

LANKA

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THONDAMAN, GAMINI AND THE UNP

— Mervyn de Silva

THE SOCIALIST MERGER

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FIGHTING THE TIGERS

— Jayanath Rajepakse

CHESTER BOWLES

— Howard Schaeffer

UNDERSTANDING EAST ASIA

— C. Mahendran

VICISSITUDES OF VISAS

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Black Knight
It's your move

BRIEFLY...

The Left unite

Sri Lanka's oldest political parties, the Lanka Sama Samaja Party and the Communist Party of Sri Lanka merged after a 60-year long divide on an ideological dispute. The LSSP was Trotskyist.

Combined party sources said: "We will no longer be bound by doctrinaire politics though there are lessons to be learnt from them".

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These sources said that the collapse of the Soviet Union — strategies had to be changed to achieve socialism.

A new IGP

Frank de Silva, Sri Lanka's new Police Chief (IGP) told his men in a message: "If police personnel maintain the discipline inculcated in them during their training many fundamental rights applications against them could be avoided and no courts would censure them".

New Governor for the North-East

Mr Lionel Fernando, a former Government Agent of Jaffna and Trincomalee has been appointed Governor of the temporarily merged Northern and Eastern Provinces. He succeeds Lt. General Nalin Seneviratne whose five year term ended on November 29.

Unions protest

Plantation trade unions are opposed to the government's moves to hand over state-owned plantations on long lease to private companies. The plantations are now managed by the companies on five year contracts. They have now asked for 30 year leases. In a protest against this move the unions have told President Wijetunga: "We fear that the companies will destroy these national assets".

Views on mining the Kalu Ganga

A Committee appointed by President Wijetunga has called for public views on the proposed mechanised gem mining project in the Kalu Ganga. The project has run into flak from environmentalists. Secretary to the Committee Y.B. Pussedeniya is at the Ministry of

Public Administration, Torrington Square, Colombo 7.

They want stricter rape laws

The Sri Lanka Women Lawyers' Association has asked the Minister of Justice for tougher laws against rape. Among the laws wanted: mandatory life sentences; no pardons; consent not to be a defence if the victim is under 16; and bad character of victim not to be considered material evidence.

Minister Harold Herat told a delegation from the Women Lawyers' Association that he too considered rape to be an extremely serious offence and that he would consider their recommendations.

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Caste and the Thondaman Factor

Mervyn de Silva

Caste is the great 'unmentionable' in polite bourgeois society but it has always been a factor in political-and-electoral equations. As Prof. C.R. de Silva has observed "Since becoming UNP leader in 1973 Jayawardene has integrated elements from the non-goyigama caste into his party and given them positions of power. By 1982, the UNP had been transformed from a party of the dominant *goyigama* caste (which was its image in the 1950's) to a political organisation with much wider appeal. On the other hand the multi-caste SLFP of the 1950's had become increasingly goiya-dominated".

Other scholars emphasise the deep influence of Hinduism and Hindu practices on Sinhala-Buddhist society.

It was Mr. Gamini Dissanayake the DUNF leader who introduced the topic of caste into the current political debate, increasingly confused and fierce as Sri Lanka stands on the threshold of 1994, the year of Presidential polls. Was Mr. Dissanayake provoked (cleverly?) by the CPC Chairman Sarath Kongahage? May be. But Mr. Dissanayake is a seasoned politician from the Nuwara Eliya district, while his father Andrew Dissanayake was a businessman and an (SLFP) MP from Kandy. The five-letter word "dhoby" figured in the CPC proceedings when reference was made to a recent biography of Mr. Premadasa written by one A.R.W. Perera, a reply to Bradman Weerakoon's wellknown biography.

Die Mr. Dissanayake lose his cool? Or had he decided the "character-assassination" of the Premadasa was politically necessary at this stage of the pre-election game?

There is little doubt that Premadasa still remains a factor in party politics... certainly UNP politics.

Mr. Thondaman is also a trade unionist. No, he is a trade unionist who took to politics and not only earned recognition from the major parties but was made a Cabinet Minister by the UNP. He is a

master-negotiator. He has proved that. He is also the proven master of conflict-resolution, a globally important area of activity today.

So what is the problem? Mr. Thondaman expects from the UNP leadership — that is from President D.B. Wijetunge — the sane recognition that he enjoyed under President Premadasa. The latter not only treated him as a Cabinet minister but gave him an autonomy which Mr. Premadasa believed the eminently successful plantation labour boss deserved. After all, there hasn't been a major strike in the estates for years. And the tea estates remain the major exchange earner.

Mr. Thondaman had a near-unique position in the Premadasa cabinet. He does not enjoy that position today. What is more, the new President, Mr. D.B. Wijetunge also represents a Central Province constituency — a majority Sinhala, Kandyan Buddhist electorate.

It all started with a letter from the Presidential Secretariat about a Vocational Training Institute supported by NORAD, the Norwegian aid agency. A committee of officials had been appointed to inquire into various matters connected with the Institute. This came as a bolt from the blue. But it gave the CWC leader just the right "issue" he needed to lock horns with the new administration, and test the nature of the altered or changing CWC-UNP relationship.

But it so happened that there was an even larger issue on the government agenda — the future of the Management Companies who now run the plantations. The 'hard' trade union issues are the number of working days and wages i.e. the daily wage. The CWC demands a 12/- wage hike if it is to accept the 240 day offer.

Mr. Thondaman is a politician whose political base is a trade union rather than a upcountry electorate. His 'base' is the *thottam*, the thottam that produces tea.

This particular trade union has its hand on the jugular. Sri Lanka exports 2051 million dollars in the first nine months of 1993, a 25% increase over the same period last year. Tea and rubber production rose by 35%, while coconut was down by 17%.

The issue now is the next stage of privatisation. The Planters Association insists that the guaranteed work-days should be no more than 240 days. The PA also insists on the right to retrench workers. The IMF and World Bank argue firmly for faster re-structuring of the estates, ownership and management. The management companies formula and the lease of estates to these firms was President Premadasa's compromise which the IMF-Bank reluctantly accepted. Mr. Thondaman is protecting his trade union-power base by exploiting the emerging conflicts in the (Sinhala) Political Establishment, starting with the traditional UNP-SLFP rivalry, in the run-up to next year's Presidential contest.

The Central Province Council is another battlefield. It is not for nothing that Mr. Thondaman has decided to fight on that arena. It is not a frontal attack on the government or the UNP. He is only using the CWC's "independence" or "autonomy" to send a signal to the UNP leadership that (a) Thondaman cannot be ordered by bureaucrats (b) any differences must be settled at the highest level, person-to-person summit, and that the (c) CWC retains its autonomy especially in trade union matters e.g. management company leases, number of days of work, wages.

Rather than the UNP pressuring the CWC, the CWC is now turning on the heat on the UNP. As a result, the UNP "troika" (3 ministers) are trying hard to resolve the dispute while Opposition leader, Mrs. B. reveals in the mounting conflict and confusion. But the fact that Mr. Thondaman has been crossing the Palk straits many times does not support the theory in some DPL circles of a pro-Opposition Indian move.

CWC Statement

The CWC wishes to put the record straight in respect of the various half truths and misrepresentations made by the twenty two plantation managing Companies in their so called joint statement published in the Island of 29th October '93.

Initially the CWC regrets that the plantation managements have sought to justify their renegeing on the written undertakings that were given to the CWC as a condition precedent to the change over of the management of the plantations that were under the JEDB and the SLSPC. One of such undertakings was to maintain the terms and conditions of employment of the workers under terms no less favourable than that they have enjoyed.

In terms of this undertaking the managing companies agreed to adopt a fluctuating wage scheme which entailed a topping up process for 25 days wages per month if the employer was unable to offer 25 days of work to the workers.

On representations made by the companies the CWC agreed for a flexibility in this regard as from January '93, subject to achieving a target of 300 days per year by the respective employers.

The lack of good faith of the managing companies is clearly demonstrated by the fact that they cut back on the number of days offered to the workers to nullify the effect of the Rs. 12/- wage increase that they agreed to implement by fixing a 240 day work limitation.

The reference to past decisions of the Industrial Courts in order to justify the cut back in the number of days work offered to the workers is at best a naive attempt to twist facts.

Any person knowledgeable of the plantation industry would have to admit that the Industrial Courts have outlawed the crediting of half names and averaging poundages in order to calculate the wages of the workers.

After the transfer of management all the parameters set by industrial courts and by custom are being deliberately flouted by the companies either out of their own ignorance of practices of the industry of being misled by sources who are equally at sea in respect of planting conditions.

The statement by the companies also makes reference to "violence" resorted to by plantation workers as a mark of protest on preconceived management plans to depress their living standards. What the statement has hidden is the fact that the incidents referred to had been amicably resolved either at estate level or at Headquarters level at the intervention of the union.

It is extremely relevant that the managing companies have admitted that "the Industry was already in a crisis when the private sector was granted management rights in June 1992". It therefore defies the imagination as to why they took over the management of plantations with such alacrity in that context.

The contention of the companies that they are stymied by a reluctance on the part of the labour to be relocated does not bear examination for one thing, due to a deliberate cut back on inputs such as fertilizer and agricultural practices such as weeding, draining and replanting labour productivity has decreased, for another, labour resident in up-country area for centuries have been offered relocation in such places as Galle, Chilaw etc. We believe that the mobility factor is another thinly veiled strategem to shift the focus from management bad faith. The CWC had offered to consider retrenchment within the guidelines of the industrial law if the issue of excess labour could be proved.

As far back as February 1992 the CWC made written representations to the Government that the antecedents of the companies selected to manage the plantation industry should be thoroughly investiga-

ted as they may not have the resources and the expertise for the task.

On a written assurance given by the Government vouching for the integrity of the managing companies and in the face of opposition from all other unions, the CWC openly supported the privatisation of management as a means to improve the industry and enhance the standard of living of the workers.

Towards achieving this objective the CWC reintroduced the minutes book system as a medium of communication between labour and management at the estate level.

The success of the scheme has been seriously retarded by management not changing out-moded attitudes in their approach to labour.

The CWC has also agreed that work loads may be varied in agreement with union committees on the estate. The practice however had been the unilateral increase of work loads and denial of wages to workers.

Having over 50 years experience in the realm of labour management relations on the plantation sector the CWC is well aware of management problems and had gone out its way to be of assistance to managements. But our primary concern is towards the welfare of the workers and of the industry itself which is a national wealth.

