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Pravada in contemporary Sinhalese usage has a range of meanings which includes theses, concepts and propositions.

KANDALAMA, CAPITAL AND ENVIRONMENT

The protest campaign against the building of a luxury resort hotel above the *wewa* (irrigation tank) at Kandalama, about 10 kilometers from Dambulla, reached a climax on July 12 when a Sathyagraha was held in Dambulla. The participation by the SLFP and a number of opposition parties, many NGOs, members of the Sangha, university students and the Christian clergy provided a political as well as popular character to this latest manifestation of fairly widespread discontent with the Premadasa regime.

The entry of the SLFP and of other opposition parties into the Kandalama campaign, which at the beginning was led by politically unaffiliated monks from the Dambulla Raja Maha Viharaya, gave the ruling UNP an opportunity to strike back. "A politically motivated campaign against the government"—a hackneyed formula, yet a weapon that could effectively be used by the government to mobilize its own forces to blunt the seriousness of issues that could otherwise have been somewhat meaningfully raised by environmentalist and developmentalist lobbies.

In fact, the SLFP and its racist Hela Urumaya group, the Sinhala Arakshaka Sanvidhanaya (Sinhalese Defense League) and other assorted chauvinistic groups have changed the character of the Kandalama campaign by joining it. At a meeting held in July 09 in Colombo, all these Colombo based anti-government Sinhala chauvinist forces brought the Dambulla monks within their fold, not, of course, with-

out their consent. However, this step destroyed whatever political 'innocence' the latter may have had. The Kandalama hotel issue then became another item for an opposition that had been waiting for any chance to mount an anti-Premadasa campaign, largely based on the illusion of an impending election. Hence the ferocity with which Messrs. Premadasa and Thondaman were singled out to be attacked by opposition speakers at their July 09 meeting held at the Colombo New Town Hall. For Ven. Medagoda Sumanatissa, the hotel at Kandalama was a stepping stone for the LTTE on their way to the plantations; for Nalin de Silva, the hotel was another step in the "Prabhakaran - Thondaman aggression", presumably against the Sinhala-Buddhist majority.

There was also another strand to the chauvinist argument articulated in highly emotional terms: the entry of large-scale tourism - one writer described the hotel as a 'city of white bikinis' - would erode and destroy the traditional agrarian culture of the area. A number of untested assumptions lay behind this: that a traditional agrarian culture still existed in this locality, that it was worth preserving in its entirety, that the small scale tourist hotels which were already in existence did not somehow have a role in changing cultural patterns.

Little did the opposition political parties realize that the deployment of chauvinist arguments and the concentration of attacks on Thondaman were ruining the auto-



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mous potential of a social movement that had sprung up in response to the arrogance with which metropolitan capital and state bureaucracy were intruding into their lives.

The partial success of the Iranawila campaign, led by the Catholic clergy a few months ago, provides a study in contrast. There too, the protest movement was against the proposed construction of a tourist hotel project and a VOA relay station. The Catholic clerical campaign went on for several months with no participation at all of the Colombo-based political parties. Perhaps, the priests knew only too well that partisan politicization of their movement would have been counter-productive. At the same time, their Sinhala-Buddhist chauvinism would have made the opposition political parties feel that the Catholic priests and their poor fisher-folk flocks needed no this-worldly help from them. In any case, the Iranawila campaign retained its political autonomy, and it proved to be the secret of its success in getting the hotel component moved elsewhere.

Although swallowed up by the narrowly conceived anti-UNP and chauvinistic politics of the opposition, the Kandalama controversy still raises some key issues concerning current development strategies based on the penetration of metropolitan capital into the countryside.

The commercialisation of peasant agriculture is a process that has been going on for the past four centuries. The subsequent entry of merchant capital has transformed its nature. Besides, the integration of Kandalama into the Mahaweli project has made it a part of a massive and centralised irrigation scheme, further altering its character. Nevertheless, there are still certain areas, particularly where temples and devalas are large landlords, in which archaic and feudal economic and social relations persist. The entry of capital and of capitalist relations into such areas will certainly contribute to the break-up of traditional relations, a desirable effect in a number of ways.

There are, however, some necessary measures before large scale development projects are established. First of all, both the entrepreneurs and the state should have to consult, as a matter of legal obligation, the people in the area. People can no longer be considered as passive recipients of the gains as well as losses of modern development. They do have a stake in what will happen to their means of livelihood, to the surroundings to which they have been used to for generations, and to the changes that modernization will bring in their social and cultural relations. That communities have a stake in 'development' was dramatically illustrated only the other day when entire neighborhoods in Colombo went under floods as a direct consequence of ill-planned and haphazard urban development.

Secondly, the environmentalist argument, although it has been formulated in extremely populist and imprecise terms, has a point when it comes to the arrogant claim made by

the tourist industry that it should have 'free' access to the environment in order to sell it. As Pradeep Jeganathan's essay in our last issue pointed out, the commodification of culture and the picturesque enters tourism in a variety of ways. For the tourist industry, the 'beauty' of the landscape is both capital and a commodity. If Kandalama has maintained a 'beauty'; a unique 'picturesqueness', which the urban gazers in Sri Lanka as well the West are willing to pay to enjoy, the largely peasant population in the area must have a claim to a share of profits which the investors will rake in. It is the peasants who have lived for generations under the feudal stranglehold of ecclesiastical property relations in Dambulla who have created and maintained the 'beauty' of Kandalama, the symbolic capital that the share-holders of the Aitken-Spence in Colombo are ready to transform into money value and profits.. Therefore, they should have a legitimate right to a significant share of the profits to be earned by the hotel.

This leads on to broader questions of the relationship between investor capital and the community. Gone are the days when capital could invade any spatial or social location, totally disregarding community responses and resistance. If the protest campaign makes any point at all, it concerns the apprehension of local communities with regard to the intrusion of urban-led development. Capitalist projects, in industry as well as in tourism, have a general tendency to exploit natural resources of localities and siphon off profits to the metropolis, with little or no regard for community development in locations where enterprises are established. The local communities gain only marginally, often as unwelcome outsiders, or as suppliers of 'unauthorized' services in the case of tourism. The time has come when local communities should demand as a condition of 'development' that big enterprises re-invest a decent share of profits in community development.

NOTES AND COMMENTS

A Cross Across Dambulla: Religious Intolerance?

It is more than a footnote to the Kandalama Sathyagraha of July 12. It is also a telling statement of the extent to which the Premadasa regime, when cornered, would seize on narrow religionism to create discord among its political opponents.

We are referring to the new campaign launched by the Lake House, a key propagandist centre of the Premadasa administration, to mobilize Buddhist opinion against the display of a cross near Dambulla temple by a group of Catholic nuns who participated in the protest. Statements attributed to a number of Buddhist monks loyal to the regime have been published in the Lake House press in order to orchestrate a particular concern: a pre-eminent place of Buddhist worship is desecrated by prominently displaying a Christian cross. 'Will Catholics allow Buddhists to place a Buddha statue at a Church?' is the recurrent question raised in the front page reports of the *Daily News*. Of course, the *Daily News* scribes are smart enough not to blame the Catholic church group that went to Dambulla carrying the cross; they are accusing the organizers of the protest of being insensitive to Buddhist sentiments.

All this, indeed, contradicts the public image of the administration which Mr. Premadasa himself and some of his recently converted propagandists have been projecting. Ethnic and religious tolerance is claimed to be the primary virtue that distinguishes Mr. Premadasa from all his predecessors and even from his contemporary opponents. Political expediency, it seems, knows no virtues.

Meanwhile, the readers of the *Island* of July 23 were treated to a rare piece of sober editorialising. Calling the Lake House press campaign on the cross across Dambulla "thoroughly obnoxious", the *Island* editorial warned of possible consequences "so tragic for religious harmony in the country." It finally called on Lake House to halt its "atavistic and tribal game of religious hate."

Tribalism, indeed, is not a new game for the Upali group of newspapers either, particularly for *Divayina*. The latter is perhaps the main propaganda organ of all Sinhalese racist and militaristic forces. Of late, the *Island* too has dropped its 'liberal' clothes, becoming a significant voice of Sinhalese 'tribalism.' One may even go to the extent of describing the

racist propaganda of *Divayina* as abusive of the freedom of expression in a manner designed to incite ethnic hatred and bigotry.

The Right to Hold and Express Political Opinions

Mr. Dayan Jayatilleke, who was once described (not in jest) by the editor of the *Economic Review* as one of the few original political thinkers in Sri Lanka, has ultimately found, in his own name and in the name of his alleged alter-ego Anuruddha Tilakasiri, a worthy opponent, namely Mr. Junius Jayewardene, President of Sri Lanka from 1978 to 1988. How many years had Mr. Jayatilleke to wait for a deserving adversary to come forward to challenge him in public? How many hundreds of newspaper columns had he wasted to reach this moment of glory?

There are many watching this impending duel with a great deal of delight, gloating over the possible downfall of a columnist who once appeared invincible. Even though some of us have been the victims of Tilakasiri's unchecked malice, we cannot share in this gloating. We are instead seriously concerned with a principle that is at stake: the freedom to express political opinions.

Mr. Jayewardene's lawyers are of the view that Mr. Jayatilleke, writing under the *nom-de-plume* Anuruddha Tilakasiri, has made false and malicious statements about their client thereby causing irreparable damage to the ex-President's reputation and the high esteem he was presumed to have enjoyed. Reports, though unconfirmed, have it that Mr. Dayan Jayatilleke would not retract, but fight it out.

As a columnist, Anuruddha Tilakasiri has been wielding a particularly nasty pen in a manner which can only be described as vindictive and unashamedly propagandist. Nonetheless, what Mr. Jayewardene appears to be challenging is the right of a columnist, or even of a citizen, to make politically-based comments on his past actions. Mr. Jayewardene was after all the President of the Republic which experienced a multiple trauma during the ten years of his rule. Mr. Jayewardene, or, even for that matter his successor, may want to avoid any political or moral culpability for all that went wrong. Or may be there is a compelling need to re-write history, to erase memories in order to construct new ones, and to be beatified in



(auto)-biographies. It is in such a specific re-writing project that Tilakasiri has been indulging during the past one year or so.

The point, nonetheless, is that whether Mr. Jayewardene may feel personally hurt or not, everybody should have the right to form and express political opinions about the commissions and omissions of rulers, whether they are retired or incumbent. Political opinions are political and value judgments; no ruler, not even Mr. Premadasa to whose glory these Tilakasiri columns are largely devoted, should bar the right of others to exercise their right of publicly expressing politically-perceived opinions.

Meanwhile, the Liberal Party in a statement, notes "with considerable surprise" the demands of the former President. The Liberals believe that the statements referred to by President Jayewardene, in his letter of demand to Mr Jayatileke, are "not defamatory". According to the Liberal Party, this is because the statements are "substantially true or are covered by the defences to *prima facie* defamatory statements which include justification and fair comment." The Liberals also feel that it is "futile for a head of government to disclaim responsibility for actions committed under his aegis by those directly responsible to him."

At a time when some of the political tabloids—*Yukthiya*, *Rajaliya* and *Aththa*—are defending in court their right to inform the public on a certain vital issue that has embarrassed the government, Anuruddha Tilakasiri would do well by the Sri Lankan journalistic community to challenge Mr. Jayewardene's narrowly legalistic claims.

Tears and Curses

The recent political manipulations of women and their maternal emotions have disturbing implications at the levels of ideological and political practice.

In patriarchal societies where there is control of women's labour, reproduction and sexuality by males, there is also a simultaneous idealisation and sanctification of the family and celebration of motherhood. Women are represented in the roles of wife, mother and daughter that are subordinate to male roles, never equal. They are characterised as weak, needing the protection of males and, in a further extension, as less rational and more emotional. Tears then become their accepted means of expression.

These attitudes were fully demonstrated at the recent Mothers' Front meeting at the New Town Hall. Women were accorded performative space in public to express their grief and sorrow over the killings and disappearances of their children through the medium of tears. Speaker after speaker tried to outdo each other in provoking floods of tears; though much capital was made of the father who

died at the meeting, it was as if sorrow over lost children was purely a function of maternity.

There is also the role assigned to women as the carriers and bearers of culture. In our society this means that women have a primary and initiating role in religious and magical rituals. This aspect was demonstrated in the second part of the Mothers' Front gathering at the *Kalikovil* in Modera.

The mothers present there made a *kannalawwa* - an appeal - to the Great Mother, Bhadra Kali, characterised as "the great goddess who shows no mercy to evil-doers, who punishes the killers of the people, who brings sinners into disgrace and contempt" in order to redress their grievances. They wanted Kali, before the end of this year, to punish and bring about the downfall of the present 'evil' administration which has been responsible for "terror, corruption, repression and state terrorism"; the regime was also accused of causing "the abduction, torture, murder, disfigurement and cremation on piles of tyres of hundreds of thousands of children"; it was also finally held responsible for "the unfortunate condition of the children, the sons of the Buddha (the monks), university teachers, artists and the members of the police and security forces who are involved in the protection of the North and the East". A curious irony was that this *kannalawwa* had to be read out by a male on behalf of the mothers.

Tears and curses on a massive scale such as this are no doubt dramatic and temporarily empowering. Yet what are the implications of the political use of women's grief through tears and of anger through curses? The disappearance of thousands of young men and women is a fact that cries out for justice and the grief of the mothers is genuine. However, even if its use as a political tool is, as some argue, merely tactical to bring pressure on a regime that is widely rumoured to be susceptible to magic and sorcery, it means an unquestioning acceptance of gender stereotyping, of the notion that tears and hysterics are weapons appropriate to women.

It should also be remembered that the control and manipulation of women through appeals to their emotions is a traditional practice of racist authoritarian societies. Hitler cynically manipulated women, honouring them as Aryan mothers (particularly of soldiers) while depriving them of hard-won economic and political rights; through mass rallies, Mother's Day celebrations and other forms of mobilisation, German women were drained of their rational persona and conditioned, by appeals to emotion, to follow the leader, wherever he led, uncritically.

In Sri Lanka too, there is a sub-text of racism in the mobilisation of mothers by politicians. The appeal is very much to Sinhala mothers in terms that valorise Sinhala-Buddhist values and identities. Mothers of the 'Other' (the



Tamils) were scarcely mentioned as if the tears they shed had no meaning?

The resort to divine or demonic help in order to achieve mundane political objectives has now become an accepted part of political mobilisation. The opposition parties resorted to it in the *pada yatra* (long march) to Kataragama and, as indicated above, in the prayers at the *Kali kovil*. The state too resorts to such ceremonies all the time; the President's 68th birthday was celebrated with *bodhi pujas* as well as *deva pujas* and no official occasion is complete

without some religious or quasi-religious ritual. What is significant now is that such invocations are public and acknowledged; they are no longer kept secret. The dark underworld in which demons and sorcerers earlier lived has burst its way into the light.

Rationalist and enlightenment traditions of politics constituted for many decades the bases of democratic political conduct in Sri Lanka. When demons enter, can democracy survive?

P

VOODOO IN POLITICS

What, with apologies to Graham Greene, has sixty years of universal franchise produced in Sri Lanka's political culture? Sorcery.

