

LANKA

GUARDIAN

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MINORITY RIGHTS

TIME FOR RE-THINKING

— *Nihal Jayawickrema*

BEWARE, THE BROKERS ARE BUSY!

— *S. Sathanathan*

THE 25th HOUR

— *Jyantha Somasunderam*

INDIA'S SECULARISM: Supreme Court intervenes

— *N. Ram*

MEDIA AND CONFLICT

TOWARDS FAX AMERICANA?

— *Mervyn de Silva*

I ACCUSE! — *Imran Khan*

CRY FREEDOM!

— *Chanaka Amaratunga*

THE FREE MARKET STAGE

— *U. Karunatilake*

HALPE'S POETRY

— *Wilfrid Jayasuriya*



Black Knight
It's your move

BRIEFLY...

Chandrika to be impeached?

Sacked Western Province Health minister Premaratne Gunasekara said that his party was collecting evidence of "misdeeds" to impeach Chief Minister Chandrika Bandaranaike Kumaratunga. A public announcement will be made at the DUNF's forthcoming Kurunegala sessions, Gunasekera said.

Governor dismissed

President D.B. Wijetunga dismissed Western Province Governor S. Sharvananda after the governor had refused to resign. Opposition sources said that the governor was sacked for heeding Chief Minister Chandrika Bandaranaike's advice to remove DUNF's Premaratne Gunasekera from the WP board of ministers.

"It's a crude way to remove a governor. I was only doing my duty", Mr Sharvananda, a former Chief Justice, said after his dismissal.

Gem Corp out of gems

The business of buying and selling gems is to be removed from the State Gem Corporation and handed over to the private sector. The sales outlet at the Katunayake International Airport will be closed down, Gem Corporation Chairman T.K. Dassanayake told the media.

B of C helps smalltimers

The Bank of Ceylon gave 715 million rupees to small rural sector projects last year as loans, a deputy general manager claimed. The projects ranged from the selling of hoppers to dressmaking and poultry keeping to the buying of fishing craft.

"We provided loans even for the buying of one cow or two pigs", Deputy General Manager K. Thurai-raja said. An estimated 85,000 people found employment in this manner, the bank spokesman said.

Back in UNP

Former Finance Minister Ronnie de Mel who quit the UNP and the country during the Premadasa regime rejoined the party as a National List MP. Earlier he was in the Sri Lanka Freedom Party.

Conspiracy, says Hameed

Foreign Minister Shaul Hameed facing criticism for not turning up in Brussels (from London) to sign a crucial aid agreement alleged in a statement in parliament that "certain hostile elements conspiring against me with different motives, have come together for a common objective".

He said that this was a powerful coalition of forces, otherwise divided hopelessly, but knit together with one goal.

The motivating force, he suggested, was the feeling that a Muslim should not be the Foreign Minister.

Hilton case disturbs Japanese

Allegations of fraud, the disappearance of original architectural plans, the stoppage of payment to a construction firm on a court injunction, have disturbed the Japanese government vis-a-vis Sri Lanka — Japan bilateral relations.

These disturbing charges are made in a case filed by a former director of the Colombo Hilton Hotel.

The director, Mr Nihal Sri Ameresekere has now written to the State Minister for constitutional and State Affairs, Mr Harindra Dunuwille requesting him to investigate the "Hilton Hotel fraud" in the interests of the country.

Sajith rejects offer

Sajith Premadasa, son of assassinated President R. Premadasa has reportedly rejected the offer of a place on the UNP's Working Committee. The family has complained of being sidelined after Mr Premadasa's death and has also alleged that the government has been indifferent about the investigation into the assassination.

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CONTENTS

News Background	2
Betrayal of the Tamil Struggle	4
Labyrinth of Nationality	7
Bliss was it in That Dawn	9
Imran Khan	10
The Right of Self-Determination (3)	12
A Landmark Judgment	15
Correspondence	20

THE MULTI-ETHNIC MEDIA AND FAX AMERICANA

Mervyn de Silva

In his first month in office, President D.B. Wijetunge's remark that there was no ethnic problem, only a terrorist menace, invited howls of protest from the national minorities, the Tamils in particular. But President D.B., though no intellectual, is a quick-learner, and quite an astute political tactician that takes advantage of those *pothay guras* who take him for an innocent rustic.

Speaking to the publishers and editors of the national press both private sector and state-owned, President "D.B." introduced an issue that is of particular relevance and urgency to South Asia. He impressed on media practitioners to bear in mind "the multi-ethnic character of Sri Lankan society". With presidential elections scheduled for November "press freedom" is already a lively issue. The largest publishing firm, the main TV station and SLBC are state-run.

When in 1904 Joseph Pulitzer raised the issue of the accountability of the press and its moral responsibility he was in fact presenting a case for a journalism school. Sri Lanka will soon have a media training institute, an initiative of prime minister Ranil Wickremasinghe, vigorously supported by Information Minister Tyrone Fernando. The idea came out of a lively encounter at the MARGA INSTITUTE when a seminar sponsored by the *LANKA GUARDIAN* saw the Prime Minister cross swords with the country's frontline editors.

Language is a means of communica-

tion. It is also a badge of individual and group identity. "From the start, the nation was conceived in language, not blood" says Benedict Anderson in *IMAGINED COMMUNITIES*. It was a French-speaking journalist in Quebec who introduced me to "*je ne souviens*" (I remember), a rallying cry of the Quebec separatists.

The post-Cold War world is being swept by identity-conflicts and separatist movements which threaten the unity and territorial integrity of the nation-state. South Asia is a cauldron of such conflicts. Does the 'national press' in these countries speak in different voices sometimes sending out different, conflicting messages, Naturally, circulation is the principal concern of any publishing enterprise. In the name of circulation, does a newspaper consciously play up to the passions and prejudices of a particular community? More than 2 decades ago, this writer presented a paper titled "*the Three Voices of Lake House*". It was no solemn academic contribution but my findings were interesting. The eminent participants at the seminar (Harry Evans, editor of the *SUNDAY TIMES*, London, E.J.B. Rose, former editor of the London *Observer* and the first director of the Commonwealth Press Institute, Phil Foisie, Foreign editor of the *Washington Post*, Chanchal Sarkar the distinguished Indian journalist, Tarzie Vittachi) were not only stunned by the findings but was happily surprised that I could subject the newspapers of my employer to such a

critical inquiry. Such was the "freedom of the press" (or the degree of freedom) we enjoyed then. Today, we are all standard-bearers of press freedom, some openly associated or identified with this or that political party. But has any "press freedom" activist or active journalist body presented to the public a blueprint, however modest, for re-structuring Lake House, radio and TV? In this matter, the political parties cannot be trusted as **parties**, though individual members, including prominent personalities, may take an enlightened view.

The record from 1972 is clear. Loud and clear. In 1972 when the United Front of Prime Minister Sirima Bandaranaike introduced the Press Council Bill, the UNP leader, Mr. Jayawardene persuaded his MP's to stage a walk-out in protest. What's more the Opposition solemnly promised to repeal the obnoxious Act when the UNP formed the next government. In 1977, the UNP won a runaway victory, a massive five-sixths majority. Far from abolishing the Press Council or re-structuring it, the JR regime grabbed the (pro-SLFP) *TIMES* newspapers by using the Business Acquisition Act, an SLFP initiative branded draconian by the UNP!

Privatisation

Is privatisation the ideal instant solution? The aggressive drive for circulation and higher profit margins in a fiercely competitive field remain the principal motives of private enterprise. The circulation-chase could bring mobs into

the street, the point made in the paper present at the Manila colloquim. Money is not the only motive. Power is as commanding a passion. And it is by no means a monopoly of free enterprise. Reggie Siriwardena, editor of the ICES journal and former *DAILY NEWS* chief leader-writer and critic drew the attention of a South Asian audience at an AMIC seminar in Colombo to the severe strictures passed on state-owned *DOORDASHAN* by the eminent Indian scholar Romila Thapar.

The serialised version of the *RAMA* story had a direct impact on Hindu opinion, and helped Hindu hotheads to launch their violent agitational campaign in the run-up to the Babri Masjid tragedy. Reggie Siriwardena did warn us that the power of the media "can be disintegrating and catastrophic in its consequences in our societies divided as they are on religious, linguistic and cultural fault-lines, unless it is used with a wisdom and foresight that is conscious of the plural character of these societies and the perils of fragmentation".

A parallel process makes the danger even more serious as Justice Krishna Iyer warned. In a contribution to the *Times of India*, he said, India is taking grave risks in opening its defences, giving easy access to informational aggression by foreign media giants! The internal threat, the threat to territorial integrity, is paralleled by the erosion of national sovereignty. And it is not as if we have not been warned.

Fax Americana

Candidate Clinton did say that it was "Radio Free Europe" that brought down the Berlin Wall, a truly benign intervention. But not all such interventions have the same consequences. Or intent. Adverting to the irresistible power of ideas in what he called 'The Information Age' Mr. Clinton mentioned TV, cassette tapes and the fax machine. Is it time then

that we forgot PAX AMERICANA and prepared for FAX AMERICANA?

The MACBRIDE Roundtable in its SAO PAULO statement did warn us that "governments have by and large lost control over the development and application of information. Transnational corporations can either bypass governments or are in collusion with them to ensure greater profits from their markets.

While ethnic groups within nation-states are re-asserting their identities, NAM the once influential pressure group or lobby, has lost its own collective identity. Both the Djakarta summit and the Cairo ministers' meeting dramatised the disarray. However the majority, won the argument, at least on points.

News or information is also a commodity. Its basic connection with economics and commerce is illustrated by history, the history of the news agencies, *Reuters* was located in the City of London, the financial centre; *HAVAS* the forerunner of Agence France Presse (AFP) had its headquarters near the Bourse. The US, just coming up, in the world, had to challenge this hegemony. The founders of AP (Associated Press) were as much motivated by a spirit of nationalist resistance as the 'Third World' in the 1970's. The American writer Curtis T. White had this to say in an admirably researched contribution to *FOREIGN POLICY* (Spring 79):

"At that time (i.e. the first decades of this century) the U.S. charged the Europeans with bias and distortion of the news and bitterly complained about the imbalances, the lack of access to and control of communications systems. One need only substitute the term "developing countries" for "USA" in 60 year-old documents on the need to break up the European news monopoly and they would read like documents written today".

While an intellectual like Dr. Gamini Corea, chairman of the Committee on a Media Training Institute, does take a SOUTH perspective, both instinctively and intellectually, some of our dons, and deans, seem to need a brain-wash. That doesn't mean the professionals are blameless. While NAMEDIA (Delhi) needs a hurry-up, the South Asian Media Association, SAMA (Islamabad) requires a wake-up call.

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Broker politics : Betrayal of the Tamil struggle

S. Sathananthan

SLFP: a "new dispensation"?

Most Tamil political parties in Colombo are busy cobbling together their respective electoral platforms in this election year (1994). Some are engaged in "consultations" allegedly to evolve a common Tamil position. Wading through the plethora of proposals and strategies, it is soon clear that Tamil parties are again faced with a familiar question which has been central to policy thinking within their organizations for the past four decades. That question is: Which of the major Sinhalese parties should the Tamil parties support? And on what terms must such support be extended?