Therefore the management companies will be well advised to address the problems confronting the workers who are getting more and more frustrated on account of their plummeting living standards by a cut back in the number of days work offered to them rather than engaging in rhetoric.

A dialogue in this regard could be more productive than an exercise in shadow boxing through the newspapers.

PAC Statement

New Plantation Management Contract — Critical Issues

A meeting of the heads of the parent Companies of Management Companies listed herewith, was held on 1 November 1993 and the following important issues were discussed in detail.

It is our common consensus that a new Plantation Management Contract cannot be finalised unless the critical issues maintained below are sorted out with the Government and the Trade Unions, prior to signing of the contract.

As you have indicated during past meetings, if the Companies fail in their endeavour to manage the plantations, it would not only be a poor reflection on the Government, but also have a disastrous impact on the economy of the country.

The critical issues which have to be sorted out, are listed below:-

A) Labour/Industrial Relations

1. 300 Days Guaranteed offer of work

As you are well aware, the excess labour problem is one of the main issues affecting the viability of almost all the Plantation Companies. Therefore a guaranteed offer of 300 days, is an impossible task at this moment. Whilst every effort would be made to offer the maximum number of days, it is not possible to ensure that more than 240 days of work is offered.

2. Excess Labour/Possibilities of Retrenchment

As in the case of any other industry, the Plantation industry should also have the flexibility to reduce the number of workers when retrenchment becomes a necessity, in order to restructure and make the operations profitable.

3. Mobility of Labour

This is a necessary pre-requisite for

the viability of the plantations, and the Management should be given the option to transfer workers freely, without Trade Union interference.

4. Registration of Dependents, Incoming Brides & Casuals

Any new registrations of employees, will have to be carried out in accordance with the needs of the Plantation Companies and no undertaking can be given at this juncture, regarding the registration of any new workers.

B) Financial/Funding

1. ADB Funding/\$ Denominated Rupee Bonds (20 Year)/Currency Exposure

a) 14 months have passed since the taking over of the management of the Estate Companies, by the Managing Agents, and the average borrowings of all Companies are around Rs. 100 mn or more for each Company. These liabilities were incurred by the Plantation Companies (RPC's) whilst they were managed by the Managing Agents on behalf of the Government.

Therefore, transfer of such liabilities to the Balance Sheet of the Management Companies, is not the accepted practice. However, if the liabilities are not taken over by the Management Companies, it will be necessary to value the current assets to be off against the existing liabilities.

We recognise the technical implications and difficulties in indentifying the corresponding assets in the event of the existing liabilities not being taken over by the Management Companies. In order to avoid this difficulty, we would suggest that the total borrowings (inclusive of debentures amounts due to leasing Companies), be converted to a soft loan at 2%

interest p.a. repayable in 25 years, with payment of interest and capital repayment commencing 5 years after the signing of the contract.

b) As you are aware, the Management Companies would require at least 4 to 5 calendar years to make the plantations viable to the extent, that they would be running without a cash deficit.

Therefore it is important for the Government to understand this situation and impress upon the international lending institutions to lend to each Plantation Company, an amount between 200 and 300 million, at a concessionary rate of interest of 2%, repayable over 20 years, repayment commencing 10 years after the signing of the contract.

The ADB funding on dollar denominated rupee bonds, is acceptable to the Companies in principle. However, in order to hedge against the fluctuation of the dollar, a dollar income that would accrue from the sale of tea itself, is not adequate, since the entire sales proceeds may have to be converted to rupees, for working capital requirements, as long as the Companies operate at a cash deficit. Therefore, our request is that some method should be devised either for the Government to underwrite the exchange exposure or to provide rupee funding at a concessionary rate.

2. Gratuity Liability and Funding of Outstanding/Future Gratuities

As agreed upon during our earlier discussions, it is imperative that the Government takes over the gratuity liability up to the amount at the time of signing the contract.

The Companies cannot, naturally,

accept a situation where the Government will top up the component applicable to them only at the time of payment of gratuity, since the delay between the time of payment and point of topping up by the Government, will affect the liquidity of the Companies adversely, as large amounts are involved in gratuity payments.

Therefore, it is essential that an Insurance Policy be taken up by the Government in order to cover the gratuity liability as at the date of the contract, and the additional liability which may be created every year on account of service under the employment of the Government, if there are salary increases, as the gratuity is based on the terminal salary. This could be carried out by the issue of Government Bonds to the Insurance Corporation or to Insurance Companies.

3. Implications of 30 Year Lease on the Parent Company Accounts due to the need for Consolidation

The accounting standards will require the Parent Company to consolidate the accounts of the Management Company, on the basis of the new 30 year lease proposal. On the basis of available information, it is apparent that most Plantation Companies will operate at considerable losses during the next few years. Consolidation of such losses will have a very considerable adverse effect on the financial status of the Parent Company.

We therefore request that the Government gives a directive to the Registrar of Companies and the Securities & Exchange Commission, to allow the Parent Companies to exempt consolidation of the Plantation Management Companies' accounts on the basis that it is a dissimilar operation when compared to the operations of the Parent Companies.

4. Direct & Indirect Taxes, Levies etc

Since the turnover of Tea Plantation Companies are large, any imposition of a direct or indirect tax, translates

into a substantial loss. For e.g. the recent increase in the turnover tax amounting to 0.1% for the tea brokers, which was passed on to the industry, was as much as Rs. 600,000/- per annum for an average plantation Company.

Various taxes are being imposed by Provincial Councils and local bodies such as Municipal Councils, Town Councils and Village Councils, in addition to taxes and levies imposed by the Central government.

You may agree that the Plantation Industry should be protected from such unforeseen taxes and levies and therefore it is important that a clause is embodied in the contract, assuring the Plantation Companies of a moratorium of 10 years and that the government, Provincial Councils or local bodies will not impose any direct or indirect taxes that will affect the industry. It is important to note that such taxes/levies should not affect the price of inputs to the tea/rubber industry.

C) Legal/New Draft Agreement

1. Agreement Based on Utilisation of Land/Similar to a Lease

The new lease agreement should be based on utilisation of land at the entire discretion of the Management Companies, with no interference by the governmental authorities. The Management Companies should be given the freedom to make whatever changes necessary, including diversification into any new crop or new activities, amalgamation of factories and estates, disposal of redundant, unutilised or under utilised assets, rationalisation and all other activities involved in restructuring unviable operations taken over by them, into a profitable undertaking .

2. Transfer of Immovable Assets

It is imperative that all immovable assets be shown on the Balance Sheet of the Managing Companies

and transfer of such assets should be at the sole discretion of the Managing Agent. Any deviation of the above, will not permit the Management Company to obtain funding from Commercial Banks and will seriously hinder the management of the plantations.

3. Implications with Regard to All Employees Being Taken Over and Future Employment

During some of the discussions we had, regarding the new lease agreement, we were made to understand that, whereas labour, supervisory and clerical categories will continue to be employed by the RPC's, we would be granted all authority with regard to their employment, during the 30 year and the extended leases.

However, we were told that the Management Staff should be taken over by the Management Companies. Our understanding of Management Staff covers both the Plantation Management staff such as Superintendents, Asst Superintendents etc and the Management Staff at the Head Office. Whilst Management Staff at the Head Office have been employed by the Management Companies, and will continue to be employed in a similar fashion, the Management Staff at the estate level are at present employees of the RPC's.

If we are required to take over this category of Management Staff and be solely responsible for them, it will be necessary for these employees to resign from the RPC's and join the Management Companies on new terms and conditions. Such a change of employment would entitle them to claim gratuity for past services and all implications of such payments, should be considered before a final decision is made.

We also wish to advise you that the Management Companies are not in a position to either absorb or maintain redundant staff in Regional Offices, which were allocated to the RPC's.

Towards a single socialist party

Bernard Soysa

The Lanka Sama Samaja Party and the Communist Party of Sri Lanka have agreed to work together for the formation of a single socialist party in Sri Lanka. The unfolding of political events on the national and the international scene in the past two decades have increasingly contributed towards making this event inevitable.

The collapse of the Soviet Union and the regime of Eastern Europe has given new opportunities for capitalist propagandists to pronounce obituaries on the socialist idea. These people who hail with glee the break-up of the Eastern European systems are apparently unable to recognise the grave and growing crisis of capitalism and what it spells for the future.

In the midst of this clamour it is necessary to boldly reaffirm our adherence to the socialist goal.

The need to combat secretarian differences and to forge the unity of left forces has increasingly gained recognition.

Many efforts are being made in Europe, in Asia, in Africa and in Latin America to achieve this end, to mobilise left forces to face the threats of imperialism and militarism and to find positive solutions to the problems posed by ethnic conflict, the denial of democratic rights, the violation of human rights, the threat to the environment and the continued oppression and exploitation of people.

The Lanka Sama Samaja Party and the Communist Party of Sri Lanka in the light of their own history are conscious of the fact that "our own past experience within the international socialist movement should no longer divide us and keep us apart". The cumulative problems of the frequent resort to assassination as a political weapon, terrorism, the violation of human rights, the denial of democratic rights and the attack on the freedom of the media call for remedial measures without delay. A solution must be found for the ethnic problems and the civil war must be brought to an end.

With the mis-management of the economy it has to be recognised that the rich are growing richer and the poor are growing poorer. There is a dangerous erosion of the living standards of the majority of the people. This proceeds alongside of the creeping dissolution of welfare measures. We are also witnessing the mounting effort to impose a new colonialism on Sri Lanka.

The working class has to join forces with those who are ready to strive for the preservation of democratic freedom for all.

To strengthen this common effort and to ensure its victory the division between the Lanka Sama Samaja Party and the Communist Party of Sri Lanka must be ended as soon as possible by the formation of a single socialist party. The LSSP was founded in December 1935. We hail the fifty-ninth anniversary of that historic event with the pledge for the unity of socialist forces in Sri Lanka.

Old Babes in the Wood

Regi Siriwardena

For the LSSP and CP to merge makes, of course, as good sense as for Hansel and Gretel to cling together when lost in the wood. For both parties the dwindling of the left's popular base makes competition between them suicidal, and the CP, in particular, has been reduced to desperate orphanhood by the collapse of the Soviet Union. Meanwhile the old theoretical feuds that divided the two parties for half a century have been consigned to the rubbish heap by history: Trotsky today is as irrelevant as Stalin, whether in national or in international politics.

