson and looting and in some instances participated in the looting. Neither the army nor the police took any meaningful action to prevent the violence or to apprehend the culprits. No curfew was declared for almost two days. Neither the President nor any senior minister made a public appeal for calm and restraint. It was also widely believed that elements within the state or the ruling party had either orchestrated the violence or encouraged the blood letting. No Commission of Inquiry was ever appointed to clear the state of these allegations or to investigate the causes of violence.

When however political leaders did speak four days later, there was a total identification of the state with the majority community. President Jayewardene said that the riots were not a product of urban mobs but a mass movement of the generality of the Sinhalese people. He spoke of the need to politically "appease" the natural desires and requests of the Sinhalese people. Similarly, none of the senior cabinet ministers who spoke on television, including Mr. Lalith Athulathmudali, had a word of sympathy for the victims of this terrible outrage, nor did any of them visit the refugee camps to commiserate even

briefly with those who had suffered. This conduct of the President was in sharp contrast with his more conciliatory behavior in the aftermath of the 1981 violence. He was quoted on September 11 — "I regret that some members of my party have spoken in Parliament and outside words that encourage violence and murders, rapes and arson that have been committed". The President further stated that he would resign as the Head of his party if its members continued to encourage ethnic violence and racial bigotry.

Clearly the most disturbing episode took place on the 25th of July at Welikade prison, when 35 Tamil political detainees were battered and hacked to death with clubs, pipes and iron rods by fellow prisoners with the complicity of prison guards. The government conducted a perfunctory magisterial inquiry but no attempt has yet been made to take legal action against those responsible. This incident was repeated again on Wednesday the 27th of July and it is shameful that the government has yet to pay compensation to the bereaved families and has pleaded immunity to the legal proceedings instituted by them.

Several scholars have written extensively on the causes and consequences of July 83, which the British anthropologist, Jonathan Spencer, has described as 'the dark night of the collective soul'. How is it possible that an island society renowned for its scenic beauty and the warmth and hospitality of its inhabitants is capable of such collective evil and inhumanity? Some have referred to the crisis of competing nationalism of the Sinhalese and the Tamils as being a contributory factor. Both forms of nationalism were antagonistic and incompatible. The assertion of one was perceived to be a denial of the other. Others have referred to the historical myths as embodied in the ancient chronicle that demonised the Tamils. Jonathan Spencer points out that in the popular imagination, the tigers were believed to be 'superhumanly cruel and cunning and like demons ubiquitous' and that ordinary Tamil workmates and neighbours also became vested with these attributes. They remind us that as Voltaire did that 'if you believe in absurdities you will commit atrocities'. Others have pointed to the propensity for violence in authoritarian political structures which enthrone the

majoritarian principle and provide for the bizarre entrenchment of the unitary state. The Referendum in December 1982 which extended the life of Parliament further exacerbated the climate of political animosity and of intolerance.

July '83 also contributed towards convulsive changes in the politics of the Tamil community and their methods of struggle. As the political leaders committed to constitutional means of agitation became marginalised, Tamil militancy assumed ascendancy. It was even asserted by some that violence of the victims was on a different moral plane from that of the oppressor. This was a dangerous doctrine for the violence of the victim soon consumed the victim, and the victims also became possessed by the demons of racial bigotry and intolerance which had characterised the oppressor. These are seen in the fratricidal violence between Tamils and Muslims, the massacres at the Kathankudy mosque, in Welikanda and Medirigiriya, and the forcible expulsion of Muslims from the Mannar and Jaffna Districts.

Can July '83 recur? The government has pointed out that since 1983, despite similar incidents of mass deaths of soldiers and of civilians there have been few collective reprisals. On the 12th of June 1991, 67 men, women and children were killed by the army in retaliatory violence following a land-mine incident in Kokadai-cholai within the Batticaloa district. A Commission of Inquiry found that the army had been responsible for the killings, and awarded compensation to the victims. Although the captain of the unit was dismissed, the government has not prosecuted those responsible for these gross violations. Similarly after the landmine incident which killed General Denzil Kobbekaduwa, 35 men, women and children were hacked and shot to death by an army unit in Mailanthanai on the borders of the Batticaloa district. Although 23 soldiers have been charged, the transfer of the case from Batticaloa to Polonnaruwa has raised concerns with regard to the state's resolve to prosecute those responsible.

A decade later the basic problems remain unresolved, and to some extent are more intractable. On June 18th 1993, Prime Minister Ranil Wickremasinghe told

the Sri Lanka Aid Consortium, "History has shown us, that there are numerous lessons to be drawn from other countries of the world that problems of a minority cannot be resolved by suppressing the minority or by riding roughshod over the heads of the majority. An honourable solution needs a recognisable consensus". We are therefore not relaxing our efforts to find a peaceful solution to the conflict in the North and East based on such a consensus'. But as yet the Sri Lankan political leadership has not shown the political imagination, the resolve or the sense of urgency to forge such a consensus.

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SWRD and the ancien regime

A. Jeyaratnam Wilson

Bandaranaike's "Sinhala Marikar" was tokenism for the Muslims. The others were less than mediocrities. He planned on having S. Nadesan Q. C. as Minister of Justice but in this he was outmanoeuvred by Sinhala extremist elements. Nadesan would have been a sound advisor and helped him in mediating the Tamil question.

Bandaranaike's best ministers were Philip Gunawardene and P. H. William de Silva. They contributed a great deal to the constructive aspects of his short-lived administration. He did not wish to diminish their cabinet functions when faced with the Dahanayake led "cabinet strike". Bandaranaike had hoped that the crisis would blow over. But in the end he was pressured.

As for the higher public service, he had to deal with a coterie of UNP saboteurs. One of his senior bureaucrats, a low country upstart married to an upcountry degenerate, deliberately undermined the many attempts he made to administratively adjust the grievances of FP MPs. Others were plain and simple neanderthals.

The question that arises is whether Bandaranaike had a coherent political philosophy. Before we answer, there are supposedly negative aspects of him that need to be disposed of. Some of these have already been dealt with.

Ideally his UNP adversaries preferred to monopolise politics just like the Indian National Congress's one-party dominance model; that is, to have the UNP as the government with factions within it obtaining redress without splintering and going into Opposition. There would be an insignificant Oppositions with its varied groups sitting across on the Opposition benches of the House. That way a caricatured democracy of the Westminster type could function with the UNP more or less being permanently the party of government.

Bandaranaike was part of this set-up from 1947 to 1951. But he was not happy with the UNP, its higher echelons and its philosophy of the politics of the Angloelites.

Bandaranaike was far from comfortable under this carapace. He believed in the goals of "the common man". He disapproved of an elite isolated from the people.

For this sin, his fellow elitists in the UNP never ever forgave him. He had been one of them, if not, their quintessence. Yet he chose to leave them so that he could fight for the rights of the downtrodden with of course power as his goal. This required a certain levelling down. It meant nationalisation of some of the privately owned monopolies. In actual practice Bandaranaike's program was not very different from rightwing British Labourites. What needed the UNP's patronising disposition was that whereas Bandaranaike was willing to face the problem of poverty and unemployment fairly and squarely, his UNP adversaries preferred the boudoirs of Colombo where sterile discussions prevailed but nothing tangible was done.

For leaving his class to take up the cause of the common man, Bandaranaike paid a heavy price. Firstly, on the extreme right, they refused to let him have a chance to reconcile with the Ceylon Tamils. It was not only the UNP establishment. The entire press, Lake House's barons in particular, mobilized their forces against him. Paper tigers such as the shadowy Rajaratnes were magnified out of proportion so as to cause maximum obstruction.