The two major Sinhalese parties, the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP), are wooing Tamil and Muslim parties. Early indications are that the Ceylon Workers Congress (CWC) will support the UNP. The recent insensitive remarks made by the President about the Tamil problem (Tamil and Muslims are "vines" upon the Sinhalese "tree", etc.) have estranged most Tamil parties from his ruling UNP. The Tamil United Liberation Front (TULF), Eelam Peoples Revolutionary Liberation Front (EPRLF) and the Peoples Liberation Organization of Tamil Eelam (PLOTE) now seem to favour the SLFP. The All Ceylon Tamil Congress (ACTC) will support neither the UNP nor the SLFP. The position of other Tamil parties is unclear.

The *Virakesari* (29 May 1994) reported that two prominent Sinhalese intellectuals are engaged in brokering an alliance between the SLFP and the TULF and EPRLF. According to *Taraki*, a reputed political columnist, the TULF and EPRLF believe — that Mrs Chandrika Kumaratunga "will stand firm" in resolving the Tamil problem and — that she is "unlike any other Sinhalese leader in the past or present". A member of TULF flatly asserted that she is "the best bet for Tamils" (*Island*, 29 May 1994). Informal sounding

revealed that some in the TULF are virtually gushing over an alleged "understanding" reached between the TULF and Mrs Kumaratunga.

What is the basis of optimism? In her interview published in the *Virakesari* (1 May 1994), Mrs Kumaratunga offered nothing new. She merely repeated the following platitudes:

1. **A political solution to the Tamil problem could be achieved based on a form of decentralization of authority which includes an institutional mechanism for centre-region interaction.** Translated into simple language, she prefers to reduce the political autonomy of regional administration in Tamil areas and increase the powers of the centre in order to minimise center-region friction.

2. **Such a political solution must apply equally to all parts of the country.** In other words, she intends to ignore the national question in the tradition of Sinhalese politics.

3. **The intransigence of the Liberation Tigers of Tamil Eelam (LTTE) is the only obstacle to a negotiated peace.** That is, under her leadership a future SLFP Government will pursue a military solution against Tamils in the North-East Province (NEP). Moreover, she has implicitly set up the LTTE as a convenient scapegoat for her future inability or unwillingness to achieve a political solution to the Tamil problem.

4. **Tamils in the NEP are virtually exhausted and wish an end to conflict.** In other words, she draws comfort from the mistaken belief that counter-insurgency techniques of collective punishment have weakened the resolve of Tamils.

These banal observations are being widely quoted by many Tamil parties in Colombo as indicative of a new vision of ethnic reconciliation emerging within the SLFP; and as justification for Tamil support for the SLFP.

It is important to note the point omitted by Mrs Kumaratunga in her interview. She

spoke mysteriously of a proposal that is being evolved within the SLFP to solve the Tamil problem. This proposal is to be incorporated in the SLFP election manifesto. **She failed to say that SLFP party policy will be changed** to reflect the so-called new proposals. So the SLFP will not be bound by them. For those who are naive enough to have faith in election manifestos, they surely must remember the number of times past manifestos of Sinhalese parties have promised an end to the Tamil problem. More to the point, election manifestos cease to have meaning after voting is over and the regularity with which promises offered to Tamils in past manifestos were betrayed simply boggles the mind. It should be obvious that the new proposals will similarly be consigned to the dust bin after elections.

If the assertions of Mrs Kumaratunga are to be taken seriously by Tamils, she firstly must begin a nation-wide campaign of perception building among Sinhalese to make a federal system of government acceptable to them. Secondly, she must lobby within the SLFP to incorporate the fundamental concepts and principles of the new proposals into the official party policy. She has done neither, although similar inclusion was effected, for example, with respect to economic issues. Until she engages in concrete actions along these lines, any positive comment on the Tamil problem must be taken merely as political posturing in an election year which carries no meaning beyond the day on which elections are held.

Then why has Mrs Kumaratunga become the new political messiah of most Tamil parties in Colombo? Are these parties naively placing faith in election promises? It is instructive to examine the roles played by TULF and EPRLF which are representative of this trend.

Politics of brokers

The approach of TULF and EPRLF is only superficially naive. It is in fact a time worn strategy which the TULF and later EPRLF inherited from the Federal Party (FP). In the mid-1950s, the FP politicians presented themselves as **political bro-**

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kers to the Tamil people in the then Northern and Eastern Provinces. Tamils were exhorted to vote for the FP. In return the FP was to negotiate ON BEHALF of Tamils to solve the Tamil problem. But FP's broker politics lacked conviction. Because if the other, Sinhalese side refused to listen, then what is the use of a broker? In fact many Tamils had criticized FP's broker politics as a farce because neither the UNP nor the SLFP was in any mood to accommodate Tamil demands. Indeed the policies of the two parties catered to Sinhalese nationalism. They are simply Sinhalese parties which dismiss negotiations as "appeasement", which catalysed the emergence and growth of armed Tamil militant struggle. In fact there was no UNP or SLFP leader who was ready to change party policy to consider Tamil demands. So to make their broker politics credible in the eyes of Tamils, FP conjured up a fictitious receptiveness to negotiations in selected personalities. In each case the FP described the Sinhalese leader as "different", that he or she was willing and able to negotiate with the FP.

The first aspect of FP's strategy is the ABSENCE OF MASS POLITICAL MOBILIZATION of Tamils (except for token gestures like satyagraha, protest fasts, etc) in the Northern and Eastern Provinces. FP avoided mass mobilization because it inevitably would release new political forces and throw up new leaders in those provinces who in time would challenge the leadership of FP. This was especially dangerous for FP because its politicians came essentially from Tamils in Colombo. The second aspect is the emphasis on INDIVIDUAL SINHALESE LEADERS, instead of their respective governments or even parties. The FP alleged that Sinhalese leaders as individuals were somehow above party politics. It claimed that their "solemn assurances" (given verbally) to solve the Tamil problem were reliable. This implied the third aspect: such Sinhalese leaders would in due course ELEVATE "TALKS" TO THE LEVEL OF OFFICIAL NEGOTIATIONS between the Government and the FP. Options, if any, open to the FP if Sinhalese leaders refused to do so was left unsaid.

In each instance, Sinhalese leaders went through the motions of holding "talks" in their individual capacity. This was convenient for all concerned. The FP could defend broker politics as a viable

strategy. Sinhalese leaders could engage in personal aggrandizement as peace-makers and also legitimately woo Tamil voters outside the Northern and the Eastern Provinces. At the same time the policy of UNP or SLFP on the Tamil problem was left undisturbed and none of the Sinhalese leaders formalised the "talks" by commencing official negotiations; both of which satisfied the all-important party ranks.

The Tamils who voted for the FP in the Northern and Eastern Provinces and for the UNP or SLFP outside these areas were the only losers. And the Tamil problem remained unresolved.

When each Sinhalese leader routinely failed to deliver on so-called "assurances", FP politicians routinely shed copious tears and protested that one or the other Sinhalese leader had violated their "trust".

There are many prominent examples of this political charade. In 1956 the FP claimed that Mr SWRD Bandaranaike is an honourable man who was above Sinhalese chauvinism of his SLFP; that his "assurances" showed he was genuinely keen to solve the Tamil problem. And the FP created the illusion of official negotiations through "talks" and by signing the 1957 Bandaranaike-Chelvanayagam (BC) pact. It was an illusion because Mr Bandaranaike signed in his individual capacity; because NO official negotiations took place between the Government and the FP. In March 1960, the FP assured Tamils that a pre-election "deal" had been struck with Mrs Sirima Bandaranaike who supposedly was not like the rest of her party. The same FP politicians in 1965 projected Mr Dudley Senanayake as a dyed-in-the-wool liberal and a gentleman whose word is his bond. They alleged that he was "different" from the rest of the chauvinists in the UNP and that he had given "assurances" about solving the Tamil problem. The FP again created an illusion of official negotiations; but in fact it merely "talked" and reached agreement with Mr Senanayake in his individual capacity and NOT with his Government or even his party. The socialist flavour of the 1970 Coalition Government prevented the right-wing FP from re-discovering a messiah in Mrs Bandaranaike.

In 1978 the TULF, the successor to FP, divined the next friend of Tamils in Mr JR Jayewardene. It abandoned the pledge in

its 1977 Election Manifesto to set up the State of Tamil Eelam. Instead TULF politicians claimed that Mr Jayewardene is sensitive to Tamil demands. They asserted that he belonged to the older generation and therefore was above communalism. They wanted Tamils to believe that he was different from the chauvinistic younger generation of UNP politicians, although Mr Jayewardene was the first to propose in 1944 that Sinhala be made the sole official language. To make their claim plausible, TULF politicians asserted that Mr Jayewardene, as Executive President, could and would in his individual capacity impose a just solution to the Tamil problem even against opposition from within the UNP.

In 1989 the TULF and EPRLF discovered the next messiah. he was Mr Ranasinghe Premadasa. Tamil politicians claimed the opposite of what they said about Mr Jayewardene; that Mr Premadasa belonged to the younger, Sinhala-speaking generation which they alleged was free of communalism.

In every instance Tamil parties were politically too weak even to induce official negotiations at Governmental level, let alone grapple with the larger task of securing the rights of Tamils.

Limits of broker politics

Tamil parties failed because broker politics was flawed in a fundamental sense. By avoiding mass mobilization Tamil parties forfeited political power. Contrary to Liberal mythology, in the real world questions of political power are decided on the street. Tamil parties did not draw Tamil people out on the streets and, therefore, they lacked street power, which is the foundation of real political power. In a rare instance of frankness in any politician, the former Indian Prime Minister Mr Rajiv Gandhi once underlined this elementary principle of politics. He was confronted by a delegation from Indian women's organizations who criticized his decision to give in to Muslim fundamentalist demands on the Shah Bano case. He reportedly replied: "The fundamentalists brought out twenty thousand people on to the streets. How many can you mobilize on the street?" Indeed on May Day, the political power of each party is assessed on the basis of the crowds they draw out on the street. And it is a fact that Mr S Thondaman and Mr V Prabakaran are the only Tamil leaders

who enjoy political power because both have street power. In contrast, by avoiding mass mobilization Tamil politicians sacrificed political power which alone would ensure that they negotiated from a position of strength. Power concedes nothing without a demand and those who lack political power cannot demand; they can only appeal. Not surprisingly, the FP then and the TULF and EPRLF now have proved incapable of forcing negotiations at governmental level. Political impotence has reduced Tamil parties to merely appealing to Sinhalese leaders. Naturally neither the UNP nor the SLFP has taken the grovelling Tamil politicians seriously.

Today the TULF and EPRLF would like Tamils to believe that their organizations have reached an "understanding" with Mrs Kumaratunga. She is being projected as "new and improved". "New", because she is the new generation. "Improved", because SLFP acquired a liberal sheen after a few Sinhalese intellectuals began working with the party recently. All of which made a Tamil academic in Colombo speak breathlessly of a "new dispensation" under future SLFP rule.

But the TULF and EPRLF are merely resurrecting broker politics through the so-called "understanding". In fact *Taraki* reported that a senior TULF member considered this election year as a good opportunity to negotiate a settlement with the SLFP. This is a desperate attempt to keep afloat sinking political fortunes; to manufacture a political role for themselves as brokers where NO scope for such role exists because the so-called "understanding" is with Mrs Kumaratunga in her individual capacity. Like other Sinhalese leaders before her, she also has NOT attempted to change policies of her party. Any assertion by Tamil parties that she could impose a change within the first nine months of an SLFP election victory by voluntarily initiating (presumably through sheer altruism) OFFICIAL negotiations at GOVERNMENTAL LEVEL with Tamil parties is self-serving political mythology.

