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# GENERAL INFLATION TAKES OVER

Mervyn de Silva

The Economy stupid ....! Mr. J. R. Jayawardene's "greatest gift" to his people was not his Gaullist "Executive Presidency" of which he is certainly the most persistent and aggressive advertiser. His contribution was free-market economics. He was the pioneer in the Indian sub-continent. The most convincing, if reluctant, witness to that fact is President Chandrika Kumaratunga, a committed "leftist", who agreed to take the IMF-World Bank route ..... just as other South Asian leaders, committed "socialists" most of them, were soon converts to the gospel of private enterprise as preached by the Bretton Woods twins.

Though the Sri Lankan voter was in a mood for change by the early 1990's, candidate Chandrika Kumaratunga clinched the matter by her public, if somewhat reluctant, conversion to the Gospel of growth preached by the Bank and the Fund. Her P.A. was a messenger of other good news — the glad tidings of peace. C.B.K., a genuinely new and attractive personality on Opposition platforms, promised a "negotiated settlement" of the 11 year ethnic conflict which had already assumed the character of a serious internal war. It was as "Peace Candidate" that she drew the crowds that the 8 party "P.A." had failed to do in August. All the minorities trusted her — the Tamils first of all, and the Muslims once Mr. Ashraff was on board, and the Christians ..... together with a fraction of the (Indian) Tamil plantation constituency.

## PEACE CANDIDATE

Everybody loves peace and a peace candidate. But Mrs. Kumaratunga's manifesto had another vital item — the economy. In simple arithmetic the vote on military spending, then running at about a million dollars a day, could be gradually reduced. The savings could

go to "poverty alleviation" and "development" — jobs, and perhaps some subsidies for the poorest of the poor. Capitalism, in other words, with a human face. The equation was simple; the message loud and clear.

Prabhakaran hated President Premadasa. He regarded the Sri Lankan president as an artful dodger, a double-crosser. He helped the L.T.T.E. in order to get the I.P.K.F. out. The I.P.K.F. presence was a flagrant violation of Sri Lankan sovereignty ..... although the I.P.K.F. was here on invitation, the J. R. Jayawardene-Rajiv Gandhi "Peace Accord".

Once the I.P.K.F. left not only did Premadasa-Prabhakaran relations become increasingly cool but Premadasa-Rao relations showed a new warmth. The pilgrimage to Budha Gaya and Prime Minister Rao's reception looked strong evidence of a new Colombo-Delhi rapport. Or so it was seen by Prabhakaran top advisers, closely watching the Rao administration's attitude to the Gandhi assassination trial, and Mrs. Sonia Gandhi's increasing influence in the Congress establishment. Premadasa was a "double-crosser". He had to go. On May 1st 1993, the usual prescription and treatment. A suicide-bomber.

Mr. D. B. Wijetunga takes over. With "peasant cunning", D.B.W. turns the government's attention to the Eastern province, the ethnically mixed (Tamils, Muslims and Sinhalese) and the island's "rice bowl"; anyway strategically more important than the Jaffna peninsula and the north. The army does an excellent job — completely marginalising the L.T.T.E.

The U.N.P. is defeated; the P.A. moves in — but literature published by pro-L.T.T.E. (or semi-official L.T.T.E.)

groups suggested that the L.T.T.E. analysts paid special attention to the big difference in the percentage vote of the P.A. in August (a modest 50%) and the record 62% of Candidate Chandrika some weeks later. Candidate Chandrika's platform was "Peace", a negotiated settlement. What can a militant organisation like the L.T.T.E., an organisation that fought the world's second largest army for three years or more, do? It must go through the motions of "peace negotiations" while preparing for EELAM WAR 3. That's precisely what the L.T.T.E. did — until they trained their guns on the army's garrisons.

(Continued on page 4)

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# The Swiss Model

Neelan Tiruchelvam

Leonard Woolf the literary critic and publisher was a colonial civil servant in Ceylon from 1904 to 1911, and served both in Jaffna in the extreme North and in Hambantota in the deep South. Many years later in 1938 as an advisor to the Labour Party he reflected on the questions of minority protection and constitutional reform. He argued in favour of a constitutional arrangement which ensured a large measure of devolution or the introduction of a federal system on the Swiss model. Woolf added that "The Swiss federal canton system had proved extraordinarily successful under circumstances very similar to those in Ceylon, i.e. the co-existence in a single democratic state of communities of very different size, sharply distinguished from one another by race, language and religion."

Despite the foresight of Leonard Woolf almost six decades ago, Sri Lanka's failure to lay down the constitutional foundations of a multi-ethnic society based on equality, ethnic pluralism and the sharing of power has exacerbated the ethnic conflict. As a consequence Sri Lanka has been besieged for year by ethnic fratricide and political violence. The proposals of 3rd August 1995 represented the boldest attempt to redress the imbalance in the relationship between the different ethnic groups through devolution of power to the regions. These proposals also envisage that Sinhala and Tamil would be recognised as official languages and accorded equality of status. Previous attempts at ethnic reconciliation had been flawed by the lack of sincerity, political resolve and political imagination. The unitary character of state acted as a further constraint where power inevitably gravitated towards the centre.

The legal text of the chapter on devolution released by the Government

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*The writer, T.U.L.F. MP is Director of the International Centre for Ethnic Studies.*

on 16th January 1996 represents a further step in the process of constitutional reform. Within the Select Committee, the debate will focus on the continuities and discontinuities between the August proposals and the more recent legal text. The continuities are seen in the definition of the nature of the state, the political structures of the devolved unit and the subjects and functions devolved. Some Tamil political parties have however complained that there is a tilt in favour of the center in relation to the powers of dissolution and in the distribution of police powers and subjects such as irrigation. The unit of devolution would remain the most contentious issue and is likely to be addressed if a consensus is forged on the substance of devolution. The United National Party would be a critical factor if a two-third majority is to be secured in Parliament. A further hurdle that would need to be overcome is a national referendum to be conducted throughout the island. If however the two major southern political parties, People's Alliance and the United National Party are supportive of the exercise, there are realistic prospects of success at the referendum.

One of the limitations of the Indo-Sri Lanka Accord which provided the basis to the Provincial Council scheme introduced in 1988 was that while the Accord called for a redefinition of the Sri Lankan polity, it did not bring about a change in the unitary character of the Sri Lankan state. The Accord did declare that Sri Lanka was a 'multi-ethnic, multi-lingual plural society' consisting of primarily of four main ethnic groups — the Sinhalese, Tamils, Muslims and Burghers. However no change was envisaged in Section 2 of the Sri Lankan Constitution which entrenched the unitary state. This conception of the unitary state influenced the outlook of the bureaucracy and the judiciary in the resolution of centre-provincial disputes. Various disingenuous methods were also employed to re-vest in the centre powers relating to transportation, agrarian services and education. The August 3rd proposals however

redefined the nature of the state as a "union of regions" drawing on the language of the Indian constitution. Sri Lanka was further described as a "united and sovereign Republic". In the present legal text, there is a reworking of the language without any attempt to alter the substantive meaning of this provision. The Republic of Sri Lanka is now described as an "indissoluble Union of Regions" and thereby interpolating an archaic phrase drawn from the Australian constitution. This framework was necessary to ensure that exclusive legislative and executive competence could be assigned to the regions within the devolved sphere.

With regard to the subjects and functions to be devolved on the regions, most of the subjects and functions which were previously in the concurrent list were transferred to the regional list. This would significantly strengthen the capacity of the devolved authorities to adopt an integrated approach to social and economic development of the region and thereby seek to redress regional disparities in development. Amongst the subjects devolved are education and health, industries, agriculture, irrigation, fisheries, transport and energy, roads and waterways, housing, construction and broadcasting. A contentious issue has been devolution of powers in relation to land. The legal text makes it clear that state land shall vest in the region and the Regional administration shall be entitled to transfer or alienate land and engage in land use and land settlement schemes. The centre may however for the purposes of a reserved subject request a Regional administration to transfer state land to the centre. There is an obligation on the part of the centre to consult the region with regard to such requirements. Law and order including the maintenance of public order have been clearly devolved on the Region although there would be disputes as to whether the investigation of offences relating to the reserved list of subjects should be vested with the regional or national police service.

An ingenuous arrangement envisaged by the scheme for the settlement of inter-regional disputes is the Chief Ministers' conference. The conference which is to consist of chief ministers of all the regions has the power to take all actions and measures which are necessary to ensure full compliance the chapter on devolution in accordance with the spirit and intention of the constitution. The conference also has the power to settle disputes between the regions through mediation and conciliation and where such efforts fail, refer the matter for adjudication to an arbitral tribunal constituted by the disputing Regional Councils.

If the Chief Ministers' conference is to play a meaningful role in the implementation of this scheme, its jurisdiction must clearly extend to the resolution of centre-regional disputes.

The Sri Lankan government has placed emphasis on the devolution proposals to bring about a resolution to the national question. The legal texts recently presented would need to be further refined and even strengthened if it is to adequately reconcile the competing interest of the centre and the different regions. The Constitutional re

form exercise however must be ultimately linked to the efforts to bring an end to the war in the north-east. Several non-government organisations have urged the government to either directly or through an intermediary present the proposals to the LTTE and to seize upon this opportunity to revive the process of negotiation. This process is likely to be a complex one and there is a legacy of distrust to be overcome. However consensus between the two major political parties on the power-sharing scheme would be a significant step in the process of peace and reconciliation.

## Needed: A Neutral Mediator

H. A. Seneviratne

The bomb explosion in the heart of Colombo on January 31, killing several scores of unarmed people and damaging several buildings including the Central Bank should awaken the masses of the people of Sri Lanka to ask the government and the LTTE to end this war and discuss a lasting solution to the ethnic problem on the basis of a tangible and meaningful devolution of power.

In fact the aftermath of the government's Operation *Riviresa* which resulted in several lakhs of people in Jaffna becoming refugees should have been enough reason for the Sinhala speaking and the Tamil speaking people to call for an immediate halt to the ongoing ethnic war. But most Sinhala-speaking people were lulled by government propaganda into an imaginary prospect of continuing with the war in order to achieve peace.