Bandaranaike's guiding lodestar was his liberalism. He did not therefore wish to, like his wife, dismember the obstructionist mighty press. Instead his speeches in Parliament reserved the most withering contempt for the press's "Votaries of Johnny Walker".

The man was too much an intellectual and this was his principal weakness. He could readily see the other side's point of view. He had no intention of playing to the Colombo establishment with its insatiable desire to preserve the status quo.

Limited change and continuity were important components of his political thinking. For example, he did not plan on doing away with the English language. Here he miscalculated.

Bandaranaike bore a personality which combined decency with intellectual superiority. If one looked at him carefully, as I did scrutinize him when Kodikara and I met him, he was undoubtedly very self confident in his bearing. Somewhat physically weak and worn out, he did not care very much for his personal appearance. He wore an ancient pair of glasses and his ophthalmologist was an Englishman not a Ceylonese. There was little doubt that he loved to talk on serious subjects. A fifty-nine year old man at the time, he looked older than his years. Slightly bent because of a spinal problem, he walked with a drag. Extremely intelligent, he knew full well everything on which he discoursed. He talked to us about Peradeniya University but he was a civilized personality unlike the philistines who followed him. He asked us how the university was and answered the question himself: "wheels within wheels"? By no means was he hasty, reckless, revolutionary or in a hurry. Gradualism was his creed, but he was conscious that he had created a new constituency of the ordinary folk, not skimmed the surface as the UNP had done.

I heard Bandaranaike speak at a mass rally near the Kandy market, a short while before they killed him. It was a classic discourse in Sinhala. He poured sarcasm on his UNP adversaries, quite effortlessly. One had to hear him pour vitriol through the microphone to comprehend the co-

tempt he reserved for the *ancien regime*. He intoned in the most ironical of voices. People listened to him with wrapt attention. He knew he was giving a command performance.

This might sound feckless to Ceylon's midwives of "the revolution around the corner", the LSSP and other Marxist variants and deviants. But the latter were disunited in their ranks and were negotiating most of the while with each other with knives behind their backs. They were unwilling to seize the reins of office had opportunity presented itself, best manifested during "the Yamuna Talks" organised by H. Sri Nissanka, Q.C.

Bandaranaike had little time for these parlour Marxists. He ushered in his much vaunted age of transition. The Left at that time was without anchor. They concentrated on the strike weapon with massive walkouts accompanied by demands difficult to concede. But they did not plan to ride on the crest of anarchy. No one knew what was to follow, not even they.

To Bandaranaike therefore fell the task of filling the vacuum. He was definitely a John the Baptist making straight the path of the liberal democratic state. In sum S.W.R.D. Bandaranaike was neither the alleged "tide watcher" nor an opportunist. He had a sort of blue print notion which would inaugurate "the age of transition". But transit to where? No amount of newspaper propaganda would have people believe that the new Jerusalem was one of Marxist-Leninist-Stalinist-Trotskyist vintage. The age to be transited to was a Beveridge style welfare state where everyone would be provided for. Fate was cruel to him and the people of Ceylon. He was taken away prematurely. Ceylon would otherwise have had the institutions of Westminster, par excellence, the underpinnings of political sophistication though in the context of an insolvent welfare state.

Taken in the round, S.W.R.D. Bandaranaike was a neo-classical liberal, and intuitively and instinctually, a far seeing and gradualist social reformist statesman of independent Ceylon. He was a good man who fell among unexpected foes, some of them the vilest dregs of Sinhala society.

PRESS FREEDOM SEMINAR (Part - 2)

The role of the Press Council

Professor G. L. Peiris

The Civil Rights Movement of Sri Lanka has made the comment:

"To make... the Press Council a judge in its own cause, and to confer powers of a penal nature on such a body, which by reason of its composition may be a partisan instrument, is to create the possibility of serious abuse and injustice."

In any event, the composition of the Press Council reflected in Sri Lankan law, presents an unattractive contrast with the corresponding provisions of law governing the personnel constituting Press Councils of other countries. For example, the Australian Press Council consists of a Chairman, 10 representatives of constituent organizations, 2 journalists, 1 member from a panel of editors, 7 public members and 20 alternate members. Vacancies for public members and alternates are advertised. A selection committee advises the Chairman, who makes nominations to the Council. Most publishers' organizations send representatives who themselves have achieved eminence as editors and journalists. Equally, the editorial member, chosen from the panel of former editors, and the journalists are eminent and acknowledged as independent. The public members are men and women of standing in the community who have rendered community service and who, as a body, are meant to provide a balanced representation of Australians, having regard to gender, ethnicity, geography and readership interests. In the Netherlands, the Press Council comprises the most important coordinating organisations in the mass media — the Dutch Association of Journalists, the Association of Editors, and the publishing houses. The Dutch Press Council consists of 16 members, 8 of whom are journalists; the remaining members are media experts but not journalists. Similarly, in Norway, the Press Council consists of 4 persons from the Press and 3 from the public. In Sweden the Press Council has 6 members; 3 representatives of the public including a judge, usually a member of one of the Supreme Courts who serves as Chairperson, and 3 representatives of the industry including 1 representative of each of the constitutive organisations. The Independent Press Authority legislation

presented to the British Parliament in 1992 as a sequel to the Review of Press Self-Regulation carried out by Sir David Calcutt QC made provision for an Independent Press Authority consisting of 21 members appointed by the Secretary of State. In making these appointments the Secretary of State is required "to invite nominations from bodies which appear to him to be interested, and shall seek to ensure that the membership reflects the current demographic pattern of society in the United Kingdom as to age, gender, sexuality, disability, regions and minority ethnic groups."

The point to be made with emphasis is that, in all these countries, the element of government nomination of personnel constituting Press Council is either minimal or non-existent. The manifest preponderance of this element in the Press Council of Sri Lanka must perforce be characterised as a negative feature.

(2) The Official Secrets Act

The Official Secrets Act, No.32 of 1955, authorises the government to restrict access to "official secrets" and "secret documents" and to prevent unauthorised disclosure thereof.

The principal vulnerability of this legislation is linked to the vague and extensive definition "official secret".

Section 27 defines an official secret to include:

"(a) any particulars or information relating to a prohibited place or anything therein;

(b) any information of any description whatsoever relating to any arm of the Ceylon forces or to any implements of war maintained for use in the armed services or to any equipment, organization or establishment intended to be or capable of being used for the purposes of the defence of Ceylon; and

(c) any information of any description whatsoever relating directly or indirectly to the defences of Ceylon."

There is no doubt that the nebulous character of this definition significantly imperils the freedom of information.

By contrast, French legislation in respect of official secrecy and access to government held information is markedly more specific and, therefore, constitutes a much less serious threat to the free flow of information. Legislation enacted in France in 1978 creates the right of every-

This is the second part of the paper presented by Prof. G. L. Peiris, Vice-Chancellor, Colombo University at the Lanka Guardian - Marga Seminar.

one to have access to public documents subject to 8 enumerated exceptions. In terms of this legislation, the Administration may refuse to make available the contents of a document where to do so would impair: (1) the secrecy of the deliberations of the government and of the authorities exercising the power of the executive; (2) the secrecy of national defence and foreign policy; (3) the currency and public credit; (4) the security of the State and public safety; (5) the operation of the courts and pre-trial procedures, except where leave has been given by the competent authority; (6) the secrecy of personal and medical files; (7) the secrecy of commercial and industrial matters; and (8) investigations by the authorized services into infringement of tax and customs law.