Sorcery has now emerged as a respectable mode of political communication and practice in this island while parliamentary democracy still refuses to vanish into oblivion. Both the ruling party and the opposition have of late begun to resort to witchcraft, cursing and sorcery in the race for political wish-fulfillment. During the impeachment crisis, there were many stories being circulated regarding politicians summoning to their service a variety of super-natural characters—deities, demons and all. Some news reports even mentioned that certain MPs went to the House on the day of the impeachment debate armed with charmed oils to counter-act other charms set out by their law-maker opponents!

In a land where mass culture accommodates a whole variety of cosmologies and where rationalism co-exists with demons and goblins, it is still too early to expect politicians to say 'no' to extra-rational modes of political conduct. Nonetheless, what we are concerned with here is not just the superstitious practices resorted to by individual politicians for lengthening their political careers, but with an apparently new phenomenon of substituting sorcery for democratic forms of political mobilization and conduct.

A whole plethora of such practices, which treat the people as subjects to be governed by forces that are extra-terrestrially located, has sprung up recently as means of political mobilization.

Its precursor was the *bodhi pujas*. Worshipping a particular species of a tree, re-planting it in a terrain sacred, is

essentially a religio-cultural thing. Yet, political *bodhi pujas* are more than that; at one level they constitute an appalling measure of political sycophancy. At another level—and this is what we are really concerned with here—they represent a specific enterprise organized by politicians to exploit and manipulate the religious emotions of the people. Its most pernicious aspect is the summoning of mass crowds, using coercive organs of state power as well, to pseudo-religious congregations to invoke blessings on individual politicians who anyway are already protected by numerous armed agencies of the state.

In politics, as in day to day life, there is now only a very thin line between entreating divine intervention and mustering demonic forces for both good and bad. As we report in this issue of *Pravada*, the opposition campaign for human rights too has entered the arena of cursing rituals.

The emergence of sorcery as a political weapon is indeed symptomatic of the sheer decadence of democratic political culture in this island where a long tradition of

open political competition, debate, discussion and electoral mobilization has existed. Cursing and sorcery, *bodhi pujas* and charms—they defy all traditions of political enlightenment. They are in fact sinister substitutes for open and competitive politics conventionally conducted by means of democratic organs of civil society—political parties, trade unions, electoral organizations, professional bodies etc.

'Decay of political institutions' is a phrase once used by Mick Moore, a long-time Sri Lanka watcher, to describe some aspects of political change in the post-1977 period. Moore was specifically referring to the weakening of the

Cursing and sorcery, bodhi pujas and charms- they defy all traditions of political enlightenment. They are in fact sinister substitutes for open and competitive politics...

electoral process, the party system and legislative politics. A still larger issue is involved in this decaying trajectory of modern Sri Lankan politics; the submergence of democratic political culture by authoritarian practices and values. The sudden spread of political sorcery obviously indicates the degree to which authoritarianism of all forms—state, counter-state and so on—has debilitated secularist foundations of political conduct.

While the context of authoritarianism helps us to locate the decay of democratic political culture, it does and should not exonerate the politicians who wilfully resort to obscurantist practices for political mobilization. Understandably, anti-UNP mass mobilization is an immediate item in the Opposition's agenda. Yet, because of its collective inability to present a principled and sustained critique of the Premadasa regime and to develop a clear and programmatic alternative, the entire energy of the opposition is

wasted on denouncing the regime and its individuals on the basis of personalized animosity. Even the attempt to impeach Premadasa and thereby oust him from office, despite much talk of democracy, smacked of individualized hatred towards a man whose counter-image was projected to be the supreme epitome of evil.

Sorcery in a ritualistic sense is always directed at individuals and it is no accident that it is being deployed by politicians either for self-protection or for the destruction of the adversarial individual. This constitutes a symptom of excessive personalization of politics that has occurred in Sri Lanka during the past few years. What is fundamentally wrong about such personalist reductionism in politics is that it leaves counter-democratic structures and processes unidentified and uncritiqued.

Jayadeva Uyangoda

BOYS WILL BE BOYS:

GENDER AND NATIONAL AGENCY IN FANON AND THE LTTE¹

Qadri Ismail

If...[women are critical of patriarchal practices and attitudes] a gendered tension will develop within the national community. This could produce a radically new definition of 'the nation.'

Cynthia Enloe

In the beginning they were called 'the boys.' Mostly by upper class and upper caste Tamils, in all parts of north eastern Sri Lanka. Our boys, the Liberation Tigers of Tamil Eelam; our children, our protectors. An affectionate, but paternalistic term; an uncannily accurate one. From the beginning, the Tigers were male in constitution and gendered in ideology. In time they came to symbolize Tamil resistance, these boys coolly brandishing their AK-47's. And they came to dominate the resistance, too, having greater popular support and superior organization, but crucially by murdering many of their opponents.

A full length study of the rise of the LTTE, and its brand of 'fundamentalist' Tamil nationalism, has yet to be written; such a work would need to compare it to similar nationalisms currently rampant in post-colonial South Asia; it would also have to be situated within the logic of transnational capitalism, of uneven development or, to use Gayatri Spivak's more apt phrase, uneven decolonization. This paper, however, has a limited objective: in it, a relationship is posited between gender, (revolutionary/militaristic) violence and nationalism in the LTTE by way

of a reading of Frantz Fanon. Why Fanon? Because to this day a better understanding of third world nationalism, of its necessity and its dangers, does not exist; not in the work, in other respects important, of the more classically Marxist Amilcar Cabral and Che Guevara, and certainly not in texts like Benedict Anderson's currently cool *Imagined Communities* which discuss third world nationalisms without once mentioning colonialism (Or the work of Fanon).² To say this is not to dismiss Fanon as a mere nationalist, or to deny the enabling aspects of his work: he was a deeply committed internationalist, a Martinican fighting in Algeria; he warned of the pitfalls of excessive nationalism; and he was a (dissident) Marxist, aware among other things of how metropolitan capital could destroy nationalist/socialist experiments in the periphery. Nevertheless, he speaks most effectively, most eloquently, when articulating the case for (anti-colonial) nationalism. Therefore, while it is not my intention to erase or even downplay important differences between his account of national liberation and the LTTE's representation of the Tamil struggle, a strong basis exists for comparing the two — in their narratives of nationalism: both hold that the nationalist project can only be fulfilled through (revolutionary) violence; and both forge a nationalist subject/agent that is singularly male. Consequently, the possibilities for women, for feminist projects within a nationalism



thus constructed are tiny. Which is why a gendered critique of Fanon is imperative today; he cannot be 'excused,' only understood in the context of his patriarchal times, because his work is very much a live influence — not just in the peaceful groves of (post-colonial Western) academe, but also in some killing fields of the third world. And not in the sense that his texts provide some straightforward blueprint for revolt, but because they influence and illuminate the ideologies behind the revolts.

Fanon's most mature and powerful arguments for (anti-colonial) nationalism are made, of course, in *The Wretched of the Earth*. What he says of those who fought colonialism is true of post-colonial nationalists, too. As Fanon petitions, the victims of 'national oppression' suffer physically, materially and psychologically. Denied "bread and the land," as well as their humanity, nationalists revolt in order to reclaim and proclaim it, as well as to regain control over their lives and livelihood. But "bread and the land," meaning that the nationalist project is at the same time concerned with the (colonized) people's control over their material resources, is of secondary importance to Fanon; for whom nationalism is primarily about the colonized native's imperative to assert a national identity when faced with the epistemic violence wreaked by colonialism which, among other things, denies the colonized such an identity. But.

But the identity being asserted, or more exactly the colonized subject/agent Fanon constructs, is gendered: both in his earlier work, 'The Algerian Family,' where the nationalist subject is shown to emerge only when the native son (boy!) rebels successfully against his father;³ and in *Wretched*, where it is even clearer that national agency is an exclusively male prerogative:

...every time Western values are mentioned they produce in the native a sort of stiffening or muscular lock-jaw...[I]t so happens that when the native hears a speech about Western culture he pulls out a knife — or at least he makes sure it is within reach.⁴

The native here is male, and the native with agency is violent. Arguing that since colonialism establishes itself by force, it can only be defeated by the same means, Fanon doesn't allow for any other form of resistance, or another way of asserting a national identity. (The unavoidable necessity for force isn't a self-evident thesis; 'Gandhian resistance,' let us not forget, was an instance of *successful* 'non-violent' decolonization.) This is apparent throughout the chapter, 'Concerning Violence,' where the national subject/agent is constructed:

The look that the native turns on the settlers' town... expresses his dreams of possession — all manner of possession: to sit at the settler's table, to sleep in the settler's bed, with his wife if possible. (WE:30)

The immobility to which the native is condemned can only be called into question if the native decides to put an end to the history of colonization...and to bring into existence the history of the nation — the history of decolonization...This is why the dreams of the native are always of muscular prowess; his dreams are of action and of aggression (WE:40).

At the level of individuals, violence is a cleansing force. It frees the native from his inferiority complex and from his despair and inaction; it makes him fearless and restores his self-respect (WE:74).

These passages are so obviously gendered they require almost no comment; replace he with she, his with her, in the above sentences and they sound ridiculous; they cannot be. I will fuck you, they say; a promise unlikely to come from the colonized woman to the colonizer (or his wife).

Thus, for Fanon, decolonization is quite literally "the replacing of a certain 'species' of men by another 'species' of men." (WE:27). Woman is denied voice throughout this narrative. Even the psychiatric cases Fanon talks about in *Wretched*, as Robin Morgan has noted, are predominantly male.⁵ Of the fourteen he discusses, only three are women (one of whom is French). The two native women that Fanon examines have mental disorders caused by menstruation and childbirth —

not colonialism, the producer of the disorders in native men. Indeed, reading *The Wretched of the Earth*, it is difficult not to get the impression that colonialism made victims of men only.

When the native hears a speech about Western culture he pulls out a knife. In that single sentence, where he asserts — as he does throughout 'Concerning Violence' — that the (gendered) nationalist project can only realize itself violently, Fanon links nationalism, patriarchy and (revolutionary) violence. Cut now to an anecdote about LTTE supremo Velupillai Prabhakaran, told by a dissident Tiger who sensed, as early as 1983, a militaristic streak developing in the group. One way to begin attempting a change, she thought, was by getting Prabhakaran, who loved his macho image, to pose for a photograph reading a book, any book. She pleaded with the man for six months. Finally, he relented. When the photographer arrived, one of Prabhakaran's hands did hold a book. The other clutched a kalashnikov.⁶ The point here is not that violence is mascu-

Such is the situation of Tamil women in Sri Lanka - oppressed not just by the Sinhala state and patriarchal Tamil Society, but also by the LTTE, who have a consistent record of not tolerating dissent..

line and the arts or culture, feminine; but that Prabakaran associated words (to him the opposite of deeds) with weakness:

My natural inclination makes me lay less emphasis on words. In serious politics, it won't do to concentrate on talking; you must grow through action and then talk... Words must be matched and indeed preceded by content.⁷

Action, here, equals violence; books, words, theory (lacking content!) are of little importance to the Tamil nationalist rebel, who can only become himself with gun.

Prabakaran once told *Newsweek* that he watched and was inspired by Clint Eastwood movies. There, too, only males have agency; there, justice equals a life for a life; nothing changes at the end of the films, no social transformation is effected. In the course of *The Hindu* interview, Prabakaran spoke of revenge, of his desire to counter-attack the Sinhalese: "If such innocent [Tamil] lives could be destroyed [by the Sinhalese in state-sponsored 'riots'], why could we not strike back?" The strike-back, the counter-attack, the fight; only thus can the native, armed now not with knife but automatic rifle, cleanse himself and be free. It is in a sense crass to compare Frantz Fanon and Velupillai Prabakaran; one was a committed humanist, the other at best a committed fascist. But what they have in common is striking (which makes Fanon a very problematic figure in these post-colonial times): for both, the native with agency is male and violent. If the flaw is tragic in the case of Fanon, then it almost becomes farce with Prabakaran, who made every significant LTTE decision:

I was brought up in an environment of strict discipline from childhood. I was not permitted to mingle freely with outsiders. I used to feel shy of girls. Great store was laid by personal rectitude and discipline. My father set an example through his own personal conduct. He would not even chew betel leaves. I modelled my conduct on his.

Prabakaran's father didn't chew even betel leaves, so neither would the LTTE, who were also prohibited by the leader from smoking and drinking. Prabakaran felt shy with women; so the boys were banned from having girlfriends. (Until, that is, he himself 'fell in love,' married and fathered children.) And for all one hears of her, Prabakaran may never have had a mother. Only the father, the male, is allowed voice in this narrative. In fact, LTTE propaganda hardly pays even lip service to the women's question.

Despite all this, as he lost many (male) cadre in the course of battles, Prabakaran allowed women into LTTE ranks. Rajani Thiranagama had this to say about the 'Birds of Freedom,' as they were called:

One cannot but be inspired when one sees the women of the LTTE, two by two, in the night, with their AK's slung over their shoulder, patrolling the entrances to Jaffna... One could see the nationalist fervor and the romantic vision of women in arms defending the nation. This becomes a great draw for other women... Our social set up, its restrictions on creative expressions for women and the evils of the dowry system are some of the social factors that led to their initial recruitment. Moreover, the political climate created by the struggle in the past decade, and the increasing loss of men to state terrorism and the world at large as refugees and emigrants, are some of the contributing factors necessitating women's recruitment.⁸

The women may have been romanticized in propaganda, but their military duties were limited to keeping guard; Prabakaran continued to entrust the 'responsible' jobs, the serious business of fighting, to the boys. (In so doing, of course, the LTTE wasn't inventing gender discrimination, but reproducing prevailing patriarchal social structures in Tamil society.)

In the middle of 1991, a BBC television crew was granted rare access to LTTE training camps for men and women. Speaking on behalf of the Tamil women cadre was Adele Balasingham (the Australian-born wife of chief Tiger spokesperson, Anton Balasingham). She claimed that the LTTE didn't treat women cadre any different from the men: "women are involved in all aspects of the movement. In the military section, they participate in all military operations, side by side with male cadres." In the program itself, both men and women were shown taking notes as Anton Balasingham lectured new recruits on the history of the Tamil struggle; however, it was a much smaller, exclusively male group, who got the military lesson (on planning an ambush). A mock attack against a Sri Lankan/Sinhala army post was also staged by the LTTE for the cameras; those shown fighting — need I say it — were men alone. Later in the program, the crew visited a Tiger jungle hideout: the men there were busy dodging enemy (helicopter) fire, preparing an ambush, going on patrol; only towards the end of this sequence did some women cadre appear — carrying sacks of provisions over their shoulders.

Thus women are admitted only as adjuncts to the actual fighters, men, in this narrative. Fanon, too, envisaged a similar role for female cadre in resistance movements:

Until 1955, the combat [in Algeria] was waged exclusively by the men. The revolutionary characteristics of this combat, the necessity for absolute secrecy, obliged the militant to keep his woman in absolute secrecy... The decision to involve women as active elements of the Algerian Revolution was not reached lightly... But involving, the women was not solely a response to the



desire to mobilize the entire nation. The women's entry into the war had to be harmonized with respect for the revolutionary nature of the war. In other words, the women had to show as much spirit of sacrifice as the men. (DC:49).