By now it should be clear to all sections of the people including the extremists on both sides of the ethnic-divide that this is a war of attrition that has pushed both the government and the LTTE to desperation. It will devour both warring parties, whilst crippling society itself in the process.

The General Industrial and Media

*This is a statement of the General Secretary of the Industrial and Media Workers Union.*

Workers' Union (GIMWU) and the Workers' Solidarity Organisation (WSO) are of the view that the legal draft of the government's devolution proposals issued on January 16 does not contain any basis to end the war.

Indeed these proposals constitute a retrogressive step not only in the ongoing ethnic war but also in the country's constitutional development in the context of the process of democratisation which became the main platform of the ruling People's Alliance (PA) during the Parliamentary as well as the Presidential election campaign of 1994.

In the first instance the devolution proposals officially released by the government on August 03, 1995 and which appear to be the basis for the present legal draft were never discussed fully, openly and in depth with the ground situation in mind by either the government ranks or by the other organisations, parties and individuals having access to state and or privately owned media.

The present legal draft of the government's devolution proposals therefore has retained what was obnoxious in the earlier proposals. Still worse: it has obliterated even the semblance of a formula the earlier document offered, minimally though, for a political settlement of Sri Lanka's protracted and escalating ethnic war.

By indulging in desperate military operations like Operation *Riviresa* and Operation *Rivikirana* the government has attempted to whip up ethno-chauvinistic sentiments among the majority Sinhala people. Thus a government that rode to power on the crest of a wave of enthusiasm among the people — both Sinhala and Tamil — for a change in governance and above all for a peaceful settlement of the ethnic war has ended up on the side of deadly ethno-chauvinism which is the last resort of the political scoundrel.

This is the inevitable fate of any government that has no answers to the country's social and economic ills.

It is also inevitable that the government will have to call upon the majority Sinhala voters, from an ethno-chauvinistic standpoint to vote for the government. But this will be no easy task particularly in the present context for a government that had come to power on a non ethno-chauvinistic basis. Caught up in this contradiction the government will continue to war-monger saying at the same time that it stands for peace.

The present legal draft of the government's devolution proposals reflects this contradiction. This contradiction will have to be resolved if the country itself is to be saved from disaster.

No proposal for a solution of the

country's ethnic problem will succeed without the participation of the LTTE. The proposals embodied in the present draft law will not even wean away the LTTE from the war. Nor will it attract the Tamil speaking people in the North-East sector or anywhere else to act as a catalyst.

The Minister of Constitutional Affairs was reported to have indicated that matters such as the number of units of regional administration and their boundaries could be agreed upon after discussion and that the Parliamentary Select Committee on Constitutional Reform was the proper forum for such discussion. In our view these are matters that require open and public discussion before being referred to any kind of parliamentary committee or parliament itself.

### Executive Presidency

Linked with the presidential power to dissolve a regional unit is the question of the executive presidency which the PA solemnly pledged to abolish within a specific timeframe particularly during its presidential election campaign of 1994. The unbridled executive power exercised by the President under the present system of executive presidency is also linked with the question of powers under a state of emergency.

We believe the strongest bond that will keep the units of political power together as free and voluntary units is democracy itself. Democracy becomes a mockery with an executive presidential system that sets up a Bonapartist regime.

Therefore, it is our view that any kind of devolution of political power should not be isolated from the process of democratisation which brought the PA itself to power but that it should be evolved as part of that process.

As far as religion and the state is concerned we believe that Sri Lanka should be a secular state. Religion should be looked after by religious leaders and other bodies. This means that the only reference to religion in a modern constitution should be in the form of an article that safeguards the right to freedom of thought, conscience and religion as in Article 18 of the United Nations' Declaration of Human Rights.

It is also essential that the central government should declare its commitment and provide for a mechanism to protect not only the body of human and democratic rights enunciated in the Universal Declaration of Human Rights but more importantly the rights set out in the International Covenant on Civil and Political Rights as a basic requirement.

The entire future of the country depends, however, on the peaceful ending of the war. Each passing day will convince every right-thinking person of the nescersity to end forthwith this senseless war.

The GIMWU and the WSO reiterate the position taken up in their earlier statement and the resolution emphasising that the government must initiate

an immediate ceasefire and bring the LTTE to the negotiating table.

Earlier, the government had talks (though represented by politically not-so-important personalities) with the LTTE *sans* any kind of proposals. It failed. Now there is a legal draft of the government's devolution proposals *sans* any kind of talks with the LTTE. It is also bound to fail.

The only way open to the government, the LTTE and the country for that matter now is to commence talks between the government and the LTTE on the basis of a ceasefire under the supervision of a neutral peacekeeping force backed by the United Nations, if necessary, and to workout proposals for a tangible and a meaningful devolution of power. There is no other way.

## General Inflation Takes Over

*(Continued from page 1)*

### ECONOMIC FACTOR

The "Peace Candidate" had more than peace on her mind. She knew her economics. The "war" was economic haemorrhage — a million US dollars a day at least. But once the "Tigers" fired on the army's well-defended forts, and unilaterally broke the truce, President CBK had no other option than to launch a new, much better planned campaign. Its climax was OPERATION RIVIRESA, (SUNRISE). The sun shone brightly on the P.A. and its able leader who had adopted a well-conceived strategy — offer peace talks to the L.T.T.E. present an autonomy package, and thus take the moral high ground. This automatically wins the support of the Tamils, the Tamil diaspora, the other minorities, the all-important "Aid consortium" and of course the U.S.-led western alliance, many members of which are troubled by (a) a refugee blood and (b) defence spending, and its economic consequences.

With the resumption of hostilities, military spending has gone up and up. The other Tamil parties, particularly the T.U.L.F. the recognised spokesman of moderate, parliamentary opinion, and the ex-militant groups like the ENDLF which has representatives in the House, would

help the P.A. in Parliament. (The P.A. has to rely on a one-vote majority). That would mean the isolation of the L.T.T.E.. What's more, India would back the P.A.'s initiative. President C.B.K. had met Prime Minister Rao and Mrs. Sonia Gandhi. The Indian support was certain and unqualified.

And so the total isolation of the L.T.T.E., which had failed to defend Jaffna — a conventional confrontation in which it overplayed its hand — and compelled to return to hit-and-run tactics and pure terrorism. Yes, the L.T.T.E. was reduced to terrorism but what a cold-bloodedly calculated exercise it proved to be. And what a brilliantly picked target — the Central Bank in the heart of the "Fort" i.e. the banking, business, tourist hotel district. You take Jaffna; we hit Colombo.

This was economic warfare but what a masterly operation. And so, Mr. Ronnie de Mel, the brilliant finance minister of the U.N.P.'s 17 year regime could ask in Parliament: "If the State cannot guard the Central Bank what can they guard?" Defence vote in 1995 was 640 million dollars. The government spent over 750 million. What now? General Inflation takes command?

# Winning the Peace

(Some psychological and political determinants of a lasting solution)

Indra de Soysa

Now that the "battle for Jaffna" is won, it might be prudent to put things in perspective before people start getting carried away, becoming myopic to the ultimate realities. History teaches us, as Fred Ikle's (1985) apt book title suggests: "Every War Must End." The ending of "a battle," however, does not necessarily mean the "war" has been won. If this were the case, Germany would have won both World Wars. Japan would have defeated the US at Pearl Harbor, and the Southern United States would now be referred to as the Confederate States of America. After all, the oft quoted, yet rarely followed Clausewitzian dictum, "winning the war but losing the peace," is historically borne out time and again, most notably the blundering of the victorious powers at Versailles after WWI. Versailles after all paved the way for WWII twenty years down the road, indeed causing some to correctly treat the two events as one (Carr, 1939). Then there was the blundering by the victorious superpowers that followed the end of WWII which led to a greater calamity known as the "Cold War," a misnomer, if ever there was one, because it was enormously costly in terms of lives and resources, and it threatened to annihilate all mankind. These lessons should serve as a clear reminder that the "peace" can indeed be very easily lost, rendering the celebrations of a victory by the Sri Lankan government and the population at large rather premature. Remember that the bullhorns sounded in Berlin with the fall of France in 1940.

In two successive articles published in the *Lanka Guardian* recently, I argued why a political settlement without the Tigers was impossible because they held the balance of power vis-a-vis other Tamil political parties, and that any peace was impossible without their participation and acquiescence. I argued in effect that the only option was Low Intensity Containment, a strategy akin to the global strategy that was followed by the US against the Soviet Union. A "battle for Jaffna," I predicted would be a rather costly endeavor, a great expenditure in terms of men and materiel to get back to square one. Hoisting the flag over Jaffna, it is clear now, is not going to demoralize cyanide-capsule carrying fanatics like the Tigers. They have already vowed to carry on the struggle by other

means, means that they are good at and which the government forces will not be able to counter easily. It will be back to "warfare on the cheap" for the Tigers. The Sri Lankan army's superiority in firepower terms will not be a factor anymore, and more lives are going to be lost in more and more frustrating ways. From the relative safety of defense lines, the government forces have, at great cost, hoisted themselves up from a defensive position to be "sitting-ducks" once again. The war has not been won, and the peace has yet to be determined. Peace, such as that which the European diplomats sat down at Versailles to make is quintessentially a political act, and let us not forget Clausewitz's most famous dictum: "war is the continuation of politics by other means." It necessarily follows thus that peace is the continuation of war by other means. The soldiers have ostensibly "done their job," now the politicians must succeed in theirs. The balance of power in favor of the Tigers is upset only temporarily, necessitating quick and decisive action by all moderate parties in politics if a lasting solution is to be reached.

What psychological factors do the politicians face? The battle for Jaffna undoubtedly is a cathartic experience for much of the Sri Lankan population. As Joachim Habermas has pointed out, violence carried out by armed forces is an extension of the will of the entire society that symbolically identifies with them. In other words, each individual's violent desires are satisfied by proxy in the violence carried out by the forces. Witness the way in which many moderate Tamils in Colombo were somehow offended by the offensive, despite it being directed against the hated Tigers. Thus, there is a psychological logic in wars of attrition that degenerate inevitably to mass violence perpetrated by groups against each other, the entire society participates in one way or another. This is a phenomenon that initially satisfied many Sinhalese *vide* the numerous pogroms against the Tamils, until of course the Tigers started their own brand of violence.