Mrs Kumaratunga has begun playing peace-maker. She is actively wooing Tamils WITHOUT compromising the SLFP. But after the elections SLFP policies on the Tamil problem will remain the same and the Tamil problem will continue to fester. The Sinhalese intellectuals who work with her party will have to either

withdraw their support or become apologists for its anti-Tamil policies. When the "understanding" is forgotten by the SLFP, the TULF and EPRLF will ritually beat their breasts, cry "foul" and protest that their trust was betrayed. But before the bankruptcy of broker politics is revealed again, the two parties hope to have persuaded sufficient number of Tamils to vote for them.

The deep intransigence of Sinhalese leaders, who have repeatedly refused to initiate official negotiations between their respective Governments and Tamil parties, was dramatically exposed by the growing militant struggle in the NEP in the 1980s. It also underlined the irrelevance of Tamil broker politics.

More importantly, Tamils are unlikely to forget the controversial actions of EPRLF and its associated parties under the protective umbrella of the military administration of the Indian Peace Keeping Force (IPKF) in the NEP. Indeed the fact that most EPRLF members fled to India with the returning IPKF in 1990 is a damning indictment of their role. The credibility of these parties and their broker politics is so abysmally low that votes had to be gathered FOR them in the 1989 parliamentary elections held under IPKF administration.

The broker politics of most Tamil parties in Colombo and particularly of the TULF and EPRLF are clearly bankrupt. The present as well as a future Government will avoid negotiations with the LTTE and continue to seek a military solution in the NEP. But these Tamil parties, having abandoned militant struggle, lack political power to force the Government to commence official negotiations with them. They have little choice but to "talk about possible talks" in Colombo in order to justify their existence and ensure their livelihood. In the process they have in effect provided ammunition for anti-Tamil propaganda by Sinhalese dominated Governments. Successive Governments have exploited the eagerness of Tamil parties to conjure up illusions of "negotiations" in order to claim falsely that a majority of Tamils disagree with the ongoing Tamil national struggle in the NEP. Their aim is to marginalise the LTTE as a minority of "terrorists" and to discredit Tamil resistance as "violence". Tamil parties in Colombo surely cannot claim ignorance of Government strategy,

of the damage they continue to inflict the Tamils national struggle through their opportunistic search for political survival through the chimera of "talks".

Concluding remarks

The first comment will come more as a surprise to many. There have been "talks", "political party conference", "all party conference" and so on. But genuine negotiations at the **official institutional level** directly between the **Government and the Tamil parties and organizations** took place **ONLY ONCE** during the entire post-independence period of forty-six years, at the abortive 1985 Thimpu Talks. Even that was flawed: It took place under diplomatic pressure from India rather than originate either in a sincere desire for peace from within Government or due to political pressure from Tamil parties. Tamil parties in Colombo must accept primary responsibility for helping to mask Sinhalese intransigence by foisting the political deception of "talks" at the expense of a generation of Tamils. They owe the Tamils an explanation.

The persistence with which Tamil politicians repeatedly "trusted" Sinhalese leaders is not an accident. It is an intrinsic component of broker politics which served Tamil politicians to pretend injured innocence. But it also revealed ignorance of an elementary principle of politics: that politics is decided not by trust but by interests.

The tragic history of broker politics demonstrates the political impotence of Tamil parties. It shows conclusively that they lack the power to force the Government to negotiate. Today these parties are at their weakest politically. They are no longer a credible political force. Therefore, it is simply nonsense to allege that they can even induce the present or future Government to begin official negotiations. They merely serve as window dressing for the insincere exercise of "exploring political solutions" conducted by the Government for the twin purposes of legitimizing the military campaign in the NEP and hoodwinking the international community that it is seeking a political solution to the Tamil problem.

All of the above amounts to a cynical betrayal of the Tamil national struggle by most Tamil parties in Colombo. It is a betrayal for which NO explanation is sufficient.

Sri Lanka's Labyrinth of Nationality

Jayantha Somasundaram

The Twenty Fifth Hour

Sri Lanka's Civil War has raged for over a decade. With the passing years attitudes have hardened, opportunities lost and options exhausted. Despite the enormous loss of life, the destruction of property, and the tragic displacement of countless families there seems to be no genuine desire for reconciliation and peace. We seem to be nowhere nearer an end to this conflict than when we began. Have we missed the opportunities that history gave us? Are we now living in the Twenty Fifth Hour?

Jayantha Somasundaram, a wellknown Sri Lankan journalist who now lives in Australia, presents a personal perspective of the making of Sri Lankan crisis.

If we believe in absurdities, we shall commit atrocities — Voltaire.

The conflict in Sri Lanka is the outcome of major political crisis — the national question. So long as this question remains unsolved, the crisis will be intractable. It is not possible to understand the issues surrounding the national question without exploring the area of nationality. How do communities see themselves in terms of their origins, cultures and inter-communal relationships?

In Sri Lanka, national identity and awareness has been determined by how one sees the peopling of the Island. At one end of the spectrum are those who subscribe to a migratory theory to explain the plural nature of Ceylonese society. This assumes that all existing communities were the outcome of successive but distinct waves of colonisation. And legitimacy is seen in terms of prior arrival.

The Mahavamsa, a chronicle compiled by Buddhist clerical writers in the sixth century, records Lord Buddha as having said on his deathbed, "Vijaya is to come to Sri Lanka with 700 followers. In Lanka will my religion be established." Historian K.M. de Silva says that "this was to become in time the most powerful of the historical myths of the Sinhalese and the basis of their conception of themselves as the chosen guardians of Buddhism and of Sri Lanka itself as a place of sanctity for the Buddhist religion."

Sociologist Gananath Obeyesekere explains that "as far as Sri Lanka is concerned, being Buddhist is inseparable from being Sinhalese. Early in Sri Lanka's history two ideas developed. Not only was Sri Lanka consecrated by the Buddha himself, but he was immanent in his relics. Two of the relics became associated with Sinhalese sovereignty and the legitimacy of kingship."

These ideas of national self-consciousness among the Sinhala-Buddhist community have been articulated by D.C.

Wijewardhana in *The Revolt in the Temple*. "The history of Lanka is the history of the Sinhala race... The Sinhalese people were entrusted 2,500 years ago with a great and noble charge, the preservation of Buddhism... on the very day the Lord died at Kusinara. Vijaya of the solar race and his band of 700 followers landed in Ceylon... Most of these people were Sinhalese in heart and mind before they left their motherland. They brought with them, within them centuries of civilisation and Aryan culture was bodily transported to create and enrich the virgin civilisation of Sri Lanka."

The classical Migratory Theory holds that the Sinhalese arrived first, established a kingdom in Anuradhapura and held dominion over the entire island. Later invasions from South India resulted in the emergence of a Tamil community in the North, just as a Moor community developed in more recent times as a result of Arab traders settling in port cities around the country.

Cultural influence

Anthropologist S.J. Tambiah sums up: Most Sri Lankans, whether Sinhalese or Tamils are prone to think of their island as originally some kind of empty space that was peopled by successive waves of migrants. While the Sinhalese story, propagated by the Mahavamsa, asserts that the first colonisers were North Indians, Tamil enthusiasts assert with equal justice that the South Indian sea-faring people of yore were bound to have established settlements long before the coming of Vijaya and his band of followers. It is true that waves of migration from India have come to Sri Lanka over centuries, and their mode of incorporation is an essential part of our story, but there is a greater truth to establish first: that there were autochthonous people who have lived in Sri Lanka from pre-Buddhist and pre-historic times, and they included not merely the hunting-and-gathering stone-age Veddas, but also people who practiced pastoralism and settled agriculture."

This brings us to the second school of thought which holds an acculturation theory to explain pluralism. There is some scientific evidence to show that Sri Lanka's 'racial' stock has remained basically homogeneous. Archaeologist Senaka Bandaranayake in his paper, *The Peopling of Sri Lanka* says, "comparative analysis of the data with later material from historical and contemporary populations has shown a biological continuum between pre-historic and historic peoples." The pre historic people being Balangoda Man, dating from the 5th millennium BC.

The exchange of ideas with, and the cultural impact of India on our island is emphasised by Historian Leslie Gunawardena in *The People of the Lion*. "While the Buddhist identity was one which linked the Buddhists of Sri Lanka with co-religionists in South India and other parts of the sub-continent, it is only after the 7th century that prerequisite conditions matured making it possible to link Sinhala identity with Buddhism and to present Tamils as opponents of Buddhism."

This Sinhala-Buddhist identity became imperative in a situation where Buddhism was swamped in India, where Hinduism became assertive in north Sri Lanka, where Islam flourished in the maritime areas and where Christian missionaries arrived in the wake of superior European Military power. "The Tamils, mainly for doctrinal and religious reasons become the enemies of the Buddhist Priesthood," wrote S.J. Gunasegaram in *The Vijayan Legend*. Not because they were Tamils but because they were saivites or non-Buddhists."

Notwithstanding this, the acculturation process from India proceeded. The last Sinhala King, Narendrasinghe having no issue, following the matrilinear line of succession, chose his brother-in-law Sri Vijaya to succeed him to the Kandyan throne in 1739. Saranankara, the most influential prelate, undertook to secure the acquiescence of the Kandyan aristocracy. Sri

Vijaya and the succeeding Kings of Kandy, the Nayakar dynasty were from South India.

In 1815 this dynasty was overthrown in a rebellion led by Thelapola the chief minister, whose cause was championed by the monk Kitalagama Devamitta in the *Kitrata Sandesaya* thus: "He emptied Lanka of the heretical and thieving Tamil hordes. King Sri Vickreme had antagonised the clergy by executing the Monk Moratota Kuda Unnanse."

It was only in this situation that the British were able to enter Kandy and establish their ascendancy over the entire island. "Because the British owed so much to the assistance rendered in this enterprise by the aristocracy and the bhikkus, the Kandyan convention which embodied the terms of cessation upheld many of their privileges," concludes Prof. K.M. de Silva, in *A History of Sri Lanka*.

Race theories

Those who adhere to the classical Migratory Theory would believe that their community arrived first, has remained racially pure and this should exercise power. Other communities would not have such legitimacy and those of recent origin need not be tolerated.

In the late Nineteenth Century, the political and economic domination of the Low Country Golligama Sinhalese was resented, particularly by the rising Karawe entrepreneurial class. The Ceylon National Association, founded in 1886, had the objective of putting a Karawe on the Legislative Council. The Temperance Movement which had by then emerged under Anagarika Dharmapala was obliquely directed against the Arrack Tavern-renting Christian Karawe businessmen.

First riot

The first communal clash of recent times had its origins in the Panadura Debate of 1873 between Rev. Migettuwatte Gunananda a Buddhist monk and Rev. David de Silva, a Methodist minister. In April 1883, Rev. Gunananda organised Buddhist ceremonies during Easter at his temple near St. Lucia's Cathedral, Kotahena. This led to a riot in which one person was killed and 30, including 12 policemen injured.

Walsinha Harischandra, a disciple of Anagarika Dharmapala led a campaign at Anuradhapura during Posa 1903 against restrictions on Buddhist processions. This resulted in anti Christian rioting and Harischandra's arrest.

Dharmapala's ideas were significantly influenced by the race theories that were being developed. Writing in the *New York Times* in April 1984, Prof. Obeyesekere said, "The racial connotations of 'Aryan'

were introduced in the late 19th century by Sinhalese nationalists to differentiate themselves from the Tamils. They were aided by 19th century European Indologists, who spoke of the Aryan subjugation of dark-skinned peoples (the aboriginal Davidians) — a hypothesis no longer acceptable to serious historians.