But is the merger going to make any appreciable impact on the course of Sri Lankan politics? We recall the formation of the United Left Front in the early sixties — not a merger, of course, but an alliance, which however also included Philip Gunawardena's MEP. But that alliance was launched with the hope of making a bid for state power. Its only result was to pave the way for the entry of the LSSP and CP into an SLFP-led coalition, while in due

course Philip Gunawardena found his niche in a UNP cabinet.

This time round, the merged LSSP-CP is already committed to being a junior partner in an alliance with the SLFP. In 1964 coalition politics was defended on the ground that left pressure would be able to push the SLFP in a more radical direction, especially with the intellectual advantages enjoyed by the left's 'golden brains'. We all know how those dreams turned out. But no doubt, the same hopes will be advanced on this occasion, and with the sanguine expectations that a Chandrika-led SLFP will be more responsive than the Sirima-led one. But the crucial question is: What in fact has the left today to contribute by way of ideas or policies, with some of those 'golden brains' gone and the survivors somewhat older, and with an SLFP leader who is herself an intellectual in future command?

But the question posed in the last sentence isn't fundamentally a matter of the

calibre of individuals. The left merger takes place at a time when Sri Lanka and the world have entered on a phase of politics in which the old formulas and the old rhetoric of the Sri Lankan left seem like faded banners. What is the content of the LSSP-CP's 'socialism' today? Is it still a reiteration of the old attachments to nationalisation and welfare populism, which have become increasingly unrelated to contemporary realities and popular demands? If not, what are the new alternatives it has to offer?

Since the crisis of socialism in the last decade, beginning in Eastern Europe but soon engulfing all socialist countries, there has been active rethinking of concepts and policies by left parties the world over. The LSSP and CP leaderships have stood out by their failure to produce any innovative thinking. Given these circumstances, will the merger be anything more than a forlorn embrace of ageing babes lost in the wood?

The LTTE : The Military Challenge

Jayanath Rajapakse

The other two issues, the link between the Tamils of the north and the east and the LTTE, and the military challenge of the latter, being two integral parts of a whole, can be considered together. It is well to recall how the LTTE came by this role. On the one hand, excesses by the Sri Lankan armed forces against Tamils in the Peninsula especially, during the period '83-'86 approximately, induced Tamil civilians to look to whoever amongst them could afford them some protection. On the other, the deception perpetrated by the Government against the elected, moderate TULF leadership caused them to become marginalised in respect of winning Tamils' rights.

Here too, the Government did not lack for good advice from India. In the first week of August '83, the late Harry Jayewardene was given one, simple and clear, piece of advice to be conveyed to the President, by Prime Minister Indira Gandhi and External Affairs Minister Narasimha Rao: they said: tell the President to do a deal quickly with the TULF, because otherwise he is going to have to deal with militants sooner than later. It is one of those sharp ironies in which the history of human conflict abounds, that literally even as the Indian leaders were giving this advice to the President's Special Envoy in Delhi, Parliament here was adopting the 6th Amendment.

Now, if the LTTE's challenge is to be withstood successfully, their military capability has to be blunted to the point where they themselves stand denied a military option. But, for such an endeavour to make any sense, let alone be realised, it has to go hand-in-hand with negotiation of a settlement that can command Tamil support across the board. For, it is only to the extent if any that the Tamils in the north and east come to believe in the state's (that means Government and Opposition) sincerity of purpose about a fair settlement, that they could be persuaded to move out from under the LTTE's shadow. And, unless and until that happens, any talk of a Government military option is pie in the sky.

Even at the level of military action per se to blunt the LTTE's capability, two

conditions need to be met, of which there has been no evidence yet: first, our forces have to be provided with the resources in men and requisite types of weaponry which would enable them to wrest and hold the military initiative long enough; and second, they need to have this available simultaneously in the north and east. For the Government's strategy of first clearing and securing the east is doubly flawed: at the theoretical level, it is a non sequitur given the LTTE's aim to establish a contiguous Tamil domain in north and east: so, at the very least, the state's forces need to be able to wrest and hold the military initiative simultaneously in north and east. But even granted that they are given these resources, one still needs the back-up of para-military forces to defend, and civilian cadres to administer cleared areas, to enable the forces to extend the frontier of clearance. The problem of 'pacification' of cleared areas has been dealt with at length by 'Taraki' in the Sunday Island of 21 November.

Military Situation

The layman has to rely on impressions to be had from media reports of the military situation. Over the past year or so, certain features have come to characterise it. There is no need to dwell here on the sharply escalating level of casualties — dead, disabled and otherwise wounded. This is not because it is unimportant: rather, because it looms so large in the mind of each of us, that it requires no emphasis. Then, there have been the sequence of successful attacks by the LTTE on critically important armed forces camps — such as Janakapura. This would indicate that the military initiative lies with the LTTE: they seem able to strike where, when and in what strength they like, and achieve surprise. There have also been periodic reports of large scale desertions, and dissensions within the high command: both usually indicative of a serious loss of military morale. Readers of 'Counterpoint' (the Ravaya's English monthly) would have seen in their latest issue a persuasive account of flawed strategy and tactics in the recent much-heralded Operation Yal Devi.

All in all, the impression to be had by a layman is that the military situation per

se is adverse to the state's interests. This suggests one or both of two conclusions: first, that our forces lack the necessary resources in numbers of men and appropriate weaponry needed to wrest and hold the military initiative, and/or secondly, that the military high command, lacking the necessary resources for viable military strategy, are nonetheless seeking to meet unreal expectations and timetables set for them by the political leadership. It is worth recalling that the IPKF, with hugely superior forces in numbers and equipment, and free of the responsibility of protecting Sinhalese 'frontier' settlements, yet failed fully to blunt the LTTE militarily in the time they were allowed.

Just over two years ago, a Committee convened by the Government to examine the prevailing situation recommended a rapid and substantial induction of extra military resources as the minimum requirement to enable a viable strategy to blunt the LTTE's military capability. They concluded that without this, there would be prolongation of fighting with increased loss of life, loss of military morale, and the risk of flawed military strategy to keep pace with unreal political targets. There was no evidence then or later their recommendation was accepted, far less implemented: there is ample evidence from published reports of the prevailing military situation, that their forecast was well-founded.

Those in charge of these affairs then continue to manage them; the same political party remains in office as ushered in the ethnic conflict, now in its 11th year in its present intense form. Both the political and military approach towards resolution of the conflict remain visibly unchanged. This should, at the very least, provide a solid basis for book-makers offering attractive odds on conflict resolution.

Finally, there is surely something terribly wrong with the governance of a country ostensibly at war, for well-meaning distinguished citizens to have to mobilise public subscription to provide frontline military forces with their bare necessities of food and shelter, never mind adequate types and quantities of weaponry with which to defend themselves.

Referendum Fall Out I

The Pavidu Handa Case/The Vivienne Goonewardene Affair

Arden

During the referendum campaign a group of Buddhist monks and Christian priests calling itself Pavidu Handa (The Voice of the Clergy) printed a pamphlet urging the people to vote for the Pot against the Lamp. Deremitipola Ratnasara Thero was the chief organiser of the group. P. Udugampola, Superintendent of Police, sealed the press where the pamphlet was printed and confiscated 20,000 copies of it. Ratnasara Thero petitioned the supreme court under article 126 of the constitution. The supreme court held that the S.P. had acted unlawfully and that his action was an interference with freedom of speech and publication, and ordered him to pay the petitioner Rs. 10,000 in damages plus costs. The court's order was made on 8 February. On 2 March the government publicly announced that Mr. Udugampola would be promoted as Senior Superintendent and that the damages and costs ordered against him would be paid from state funds.

Within a week of this announcement, on 8 March, International Women's Day, Mrs. Vivienne Goonewardena, one-time L.S.S.P. Member of Parliament, led a group of persons carrying banners to deliver a letter of protest to the U.S. embassy in Kollupitiya. Having delivered the letter without incident they were returning home when some policemen confiscated their banners. A press cameraman took a picture of this incident and was promptly arrested and taken away to the police station. Mrs. Goonewardene went to the police station to inquire and, according to her, was manhandled and kicked by the police and placed under arrest. She, too, petitioned the supreme court under Article 126. The court held that her arrest was unlawful, ordered the state to pay her Rs. 2,500 in damages and instructed the Inspector-General of Police to make inquiries into the matter and take necessary action in accordance with law. This judgment was delivered on 8 June. On 9 June the sub-inspector who arrested Mrs. Goonewardena was given a promotion on

the orders of the president.

Next, on 11 June, occurred something very much in the style and spirit of the events on referendum day.

Unruly mobs came in government-owned vehicles and invested the houses of two of the judges who had heard this case, and also a house the third judge had till recently occupied. The mobs shouted threats and obscenities at the judges who tried without success to telephone the police. The lines were strangely all permanently busy.

The C.R.M. called it "the most grievous instance of contempt of court in the history of our country" and called upon the attorney-general to take up the matter with the supreme court. (C.R.M. Leaflet of 2 June 1983)

A few days later a person who said his name was Kalu Lucky arrived at the offices of the Daily News and said that it was he who had organised the demonstration and claimed it was a democratic right to express one's views. This statement was duly published in the Daily News. Neither the attorney-general nor the police took any notice.

Mr. Paul Sieghart, chairman of the executive committee of Justice (the British Section of the I.C.J.) interviewed President Jayewardene on these matters. He reported:

"The President freely conceded that he had personally ordered the promotion of the two police officers, and the payment out of public funds of the damages and costs. This, he said, had been necessary to maintain police morale. He strongly criticised the supreme court for not affording Mrs. Goonewardene's sub-inspector the opportunity of giving oral evidence and clearly regarded this as an instance of the Court putting itself above the law... He also volunteered the information that he had left Sri Lanka

for a foreign visit some days before the demonstration outside the judges houses, but pointed out that the right to peaceful protest was always available to the people of Sri Lanka... He has now conceded that the promotion and costs out of public funds were his decisions — at a time when he found the supreme court a hindrance to some of his policies. The conclusion is inescapable that he was deliberately seeking to teach the judges a lesson, in order to make them more pliable to the executive's wishes. If that is so, these were grossly improper acts; but for the immunity from all suit which the President enjoys under Article 35 (1) of the constitution, they might well have been criminal offences under Article 116 (2)".