In other words, until the loss of enough male cadre made it absolutely necessary to use woman, she was assumed (by the male leadership, of course) to be incapable of secrecy, commitment, courage and other 'manly' virtues; and therefore wasn't mobilized. Even when she was, however, she was kept out of combat — limited in that respect to hiding weapons inside her clothes. Fanon ends his comments on the role of the fighting woman by virtually dismissing female cadre as the male fighter's "woman-arsenal." (DC:58)⁹

If a Frantz Fanon, or a Che Guevara, holds (or held) that women must be adjuncts to men in the struggle, why shouldn't a Velupillai Prabhakaran? So it shouldn't surprise that, when asked by Thirunagama, women in the LTTE "confessed to much confusion within the movement regarding the women's question. But they ultimately ended the argument with an expression of faith in their leader's ability to solve all problems." (328) Leading her to conclude,

If in a society like this, the dominant ideology under which the struggle is organized is itself an even more narrow, revivalistic and romantic one, well sprinkled with images of male heroes and male valor, and if nationalism is a type of aggressive patriotism, then a concept of women's liberation would be working against the inner core of such a struggle. (328)

That is to say, if women had raised women's issues with the Tamil nationalist movement, they would have met with the perennial reply: 'not now, later.' Why? Fanon himself writes, "Sometimes people wonder that the native rather than give his wife a dress, buys instead a transistor radio." (WE:64). In other words, women can wait till after the revolution, not for their rights — the man will still do the buying, will retain the agency — but (even) for the satisfaction of material needs. After all this, however, after writing woman out of his narrative, Fanon explicitly calls for woman's equality:

We must...raise the level of the national consciousness, and...de-tribalize and unite the nation. In an under-developed country every effort is made to mobilize men and women as quickly as possible; it must guard against the danger of perpetuating the feudal tradition which holds sacred the superiority of the masculine element over the feminine. Women will have exactly the same place as men, not in the clauses of the constitution but in the life of every day: in the factory, at school and in the parliament. (WE:162).

Who "we" refers to in this passage is unclear — probably, and problematically, the male leadership of the struggle;

and situating patriarchy only in feudalism, unconvincing. But at this stage in the narrative, after woman has been consistently denied agency, that exhortation, though honorable, is unpersuasive. *For the question is: how can women hope for equality after the victory if the struggle itself, if the agency identified, if the nationalist project, is conceived and defined, if not executed, in male terms?* Mere assertion about women's rights cannot achieve them. To quote Spivak from another context, we see in these lines an "anxiety to write women into the narrative of history... [But] we have to record a failure,"¹⁰ since the nationalist subject/agent has already been constructed as exclusively male. A failure, one might add, peculiar to just about all nationalisms.¹¹ By which statement I do not seek to delegitimize nationalism; rather, to problematize its gendered construction. In many instances, including the Sri Lankan Tamil, actually existing nationalism is gendered and dangerous; but also, I would argue, necessary. Arguably necessary due to the actions of the Sinhala state which restricted Tamil access to state employment, land/irrigation, university admissions etc., quite apart from engineering attacks on Tamil life and property. Arguably necessary, also, because the Sinhala left often acquiesced in anti-Tamil state actions, thus discrediting leftist alternatives in Tamil eyes.¹² (Though *not* necessary in the virulently communal form Tamil nationalism has taken with the Tigers, who have consistently repressed, often brutally murdered, Sinhala settlers in, and Muslim 'natives' of, northeastern Sri Lanka.) Tamil nationalism in Sri Lanka, then, was arguably necessary — but not in a communal form **and not as a male-dominated project.**

For these reasons, because nationalism is sometimes necessary and always gendered, Cynthia Enloe finds "living as a nationalist feminist... [to be] one of the most difficult political projects in today's world." (48) A point also made by the Women's Study Circle of Jaffna:

When we became aware of our need to struggle as women, it also became inevitable and necessary to link our struggle with the Tamil national struggle. Some of us have been actively involved in the national movement through both armed and political organizations. Our participation in the struggle opened new horizons to us. It also placed many obstacles on the path of our struggle as women.¹³

Such is the situation of Tamil women in Sri Lanka — oppressed not just by the Sinhala state and patriarchal Tamil society, but also by the LTTE, who have a consistent record of not tolerating any dissent (remember, they murdered Thirunagama) — that they never publicly raised questions concerning women as women. The only women's group that agitated openly in northeastern Sri Lanka during the eighties was the Mothers' Front. Drawing its inspiration from the Plaza del Mayo mothers, they peti-



tioned the Sri Lankan authorities for information about their (often "disappeared") sons. As long as they organized as mothers, as long as they demonstrated against the Sinhala state, they were allowed to protest. However, when these women showed signs of turning their group into a peace movement, as they successfully mobilized Tamil women of all classes all over northeastern Sri Lanka, they were co-opted and/or silenced by the LTTE. As Thiranagama put it, "Sadly the Jaffna Mothers' Front's inarticulate acceptance of women's sufferings at the hands of...the LTTE...leaves them in a wasteland, only to be used as a tool..." (325) By then, Tamil mothers had even been persuaded to feel proud to 'sacrifice' their children (sons, mainly) 'for the nation.' For instance, the unnamed mother of the first Tiger to kill himself in a suicide operation told the BBC: "My son's death doesn't affect me at all."

Thiranagama believed that involvement in the nationalist resistance has been somewhat empowering for Tamil women. The same argument was made by Chitra Maunaguru, that having tasted a certain degree of autonomy through their involvement over the years with the Tigers, Tamil women cannot be expected to accept patriarchal norms if and when the Tamil ethnic conflict is settled.¹⁴ But this has not been the experience of women in other revolutionary situations. So I choose to end this piece with another image from the BBC program: the funeral rites of three women cadre who 'fell in action.' It was a moving moment, tragic not just because death is always sad. After the revolutionary speech-making, gun-salute and military band, the women were buried. In graves dug by the boys.

Notes

1. My thanks to Joya Ganguly, Kumari Jayawardena, Colleen Lye, Gayatri Spivak and specially Aamir Mufti for their comments on earlier versions of this paper.
2. For an excellent critique of Anderson, see Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse?* (Zed: London, 1986) pp 19-22.
3. *A Dying Colonialism* (Grove: New York, 1965) pp 102-105.
4. *The Wretched of the Earth* (Penguin: Harmondsworth, 1967) p 33. Further page references have been incorporated into the text.
5. *The Demon Lover: On the Sexuality of Terrorism* (Norton: New York, 1989, p 161).
6. Personal communication.
7. Interview by Narasiman Ram, *The Hindu*, 5th and 6th September, 1986. The following Prabakaran quotes come from there.
8. 'No More Tears, Sister: The Experiences of Women', Thiranagama et. al., *The Broken Palmyrah: The Tamil Crisis in Sri Lanka - An Inside Account* (SLSI: Claremont, CA, 1990) p 325. Thiranagama was a unique Tamil woman - she stood up over the years, to the Sinhala state, the Indian army and the Tigers; for displaying such principled courage, and also for contributing to this book, she was killed by the Tigers in 1989.
9. It must be added here that for a Velupillai Prabakaran, Guevara, the archetypal guerilla, would be the greater guru; in fact Prabakaran often chooses to be photographed with a portrait of Che behind him. Guevara himself, in *Guerilla Warfare*, devotes all of two pages to the 'Role of the Woman': "Naturally, the combatant women are a minority.....[because they] do not possess indispensable physical characteristics...." So, Guevara would rather use them in their "habitual tasks of peacetime," at which they are so much better than men; he mentions cooking, teaching, sewing and nursing. (*Guerilla Warfare*, Monthly Review: New York, 1969 pp 86-88). Looked at from a different perspective the comments of Fanon and Guevara actually reveal the indispensability of women to the success of a resistance movement, even while they are denied agency within it. A similar situation could be assumed with respect to the LTTE, that Tamil women who didn't actually join it played a role essential to its efficacy; but the material on this subject is scant.
10. 'Reading *The Satanic Verses*,' Third Text, 11, Summer 1990, p 46.
11. Ann McClintock, for instance, calls all nationalisms gendered, 'No Longer in a Future Heaven: Women and Nationalism in South Africa.' (*Transition*, No 51, 1991, pp 104-123.) And Cynthia Enloe argues that "nationalism typically has sprung from masculinized memory, masculinized humiliation and masculinized hope." *Bananas, Beaches and Bases: Making Feminist Sense of International Politics* (University of California Press: Berkeley, 1989) p 44. For a more theoretical account of the relationship between nationalism and gender, see Flora Anthias and Nira Yuval Davis, 'Introduction,' *Woman-Nation-State* (Macmillan: London, 1989).
12. For an excellent and brief account of this, see A. Sivanandan's 'Sri Lanka: Racism and the Politics of Underdevelopment,' *Race and Class*, Vol 25 # 1, Summer 1984, pp 1-38.
13. 'A letter from the Women's Study Circle of Jaffna,' *Women's Studies International Forum*, Vol. 12, No. 1, 1989 p VII.
14. Personal communication.

TIGERIST CLAIMS: A CRITIQUE

Ram Manikkalingam

The Tigers have posed as the saviour-leaders of the Tamils for more than a decade. In doing so, they have succeeded in dominating Tamil politics and in positioning themselves at the centre of Sri Lankan politics. While the Tiger ability to secure power through coercion has played a critical role in their political success, their role has also been bolstered by a series of myths and arguments. The myths have ranged from the ridiculous - "only Prabakaran knows the answer" - to the fantastic - "thousands of Tamil youth are flocking to join the Tigers." The Tiger myths are both easier and harder to counter than pro-Tiger arguments. They are easier to counter because as myths they are sustained by blind faith rather than reason and have no basis in reality. But this also makes them harder to counter because Tigerists who adhere to these myths are not open to reason. Despite their importance, this paper does not address the Tiger myths. Instead it focuses on three important pro-Tiger arguments that recur in all discussions about the Tigers.

The first is that the Tigers are the sole representatives of the Tamil people. This argument is usually made by Tigerists (Tamil ultra-nationalists) and is easily countered, whereupon the second line of defence is invoked. This views their brutality as a response to an uncompromising and unchanging Sinhala nationalism. Ironically, this second pro-Tiger argument is also a critique, because laying the blame for Tiger excesses on Sinhala nationalism, is an implicit acknowledgement of Tiger brutality. But there is a much deeper critique of the Tigers, which sees their brutality as the consequence of an attempt to create a new Tamil identity devoid of freedom and diversity. The final argument in the defence of the Tigers, which is shared even by Tamils (whether leftists, liberals or nationalists) who are critical of the Tigers, sees the Tigers, despite their viciousness, as the last defence against the outright destruction of the Tamil people.

This argument claims that given the absence of an alternative, a political defeat of the Tigers could jeopardise the possibility of Tamils achieving their rights and may even lead to the complete defeat of the Tamil struggle. This fear is reasonable and deserves careful consideration because it captures the sentiments of Tamil nationalists, who are critical of the Tigers, and many secular democratic Sri Lankans, who support the Tamil struggle. However, a

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nascent alternative does exist. And instead of bemoaning the supposed absence of one, Tamils (leftists, liberals and nationalists) should help strengthen it.

The Sole Representative

The Tigers claim to be the sole representatives of the Tamil people. This claim is apparent from any brief examination of Tiger negotiating tactics at peace talks during the last five years. Except for the Thimpu talks, when the Tigers participated along with other Tamil political parties and organizations, they have always resented the participation of non-Tiger Tamil parties. For example, subsequent to the Indo-Lanka Agreement, a crucial point of disagreement between the Indian government and the Tigers was the Tiger desire to have absolute (not just majority) control of the interim council in the North-East. What is the moral and political basis for this position taken by the Tigers?

Morally, the claim to sole representative status is difficult to sustain for any organisation. The notion that one group or organisation can represent the interests of a diverse community usually fails to stand up to scrutiny from the basic perspective of individual rights and political freedoms. Undoubtedly, ties of ethnicity, class or gender may serve as a basis for unity against a common oppression. But this is a basis for negative unity and does not instantly translate into the positive unity of a common political program. Nevertheless, it may be crucial for an oppressed community to forge a temporary consensus in order to confront a common oppressor. Such a consensus may evolve into delegating the role of negotiators to a particular group of individuals or to an organisation. They may then, for reasons of political expediency, be called the sole representatives of a community. This status is granted to an organisation to counter the attempts to exploit differences of opinion amongst the dominated by the dominant power. The sole representative status is not granted to an organisation to enable it to maintain control over the community that it represents. The sole representative is not the organisation or group that represents the only opinion, the majority opinion, or the opinion with the greatest armed backing, but rather it represents the opinion that is the outcome of a process of negotiations between diverse groups within a community sharing a common experience of discrimination.

In general, the claim to sole representative status is a subtle issue and there is no single rule that can decide the moral and political legitimacy of such a claim. For exam-



ple, the PLO (Palestinian Liberation Organisation) claims to be the sole representative of the Palestinian people. While this claim is difficult to assess, it is plausible given the widespread support the PLO enjoys both in the Occupied Territories and among the Arabs in Israel. But the extent of support alone cannot be the basis on which the status of sole representative can be decided. Rather, in the case of the PLO, their claim is legitimised by the Palestinian National Council, which is the parliament in exile of the Palestinian people. Here debate is conducted in an open and democratic manner. And the executive committee of the PLO is chosen by elections and negotiations amongst the different organisations that the PLO comprises, and is not dependent on the whims of an absolute leader.

Clearly, the Tigers do not satisfy any of the moral or political criteria necessary to qualify them as the sole representatives of the Tamil people. Not only are the Tigers a politically closed organisation, no one outside (or for that matter even inside) the organisation is aware of how political decisions are made.

(Here "political" should be emphasised, because it is understandable to claim that "military" decisions and plans should be secret). Worse, the traditional Tiger method of resolving political differences is physical elimination. In 1984 they killed Sundaram, a dissident who left the Tigers. In 1985, they killed

Sri Sabaratnam, the TELO leader. In 1987, they killed several dozen EPRLF members whom they had held prisoner for more than a year. In August 1987, shortly after the Peace Accord, they killed Vasudeva and other senior PLOTE leaders. In July 1989, they killed the TULF leaders, Amirthalingam and Yogeswaran, while negotiating with them. In September 1989, they killed Rajini Thiranagama for co-writing the book *Broken Palmyrah*. And in June 1990, they killed the leader of the EPRLF, Padmanabha, and several others. Given this history of violent suppression of alternative opinions, it would be difficult for the Tigers to claim that they have sought to build a democratic consensus through negotiations with other Tamil political parties. Thus, any basis to the legitimacy of their claim to be the sole representative of the Tamil people must lie elsewhere.