The Sri Lankan experience, thus, is not devoid of this psychological factor. We are all guilty of secretly tallying the score in terms of body counts whenever skirmishes between the Tigers and the armed forces were reported in the newspapers. I knew one wayward Sinhalese soul who delibera-

tely enjoyed reading the misinformation in the *Daily News* because it was more satisfying to read doctored accounts than having to read that more government soldiers died rather than Tigers. Similarly, despite the loss of hundreds of young Sri Lankan men in the latest fighting, others back in the relative safety of the south can celebrate the capture of Jaffna, all that matters is that more of "them" are dead. The capture of Jaffna itself matters little, nor the political consequences to follow. This psychosis is precisely the way in which the Tigers became "the boys" of almost all Tamils, the way in which the Tigers became "the boys" of almost all Sri Lankans when they were killing Indians (Prabakaran earning the distinction "man of the year" in the *LG*), not to mention the way in which respectable Sinhalese reluctantly deplored the atrocities committed against Tamils in the numerous pogroms as mentioned earlier. We can add also, the shameless way in which "Colomboites" turned a blind eye to the extralegal killings during the JVP insurrection — us against them — until that violence suddenly hit close to home with the abduction and murder of one of their own, Richard de Zoysa. Until we acknowledge this psychological logic, I am afraid, no meaningful steps towards peace can be taken, nor the gargantuan political task of building a lasting peace successfully undertaken.

If there is a psychological logic to the mode of violence, how might we overcome this to bring about peace? First, let me reiterate the point made above — peacemaking is inherently a political act, the soldiers can only perpetrate violence to enhance the possibility. Thus, in order to break with the logic that has driven the communities (and factionalized groups) to this combative psychosis that secretly finds sustenance in the violence that is carried out by their chosen group of "boys", the political leaders, both Tamil and Sinhalese, and all the other political parties will have to make a conscious and sincere effort to come together with the primary purpose of eradicating violence as a weapon. The government, which has the largest capacity for perpetrating violence, will have to insure the safety of every individual, regardless of affiliation, from harm and afford redress from injustice. This would be the foundation upon which a comprehensive "meeting of minds" can rest. In other words, the time is ripe for rebuilding "civil society."

*The writer is a Phd. student at the University of Alabama, USA.*

Current events have come to a head because just such a meeting of minds had already taken place after the tumultuous era of Indian intervention and the JVP insurrection. What seemed to be the indomitable UNP was defeated primarily as a result of this political realignment that placed a high premium on peace, this despite great fears that the new government would be bad for the pocket-books, that the PA era would see a reversion to the SLFP era of the 1970s. It is in this context that the election of the People's Alliance and Chandrika Kumaratunga as president must be analyzed. There was clearly, in Sri Lanka, a revulsion of violence factor, a revulsion stemming from the bloody period following the JVP insurrection in the late 1980s, lasting through the early 1990s and all of this followed very closely by a string of assassinations in the heart of areas where people had felt safe before. The "Colomboites" were jolted out of their complacent participation in the perverse psychological logic that fueled a war of attrition. In there any wonder that it was Vietnam Vets that started the peace movement in the US while the vast majority of people tallied the body-counts at home in front of the TVs — livingroom wars are comfortable!

Nevertheless, assuming that the realignment means a "meeting of minds" in terms of ending violence, what can be done politically? The PA administration has taken a major step towards addressing the underlying problems of this conflict by offering significant devolution of power to the North and East — the so called "Union of Regions." This is a good start and its time to look a bit farther — What is required for reconstructing a society that accepts these changes responsibly? And what will prevent a breakdown of "normalcy" in the future? I suggest that the current crisis stems from the breakdown of democracy — in Robert Dahl's terms a gradual shift away from "polyarchy." According to Dahl, most of the advanced democracies of the world where violence is minimal and normal politics prevail are polyarchies. A polyarchy is a form of democracy where competition and inclusiveness are high, but a system that will not survive (especially in a multinational state) if there is no sense of legitimacy for the forms and processes of the system and if political activists are unable to cooperate. This is the essence of harmony in Holland according to Arendt Lijphart who argues that the Dutch place a high-premium on "accommodation," and many others have argued similar patterns for Sweden and even India where the notion of "synthesis" is actively practiced. The crucial variable for accommodation, however, is the realization by all parties that they have more to gain from cooperation than by

confrontation. The problem may be framed in a "prisoners dilemma" framework.

In a prisoners dilemma game, two prisoners (A & B) have committed a crime and are interrogated separately. If they own up, they get a lighter sentence than if they were prosecuted. The options for the prisoners are to own up or blame the other and get off lightly. Thus, if A blames B, B gets punished and A gets off. If B blames A at the same time, the authorities have a solid case against both and ostensibly both get the maximum term in prison. Thus, the best option for both A & B is to cooperate by owning up and getting a lighter sentence. Owning up, however, is a factor of "trust". That is, A and B will both own up if they trust one another not to blame the other, because if A owns up and is also blamed by B then A will take the full punishment. What I have demonstrated in theoretic terms is the importance of trust among political activists if indeed building polyarchy in Sri Lanka is going to be feasible. Winning the peace in Sri Lanka crucially depends upon the building of "trust" among the disparate political activists involved in politics, and I argue below effective ways in which the state can rebuild trust.

Despite the political realignment that reflected the desire for peace in Sri Lanka, the peace initiative to be wholly state-led. This causes a rather large problem of credibility because the ultimate miscreant in this whole nasty business is the state, or viewed as such by many. The reason, partly, of the massive exodus from Jaffna and the apprehensions of many Colombo Tamils is due mainly as a result of this credibility gap. Thus, is it possible for a state-led peace initiative to be convincing? The *zeitgeist* around the globe presently is certainly based on the realization that the state must recede and "politics" minimized. Yet, how can the state ensure the construction of civil society? The cardinal virtue, indeed the very pillar on which "civil society" rests is the rule of law. Thus, reconstructing the rule of law in Sri Lanka is perhaps the most pressing task.

As many have argued, Sri Lanka practices a form of "democracy," where unfairness in legal terms was left up to successive legislatures to decide. Such a system is highly conducive, as it has proved to be, to be manipulated and abused by the democratic process itself. The "will of the majority" easily tramples on the "rights of the minorities," often the driving force behind this process being democratic party competition. Indeed, S.W.R.D. Bandaranaike's "Sinhala only" policy was a manifestation of the electoral exigency of creating what Anthony Downs (1956) has called a "passionate majority." S.W.R.D. paid the

ultimate price unfortunately when he tried to rectify what he had done. In any case, a system that tries to control law through legislation with inevitably be highly coercive, terribly inefficient (such as what the Soviets tried to do with their economy), and would lead to disaster. Thus, it is time for Sri Lanka to take the path of adopting laws based on universal norms, rather than that determined by the popular will which is often pernicious. It is time to adopt laws that would apply equally to all, following Immanuel Kant's universal rules of just conduct. It is time that all parties realize that preferential treatment (in this case the preferred are the majority, unlike in the USA where it is a minority that has been discriminated against in the past), is a recipe for disaster and counterproductive for everybody in the long-run. Today, it must be recognized that the legislative path, as F.A. Hayek has argued, is "The Road to Serfdom" — Sri Lankans especially could attest to this fact. Thus, the legislative path will not provide the comfort that distrusting minorities or other political opponents seek, making it imperative that the state begin addressing the need for universal norms and for building trust — this is what will win the peace and insure polyarchy in Sri Lanka.

In conclusion, peace does not automatically follow winning on the military front. If a stable peace is to be achieved in Sri Lanka, the underlying problems that caused the conflict in the first place have to be resolved. It is argued here that those problems will only be solved by reconstructing polyarchy — a highly inclusive and competitive system of democracy. Yet, because of the system and the resultant history of violence, polyarchy will be difficult to construct without a high degree of trust among political activists belonging to all the disparate groups. Trust is especially hard to build because of the inherently comfortable psychological factor that governs individual psyches in wars of attrition. It has also been argued above that the problem can be framed in a prisoners dilemma" game where it is now beneficial for all contesting groups to cooperate rather than confront, but cooperation is dependent on trust. Hopefully, the devolution of power proposed by this government is going to be the foundation upon which this mutual trust and security can be rebuilt — the most crucial aspect for rebuilding polyarchy and a lasting peace in Sri Lanka. Only this achievement will justify the needless expense of life and resources our nation has incurred in the past years. This is a plea to all Sri Lankans to accept accommodation — it benefits us all. Let us bring some "riviresa" to the entire island so that "sudu-nelum" may bloom.



# The Lifting of the Censorship

Suriya Wickremasinghe

*"... a restriction sought to be justified on the ground of national security is not legitimate if its genuine purpose or demonstrable effect is to protect interests unrelated to national security, including, for example, to protect a government from embarrassment or exposure of wrongdoing, or to conceal information about the functioning of its public institutions, or to entrench a particular ideology, or to suppress industrial unrest."*

*"Any restriction on the free flow of information may not be of such a nature as to thwart the purposes of human rights and humanitarian law. In particular, governments may not prevent journalists or representatives of intergovernmental or non-governmental organisations with a mandate to monitor adherence to human rights or humanitarian standards from entering areas where there are reasonable grounds to believe that violations of human rights or humanitarian law are being, or have been, committed. A government may not exclude journalists or representatives from such organisations from areas that are experiencing violence or armed conflict except where their presence would pose a clear risk to the safety of others."<sup>1</sup>*

The Civil Rights Movement welcomes the lifting of the censorship.<sup>2</sup> This censorship was one which should not have been imposed and implemented in the way that it was. The assessment of the precise needs of national security in the midst of any particular situation of armed conflict may not always be an easy task. International standards nevertheless require that restrictions on freedom of expression be *necessary* to meet the stated end, and that the suspension of basic rights on the grounds of national emergency may only be to the extent strictly required by the exigencies of the situation.