The president's views on what constituted peaceful protest seemed to accord with Kalu Lucky's; the president's own style of registering protest was shown in the way he responded to a report that the incumbent monk of the Buddhist temple at Getambe had described him as a "traitor". Government "temporarily acquired" the temple land and barbed-wired it. (Wanmapala and Hewagama: Recent Politics).

The Blundering Bureaucrat

The Bar Council demanded the appointment of an impartial commission to inquire into the demonstrations. President Jayewardene who was ready enough to appoint a parliamentary select committee to inquire in K.C.E. de Alwis's accusations against the supreme court judges who had found against him, ignored this demand. The chief justice issued a statement in respect of the demonstrations:

"They will in no way stop the judges of the supreme court from independently discharging their duties. (The judges) feel that certain actions taken in recent times have been an incentive to the events of last Saturday (11 June); we need hardly add that such events will in no way deter us from being indepe-

ndent in discharging our duties". (Daily News)

The country had no difficulty in figuring out whose "actions" the C.J. was referring to. But the government had not done with the judges.

Next occurred an event of which Chief Justice Neville Samarakoon said: "The annals of the supreme court do not record such a unique event and I venture to hope there never will be such an event in the years to come".

On 8 August 1983 the sixth amendment to the constitution became law. This ill-considered and, as it turned out, disastrous amendment, *inter alia*, required supreme court judges (among many others) to take an oath not to support, espouse, promote, finance, encourage or advocate the establishment of a separate state in Sri Lanka.

The C.J. said:

"On 21 July 1983 the President of the Republic forwarded to the Chief Justice eight copies of a bill entitled 'Sixth Amendment to the constitution' which the cabinet of ministers considered urgent in the national interest in terms of Article 122 (1) of the constitution. The S.C. considered this bill on 3 August and tendered its advice to the Speaker. This bill was passed by Parliament with some amendments and was certified by the Speaker on 8 August. Each of the judges of the supreme court took the oath set out in the seventh schedule to the bill before another judge of the supreme court. The oaths of the judges of the Court of Appeal, similarly, were taken before another judge of the same court.

The oaths of the judges of the Court of Appeal were taken on dates prior to 4 September and the oaths of the judges of the S.C. were taken before 31 August. They were well within the time limit of one month stipulated in the Act. On 22 July the petitioners in Application No. 47 of 1983 instituted an application against the respondents, complaining of an infringement of the constitution. The application was taken up for hearing by a bench of five judges on 8 September. The argument was not concluded on that day and was resumed the next day. Counsel for the peti-

tioners was making his submissions when one of my brother judges, who was reading a copy of the act, brought it to my notice that the provisions of the section 157A contained a requirement that the judges of the supreme court and the court of appeal should take their oaths before the president, which had not been done by any of the judges.

The judges of both courts considered this matter and wrote to the President, *inter alia*, that in their *opinion* the period of one month expired at midnight on the same day and that they were thus prepared to take their oaths.

There was no reply from the president. I was informed by the minister of justice that he had contacted the president and had been told that the president had been advised by the attorney-general that the period of one month had expired on the 7th. In the result no oath could be administered on Monday the 12th. I was informed that the courts of the supreme court and the court of appeal had been locked and barred and armed guards placed on the premises to prevent access to them.

The Minister of Justice, while deprecating it, assured me he had not given instructions to the police to take such action. I was made aware on Tuesday that the guards had been withdrawn. The Deputy Solicitor-General informed Court that it was the act of 'a blundering, enthusiastic bureaucrat'. He apologised on behalf of the official and unofficial bar. On the last day of the hearing the Deputy Solicitor-General withdrew the apology and substituted an expression of regret".

(No explanation was offered by the Deputy S-G for this strange course of action. It was left to be wondered whether the blundering bureaucrat had prevailed on him to do this).

The C.J. also said:

"On 15 September all judges of the Court of Appeal and the Supreme Court received fresh letters of appointment commencing 15 September. To my mind the provision which requires the oath to be taken before a particular person is directory and not mandatory".

In March 1984 it was proposed to

amend the Parliament (Powers and Privileges) Act to permit the publication in the press of parliamentary debates notwithstanding that such publication would be contempt of court. Ostensibly this was in furtherance of the freedom of the press; the government even suggested that the proposed legislation would bring Sri Lanka's law into conformity with the law of other Commonwealth countries, including the U.K. It was a transparent device to enable judges to be attacked under cover of privilege, with the publication of such attacks made legal.

On 17 March the C.R.M. lodged a strong protest with the president against the proposed amendment. The protest was ignored.

On 20 June 1984 the Parliament (Powers and Privileges) (Amendment) Act No. 25 of 1984 became law. The publication by any person of any report of any proceedings in parliament, whose publication had been authorised by parliament, was made legal even if it contained material which was in contempt of any court of law.

Referendum Fall Out II

Wijeweera's Case

Rohana Wijeweera, leader of the Janata Vimukti Peramuna (J.V.P.) filed plaint in the District Court against Chandranda de Silva, Commissioner of Elections, seeking a court declaration that the referendum had not been conducted by the Commissioner in accordance with the law and asked for a mandatory court order that the returning officers be directed not to destroy "the packets and documents" connected with the referendum.

Plaintiff alleged, *inter alia*.

- a. open and flagrant violation of the Referendum Act by Ministers, M.P.'s, officers of state and others;
- b. illegal acts committed within polling stations in the presence of Presiding Officers which those officers placed on record in their reports to the Commissioner;
- c. abuse of police powers in violation of fundamental rights;
- d. the display of the lamp symbol in derogation of the law;

- e. the confiscation of polling cards of those suspected of being against the proposed amendment of the constitution;
- f. intimidation of voters by threats, violence and deadly weapons;
- g. intimidation of Opposition polling observers and the forcible prevention of Opposition polling observers from functioning;
- h. impersonation on a mass scale, in a highly organised manner etc., etc.

Due to the failure of the plaintiff to answer interrogatories served on him the District Judge dismissed the action.

An appeal to the Court of Appeal did not produce a different result.

The Report of the Commissioner of Elections

Next came the official report of the Commissioner of Elections on the referendum. It was the most defiant, most courageous, most principled official act by a public servant after constitutional amendments had removed all constitutional protection from public officials and placed them at the mercy of transient holders of political office.

The report confirmed many of the irregularities complained of in Wijeweera's plaint and mentioned a few more.

Writing in the restrained language of the public official, he told of opposition polling observers being intimidated into keeping away from polling stations, observers who did turn up being forced to leave the polling stations and voters displaying their ballot papers so that others present could see how they had voted. The commissioner called this "surprising and shocking"; he expressed "serious doubts" as to whether the voters "had exercised the degree of freedom of voting stipulated by the law". Throughout the poll there had been disturbance of the peace; in certain cases violence had been resorted to resulting in the close of the poll being held up. The commissioner also mentioned "the liberal display of referendum symbols in violation of the Act". The commissioner was of the view that voters were "subjugated to someone's command" to display their marked ballot papers by threats that, otherwise, "adverse repercussions were likely

to be visited on them". He added that previously at nine general elections and several district and local elections the principle of the secrecy of the ballot had always been observed.

He pointed out that the display of elected symbols was banned in 1960 after the deliberations of a parliamentary select committee because, among other reasons, it was found that such display often led to violence during election time. Subsequent to the banning, the country had had five parliamentary general elections, two local bodies elections, one development councils election and sixty parliamentary by-elections. In all of those ele-

ctions this provision was complied with. He said: 'What is clear is that there was a consensus of opinion to observe this ban'. In the 1982 referendum, for the first time, the ban was openly and widely violated by the government party; the police did nothing about it though the commissioner requested the I.G.P. to have the displays removed. Some displays were in front of police stations, he pointed out.

The government had a simple retort to the commissioner — it ensured that the report was not printed. (Interested parties, however were successful in making a few photocopies).

The Tweedle Twins and the Multi-Saurs

(The Clowns' Cantos — No. 3)

*Tweedle Gorb and Tweedle Sin
So long as they really remained in
Dreaming, ere being put to roam
On that Common European Home,
Had no feel of media praise
While clowning in old trodden ways.*

*But as they came in from the Cold
To Alien Cities brash and bold
Cap and bells were made to feel
Each drunken jingle was a peal
Of perfect Wisdom that was snatched
Post haste to headlines and then batched
In waves of newscasts, week by week
With Cover Stories, tongue in cheek.*

*Old Court Jesters never fell
For tall tales that travellers tell
But Tweedle Gorb and Tweedle Sin
By the Affluent Squint were taken in*

*Under the Common European spell
The Fools had no own Soul to sell
So they bartered Old Byzantium's Gold
For the counterfeit mould.
But the Common European Home
Had no hand-outs to gift or loan*

*The Eurasian Earth forged with steel grit
Was broken Grief beneath their feet
While Invest-Saurs with slump-crazed cries
Were tearing down their factories.*

*Now Tweedle Gorb and Tweedle Sin
Need the Troops to vote them in*

U. Karunatilake

Know your East Asia (2)

C. Mahendran

We are now entering another phase in our lesson on East Asian events namely, the emergence of this region since World War II as a dynamic force in world events. I say dynamic force because the end of World War II saw China in ruins, the Korean Peninsula divided and in ruins, and the entire Japanese country and its economy in ruins. History at times seems to work by the Ying Yan concept that any action pushed to an extreme will result in an opposite reaction.

World War II in East Asia was begun by men who wished to preserve Japan's position in Manchuria and gain a new empire, men dedicated to the conservative national polity and opposed to communism in China. The result of the war was a total loss of Japan's colonial empire, the destruction of the old polity and the rise of the communist party in China as a dynamic force.