"In reality, there is little difference in the ethnic backgrounds of the Sinhalese and the Tamils. The first colonizers of Sri Lanka were probably North Indians. But according to the chronicles of the Sinhalese, even the first king and his followers married women from South Indian (Madurai). Thereafter the patterns of royal marriage and mass immigration were wholly from South India, initially from the Tamil country and latter, since the 13th century, from Kerala.

"There are a few Sinhalese nowadays with fair complexions, but this is probably due to the miscegenation with successive waves of European conquerors from the 16th century onwards."

Anti-Moor campaign

In the last century the Pettah trade was dominated by Nattukotai Chettiars of South Indian origin and Moors. They were joined in the 1890's by Indian Moors — Borahs, Khojas and Memons. There were also about 33,000 coast Moors, migrant from the coromandal and Malabar coasts.

Ananda Guruge in *Return to Righteousness* quotes Dharmapala as having written in 1915 that "The Muhammedans, an alien people, by Shylockian methods became prosperous like the Jews." According to political scientist Kumari Jayawardene "The novelist Piyadasa Sirisena who edited *Sinhala Jathiya* urged the Sinhalese to 'refrain from transactions with the coast Moor, the cochin and the foreigner'; the *Dinamina* condemned 'our inveterate enemies, the Moors.'"

Anti Moor violence occurred in many parts of Sri Lanka during 1915. Moor traders were killed, their shops burned and the contents looted. "Several middle class Buddhist temperance leaders were imprisoned, including family members of Sinhala traders in the Pettah. D.E. Pedris, son of D.D. Pedris was court martialled and shot on a charge of inciting crowds in the Pettah to attack Muslim shops; Edmund Hewavitarana, son of H. Don Carolis died in jail, after his death sentence was commuted and N.S. Fernando, Pedris' brother-in-law and son of the Pettah stationer, also received a death sentence which was commuted." wrote Dr. Kumari Jayawardene in *Ethnic and Class Conflicts in Sri Lanka*. A month after the rioting Dharmapala wrote: what the German is to the Britisher the Muhammedan is to the Sinhalese. The whole nation in one day has risen against the Moor people.

Apart from Plantation labour which was predominantly Tamils of Indian origin, the urban working class was multi ethnic. Colombo's first strike in September 1893 at H.W. Cave & Co., involved the Printers Union whose leaders were Lisboa Pinto, a Goan, and A.E. Buultjens, a Burgher. Sir Ponnambalam Arunachalam through the leadership of the Ceylon National Congress and the Ceylon Workers' Welfare League which he formed with Peri Sunderam in 1919, directed the growing labour movement in a non sectarian path.

During the Depression of the 1930s however, as unemployment rose, A.E. Goonesingha the leader of the Ceylon Labour Union led a campaign against the Malayali workers. By this time, there were about 30,000 Malayalis employed in factories, mills, the Port, the Railways as well as in clerical, teaching and other white collar activities.

Goonesingha told the State Council that "Hundreds of Malayalis are coming here and depriving Ceylonese labourers of work." (Hansard 7.10.31). He called for a boycott of Malayalis. The *Ceylon Independent* reported on 30th July 1931 that it had "become common place whereby Malayalis were assulted on the streets of Colombo." Goonesingha's newspaper *The Viraya* on 17th April 1936 quoted "Hitler who said that leadership cannot be expected from those who are devoid of Aryan blood. In his country he has therefore prohibited marriages between Aryans and non Aryans. Everyone says that unions between Sinhala women and Malayalis should be prohibited."

Goonasingha also attacked anti racists who spoke against the Malayali boycott. When Dr. A.P. de Zoysa requested that compassion or maitri, be shown to the Malayalis he was derided as 'Kochchi Zoysa.' And the Lanka Sama Samaja Party was attacked in *The Viraya* of 16th April 1936 as "traitors... At a time when the campaign to boycott the Malayalis is proceeding several Samasamajist Sinhala lunatics are trying to go against this trend." As late as December 1948, United National Party MP T.F. Jayawardena taunted the left leaders: If some of the members of the opposition had the same depth of feeling for their own people as they have for their cochchi sahodarayas they will agree with me that 40 males living in a house with 4 or 5 Tamil or Sinhalese women are hardly the type of people who are to be encouraged to become citizens of Ceylon." (Hansard 10.12.48).

By this time the majority of Malayali workers had returned to Kerala while many who stayed on married Sinhalese and the next generation became assimilated into the Sinhala community. Their assimilation was easy by the fact that many of them had 'neutral' names like John, Peter and Matthew.

Bliss was it in that dawn.....

Chanaka Amaratunga

Many a schoolboy, (and no doubt, schoolgirl) knows that William Wordsworth wrote ecstatically in the early, heady days of the French Revolution.

**Bliss was it in that dawn to be alive
But to be young, was very heaven.**

Two events which took place far from my own country and from the places of my immediate concern have filled me with a similar sense of elation. They did so because they involved immense political transformations. They involved the destruction of apparently impregnable evil forces, which I longed to see end of but the demise of which I did not seriously expect in my life time. The first of these events was the overthrow of communism in central and Eastern Europe, including in the nerve centre of totalitarianism, the Soviet Union. The second was the destruction of apartheid and the establishment of a truly free liberal democracy in South Africa.

Of the fall of communism the world over I have written on several occasions past. It is therefore with the fall of apartheid that I here concern myself.

Since the 19th century, South Africa has often impinged itself upon the global consciousness. The interest that it has inspired has been far greater than that of most other former outposts of Empire. This is partly, of course, the result of the strong European engagement in South Africa in the form of Dutch (or Boer as they were called in the era of colonialism and Afrikaaner as they subsequently named themselves) and British settlers. It is also because, South Africa developed far more successful and even more sophisticated an economy than any other on the African continent or perhaps even than in any other nation of the Third World. Furthermore, it is because, in its institutionalised practice of racial discrimination, through the system of apartheid, there arose a political system that was exceptionally repugnant to humanity.

The protests, the pilgrimages, the vigils which were the stuff of campaigning against apartheid remain vivid in my memory. But they are all memories acquired during the eight years in which I lived in the United Kingdom. The struggle against

apartheid failed to inspire the interest of any save the narrowest minority of Sri Lankans.

Indeed it is part of the racism so common among Sri Lankans which led many of them to privately sympathise with the whites in the bad old days. This attitude was shared by some in the Asian community in South Africa. Apart from racism, there is about many of our people a peculiar insularity and selfishness which leaves them cold to the suffering of other people. There were no marches against apartheid here.

Doubtless there would be many in this country who would think we have no lessons to learn from South Africa. They are **very wrong**. The approach adopted by all the South African protagonists is precisely the one that needs to be adopted for the achievement of a genuine reconciliation.

The spirit which thus far has been demonstrated by Nelson Mandela, who after 27 years in prison for political convictions which liberal democrats take for granted, might well have surrendered to the spirit of revenge or of what might even pass for righteous indignation, but has shown/instead immense moral strength as well as political skill, is desperately needed here. The spirit of an F.W. de Klerk, who could so easily have surrendered to that all-too-common desire to cling blindly and foolishly to every ounce of ill-gotten power, believing like Louis XV that although the deluge would indeed come, it would come after him, but instead chose to preside over an incredible transfer of power from those he represented to those they had oppressed, is desperately needed here. The spirit of a Chief Mangosutho, Buthelezi who could so easily have succumbed to the modern disease of separatist violence but instead chose to share a significant, though limited, degree of power within a united country is desperately needed here. The spirit of a Dr. Zach de Beer, who out of a passionate but disinterested commitment to the rights of all human beings in his country devoted a lifetime to fighting the crime of apartheid instead of complacently enjoying its benefits and who remains committed to the essential principles of liberalism, is desperately needed here.

South Africa's extraordinary political settlement is the result of long and hard political negotiations which have led to some uniquely radical constitutional innovations. Perhaps these innovations could even be seen as an attempt to square the circle, to marry the apparently unmarryable — But on this occasion it has worked. In order to cultivate the spirit of accommodation and power sharing a number of features were adopted.

One of these was the adoption of a system of proportional representation with no cut off point so that a party could obtain representation with less than 1% of the vote. (The smallest party to obtain representation, the Pan African Congress obtained less than 1% of the vote). Another was the adoption of a provision that constitutionally guaranteed representation in the Cabinet to every party which obtained 5% of the vote and above and gave a Deputy Presidency to every party that obtained over 20% of the vote.

It was to promote the principle of inclusivity that these innovations were adopted.

There was in the new South Africa a real need to ensure that regional diversities which in the case of the Western Cape and Kwazulu-Natal took on an ethnic/tribal dimension were allowed the opportunity to manifest themselves. Accordingly, the new South Africa was divided into nine Provinces each with its own elected legislature with a Provincial Government headed by a Provincial Premier.

There was too the corresponding need to forge a common South African identity and for this purpose the electoral system, used hitherto in small countries such as the Netherlands and Israel, in which for the elections to the lower House of Parliament, in South Africa, the National Assembly, the entire country forms a single constituency, was adopted.

It was essential too that in this first ever election for the vast majority of South Africans, the electoral system should be devoid of complexity. The electoral system adopted was therefore that of party lists with the rank order determined by each respective party.

The framers of the new political order

on South Africa have been sensible enough to avoid the pitfall of so many emergent nations, that of concentrating power in a single person or group of persons. The bill of rights that is included in the South African Constitution, the steps taken to ensure the independence of its judiciary and the adoption of a bicameral Parliament are in this context, much to be applauded.

While the 400 member National Assembly, by electing all its members from a constituency which constitutes the whole nation, is designed to promote unity, diversity is encouraged by the election of the 90 member Senate by the Provincial legislatures.

It would, for us, also be interesting to note, that among the reasons for adopting an executive President elected by Parliament rather than by the people as a whole was the conviction that the President would then not be a rival source of legitimacy to Parliament but rather the creation of Parliament and ultimately responsible to it.

Another, truly exceptional innovation, designed to integrate the Zulu nation fully into South Africa is the incorporation of the Zulu monarchy within the South African republic. In the constitutional models with which we are familiar monarchies and republics have been mutually exclusive. Here in South Africa, however, particu-

larly in KwaZulu-Natal but in South Africa as a whole, the Zulu King Goodwill Zwelithini has been accorded, in the words of President Mandela "the same status as that enjoyed by Queen Elizabeth II." While this cannot be entirely accurate since King Goodwill is not a Head of State, allowing for a monarchy within the territory of a republic is another imaginative constitutional innovation adopted by the new South Africa.

So much for constitutional arrangements. It has been often observed that while constitutional safeguards are very important, the spirit which animates those who operate constitutions is also, a vital consideration. In that regard President Mandela's conduct has been exemplary. The way in which he has emphasised the role of de Klerk in the process of reconciliation, his appointment of a white member of the National Party as Minister of Finance, his appointment of Chief Buthelezi as Minister of Home Affairs (and hence Minister responsible for internal security) and the election of a white President of the Senate, demonstrate that the new President is far from the winner-takes-all mad mentality which disfigures the politics of so many countries, not least among them, our own.

Today as South Africa has resumed its place among the nations of the world and returned to membership of the Commonwealth one can offer rational analyses for the enormously civilized political settle-

ment which it has implemented. Let us not, however, on this occasion, rein in the deepest emotions of the heart. As I watched the inauguration of Nelson Mandela as the first President of a liberal democratic South Africa in which all persons enjoyed the essential human rights and liberties, in a square in Pretoria peopled by the ghastly ghosts of Kruger and Malan, and Verwoerd and Vorster, I must confess, I felt a sense of rapture so profoundly beautiful that it was almost painful. And in that moment I remembered with so much gratitude the great sacrifices of those who suffered but also those who did not but had the moral courage to stand with those that did. This was a moment to recall, Jan Hoffeyer, (Field Marshal Smuts' liberal deputy) Alan Paton, Sheena Duncan and the incomparable Helen Suzman who for 13 years was the one Member of the South African Parliament, totally opposed to apartheid and has lived to see this day!