(3) Parliament (Powers and Privileges) law

Under the Parliament (Powers and Privileges) Act, No. 21 of 1953, the only offence relating to publications which Parliament could punish was the publication of committee proceedings before they had been reported to the full House. The only punishments which could be meted out by Parliament were admonishment and removal from the premises of the House. Imprisonment or fine could be imposed only by the Supreme Court after trial.

This position underwent dramatic, but regrettable, transformation in 1978 when Parliament enacted an amendment which substantially broadened its powers. The new law authorizes Parliament to impose up to two years' imprisonment and fines, and expands the kinds of publications which it could punish.

These include:

- (a) wilfully publishing any false or perverted report of any debate or proceedings of the House or a Committee or wilfully misrepresenting any speech made by a member in the House or in Committee;
- (b) wilfully publishing any report of any debate or proceedings of the House or a Committee, the publication of which has been prohibited by the House or Committee;
- (c) the publication of any defamatory statement reflecting on the proceedings and character of the House; and
- (d) the publication of any defamatory statement concerning any member in respect of his conduct as a member.

A fifth offence was added to the list by the Parliament Act No. 17 of 1980; namely, "the wilful publication of any report of any debate or proceedings of Parliament containing words or statements after the Speaker has ordered such words or statements to be expunged from the official report of Parliamentary debates".

The corresponding Indian Law in respect of Parliamentary privilege would

seem to be considerably narrower. The powers of Indian legislatures in this regard are more limited. Parliamentary privilege permits the national Parliament of India and state legislatures to punish anyone who makes or publishes any statement or comment which "undermines the dignity of the House or the confidence of the public in the Legislature".

It would seem that the Sri Lankan provisions in respect of Parliamentary privilege should be confined within a significantly narrower area if the public's right of access to information is to be adequately protected.

(II) Protection of Confidentiality of Journalists' Sources of Information

The difficulty here is that, under the law of Sri Lanka as it stands at present, there is nothing to prevent a journalist from being compelled to divulge the sources of his information. This state of things must, of necessity, militate powerfully against the practice of investigative journalism in our country in any meaningful sense.

It often happens that the facts relating to public scandals can be discovered and exposed only if journalists have access to information emanating from sources wishing to remain anonymous. There may, for instance, be credible information available to a journalist that illicit felling of timber is taking place on a large scale at the instigation or with the connivance of some powerful personage. It could happen that a newspaper company receives information relating to the incidence of enforced child labour in a fishing village dominated by an influential personality from the area. In this type of case it is often part of the reality of the situation that only "inside" information is reliable information; and, naturally, "inside" information will be provided by persons who will speak at all only on the firm condition that their identity is kept a closely guarded secret. The reason for this is that authentic information is available only within a narrow circle and any person within that circle who chooses to speak, is himself readily identifiable as a tainted source. Quite often the desire to provide information stems from quarrels and rivalries among those involved in criminal or socially harmful activities. A crime that is committed or concealed by an influential police officer may be exposed by a subordinate officer who has had a disagreement with his superior. Information relating to crime, corruption or other dishonourable behaviour may be forthcoming from persons who are motivated by jealousy or ill-will for some petty reason. In these cases no information will be available at all if there is a risk of disclosure of the identity of the source. Among other reasons, a person who may otherwise be prompted to speak in order

to assuage wounded feelings or to ventilate a grievance may hesitate to do so for fear of retribution, since there is the probability that the person against whom the information is supplied, particularly if he occupies a prominent station in life, will decide to retaliate. These are very relevant considerations of social psychology in a community such as ours.

All this underlines the need for the law to confer some degree of protection on the provider of information to the extent of furnishing him with a guarantee that his anonymity will be scrupulously preserved. This is an aspect of the legal doctrine known as privilege. The overall function of the doctrine of privilege in the law of evidence is to fortify the confidentiality of relationships which are thought to be of value to the community as a whole. The identification of relationships which attract this degree of protection under the law is influenced by social and cultural factors which vary from time to time in keeping with prevailing values. The relationships between husband and wife and that between legal adviser and client exemplify situations in which the law, by resorting to the mechanism of privilege, is prepared to uphold confidentiality. The practical effect of application of the doctrines of marital privilege and legal professional privilege is that a wife cannot be compelled in legal proceedings to disclose any communication made to her in confidence by her husband during the subsistence of their marriage, any more than a legal adviser can be compelled under oath in a court of law to divulge an admission made to him by his client within the framework of the professional relationship. The question for us is whether a similar privilege should be conceded by the law, enabling a journalist to refuse to disclose in civil or criminal proceedings, the identity of the source from which he has obtained his information. It is a journalistic privilege, so conceived, were to be withheld and if the journalist were compellable to name the party from whom the information has been elicited, there is a real danger that sources of valuable information will dry up, with irretrievable damage to the vigour and effectiveness of investigative journalism.

Does this mean, then, that confidentiality of the sources of information used by journalists should be protected by the law as an absolute value in the interest of free flow of information? Unfortunately, there are dangers inherent in this course of action as well. This will enable persons inspired by petty or malicious motives to supply false or misleading information to journalists and, after defamatory material is communicated to the public by the journalist, the person from whom the information proceeds will be protected in civil proceedings by the cloak of anonymity in which he remains enshrouded as a result

of the privilege which is successfully claimed by the journalist responsible for the publication. This form of blanket immunity available to persons providing information to journalists cannot, in the ultimate analysis, serve the interest of the community, since it could encourage irresponsible attacks on individuals by persons lacking the courage to come forward and to identify themselves. It follows that the law must be cautious and discriminating in demarcating the circumstances in which the protective mechanism of privilege is recognised in respect of information provided by members of the public for journalists to make use of in their work. The nature and social value of the information that is supplied, the reason why it is disclosed and the purpose sought to be achieved by the person making the communication are all relevant factors which ought to be taken into account by the law in deciding whether invocation of privilege by journalists warranted in a particular case.

The unavailability of any form of journalistic privilege in Sri Lanka in respect of sources of information is consequently much to be regretted. The constitutional experience of several other countries supplies useful guidelines in this regard.

Article 20 (1) (d) of the Constitution of Spain declares that the right to invoke the conscience clause and that of professional confidentiality shall be governed by statute. The General Principles of the Journalists' Profession, formulated under the Franco Administration, stated: "Journalists have the duty to maintain their professional secrecy except in cases of obligatory co-operation with the administration of justice, for the sake of the common good". Section 53 of the Criminal Procedure of Germany specifically authorises radio and print journalists to refuse to testify concerning the content and sources of information given in confidence. In the celebrated *Spiegel* case the German Courts affirmed that the right to refuse to give evidence about the source and contents of information is essential to the public function of the Press.

In the United States of America, as well, considerable attention has been paid to statutory standards connected with "shield laws". Although no federal law yet provides a statutory journalists' privilege, the United States Department of Justice guidelines recognize a qualified privilege as a matter of prosecutorial policy. Moreover, more than half the states have enacted "shield laws" providing journalists with an absolute or qualified privilege not to disclose information they receive in confidence.

This is an area in which law reform in Sri Lanka is identifiable as an urgent priority in the interest of buttressing freedom of expression and information.

PRESS FREEDOM SEMINAR (Part - 2)

Role of the Judiciary: Judge and Jury

Lakshman Kadirgamar, P. C.

There are two schools of thought about proposals for reform of the law. Perhaps more than any other branch of contempt law scandalising the court is most open to question. The rationale of the offence, namely, the undermining of public confidence in the administration of justice seems highly speculative and some might say that it is too vague a principle to justify imposing restrictions upon freedom of speech. In any event it could be argued that it is hardly likely that the public of today is so naive that it will lose confidence in the administration of justice as a result of insults or abuses heaped upon a judge. It might also be wondered why the system of justice is apparently so unsure of itself that it has to suppress attacks even if they are unfounded or malicious. Ought not the public be the final judge of such criticism without resorting to a seemingly self-serving process that seems to turn the judicial system into both judge and plaintiff? As one Australian judge put it.