*Suriya Wickremasinghe is the Secretary of the Civil Rights Movement of Sri Lanka.*

## The "banned" subjects

The regulations contained an absolute prohibition on publication of certain types of news. An examination of the banned subjects shows that they were drawn extremely broadly. For clarity, we have broken up below the different elements of the relevant regulation. What was prohibited was the publication of

any material containing any matter which pertains to

any operations carried out or proposed to be carried out by the Armed Forces or the Police (including the Special Task Force),

The procurement or the proposed procurement of arms or supplies by any such Forces,

the deployment of troops or personnel, or

the deployment or the use of equipment, including aircraft or naval vessels by any such Forces, or

the deployment or the use of equipment, including aircraft or naval vessels by any such Forces, or

any statement pertaining to the official conduct or the performance of the Head or any member of any of the Armed Forces or the Police Force.

This formulation would, for instance, shut out any exposure of corruption in the procurement of arms and supplies even if such exposure were wholly in the public interest and could in no way endanger national security.

The last prohibition set out above was added to the regulations by an amendment of 28 September (published in Gazette of 2 October), and is the least defensible of all. Interpreted literally — and there is no other interpretation as the language is unambiguous — it would prohibit not only criticism but also praise of any army or police officer. More disturbing is the fact that such constraints

on freedom of expression are a serious interference with the watchdog role of the press and of independent human rights organisations, an essential element of which is highlighting matters such as any corruption, human rights violations, or other misconduct by the authorities.

In this regard CRM emphasises that there are binding international standards relating to the restrictions that may legitimately be imposed on freedom of expression. Any such restrictions have to be "**necessary**" to meet the desired end. Moreover, departure from basic rights in times of national emergency may only be "**to the extent strictly required by the exigencies of the situation**". These are objective tests, and not just what a government might feel expedient. They are the requirements set forth in the International Covenant on Civil and Political Rights (ICCPR) which Sri Lanka is bound by international law to observe in its internal law and practice, having ratified the Covenant in 1980.<sup>3</sup>

The practical application of these principles in given real life situations has been the subject of decisions of national courts, international tribunals and specialist studies. The most recent and comprehensive such study was held in South Africa in October 1995 by a group of experts in international law, national security and human rights.<sup>4</sup> This resulted in the *Johannesburg Principles on National Security, Freedom of Expression and Access to Information*. The Principles are based on international and regional law and standards relating to the protection of human rights, evolving state practice (as reflected, *inter alia*, in judgments of national courts), and the general principles of law recognised by the community of nations. They lay down guidelines on the restrictions that may legitimately be imposed on the grounds of national security, during the course of which they say:

*"... a restriction sought to be justified on the ground of national security is not legitimate if its genuine purpose or demonstrable effect is to protect interests unrelated to national security, including, for example, to protect a government from embarrassment or exposure of wrongdoing, or to conceal information about the functioning of its public institutions, or to entrench a particular ideology, or to suppress industrial unrest."*

These guidelines also emphasise that peaceful expression that *"is directed at communicating information about alleged violations of human rights standards or international humanitarian law"* shall not be regarded as constituting a threat to national security.

### Reporting the conflict

This brings us to the all important question of the reporting of the armed conflict itself. It is essential here that any constraint be strictly confined to the exigencies of the situation. This is necessary not only to protect human rights and humanitarian standards. To deny correct information on what is happening on the military front is to impair the ability of citizens to come to responsible decisions on the political front. Here again the principles that should guide a government in such situations have been formulated with care and clarity:

*"Any restriction on the free flow of information may not be of such a nature as to thwart the purposes of human rights and humanitarian law. In particular, governments may not prevent journalists or representatives of intergovernmental or non-governmental organisations with a mandate to monitor adherence to human rights or humanitarian standards from entering areas where there are reasonable grounds to believe that violations of human rights or humanitarian law are being, or have been, committed. A government may not exclude journalists or representatives from such organisations from areas that are experiencing violence or armed conflict except where their presence would pose a clear risk to the safety of others."<sup>5</sup>*

This raises a further important question. The lifting of the censorship is a step in the right direction but is not, in itself, sufficient. It is essential that journalists and human rights and humanitarian organisation be allowed as extensive access to the north and east as practicable, in particular to those areas which are or have recently been the scene of military action, and to places where refugees are concentrated.

### Oddities and illogicalities in the regulations

The emergency regulations themselves were strange in several respects; their manner of operation stranger still. By their wording the regulations imposed a total and absolute prohibition on publication of certain types of news. There was no provision that such news items could be carried if approved by the Competent Authority. The Government nevertheless appointed a Competent Authority to whom news items were in fact submitted for "approval" before publication, and who often insisted on certain cuts. There were many complaints about the delays this process involved, and about the inconsistency and inappropriateness of some of the decisions. What generally escaped people's attention, however, was the fact that the publication of all news items — even the government's own communique — on the prohibited subjects remained illegal even if the Competent Authority's approval was obtained, because in fact the regulations themselves made no provision for this. (There was provision for the appointment of a Competent Authority, but to perform another function.) In fact, during this period there was in the press a debate about the conduct of a Deputy Inspector General of Police, and controversy about the conduct of named army officers; topics which, in terms of the regulations, were banned. It is ridiculous to think that all this was in fact illegal.

There were other features that were arbitrary, unclear or confusing. The censorship was applied only to the local media, the foreign correspondents being administratively exempted. Even as regards the local media, the censorship was in law operative only in those areas subject to emergency rule, creating doubt

and unclarity as to the rights and liabilities of persons in, say, Matara or Kandy.

Such absurdities, illogicalities and inconsistencies do not merely affect the right of the public to be governed by clear, comprehensible and sensible laws. They also tend to bring the law itself as an institution into disrepute; this has long term implications for the building of a stable society. The regulations (as has been the case with many emergency regulations on other topics) appear to have been drafted hastily, with their manner of implementation not well thought out. The right of free expression in a democracy is so fundamental that it should be tampered with only in a carefully thought out manner with minimum trespass on the right of publication and information, and with the practical workings of the media — with its deadlines, and its diversity as regards levels of staff, technology and other resources — in mind.

CRM urges the government to be extremely circumspect as regards any suggestion of imposing censorship in future. CRM also urges the government to be guided in any such decision by the Johannesburg Principles, which strike a careful balance between the interests involved, with a view to preserving the overall interests of a free and democratic society. CRM further urges the government to take without delay the essential next step of ensuring that journalists and others with a legitimate interest in the situation have due access to conflict areas.

### Notes

1. The Johannesburg Principles on National Security, Freedom of Expression and Access to Information.
2. The censorship was imposed on 21 September 1995, amended on 28 September 1995, and lifted on 20 December 1995.
3. The International Covenant on Civil and Political Rights, Article 19.3 and Article 4. The present Constitution of Sri Lanka falls short of the standards laid down, but the draft new fundamental rights chapter incorporates these aspects of the Covenant.
4. Convened by Article 19, the International Centre Against Censorship, in collaboration with the Centre for Applied Legal Studies of the University of the Witwatersrand.
5. Principle 19, Access to Restricted Areas. *The Johannesburg Principles on National Security, Freedom of Expression and Access to Information.*

# Sri Lankan Women

Kalinga Seneviratne

*Although the women of Sri Lanka bring in most of the country's much-needed foreign exchange, they have yet to receive adequate legal protection against violence and other social threats confronting them.*

In March 1995, at a press conference during the United Nations Social Development Summit in Copenhagen, a Norwegian journalist asked the Sri Lankan President Mrs Chandrika Kumaratunga how she could help to improve the status of women in Sri Lanka.

She smiled and said: 'What more do you want? We have a woman President and a woman Prime Minister, and six other woman ministers in a Cabinet of 24. Women educate themselves as much as men. Job opportunities for women are not less than for men'.

However, President Kumaratunga added that it had not solved the problems women face in Sri Lanka. 'There's a new problem — violence against women,' she explained. 'Social violence like rape, even rape of little children. Physical violence, (some) not heard of before, is on the increase'.

She acknowledged that there was a lack of legislation in Sri Lanka to protect women against this type of violence and said that her government would soon draw up legislation to overcome it.

While the President has set up a task force to draw up new legislation to protect women from violence, many of the social reforms promised during the 1994 election campaign have been put on the back burner since the Liberation Tigers of Tamil Elam (LTTE) broke off peace talks in April 1995 and re-launched the

ferocious war against the Sri Lankan Government, to carve out a separate state for themselves in the country's north and the east.

Dr Deepika Udagama, the director of the Centre for the Study of Human Rights at Colombo University, agrees with the President's position. 'Many in South Asia think that women in Sri Lanka are better off than their counterparts in other countries of South Asia. To some extent this is true. (In terms of) education level, women holding management positions, women in professions and even in normal social norms, Sri Lankan women enjoy a better position than those in Pakistan, Bangladesh or India. But in the recent past there's been a tremendous upsurge in acts of violence against women,' she says.

Though she does not see the change in laws as the remedy, Dr Udagama argues that laws are necessary in the larger social process that needs to be put in place.

## Pitiful work conditions

'Women have entered the public arena in a big way, (but) there's been no corresponding protection to go along with that phenomenon,' she observes. 'Right now there's no law against sexual harassment. It is a very common factor wherever women are.'

Today, the Government acknowledges and even boasts that garments and foreign employment of Sri Lankans are the two biggest foreign exchange earners for the country. They have overtaken traditional commodity exports like tea, rubber and coconuts in the last decade. The truth of the matter is that it is women who create most of this income for Sri Lanka.

Their pitiful work conditions in both these areas seem to be nobody's concern, agree many social welfare analysts here. Sri Lanka earned 76.6 billion rupees (about US \$ 1.5 billion)

in 1994 from garment exports produced mainly in the Free Trade Zones (FTZs) in the country — which made up 48% of its export income. Out of the 100,000 jobs created in the FTZs in recent years, 80% have gone to women. There are 500,000 migrant workers, mainly in the Middle East, who contributed Rs. 35 billion (US \$ 0.7 billion) to the national coffers in 1994 — over 50% of them are women, working as maids.