The other basis on which the Tigers seek to stake their claim, is their contribution to the armed struggle for Tamil liberation. The Tigers contend that the other Tamil political organisations seek to enjoy the fruits of peace without having paid the price of war. As the militarily strongest of the Tamil organisations and as the only organisation to have consistently fought the Sri Lankan government (though this is debatable given their alliance with the UNP

regime from 1989-1990), the Tigers feel they have a rightful claim to be the sole representative of the Tamil people. There are three objections to the Tiger claim to this status, even if one accepts their superior military performance as a reasonable basis on which to make it.

First, accepting the Tiger claim that they should represent the Tamil people since they have fought the longest and the hardest, doesn't mean having to accept the claim that they should be the sole representative of the Tamil people. The fact that the Tigers have the strongest military capacity gives them a pragmatic claim to representation (since if they so desire they can spoil the chances of peace). And the fact they have fought the hardest may give them political legitimacy among the Tamil people. But both these factors, at best, give the Tigers a basis from which to claim the status of the main representative (not sole representative) of the Tamil people.

Second, if the basis for representing the Tamil people were derived directly from the extent to which an armed organi-

sation forcibly extracted concessions from the Sri Lankan state, then the Tigers might have to make way for the IPKF! Any observer of the North-East in mid 1987 was aware that it was only the threat of intervention from India that thwarted a defeat of the Tigers and conquest of Jaffna by the UNP government. This argument is clearly unacceptable

and thus casts serious doubt on the very basis for Tiger claims to legitimacy.

Finally, although the Tigers may have been the most successful military organisation, this does not mean that they will be either the best representatives of the Tamil people or the best negotiators. Their skill at warring will not automatically translate into skill as politicians and administrators. Negotiations towards the resolution of any conflict require patience and compromise. While the Tigers have shown patience in war, they have only shown impatience with peace. An uncompromising stance might make a successful warrior, but it is inimical to a successful negotiator. The Tigers have demonstrated that they can wage war, but, in doing so, they have also demonstrated that they will not pursue peace.

Response to Sinhala Nationalism

The second pro-Tiger argument is that the Tigers are a response to Sinhala nationalism. The claim is that while their tactics may be cruel and brutal, they are justifiable given the nature of Sinhala nationalism. The politics of Tamil nationalism undoubtedly began as a response to Sinhala nationalism. The Tamils suffered a history of

Morally, the claim to sole representative status is difficult to sustain.... The notion that one group or organization can represent the interests of a diverse community usually fails to stand up to scrutiny.

discrimination, violence and marginalisation at the hands of successive Sri Lankan governments. As Sinhala nationalism was both manipulated from above and mobilised from below, Tamils became increasingly alienated from the Sri Lankan polity. They used different political means to counter the oppressive politics of Sinhala nationalism. A series of failed pacts ultimately led to disillusionment and the pursuit of an armed struggle for "national liberation."

The initial resort to armed struggle by the Tamils may have been unavoidable, given the refusal of the Sri Lankan state to compromise. However, the subsequent direction taken by the Tamil militant struggle under the domination of the Tigers was very much a consequence of internal Tamil politics. Clearly, Sinhala nationalism provided the political context in which Tamil nationalism could become Tigerism. Nevertheless, the logic of a response to Sinhala nationalism alone fails to explain or justify Tiger excesses during the past decade. For example, Tigerists cannot blame Sinhala nationalism for the Tiger decision to murder rival Tamil political leaders, and student and human rights activists.

Sinhala nationalism did not compel the Tigers to kill Rajini Thiranyagama or Vijitharan. The expulsion of thousands of Muslims from the North-East and the massacres of hundreds of others is not part of a natural Tamil nationalist response to the oppression of the Sri Lankan state. The opposition expressed by the Tamils of Mannar to the expulsion of Muslims and the recent Tiger killings of Tamils who were protecting Muslims suggest that many Tamils see this aspect of Tiger behaviour as brutal and inhuman, and having no relevance to the Tamil struggle for liberation. However, there obviously are Tigerists who claim that all individuals, groups or communities who were killed, massacred or expelled by the Tigers were traitors to the Tamil cause.

They argue that killing those who oppose the Tigers is a necessary aspect of the struggle for liberation from Sinhala oppression. The Tigers usually define as traitors and then execute those individuals who have significant sympathy and support among the Tamil people. And they are killed precisely for that reason. If the condemnation of these individuals as traitors is to make any sense, then the word traitor must be redefined to mean anyone opposed to the Tigers. This implies that any Tamil who is not a Tigerist is a traitor. The problem with this position, leaving aside its callousness, is that it is really a variation of the sole representative argument, which was earlier shown to be untenable.

Regardless of how vicious or uncompromising Sinhala nationalism may be, Tamil nationalism need not have adopted those very same characteristics. At the very least, the Tamil nationalist movement should have and could have maintained a semblance of internal democracy. Instead of being part of a reasonable response to the domination of Sinhala nationalism, actions by the Tigers are a reflection of the Tiger attempt to create a Tamil identity devoid of freedom, diversity and autonomy. Thus, the Tiger response is just that; a Tiger response. It is not a Tamil response and it cannot be morally or politically justified as a weapon against Sinhala nationalism.

The Last Defence

The most plausible argument for the Tigers today is that they are the last defence of an oppressed Tamil nation against Sinhala domination. This argument is put forward not only by Tigerists, but also by Tamils who have strongly condemned Tiger tactics and are opposed to their narrow political agenda. There are several problems with the notion that the Tigers are playing a positive role by acting as a buffer between the Tamil people and the Sri Lankan state.

The impression that the Tigers are protecting the Tamil people is blatantly false. The most obvious

example again is mid-1987, when they were retreating before the Sri Lankan army and were ultimately protected by the intervention of India. More notoriously, the Tigers have been known to setup ambushes and landmines in populated areas in order to invite retaliation on Tamil civilians by the armed forces (the Sri Lankan armed forces have, of course, obliged them) and increase their "support." Finally, they are the only active Tamil organisation in the North-East precisely because they have banned or destroyed all others. Still, Tamil nationalists feel compelled to support or at least justify Tiger actions because they fear a Tiger defeat "will set the Tamil struggle back one more generation."

This sentiment can be traced to a view of Sinhala politics, shared by many Tamil nationalists, that "all Sinhala regimes are the same." In this view, as far as the Tamils are concerned, the UNP is the same as the SLFP, which is the same as the LSSP, and so on. Furthermore, they argue that the Sri Lankan state's willingness to give concessions to the Tamils is usually the consequence of a military political setback, rather than the result of a genuine change of attitude in favour of a political settlement.

Invoking the absence of an alternative as a reason to support the Tigers is either the last resort of a Tiger defence or the first (and only) concession to the Tigers....



This reading of Sinhala politics ignores the diversity of forces encompassed within it and the extent to which Sinhala politics, itself, is up for grabs. For example, it fails to adequately explain the most important recent development in Sinhala politics - the defeat of the JVP. Here, the most virulent element of Sinhala nationalism was defeated politically and militarily. This, in fact, is in stark contrast to Tamil politics, where the most virulent exponent of Tamil nationalism - the Tigers - succeeded in defeating everybody else. Moreover, today's baseline for political negotiations with the Tamils is not no rights, but rather the measure of regional autonomy constitutionalised in the Thirteenth Amendment. It is also important to note that even at the height of anti-Tamil violence in the South of Sri Lanka - July 1983 - there has always been a vocal, albeit small, group of Sinhala leftists and liberals who have consistently supported Tamil rights and opposed Sinhala chauvinism.

Still, Tamil nationalists counter, there is no concrete sign of these changes in Sinhala nationalism. The Premadasa regime continues to dillydally on negotiations and has failed to put forward a set of proposals to resolve the conflict. They argue that this regime has shown the same reluctance to pursue a political solution as the previous UNP regimes. This is true, but it obscures an important distinction between the political strategy of the current UNP regime and the previous UNP regime on the one hand, and the current UNP regime and the Tigers on the other. The Jayewardene regime sought to consolidate power by achieving a military victory over the Tamils. This was the main goal of "Operation Liberation" in mid 1987. The Premadasa regime, however, would prefer to consolidate its power by resolving the conflict politically. If the conflict is resolved, it would free up billions of rupees from the defence budget for expenditure on economic infra-structure. Aid would flow in from the West with little or no strictures. The North-East would revive economically from the end of the war and Sri Lanka would enter a period of rapid economic growth. Premadasa could then portray himself (not inaccurately) as the leader who brought peace and prosperity to Sri Lanka.

If this is so, why doesn't Premadasa put forward an extensive package of devolution that can be accepted by the majority of the Tamil people? The answer, of course, is that he lacks the political courage to stand up to the Sinhala nationalists. A political solution is a desideratum for the Premadasa regime, but not a necessity. The Premadasa regime can survive without resolving the conflict in the North-East because the war does not threaten its power at the centre, unlike the JVP rebellion which did. Although the current regime doesn't need to resolve this conflict in order to survive, it would prefer to do so.

But, the Tigers need the conflict in order to survive. The very survival of Tigerism depends on the ability of the Tigers to ensure that the Tamil people are shut off from the possibility of achieving a political settlement. They fear that with the democratic space that peace would inevitably bring, they would lose their domination over Tamil politics. While the changes in Sinhala nationalism are real they are not discernible, because just at the moment when Sinhala nationalism has been weakened, Tamil nationalism has taken the Tigerist turn and has veered away from the course of a negotiated settlement. But, Tamil nationalists counter, even if the Tigers don't want a political solution, they are our only alternative. If they are defeated there is nobody else.

Invoking the absence of an alternative as a plausible reason to support the Tigers is either the last resort of a Tigerist defence or the first (and only) concession to the Tigers made by those Tamils, whether leftists, liberals or nationalists, who support a just settlement to the conflict. At this juncture what distinguishes a Tigerist from a Tamil (liberal, leftist or nationalist) is the next step. A Tigerists will use the absence of an alternative as an excuse to support the Tigers. A Tamil (liberal, leftist or nationalist) will be impelled by the absence of an alternative to create one.

The Alternative

The alternative to Tigerism can be created by drawing from four different arenas of Tamil politics. The first and most important is the North-East. There are numerous civilian and community organisations that have been working in the North-East for the past decade. Student organisations, women's organisations, citizen's committees, refugee and rehabilitation organisations, the church and other groups have worked silently and tirelessly for years to pick up the pieces after the destruction wrought by war. These groups have been silenced by the Tigers, who have either banned them or prevented them from working independently. Their independent voices represent the genuine will of the Tamil people, but they cannot coordinate politically in the presence of the armed threat of the Tigers. A Tiger defeat will liberate them from their enforced silence.

The next arena is in Colombo, where many individuals and members of other Tamil organisations have fled, fearing Tiger threats of death and imprisonment. Despite the lack of cooperation of the UNP regime, these organisations and political parties are seeking support for a political solution.

Another arena is outside Sri Lanka, where the Tigers cannot coerce the Tamil people with impunity, independ-



ent Tamil voices are proliferating. Today, independent Tamil papers outnumber those put out by pro-Tiger elements, as support wanes for the Tigers among the Tamil community in exile. Opposition, albeit passive, to the Tigers in North America and Europe has become more the norm than the exception.

The final arena is within the Tigers themselves. No organisation, however totalitarian, can suppress all forms of internal disaffection. Silent opposition to Tigerism must exist within the Tigers as well. The nascent dissension within the Tigers might result in a change in the political perspective of the leadership, though this is extremely unlikely. It is more probable that if Tigerism is to reform itself, the leadership will have to be overthrown, to give way to a more pragmatic and democratic politics. The inability to translate this multi-layered opposition into a concrete political program for the Tamil people in the North-East has more to do with Tiger coercion than with Tamil consent to Tiger rule. Still, if the Tigers are defeated, what is to prevent the Premadasa regime from refusing to grant federalism to the North-East?

The answer, of course, is nothing. The Premadasa regime, as mentioned earlier, doesn't need to end the conflict in order to survive. And if the armed part of the conflict is over, it may succumb to Sinhala nationalist pressure and continue its refusal to grant an adequate package of devolution to the Tamils. But this is no different from when the Tigers were present. Their armed presence has not compelled the Premadasa regime to grant federal autonomy to the Tamil people. A political defeat of the Tigers will not preclude the Tamils from mobilising and agitating for their rights. Tamils will be able to raise their voices more freely and express disagreements amongst themselves as they organise against the Sri Lankan state. They can harness support from within the Tamil community, from sympathetic Muslims and Sinhalese, and internationally to further their struggle for justice. Their voices may be stifled by an oppressive government unwilling to reach a settlement, but, at least, they will be freed from the internal shackles of their so-called liberators.

New strategies for non-violent political struggle will have to be mapped out, given that the armed struggle under the

domination of the Tigers has become morally and politically bankrupt. This will involve a period of innovation as Tamils search for new means of political expression. The choice before the Tamil people is not only between armed struggle and nonviolent struggle. Instead, there exists a whole range of options that may be pursued - from non-violent civil disobedience to the use of non-lethal forms of agitation. For example, the Intifada, which unexpectedly emerged from the defeat of the Palestinian armed

struggle, has shown us how an unarmed people can use non-lethal means of agitation to effectively express their opposition. 'And if today the Israelis are compelled to negotiate with the Palestinians, it is because of the decrease in Western support for Israel subsequent to the Intifada. Although it is unclear what the Tamil future will be after the Tigers have been defeated (because it will be created by Tamils themselves), it is clear that, if the Tigers continue to maintain their

stranglehold on Tamil politics, the Tamil people will be denied the option of peace with dignity.

Conclusion

The chronology of pro-Tiger arguments indicates how opinions about the Tigers, even among Tamil nationalists, have evolved from the notion that they are exemplary freedom fighters to the notion that, despite their brutality and cruelty, they are all that the Tamil people have. The "sole representative" argument was a positive endorsement of the Tigers, but the "last defence" argument is only a negative acceptance of political reality. The same Tamil nationalists, who once claimed that the Tigers are the sole representative of the Tamil people, strain to defend them today on the basis that there is nothing else left for the Tamil people. This pessimistic view of Tamil politics, however, ignores the silent yearning for peace and justice of the civilians in the North-East. They have a story to tell and a political project to carry out. But they have been silenced and the political possibility that they represent has been sabotaged by threats and violence. Thus, for the Tamil people's desire for justice to become a political reality, Tigerism must go.

The Tigers usually define as traitors and then execute those individuals who have significant sympathy and support among the Tamil people... If the condemnation of these individuals as traitors is to make any sense, then the word traitor must be redefined to mean anyone opposed to the Tigers.

MASSACRES IN THE EAST

The continuing struggles between ethnic groups in Sri Lanka have recently spawned a new kind of 'border village'—Muslim or Tamil villages adjoining major areas inhabited by the other ethnic group. Villages of this type abound in the Eastern province and have recently been the scene of horrific massacres that have exacerbated relations between these two communities. This, in turn, has further complicated reactions to the Tamil demand for a merger of the Northern and Eastern provinces and to the peace process.

It is in order to illuminate the effects of this factor that we look at the violent events that took place in Alanchipothana, Karapola and Muthugala, three villages separated by about one and a half miles, on the 28th and 29th of April, 1992.