'There is no more reason why the acts of courts should not be trenchantly criticised than the acts of public institutions, including parliaments. The truth is of course that public institutions in a free society must stand upon their own merits: they cannot be propped up if their conduct does not command respect and confidence of a community; if their conduct justifies the respect and confidence of a community they do not need the protection of special rules to shield them from criticism'.

Another criticism of the offence of scandalising the court is that it apparently vests arbitrary powers in the judiciary to suppress criticisms of themselves. As the Canadian Law Reform Commission has said, it is the form of contempt that has the greatest potential for arbitrary use by the courts. In any event it might be asked why special protection should be given to members of the judiciary when it is not given to other important members of society such as politicians, administrators

and public servants. If laws such as that of defamation are thought adequate protection for everyone else why not for the judiciary?

The reply to the foregoing criticisms is that (i) publications, particularly those which impute improper or corrupt judicial conduct, can realistically be said to create a real risk of impairing public confidence in the administration of justice; (ii) defamation is an inadequate way of protecting such a public interest because it is concerned with personal reputations and anyway would not apply to attacks made upon an unspecified group of judges. In any event such actions might unduly prolong the debate and so prejudice the administration of justice since until the matter is resolved the judge will be in an awkward position; (iii) unlike other public figures, judges have no other proper forum in which to reply to criticisms. The politician, for example, can appeal to public opinion but the judge cannot debate the issue in public without destroying his appearance of impartiality.

Reform proposals

It was because of these latter considerations that bodies such as the Phillimore Committee, the English Law Commission and the Canadian Law Reform Commission have all recommended that the offence be retained in some form. The latter body's proposals would most nearly preserve the current law. Their proposal is that there should be a new offence known as an 'affront to judicial authority' which would be committed through conduct calculated to insult the court or attacks upon the independence, impartiality or integrity of a court or of the judiciary. The offence would still be triable summarily, though not by the judge subject to attacks. In arriving at these recommendations there was much debate as to whether to allow a defendant to plead and prove the truth of the facts of a defence. The Commission finally decided against this partly because such a defence would leave the way open

to 'judicial guerilla warfare' since it would allow people to make charges simply to discredit the judicial system and thereby gain 'an ideal platform for waging their campaigns-all at minimal risk.

The English bodies propose a much more limited role for scandalising the court. Both the Phillimore Committee and the Law Commission consider that a new separate criminal offence to cover this area is more appropriate than leaving it to be dealt with by the law of contempt, ie. The summary procedure cannot be justified since there is usually no particular urgency to prosecute. The Phillimore Committee thought that the new offence should be confined to imputations of improper or corrupt judicial conduct published with the intention of impairing confidence in the administration of justice and that it should be a defence to show that the allegations are true and the public action is for the public benefit. The Law Commission, however, thought the scope of the proposed offence too wide with the inclusion of 'improper' conduct and also that the proposed mens rea was difficult to apply. They propose that the offence be confined to publications or distribution of false statements alleging that a court or judge is corrupt in the performance of its or his functions and 'at the time when he [the accused] publishes or distributes it he intends it to be taken as true but knows it to be false or is reckless whether it is false....'. Such prosecutions which could only be instituted by or with the Attorney General's consent would be triable either summarily or upon indictment and subject to a maximum punishment of two years.

Commentary

It is submitted that the various bodies referred to are right in recommending the retention of some form of the offence now known as 'scandalising the court'. How much should be retained in a matter of opinion. It could be argued that in view of the paucity of prosecutions, at any rate in England, there is no need to reform this branch of contempt law. Such a view, however, overlooks the 'chilling' effect that the potential application of the law has. In the past this effect has been considerable. Mr. Cecil King once said:

'The actual operation of the rules against contempt ... has meant that in recent years no serious criticism of judicial proceedings above the level of magistrates' courts has been thought possible. In fact there has been little or no such criticism, though a great deal from time to time would have been in the public interest'.

More recently, however, the Phillimore Committee commented:

'There is not much evidence that the press is unduly inhibited by this aspect of the law'.

Nevertheless the threat of prosecution

still hangs over publishers. In any event the lack of prosecutions is perhaps suggestive of a need to reform the law to bring it into line with the de facto practice rather than justifying leaving the law as it is.

Let us face the facts. A newspaper is a business. A business is not a charity. A business is established to make money. The truth is often dull. Dull news makes no money.

Princess Diana's matrimonial problems are much more exciting than the damage that might be caused to the environment by the accumulation of discarded tin cans on the summit of Mt. Everest.

PRESS FREEDOM SEMINAR

Press and Ethnic Conflict

Mangala Moonesinghe, M. P.

1. The media is one of the pillars supporting the State and society. Its obligations are constructive criticism as well as a focus on all beneficial acts of the State.

2. The concern of a news paper its commercial viability is paramount, yet it could simultaneously discharge its obligations to nurture and develop those factors conducive to maintaining a contented social fabric and an efficient and benevolent polity.

3. When ethnicity produces a conflict situation threatening the legitimacy and integrity of the State, then the media has a national duty to perform —

- a) To reflect the diversity of opinions.
- b) After research and analysis to project the views that will protect

the State and stimulate corrective measures that will be in the national interest.

4. In some countries like India, when ethnic violence erupts often and strains the stability of the State, these nations have adopted decisions requesting the media to refrain from publishing material of an inflammatory nature likely to exacerbate the conflict.

5. Reporters should attempt to cross check the veracity of statements made on factual matters pertaining to ethnicity. They should also print all shades of opinions on a particular subject relating to ethnicity.

6. The media should try to express a point view of a healing nature that generate ethnic harmony.

TOWARDS A GOOD SOCIETY — a Pottle Plan

A. C. S. Candappa

(4) The Ethnic Question

The Ethnic Question must be given the very highest priority. We need to create a feeling of *laissez-aller* — a sense of live and let live. We just have to respect one another, and when a man respects another, he allows that man's voice to be heard. We have able people on both sides of the ethnic divide who could sit down and solve this most important problem facing us.

In the island of Mauritius, Indians, Creoles, Chinese and Whites live in harmony. Harmonious separation is the unwritten law of the land. It is known now as the 'island of quiet success'. A decade ago, shortchanged by nature and beset with social problems it has turned around and thrives today with a vigorous economy, a democratic government and a wealth of separate yet cordial cultures. Some points which need to be considered are —

- (a) Whether a de-merger of the Northern and Eastern Provinces is the best. The Northern Provincial Council will in the event of a de-merger consist entirely of one community whilst the Eastern Provincial Council would be made up of three communities on a pro-rata basis.
- (b) The North and East need not hang on to the 'Homeland' theory. This is a futile exercise and will not get us anywhere. In that event, what of the large Tamil populations (both Indian & Jaffnese) in Wattala, Kotahena, Wellawatte, Dehiwela and Ratmalana etc. We all have our origins in the village true enough, but it is pointless to be overly sentimental in the face of a job that has got to be done.
- (c) Colonisation must ofcourse be abandoned as State policy and voluntary settlement on a

proportionate basis with weightage given to the Northern and Eastern Provinces and their border regions ought to be a satisfactory way out of the impasse. In this field the respective Provincial Council with one or two Central Government representatives specialised in land settlement and alienation could sit and formulate the practicalities of a suitable scheme. Otherwise, war will be our national industry as it was Prussia's in the years gone by.