The words of Mandela's two speeches at his inauguration were deeply moving but for me and the most poignant moment was when a black and white teenage choir linked hands and sang Andrew Lloyd Webber's splendid song 'Love Changes Everything'. It seemed, incomparably to encompass the beauty of all that has happened in that once tragic and now happy country.

Bliss was it in that dawn to be alive.

“It's an English media campaign”

— Imran Khan

Pakistan's most accomplished cricketer ever, and one of modern cricket's superstars, Imran Khan defended himself forcefully in a wide-ranging interview with Senior Editor of India Today, SHEKHAR GUPTA at his Cancer Appeal office in London's bustling High Street Kensington. Excerpts:

Q. Why did you make the revelation?

A. Let me first clear something. It has been said that I did this to boost the sales of the book. I have no financial stake in the book. It's just that I thought, let me help him (Ivo Tennant) with the book so that rather than write a *Playboy* kind of account it will be something authentic.

Q. Doesn't the cancer hospital have a financial stake?

A. Well, he said he might give something to the charity. It could be even fifty pounds. It may be £ 5,000. Now, with the controversy, let's hope it will be more. But how much does that matter for a £ 23-million project? This whole thing came up because he asked me if I had done something illegal in my 21 years of playing. In such a long career one mistake, I thought, was not such a big deal. And then it was not such a big sin as it is now. You know, ball tampering has been going on for ages. I am truly amazed by the outcry. I wrote about this in my column in *The Daily Telegraph* and no one paid any attention.

Q. Did you admit to cheating there?

A. No, no. Everyone has been tampering with the ball. I too tampered with the ball in the sense of lifting the seam and scratching the surface of the ball. But I never considered it cheating because that was accepted as part of cricket. It was accepted because it is so ambiguous. David Lloyd, former captain of Lancashire, has said seam-lifting is an old English tradition. Then you see the Australian cricketers with sun-cream over their faces. They keep wiping sweat from their faces mixed with this cream and rubbing it on the ball. It is ball tampering. Scratching the ball is no bigger crime. And in the way I scratched, I did not even consider it ball

tampering because the law only forbids altering the condition of the ball. Now if the ball is rough and I maintain its roughness, it is not even tampering.

Q. Why the admission then?

A. First of all, what I did in the county match was illegal. But the reason I've been raising this issue is that ever since Wasim and Waqar, two great bowlers, destroyed the English batting line-up, they have faced this abuse that they cheat. Even after the World Cup there were snide remarks. Why did the umpires not catch them? The only two cases where the players have been caught tampering involved Derek Pringle and Phil Tufnell, a spinner who was doing it for the fast bowlers. And remember John Holder, the umpire who caught him, has never stood in a Test match again. You know why? He is a black umpire.

Q. If you had no guilt, why did you quit the ICC?

A. I never thought I was guilty. I did something illegal, admitted it in good faith, and was not guilty because once in 21 years is no big deal. Nobody is an angel. But I thought it was proper to quit because the ICC also has to make laws on ball tampering.

Q. If ball tampering has been so common, have you suspected other great bowlers of doing it as well?

A. Cheating is a very strong word. Gamesmanship, yes. I believe that if any sportsman reaches the top and does not cheat, he stretches the rules to the limits. They called bouncers intimidatory bowling. But all of us stretched that rule. Now they have limited it to one bouncer per over. Similarly they said over-rates should not be slow. But captains abused it, so they made precise laws. That is what they have to do about ball tampering as well. Define it precisely. It's the English media and a section of cricketers who have blown it out of all proportion.

Q. What is their motive?

A. There is a lot of racism here. When Bob Willis or Freddie Truman were tearing the heart out of Indian or Pakistani batting, we never heard an outcry about short-pitched bowling. How come the noise started when the West Indies and the Pakistanis began winning matches with their

fast bowlers? How come we never heard about slow over-rates until the West Indies fast bowlers came along? Australians can get away with anything because they are whites. There is a lot of racism in this society. Look at people such as Lamb and Botham making statements like: 'Oh, I never thought much of him anyway and now it's been proven he is a cheat.' Where is this hatred coming from? You remember the way Bishen Bedi was victimised in the vaseline incident because he dared to question John Lever, for cheating in Delhi. This whole thing is an English media campaign. Unfortunately, our media is weak so we cannot fight. I can show you millions of pictures of English players picking the seam.

Q. Haven't you said sometimes that English cricket also suffers from a class problem?

A. Yes. Look at people who have taken the rational side in the controversy. Tony Lewis, Christopher Martin-Jenkins, Derek Pringle. They are all educated, Oxbridge types. Look at the others: Lamb, Botham, Truman. The difference in class and upbringing makes a difference.

Q. You are a master of swing bowling. How much does ball tampering help?

A. No one has become a great bowler because of tampering. If you scruff up one side of the ball you can get a lot of reverse swing. If you lift the seam, a bowler like Richard Hadlee, on a green wicket, can cut the ball phenomenally. John Lever applied vaseline and bowled India out. The point is, every bowler indulges in gamesmanship. If anybody claims there are saints in the game who always stuck by the book, I haven't seen them.

Q. And the screwdriver technology?

A. This is a figment of Younis Ahmed's imagination. He tried to sell the story for £ 20,000. Ultimately he got £ 2,000. I'm taking legal action against him. The question is: have I actually told someone that I am only successful because of the use of screwdrivers and bottle tops? Even the two Indian umpires who stood at Jaipur have now confirmed they had the ball during the intervals when I am supposed to have disfigured it.

Q. Why can't the others reverse swing the ball?

A. Some do. I saw this new English bowler Gough the other day bowling New Zealand out. He was reverse swinging. Manoj Prabhakar has learnt it. He is a very fine bowler. I think he is India's best bowler at this moment.

Q. After such a long and successful career, isn't it sad that this controversy should stalk you now?

A. Yes. And the only reason I am worried is that it distracts people when I am raising funds for the hospital. I could have stayed out of it all but the only reason I got involved in the controversy in the first place was because of the vicious attacks on Wasim and Waqar. I take great pride in their development and am angry about the slurs they have faced. My point is, everybody did ball tampering. Now just because I said I was illegal once, they are saying: 'See, Wasim and Waqar too must be doing it all the time'.

Q. What do you think about the continued English domination of international cricket management when power equations have changed?

A. I absolutely disagree with this. This has to change. I've been very, very impressed with the way Indians have made their presence felt in the ICC. They've been very firm and truly forceful. Sadly in our country the board is not run by professionals. I can't expect anything from the Pakistani board.

Q. But haven't cricketers like you, Gavaskar and Richards thought of changing English domination?

A. I'm extremely keen Sunny speaks out. Just one statement from him will make so much difference. I know he has constraints being on the ICC. But he is never afraid to speak his mind. That's why I respect him so much. It's time Asian cricketers gave up subservient attitudes.

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The right of self-determination — a time for reinvention and renewal

Nihal Jayawickrama

Need for enforcement mechanism

Even a redefined right of self-determination, by itself, is not likely to be of much avail to those "peoples" who seek to invoke it in the absence of an international institution with authority to evaluate claims to self-determination upon legal principles rather than on political expedience. There is a need for a more flexible procedure of reference to enable the International Court of Justice to pronounce upon the validity or otherwise of a disputed claim. The Human Rights Committee, which could well have assumed that role, at least in respect of State parties to the Optional Protocol, has already informed the Micmac tribal society and the Lubicon Lake Band in Canada, as well as the inhabitants of a Colombian archipelago and the people of South Tirol, that because the right of self-determination is collective right, no claim may be brought before it. The Commission on Human Rights meets every year to consider, among others, an item entitled "The Right of Peoples to Self-Determination," but that body and, indeed, both the United Nations General Assembly and the Security Council are all political institutions where decisions are usually based on political expediency. Whether a member state will take up a "people's cause will depend largely on political and self-interest motivations operating at any given time. Whether a non-governmental organization can be persuaded to espouse a "People's" plight will also depend on that NGO's own agenda.

Consider, for instance, the contradictory positions of the Government of India on the scope of the right of self-determination. On acceding to the International Covenant on Civil and Political Rights, India's understanding was:

the right of self-determination applies only to peoples under foreign domination and those words do not apply to sovereign independent states or to a section of a people or nations — which is the essence of national integrity.²¹

But when India invaded the Portuguese colony of Goa and annexed it, its justification was:

The question of Goa is a colonial question, in the sense that part of our country is illegally occupied by right of conquest by the Portuguese. The fact that they have occupied it for 450 years is of no consequence because, during nearly 425 or 430 years of that period, we really had no chance to do anything because we were under colonial domination ourselves.²²

And when it was called upon to explain its military assistance to East Pakistan, then waging a war of secession against the sovereign and independent state of Pakistan, the Indian Foreign Minister argued:

International law recognizes that where a mother state has irrevocably lost the allegiance of such a large section of its people...and cannot bring them under its sway, conditions for separate existence...come into being.²³

This illustration of shifting stances can probably be replicated as many times as there are member States in the United Nations. It is intended only to demonstrate the futility of leaving the implementation of the right of self-determination within the exclusive jurisdiction of political institutions.

Therefore, if self-determination is a right of "peoples," there is now an urgent need for the establishment of a commission or a high commissioner to which or to whom

the "people" will have a right of access whenever their exercise of self-determination is either disputed or denied. This institution should be able to evaluate upon proper legal criteria, offer assistance where it appears necessary, intercede where the situation so warrants, and refer to the appropriate authority a matter that requires to be adjudicated upon. Nowhere is this need better exemplified than in the country which, for the past eight years, has effectively been my home.

The Case of Hong Kong

To many in this part of the world, Hong Kong is a great trading emporia, the world's third largest financial centre, and the world's principal manufacturer of garments. But for many of those to whom Hong Kong is home, it means much more than that. Beginning with the Taiping Rebellion of 1851, Hong Kong has throughout its history been a sanctuary for people from southern China who sought refuge during times of tumult and disturbance on the mainland. The largest influx of refugees was induced by two comparatively recent events: the establishment in 1949 of the People's Republic of China, and the outbreak in 1966 of the Cultural Revolution. As its population increased from the original 5000, many of whom were migrant fishermen, to nearly six million today, what Hong Kong offered to its inhabitants was hope, opportunity and, above all, security.

Therefore, when we speak of Hong Kong today, we are focusing on a cohesive national group: a people who have, over a century and a half of existence as a separate legal entity, assiduously developed not only their own economic and social systems, but also a distinct and unique cultural identity, and thereby created a nation within clearly defined histori-

cal boundaries. And when we speak of Hong Kong in the context of self-determination, we are focusing on what will surely be a most traumatic event in the lives of those people when, without their consent or even consultation, they are stripped of their citizenship and handed back to the very regime from which they and their families sought, and believed they had found, refuge and sanctuary. It is perhaps the most shameful episode of British colonial history, an episode in the writing of which both the United Nations and the individual members of the international community also appear to have connived.