A report from INFORM, a human rights documentation centre, describes these villages:

Karapola, Muthugala and Alanchipothana are very small villages on the northernmost borders of the Mahaweli 'B' Scheme, off the Polonnaruwa- Batticaloa road. Beyond Alanchipothana, the Mahaweli river flows on its way to the sea at Trincomalee. On the other side of the river is LTTE territory.

Karapola (1320 Tamil, 9 Sinhalese and 1 Muslim inhabitants) and Muthugala (548 Tamil and 9 Sinhalese) are *purana* (old) Tamil villages. The villagers have lived there for over seven generations or more. They have been rice cultivators by tradition, and are typical dry zone farmers, impoverished, resigned to their fate. Somehow it seems as if the prosperity visible in the Mahaweli scheme villages- in System 'H' for example- has passed them by.

Alanchipothana is a more recent settlement of 825 Muslims from the Eastern Province who lost their homes in a major cyclone in the late seventies. The village is situated on not-so-arable land. As a result, the farmers of Alanchipothana have tended to work the fields of the villages of Karapola and Muthugala on a leasehold system. In this cycle of things, the Tamils seem to have been pushed further down the ladder of deprivation and pauperisation while the Muslims have moved upwards. This unfortunately reinforces some of the racist stereotypes that abound in Sri Lanka. In the present case, what needs to be kept in mind is that some degree of economic tension between the Tamil and

Muslim communities was already present in the villages. And when the Tamils declared, after the New Year festivities of mid-April, that they would not be leasing their fields to the farmers of Alanchipothana any more, this gave already-existing tensions a fresh impetus. The Muslims allege that the Tamil villagers could never have taken such a drastic step without the backing, financial as well as moral, of the LTTE; the Tamil villagers say that the Mahaweli authorities have told them that all lands that are not farmed by the title-holders will be reclaimed by the Mahaweli Board. Whatever the truth, the fact that concerns us at this point is that the tensions between the Tamil and Muslim villagers were exacerbated by the land issue.

The people and the security forces are equally aware of the vulnerability of these villages, but the state response has a peculiarly lop-sided nature. Alanchipothana had a police post, manned by a Reserve Sub-Inspector and 26 reserve police constables; the village had further security in the form of 15 regular homeguards and 35 volunteer homeguards, all armed. Karapola was given security by a police post with an officer-in-charge and 30 reserve police constables. However, the Tamil villagers who are in the same vulnerable position as the Muslims have no armed homeguards. This adds to the state of tension between Muslim and Tamil villages.

The Army has a post situated somewhere between the two Tamil villages.

The Attack on Alanchipothana and the Reprisal

The following details of the attack are extracted from the INFORM report:

Shortly before midnight on the 28th April, an armed group of men and women, in uniform, launched an attack on the Police Post in Alanchipothana. They were taken completely by surprise and fled in the face of their attackers, leaving behind their radio 'receiving' set. The gang then moved on through the southern part of the village, killing, burning and looting as they went. Almost all the killings were done by hacking and cutting; few shots were fired. At the end of it, almost 60 people lay dead or dying; more than 30 of them were children below the age of 12, who could not run away fast enough. Some of the Muslim villagers said that



they saw young men from the Tamil villages of Karapola and Muthugala among the marauders; this has yet to be proved conclusively. Others said the group gathered together before they left the village and shouted out slogans including "Long Live" (*Vaalkai*) to various LTTE leaders in the area.

Villagers in Karapola and Muthugala, a mile or so away, said that they heard the noise of shouting through the night. A little before dawn, the villages of Karapola and Muthugala, in that order, were attacked by a group of armed men. Many villagers testified that the Home Guards and Civilian Defence Squads of Alanchipothana were among the attackers; since victims from Karapola and Muthugala bore bullet wounds, it is likely that this story is true.

Once again, the toll of human life was brutal; the route of the two villages left over 50 persons dead, and again, over half the victims were children.

55 houses at Karapola and 89 at Muthugala were burnt to the ground.

The Breakdown of Security

As we have indicated, the police post at Alanchipothana proved totally ineffective. Since they fled leaving their radio equipment, they were unable to contact the police station at Welikanda till 6 a.m. the next morning; the messenger bearing the news had run over 10 miles to Welikanda through scrub jungle to deliver the message.

The police post at Karapola proved equally ineffective in giving security to the villagers. The army post situated between the two villages too proved unresponsive; the villagers of Karapola allege that when they ran towards the Army Post in the hope of finding safety there, they were fired upon and chased back into the village and into the arms of their killers.

The motivation for the attack is set out in the INFORM document as follows:

The security forces seem to feel that the attack by the LTTE on Alanchipothana was motivated by the fact that it is one of the villages that lies furthest north in the Welikanda area. It is because the Muslim villagers are there that the Police, and now the Army are able to maintain an outpost there: therefore, driving out the Muslim villagers could well be part of an LTTE thrust to 'clear' this area. The security forces want the Muslim village there, so that they can operate in the area freely; the LTTE wants the Muslim villagers out of the area for this very reason. Trapped between the military strategies of two armed groups, the villagers of Alanchipothana, Muthugala and Karapola are paying

the price of being pawns in a war-game they do not really understand.

The report describes the current situation in these areas as follows:

By the 10th of May 1992, over ten days since the incident, 508 villagers from Muthugala and Karapola were living in a makeshift camp set up in the premises of the Muthugala Tamil Maha Vidyalaya. They were the ones whose homes had been destroyed. Others continued to live in their homes in the two villages but said they felt extremely vulnerable and insecure.

The situation in Alanchipothana is also the same. Many villagers had left for the homes of friends and relatives nearby and said they do not want to return to the village until they are assured of total security.

The Response of the State

Faced with the almost total breakdown of the security arrangements instituted for the protection of these areas, the government appointed a three-member team headed by retired Supreme Court Judge D.G. Jayalath to inquire into the incidents, the lapses on the part of the security agencies and recommend measures for improvements in the security arrangements.

The Committee has found that

- i. the police post at Alanchipothana was inadequately equipped to defend the village against well-trained and well-equipped opponents and that police reservists and homeguards should be better trained to deal with attacks.
- ii. there was a lack of communication and liaison between the police and the army.

The Committee was "convinced that some villagers of Karapola and Muthugala had taken part in the attack on Alanchipothana along with the LTTE" and also that "some of the homeguards together with the Alanchipothana villagers had been responsible for the killings at Muthugala and Karapola."

It is reported that the government is to take action against the officers at the Karapola police post and against all homeguards and villagers who have been identified as having participated in the massacres.

The Future

The Police Post in Alanchipothana has now been reinforced by an Army detachment and the Army post between Karapola and Muthugala has also been further strengthened.



However, looking at the villages and taking into consideration their strategic location on the very fringes of the disputed 'border' between the north central and northern provinces, these measures still seem woefully inadequate. Given the nature of the conflict at the present moment, one feels that in fact no adequate steps can be taken to guarantee the safety and security of these villages and of the civilians who live in them. The resolution of the ethnic conflict at the national level seems to be of essence if these villagers are to carry on with life 'as normal'. And until such time as a resolution is formulated by those in power on both sides of the divide, these villagers, and thousands of others like them scattered in similar villages throughout the north and east will continue to pay with their lives.

The question of the provision of adequate security for the villagers who live in these so-called border villages of the north and east therefore emerges as a key issue when considering not only the recent events at Alanchipothana, Karapola and Muthugala, but also the incidence of similar massacres in other villages in the north and east in the past months. This is particularly important when one considers that there is absolutely no mechanism in place that can effectively prevent the recurrence of such incidents.

The economic relationships between the inhabitants of these villages are of a pattern that is reflected throughout the Eastern province and indicate quite clearly the need for a political solution that recognises these realities.

DELIBERATE KILLINGS

Amnesty International, in a statement issued in June 1992, refers to the massacres at Alanchipothana, Karapola and Muthugala. We publish below excerpts setting out Amnesty's position.

Deliberate Killings of Muslim and Tamil Villagers in Polonnaruwa

While welcoming the government's prompt action to investigate this incident, Amnesty International is concerned that the commission may not have been perceived as impartial. Although the government has taken care to include a member of each of the three main ethnic communities in the three-member team, two of the members are serving officers of the security forces who may not have been perceived as impartial by all the parties involved. Amnesty International is urging the government to make public the full report of the findings of the investigation team and has requested information from the government about the measures which have been or will be taken to prevent any further reprisal killings from taking place. Amnesty International has also urged that those found to be responsible for the killings be brought to trial before the civil administration of justice and that victims or their relatives are provided with adequate compensation.

Amnesty International believes that those responsible for human rights violations should be brought to trial before the civil administration of justice, following a full and impartial investigation of the case by methods which are in

accordance with United Nations (UN) Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions as endorsed by the UN General Assembly on 15 December 1989 by Resolution 44/162. Such action would also accord with recommendations made by international human rights bodies such as the UN Working Group on Enforced or Involuntary Disappearances, which in its report of 3 December 1991 (Ref. E/CN.4/1992/18/para.381) stated that, "human rights violations should be pursued before the civil administration of justice with all the necessary vigour." Amnesty International fears that military authorities may not pursue the investigation and prosecution of fellow officers as vigorously or impartially as a civil court would and that the sanctions applied may bear no relation to the severity of the offences.¹

Amnesty International is repeating its recommendation for a thorough review of the command and control structures of the security forces, with particular attention to the use and control of armed civilian groups. Two of 32 recommendations for the effective prevention and investigation of human rights violations which were submitted to the government in September 1991 were pertinent to this issue. Both recommendations were among the 30 accepted by the government in December 1991.

The two relevant recommendations stated:

(Recommendation 28): In the light of the use by the security forces of several armed groups within the population, such as Muslim home guards, and



the use of the armed cadre of anti-LTTE militant Tamil groups, Amnesty International urges the government to set up a review of present command and control structures in the security forces.

(Recommendation 29): Bearing in mind the communal character of the present conflict, particularly in the east of Sri Lanka, a strict and effective control over the issuing of weapons to civilians for self-defence should be developed. As with regular security forces, a clear chain of command should be established and all those issued with arms should be provided with adequate training.

To date, Amnesty International has not been given any information about the implementation of these two specific

recommendations. It has received an invitation from the Sri Lankan Government to visit the country to review the implementation of the 30 recommendations accepted by the government, among other things. It is urging the government to fully and speedily implement the above two recommendations.

Note.

1. In early May 1992, Amnesty International expressed concern to the government about reports that army personnel responsible for reprisal killings at Kokkadichcholai, Batticaloa District, in June 1991 will be brought before a military tribunal instead of being charged and tried before the civil administration of justice.

A VERDICT ON TORTURE

Arbitrary arrest and torture in custody are two human rights violations that have been constantly referred to by human rights organisations, both local and international.

We reproduce below the major part of a recent Supreme Court decision on a fundamental rights application under Article 126 (2) of the Constitution made by Mathumagala Kankanalage Wilbert Alwis of Kelaniya - S.C. Application No. 145/87. This case concerns both arbitrary arrest and torture in police custody.

The case was argued on 16.06.1992 and decided on 22.06.1992. The judgement was written by Justice Kulatunga, with Justices Bandaranayake and Fernando concurring.

We draw the attention of our readers to the clear conclusion that torture in police custody continues in spite of several previous strictures by the Supreme Court. We also consider it significant that the Inspector General of Police has been asked to take appropriate action and report back to Court by 15 September.

By his letter dated 18.3.91 addressed to his Lordship the Chief Justice the petitioner who had, at the relevant time, been a member of the security service at the Embilipitiya Mill of the National Paper Corporation complained that he was in illegal detention at the Pelawatta

Detention Camp having been unlawfully arrested by the Embilipitiya Police on 19.10.90. He also complained that until his transfer to the said camp on 17.11.90, he was unlawfully detained at the Embilipitiya Police Station during which period the police officers there subjected him to various acts of torture. His affidavit was filed on 31.07.91 wherein he sought relief for alleged infringement of his rights under Articles 11, 13(1) and (2) of the Constitution. On 04.09.91, he filed an amended affidavit in which he stated inter alia, that on 10.08.91, he had been transferred to Ratnavali Rehabilitation Camp, Anuradhapura. The petitioner was then granted leave to proceed; at the same time, this Court directed the Judicial Medical Officer, Anuradhapura to examine the petitioner for any injuries he had sustained and to make a report to this Court. Pursuant to the said direction, the J.M.O. examined the petitioner on 26.09.91 and forwarded his report dated 10.10.91.

The petitioner joined the National Paper Corporation in 1980 as a Security Officer. He was promoted to the post of Executive Security Officer in 1983 and to the post of Mill Security Officer in 1985. The evidence adduced before us shows that he has, as an employee of the Corporation, maintained an exemplary record of service...

On 9.10.89 subversives attacked the Mill and damaged 20 vehicles and assaulted the employees. The Army COD H.Q. (Embilipitiya) and the Embilipitiya Police were in-



formed; but they visited the Mill only in the morning of the next day. Thereafter, the petitioner visited the Embilipitiya Police Station from time to time with a view to adopting security measures but he was informed that Police Officers were unable to intervene without a directive from the Ministry of Defence. On 21.10.89, the petitioner liaised with the Army Head Quarters Embilipitiya and arranged for assistance to be given against further subversive attacks on a signal being given by the blowing of the siren. On 11.11.89 subversives attacked the Mill again, damaged its property and set fire to the Mill. Mr. Gunasena Kuruppu managed to blow the siren, whereupon the army arrived and the subversives fled... The General Manager of the Corporation has, by a writing dated 06.05.92 (P13) confirmed that the facts relating to the two subversive attacks referred to in P9 and further confirmed that the petitioner was present at the station during the said attacks and duly attended to his duties by extinguishing the fire and salvaging the property of the Corporation.

It is common ground that on 15.11.89 a police post was established inside the Mill premises to tighten the security there. The petitioner states that on 29.05.90 he was arrested by Sgt. Bandara of the Embilipitiya Police who was ill-disposed towards him; he was not informed of the reason for his arrest; and he was detained at the Embilipitiya Police Station until 31.05.90. Shortly before he was released, a Police Officer recorded a statement from him about subversive activities at the Mill premises... The petitioner alleges that in the meantime Sgt. Ariyadasa and other police officers were stealing the property belonging to the Corporation. On 05.06.90 the petitioner made a report (P10) to the Chief Security Officer detailing the alleged acts of theft. In that report, the petitioner states that property including stocks of paper were being removed by the police without gate passes claiming that the Management had permitted such removal.

On 12.09.90 the General Manager of the Corporation addressed a letter (P11) to the Superintendent of Police Ratnapura giving a detailed account of alleged acts of misconduct by Police Officers attached to the police post at the Mill (between 22.08.90 and 11.09.90) including the unauthorised removal of empty barrels, bleaching powder, paper and exercise books, misuse of Corporation vehicles, assaulting a security guard and taking two employees into custody. The General Manager also arranged, for the Chief Security Officer of the Corporation (who was accompanied by the petitioner) to discuss the matter with the S.P. The petitioner states that after discussions, all the Police Officers attached to the Police post at the Mill were transferred out; that thereafter, on 19.10.90 when he was on duty, Police Officers from the Embilipitiya Police Station arrested him; that at the Police Station Sgt. Wimalasiri and other police officers assaulted him; that as a result he sustained many injuries including a permanent disability

of the middle finger of his right hand; that whilst so assaulting him they questioned him about the damage caused to the Mill by the subversives; and that he was detained at the Embilipitiya Police Station until 17.11.90 on which date he was transferred to the Pelawatte Detention Camp where he remained until his transfer to Ratnavali Rehabilitation Camp, Anuradhapura, on 10.08.91.