It is worth studying some of the better features of the Swiss Confederation in order to appease the North-Eastern quadrant of the island. Twenty-three sovereign cantons of Switzerland form the Swiss Confederation. We would have just about 9 provinces in a Federal Constitution for ourselves or even a special federal accomodation only for the Northern and Eastern Provinces. The Federal constitution of the Swiss Confederation came into being in 1848 and its basis features still hold good today. Our constitutional experts both within and without the government could come up with an enduring solution here studying also the American and Australian federal constitutions for good measure.

(5) Roads and transport

Most outstation trunk roads are very good today thanks to the late President's initiative but some Colombo roads have been treated with studied neglect. For eg. Jawatte Road, sections of Bullers Road, the entire stretch of road from Kanatte to Narahenpita passing RMV's office and so on.

Buses when imported should be of uniform size and carry route colours on them. The delineation of routes by the Transport Ministry should be done on a fair and equitable basis. The Transport Ministry with the assistance of transport specialists should monitor and regulate

transport, again, with a great degree of fairness and incorruptibility. Bus magnates should be encouraged because they could always be taxed. Some of the efficient bus companies of yore were the SWOC of the late Sir Cyril de Zoysa in Colombo, M Henry in Kandy etc.

The Railways need to be modernised and the stations cleaned up. The problem of overcrowding in trains **must** be stopped.

As for air transport, Air Lanka without proper management expertise, is in a bad way. Cannot we look at the professional expertise of Singapore Airlines and learn lessons from them. The latest reconstitution of Air Lanka board is not of much benefit. In a highly competitive environment, and at a time when the best airlines are merging and cutting costs, why cannot we reach an 'understanding' once again with Singapore Airlines so that we could draw on their talents at a price. This aspect is worth looking into.

There is great need to develop the Ports of Colombo, Trincomalee and Galle with Colombo and Trincomalee as entrepot trade centres taking a cue from Singapore. Some of our Captains of industry knowledgeable in trade and shipping matters could be co-opted to a committee to develop entrepot trading and containerisation.

(6) The role of TV, radio and the Newspapers

The TV, radio and broadsheet media must be utilised to improve the standards of the people in some of the following ways:-

- (a) Teach children and people in particular to stop litter-bugging and spitting everywhere. Spitting has become a despicable national habit today.

(b) In Colombo, the CMC and households, for a start, must together help keep a cleaner city. Garbage must be collected oftener than twice a week. Collection every other day is better. The CMC need not supply free garbage bags. All citizens generally can acquire garbage cans or tins of their own. The CMC could conserve this money for truck replenishment etc.

(c) Noise pollution by sweep ticket sellers and in and about places of religious worship where loud-speakers disturb the peace should be prohibited by law.

(d) Teach good driving habits and care for other road users. It is a good idea to make the entire city of Colombo a silent-zone. It can be done. The city will be more peaceful and drivers will drive more carefully. The imposition of fines will make a success of the scheme.

(7) Environment and housing

The entire western seaboard is filthy with garbage dumped amongst the rocks. Complaints have been regularly made both to the Tourist Board and Municipality but with no avail at all. The particular Ministry in charge must show concern and see that the job is done.

Rural housing is important but urban slum clearance is of vital importance too. Some of the slums in the city mind boggling — the one nearest to us is just past the Wellawatte bridge where you turn into a vast sprawling slum though this is not visible from Galle Road. The National Housing Development Authority should take a look at this piece of slumland for a beginning. Other areas needing attention include Grandpass etc.

Air pollution from motor vehicles, factories etc resulting in smog must be tackled because it has become a serious public health hazard. Our canals in and around Colombo should be cleaned out properly and industrial effluents should not be turned into them. The Ministry of Environment together with the UDA must work with more muscle.

(8) Religion

Follow the timeless golden rule and

'render unto Caesar the things that are Caesar's and to God the things that are God's'. Religion and State must never get mixed up. If it does there is all the trouble in the world. It is best if the State Ministries of Hindu, Buddhist and Moslem affairs are dismantled — they are not necessary at all. The Christians do not have a State Ministry and rightly too. State patronage of religion is dangerous. Religion should be left to the clergy of the various denominations who know their job best without the meddlesome machinations of self-seeking politicians.

(9) Family Planning

An active state family planning policy or even active encouragement of the Family Planning Association and similar agencies by the State must go apace. The promotion of a two child family through the media is essential. In the Indian Ocean island of Mauritius, which bears comparison with Sri Lanka, the government, alarmed by the inevitable consequences of its citizens fecundity began a family planning campaign which paid off very well. Recent years have seen a population growth rate there of about 1% — a third the annual increase of the 60's.

(10) Forest cover

A sound and well planned programme of re-forestation is necessary. The further destruction of our forest cover must be arrested. The Forest Department and the Ministry of Environment must adopt a tough policy in this regard to counter the encouragement and resultant devastation of the J. R. years by some of his MP's

(11) National holidays

The present system of holidays — one for the Private Sector and one for the Public Sector and another for Banks should be scrapped soon and one set of curtailed holidays should uniformly apply to all sectors. The large number of holidays prevailing at present is 'inimical to productivity'. It is today a 'holy cow' as a Times analyst put it very well about two years ago. In a multi-religious society we could give everyone the national holidays and the religious holidays made optional in order to cause little heartburn. The problem today is that everyone is on holiday, when only a minority has a religious observance. Also, no alternate

holidays should be given when the holiday falls on Saturdays or Sundays. Who is the mad brain who devised and got away with this? The holiday schedule cries out for early rationalization. Only then, can we ensure higher productivity in our economy.

(12) Inland revenue taxes

It is very important to give some tax relief to those in the Private Sector. Public servants are not taxed on their salaries and emoluments whatever they are. If it cannot be done equally for the private sector now, raise the tax exemption level for the Private Sector to at least Rs. 10,000/- per month to make it meaningful for those responsible for the so-called 'engine of growth'. This was one of the biggest gaffes made by Mr Ronnie de Mel and who could easily forget his first budget speech of the UNP government in 1977 when he quite needlessly went hoarse loudly vilifying Mrs B.

(13) Foreign relations

Great importance should be placed on foreign affairs and our relations with India must improve a great deal. Ties with all other countries must be friendly too. The error made by the Premadasa government on the Gladstone will not easily be forgotten by Britain. That was too much humiliation for a friendly aid-giving country. Both Mrs B and Lakshman Jayakoddy in the pre 1977 era did a very good job of handling our foreign relations, particularly with India — culminating in the 1976 non-aligned conference, at which particular point, no one could have guessed that, just a year later, the government would fall.

(14) Independence of the judiciary

As Arden comments (*Lanka Guardian* of May 15) J R was fond of quoting Cicero and often said that 'there were occasions when in the clash of arms, the laws were silent'. (silent enim leges inter arma). During World War II in Britain Lord Atkin in *Liversidge v Anderson* (1942) said; "In this country, amid the clash of arms, the laws are not silent. They may be changed, but they speak the same language in war as in peace. It has always been one of the pillars of freedom, one of the principles of liberty for which we are now fighting, that the judges are no respecters of persons and stand between the subject

and any attempted encroachment on his liberty by the Executive, alert to see that coercive action is justified in law'. In this country our new President just must strive hard to ensure the complete independence of the judiciary.

(15) Power

It is now universally recognized that power goes to the head and corrupts absolutely. J R did a great dis-service in foisting an unsuitable constitution on the people. As a perceptive reader quite correctly pointed out recently, prior to 1977 leaders emerged and faded away without being a burden on the tax payer. They obviously had a conscience. Not anymore.