In March 1995 alone, 11 deaths were reported from the Middle East. The Sri Lankan embassies and local non-governmental welfare agencies get an average 400 complaints a month about physical and verbal abuse, and there are some 300 Sri Lankans in the United Arab Emirates (UAE) prisons.

On 13 April 1995, when most Sri Lankans were celebrating the national new year, a young Sri Lankan maid Sithi Unisa faced a firing squad in the UAE. The Foreign Ministry in Colombo learnt about her death only four days later. The family knew about it through a telephone message delivered to a nearby temple from another maid in the UAE. Another maid who had returned home from the UAE told Unisa's family that she had been executed for a murder she had never committed. An infant child had died after falling off the hands of her mother, but the mistress blamed the maid for the death. This is typical of many cases which come to light at regular intervals regarding Sri Lankan maids overseas.

Helen Perera, the President of the Rural Women's Front (RWF), which is discouraging women from leaving their villages for jobs abroad, argues that the Government is not opposed to Sri Lankan women going overseas to work because of the foreign exchange the national coffers receive as a result.

Showing a filed letter, she tells me: 'I get letters like this every day. This is about abuse and exploitation at (our)

*Kalinga Seneviratne is a Sri Lankan-born Australian journalist, broadcaster and media researcher.*

embassy in Saudi Arabia. There are also women who have gone and disappeared overseas. Some families whose loved ones have never returned after going for jobs overseas, have joined our organisation.'

Ms Perera says Sri Lankan women are going through unbelievable hardships overseas. 'One has said that her family has seven men and all of them sleep with her,' she says, and adds, showing another letter, 'This letter says that once in Saudi Arabia our women are being sold. This is like the old slave era. The men who buy them of course treat the women like animals.'

Though RWF members go around the villages trying to discourage women from going overseas, Ms Perera admits that they are facing a formidable task. The main reason is the lack of employment opportunities in the villages, where very often, the only way for survival is through daily casual work, which is lowly paid and unreliable.

'When people see the external show of those who have gone overseas and returned — and have bought or built houses — they think they themselves can't carry on trying to survive on casual employment, the only solution is to get out and go for a job in the Middle East.... most of the attraction is this external look of the returnees; others think they have gone overseas and had a good time,' Ms Perera observes.

In any village in the south of the island there are at least 10 mothers who have left behind their families and gone overseas to work, according to Ms Perera. She points out that this has created a huge social upheaval in rural Sri Lanka. 'If you look at their families, you find that the children have missed the loving care of their mother. Many girls at a very young age have got into unwanted things, like having casual affairs with boys, some even getting married and later breaking up. Then there are boys who have developed very aggressive personalities.'

Social Education specialist Sujatha Wijetileka agrees that migrant worker schemes have created a lot of social problems in the country. Because of language barriers, sometimes the women have even signed contracts to

be the mistress of the employer, she says. 'If they refuse, sometimes these men assault them (and) if they give in, they may get assaulted by the wives. Some have come home carrying babies. Then they are not wanted by the villagers.'

Another problem Ms Wijetileka has observed is that, when the mother leaves, the father sometimes finds another companion, neglecting the children.

Recently Sri Lankans were shocked by a dramatic increase in the reported cases of incest. According to Dr Tilak Hettiarachi, Senior Lecturer in Psychology at the University of Colombo, this has mainly happened in homes where the wife is in the Middle East and the man is left alone with the children.

'When money starts coming in, the man gives up his job and starts consuming alcohol and sleeping with his daughter. The worse thing is, men even justify their actions,' says Dr Hettiarachi. 'In many cases these men have said that since their wives are away, they need to be satisfied sexually and this they get from their daughters.'

Chinta Balasooriya, Executive Director of Women In Need (WIN), another women's welfare agency, argues that the increased incidents of reported incest is due to the fact that groups like hers have publicised and created awareness in the community that women need not suffer silently. 'We have really over-burdened the women. They have become bread winners in most of these families. It's really unfortunate men take it for granted,' she says.

Many women social workers here have mixed feelings about the increased job creation for women under Sri Lanka's economic liberalisation policies since 1977. As Ms Wijetileka observes, the positive side to it is that it has eased the unemployment problem for women in the countryside and economic benefits have flowed to the villages, but on the negative side it has created big social problems.

The FTZs which have been at the hub of Sri Lanka's economic liberalisation policies have created more jobs for women than men. Most of the women who work in these are young girls who

have been protected in the villages and are now on their own in these zones. To attract foreign investors, Sri Lanka has completely done away with the law which previously prohibited women from working night-shifts. Thus some women finish work late at night or early in the morning and get exposed to many dangerous situations on their way home.

Ms Balasooriya argues that when you look at violence against women in the Sri Lankan society you have to take into consideration the situation with the FTZs. 'The laws of the country don't apply there,' she says, adding that recently when she visited an FTZ, she found the girls 'caged in their small houses.'

'One girl told me how there are 16 living in one of these houses and they have only one toilet. (Thus) she has to get up at three in the morning to use the toilet so that she can get to work at seven,' explains Ms Balasooriya.

Ms Wijetileka, who works as a Programme Officer at the Swedish embassy in Colombo, says that the embassy has recently funded the women's service centre at the biggest FTZ at Katunayake near the Colombo airport. They have found large numbers of girls coming to the centre pregnant, crying for help.

Recent studies done by the Colombo University have found that the FTZs have been the preying grounds for pimps from brothels in Colombo and the tourist centres on the coast, where they befriend unsuspecting village girls. They are gradually transformed from being girl friends to sex workers.

Dr Udagama observes that for some time Sri Lanka has been touted as a very docile place with a very skilled workforce, to attract foreign investors. 'There's this perception that ordinary labour laws don't apply in these free trade zones. The fact is, where women are concerned, there's sexual exploitation.'

She argues that the government will have to look into providing these female workers not only with employment security, but also protection against workplace harassment of a 'very sexual nature'. One of this must be regulations on the working hours and the length of shifts.

— *Third World Network Features.*

## Generic Drugs ?

The World Health Organization recommends that people should be kept informed about the facts on medication and provided with the knowledge and skills to protect themselves from the inappropriate use of drugs.

*Public education in drug use will increasingly become a part of mass education via the mass media. The knowledge and skills thus acquired will still not provide adequate protection to the public if the items in doctor's prescriptions are effectively disguised by various brand names and promoted for indications which have not been fully validated.*

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# The Presidential Stakes

Horace Perera

The Presidential elections are scheduled for 16 June this year. In view of the poor showing of the reformers in the 17th December elections for the Duma there are fears in some political circles in Russia that Yeltsin may postpone the election and continue to rule by decree. He could do this if he was so minded but it is very unlikely. In fact in the same circles similar fears regarding the elections for the Duma proved to be totally unfounded. The more than the 60% voter turn-out on 17th December showed that "Russians have come to relish exercising their voting rights and have developed a sort of commitment" to this first step of the democratic process. This fact will not be lost on Yeltsin, however anxious he may be to remain President, and it can be taken for granted that the Presidential elections will be held on the due date.

Equally faulty is the assumption that the "Victory" of the Communists and Ultra-Nationalists in the elections for the Duma foreshadows a victory for either of their leaders on 16th June. It must be noted that the Communists fared only slightly better than they did in 1993 and that it is felt that the party will have to put forward a candidate with more charisma than Gennadi Zyuganov who is regarded as a rather obscure soviet apparatchik "with" a cardboard doctorate in Marxist Philosophy. "Also note should be taken of the fact that the Ultra-Nationalists post ground strongly. What is clear is that if there are no new contenders from other parties and unless the democratic groups are able to unite under a highly regarded and popular leader, Zyuganov, or a more suitable candidate put forward by the Communist block, and Zhirinovski can be the candidates in the run-off election for the Presidency.

After the elections to the Duma, the contest was narrowed down to four possible candidates. These were Zyuganov, Zhirinovski, and Yeltsin or his Prime Minister Chernomyrdin of the "Russia is our House Party", and the leader of the Yabloco block (a reformist group), Grigori Yavlinski. Zyuganov will probably be replaced. Zhirinovski is said to be regarded as a "raving lunatic" and, for some reason not yet disclosed, is reported to be despised by women! Yeltsin's popularity has, as stated earlier, plummeted and Yavlinski is not very optimistic of his chances, particularly because of the divisions and feuding among the liberal economists and democrats.

A new candidate appeared on the scene on 25th December 1995 in the person of General Alexander I Lebed the well know commander of the 14th Russian army in a "break-away" region of Moldova. He has much popular support for his view that Moscow bears a responsibility for protecting the rights of the 25 Million ethnic Russians who are today minorities in the former Soviet Republics. He has also been a sharp critic of Yeltsin's intervention in Chechnya. It may be appropriate at this stage to refer to a letter, signed by a hundred Russian intellectuals and published on the front page of the *Izvestia*, calling on Yeltsin to stop this fratricidal war "the senselessness and unpopularity" of which "is obvious to everyone" and which, at the end of the 20th century, when the peaceful settlement of disputes is an accepted principle, "appears for the Russian and world community to be a wild anachronism". The letter received wide coverage and it may be useful for Yeltsin to consider its impact on the Presidential Election before he finally makes up his mind in February to run in the Presidential Stakes. Lebed

is said to consider Yeltsin and Zhirinovsky his principal rivals. His reason for discounting the communists is not clear. It is possible that in his view — a view held by many Russia watchers — personalities rather than policies will carry more weight.

Yeltsin, for the present is keeping Russians and the world guessing. He is not above resorting to Machiavellian tactics to keep himself in power. He is said to have hinted that he could regain popularity by increasing wages and pensions and widening subsidies. For this it will be necessary to print massive quantities of rubles causing hyperinflation and drowning the very people whom he hopes to help. His recent appointment, of Yevgeni Primakov to replace Andrei Kozyrev is apparently intended to take some of the wind out of the sails of the Communists and Nationalists. Kozyrev has been attacked in the Duma for being too much of a friend and admirer of the Western Democracies and there by contributing to the loss of Russia's super-power status. Primakov, on the other hand, belongs to the old guard committed to Soviet economic theory and Russian superpowerdom. When George Bush was pushing Gorbachev for a more dynamic economic programme it was Primakov whom Gorbachev appointed to oversee economic development and to go to Washington to explain to Bush the difficulty of implementing in the Soviet Union the speedy reforms which the Western Powers made a conditionality for major aid assistance. One has to wait and see as the next few months pass how far in the direction of the communists and the nationalists Yeltsin will go. In spite of doing this he cannot be sure of winning. If he loses one can only

hope that he will be the first Russian President to step down gracefully.