We all are aware that the defeat of Japan in 1945 paved the way for American occupation of that country. Japan's history was significantly changed by American occupation because even though it lasted only seven years it was a decisive factor for Japan's subsequent development. The occupation succeeded because it built on some earlier trends yet in crucial respects it broke with the pre-war system in ways which were revolutionary. It made changes that would have occurred had not Japan been briefly subject to a foreign power. A significant reform under occupation was the enactment of the 1947 constitution. Under this new constitution we find that Japanese political life was transformed into a parliamentary state. The pre-war multiple elites such as the privy council, the services, the special officials close to the emperor, were either abolished or strictly subordinated to the Cabinet. The Cabinet became a committee; both houses of the diet became fully elective, the judiciary became independent, governors of prefectures were elected, human rights was guaranteed. The position of the Emperor was changed. Formally sacred and as well as sovereign; he was stripped of all powers related to government to become the symbol of the state and of the unity of the people deriving his position from the will of the people with

whom resides sovereign power. Another achievement of occupation was land reform. All land owned by absentee landlords and all land held by others above ten acres per family was bought by the government and sold to former tenants on extremely easy credit terms. In the modern sector of the economy the target of the reformers was the zaibatsu. The first wave of reforms dissolved 83 zaibatsu holding companies, froze the assets of zaibatsu families and then wiped out their fortunes with a capital levy. This broke the giant combines into their components or combines, companies and banks. This reform had very significant influence on the emergence of Japan as a leading industrial power after the war. Critics have argued that these reforms meant little and that the post occupation Japanese government ignored the anti-trust law. This may be so. But, going on what the past record has been the reforms helped the new emerging elites in Japan to undertake re-assessment of the economic system which had led to the elevation of the military. In future what we see is that the commercial classes were to ally with the politicians to bring about a stable political entity wherein the economic miracle that has transformed Japan could take place.

Finally, a vital reform took place in education. Before the war education was compulsory only for six years. This was extended to nine years and most students went on for 12. Furthermore, the quality of education was emphasized and the American pattern was adopted for general education. As a result what we find is a total commitment to the producing of excellence in schools, universities and technical educational institutes.

At the end of the War with its empire lost, its population swollen to 72 million, its foreign relations severed and its industries smashed, dismantled or stopped for lack of raw material, Japan's prospects appeared bleak. The committee that was installed by the American occupation took matters in hand and what we see from there on was a determined effort with American help to rebuild an economy that had been devastated so that by 1952, two billion dollars had been given by the United States as aid, inflation was controlled and by 1953 we find a rapid transformation taking place in the Japanese eco-

nomy. By 1970 even a casual visitor to Japan was assaulted with evidences of well being. Television antennas sprouting from tiled roofs, new buildings with air conditioning and automatic doors. The old roads had been replaced with new ones and the railway was humming in the countryside bringing in transportation to the door step of every Japanese. The life expectancy in Japan had risen to 68.7 years for men and 73.7 for women. Per capita income had risen from \$ 146 in 1951 to \$ 395 in 1960 and rose to over \$ 2000 by 1972. This put Japan ahead of Italy, Austria and England in per capita income.

There is no single explanation for Japan's phenomenal growth in the early post-war decade. Rather it was a result of a great variety of factors working together. Japanese workers were hard working, literate and technically advanced. A German industrialist visiting Japan in the late 1960s commented that Japanese workers worked the way German workers used to work. The Japanese had a high rate of savings. A 1970 advertisement for a Japanese bank on a Tokyo billboard showed a smiling family: a mother, a father and a single child and the caption read "Happiness is a bank account with a million yen" (at that time about 3300 US Dollars).

At the end of World War II there was a gap between the technology of the most advanced nations and that of Japan. Importing new equipment Japan took advantage of technological progress. Another factor in Japan's economic advance was the relatively light burden of non-productive military spending because of the occupation and the proviso that Japan should not build a military that would challenge the countries as she did before World War II. Even agricultural productivity increased and as we saw Japan became a country that emphasized total independence in this sector. Another critical condition for growth was the resumption of multi-lateral world trade. United States being an ally of Japan and with the cold war in place the Japanese government and business leaders took full advantage of this alliance to transform their economy gearing itself to export to the United States, perhaps the world's largest economy at that time. Today 40%

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of the Gross National Product of the world is shared between the United States and Japan.

A final factor of great importance for economic growth was the particular Japanese combination of free enterprise and government guidance that business from other countries sometimes referred to as Japan Incorporated. A number of points may be noted.

1. Banking credit backed ultimately by the government made heavy capital investment possible on the assumption that increases in productivity would provide surpluses to cancel out debts later on. The system worked where roughly 2/3 of the capital requirements of the average American company were met by stock and 1/3 by debt, in Japan the percentages were reversed.
2. The government was more deeply involved in planning than the government of any other non-socialist state and guided the economy probably with greater skill than any socialist state. The Finance Ministry and the Ministry of International Trade & Industry co-ordinated their efforts through the Economic Planning Agency in charting Japan's future growth.
3. The government successfully carried out a policy of protection. Foreign competition was permitted mainly in areas where foreign companies could not compete or where Japanese production was not planned. Infant industries, particularly new technologies were protected by successive walls of tariff, quotas, currency controls, foreign investment controls and bureaucratic red tape. Foreign investment was not welcome except when it brought in new technology and then only as a minority interest through such protective policies as well as by direct allocation of research funds to Tokyo University for example strenuous efforts were made to develop industries of the future such as computers.
4. Japanese businessmen often chafed at bureaucratic regulations and government interference and argued that it was their own efficiency and hard work that was responsible for their success. This was not untrue. Inspire of the large government role in the economy Japan was not a socialist country. Most economic decision ma-

king occurred within the company unit. Each company had to suffer the consequences of wrong decisions. Each company rested on its own bottom financially yet the attitude of businessmen towards the government took for granted a favourable and supportive business climate such as did not exist in most other countries.

Today we see Japan enjoying perhaps the second highest per capita income in the world. She contributes practically half of all aid allocations to the developing world. Her trade with the rest of the world is phenomenal and as an economic giant she has to be reckoned with.

Korea was occupied by Japan from 1912 onwards and the Korean Peninsular became a Japanese colony right upto the end of the second World War. Thereafter the communists pushed from the North, the Americans pushed from the South ended up in the bifurcation of the peninsular. This bifurcation resulted in the northern portion becoming a socialist oriented country while the south was influenced largely by American economic principles. The South consequently developed rapidly so that today you have the republic of Korea having considerable economic growth in practically every sector while the North has a very stagnant economy belying the fact that the North of the country is perhaps the richest mineral area of the two halves of this country.

The North was under communist dictatorship and the South though having had a long line of military rulers ultimately decided in 1988 to revert to the democratic elected form of government where the presidency is elective and the parliament is also an elected assembly. This has brought about a complete transformation of the South Korean society. Politically and economically we can therefore say that the Republic of Korea.

Today is a liberalised state whereas the North is still in the grip of a socialist government ruled by President Kim Yun Soon and the type of government is very authoritarian with hardly any manoeuvre possible either in the political area or in the economic sphere.

The South Korean economy however has shown considerable resiliency and despite the recent problems in world economy South Korea today economy a per capita income of approximately US\$ 6000-7000 and is increasing her annual growth rate rapidly which has led to some

economic problems but the government has been able to manage this problem and keep a steady increase in the Korean share of world trade to the point that today the South Korean economy has to be considered as one that is geared to consistent growth over the next decade. Today the rapidly advancing economy in every field of activity to the point where she has begun offering loans to developing countries with a view to attracting business.

In 1948 when the British left Sri Lanka foreign policy as a function of Government was in the hands of the Prime Minister of the country. The Prime Minister controlled the Ministry of Defence and External Affairs. Mr D S Senanayake being the first Prime Minister naturally had control of foreign policy of Sri Lanka. Early in his stewardship of the country's affairs Mr Senanayake decided that it was best to have a continuity in the relationships that existed as they were under the British. In other words we as a nation were guided by our national interest, and in this effort the Commonwealth and Foreign Office in London assisted us in setting up the nucleus of a foreign office in Colombo which was part of the Ministry of Defence and External Affairs. The British assisted the new Dominion in many ways to smoothen the transition. Thus we see early as 1950 when the British Government decided to recognize the People's Republic of China on the 5 January 1950; on the same day the Government of Sri Lanka too sent a telegram to the Government of the People's Republic of China that the Government of Sri Lanka had decided to recognize the People's Republic of China. This event took place at a time when the Colombo Plan meeting was being held in our capital, and Mr. J R Jayawardena who was then the Finance Minister issued the declaration on behalf of the Government.

During this period our attitude towards East Asia was, one of exploring, and analysing as to what we could achieve from our contact with these countries. Naturally having just emerged from our colonial past, we were not in a position to in any way decide on a line of action which can be considered a policy. However, very soon events unfurled which forced our hands to declare a certain line in our relations in East Asia. When the Korean war broke out in 1950 and the United States had decided that she would fight that war to the bitter end, even if it meant invading the People's Republic of China.

China had firmly supported North Korea and was in great need of a strategic commodity at that time. As I have indicated in my earlier lecture rubber was a commodity that was produced in our country in great abundance at that time and natural rubber suffered in the world market consequent to the United States Government deciding to dump synthetic rubber on the market. Her war time stock piles were being released at the expense of our natural rubber, leading to price decline of our rubber; and our estates and estate owners as well as the agency houses suffered considerably because we could not meet the cost of production due to low prices.

The Chinese Government at this time sent a feeler to us through some of our mutual friends whether Sri Lanka was interested in selling natural rubber to China. We promptly responded and Mr. R.G. Senanayake the then Minister of Commerce was sent to China heading a delegation and concluded the famous rubber/rice pact on the 17 December 1952. This was the first major initiative by Sri Lanka in regard to initiating a policy in East Asia; and this rubber/rice pact was to remain the cornerstone of our policy towards China which is held by the Chinese as a model agreement between nations that benefited both countries. The Chinese Government agreed to sell Sri Lanka rice in return for our natural rubber and the rice which we were to which was from Burma, was bought by the Chinese and shipped from Burma to Colombo. This was a very mutually advantageous agreement, and the Chinese even today quote this agreement as a symbol of the type of friendship that could develop between two countries, and in this case between Sri Lanka and the People's Republic of China; as a principled stand by the Government of Sri Lanka.

They have always maintained that they would never forget the help Sri Lanka gave China at a time when the United States were even threatening countries like ours with dire consequences if we sold strategic goods to the enemy. In spite of all these warnings, the Government of Sri Lanka knew what her interests were namely the right to sell rubber to China. Sri Lanka of course suffered the consequences and the United States in her reaction to our sales brought into force the Battle Act that precluded any assistance to our Government in view of our help to the People's Republic of China.