The legislature presently has 225 members of whom there are 90 Cabinet and State Ministers, etc. There are 9 Governors, 9 Chief Ministers and so on in the Provincial Council set-up. This is not necessary. This country needs a small political establishment and it is hoped that the new President will prune so many unnecessary offices. Politics and politicians should not impinge on the lives of the ordinary citizen. The best examples where politics is something apart is probably Switzerland followed by Britain.

A parliamentary democracy in the true sense of the word, is way better than a so-called Presidential 'democracy' which is very Gaullist in character.

Conclusion

May I say that there are many other areas not dealt with in this article. Some of them have been overlooked. It is sincerely hoped however that the 'powers that be' will work to usher in a new era. If the President has the singular courage to do the right thing always ignoring the sometimes partisan advice of sycophants and lackeys Sri Lanka could still turn out to be a country worth living in despite its unhappy past especially since the year 1956.

Perhaps, at the end of his term of office he could like Nelson say 'Thank God I've done my duty'. In conclusion, I must hark back to Thomas Paine who said that "government, even in its best state, is but a necessary evil; in its worst state, an intolerable one".

Peace in Sri Lanka: Obstacles and Opportunities

Asoka Bandarage

Thousands upon thousands of men, women and children have lost their lives due to the political violence in our country: people from all walks of life from the humblest of citizens to the major opposition leader and the President himself. Thousands of others have been turned into refugees and orphans and still others have lost their physical and mental capacities due to the direct and indirect effects of war. Yet the cycle of violence and suffering continues unabated.

We all live with much pain and fear over the tragedy in our country. We share this suffering regardless of our ethnic, religious, class or gender identities. It is this shared pain and concern that bring us together here, to search for a common ground and an agenda for peace.

Yet, as a people with deep divisions, mistrust and hatred it is not an easy task for us to create consensus. We are constantly pulled in different directions by competing currents of thought and action. Political extremism and nationalism have polarized most of our minds. To find a middle path seems extremely difficult.

The narrowness of existing perspectives is a great obstacle to finding a middle ground. Most of the analyses that pass as scholarship are limited and biased. The media and academia have become ideological battlegrounds. Well known scholars have succumbed to nationalist passions amassing more and more data to strengthen their narrowly staked out positions. Such positions do not encourage moderation; they feed into and multiply already existing divisions and enmities between people.

The untruths, half truths, accusations, counter accusations pull at me too, inciting

me to react in sectarian and narrow minded ways. I am a Sinhalese Buddhist, a woman and a sociologist by training. While each of these identities have undoubtedly shaped and conditioned me. I am struggling to approach the issues with awareness and equanimity and to provide a just and balanced analysis to the best of my abilities.

Towards a Wholistic Perspective

A just and balanced analysis requires that we try to look at the complete picture and the interrelationships among issues rather than focus on single issues or isolated incidents. Limited perspectives present their own truths but it is not the whole truth. It is a case of the blind men trying to discover the elephant by touching its separate parts.

Unfortunately, many have become hardened in their own nationalist positions that they cannot open their hearts and minds to broader positions and perspectives. The Sri Lankan situation has been presented simply as a primordial ethnic conflict between the Sinhalese and the Tamils. As a result all other dimensions of conflict and violence in the country and their bearing on the ethnic issue are neglected. The Sri Lankan dilemma is also depicted as an entirely indigenous one. Thus, regional and global political economic and cultural forces which have given rise to many of Sri Lankan problems are ignored.

We need to develop a comprehensive and compassionate framework for social analysis. Such an analysis must begin with the recognition that all people in Sri Lanka — men and women; poor and rich; young and old; Sinhalese, Tamil, Muslim and others, have suffered in different ways and that the basic human rights of all must be upheld.

The ethnic conflict, specifically the

Prof. Bandarage presented this paper at a seminar held in latter June at Fordham University, New York.

armed struggle between the government and the LTTE is at the center of political violence. This conflict, however, is not separable from other aspects of violence. Violence permeates all levels of the society — from ethnic and social class relations to violence against nature, violence against women, violence in the family and violence against the self. Deforestation, wife battery, very high rates of homicide and suicide are some of the manifestations of this cycle of violence and destruction. We need to try to understand how each of the different types of violence are linked, if, in fact, we are to break this vicious cycle. To do so we need analyses that go to the social and psychological roots of conflicts.

Social relations are not static; like everything else they are in a state of constant evolution. They must be understood historically. Under what conditions do ethnic relations, become conflictual? What conditions make them more harmonious? Much of the popular and academic discussions of the Sinhalese-Tamil issue has been devoted to debating the myths of origin, personalities and events in pre-colonial history. Much less attention has been paid to the colonial period which fundamentally transformed the land and the people. Betting the stage for many of our contemporary problems. The divide and conquer policies of the British which pitted castes, classes, religious and ethnic groups against each other need greater examination than they have received.

The masses of the people were marginalized in the colonial political economy and culture; their lands usurped; their labor exploited; their culture denigrated. The Sinhalese peasantry and Tamil estate labor bore the brunt of British colonialism. The introduction of Christianity was often forcible. It drove a deep wedge into native cultures turning a small but significant groups of individuals away from Buddhism and Hinduism.

The westernized and Christianized Sinhalese and Tamils, especially Tamils from Jaffna, were favored for administrative positions. At the time of Independence, ethnic and religious minorities as a whole were represented

in the higher echelons of the educational, professional, administrative as well as entrepreneurial sectors in far greater proportion than their numbers in the general population.

Claiming to redress the wrongs done to the masses post-independence governments introduced language and educational policies favorable to the Sinhalese Buddhists. Those policies restricted the access of both westernized Tamils and Sinhalese to the privileged positions in the society. The Sri Lankan Tamils were not the only ones who were antagonized by these policies. Many Sinhalese who could neither read nor write Sinhala were vehemently opposed to the Sinhala only legislation. The urban elite of all ethnic groups were also resentful of regional quotas for university entrance.

A much neglected aspect of this competition for privileged employment is the restriction of women. Until 1978 women were limited to 25 percent of government administrative accounting and clerical jobs. At the time women were less than 8 percent of the administrative service workers with only 1.8 percent at the top levels. In spite of their qualifications and talents women are still left out of the high level decision making processes. This is a definite obstacle to developing a broader approach and solutions to the Sri Lankan crisis.

In a hierarchical, competitive social system, there are only a limited number of positions at the higher ranks. Within such a system, for one individual or group to move up another must necessarily come down. Modern social systems which determine social worth and sense of self by rank inevitably lead to intense competition among groups whether they be ethnic, class or gender. On hindsight we can say that what should have happened after 1956 was not the restriction of access of already privileged social groups to education and employment, but, the expansion of the same advantages to the masses of people.

Compared to most other so-called Third World countries Sri Lanka has had a relatively egalitarian society with a high

level of social welfare. The free health care, food subsidy and universal education resulted in remarkable achievements in the quality of life index — low infant mortality, high life expectancy, high literacy and electoral participation. The position of women too is much better compared to other Third World countries.

But, the politically conscious youth who were products of the welfare state wanted more opportunities. Those who received a university education in the Arts found that white collar jobs and other high status employment were not available to them. Even now, many Sinhala speaking university youth refer to English as 'kaduwa', a weapon over their heads. This relative deprivation and antagonism against the dominant western culture were no doubt factors in the rise of the JVP. Although the JVP is often depicted as an extreme Sinhala Buddhist movement, the JVP did not attack any Tamils. On the contrary, the attacks were all directed at Sinhalese deemed to be members of the ruling class. Political extremism led to the deaths of thousands of JVP youth and innocent civilians in the South. Yet, those deaths have received hardly any international attention.