More candidates can enter the Presidential Race. As a matter of fact, French Television in channel one reported on 7th January that Gorbachev is "thinking of the issue all the time" and is "increasingly moving to a positive decision". It is therefore impossible at this stage to lay a bet on who will emerge victorious in the Presidential stakes. The question that occupies the attention of political commentators now is whether Russia will revert to a communist form of dictatorship. In other words to a totalitarian form of government. This cannot be ruled out completely seeing the yearning of the majority of the people for law and order and economic and social certitude as well as a measure of egalitarianism even with a privileged "ruling class". But others think that "political and economic reform in Russia has advanced too far to be brought to a dead stop," even by a Communist President. The New Duma looks a more conservative body than the one it replaced but at the same time much less unified and therefore seldom or never able to form a coalition that can secure a two-third majority to overturn Presidential vetoes or decrees. The elections to the Duma should be treated as a warning against speedy and rigorous reform and not a prelude to totalitarianism. Even Zyuganov has assured his audiences that, though he considers "democracy a mess" and one which has made Russia a "bleeding wound", he has no intention of a restoration of a one-party state. He sees no need to change the name of his party and hide behind some disguise of "Social Democratic Party" as communist parties in other post Soviet Republics have done. What is likely to emerge, given the power the constitution grants the President and a divided Duma, is a form of authoritarian rule with such elements of democracy as a multiparty system a considerable measure of freedom speech, press and religion as well as regular, if not always just and fair, elections. The West should understand this, give Russia its due

place in international affairs, provide more aid and technical assistance and refrain from efforts to extend the European Union and NATO towards Russia's frontiers. The question has been raised as to whether Russia would try to restore the Soviet Empire. The answer to this

was given to the writer by a Professor of Moscow University. If a Russian does not dream of a "Russian dominated Empire," he said "I would say he has no heart. If he thinks that it can be restored I would say he has no brains" that really sums at the position.

Waiting — 17

## Tennekumbure

*The boundaries waver between life and life  
There is past life in all this landscape  
The old Ford stalled by an earth god's shrine  
Where the Oya joined the river.  
The mossy slabs with lapping voices said  
Forsake that machine  
And with the waters soft call  
Summon that boatman, he will take you home.*

*So across the earth brown river  
The boat cut  
Two miles from my homeward run  
Rowed out of the yellow wild sunflowers  
Into the mid-stream sun  
And the yellow, zig zagging butterflies  
Going my way too, up the other bank  
Over the hill to you, waiting  
Late for lunch and love.*

*Past life all this,  
Though may be still  
That once sweet home is there by the hill  
And far at the rim of the valley  
The Sleeping Warrior with his helmet on his chest  
Where the river falls from Dumbara.*

*But now where the car stalled  
The impounded river flows  
Over the terraced fields and the Pittiya Devale  
And the old limestone bridge  
All past life beneath its waters.*

U. Karunatilake

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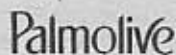
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## Is Accord Still Valid ?

Humayun Kabir

Some people in Sri Lanka tend to argue that the Indo-Sri Lanka Peace Accord of 1987 has lost its validity after the withdrawal of the Indian Peace Keeping Force (IPKF) from the island in March 1990, and because India did not fulfil its part of the deal, viz., the disarming of the Tamil militant groups.<sup>180</sup> It is true, but the *de facto* validity of an agreement concluded between two unequal contracting parties does not depend on the 'non-fulfilment' of terms by the stronger side, the hegemon. What matters most for consideration is whether the victim state or the hegemonised side is in a position to defy or sidestep the hegemon on the issues involved. In other words, can Sri Lanka ignore the influence of India and enjoy policy autonomy in respect of its ethnic problem and foreign policy? I shall argue here that the Peace Accord is very much in force, since Sri Lanka is now more 'mindful' of India's security interests and concerns, and cognizant of New Delhi's enduring influence over the island's ethnic issue.

The late President Premadasa was known for his anti-Indian attitudes. His penchant for Sri Lanka's ASEAN connection in the early 1980s, his proverbial opposition to the Peace Accord and the public display of his disgust with the IPKF were only some of the examples of his political mindset and policy preference. He even allied himself with the LTTE in his efforts to get rid of the Indian troops. Even then, he did not unilaterally renounce the Peace Accord, although he unsuccessfully attempted to replace it with a Treaty of Peace and Friendship with India. The IPKF was withdrawn, but so was the Israeli Mossad. Moreover, from mid-1991, President Premadasa had begun to move closer to India and indeed the inter-state relationship had improved a great deal. This may be explained by the fact that he was very disappointed with the LTTE who duped the Sri Lankan President

by staging a facade of peace negotiations with him for actually gaining time to regroup and reinforce, and by an improvement in the chemistry of personal relationships with Narasimha Rao who became India's Prime Minister after the tragic assassination of Rajiv Gandhi on 21 May 1991.<sup>181</sup> However, the fact of the matter is that Premadasa, having realised the hard way, apparently came round to the view that India after all could play a useful role in contending with the menace of Tamil tigers, the LTTE.<sup>182</sup> The consequences of the end of the Cold War for Sri Lanka in its relations with India may have been another factor contributing to his apparent mellowed attitude towards India in the later part of his tenure as President of Sri Lanka.<sup>183</sup>

It was discussed earlier how in 1987 in great powers had devalued Sri Lanka in preference for India. The post-Cold War world order has become even more favourable to India. The two most important features of this evolving order relate to the international power structure and the currency of international power. The global bipolarity has given way to a slowly-emerging multi-polar international system. Geo-politics seems to have been overtaken by geo-economics as the determining factor in the nature and conduct of international politics, to the effect that the centre of gravity of world politics/inter-state relations appears to have shifted from security to economics. The *de-ideologised* and *'de-politicised'* international relations appear to have three effects on the functioning of the international system. One, the great powers are not scrambling for spheres of influence as before. Two, geo-economics has rendered the countries with big markets and with more opportunities for investment more important to the developed world. And three, the decline in US power has made it more dependent on regional powers, particularly economically. And because of the loss

in China's strategic manoeuvrability that she enjoyed under the bipolar international system, her apprehensions about the post-Cold War uncertainties, and the felt need to succeed in her modernisation programme including maintaining the highly impressive rate and extent of her economic growth, she is seeking an uninterrupted period of peace and stability in the world, particularly in its neighbourhood. That perhaps goes to explain the heightened salience of the neighbours in China's recent foreign policy postures, as reflected in her attempts to improve relations with them, including India. The implication of all this for India and Sri Lanka is only obvious: India has become a more important factor in regional and global politics, while Sri Lanka's clout in the comity of nations has considerably reduced. Sri Lanka's position is unlikely to change under the PA government of Chandrika Bandaranaike Kumaratunga, who set an example of a meteoric political rise by having been elected Prime Minister on 16 August and President on... November 1994.

The foreign policy orientation of the Chandrika government is different from that of the three successive UNP regimes which began their long haul of 17 years of rule in 1977, particularly from that of the Jayewardene government. This is due to several reasons. First, with a view to heralding a break with the preceding UNP foreign policy that is being condemned for having been subservient to external forces and interests (implying the pro-US tilt), the PA government is seemingly creating an impression that it intends to restore Sri Lanka's self-respect and confidence in its foreign policy conduct. While highlighting the Chandrika government's foreign policy and its priorities, Foreign Minister Lakshman Kadirgamar has stated: "Sri Lanka has a fundamental national self-respect to be protected and

promoted at all times. We have no reason to be servile or supine and, in accordance with the UN Charter principle of the sovereign equality of states, we must conduct ourselves in the international community with dignity and confidence in our principles and policies".<sup>184</sup>

Second, unlike the Jayewardene brand of non-alignment, the PA government's independence in foreign policy is to find expression in adhering to the Non-Aligned Movement (NAM). Foreign Minister Kadirgamar said that "... the PA government believes the fundamental principles of this movement [NAM] remain relevant to the needs and aspiration of the countries of the South...". He elaborated on this by saying, "Non-alignment is an attitude which maintains the self-respect of a people.

We don't want to be lackeys. Therefore, the spirit of non-alignment is very much alive. It is a good thing for developing countries. The essential feature of non-alignment is the desire to judge issues as they arise free of pre-conceived ideological commitment".<sup>185</sup>

Third, conscious of the crucial driving forces in today's world, the PA government appears to be shifting the focus of the country's foreign policy from the West to the East. Kadirgamar said in an interview to the Sunday Leader newspaper: "Relations with Asia will be a pronounced thrust of foreign policy. This area has been neglected". Later on, he also said, "We have failed to realise that we belong to the Asian family of nations. We have leaned too much towards the West and neglected Asia. And the next century belongs to Asia". Elsewhere he said: "Developments in Asia, including South East Asia are to be concentrated upon while maintaining good relations with all nations. Malaysia, rather than Singapore was to be looked at with special interest as a role model for Sri Lanka". It is reported that the Sri Lankan Foreign Minister had even apologised to the Malaysian leaders when he met them at the UN for having neglected cementing good relations with the South-east Asian country in the recent past.<sup>186</sup>

At the global level, the Jayewardene regime's policy of primacy of the political appears to be giving way to the PA policy of primacy of the economics, particularly to trade and investment. Conscious of the need to properly relate Sri Lanka to the post-Cold War global trends, Foreign Minister Kadirgamar stated: "As we approach the 21st century, Asia is surging forward to a dynamic era in which Sri Lanka must play an integral role...".<sup>187</sup> In fact, in addition to Japan, Sri Lanka's new government is planning to rejuvenate relations and attract more trade and investment from Asian nations, including Taiwan, Australia and the ASEAN countries. The Foreign Minister said, "We will try hard to attract capital from Asia. We want to make it clear to our Asian neighbours that we will take steps to rejuvenate our relations. We have been basically sleeping over that for some time".<sup>188</sup> In relation to the West also, he spoke of economic interests. He said, "we can still look to Western markets and remain non-aligned. There is no conflict between these two positions".<sup>189</sup>