Hong Kong is unquestionably a non-self-governing colonial territory. It acquired that status in 1842 when the Emperor of China ceded to the Queen of Great Britain, by a treaty of peace and friendship, the island of Hong Kong to be possessed in perpetuity, and in the following year, by letters patent issued by Queen Victoria, Hong Kong and its Dependencies were constituted a colony. In 1860, by a similar treaty, the Chinese Emperor ceded to the British Queen the township of Kowloon to be held as a dependency of the colony. In 1898, by a convention signed in Peking, it was agreed between the British and Chinese governments that "the limits of British territory shall be enlarged under lease".²⁴ The leased territories, for which no rental was demanded or paid, were also declared to be part and parcel of the colony of Hong Kong.

These were valid transfers of territory according to the law, practice, and values of that time. It was an age when territories changed hands as if they were private property. Occupation, conquest, sale or lease gave good title to a sovereign intent on establishing an empire. In both domestic and international law, therefore, Hong Kong's status was that of a non-self-governing colony. Accordingly, when the United Nations embarked on its programme of decolonization, and established a special committee to monitor progress towards self-government, Hong Kong was one of the colonial territories placed on its agenda. From 1947 until 1972, the British government furnished regular information to that committee on constitutional developments in the territory.

In 1972, barely four months after the People's Republic of China was "admitted" to the United Nations, the Chinese Ambassador to the UN requested the Decolonization Committee to delete Hong Kong from its list of colonial territories on the ground that Hong Kong was part of Chinese territory occupied by Britain on the basis of unequal treaties. He argued that the "settlement of the question of Hong Kong" was entirely within China's sovereign right, and would be dealt with "in an appropriate way when conditions are ripe".²⁵ The 24 member Decolonization Committee under the chairmanship of the fiercely pro-Chinese Tanzanian Ambassador, Salim Ahmed Salim, referred the Chinese request to a yet smaller working group under the same chairman which, after a brief exchange of views one afternoon, recommended that it be granted. Three weeks later, despite objections by several members who felt that the question ought properly to have been referred to the General Assembly, the working group's recommendations were adopted by the Committee. There was reason to believe that Britain, as a matter of deliberate foreign policy, acquiesced in that decision.²⁶

The assertion that the 19th century treaties relating to Hong Kong were "unequal treaties" and therefore invalid does not receive any support from contemporary international law or practice. It was most unfortunate, therefore, that the United Nations Committee charged with monitoring the exercise of the right of self-determination should have abandoned its fiduciary duty in such a cursory manner. However, the fact that Hong Kong was deleted in those circumstances from the agenda of the Committee does not alter its legal status as a non-self-governing colonial territory. In fact, the continuing recognition by the United Nations of Hong Kong's colonial status is evidenced by the fact that in 1979, 1988 and again in 1991, the Human Rights Committee called for and examined reports submitted by the British government in respect of its dependent territory of Hong Kong.

On 26 September 1984, in Beijing, representatives of the British and Chinese governments initialled the draft text of an agreement on the future of Hong Kong.

That agreement — the Joint Declaration — provided for the transfer of sovereignty from Britain to China. In it, the Chinese government stated that it had long been "the common aspiration of the entire Chinese people" to "recover the Hong Kong area"; and the British government declared that it would accordingly "restore" Hong Kong to China effective 1 July 1997.²⁷ The agreement had been negotiated in secret: the inhabitants of Hong Kong had not been consulted on its contents at any stage of those negotiations. In December of that year, the Joint Declaration was signed in Beijing by the Prime Ministers of Britain and China, the now infamous Zhao Ziang and the much lamented Margaret Thatcher. In June 1985, instruments of ratification were exchanged. No referendum was held to seek the views of the people of Hong Kong.

In 1985, the Chinese National Peoples Congress established a committee to draft the Basic Law of the future Hong Kong Special Administrative Region. That committee comprised 59 members, of whom a minority, only 23, were from Hong Kong. None had sought or received a mandate from the people to represent them on that committee. Two who had had the temerity to condemn the Tiananmen massacre of June 1989 were branded as "subversive" and "counter revolutionary" (offences punishable in China with death). They warned that "there was no place for them in Hong Kong",²⁸ and summarily were ejected from the committee. In April 1990, the final draft of the Basic Law was adopted by the Chinese legislature. Within three hours of its adoption, even Hong Kong's non-elected legislature voted overwhelmingly to reject it. In a more dramatic gesture, the 170,000-strong Hong Kong Federation of Students burnt a model of the Basic Law and dumped hundreds of torn copies on the steps of the New China News Agency, China's unofficial embassy in the territory. It condemned the drafting exercise as a "shameful sell-out of Hong Kong's interests by Beijing and London".²⁹ A demand by several interest groups for a referendum on the Basic Law was ignored.³⁰

The Joint Declaration and the Basic Law will integrate Hong Kong with China. However, at no stage in the events leading

to the ratification of the former or the enactment of the latter were the people of the territory given an opportunity to express their acceptance of those documents. Is such integration legally possible under contemporary international law without the consent of the people of Hong Kong? In the view of Judge Nagendra Singh of the International Court of Justice, as expressed in *Western Sahara*, the answer is clearly in the negative:

even if integration of territory was demanded by an interested State,...it could not be had without ascertaining the freely expressed will of the people — the very sine qua non of all decolonization.

As he stressed:

consultation of the people of the territory awaiting decolonization is an inescapable imperative whether the method followed on decolonization is integration or association or independence.³¹

Therefore, in the absence of an affirmative vote in a referendum, or any other indication of approval by the people of Hong Kong, the Basic Law is merely the unilateral act of the Chinese government, taken in pursuance of an agreement with the colonial power.

Does Britain, as the colonial power, have the authority to transfer sovereignty over Hong Kong? In the case of the Spanish Sahara, unlike the case in Hong Kong, Spain — the administering power — refused to accede to Moroccan demands that, due to historic ties, the colonial territory be transferred. And, as Judge Gros was to observe, "if Government of Spain had agreed to support the claim of the Government of Morocco, such an attitude would have been without any legal effect in the international sphere."³²

This judicial opinion appears to suggest that, under contemporary international law, the Joint Declaration does not have sufficient legal force to transfer sovereignty over Hong Kong. Since it is still a non-self-governing British colony, Britain's mandate under international law is now strictly limited to guiding the colony to self-government and the exercise of self-determination. Britain does not have

the authority to cede a colony to another state. Indeed, if the right of self-determination is regarded as a peremptory norm of international law, the Joint Declaration would, in the face of the Vienna Convention on the Law of Treaties, be null and void.

But where does all this leave the inhabitants of Hong Kong, six million "people" of a non-self-governing colonial territory who unquestionably enjoy the right of self-determination? Today, nearly ten years after two permanent members of the Security Council began acting contrary to a peremptory norm of international law, the United Nations continues to maintain a deafening silence. No UN institution, be it the General Assembly, the Commission on Human Rights or the Decolonization Committee, appears to be disturbed by the fact that in an age when colonialism has all but been laid to rest, this unique manifestation of neo-colonialism should occur. No member state of the UN has considered it fit to ask in any forum why six million free people living in one of the few genuinely free and open societies in the contemporary world should be stripped of their citizenship and compelled to submit to rule by, if I may use the words of Mr. Justice Michael Kirby, "a geriatric autocracy".³³ The International Commission of Jurists, which was the only non-governmental organization that dared to examine the issue, reported last year that the people of Hong Kong are entitled under international law to the right of self-determination, and regarded it as:

intolerable for the British government to transfer British citizens in Hong Kong to the jurisdiction of the People's Republic of China without their own consent and without any opportunity having been given to them to participate in deciding on their own future.³⁴

Conclusion

I have attempted, through the traumatic experiences of two countries with which I can claim some familiarity, to argue for a redefinition of the right of all peoples to self-determination in order to encompass within the concept of "peoples," numerically small but cohesive ethnic, religious and linguistic groups living in sovereign and independent states. I have also attempted

to demonstrate the need for the establishment of a UN body with authority to implement the right of self-determination, a body to which the "people" will have access. Both these areas are minefields of potential problems. I do not for a moment suggest that complex issues relating to population transfers and line-drawing in time and place will not arise. But unless we focus on them now, and begin the long journey towards their resolution, the new international human rights regime will continue to deny its protection to the very people who need to be protected most.

Notes

21. UN Doc. CCPR/C/2/Rev. 3 (1992) 18.
22. *Question Relating to Goa* Security Council, official records, 987th meeting, para. 3.
23. UN Doc. S/PV. 1611 (1971) 62.
24. *Convention between China and Great Britain respecting an Extension of Hong Kong Territory*, Peking 9 June 1898, T.S. 1898 No. 16, c. 9087; C.T.S. No. 186 at 310; De Martens, 2 XXXII, 89.
25. Letter of Ambassador Huang Hua, Permanent Representative of the PRC to the United Nations, to the Chairman of the UN Special Committee on the Situation on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (8 March 1972).
26. For a fuller discussion of this subject, see N. Jayawickrama, "Hong Kong: The Gathering Storm" (1991) 22:2 *Bulletin of Peace Proposals* at 157-74.
27. The Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, 1984, paras. 1 and 2, 23 I.L.M. (1984) 1366 at 1371.
28. *South China Morning Post* (22 July 1989); *Hong Kong Standard* (13 December 1989).
29. *South China Morning Post* (17 February 1990).
30. *South China Morning Post* (19 February 1990).
31. *Western Sahara*, *supra* note 13 at 81.
32. *Ibid.* at 71.
33. Justice M.D. Kirby, "Population Transfer and the Right to Self-Determination — Differences and Agreement" (Paper presented to the International Conference on the Human Rights Dimensions of Population Transfer, 10-14 January 1992) [unpublished]. Kirby states, "the people of Hong Kong... will be handed over to a geriatric autocracy without an act of self-determination in the last great colonial abdication of perfidious Albion."
34. *Countdown to 1997: Report of a Mission to Hong Kong* (Geneva: International Commission of Jurists, 1992) at 56.

A landmark judgment

N. Ram

The Indian political system and the media are yet to come to a real understanding of the historic import of the Article 356 judgment the Supreme Court pronounced, over several hundred pages, on March 11, 1994. The nine-judge Constitution Bench took up two of the critical issues of contemporary Indian politics, secularism and federalism, and came up with a powerful determination that could make a progressive difference to the working of the political system.

If it is understood that a Constitution is only as good as the way its core principles and provisions are put to work, then the Indian Constitution and the political system it is supposed to oversee and regulate have, for long, been in need of re-direction. At least for the remaining years of this century, the Supreme Court has clinched the rules of the constitution game in these two spheres.

The implications of the historic judgment are reported and analysed in detail in the *Frontline*. The verdict could not have been fairer on the recent instances of resort to Article 356. The Supreme Court unanimously and full-throatedly upheld the dismissal of the BJP State governments of Madhya Pradesh, Rajasthan and Himachal Pradesh in December 1992 — because their anti-secular actions were inconsistent with the secular Constitution. The majority held as unconstitutional the Centre's use of the knife of Article 356 in Nagaland (1988), Karnataka (1989) and Meghalaya (1991), although there was no question of reversing the effects of unconstitutional actions now.

In arriving at these politically important verdicts, the apex court undertook a *de novo* and party radical exploration of Article 356, a provision which violates the theory of federalism by loading the decks in favour of the Centre and enabling it, on its judgment, to do away with a particular elected legislative and executive dispensation in a State. In making up its mind at the end of the exploration, the apex court places on high ground and beyond constitutional question the power of judicial review over Centre-State relations generally and, in particular, the resort to

Article 356 by the Centre. Without such a power, the written constitution scheme and any question of fairness and justice subsisting in the federal aspect of the scheme would be a fraud.