Although the struggle of the Tamils has become a distinctly ethnic, separatist movement with world wide organization, many of the same issues underlie both the Sinhalese and Tamil movements. The Sinhala youth in the South and the Tamil youth in the North have been frustrated with and alienated from successive governments and authorities at the center in Colombo. They want equal opportunities for education, employment, political participation as well as cultural survival.

As traditional life styles and the natural environment are destroyed and family and community are weakened, people seek desperately to renew their sense of belonging and emotional rootedness. In such contexts ethnicity becomes an easy refuge and the ethnic 'other', be it Sinhalese, Tamil, Muslim or some other group, becomes an easy scapegoat for all of one's problems and frustrations.

(To be continued)

Mrs. Bandaranaike's Civic Rights

Arden

If Jayewardene was determined to eliminate Mrs. Bandaranaike from the political scene it was not because he thought badly of her but because he considered her the biggest political threat there was to him and his ambitions. In fact he had the highest regard for her abilities and her achievements. Once, in 1972, he wanted to quit the U.N.P. with his supporters in the party and join Mrs. Bandaranaike's government. "If the prime minister invites the U.N.P. to join the government and her proposal is rejected by the U.N.P. I may have to join the government together with those U.N.P. members who support my views". (*Weekend* 16 January 1972)

The *Sunday Observer* of 23 January 1972 carried a fuller statement by Jayewardene:

"It may be that some of them do not wish their privileged position to be changed and are opposed to the new society which the government seeks to usher in... It had to be granted that Sirima Bandaranaike ushered in more socialist reforms during the seven years she was prime minister than anyone else or all the others had done before her. One had to concede that her government's egalitarian concepts which finally brought about a total change in the colonial structure of the national economy were to a large extent formulated and driven through by her Marxist partners. Much had already been done during the first two years of her administration and much were (sic) on the drawing boards. In that context it was obviously statesmanlike to support the implementation of those measures".

At that time Jayewardene was professing socialism. He said these things while he was Leader of the Opposition and Deputy Leader of the U.N.P. He found himself on the carpet. On 12 February 1972 at Srikotha, the U.N.P. headqua-

rters, the working committee of the party met and adopted a resolution to appoint a five-man special committee to inquire into Jayewardene's conduct and recommend suitable measures to be taken. Dudley Senanayake died on 13 April 1973 and Jayewardene became the leader of the U.N.P. Nothing came of the inquiry.

Long after Mrs. Bandaranaike had been deprived of her civic rights by parliament, a Buddhist prelate (the late Kosgoda Dhammawansa, head of the Amarapura Nikaya) led a delegation of Buddhist monks before President Jayewardene to ask him to relent and restore her civic rights. (*Forum* 15 May 1985). The president told a startled group of monks that it was Mrs. Bandaranaike's government that had taken his only son into custody during the 1971 insurgency and given him his meals in a tin plate. The chief monk asked, was it then as act of revenge? He received no answer. But eliminating Mrs. Bandaranaike from the political scene was much more to Jayewardene than a mere tit-for-tat for the humiliation his son underwent. It was from his point of view a vital political measure. He knew more than anybody else how fickle the electorate was and, when the pendulum swung against the government as it always seemed to do in Sri Lanka, he did not want a charismatic leader available to the other side. Jayewardene's entire strategy of seeking re-election before his term was over, and then using a referendum to extend the life of the parliament in which he had five-sixths of the seats, by six more years, depended on Mrs. Bandaranaike not merely being unavailable as a rival candidate but not even being permitted legally to canvass for any other opponent of his.

This was a programme which received Jayewardene's personal attention; it was carefully thought out step by step.

In February 1978, following the noto-

rious parliamentary privileges case, the Special Presidential Commissions Law, No. 7 of 1978 was enacted. This law authorised the appointment by the president of a commission with the power to inquire whether any person or persons had been guilty of any act of political victimisation, misuse or abuse of power, corruption or any fraudulent act; and to recommend whether any such person should be made subject to civic disability.

Article 81 of the new Constitution, which came into effect on 7 September 1978, empowered parliament to impose the penalty of civic disability for a period not exceeding 7 years; and, if such person was a member of parliament to expel him from parliament on the recommendation of a Special Presidential Commission, by a resolution passed by not less than two-thirds of the entire membership of parliament. This requirement of a two-thirds vote was easy for President Jayewardene's government to comply with. It had the added benefit from his point of view that any future government (elected under the P.R. system, and so unlikely to have a two-thirds majority in the house) could not use such powers against him.

In August 1978 a Special Presidential Commission, comprising two judges of the supreme court, Weeraratne J. and Sharvananda J., and one from the minor judiciary K.C.E. de Alwis, was appointed by the president to inquire into events that occurred during the period May 1970 to July 1977.

Within a month, the two supreme court judges received unexpected seniority by the circumstance that the supreme court was reconstructed excluding 12 senior serving judges, four of them being demoted to the appeal court and the other eight being left out altogether. This unique event in the history of the supreme court sent shock waves round legal and political

circles. What more was in store? Weeraratne J. went up to fifth place in the court from eleventh place; Sharvananda J. went up to sixth place from fourteenth place. The minor judge de Alwis was pushed up over 18 judges of the high court to the appeal court. As a consequence of these measures the president of the Special Presidential Commission, Weeraratne J. was able to become acting chief justice before he reached retiring age; Sharvananda J. was able to end up as chief justice. The third member of the S.P.C, de Alwis, was destined to end his career ignominiously.

The commission served notice on several persons that it intended to inquire into their conduct during the period 28 May 1970 to 23 July 1977. One of these persons was Mrs. Bandaranaike who had been the Prime minister during that period.

Mrs. Bandaranaike challenged the legality of the S.P.C. before the appeal court. On 9 November the appeal court handed down its ruling that the S.P.C. had no jurisdiction to inquire into, or report on, or make recommendations in relation to, Mrs. Bandaranaike's administration between 1970 and 1977 since that was a period prior to the enactment of the S.P.C. law. The appeal court issued a writ of prohibition accordingly on the S.P.C. The government's rejoinder was to rush two bills through parliament. The first of these was the Special Presidential Commissions of Inquiry (Special Provisions) Act No. 4 of 1978 declaring the judgment of the court of appeal to be null and void and the writ of prohibition of no force or effect in law; and giving retrospective effect to the offences alleged against Mrs. Bandaranaike.

The second bill was the first amendment to the 1978 constitution. This amendment bill of 20 November 1978 authorised parliament to take away jurisdiction in any category of cases from the appeal court and confer it on the supreme court. The amendment was made retroactive from 7 September 1978.

The president was clearly announcing that he meant business and had no intention of permitting the courts of law to stand in his way.

In May 1980 two events occurred which exquisitely illustrated the president's plinking style:

1. The government of Sri Lanka signed the International Covenant on Civil and Political Rights. By this act Sri Lanka undertook not to create offences retroactively and not to impose penalties with retroactive effect.
2. Mrs. Bandaranaike was summoned before the S.P.C. to answer retroactive charges which were ill-defined and which carried retroactive penalties.

Mrs. Bandaranaike appeared before the S.P.C. and told it that she refused to submit to its jurisdiction since, *inter alia*, in a parliamentary democracy a prime minister and her cabinet were collectively responsible and answerable for the good government of the country only to parliament and ultimately to the people at a general election.*

The S.P.C. then proceeded *ex parte* and, on 25 September 1980, found Mrs. Bandaranaike guilty of the offence of "abuse and/or misuse of power". (Coincidentally, this happened to be the 21st anniversary of the assassination of her husband Solomon Bandaranaike).