Fourth, mindful of the constructive potential of regional cooperation, the Chandrika government has reiterated its commitment to the South Asian Association for Regional Cooperation (SAARC). But it will also exploit its bilateral economic relations with the SAARC neighbours. Whether this means attaching less importance to SAARC is difficult to ascertain.<sup>190</sup> What may be relevant to point out here is that the PA election manifesto mentions about SAARC after dealing with the intended relationship with India, while in the UNP manifesto the places for the two are in reverse order.<sup>191</sup>

And finally, the most significant change in the Sri Lankan foreign policy in last nearly two decades is the PA government's reappraisal of the regional geopolitical realities, which essentially means 'correcting' Jayewardene's strategic 'lapses' and making efforts to redefine Indo-Sri Lanka relations by being appreciative of India's regional interests and concerns. President Chandrika Bandaranaike Kumaratunga said: "... We do not have an India-phobia like the previous

government did. We are realistic in that we accept that we have a gigantic neighbour next to us and we must have good relations with her. We are off to a good start, because our party is known to have had good relations with India. We hope to restart that and have a very dynamic relationship, not just a good relationship...".<sup>192</sup> Foreign Minister Kadirgamar has repeated it a number of times that it is very important for Sri Lanka to establish a sound and stable relationship with India and that restoring such relationship was one of his government's priorities.<sup>193</sup>

As a matter of fact, one of the outcomes of Sri Lanka's experiences with India in the 1980s has been the emergence of a national consensus in the island that it is its prime imperative not to antagonise India.<sup>194</sup> The *Island* and *Daily News* are the two newspapers that are representative of the largest chunk of the political spectrum in Sri Lanka. Once the editorial of the *Island* wrote: "Even in regard to our long-term security interests, cultivating the Asian neighbours [essentially implying India] is likely to pay better dividends than pinning our hopes on the West who have but a transient interest in our part of the world".<sup>195</sup> One *Daily News* editorial suggested that "cordial relations with our immediate neighbours, particularly India, should be a corner stone of Sri Lanka's foreign policy".<sup>196</sup>

But there are several challenges before the Chandrika government in the conduct of its foreign policy, particularly concerning its foreign economic relations. These challenges stem from both domestic and international sources. First, there seems to be an incompatibility between the PA government and the donor nations and lending agencies, such as the World Bank, International Monetary Fund (IMF), Asian Development Bank (ADB) etc., in their economic philosophy and policy. The commitment of the PA government to market economy is not unadulterated.

#### Notes

178. Dr. Vernon Mendis is of the opinion that it was due to the virtual absence of diplomacy on the part of the Jayewardene government that accounted for its failure in enlisting extra-regional support for Sri Lanka against India, and not the unwillingness of its traditional friends. This view

was expressed by him during my interview with him in Colombo on 13 January 1995.

179. This indignation was typified by a highly unusual act of a Sri Lankan naval rating on 30 July 1987 at the fare-well guard of honour for Rajiv Gandhi. He hit with his rifle but the Indian Prime Minister on his head. The Indian leader narrowly escaped his possible death with only minor bruising on his neck and shoulder by timely reflexive ducking.
180. Until now, it is debateable whether India could not or did not disarm the Tamil militants. If it is the first one, then it is a disgrace to the world's fourth largest army; if it is the latter, then it speaks of India's long-term strategy of keeping alive the proxy forces in Sri Lanka.
181. I was told during my interview in Colombo in January 1995 with one of the closest advisers to late President Premadasa that the Sri Lankan leader used to feel uncomfortable with the elitist and imperious attitudes of Indira Gandhi and Rajiv Gandhi.
182. It is a fairly widespread belief in Sri Lanka that he was assassinated by Tamil Tigers due to his 'hobnobbing' with India.
183. There are contrary views also that Premadasa had always been anti-Indian and he died as such. That may be true, but the point here is that he, to his credit, had learned to be pragmatic in his dealings with India. Needless here to say that his public demand for IPKF withdrawal was called for more by the exigency of blunting the JVP factor in the country's domestic politics than by any other compulsions.
184. Daily News, Colombo, 26 August 1994.
185. *ibid.*; The Sunday Leader, Colombo, 16 October 1994.
186. The Sunday Leader, Colombo, 16 October 1994; The Sunday Times, Colombo, 21 August 1994; Daily News, Colombo, 2 December 1994.
187. Daily News, Colombo, 26 August 1994.
188. Daily News, Colombo, 22 October 1994.
189. The Sunday Leader, Colombo, 16 October 1994.
190. In fact, such a question was put to Minister Kadrigamar by Wijith de Chichera of the Sunday Leader. The Minister skirted the question by saying "the objectives (relations with India and SAARC) are not mutually exclusive. We must upgrade relations in all areas, not downgrade others". The Sunday Leader, Colombo 16 October 1994.
191. See Election Manifestos of PA and UNP, 1994, Colombo.
192. The Sunday Times, Colombo, 4 September 1994.
193. Lakshman Kadrigamar repeated this at a BCIS Awards Ceremony on 14 September 1994.
194. This contention is based on my personal experience. During my seven-month long stay in Sri Lanka I have met, formally and informally, quite a representative cross-section of the Sri Lankan society. And this helped form my opinion.
195. The Island, Colombo, 21 October 1994. Another editorial of the paper expressed the opinion that "..... antagonism could be deleterious to both nations [India and Sri Lanka] and friendly relations could be of mutual benefit.... The PA government apparently well appreciates the importance of good neighbourliness [with India].... It is to be expected that the new government will make strengthening South Asian ties priority number 1 in its foreign policy agenda....". The Island, Sunday Edition, Colombo, 4 December 1994.
196. Editorial, Daily News, Colombo, 23 August 1994.

## 'Islam is not bigotry and aggression'

At a time when deliberate attempts are being made to create trouble between Hindus and Muslims by a section of politicians and intellectuals, octogenarian Gandhian and former governor B N Pande has decided to travel around the India to expose "their distorted views." Excerpts from an interview:

**Q:** One hears these days a lot about aggressive Islamic fundamentalism. What you think of this phenomenon?

**A:** Islam can neither be aggressive nor fundamentalist. The *Koran* has emphasised that all men are brothers and that there is a single God who has sent prophets to different communities to preach universal love and brotherhood. In fact, the holy *Koran* says that he who differentiates between one prophet and others is a real *kafir*. So how can Islam be aggressive?

That is why I tell the non-Muslims to change their stereotype image of Islam. Similarly, I tell the Muslims that Islam is not what the *mullahs* tell.

**Q:** Then what about the concept of *jehad* in the name of which so many Islamic terrorist groups are justifying their actions, be it Kashmir or Afghanistan?

**A:** In both Kashmir and Afghanistan, the ongoing disturbances have nothing to do with Islam as such. Because, according to *Koran*, *jehads* are of two types: *Jehad-i-Asgar* and *Jehad-i-Akbar*. In the first type, a Muslim can resort to violence only when someone deprives him or any of his dear ones of life and property, not otherwise. As regards *Jehad-Akbar*, which is the greatest *jehad* indeed, the ideal Muslim is he who controls the five senses or what we Hindus call *indriyas*.

**Q:** How do you then explain the fact that so many wars have been fought in the past for the sake of Islam?

**A:** Here two things are important to remember. One is that Islam was conveniently used to justify these wars by the Muslim kings. It was no doubt wrong, but then the fact is that rulers belonging to other religions were exactly doing the same thing. Just take the example of the famous war of Crusades, which lasted for 200 years. Here, the Christians used slogans like "exterminate Islam and exterminate Muslims."

It is to be noted that in the medieval times, both in west and central Asia, Islam brought in intellectual awakening. In the

court of the Khalifa of Baghdad, research was carried out on science and technology, huge libraries were built and important treatises and texts of every religion were translated.

**Q:** How do you explain the stories of Muslim kings invading India throughout the Middle Ages, looting Hindu temples and killing non-Muslims mercilessly?

**A:** Those days, and this was true of all the religions, the ruling tribe keenly valued the concept of valour. For instance, after *Vijaya Dashami* every year, every Hindu King went to another Hindu kingdom and demanded *Yudham Dehi*, which meant "come for war or else submit your kingdom to me". Going by the same logic, I must say that there have been more wars among Rajputs than between Muslim invaders and Indian kings. Similarly, the Muslims have fought more among themselves than they have fought against others.

The invaders were not just Muslims. Many people do not know that Mohammad of Gazni had a Hindu general named Tilak who suppressed the rebellion in the then Turkistan.

**Q:** If the facts are so different from the stereotype image of Hindus and Muslims, then what led to this impression?

**A:** I think it was basically due to the way history books were written during the British period. The Britishers, in my opinion, deliberately overglorified the rules of Chandragupta, Maurya, Ashok and Vikramaditya to give an impression that the rule of the Hindu kings in the past was simply magnificent and that all this came to an end with the advent of the Muslims in India. The study of medieval history was neglected.

I strongly believe that reading the medieval history of the country will go a long way in restoring Hindu-Muslim amity.

**Q:** Would you please elaborate on this?

**A:** The medieval period was the one which saw the Muslim Sufis and Hindu saints coming together to preach the message of oneness, love and brotherhood. I am referring to the *Bhakti* cult.

Therefore, my message is let us go back to links of the medieval period in order to bridge the numerous divisions confronting not only our country but also the whole world.

*Interviewed by Prakash Nanda*

## Increasing presence of second generations of ethnic origin

Laksiri Jayasuriya

According to the ABS (1995), second generation Australians of ethnic origin, i.e., people born in Australia who have at least one overseas born parent, account for 19% of the population (3.1 million). However, this statistical view is not strictly accurate because it excludes children of overseas born, who arrive in infancy or childhood and should be properly classified as 'second generation' (Vasta 1994). The increasing presence of second generation and generational differences in the ethnic composition of the population may create, as suggested earlier, a different sense of ethnicity — one which is largely a symbolic ethnicity.