The majority determination on the nine-member Constitution Bench serves notice on the system that, in future, the constitutionality of the use of the knife of Article 356 (which has, notoriously, been applied over 90 times since 1950) will be eminently justiciable. In other words, the higher judiciary will be a more active and effective umpire in the game the Centre, Article 356 in hand, plays with the States. It is clear, in any fair political reckoning, that until this judgment came along, cheating was the rule and fair play the exception in this game.

The key operative part of the Supreme Court's landmark judgment on the use of Article 356 lies in the majority agreement reached on the following specific points:

☆ The validity of the proclamation issued by the President under Article 356(1) is "judicially reviewable to the extent of examining whether it was issued on the basis of any material at all or whether the material was relevant or whether the proclamation was issued in the *mala fide* exercise of power. When a *prima facie* case is made out in the challenge to the proclamation, "the burden is on the Union Government to prove that the relevant material did in fact exist." The material may be either the report of the Governor or something other than the report, but it must meet the new test.

☆ Article 74 (2), which bars judicial review so far as the advice given by the Ministers to the President is concerned, is "not a bar against the scrutiny of the material on the basis of which the President had arrived at his satisfaction."

☆ The Constitution places a check on executive power exercised in the name of the President by requiring parliamentary approval of a presidential proclamation issued under Article 356. Therefore, "it will not be permissible for the President" to exercise powers under sub-clauses (a), (b) and (c) of Article 356 (1) and to "take irreversible actions" until "at least both the

Houses of Parliament have approved of the proclamation." In other words, the Legislative Assembly of a State cannot be dissolved until "at least" both the Houses of Parliament approve the executive action.

☆ If the presidential proclamation is held invalid, "then notwithstanding the fact that it is approved by both Houses of Parliament, it will be open to the Court to restore the *status quo ante*" and bring back to life the Legislative Assembly and the Ministry.

☆ While the Court "will not interdict" the issuance of a presidential proclamation or the exercise of any other power under the proclamation, in appropriate cases it will have the power by an interim injunction to restrain the holding of fresh elections to the Legislative Assembly pending the final disposal of the challenge to the validity of the proclamation. This it can do to avoid a *fait accompli* and to prevent "the remedy of judicial review (from) being rendered fruitless."

The most far-reaching aspect of the Supreme Court's judgment lies in its splendidly uncompromising championing of secularism as a basic and inalienable feature of the Constitution — a feature nobody has any right to work against. The majority agreement on the secular imperative is contained in this conclusion in the judgment delivered by Justice Sawant (on behalf of himself and Justice Kuldip Singh): "Secularism is a part of the basic structure of the Constitution. The acts of a State Government which are calculated to subvert or sabotage secularism as enshrined in our Constitution can lawfully be deemed to rise to a situation in which the government of the State cannot be carried on in accordance with the provisions of the Constitution."

An excellent exposition of secularism is offered in Justice B.P. Jeevan Reddy's judgment (for himself and Justice S.C. Agrawal): "While freedom of religion is guaranteed to all persons in India, from the point of view of the state, the religion, faith or belief of a person is immaterial. To the state, all are equal and are entitled to be treated equally. In matters of state, religion has no place. No political party can

simultaneously be a religious party. Politics and religion cannot be mixed."

In this powerful exposition of secularism as something permanently embedded in the Constitution, Justices Reddy and Agrawal demolish every one of the building blocks of *Hindutva* (and every other type of communal) ideology:

It is "absolutely erroneous to say that secularism is a 'vacuous world' or a 'phantom concept'." The Indian Constitution has several provisions which strongly express its commitment to secularism. This means equality, non-discrimination and justice for all its citizens and no one can be permitted to be less or more equal than any other. It means equal liberty of conscience. It is impermissible to treat minorities as "second-class citizens."

Secularism does not mean a hands-off state policy towards religion, but it certainly means the state has no religion and it is unconstitutional for it to tilt in favour of any religion. "In short, in the affairs of the state (in its widest connotation) religion is irrelevant; it is strictly a personal affair."

The founding fathers read the concept of equality-fairness-and-justice-based secularism into the Constitution "not because it was fashionable, but because it was an imperative in the Indian context."

Above all, it is constitutionally illegitimate for either the state, or any political party, to mix up religion and politics; to use communalism as a political mobilisation strategy; and to fight elections "on the basis of a plank which has the proximate effect of eroding the secular philosophy of the Constitution." A party or organisation which "acts and/or behaves by word of mouth, print or in any other manner" to bring about the effect of mixing up religion and politics will certainly be "guilty of an act of unconstitutionality." It will "have no right to function as a political party."

The apex court has done the country and the political system proud. Its judgment is a tremendous blow to the BJP, to the cause of *Hindutva* and Hindu Rashtra, and to every other brand of communalism. In the battle against the adversaries of secularism, the corner has been turned, constitutionally speaking. The path has been cleared to introduce intelligently targeted and tough legislation against the mixing up of religion and politics.

The Scholar's Tale

Part 15

*What old Colonials had failed to achieve
With Imperial bluff and make believe
Ran real on our Free Market Stage
Within just one dumb and dazed decade*

*The Monovirates spectacular success
Transplanting an aborted process
From the mid 19th to the late 20th AD
Merits pinpoint probe, dissection and study*

*Old Cameron if not old Colebrooke
Thinking Capitalism had what it took
Broke the Old East India Company Code
Putting State Sahibs on the Free market Mode*

*Cutting off free flowing stream, forest and air
From our people for the new laissez-faire
For a production mode they boasted was Global
Until slump-hit and bogged in big trouble*

*May be the 1848 insurrection
Took Laissez-faire to the grave without cremation
Spawning this ghoulish resurrection
In the 1980's without safe-guards or intervention*

*There were Whitehall curbs on Plan Cameron.
A sober, accountable, administration,
Knowing the greed and vulgarity of Merchants
Left governance to good Civil Servants
With traditions spanning each Century
Weaning tyrants from ways arbitrary.
(Even Colebrooke and Cameron laid down
The precedence of Statute to Crown)*

*Not so the Coramandel Caliphate
Trimming Statute to each whim of State
Old inheritance of Piracy and Spices
Brought to State-Craft its own devices*

*So the restored Free-Market momentum
Restrained by a modulated Cameron
Was unleashed a century later
When the Monovirate out-did Westminster*

*Governance by Hawker & Broker
Painful and painless Extractor
Professional killer and Hi-Factor
Global Consultant and contractor
And oiling the Private Sector
Each Sinister Aid-Trap benefactor*

*Though 1848 brought some release
1988 was just Putsch as you please
Since the game was who would be Fuherer
The poor in the cross fire got poorer*

(Continued)

U. Karunatilake

Homing and other Poems

(first published 1993 by Peradeni Prakasana)

Reviewed by Wilfrid Jayasuriya

These poems have been written or translated during the that decade 1984-1993. They reflect some of the many concerns where some of the poems are personal, all of them are contemporaneous.

The first section called "Homing" is dedicated to the writer's wife and reviews their marriage of twenty five years. In the title poem "Homing" the poet reflects on her portrait, which he draws from memory, while he is away in Germany, thus creating an "objective correlative" for the act of recreating the past. "... my truth-telling pencil's line...Shadows at lips and eyes compel dismay...For the daily murder of your self-respect" indicate his sense of the loss that marriage causes in its partners. But in another poem "Garland" he exclaims "God! you frolic like seventeen, gambol like a wise instructed dasi..." thus reflecting the changing moods of a marriage. But he himself is conscious of ageing ("this head is painted white") but glad that she still accepts him: "transform silly goat into courteous lover". He becomes self conscious of the act of writing and wonders why he should reveal such intimate memories to the world and he compared the process of self consciousness or exegesis to "thumbing a lift on every ride". This image introduces a self deprecating touch to the discourse which is conducted at a high poetic level as befits the subject. He questions the value of the act of writing as compared to the real value of their married life. It is because he had been able to live the marriage that the poetry, which is a kind of free ride, becomes possible. The lyricism is therefore justified in terms of a reality which is outside art: "Your beauty is my absolution".

If the homing poems are self consciously wise and lyrical the "Mysore Poems" are vehicles for the writer's feelings of protective sarcasm about India. The lack of western order and form which E.M. Forster observed in *A Passage to India* is the clue to the feelings which a westernized intellectual has towards India. Yet the poet revels in the real or the Aristotelian "whatness" which India presents and tries to unify in its thought.

Manasagangotri April
Landscape dwindles under this insistent sky
Light stabs through ragged eucalypts
I walk warily. If a Third eye should open..

introduces the sense of metaphysical fantasy, of the divergence between the possible and the existential which is the theme of these poems. The poet also has scope for literary mannerisms which delight because they are pleasant exercises in familiar modes. As he sits in a Karnataka State Tour bus

In the seats in front of me two heads
Middling young, dip to each other
Longsoft hair and groomed black
Mingle. Blessings to them from remembered tenderness!
Delicately a louse steps
From soft to black

In "Threnody," or mourning music (from "Pasan" which is the Sinhalese word for songs about the passion of Christ sung during Lent) the contemporaneous and recognizable appear. The emotions of horror and inexplicability which the ethnic and political murders of the eighties caused among all people are expressed in two scenes. The first is that of a headless corpse floating down the river which the children find amusing because of its penis bobbing above the water. The backdrop to this event is the folk lullaby about the mother who has gone to fetch the pot of milk for the crying child.

down in the river a pot goes floating by
over the waters the white cranes fly

Like the headless body's story the lullaby gives no indication in its last two lines (quoted above) as to why the mother is absent or why the pot floats down the river.

In the second scene a bodiless head floats in the pond, "our ornament", (a decorative pond like the one on the Galaha road in the Peradeniya campus) and the poet says

Remember
"it is evil to forget"
the dismembered memberless gazes
stares, the screaming
of children as school bus stalled
and stuttered, and in the pond
lotuses gazed gazed at the bluest sky

Lotuses are the symbol of beauty and wisdom (the Buddha was born from one). The images and the feelings are familiar and the poet has welded them together in a process which combines the man who suffers and the artist who creates. The moral force behind the feeling is strongly conveyed. How can one explain the co-existence of innocence and evil?

In the section called "Sabbatical" some poems have been written in U.S.A. where the poet, who teaches English at the University of Peradeniya, had spent an year. They deal with thought-filled responses to the American environment as well as with homeward feelings for Sri Lanka. "Fall Poem, Looking Homewards" establishes both moods. The scene is autumn and the beauty of Fall arouses "unregenerate memory" of home. It is a formal poem, a sonnet, and I quote it in full to convey the flavor of the rhetorical sweep which can overcome a writer engaged in such an impersonal, poetic process.

Rapturous the colours of decay
Endless the subtle harmonies of fall
I pick leaves off sidewalks, figuring an essay
of fire, rust and mud to hush the call

The dance of unregenerate memory
of ancient rock, warm rain and bellying cloud;
the Na flushed scarlet the day we came away
Swaying and swooping the Bougainvillea bowed

I'm knit into your tala
My words supple as Suramba's bones
Forged in a hunger for exactitude
Bright as hill water, still as your lake
Full in the mouth as ela-rounded stones
Intense as sages in beatitude

The dramatic situation portrayed in the first four lines lead to a catalogue of memories within which the poet asserts his inseparable and proud integration into his native culture and land. It ends with a peroration, which a reader can declaim, adding up the emotions which each of the items can evoke into a flood of patriotic feeling. It can be said to be in the tradition of such poems as Walter Scott's "Breathes there the man with soul so dead" or Rupert Brooke's "If I should die think only this of me". The fact that Halpe can write in this vein in spite of the "new critical" bias towards irony in which he was baptized indicates a resource of sincerity of feeling which cannot be frightened away by criticism. It is not the poetry of angry nationalism as Lakdasa Wickremesinghe essayed but a more settled attitude. The phrase "ela-rounded

stones" reminds me of the image of a stone in a stream which W.B. Yeats uses in "Easter 1916" to symbolize the inability of a nation to survive the pressures of history.