The petitioner denies that he engaged in any unlawful activity or was in any way associated with subversive activity at the Mill and asserts that he duly carried out his duties as a Security Officer and assisted in safeguarding the Mill against such activity. He alleges that the motive for his illegal arrest, detention and torture was the fact that the Police Officers concerned were displeased with the action taken by him for safeguarding the property of the Corporation and its employees.... It is the case for the respondents that the petitioner had links with the Janata Vimukti Peramuna and was involved in the subversive attacks at the Mill. ASP Amaradasa Fernando states that the petitioner's involvement with the subversives was confirmed by the fact that he was absent from his place of work during both attacks and was absent for two months thereafter; that the petitioner was arrested on 30.05.90 and was released the next day after recording his statement; that after the establishment of the police post at the Mill, the petitioner was kept under observation and being displeased with the vigilance, he made complaints against police officers; and that on receipt of further information, the petitioner was re-arrested on 19.10.90 and detained pending investigations....

In the instant case, there is no material to warrant the suspicion that the petitioner had JVP links or that he was concerned in the subversive attacks at the mill... In the circumstances, the petitioner's arrest under regulation 18(1) was unlawful and the consequent detention order Z1 was also unlawful. Further no material was produced before us as to the basis on which the Secretary could have formed the opinion that it was necessary to detain the petitioner under regulation 17(1); consequently the detention order Z2 was unlawful. I hold that the arrest and detention of the petitioner are violative of his rights under Articles 13(1) and (2) of the Constitution.

As regards the alleged violation of Article 11, Sergeant Wimalasiri Goonawardena states that he is familiar with the facts and circumstances relating to the arrest of the petitioner but denies the allegation that the petitioner was assaulted whilst he remained in police custody....

The J.M.O. states that he is unable to express an opinion on the above injuries as they are old wounds. The respondents have not taken up the position that the petitioner had any injuries on him at the time of the arrest. Even during the subversive attacks it was Gunasena who was as-



saulted. The petitioner did not sustain any injuries at the hands of the subversives. The history given by the petitioner to the J.M.O. is consistent with the description of the assault given in the petitioner's affidavit to this Court prior to his medical examination; and even in the absence of a clear medical opinion, there is no difficulty in taking the view that the said injuries were probably caused by the use of blunt force. In all the circumstances, I am satisfied that Sergeant Wimalasiri Goonewardena and other Police Officers of the Embilipitiya Police Station assaulted the petitioner whilst he was in police custody and caused multiple injuries to him. I hold that such conduct is violative of the petitioner's rights under Article 11 of the Constitution.

In deciding the question as to what relief may be granted to the petitioner, I have taken the following matters into consideration: ...

(iii) The petitioner who had an exemplary record of service and had won the confidence of his employer was arbitrarily arrested and incarcerated for a period of one year. He was subjected to torture whilst in police custody and was detained in a police cell for one month, which was itself cruel. On 27.05.91 the Attorney General informed the SP Ratnapura and Mr. D.G. Jayalath (the Chairman of the Committee For Processing, Rehabilitation and Release of Suspects in the Ministry of Defence) that the available evidence

was insufficient to prefer criminal charges against the petitioner. Had the Secretary reviewed the petitioner's case periodically (as he claimed to have done), the petitioner might have been released at that stage; instead, he was continued in detention and was released only on 31.10.91 after 2 months rehabilitation. It seems to me that the decision for rehabilitation itself had been mechanically made, the effect of which would have been to further humiliate the petitioner.

(iv) This court has condemned torture of persons in police custody in *Amal Sudath Silva v. Kodituwakku* (1987) 2 Sri L.R. 119, *Geekiyanaage Premalal Silva v. Rodrigo* SC Appeal No. 24/89 SCM 05.09.90; *Jayarathne v. Tennakoon* SC No. 18/89 and 10/89 SCM 04.07.91 and *Gamalath v. Neville Silva* SC Application No., 78/90 SCM 27.08.91. In the last case I observed that the previous decisions have had no effect on the police and that violations of Article 11 by police officers (which symbolise man's inhumanity to man) continue. The instant case shows that the situation is still the same....

As the offending officers have not been made parties to these proceedings, it is not possible to make any order against them personally. I therefore direct the Registrar to forward to the Inspector General of Police a copy of this judgement to enable him to take appropriate action and to make a report to this Court in that regard on or before 15.09.92.....

PEACE: THE PRIMACY OF HUMAN RIGHTS

Rajan Hoole

Those of us in the University Teachers of Human Rights, Jaffna, (UTHR-J) have constantly argued that a stable peace must necessarily incorporate human rights as an active principle. This means upholding the sovereignty of the people. To give an indication of what this means: past efforts at peace, to resolve more than one conflict in the country, showed themselves to be fundamentally flawed, because they did not have the interest of the people at the centre. There were rather secret talks about how those with organised repressive power were going to carve up spheres of influence. Thus in the months leading up to the current war, peace was said to prevail. But the

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corrosive destabilising influences involving murder and mass incarceration were connived at or ignored by both sides. The nemesis has been terrible.

We have had several vivid illustrations of where ordinary people stand in the scheme of things; as, for example, when people forced onto the streets at gunpoint by the JVP, are fired at by forces of the state, or when civilians cowering in fear are massacred after a landmine blast.

Subsequent statements and actions by those who wield power, have exposed their distance from the people. This insensitivity towards ordinary people by those who hold power, as well as aspirants for power, is at the heart of the problem.



Sovereignty of the people, thus, far from being a meta-physical principle, becomes a life and death issue. We have therefore pleaded that human rights should head the agenda in peace-making efforts. Not to do so would only be to fly in the face of recent history.

On the other hand we may have become numbed by events on our very doorsteps; we become fatalistic and cease to believe that we can influence future developments; we are simply grateful for being alive; we surrender all initiative to those with the capacity to take life and we are only too happy if those with power would give us audience to think of offending them with awkward questions. When that happens we become apprehensive about the unfathomed sense of injury that lurks in the minds of ordinary people. We begin to fear then and mentally distance ourselves from them, without being conscious of it. We lose the capacity to address them. This is where the smart word *realpolitik* takes over from human rights, which then becomes a ritual we have ceased to believe in. Unknowingly we may be on the threshold of being accomplices in a subtle form of repression.

We avoid taking violations of human rights head on and rationalise our cowardice. We argue from the standpoint of *realpolitik* that those whose politics is incompatible with human rights are there to stay and that those with rival claims must be appeased and left to exercise power in tranquility. Instead of using their exposed, untenable positions to provide space for the people, we become ready to legitimise them.

It is not talking to those who violate human rights that we have been against. Talking to those who wield power is necessary. But when talking to them one must not flatter them. They should be made to feel that their actions are contemptible and that further violations are going to be a very sensitive matter. Only such a position could provide space for healthier tendencies among the people to assert themselves. When we try to rationalise away the need to confront violations of human rights, both intellect and analysis become moribund. A vague relativism takes over from principles. We defend our position by the use of innuendo rather than argument. Pretending to see things from a very broad perspective and with blithe inattention to detail, we set off trying to confront the accumulated institutional detritus of oppressors with personal charisma. Others more sensitive, feeling helpless and guilt laden, respond emotionally to individual tragedies they confront, without seeing their overall significance.

The Context of Misrepresentations

Carrying on traditions already established, from the onset of the war the UTHR(J) had documented and commented on violations by state forces as well as militant groups. It

had been conscious of its own social context and origins as part to the liberation struggle. On the basis of experience it had maintained that a liberation struggle that fails to uphold human rights loses both rationale and legitimacy. Its criticisms and exposure of violations by Tamil groups had been aimed at finding democratic space for a healthier struggle, that would also work towards a new system of values, thus removing social causes of alienation. Sustained attacks by the LTTE on Muslim and Sinhalese civilians, and the singular and phenomenal development of political detainees in a liberation struggle together with the brutal approach to dissent, were condemned not only as morally repugnant, but also as a self-destructive malaise.

The UTHR(J) had also gratefully acknowledged the unstinting help it continues to receive from democratic groups in the South without which it could not have continued to function. Where it had failed to represent the complex reality, this was acknowledged (when it came to light). Some earlier representations of the Muslim question had been unjust and one-sided. Some remarks about the ICRC in Report No 4 were also acknowledged as unfair.

The context of misrepresentation has a different provenance. It is because these are made by friends in particular that it needs to be explored.

An important part of the work of the UTHR(J) has been to expose violations by the state forces and defending the community. On the basis of testimony obtained from a large number of victims, the UTHR(J) brought to light as early as October 1990, massive violations by the forces in the East involving massacres and mass disappearances, both running into several thousands of cases. When considerable information of this kind was circulated in Colombo, the reports were believed but not generally assimilated.

We also produced evidence to show that strong ideological motivations were at work in the actions of state forces. The exodus of Tamils from a number of fertile areas in the East had been contrived by displacement consequent upon attacks on refugee camps. The forces had repeatedly harassed refugees at Veeramunai camp, for instance, by taking away a total of 250 youths following raids. All of them, as far as was known, were not accounted for.

As shocking as these revelations were, the response in the South was generally muted. There was not the public indignation that their government was doing this to their own countrymen. A part of the reason was that following three years of terror, the mood to confront the government was not there. There were several individuals personally concerned, but lacking the ability to move ahead. Apart from general condemnations of all violence, it was the massacres of Sinhalese that were featured prominently.



In this atmosphere the tragedy was registered without being assimilated. What was unpleasant was thus kept at bay with varying feelings of guilt. Representations by groups continued to be made to the government and they probably did have some effect. But the decisive impetus to seek a different approach came from the government itself.

The brash brutality of government forces had cornered the Tamils collectively and had thus swelled LTTE ranks. Later with Mankulam and other military debacles, a section in the government was inclined to view the war as unwinnable. Consequently peace initiatives by individuals and groups became respectable. It was widely known that what would be compatible with the LTTE's politics could only be something like the pre-war arrangement. Reasoned pleas for caution made from a human rights standpoint by the UTHR(J) came to have an unpleasant ring - this time for a different reason. Moreover, a section of the mainline press had quoted the UTHR (J) reports selectively as would suit their purposes. But little was done by others to use the legitimacy given to UTHR(J) reports by the government controlled press, and hold the government answerable for the actions of government forces. It became convenient for all concerned to portray the UTHR(J) as merely an anti- LTTE organisation, as done by *Pravada* itself.

Weakness in the South

As pointed out, groups in the South interested in the peace process had one fundamental weakness. Their stand on human rights during the current war had not been loud and clear. Whatever the intentions of individuals, they had effectively shown no initiative independent of the government's perception. They thus lacked the standing to give confidence to the Tamils or to challenge the LTTE on human rights. This they would have had, had they systematically taken the government to task. Such a position of weakness is fraught with the danger, that lacking moral authority, those involved would become lost in the self-pity of the oppressors and forget their victims and the mass of the people.

The visits of the clergy to Jaffna were invaluable as pastoral visits. But anyone wanting to influence the peace

process, including the churches, must work hard towards establishing themselves as a moral force. This means that they must involve themselves in the detail and nature of human rights violations and confront the violators. It must be a force that people can trust and see as allies. Once freed from the grip of a politics of fear and destruction, their minds will turn to creative possibilities.

Democratic groups must begin by holding the government to account. That itself may save many lives. There is much to be done in the East where the families of the disappeared languish in diminishing hope, while the government remains callous and immovable. Only a force with moral authority can ensure that peace is not just a tactical device.

Asserting Moral Authority

It is often said, with emotional emphasis, that human rights considerations could be overlooked, at least tactically, when civilian lives are at stake. This can be an excuse for not working tirelessly in the human rights front and may further result in the repetition of the same excuse again and again. We know that destructive forces who have no concern for human lives are not likely to be

checked, except by exhaustion or by the application of a moral authority that can check both parties. The horrors of Operation Liberation did take place, not because there was a shortage of well meaning Southern peace makers but because they were ready to overlook human rights violations.

On the other hand unless we are confident in our ability to end the violence, it would be irresponsible not to press both sides to agree to measures giving protection to the civilian population and especially the thousands of political prisoners held by the LTTE. The UTHR (J) has been calling for such measures for two years rather than join the formal calls for ceasefires in a vacuum. Next to nothing has been done, and instead we have spent our energy chasing will o' the wisps. There are no institutional checks on the government forces, any more than existed two years ago, to prevent a repetition of the tragedy in the East.

The horrors of Operation Liberation did take place, not because there was a shortage of well meaning Southern peace makers but because they were ready to overlook human rights violations.

ACCOUNTABILITY AND ITS IMPORTANCE

Impunity is perhaps the single most important factor contributing to the phenomenon of disappearance. Perpetrators of human rights violations...become all the more irresponsible if they are not held to account before a court of law.¹

In recent years international human rights enforcement strategies have come increasingly to focus on the need to impose direct legal accountability on the perpetrators of serious human rights violations. Such accountability is essential if basic rights are to be effectively protected and future violations prevented. It is the responsibility of governments to seek accountability regardless of whether the perpetrators are members of that government or its security forces, members of groups working under the control of those forces, officials of previous governments, or members of anti-government groups.

The issue of accountability for past abuses gained prominence in the 1980s as unprecedented global political change focussed attention on the crimes of ousted regimes. Accountability was closely tied to perceived trends towards democratization and to political upheaval. The overthrow of the Communist governments of Eastern Europe and the breakup of the Soviet Union have been by far the most dramatic political change of the decade. Elsewhere, civilian governments replaced military rule in Argentina, Brazil, Chile, Guatemala and Uruguay. The Marcos regime in the Philippines and Duvalier's rule in Haiti ended in the exile of the two dictators and hope, short lived in both cases, that human rights violations would cease. Nepal held its first multi-party election in thirty years and joined Taiwan and Korea in overturning entrenched and abusive governments. Political change in Guinea, Sudan and Uganda in the mid-1980s also held out the promise of increased respect for human rights.

Many new governments in the past decade have embraced human rights language and used it to denounce the abuses of their predecessors. In a few cases this interest in past violations led to real improvement in human rights policy. In most, implementation of plans to address accountability was stymied by a variety of political factors. In some, demands for accountability were used to purge the country of followers of the old regime and repression continued. As Jose Zalaquett pointed out in 1988, "A policy to deal with past human rights abuses should have two overall objectives: to prevent the recurrence of such abuses and to repair the damage they caused, to the extent that is possible. Other objectives, such as retribution or revenge,

cannot be considered legitimate.² Neither can acts designed to disable political opposition or curb public criticism by producing a scapegoat without the intention of truly ending abuses or fully investigating reports of violations.