At this stage the Civil Rights Movement urged the government that penal consequences or legal disabilities should not flow from the report of a "mere fact-finding commission". Mrs. Bandaranaike had been found guilty under a law which allowed the tribunal to ignore the normal law of evidence and to admit "any evidence, written or oral, which might be inadmissible in any court in civil or criminal proceedings". This law contained no rules of procedure. It made the findings of the commission "final and conclusive" and did not provide for any appeal, and was retroactive in effect. The proposed penalties were in contravention of the interna-

-tional obligations the country had just voluntarily accepted.

The president was not impressed by the C.R.M.'s arguments.

Public meetings were banned as a precautionary measure.

Two resolutions were rushed through parliament on 16 October 1980 and, in the now familiar style, both were passed on the same day.

One resolution deprived Mrs. Bandaranaike of her civic rights for 7 years. The other expelled her from parliament.

The president was not pulling his punches. Two amendments were made to the Parliamentary Elections Act No. 1 of 1981. Section 68(1) of the Parliamentary Elections Act prohibited any person disqualified by a parliamentary resolution from in any way participating during the period of disability at a parliamentary election (including speaking, canvassing or acting as agent for a candidate). Section 68(2) made the contravention of Section 68(1) an offence punishable with imprisonment of up to six months or a fine up to one thousand rupees or both.

Section 92(2)(c) disqualified a candidate at whose instance such a person participated.

Two similar amendments were made to the Presidential Elections Act No. 15 of 1981.

All this for fear of Mrs. Bandaranaike's charisma! It was *ad hominem* legislation.

The only persons who up to then could not canvass or campaign in an election were those who had, within a period of seven years preceding, been found guilty of a corrupt practice at an election i.e. those who had been found guilty by a court of law, of offences committed during and in connection with an election (such as impersonation, undue influence, bribery, treating, making false statements about the character of a candidate etc). The law permitted those who had been found guilty of any other crimes (even murder) to canvass or campaign at elections.

Not content with all these measures, in August 1981, Jayewardene, using the Public Security Ordinance, took possession and control of the headquarters of the S.L.F.P. He was making thorough plans for the elections which were due in 1983.

Footnote

- * It will be recalled that when, quite recently, Jayewardene sent a well-publicised claim, through his lawyers, to Anuruddha Thilakasiri of the Sunday Observer, demanding Rs.100 million as damages for alleged libel, he took up the position that the improper acts Thilakasiri had accused him of were collective cabinet decisions for which he could not be held solely and personally responsible.

UNP and class factor

The U.N.P. started with the image of the rich man's party — symbolised by estate owners and symbolized by Colombo seven ladies — painted with imported cosmetics draped in expensive Manipuri and Benares sarees. For this image they were routed in 1956. They then calculatedly changed their image into a common Man's party using the Khadar-clad plebian image of Premadasa with his people's lingo style to come to power. When the U.N.P. felt that it was strong enough with 4.5 million members it attempted to dispense with Premadasa in an abortive Parliamentary "Coup". He was made use of and an attempt was made to pension him off. This was the fate of the man who started with the class-oriented Labour Party.

Ruling the daily surface occurrences of politics is still the conflict of classes and the split in the U.N.P. to-day is a class split.

The question now is, will the rural and city poor who came into the U.N.P. under the banner of Premadasa now feel that they should look elsewhere to represent their interests. This question will be decided by the coming tussle within the U.N.P. itself and whether the Premadasa interests in it will wrest back power. Hema Premadasa will be one of the key rallying figures in this.

The D.U.N.F. can be eventually expected to re-join the parent U.N.P. since the class obstacle signified by Premadasa is removed. The Liberal Party of Sri Lanka too can join the U.N.P. more formally since it consists of a clique of rich young men with plenty of dough as well as time.

In Asia, political assassinations have helped the right-wing; the assassination of Sadat led to the pro-Western Mubarak in Egypt, of Rajiv Gandhi to the blatant capitalism of Rao in India, of S.W.R.D. Bandaranaike ultimately to the capitalist retrogression of 1977 in Sri Lanka. What impact will the assassination of President Premadasa have on Sri Lanka? It will remove a good part of the populist image

of the U.N.P. The disadvantaged might have to look elsewhere. The urban capitalist bias of the U.N.P. will become more pronounced.

The father figure of the U.N.P., J.R. Jayewardene, is apparently unable to influence the course of events in his old Party. His non-involvement in politics was marked by his absence in India on the May Day when Premadasa was assassinated, and by his absence at the funeral where he was a scheduled speaker. But his clan is represented by Ranil Wickremasinghe, the new P.M..

Patrick Jayasuriya

Point Pedro to Dondra

As a regular and keen reader of your journal I wish to comment on Indran Amirthanayagam's article "Heal the Rogues' Wounds" appearing in the July 1, issue.

Under violence, rape and murder in that article the author begins with Prime Minister Solomon Dias Bandaranaike. I wonder whether the writer is of the opinion that all these problems should be traced to Bandaranaike and 1956. This seems to be the current trend of events in our country today. All problems are attributed to the Bandaranaiques. Haven't we a sense of history. What about the 1930's during the time of the Donoughmore Constitution and Universal Adult Franchise and the call for Sinhala only, Tamil also and 50/50 and so on? Aren't those also responsible for our present situation. Perhaps we could go further beyond the 30's and trace the origin of the present war in Sri Lanka. All these go to prove that was a time when we could use ethnicity to get to power and that was the time when parliament was not a talking shop and we had people like S.J.V. Chelvanayagam and M. Thiruchelvam with whom one could debate and argue and make a point for there was no violence and there was no gun culture. But today parliament is a talking shop and all the many forces have gone underground and we have violence and the gun culture, and we have no gentleman party politicians of the calibre of Chelvanayagam and Thiruchelvam.

Today we have to live with militants whom we have produced because of the

wrong leadership given by own elders in the years gone by and we still seem to think that war is the answer to solve all our problems. We have not realised that the causes for the war which are so deep and complex cannot be eradicated by the victory of the Sri Lankan forces and communal politics which as Minister A.L.M. Aboosally spelt out so clearly last week in his lecture to the All Ceylon Muslim League as reported in the Divaina, which is not the thinking of the common people is still being used by party politicians of all types and breeds to fulfil their dreams and visions based on personal ambitions.

How long are we going to suffer as a nation, because of the so called political leaders we have got in our country today? Isn't it time for the common people to produce common leaders who will know better to govern this country than what we have had in our land during the last 60 odd years. It is certainly time for people of goodwill in our country who have chosen to live and work in our land to get together and produce a new leadership that will think in terms of the needs of all our people from Point Pedro in the North to Dondra in the South. When will this happen? Will our leaders allow this to happen?

The Very Rev. Sydney Knight

Dean

Cathedral of Christ the Living Saviour

Repatee or Ribaldry?

I wonder whether S.W.R.D. Bandaranaike's sneer on Dr. N.M. Perera, "the obscure son of a more obscure father", is worth remembering (LG, June 15). For me, it seems like an example of ribaldry rather than repatee. By that comment, did Bandaranaike attempt to show the Ceylonese that the Samasamajist leader Nanayakkara Martin Perera did not belong to the *walawwe*-class of Mudaliyars who licked the boots of their colonial masters for patronage and petty privileges? Or could it have been the expression of an inferiority complex that Bandaranaike harboured due to his inability to match Dr. Perera's academic credentials?

Sachi Sri Kantha

Osaka, Japan.



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