Notwithstanding, our Government stood firm and we were vindicated in our

actions because our China policy which stems from this single act has developed into one of the enduring relationships that have ever taken place between the two countries. Even today the Chinese Government assists us in the spirit of this assistance, and is motivated by the fact that despite the threat of retaliation by a powerful country we a small weak country was able to withstand pressures and sell a strategic commodity to the People's Republic of China in 1952. The Chinese have told us that they would never forget this act of friendship which was to be advantageous to both countries.

The next big event which was to pay rich dividends was when the San Francisco Peace Treaty was to be signed in 1951. The Government sent Mr. J R Jayawardena the then Minister of Finance to St. Francisco to represent Sri Lanka in the event. At this conference our Finance Minister Mr J R Jayawardena who later became the President of this country, assessed the situation as being a very difficult one for the defeated power namely Japan. We being a Buddhist country and Japan professing Buddhism, were to say the least in the same boat culturally. Mr J R Jayawardena seeing that the Soviet Union at that time was determined to cut up Japan into three parts or more; and that the United States as the occupying force was in two minds, decided to give the Japanese Government every assistance in its plans to see that the Soviet attempt would not see the light of day. At the crucial moment during the proceedings when it was Mr J R Jayawardena's turn to speak Mr Jayawardena made the famous speech which was to resound in the halls, in which he appealed to the great powers that division of Japan would not solve the problem, if at all it will bring about an irredentist claim, and the Japanese would rise again and fight again to reunify their country.

On the other hand he appealed to the great powers to take the words of the Buddha to heart, and quoted these famous lines from the Buddhist scriptures namely "hatred does not cease by hatred but by love alone", these words reverberated in the hall and the United States delegate thanked the Sri Lanka delegate for his speech, and the Soviet Union found practically everyone was of the opinion that Japan should be left alone without any territory being taken away from that country. Mr Jayawardena appealed that it is not the people of Japan who were to blame, but a few leaders who had misled that country into war, and it was nothing but right for other countries to take stock

of this situation in dealing with a defeated foe magnanimously in order that, that country would be able to rejoin the comity of nations as a full partner to play a useful role. In this policy Mr Jayawardena was able to lay down a very fruitful line of action, because here again we find that policy laid down by Mr Jayawardena and the Government of Sri Lanka at that time has led today to Japan being the greatest benefactor to Sri Lanka in regard to aid and assistance.

Today the Government of Japan contributes roughly half of all overseas development assistance to Sri Lanka. These actions by our leaders at that time were very useful and contributed in no small measure to bringing about a very healthy relationship with East Asian countries. In regard to Korea we find no firm policy had been drawn up. In 1956 Mr S W R D Bandaranayake became the Prime Minister of Sri Lanka and one of his first acts was to open an embassy in Beijing, and China reciprocated by opening the Embassy of the People's Republic of China in Colombo. At the same time the Government of Mr. S W R D Bandaranayake took upon itself to formulate and follow with other countries in Asia and Africa the non-aligned status of our country. Following as it did the famous Bandung Conference in 1955 we find this new thinking was received very well by the People's Republic of China and North Korea which was also a socialist country. On the other hand the United States of America which was assisting South Korea was unhappy that some of the Asian countries were joining a movement that was to build up a third force. The cold war, and the attitude of the United States towards Non Alignment as a force, inevitably led to Socialist countries, considering Non Aligned countries as their "natural ally".

In regard to Japan however our relationship continued as it was because Japan felt that a country that not only spoke on her behalf at the San Francisco Conference, but also had given up her right for any compensation or any war reparations consequent to the bombing of the Colombo area by Japanese bombers, was not only a friend but a friend that had to be assisted. Thus our policy towards East Asian countries was such that, our national interests were served. Our leaders both in the UNP and the SLFP in bringing about a closer amity between peoples and Governments of East Asian countries and our Government and people helped in forging a relationship that was and is mutually beneficial.

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Role of Press Councils

Javed Jabbar

The universality of communication ethics, their world-wide relevance and applicability across continents, across cultural and national frontiers acquire a particular intensity in South Asia for at least the following two reasons:

a) The extraordinary diversity and heterogeneity of the South Asian region in virtually every respect of creed, class, casts, dialect, language, culture, race are nevertheless contained within a large yet unifying homogeneity: the identity of a South Asia civilizational persona which seeks to preserve a heritage of shared values and ethics in the face of advancing urbanization and industrialization that erode and weaken this identity with new values and ethics.

b) Communication through the mass media and specially the electronic media is growing at a pace faster than other aspects of social and economic development, e.g. faster than print literacy, thus opening up the possibility that a critical "knowledge by-pass" is taking place. Unlike the industrialized countries in which electronic media developed *after* the people had achieved print literacy, in South Asia, electronic media are promoting a new evolving culture of contemporaneity that prioritizes consumerism, acquisitiveness, competitiveness, imitativeness and material progress as adjuncts of electronic literacy even before people have had the opportunity to imbibe their historic values, ethics and knowledge through the print media.

Therefore, communication ethics from a South Asian viewpoint have an exceptional sociological significance: they relate to a set of principles and perceptions concerning an extremely varied and volatile region at a time of great ferment when change is affecting the nerve-roots of the people.

In a comparative context, the South Asian region in contrast to other regions is markedly deficient in media development and media communication, except for one or two regions of Africa. Measured by the criteria of access to radio, TV and newspapers, the vast majority of the people rank amongst the bottom 40 to 50 countries of over 150 developing countries.

Only in cinema do the people of the region in some parts enjoy somewhat convenient access to a medium of communication.

In a region and in an era of severe social turbulence, are ethical standards unequivocally defined and explicitly recognized? Or are ethical standards too also undulating, shifting and imprecise?

On certain issues, ethical standards can be clear and consistent. For example, on the rule of law, on the need for integrity in public office, on the need to strengthen democracy, there are abiding, universal, undisputed values. However, in an era of unprecedented technological change and rapid social and demographic transformation, some issues raised by genetic engineering are already introducing new ethical questions.

Traditional notions of fairly fixed, permanent ethical standards are being challenged by an amalgam of mixed values in which pragmatism has assumed primacy over idealism, in which privacy takes second place to media scrutiny, in which the public persona of a human being has superseded the rights of the individual.

There is a notable difference in the manner in which the Press observes ethical standards with regard to the principle of individual privacy and the principle of accuracy and the manner in which radio and TV generally observe the same.

Whereas the Press perhaps by its very nature is frequently accused of violating both privacy and accuracy, the electronic media are not similarly accused. Partly because their nature is less prone to such violation and partly because radio and TV in South Asia are either often owned by the State or controlled by Government. This is surely one of the distinctly beneficial aspects of official control of the electronic media — as in France and Italy or Pakistan and Sri Lanka. As a result of this, there may be an excess of political propaganda but there is a virtually total absence of individually defamatory attacks, except in cases where there is political defamation by Government of the Opposition.

Where the Press applies high standards to every institution and individual, the Press in South Asia is fairly reticent and reluctant to publish analyses about the proprietorial vested interests of Press owners. There are instances wherein through the newsprint import system or through favours granted by Government, Press proprietors have secured substantial financial benefits. When the public is denied access on the part of the Press, a set of double ethical standards are applied by the Press itself.

The Press is also sometimes reluctant to raise or pursue issues that may have an adverse impact on its advertising revenues. While a direct connection between editorial policy and advertising booking is disclaimed by the Press, there are examples where the Press prefers to maintain cordial relations with a major source of advertising revenue rather than to rock the boat. To its credit however on issues such as dangers to human health from tobacco smoking, the Press has been a vociferous forum for the expression of views by the anti-smoking viewpoint while at the same time accepting advertisements from tobacco companies promoting smoking —

presumably on the valid ground that as long as it is legal to manufacture cigarettes it is unfair to deny cigarette-makers the right to advertise them.

The principal characteristic of Press Councils as advocated by the Press is that of a self-regulatory body which minimizes or does away altogether, wherever possible, with a role for the State in enforcing regulation upon the Press. While the preferences for self-regulation in Press Councils may be a strategic choice to ensure freedom of the Press and avoid interference by the State under the pretext of regulation, this option also has the potential disadvantage of reducing objectivity and detachment when the Press has to regulate itself.

With this inherent anomaly about self-regulation, there is also the nebulous dimension of the vested proprietorial interest of the owners of the Press. Press proprietors invariably act through a collective body such as a newspaper publishers society. That is a valid form of self representation. However, when proprietors are also editors the proprietorial interest also comes to feature in the position taken by Editors' Councils on vital issues, sometimes blunting their sharp edge, or when strong positions are endorsed on paper, depriving actual implementation of effectiveness.

It is revealing to remember that the institution of the Press Council has failed to become truly effective even in the country acknowledged to have a genuinely free Press such as the UK. Neither the excess of the tabloid Press nor the extremities of the "serious" newspapers have been curbed by the existence of a Press Council in that country. Whether it is the case of a single individual like Elton John who in November 1993 accuses the Mirror group of newspapers of both wild slander as well as "cowardice" in portraying him inaccurately or whether it is the case of the Sunday Telegraph that maligns the Pakistan cricket team in April 1993 with banner headlines and then publishes an apology in October 1993 at the base of page five, the Press Council of the U. K. is an apt example of the contradiction between the Press operating as a strong

and vigorous institution and on the other the Press Council failing to develop into an effective regulatory body.

It is pertinent to note that, on the average, of say every one hundred news stories reported in the Press perhaps less than five or ten violate ethical standards and that therefore the overwhelming bulk of material handled by the Press itself meets ethical standards. It may then be said that a five to ten per cent volume of violation is a tolerable "margin of variance". The question however arises whether the individuals and the organizations that are adversely affected by this so-called "margin of tolerance" are suitably compensated by any collective action taken by the Press or by the Press Council or whether their sensibilities and interests may be sacrificed at the altar of the 90 per cent volume that meets ethical standards. In the Press, perhaps more than any other institution, the "margin of variance" cannot be the same as the margin of error tolerated in other sectors because news and perceptions shaped by news reporting are critical to the social, universal values of integrity and accuracy.

A margin of error is tolerable in "printers' devils" or in syntax or construction of language, page layout, or even editorial priorities but is not acceptable in respect of defamatory material often published without checking for accuracy with the subject of the story in advance.

A shoe factory may produce out of its total production about five per cent shoes that are defective and those five per cent are not going to substantially damage the honour or the interests of the shoe factory proprietors, its workers or indeed even the purchasers of the defective shoes. However, a single incorrect news story can have a substantially negative impact on the victim of the report which subsequent clarifications or contradictions will not wholly correct.