Unlike most of the countries mentioned above, Sri Lanka has not experienced a dramatic change in its political system. It has enjoyed regular elections since it gained independence in 1948. But Sri Lanka has been torn by a decade long civil war, several militant insurgencies and brutal government anti-insurgency campaigns. Demands for accountability for past abuses are aimed squarely at perpetrators within the current administration and emanate from an angry citizenry, from human rights groups, and from Sri Lanka's donor nations. These donors, influenced by the sweeping changes in other regions, are exerting heavy pressure on the Sri Lankan government to address issues of accountability that usually emerge after a radical change of government.

Asia Watch recognizes the difficulties that governments may face in bringing members of their own forces to justice for violations of human rights, particularly in situations of extreme civil unrest, and the right of all governments to take measures to control civil strife. In implementing any policy of accountability the state must balance its undeniable obligation to punish gross violations of human rights and its need for economic and political stability, using international human rights conventions as guides.

Following a period of systematic human rights violations, whatever human rights policy a...government puts in practice will necessarily be subsumed within a larger objective which aims at one or more of the following: To achieve a measure of national unity and reconciliation, particularly when the human rights violations of the past took place in a context of (if not directly caused by) extreme political polarization and civil strife, including forms of armed struggle.... To build or reconstruct institutions that are conducive to a stable and fair political system. To procure the economic resources needed to achieve those ends, particularly when the transition periods are marked by fragility and a measure of economic success is instrumental for political stability.

It is important that the...government publicly states the rationale for the human rights policy it adopts, in terms of its relationship to specific human rights aims and the larger national objectives being pursued.³



In this context, laws which grant immunity from prosecution or other legal protection to those who have committed gross violations⁴ are antithetical to the promotion of human rights. Recent experiences in several Latin American countries and the Philippines clearly demonstrate that failure to punish members of the armed forces can lead to continuing abuses, even where the government initially authorizing the violations has changed and the new government is eager to improve the country's human rights record. Prosecution and punishment of past abusers is essential to the deterrence of future violations.

Equally important is the investigation, public acknowledgement and full disclosure of information regarding past violations. The government has an obligation to make known all that can be reliably established about gross violations of human rights; their nature and extent; the identities and fate of victims; the identities of those responsible for the policies and practices that resulted in the violations; the identities of the perpetrators and those who knowingly aided and abetted them.

A third concern essential to full accountability is the need to make reparations, to the extent possible, to the victims or the victims' families for gross violations. While insufficient on its own to end future violations (critics in Sri Lanka have maintained that the government's willingness to pay reparations to victims of human rights violations, but unwillingness to punish members of its forces who perpetrate abuses contributes to the feeling of impunity enjoyed by the security forces), it is nonetheless desirable that some effort is made to repair the damage done by abusive forces.

Countries which have ratified or acceded to international human rights conventions have legal as well as moral responsibilities to ensure that human rights violators are held accountable for their activities and that whatever possible remedy is provided. Some Conventions spell out this requirement expressly. For example, Article 3 of the International Covenant on Civil and Political Rights (the ICCPR), which was ratified by Sri Lanka in 1980, provides that the parties to the Covenant undertake:

- (a) to ensure that any person whose rights or freedoms as herein recognised are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
- (b) to ensure that any person claiming such a remedy shall have his right there to determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

- (c) to ensure that the competent authorities shall enforce such remedies when granted.⁵

The UN Human Rights Committee has stressed the necessity for parties to the ICCPR to investigate serious human rights violations and "to hold responsible" their perpetrators,⁶ and UN General Assembly Resolution 33/173 (1978) urged all governments to

ensure that law enforcement and security authorities or organisations are fully accountable, especially in law, in the discharge of their duties, such as accountability to include legal responsibility for unjustifiable excesses which might lead to enforced or involuntary disappearances.

The UN Working Group on Enforced and Involuntary Disappearances visited Sri Lanka in October 1991 and released its report on that mission in January 1992. The Working Group acknowledged that a huge number of disappearances had occurred in Sri Lanka between 1983 and 1991- "by far the highest number ever recorded by the Working Group for any single country." The report recommended that government forces responsible for disappearances in Sri Lanka be rigorously prosecuted and "that severe disciplinary punishment be meted out to government officials who have failed to take adequate measures to prevent disappearances." The Chairman of the UN Human Rights Commission, in his statement on Sri Lanka at the 48th session of the Human Rights Commission, urged the Sri Lankan government to accept and implement the Working Group's recommendations, including recommendations which support retroactive accountability for violations.

UN General Assembly Resolutions and the Commission on Human Rights⁷ have urged all governments to "ensure that law enforcement and security authorities or organisations are fully accountable, especially in law, in the discharge of their duties, such accountability to include legal responsibility for unjustifiable excesses which might lead to enforced or voluntary disappearances..."

The UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions⁸ adopted by the UN General Assembly in December 1989 are particularly pertinent as to the types of measures which should be adopted by governments in whose territories disappearances occur, and where lawyers and litigants seeking to bring to justice those responsible have been subjected to harassment.⁹

In response in part to pressure from donor governments, the Sri Lankan government has undertaken a variety of initiatives designed to meet its international human rights



obligations. It has exhibited a new willingness to discuss issues of accountability and as promised to accept the recommendations of human rights groups. In December 1991, the government announced its acceptance of most of the recommendations Amnesty International made in its September 1991 report of the situation in Sri Lanka.¹⁰ Asia Watch welcomes these steps, but the real test will come in how effectively the new initiatives are implemented. This report, based on the information collected during Asia Watch's mission to Sri Lanka in December 1991, will examine the new human rights agencies and task forces set up over the last two years, how well they address the most serious human rights concerns in Sri Lanka and what still needs to be done.

Notes

1. *Report of the Working Group on Enforced or Involuntary Disappearances to the Forty-seventh session of the Commission on Human Rights, E/CN.4/1991/20, p.85, para 406.* ~
2. Jose Zalaquett, "Confronting Human Rights Violations Committed by Former Governments: Principles Applicable and Political Constraints (with special reference to examples from Latin America)," prepared for Aspen Institute for Humanistic Studies Conference on "State Crimes: Punishment or Pardon," November, 1988.
3. *Ibid.*
4. The terms gross violations or gross abuses apply to acts of genocide, arbitrary, summary or extrajudicial executions, forced or involuntary disappearances, torture or other gross physical abuse, and prolonged arbitrary deprivation of liberty.
5. Similarly, Article 5 of the Genocide Convention (which Sri Lanka ratified in 1950) states:

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any other acts enumerated in Article 3.
6. See e.g. *HRC Report 37, UN GAOR Supp No 40, Annex V, General Comment 7(16), para 1 (1982); UN Doc E/CN.4/Sub.2/Add.1/963.*
7. See e.g. *GA Res 33/173, para 1(b) (1978).*
8. *GA Res 44/162.*
9. See especially Principles 1,2,6,15. In this Report they are referred to as the UN Principles.
10. In its report, *Sri Lanka - the Northeast, ASA 37/14/91*, Amnesty International made 32 recommendations to the Sri Lankan government. They include suggestions for better control and instruction of army personnel and police officers and prompt prosecution of criminal cases against members of the security forces, better protection for detainees, and the strengthening of new human rights initiatives.

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FURTHER DEPRECIATION OF THE RUPEE: IS IT NECESSARY?

Sumanasiri Liyanage

The Sri Lankan government is now negotiating with the officials of the World Bank for a loan of 100 million dollars under the Bank's Structural Adjustment Lending Facility (SALF). The government also expects to get, by the end of the year, the third tranche of the 300- 400 million dollar IMF loan approved in September 1991. Sri Lanka has already received the first and second tranches of this loan which were negotiated under the IMF Enhanced Structural Adjustment Facility (ESAF). Both loans are considered to be soft loans as the terms of payment are relatively easier than those operative for non-official loans. The World Bank loan will be released in one instalment and is repayable in 30 years with a 10 year grace period. The IMF loan is offered in three tranches and the repayment period is six years. Since the IMF is constituted to offer short-term financial assistance to member countries, its loan repayment terms are usually more stringent than the terms of the World Bank which specializes in development-oriented lending.

There is no doubt that the Sri Lankan government badly needs the World Bank SALF loan and the release of the third tranche of the IMF ESAF. But, the government has to demonstrate, in practice, its willingness to accept and to be bound by the conditionalities attached to this type of financial assistance.

Although the concrete IMF- World Bank package is being negotiated in secrecy and therefore will not be revealed to the public, the general line of the conditionalities is quite clear; they involve very tough policy decisions the effects and implications of which will transcend the boundaries of the narrow field of economics. The privatization of two state banks will again be on the agenda. Pressure will be put for the privatization of other public corporations and services such as railways which are still in state hands. A further simplification of the tariff structure will be suggested and the government will be asked to allow the exchange rate to rise up to Rs. 50 a US dollar which is considered the reasonable exchange rate for a Sri Lankan rupee. According to the *Sunday Times* "the [B]ank has also suggested that the subsidy on diesel should be removed and petrol and diesel sold at the same price." As a senior government official is reported to have said:

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The World Bank wants speedier reforms which could be hard to implement and politically difficult for the government. The [B]ank wants these done very quickly. These matters are in the process of implementation but it has been slow and only cosmetic improvements have been made (*Sunday Times*, July 19, p.7).

We have to consider seriously the effectiveness of these measures in achieving a sustainable higher rate of economic growth and level of employment, easing our balance of payments problem and diffusing the fruits of economic growth to the masses. On all three counts, our past record has not been satisfactory. We have failed to sustain what we had achieved in certain years in the past. This was also true of the policy package which was introduced in 1977 and implemented during the last one and a half decades.

However, there has been no serious discussion on these important issues. We have official and semi-official publications which always talk about past achievements and adopt an optimistic approach to the future. In contrast, the populist approach is that the diagnosis of the official international organizations is wrong and that their remedies are doomed to fail. Sometimes these populists are against foreign capital because it may have destructive effects on archaic relations; at other times they criticize foreign capital because it is not modern enough. I hold a different point of view. I do not oppose conditionalities just because they have been proposed by the international organizations. We are living in a period in which international intervention in national affairs is unavoidable and necessary.

Exchange Rate Movements

In IMF- World Bank thinking and in their formulation of the stabilization package, the exchange rate adjustment always plays a major role. The aim of this article is to analyse the impact of the further adjustment of the exchange rate on the Sri Lankan economy, more specifically on its growth rate, the rate of inflation and the balance of trade.

Let us first investigate the movement of exchange rates during the last 15 years. In 1977, the UNP government unified the multiple exchange rate regime which prevailed in the pre-1977 period and substantially devalued the



rupee which was considered as being overvalued. The main thrust behind these measures was to improve the competitiveness of our exports and to reduce the trade balance in the context of an increasing demand for imports as an outcome of trade liberalization. Since then the Sri Lankan rupee has been allowed to float in response to the market demand for and supply of foreign exchange.

Table 1 shows the movements of the bilateral nominal exchange rate between the US dollar and Sri Lankan rupee between 1977 and 1992. The Sri Lankan rupee has been depreciated against the US dollar by more than 70 per cent during the period 1977-1992. The more appropriate measure of the external value of the Sri Lankan rupee is the Nominal Effective Exchange Rate (NEER) which can be defined as the trade weighted nominal exchange rate with respect to Sri Lanka's major trading partners. The rupee has been depreciated against almost all the currencies of the countries with which we have strong trade links. The annual report of the Central Bank of Sri Lanka states:

The cumulative changes since 16th November 1977 [when the Rupee was placed on a float] show that the Sri Lankan Rupee has depreciated by 51.6 per cent against the US dollar, 50.8 per cent against the Pound Sterling, 61.6 per cent against the Deutsche Mark, 39.3 per cent against the French Franc, 75.2 per cent against the Japanese Yen and 15.3 per cent against the Indian Rupee (1988: 198).

The NEER was further depreciated by 11.5 per cent in 1988 and by 13.4 per cent in 1990. The movement of the Real Exchange Rate (RER) for the Sri Lankan rupee against the US dollar is shown in Figure 1. The price differentials between Sri Lanka and its major trading partners have been taken into account in the calculation of the real effective exchange rate, which, therefore, measures the country's competitiveness in international trade. An increase in the competitiveness of our exports is reflected in a real depreciation of Sri Lankan rupee. Conversely, an appreciation means that Sri Lanka has lost its international competitiveness. The trend in the movement of the real exchange rate against the US dollar over the entire post 1977 period shows a slight increase, but a similar tendency cannot be seen in the behaviour of the REER. Until 1984 the REER had shown an appreciation, but it depreciated between 1985 to 1987 and started to appreciate again from 1988. The REER appreciated by 5.2 per cent in 1990 and 5.3 in 1991.

It is interesting to compare the movements of NEER and REER which have run in opposite directions in most of the years between 1977 and 1991. It is true that a real appreciation of the Sri Lankan rupee reduces the international competitiveness of our exports and encourages domestic consumption of imported items. The international lending

agencies seem to have thought that the behaviour of the REER can be manipulated by further depreciating the Sri Lankan rupee. Let us examine the accuracy of this argument.

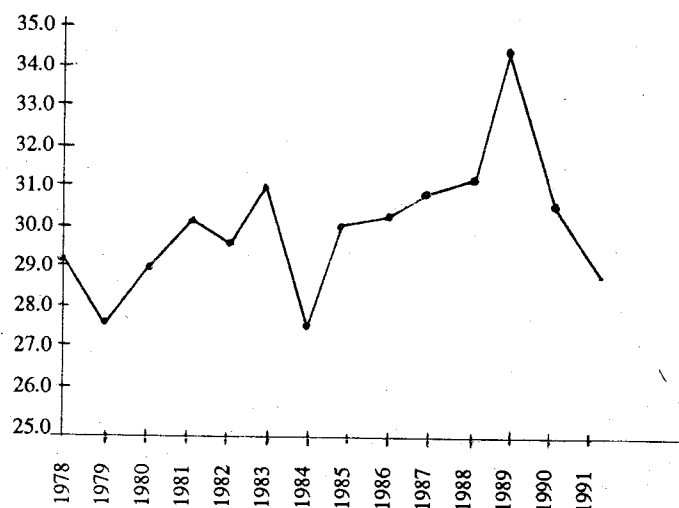


Figure 1

Table 1

Exchange Rate Movement 1977-1992

Year Dec.	Ex. Rate (US \$) Buying Rate
1977	15.53
1978	15.49
1979	15.43
1980	17.98
1981	20.53
1982	21.31
1983	24.99
1984	26.27
1985	27.40
1986	28.51
1987	30.74
1988	33.01
1989	39.98
1990	40.22
1991	42.56
1992 (07)	

Source: Asian Development Bank (1991)



The Balance of Trade.

It is argued that the depreciation or devaluation of the domestic currency would result in transforming a country's comparative advantage into a competitive advantage. The argument in orthodox economic theory that countries enter into the international trade nexus because of comparative cost differentials conditioned by initial factor endowments thus appears to be unsubstantiated. For international trade to take place, there should be either an absolute advantage in producing a certain commodity/commodities or the comparative advantage needs to be transformed into a competitive advantage by changing the price structure.