Generational differences are also marked by an increasing incidence of inter-ethnic marriage among the second and third generations. What this signifies from the point of view of the diversity and pluralism in society, is the likelihood of a blurring of ethnic group boundaries. This is well attested by the high degree of language shift 'in the majority of families based on exogenous marriage' (Clyne & Jaehrling 1989, 71). Price (1993) estimates that nearly 40% of the population will be ethnically 'mixed', and states that this may create a more 'mixed' cultural society than a multicultural society. Concurrently if overseas research is any guide (e.g., Lambert & Taylor 1990) these persons may, for purposes of social adaptation, mobilise their ethnicity expressed in symbolic terms as 'half breeds' or 'double breeds'.

Furthermore, as Birell and Khoo (1995) point out, the second generations have experienced a substantial degree of mobility (vertical as well as horizontal) relative to their parents' generation. But, at the same time, other data (HREOC 1993) indicates that many of these second generation Australians (often ethnic marginals) have had to compete with other Australian born for scarce resources in difficult economic circumstances. Consequently, they have had to experience severe hardships in the labour market, partly due to economic competition and partly because of discrimination. This competitive striving and its outcome is that it is likely to lead to a heightened ethnic group awareness

and, more importantly, to what Gans (1992) has recently labelled as 'second generation decline', i.e., a situation where children of immigrants fail 'to find the income, job security, and working conditions they expect' (p. 82).

This above profile of the demographic and social characteristics of ethnic diversity makes it imperative that differences attributed to 'race' and ethnicity be analysed and understood in conjunction with associated relevant structural features, particularly those relating to gender and class. It is these inter-connections between 'race, ethnicity, gender and class that makes 'difference' intelligible as a distinctive feature of the contemporary social reality. Essentialist conceptions of culture and ethnicity, characteristic of primordial ethnicity, often convey a distorted and inaccurate representation of difference, by failing to acknowledge the structural, political, and historical basis of the experience of difference. This is exemplified in the way in which the second generation construct their sense of ethnicity by an interplay of 'structures and peoples' perception of, and relating to these structures' (Bottomley 1993).

An 'ethnic minority status' conceptualisation presents a more authentic portrayal of difference and identity because of its flexibility and sensitivity to situational factors and the way in which the subjective and objective interact. The interrelations between ethnicity and the economy which are becoming more salient are better understood within an 'ethnic minority' viewpoint than in an essentialist cultural framework. Furthermore, by adopting such a view, one avoids denying or minimising ethnic difference, and giving an impression of unreal homogeneity; and, above all, permits an understanding of difference and ethnic identity divorced from an inherent subjectivism and rigidity. It is able to view culture as a changing process, constantly engaged, depending on one's situational location, in the expression of different identities. Pugliese (1995) is one writer who has recently expressed this pointedly by stating that:

minority groups are themselves inte-

mally stratified and differentiated by hierarchies of gender, ethnicity, class, sexualities, age and so on. It is invariably the desire of the dominant groups in a culture to promote the notion that a minority group is a type of undifferentiated singularity which is not marked by all the factors listed above (1995, 195-6).

In short, we need to move away from essentialist notions of cultural continuity and uniformity, by recognising that:

cultural practices are always contested, always in process, and never coterminous with 'ethnicity' (itself a contested notion)... Culture and ethnicity are conflated to [achieve] a homogeneity of diversity and neglect of the fact that class and gender are themselves culturally constituted' (Bottomley et al 1993).

The construction of the 'new ethnicities' associated with the cultural productions and artistic efforts of multicultural writers (Hall 1992; Bottomley 1991), perhaps, reflects this new pluralism of Australian society more vividly by exposing the contradictions and tensions that exist in the orthodoxy of multicultural discourse. Hence, the need for a more complete understanding of the diversity of the Australian population eschewing the superficial aspects of multicultural discourse framed in an essentialist discourse of culture and ethnicity.

### Summary and Conclusion

In the context of the Conference theme, the crux of the argument of this paper has been to show how practical measures, such as educational and training programmes directed towards improving the overall quality and effectiveness of policies and programmes in a multicultural society, are constrained by the way in which the diversity and pluralism of a society is characterised. As in the case of other similar settler societies, in Australia too, 'difference' arising from diversity has been located within the prevailing discourse of multiculturalism which normatively prescribes the meaning of difference in a given society. Hence, we have sought to explore and critique the ways in which

the discourse of Australian multiculturalism has been framed in public policy terms as well as in scientific theorising; and, importantly, to show how this conventional discourse and its forms of representation may be ill suited to portray accurately the current and evolving reality of Australia, not as a plural society but as a pluralistic society.

Stated differently, we have sought to examine the 'meaning of difference', in the discourse of Australian multiculturalism, and to identify the ways in which the undeniable reality of this 'difference' has been conceptualised in the theorising about cultural pluralism. In the language of this discourse, difference is depicted as a 'cultural diversity' comprised of 'cultural groups', and the concept of ethnicity — with 'boundary markers' identifying distinct ethnic groups — is used to differentiate the reality of difference. A distinctive feature of this 'culturalist' discourse is that ethnicity is equated with culture, and is marked by a universalism and an essentialist view of culture. The inherent universalism, expressed as 'multiculturalism for all', while celebrating diversity, serves to contain and limit the manifestations of social belonging, of particularism, in ethnic structures. The essentialist view of culture is theorised from the limited perspective of cognitive anthropology as shared meaning systems and 'primordial bonds'.

The critique of this discourse has shown that the 'politics of universalism', while it may have been functional and effective as a first generation strategy of migrant settlement, is entrenched in the proverbial paradox of cultural pluralism, viz., that the sanitised homogeneity it prescribes confronts the very difference it seeks to avoid or minimise, viz. the presence of ethnic structures and the existence of groups with special needs and aspirations. Equally problematic is the idealist/primordial views of culture, which exaggerates the 'archaic culture', the notion of cultural heritage, and reifies culture as a fixed, immutable reality.

The critical analysis of the shortcomings of this discourse, as revealed by the inherent contradictions of cultural pluralism — the politics of universalism and the flawed distorted logic of culture theorising — suggests an alternative way of conceptualising the diversity and pluralism of contemporary Australian society. This reinterpretation of pluralism, as political pluralism (McLennan 1995) is based on a reformulation of universalism and re-theorising culture and ethnicity from a sociological standpoint. In the

first place, the politics of universalism is reframed as a 'Politics of Difference' (Taylor 1992), enabling recognition and representation of difference in the structures of society, conceived of as a genuinely pluralistic society (Jayasuriya 1994). This is more likely to be accommodated within a framework of 'corporate pluralism' which would be willing to give formal recognition to difference in a pluralistic society.

Without denigrating or devaluing the concept of culture, it needs to be understood in such a manner that it is not dissociated from lived social practices — those embedded within complex structures and patterns of social relations. Accordingly, ethnicity and ethnic identity are seen to be situationally determined, dynamic and changeable as a resource, governed by objective circumstances; and, ethnic groups are structurally located as permanent collectivities demarcated by selected 'boundary markers' (physical and cultural attributes) and responsive to specific features of one's social location.

In brief, ethnic groups are seen as *minority interest groups*, where the 'minority status' of a group is markedly influenced by structural factors such as access to resources, power, and perception by others. The 'interest based' approach conceives of ethnicity as a process of classifying and labelling inclusion/exclusion processes used by the dominant groups in society using some interest criteria or criteria. However, the minority status of ethnic groups is maintained, not in terms of ethnicity per se, but as a function of the cross-cutting cleavages arising from the structural location of these groups as 'status devalued' groups subject to inequalities and disadvantages.

The re-theorising of culture/ethnicity and reformulation of the politics of universalism, permit a more sensitive, appropriate and relevant portrayal of the reality of 'difference' in contemporary Australian society. The social and demographic structure occasioned by new waves of migrants and changes wrought by the transformation of the economy, has created a new social landscape. We have argued that the new reality of difference and diversity is marked by a 'new ethnicity' heavily influenced by generational differences, gender and class relations.

Regrettably, the recent official document entitled: *Multicultural Australia. the Next Steps - Towards and Beyond 2000*

(NMAC 1995), singularly fails to acknowledge and capture the reality of the pluralistic nature of contemporary society — let alone the emerging future. It is a bland and unimaginative document, steeped in the language and discourse of an outmoded doctrine of cultural pluralism, replete with culturalist policy strategies of an earlier era. By its continuing resort to the conventional discourse of culture pluralism, and its flawed theorising, it serves to distort and misrepresent our understanding of diversity and pluralism. As a result, there is little evidence, and an appreciation of the fact that we are, and will continue to, grow as a pluralistic society. In short, this document notably fails to grasp the challenge of political pluralism (McLennan 1995; Jayasuriya 1994b).

In refashioning our understanding the diversity and pluralism of present day society, we need to acknowledge that the 'politics of difference' (Taylor 1992) is about social subjectivity which is seen as 'transcending particular subcultures, social locations and value stances' (McLennan 1995, 88). Crucially, this difference has to be represented through a new politics of identity where 'identity' is no longer primordial but situationally determined in a pluralistic society (Jayasuriya 1994b); it is to be seen as a negotiated outcome in specific socio-cultural situations which involve hegemonic control.

The contextualisation of difference is central to its representation in the various forms of discourse that involve difference. In this regard, the quest for identity looms large, and identity formation, as Hall (1992) puts it, amounts to 'negotiation and articulating hybridity'. The emerging 'new ethnicities' of the second and third generations revealed by cultural productions and practices which engages rather than suppress difference, are central to understanding the difference 'towards and beyond 2000'. In this context 'hybridity' may, indeed, be 'one of the distinctly novel types of identity produced in the era of late modernity' (Hall 1992, 310). We need to acknowledge, confront meaningfully, respect and represent difference, not to deny or minimise difference. This is the challenge for all of us not just policy makers, educators, and intellectuals, but for society as a whole.

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