Thus, there is a need to develop and enforce autonomous, credible, alert and active Press Council with an adequate level of participation by private citizens representing the interests of readers and of society, a form that combines the function of a Press Ombudsman with the

function of a quasi-legislative Press forum to become truly effective Press Councils.

Journalists unions are primarily concerned with the economic rights and interests of working journalists. In theory they have an equal interest in upholding ethical standards amongst their members. In practice, they are preoccupied with wages, salaries, fringe benefits and working conditions. While some large and some small publishing groups are offering fairly reasonable incentives and incomes, journalists unions have considerable work to do in seeking to obtain decent incomes and facilities. In certain cases, due to their special position as media-related bodies, journalists unions obtain additional benefits in employment-related issues such as Wage Boards, etc. thus freeing them to give more attention to ethical standards.

In general, whereas journalists unions have played a sterling role in advancing the struggle for democracy and constitutionalism, they have been relatively lax in enforcing ethical standards due to obvious difficulties in monitoring and regulating the conduct of their own members.

As a degree or a diploma is not mandatory for entry into journalism, and as the possession of a degree or a diploma is no guarantee of ability or integrity, there is a discernible number of individuals who work as journalists who, either through ill-intent of misusing their position for personal gain or through sheer incompetence, violate ethical standards. Again as in the case of the Press as an institution, the question is whether the number of such individuals and their respective positions is so high as to warrant extraordinary concern. After all, the overwhelming majority of journalists are individuals of integrity and ability. Thus, all it takes is just one or two aberrant persons to make glaring violations of ethical standards.

Press Councils and journalists unions are important institutional mechanisms to safeguard professional principles and ethical standards as well as to help evolve and enforce new approaches and strategies to maintain an equilibrium between the freedom of the media and continuous accountability of the Press to the people.

The Biographer's Approach

Howard Schaeffer

I first met Chester Bowles in July 1963, just 30 years ago, when he came to New Delhi to become President John F. Kennedy's ambassador to Jawaharlal Nehru's India. I was then a fairly junior officer, a second secretary in the political section, but Bowles had little regard for the ordained pecking order and although the embassy was very large I came to know him quite well. I admired much of what he was trying to do. I worked with him in India for four years, then returned to Washington where I was India desk officer, in effect his backstop, for the balance of his six-year stint as ambassador. I kept in contact with him when he left New Delhi and retired from public life following the return of the Republicans to office under Richard Nixon in 1969.

Bowles was a remarkable man and left his imprint on many phases of American life. Born into a prominent New England family in 1901, he studied at Yale University, then made a small fortune in the advertising business in New York pioneering many novel marketing techniques in what has been called the golden age of American radio. He entered government service during the Second World War, when he played an effective and highly visible role as head of the Office of Price Administration, a key civilian agency whose activities had a significant impact on the lives of all Americans. These early successes paved the way for his entry into postwar elective politics. An ardent New Dealer and admirer of Franklin Roosevelt despite his family's longtime allegiance to the Republican party, he became Democratic governor of the state of Connecticut in 1948 following a closely fought contest. But despite his accomplishments during his two-year term, the voters of his state put his political ambitions on temporary hold by rejecting his bid for reelection in 1950. The defeat was a bitter disappointment to him and a major setback to his

ambitions for national office. As early as the mid-forties he had been spoken of as a potential contender for the White House, and at least until 1960 he continued to have aspirations for the presidency.

Like many another American politicians defeated at the polls, Bowles sought an overseas diplomatic assignment, and in 1951 was chosen by President Harry Truman as ambassador to India. Few who knew Bowles at that time would have predicted that the assignment would be a crucial turning point in his life. He had taken considerable interest in international affairs both before and after the war and had briefly held several foreign policy positions, but he had focused his major attention much more on domestic matters. Most people who knew him thought that following a few years in India he would again return to the domestic political battlefields.

They were wrong. Over the next two decades, at home and abroad, Bowles was one of the leading liberal lights on the American foreign policy scene. When Dwight D. Eisenhower's 1952 election victory brought his impressive performance in New Delhi to an early end after only a year and a half, he returned to Connecticut and became a chief Democratic party spokesman and adviser on international affairs. Elected to Congress in 1958, he played a highly active role on the Foreign Affairs Committee of the House of Representatives and served as foreign policy adviser to Senator John F. Kennedy during his campaign for the Democratic presidential nomination. He was disappointed when Kennedy did not make him secretary of state, a job he had long sought, but accepted the second slot in the State Department under Dean Rusk. His relations with Kennedy and Rusk became increasingly difficult, and after less than a year he was dismissed and kicked

upstairs in the so-called Thanksgiving Massacre of 1961 to become the president's special representative and adviser on Asian, African, and Latin American affairs. He left that rather anomalous and frustrating position to return to New Delhi for a second term, remaining there during a particularly turbulent period in Indian history and U.S.-Indian relations.

Bowles died in 1986 at the age of eighty-five following a 22-year struggle against Parkinson's disease. I was then U.S. ambassador to Bangladesh, and I wondered at the time what kind of judgment history would eventually pass on this unusual and controversial man who had tried so hard to leave his mark on it. When I returned to Washington I was surprised to find how little had been written about him, aside from what he wrote himself, and I welcomed the opportunity I later had to fill what I considered an important gap.

The book I have written, with the support of the Institute for the Study of Diplomacy at Georgetown University, focuses largely on Bowles's foreign policy role, especially over the two decades from 1951 to 1969 when international affairs were his primary concern. Fascinating as his earlier careers in advertising, wartime administration, and politics often were, I have looked at them mainly for what they disclose about his ideas on foreign affairs and his capacity to become a major influence in the making of foreign policy. The book thus stops short of being a full-fledged biography. I have also limited the scope of my discussion of what might be called the private Bowles, or Bowles the man. I have tried to present the flavor of his personality, his values, and the way he operated, paying special heed again to how these influenced his foreign policy role. But I have not gone into many of his personal relationships or other aspects of

his life apart from his career, and I have left it to others to develop convincing psychological explanations about how he got to be the complex person he became.

Writing the book was a great adventure, my first effort as an author (as distinct from a drafter of Foreign Service telegrams and memoranda) after a long diplomatic career. My principal sources have been Bowles's own writings. These were voluminous. He wrote a long account of his years in public life; published two major books and several shorter ones on foreign policy; and prepared countless magazine articles, speeches, and lectures. He was also an energetic private correspondent and a prolific drafter of memoranda both as a government official and as a private citizen. From time to time he kept a diary and wrote private notes for his own record. To the great satisfaction of potential biographers, and no doubt with them in mind, he carefully preserved his papers and before his death gave all of them — every last scrap, his daughter told me — to the Yale University Library where they have been expertly catalogued and, with few exceptions, made available to scholars.

When going through these papers I was surprised by the way Bowles had on his own simply declassified many of the secret and confidential documents he had drafted. A good number of them are on sensitive issues and would probably have remained locked up in the archives had he not done so. Indeed, when I reported to some friends at the State Department what I had been able to find, one of them suggested that Yale should be obliged to return the material to the government for proper handling. Fortunately no such silly effort was made. I am confident that Yale would have resisted it, and that it would have failed in any event.

Aside from preserving his papers and passing them intact to a reputable university library, Bowles provided another important assist to future biographers. A few years after his retirement from public life, he engaged one of his colleagues to talk about him to a dozen or so people with whom he had worked closely over the years. The texts of these interviews were transcribed as oral history state-

ments; they too are available at Yale.

I can't overstate how important the information generated by this unusual action on Bowles's part has been to me and, I would think, to others interested in learning about him and the making of U.S. foreign and domestic policy in his time. There is a big difference between catching people when recollections of their activities are fresh and interviewing them years afterwards. In the course of my research I spoke with more than fifty men and women who had known Bowles in one or another of his many incarnations. They included former Secretary of State Dean Rusk, onetime presidential adviser Clark Clifford, and other prominent American and Indian personalities as well as less well-known figures who had worked with him. Because I conducted the interviews years after my informants had last been in touch with Bowles, or, for that matter, had last thought about him, they could not compare in quality with those he had himself commissioned early on. Most people with whom I spoke were more valuable for my purposes when they offered general impressions and observations than when they tried to recollect facts only dimly remembered across the mists of time. Biographers, and historians generally, need to be alert for mistaken memories and are well advised to check them against the written record when that is available. I ought to add that, for some, the interviews provided opportunities to talk not about Chester Bowles but about themselves. Their accounts were often fascinating, if self-serving and largely irrelevant to what I was trying to do.

Official documents, other oral histories (including some Bowles himself prepared) and the papers of some of Bowles's associates in the presidential libraries and other government and university archives were also especially useful. The *Foreign Relations of the United States* series on South Asia proved a vital source for Bowles's views and activities during his first assignment as ambassador to India. The material covering the longer period of his second tenure in New Delhi has not yet been published, but I was successful in obtaining under the United States Freedom of Information Act many new, rele-

vant documents to supplement those declassified earlier. Although they do not provide as complete a record as I would like of Bowles's efforts and accomplishments in India in the 1960s, they offer a sound basis for analyses and judgments.

Let me move on now from methodology to discuss some of the more important contributions Bowles made to the way Americans thought about foreign policy and to the role he played in helping make that policy during the two decades when he was an important liberal voice in the foreign affairs arena. To me, and I would hope to my readers, Bowles's significance in foreign affairs goes beyond his immediate, often limited achievements. His career provides broad insights into the objectives of U.S. foreign policy and the way it is made. It has fresh resonance at a time when Americans are actively rethinking their approach to the world following the end of the Cold War. And it should have particular interest for an audience interested in the development of U.S. policy toward South Asia and the Third World.

Perhaps more than any major figures of his time, Bowles believed that U.S. foreign policy should be guided by American values and principles. For him, these were the liberal political, economic, and social ideals he had imbibed during Roosevelt's New Deal and sought to put into practice when he held positions of power in Washington and his home state. He was convinced that these ideals — what he called "the continuing American revolution" — could inspire and move leaders and peoples everywhere, whatever their countries' historical experience and current circumstances. The United States should promote these principles worldwide, he contended, not by the exercise of military power but by supporting the forces of political democracy, economic progress, and social justice abroad, and by setting exemplary standards in its practices at home. He favored, in effect, a global New Deal. It was that aspect of his career, and his fidelity in style and substance to the liberal ways of the 1930s and early 1940s, which led me to title my book *Chester Bowles — New Dealer in the Cold War*.