Hearts with one purpose alone
Through summer and winter seem
Enchanted to a stone
To trouble the living stream

The stream is the stream of life which is enlivened by the

Horse that comes from road
The rider, the birds that range
From cloud to tumbling cloud

Too long a sacrifice
Can make a stone of the heart
O when may it suffice?

The "ela-rounded stone" in Yeats poem becomes a symbol of the heart of stone. Yeats, too, was rhetorical in his best poetry and he composed it with the heat of personal feeling aroused by commitment in the national struggle. He has a political message for the living about the futility of the continuing struggle when negotiation is possible. Such combination of thought and feeling is clearly absent in the more generic references to Sri Lankan history and geography found in the lines quoted from Halpe. But Halpe' too is a romantic poet in the great tradition of Yeats.

Being a Catholic Halpe sometimes uses references to Catholic ritual for framing a poem or to create mock heroic overtones. Thus the series of readings by writers he had attended in an American university are satirized by framing them in the sequential steps of the Mass, thus ridiculing them for the solemnity and self importance which they presume, but do not possess.

The First Reading

He told us in a "characteristic aside"
That he had more driving poems
Than anyone else in the country.
..... So
Driving about writing about driving he
Sought a certain length,....

While we can laugh at the apparent lack of sophistication that the writer-reader displays it may also be true that driving is an experience about which poetry can be written. E.E. Cummings for instance described the act love in terms of driving in "She Being Brand New". Driving is one of the important and often pleasurable experiences in USA which a Sri Lankan audience will not appreciate and will therefore find their literary egos boosted by the exhibits that Halpe' presents in "Writers Reading". This poem illustrates the importance of the audience that the writer has in mind to make his work effective. Non-Catholic readers will miss the irony of the sub-headings taken from the Mass ritual. But the local cognoscenti will be confirmed in the superiority of their English culture.

The audience is in gurgles and burbles
The reading pedals on madly
He still looks like the man who taught
Fifth grade in PS 55 (Upper West Side)

Farewell America

And all your awesome works....
Headed home we'll catch
A scent of New Year cooking across half the world.

Deo gratias, alleluia. Alleluia.

The book also contains translations from Sinhalese folk verse and formal poetry which present a complementary aspect to the satiric verses about abroad — both USA and India. The standpoint is the hybrid colonial culture of the South Asian subcontinent, which recognizes and accepts the rootedness of our emotions in five centuries of colonial culture, and combines it with the ancient culture embodied in the native languages. The reader can get quite a shock at the abruptness of the transition from Sinhalese to English. The carter's song which is plaintively wailed at length as the cart slowly

goes along the road is given the following elliptical version:

Two yoked together, driven along
Tortured, not loosed even at katukelle'
The sight of Haputale' hill makes the stomach burn
Sinful ox! Climb Haputale mountain

The speaker is the carter but the sufferer is the bull. It is the bull's viewpoint that the song conveys. Yet the last line disengages the speaker from the sufferer very explicitly. Halpe' conveys these feelings which are rooted in the Buddhist ethic rather abruptly but effectively.

Since suffering as a theme is so close to the Buddhist ethic it is appropriate to consider the work of a major modern Sinhalese poet, Wimalaratna Kumarama. His "About Myself" speaks of the suffering of thwarted love. It starts off dialogically: "My love although my days have withered fast / I still think of you". An authentic note is struck by the lines: "a smouldering fever gleams within our eyes.... As long as this blood guilt yet stains my heart".

We thought our days would pass in harmony
What is it then this clamour in the mist?
Bareheaded in the rain you come to me
What are these drops of blood? Is this my death?

The mystery of blood guilt which is given as the cause of the suffering suffuses the feeling in the poem. This mystery is diffused in the last verse, by the distancing achieved by the image, which generalizes the feeling:

Hammers and anvils must suffer alike
But lonely broken hammers still may smile
Remembering the sparks they used to strike
From anvils long forgotten in the dust

The backward look at sexual enjoyment which the hammer-anvil image conveys is bitter-sweet. It conveys the typical mood of the original Sinhalese verse.

Reading the "Sketches" and personal poems ("Reveries" etc) I appreciate the interaction with the subtle and intricate mind which creates the verse. A little or a big event evokes complex thoughts which the poet can trace adequately in language. But there are other occasions when the language becomes transparent to admit a vision of the reality it is trying to convey. "Among Commuters" is such a poem.

A long distance traveller
Among short-runners, ruminantly reading
But attention running down and energy melting
In all the tangled tumult of commuters' quarter to eight

Then the cool shock of two voices

We'll soon be at Maradana
Yes.
What will you do now?
The things used to do before I met you.
Well....I'll go then
As
You wish.

At Maradana

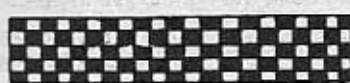
The surge upstairs to the street
Is caught in perfect waves; step to step
The faces ripple workwards, all intent
On that pure motion
Sacramental.

There is the poignant event of lovers separating with such few but pregnant words of farewell. The dialogue is transparently Sinhalese in origin. And then the poet's voice intervenes with his own feelings and evaluation encapsulated in the word: "sacramental". Another world view is presented there clashing with the loss of feeling that the separation of lovers implies. Even the city crowd's motion has a meaning which transcends the physical reality and which each person in it does not know. It is the poet who sees it.

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Muslim Perspective on Bosnia

Re Sri Kantha's latest (LG of June 1). He cannot really expect anyone to believe that his earlier letter in the LG of May 1 commenting on my article on Bosnia in the LG of March 15 was meant to be a parody. Nuhman did not read it as such (LG of May 15), nor did I, nor can anyone else who is not mentally deranged.

It merits serious analysis as an extraordinarily interesting exhibit. He provides a Hindu perspective on Bosnia according to which, in terms of the theory of karma, the current fate of the Bosnians is related to what was done against the Serbs in the past by the Ottoman Turks. He adds parenthetically about the Turks, "read as Muslims". It seems a curious notion of karma according to which one people, the Bosnians, have to pay for what was done in the past by another people, the Turks.

But, no, what SK evidently has in mind, evident from the parenthetical addition quoted above, is that both those peoples share an identity because both are Muslims. Therefore the Bosnian Muslims of today get a whacking, in terms of the Sri Kanthian theory of karma, because of what the Turkish Muslims did in the past.

The implications of that argument should be very interesting for Sri Lankans. It can be used to justify the whacking of the Sri Lankan Muslims by the LTTE. I refer to the massacres of Muslims in the Eastern Province mosques and their expulsion from Jaffna. Muslims elsewhere have committed outrages, therefore Muslims here deserve a whacking, which the LTTE has proceeded to award in fulfilment of the Sachi Sri Kanthian version of karma.

Is SK man enough to admit that his real position is this: All Muslims all over the world deserve a whacking, all the time? Smacks to me of mad rage against Muslims. I wonder how many Hindus subscribe to the SK version of karma.

Nuhman asks whether SK was explaining the fate of the Bosnians or justifying it. Undoubtedly the latter, as can be seen from SK's remark that I have portrayed the Bosnians as "pitiable heroes" whereas they acted as villains, by which he evidently means that they are not entitled to any sympathy or support. It is clear enough that SK has invoked karma to provide a religious justification for the Bosnians' fate.

SK has made a big mistake in pretending that his letter was meant as a parody, which none but the mentally deranged

can believe. Had he claimed that it was meant as nonsense, everyone would have believed him. I have in the past generously acknowledged that he has genius, a genius for writing nonsense literature, a genre to which the letter analysed above is an outstanding contribution.

His latest letter is yet another outstanding contribution to nonsense literature. In it he objects, using the most insulting terms, to my having written from a Muslim perspective on Bosnia because "suffering should be viewed in a broader humanistic angle first". Is the man really unaware that a vast amount has been written on Bosnia from a broadly humanistic angle, and that there certainly is a place for an article from a Muslim perspective? I must add that the LG editor requested such an article and I provided it. SK has yet again demonstrated his genius for writing nonsense. Of him it can be said that while others to some faint meaning might make pretence he, Sachi Sri Kantha like Dryden's Shadwell, never deviates into sense.

I believe that the background to his cowardly disavowal of his original letter can be reconstructed with reasonable accuracy. After having written it in a fit of mad murderous rage against Muslims he must have realised, perhaps following on rebukes from outraged fellow-Hindus, that its brutish nastiness would nauseate all sane human beings who read it. At that point he must have feared that a right royal whacking was on its way, administered as in the past by Izeth Hussain. He then panicked and bolted for cover, squealing for help.

The bolting for cover took the form of a disavowal of his own letter by pretending that it was a parody, hoping that it would not be attacked for what it really and indubitably is, an explosion of anti-Muslim hatred. The bolting took the form also of a gratuitous compliment on Nuhman's poetry, meant to show that SK is not rabidly anti-Muslim as such. And the squealing for help can be clearly heard in the same compliment, meant partly to get someone else on his side.

I am however uncertain on one point, about which I hope SK himself will provide a clarification. While believing that as a matter of general principle all Muslims always deserve a whacking, he may be humane enough to make some exceptions, for instance for a Muslim writing in Tamil. His rage at its most mad and murderous is reserved, I strongly suspect, for Westernized Muslims who dare to hold

forth in English on matters requiring high levels of intellectual sophistication for their treatment, something which in terms of Sri Kanthian cosmology should be left to their betters.

Over to you Sachi, for another outstanding contribution.

Izeth Hussain.

Theory of Karma

I was surprised and shocked to read Dr. Sachi Sri Kantha's "A Hindu Perspective on Bosnia" (LG, May 1st 1994).

I always admired and agreed on what Sachi Sri Kantha wrote on the ethnic (Tamil) problem of Sri Lanka. But on Bosnia Muslims he is 100% wrong and the theory of karma does not hold good in modern context. Imaginative theories of karma and re-birth were expounded/created to instil fear so that people do not commit sins and crimes.

Why blame the current generation of Bosnian Muslims for what their forefathers did several hundreds of years ago. The Bosnian Muslims are fighting for self preservation and to safeguard the boundaries of their traditional homelands. They should have the right to live in peace.

If the theory of karma is to be believed, are we Hindu/Tamils should also believe that the current generation of Sri Lankan Tamils are suffering in many ways because of some unknown or imaginary sins committed by our forefathers?

Minorities are minorities wherever they are or whether they are Bosnian Muslims or Tutsis or East Timorians or Sri Lankan Tamils. We all have similar problems and we the minorities deserve to live in peace in our own countries.

V.T. Saravanapavan

Canada.

Parody and Profanity

My thanks to Sachi Sri Kantha for his clarification (LG June 1). I criticized only his text but not his intention. It may be true that his intention was to ridicule Izeth Hussain but I couldn't smell it in his text. To me it is still plain, even after reading Hussain's article. I hope I am not so insensitive to parody but unfortunately the text is hard to interpret as parody without the authors endorsement. Further a parody on a sensitive issue may also mean profanity. Sachi's is an example. I regret if I hurt Sachi.

M. A. Nuhman

University of Peradeniya

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