The Visa Saga

It may be useful to put down my recent experiences in trying to obtain British and American visas.

My visit to the British High Commission was like a scene out of a comic opera. First of all things, what was uproariously funny was how the Sri Lanka staff act — they are in fact, more imperious than the British officials there. Whilst, the Sri Lanka minions in their inner sanctums condescend to attend to the formal details set out in the visa applications of their fellow brethren on the other side of the picket, a Great White Father sits lazily sprawled on a stool within, drinking a cuppa languidly and for ever. I timed the exercise and it took all of twenty minutes, because, besides drinking tea he was doing a hard job 'supervising' the Sri Lankan staff and they ie the SL staff every so often exchange pleasantries with their 'supervisors'.

The powers that be made a grievous error in declaring David Gladstone 'persona non grata' and having him bundled out of the island unceremoniously. No wonder Britain has lost its old civility towards Sri Lanka's third world citizens. Surely, our 'learned' Foreign Office advisors ought to have advised the then President against this move but then that was the time of the 'one man show' and those with him were obviously just 'yes' men to the core.

Back now to the British High Commission. After the preliminaries you are inducted to an interview cubicle hardly sufficient to swing a cat and woe be unto you if you go in with your briefcase, because, whilst questions and documents are asked every so often, your back gets good exercise bobbing up and down to floor level to reach your briefcase. I could have well emerged from the ordeal nursing a bad back because even the fittest are not impervious to injury. By the way, their more affluent counterpart ie the American Embassy has an even smaller den. The British High Commission and the American Embassy must therefore give us a little more 'lebensraum' out of the goodness of their hearts, otherwise, there could well be liability insurance claims lodged against them. See what's going on today in the States, the Mecca of liability insurance.

All the documents I had showed that I was going primarily on business. I happened to blurt out in reply to an idle question, that it was in the nature of a busman's holiday. The face of the Englishman drew a complete blank. Whilst the other with typical 'ugly American' braggadocio curtly asked me what it meant. I enlightened him not without earning his wrath. That thought-provoking book 'The Ugly American' by two Americans William Lederer and Eugene Burdick should be read and digested by all foreign office personnel. The New York Herald Tribune called it a 'bombshell', and no wonder if you were to consider just one character in this book — viz. Joe Bing of the State Dept.

To cut a long story short, after more grilling and broiling, the visas were duly granted. Standing outside the American Embassy were 52 persons in the queue that day. I did a head count at 7.15 am. My travel agents advised me to send my chauffeur at 3.45 am that morning which I did. I armed him with a flask of coffee and sandwiches. When I called to relieve him, at 7.15 am he was about No. 8 or 9 in the queue and the first 5-6 places in the Q had been occupied by the derelicts of poor SL more than eagerly sleeping on pieces of newspaper overnight and these prized places were later sold to buyers at Rs. 200/- each. Furthermore, you stand exposed to the blasing sun which hits the rock-wall of the Embassy with some ferocity. Add to that, you have to contend with the grime, soot and smog of passing vehicles which envelope you. I endured this trying ordeal by wearing a linen mask until this torture ended at 8.45 am when we filed in. The awning outside, which the Americans in their largesse provide, is of no use whatever because of the slant and angle of the August sun. I was amazed how this simple fact escaped these highly organised Americans. But, even Homer nods!

Finally, this is not meant to be merely a piece of facetious prose. The facts stay firm. True, quite three quarters of the applicants are 'refugees' trying to flee their own country — mostly Tamils and their cases need study and scrutiny but, what of the business and holiday travellers. They need not suffer the ignominy of being pushed around? Why on earth then should the British High Commission and the Ame-

rican Embassy have such large Commercial divisions in their Missions here pushing their trade. Only the other day the Association of British Chambers of Commerce entered into a Memorandum of Understanding with its local counterpart. There is no doubt at all that the chaff has to be separated from the grain. No cavil at that. My nephew studying Engineering in London has told me that you could buy a Permanent Residence Visa in London for £5,000/- through various crooked agents. The British High Commission and the American Embassy must take precautions indeed but I would like to toss this suggestion to them.

I've never had to go myself for visas before and these were duly obtained for me as a bona fide traveller earlier by my travel agents.

It may be a good idea for the British High Commission and American Embassy to delegate, say, two or three travel agents of good repute to handle on their own responsibility the visa applications of bona fide business and holiday travellers. They will gladly do this as they normally deal with only bona fide travellers. This is a simple method which will avoid animosity. The ball is now truly in the court of these foreign missions.

It was not easy to get a French visa either. On the day my Travel Agents said I should go to the French Embassy, I went and to my dismay was told that no visas were being issued that day owing to staff shortages caused by the holiday month of August in France. I protested to the young 'gendarmier' at the enteance that I had only a few days left for departure, whereupon, he asked me to wait a half hour for the Visa Officer who was out of the Mission. He came sooner than expected, promptly assessed the situation and collected the money (Rs.501/-) with a request that I call for the visa the following day not before 10.30 am. The following morning the visa was collected but I had to fork out a further Rs. 1,600/- because, although my letter with the application mentioned that only a 4 day visa was required, owing to computer error a further 2 days were magnanimously given at additional cost. Alls well that ends well but a better system of issuing visas must be devised for the convenience of both visa

applicants and embassy officials.

The Swiss visa presented no difficulty and they came out with flying colours — no hassle, no fuss. The job before them was just properly and quickly done. Bravo Helvetia!!

A C S Candappa

Colombo 7.

US Ambassador's Response

I am very grateful to you for the opportunity to provide some comments on Mr. Candappa's letter. We value the feedback we get from our visa clients, and we want to take every opportunity we can to improve our services.

The central problem he discusses in obtaining an American visa is the discomfort of waiting outdoors in line. He's right to protest. Part of the problem is that, out of a desire to be the first in the queue, applicants often begin lining up outside the Embassy walls as early as 3:00 a.m. I would like to stress to your readers that there is no good reason for visa applicants to appear at the Embassy several hours before the opening of business, since our policy is to accept for interview everyone who appears at the gate between 8:00 a.m. and 10:00 a.m. on visa processing days. A limit is set only on those rare occasions when we are short-staffed. We still need to look for a better way of managing this, and I have asked my staff to come up with ideas and changes. As one modest improvement, we will begin the process of admitting visa applicants to the Embassy compound at 7:30 a.m., rather than at 8:00 a.m. Moreover, those applicants who cannot be accommodated in our visa waiting room (which seats only 35 people) will be permitted to wait in a quiet, shaded area inside the Embassy compound until space in the waiting room becomes available.

Regarding his suggestion that we work through selected travel agencies to facilitate visa issuance, I must advise that the Embassy is prohibited by U.S. Government regulations from favoring any travel agency (believers as we are in free and fair competition).

There is, however, a quick and easy way for persons who have had an American visa to get another one. Mr. Candappa

and many business people may fall into this category. The procedure is this: If your multiple-entry tourist or business visa has expired and if you have visited the U.S. within the past two years, you may simply drop off the following items at the Embassy between 10:30 and 11:30 a.m. on Monday, Wednesday and Friday: a completed visa application form; your current passport; the passport containing the visa (if it is in an expired passport); one passport photograph; and supporting documentation, such as a letter from your employer or a business contact in the U.S. The consular officer will examine all such applications that morning, and approved visas will be ready for pickup between 3:00 p.m. and 4:00 p.m. that same afternoon. This "drop-off" procedure is one of the ways in which we have tried to improve our services to the public. There is one final point which I would advance in seeking your readership's understanding of our situation. Americans have always been wary of intrusive police controls upon their lives, and, as a result, we have no system of national identity cards or residence registration. Similarly, it is a very complex procedure to deport a person once they are in the United States. For these reasons, we must be especially rigorous in screening visa applicants before they arrive at the port of entry.

That said, however, our prospective visitors should expect no less than courteous and efficient treatment, and I urge any one of your readers who has constructive criticism to write me so that we can continue to improve conditions.

Teresita C. Schaffer

Ambassador.

Follow the U.S.A.

It was very interesting to read Mr. Izeth Hussain's article "Media Reporting Parliament" (*Lanka Guardian* October 15th 1993).

It is most unfortunate that in Sri Lanka, the voters lose their power once they elect their representatives. In the U.S.A. voters can organize "initiatives" to recall their elected representatives by a certain percentage of voters signing a petition asking for a fresh election. Similar laws should be introduced in Sri Lanka. Will our Members of Parliament agree?

It will be a good idea if our Members of Parliament visit the American Library in Colombo and study the US Constitution and the various Federal and State laws. There are so many good things that our politicians can study from U.S.A. and Canada. We would never have an ethnic problem in Sri Lanka if we only have a Federal type of Government.

V.T. Saravanapavan

Edmonton, Alberta,
Canada.

Buddhism Betrayed: No Question Mark

I recently received from Mr. Arthur C. Clarke, through a common friend, a clipping from a Spanish newspaper with a request for a translation into English. The clipping contained a news report that Mr. Clarke had refused an invitation from the Vatican to meet the Pope, because he considered the Pope one of the most dangerous men on the planet as a result of the latter's condemnation of artificial methods of contraception.

Spain is still predominantly a Roman Catholic country, but there has been no outcry against Mr. Clarke as a result of this statement, no public meetings to denounce him, no charges that he was a Sri Lankan agent trying to undermine Catholicism. It is true that in the 16th or 17th century Mr. Clarke might have run the danger of being burnt at the stake, but since then the Roman Catholic Church seems to have matured enough to take these things in its stride.

How sad then that the spirit of Buddhism, originally the most antiauthoritarian of religions (witness the noble words of the Buddha in the Kalama Sutta), should in Sri Lanka have been eroded so much as to make possible the hullabaloo over Professor S.J. Tambiah's book. I note that in the title of that book Professor Tambiah left open the question he was discussing, by inserting a question mark after the phrase 'Buddhism Betrayed'. I would like to suggest to him that in the next edition he removes the question mark. The whole episode makes it abundantly clear that Buddhism in Sri Lanka has been betrayed, and by some of its most vocal professed defenders.

Regi Siriwardena

Colombo 5.

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