Introducing the new economic policy package in 1977, it was correctly shown that the Sri Lankan rupee was overvalued and did not correctly represent the country's actual international position, which is conditioned primarily by domestic factors such as labour productivity, cost of production and natural resource availability and, at least in the short run, by international factors such as protectionism and monopolistic tendencies. Any stabilization package therefore should include the fixing of an appropriate exchange rate taking into consideration the above mentioned factors, since an overvalued currency provides an artificial disincentive to exporters and an incentive to importers.

The fundamental flaw in the orthodox policy prescription, however, is that it assumes that price movements alone would bring about an equilibrium in the balance of trade. The exchange rate adjustment, it was argued, would cause exports to increase and imports to decrease since the domestic incomes of exporters would rise while domestic price increases of imports will make them dearer.

However, the mechanism initiated by price changes which are necessary to bring about an equilibrium in the balance of trade is by no means automatic. Notwithstanding the fact that an increase in domestic incomes provides a stimulus for exporters to transfer more resources to the production of those exports in which the country has a comparative advantage, there may be certain inherent rigidities which hinder the expansion of the export sector. These may include the specialized nature of capital goods and equipment and the rigidity of prices and wages.

Similarly, as a result of the depreciation of the exchange rate, domestic prices and wages may increase thus raising significantly the cost of production. This tendency may, in turn, push up the cost of production in the economy. If the cost of production rises at a rate higher than the rate of increase in the domestic prices of exports, then the initial advantage may disappear. On the other hand, the reduction of imports depends not only on their prices but also on their price elasticities and their propensities.

The depreciation of the nominal exchange rate does not necessarily guarantee the movement of the real exchange rate in the same direction. In addition to the NEER, the level and movement of the REER depends on the country's rate of inflation which in turn depends on a complex set of factors. As a result, price movements may not transform a comparative advantage into a competitive advantage. So, the balance of trade position may not improve.

We may now turn to the Sri Lankan experience since 1977. Table 2 presents the value of exports and imports and the balance of trade. Although the rupee prices of imported items have increased significantly with the depreciation of the Sri Lankan rupee, no trend towards the reduction of import volume or value can be seen in the post 1977 period. On the contrary the total import outlay has increased by 285 per cent between 1977 and 1991.

The decline of import outlays from 1986 to 1988 is partly attributed to the decline of the level of economic activity due to civil disturbances throughout the island. The import outlay consists of two components, namely an independent component which comprises essential items with low price elasticities and the component which depends on the level of economic activity. As Table 3 shows, imports of investment goods have significantly reduced during the period 1984-88, which included the period of civil disturbances. These imports have started to rise again after 1989; the value of imported investment goods increased by 22 per cent from SDR 430 million to SDR 524 million. While the rate of increase of vehicles and transport equipment was 61 per cent, it was 16 per cent for the machinery and equipment. This shows that imports are price inelastic and depend more on the level of economic activity.

Table 2.

Exports, Imports and Balance of trade 1977-1991.
(Adjusted data in SDR millions)

Year	Exports	Imports	Balance of Trade
1977	630	581	+49
1978	674	771	-97
1979	759	1123	-364
1980	818	1577	-760
1981	928	1614	-686
1982	934	1826	-892
1983	998	1811	-813
1984	1432	1823	-391
1985	1311	1956	-646
1986	1036	1658	-623
1987	1080	1589	-509
1988	1098	1661	-564
1989	1216	1737	-521
1990	1461	1980	-519
1991	1491	2239	-747

Source: Central Bank of Sri Lanka, Annual Reports

Table 3.

**Imports of Investment Goods
(in SDR millions)**

Year	Machinery and Equipments	Vehicles and Transport Equip.	Base Metals
1984	272	159	121
1985	222	141	114
1986	135	118	114
1987	121	117	107
1988	226	108	127

Source: Central Bank of Sri Lanka, Annual Reports

Total exports have increased by 136.6 per cent from 1977 to 1991 and it is interesting to note that the rate of increase in exports was significantly less than the rate of increase in imports (285 per cent). The increase in exports is mainly due to changes in the export structure which is now dominated by industrial products in value terms. Industrial exports have increased by more than 450 per cent from an insignificant SDR 94 million in 1978 to SDR 530 million in 1988; the dominant product category is textiles and garments which has increased from SDR 25 million in 1978 to SDR 333 million in 1988. However, the increase in industrial products cannot be solely attributed to exchange rate movements; it is also the result of the total policy package introduced in 1977 and may have taken place with or without the exchange rate adjustments. The issue of economic growth will be dealt with in the final section of the essay.

Rate of Inflation

As noted above, the NEER and the REER had moved in opposite directions for the greater part of the post-1977 period. The REER is the NEER adjusted to the differentials in the rate of inflation between the Sri Lankan economy and its major trading partners. Even when the NEER is depreciating, the REER may appreciate if the domestic rate of inflation is higher than the rate of inflation in its major trading partners. Let us now look at the price movements in Sri Lanka in the post-1977 period.

The average annual rate of inflation between 1978 and 1990 and measured by the Colombo Consumers' Price Index (CCPI), the Wholesale Price Index (WPI) and the Gross Domestic Product Deflator (GDPD) was 13.3%, 13.6% and 12.5% respectively. Plotting annual percentage changes in the three indicators over the post 1977 period shows three distinct periods when inflationary pressures increased; 1978-80, 1982-84 and 1985-1990 (Lakshman and Nicholas, 1992: 20).

There is a general consensus among economists about the main causes of inflationary tendencies in Sri Lanka. They

agree that inflationary pressures are primarily exogenously determined and there has been a strong correlation between the rate of change in the CCPI and the rate of change in the general import price index. So the inflation is cost-push rather than demand pull. Lakshman and Nicholas write;

Demand factors, the budget deficit and credit expansion, have undoubtedly also exerted a pressure on the aggregate price level, particularly in certain years (e.g. 1981), but generally their role has been one of propagating cost-push pressures (1992: 20).

Deepak Lal, one of the principal advocates of free-market economic policies, concludes:

[T]his rise in non-traded good prices has been accentuated by the rise in the domestic price of traded goods, due both to a rise in foreign currency prices and the devaluation of the nominal exchange rate. Most of the inflation that Sri Lanka has experienced since 1977 can be accounted for by these two factors (Lal: 1985).

An observer who favoured and has argued for exchange rate depreciation as an effective policy prescription for the balance of payments problem writes;

Simulation results suggested that exchange rate depreciation would not cause continuing inflationary pressure in Sri Lanka. Its impact on domestic prices would be completed within a short period and the rate of change in the level of prices would be substantially lower than the rate which exchange rates are depreciated (Wijesingha: 1990).

Since this conclusion is arrived at on the basis of a rigid set of assumptions, it has to be treated carefully. However, two things contradict the conclusion. First, when we take the period as a whole, the rate of change in the level of prices measured by all three indices was greater than the rate of depreciation of the Sri Lankan rupee against all the hard currencies. Second, what is important is not the annual rate of inflation, but the cumulative price changes. The continuous depreciation of the Sri Lankan rupee will aggravate the cumulative rise of domestic prices, both tradeables and non-tradeables. This in turn will change the cost structure and reduce the competitiveness of our exports. In the absence of a process which ensures the increase of labour productivity and a resultant lowering of the price of production, a currency which undergoes continuous depreciation will give rise to inflationary pressure.

Growth of Output

The policy prescriptions which are designed to support what is called the 'export-led growth mechanism' seem to



have stemmed from a misreading of the development experience of Japan and the East Asian NICs. It was often argued that the higher rate of growth experienced by those economies was due mainly to the higher rate of growth of exports, particularly of exports of manufactured goods. In a serious study on Japanese economic development in the twentieth century, Ohkawa and Rosovsky (1973) have demonstrated an inversion of this relationship:

We intend to argue a rather different set of propositions. Our position is that Japan's rate of growth of exports has been high and well above world averages because the rate of growth of its economy and especially of its industry has been high and well above world averages, and not vice versa (p.173).

Japan was able to increase its exports at an increasing rate not because of the manipulation of nominal prices but because of its ability to reduce the relative price of its products through constant gains in productivity in manufacturing.

More rapid growth of exports simply means that Japanese goods were displacing goods of other countries in world markets. If we assume that world demand was relatively indifferent to the national origin of imported products, it is then clear the reason for highly successful export growth must lie on the supply side. Supply, in this sense, has broad meaning and includes export prices, quality, product differentiation, and financing. Since ours is a framework utilizing primarily the concept of national income, we will concentrate mainly on the relation between prices and export performance, and it will turn out to be largely a study in cost reduction because of relatively low labour costs and rapid technological and organizational advance (Ohkawa and Rosovsky, 1973: 174).

A few may argue against the view that higher exports contribute to higher economic growth and development. But the development process cannot be reduced to occasional spurts in output since it means a continuous process in which change begets further changes. Undoubtedly, the

appropriate exchange rate which is consistent with the country's productivity level has to be set. But short term uncertainty regarding exchange rates will not help with the necessary long term steps which guarantee economic growth. Severe fluctuations in the real exchange rate may upset the entire strategy for the expansion of exports. Empirical results of the estimation of the model based on the experience of Chile, Colombia, Peru, the Philippines, Thailand and Turkey have unambiguously shown the clear and strong negative effect of real exchange rate uncertainty on exports (Caballero and Corbo, 1989). Attempts to manipulate the real rate by changing the nominal rate have failed in many countries, including Sri Lanka.

This analysis leads us to a rather familiar theme. The development process requires continuous transformation of the labour process and thereby a reduction of relative prices. The appropriate exchange rate may facilitate this process, but total dependence on price manipulations may not be able to create a competitive advantage for its products in the world market.

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Recognising the value of dissent means valuing the tolerance of dissent. In themselves individual expressions of dissent may often be of little worth; they will include the outpourings of the crank and the crackpot - or what seem to be such by the standards of the day. But the degree to which dissent is tolerated reflects the health of society and ensures that it has within it the potential for progress.

The Value of Dissent: A Publication of the Civil Rights Movement of Sri Lanka, 1992.

With the implementation of structural adjustment programmes (SAPs), the Indian industrial concerns in the private as well as the public sector have begun to retrench workers. The trade union resistance to this 'exit policy' is growing. The union strategy towards SAPs and their economic and social consequences is an issue being debated among Indian labour leaders and activists.

*Reproduced below is an essay, which has a direct relevance to the emerging Sri Lankan debate, from **Mainstream**, June 06, 1992.*

EXIT POLICY: AGENDA FOR TRADE UNIONS

Mukul

Structural adjustments in the form of exit policy is now on the agenda. The trade unions are against it. In the official camp it has become fashionable to accuse them of malicious 'anti-structural adjustment' drive. Any misgivings concerning the consequences of restructuring are branded as demonstrations against change, as 'status quoist' and the like. However, concern over the new economic policy pronouncement is a serious issue for the trade unions today. Simply to reject the accusations as absurd and ignore them is not, therefore, sufficient. The issue must be considered seriously, avoiding simplifications and biases and must suggest some alternatives.

It is obvious that the restructuring and the advance of the economy is, in itself, highly desirable. The productivity of the capital and labour should rise, as does the social wealth. The trade unions should also champion this cause. But when the restructuring is carried out through a liberalisation drive in the interest of international and private capital, in a society deeply imbedded with poverty, inequality, insecurity, the process of restructuring inevitably becomes the object of intense struggle. Attempts to heap the chief difficulties engendered by the restructuring on the shoulders of the working masses is the principal cause of this struggle, making it inevitable.

Firstly, the great negative social effects connected with it should be pointed out. There are several reasons for this. Structural adjustment has coincided with an intensification of general crisis of the developed world economy and polity. As a result, the social disruptions engendered by the adjustment has, as it were, been added to the difficulties ensuing from exacerbation of the economic crisis and has multiplied them.

The beginning of the structural reforms in Indian economy has been delayed due to a number of reasons, and thus the period of time for carrying it out has been compressed. That which under other circumstances would have taken decades has to be carried out in just a few months or years. The social consequences of the restructuring are, therefore, equally compressed.

The very scale of structural adjustments is proving to be extremely wide. It is embracing not only some segments of

the economy, but also its very core. This is not a matter of productivity, profit etc. of individual industry, but of fundamental changes in the very system of Indian economy. Correspondingly, not only the peripheral ranks of wage workers and intermediary groups are affected but also the very core of the working class.

Structural adjustment in the form of exit policy has mainly three effects. The first of these is the employment crisis. Its most serious form consists of a progressive drop in the number of people participating in the productive process.

The adjustment and its exit policy, which presupposes substantial cut in labour, must not be accomplished until the question of the labour force thus released is resolved. This in turn presupposes a special system for the redistribution of labour. This system may vary: institutionalised or informal, directive or indicative. Under any circumstances, however, it must ensure a high correlation between the release of labour force and the possibilities for job placement; wages be maintained, depending on the employment situation in the branch or in the industry as a whole; the retraining of labour force in accordance with the requirements of the new technologies; and so on. This is what the working people, their trade unions and political organisations should demand and follow up with concrete details.

There can be two groups of programmes that can ensure a readjusting or exit without being detrimental to employment. One of these is designed to solve primarily current problems, while the other stipulates transformations of greater depth. The first group of programmes can ensure a distribution of the existing volume of labour from the working peoples' point of view. Specifically, the current volume of employment should be maintained by shortening the working week, eliminating overtime without wage cuts, instituting longer paid holidays, raising the minimum working age by extending general and vocational education, lowering the pensionable age, and so on.

It should also be suggested that the first group of alternative programmes must be supplemented by a second one, envisaging the creation of new spheres of application of labour—primarily in the social sphere (education, culture,



rural development, environmental protection etc.) The fulfillment of these programmes requires greater intervention in the deep-running mechanisms of Indian society.

The realisation of the above-mentioned programmes entails a qualitative expansion of the public employment sector, with all its consequences. One precondition for this is that considerable funds be accumulated in the hands of state bodies and investment be decisively reoriented on the socially necessary labour intensive spheres of activity, as well as on the retraining of workers for employment in these spheres. But this can only be achieved, of course, in the course of an acute conflict - mainly on the political plane.

The second social consequence arises from the shifts it engenders in the structure of socially necessary labour and, consequently, in the labour force. A structural adjustment always presupposes the elimination of the old elements of the object to be transformed and the creation of new ones. Moreover, the more profound the readjustment, the greater the proportion of elements to be replaced.

The third type of consequence applies to the sphere of social security. In most of the cases, ruling circles try to find a way out of the financial crisis of the social funds by raising contributions. The proposed National Renewal fund is a case in point. This however, cannot produce any marked results. Employers, as a rule, resist any attempt to commit their contributions to the funds. IN the final count therefore, it comes down to a step by step deterioration in the

provisions for social assistance: the range of recipients of aid narrows, the funds are cut, etc. The National Renewal Fund is bound to be dismantled, unless regular measures are taken to provide finances for it. There can be different measures, but they can be effective only if they are based on the principle of tying the size of contributions into the funds to the benefits received by the government or the capitalists from the exit policy. In other words, restructuring on the basis of 'exit' must be transformed from a factor engendering a reduction of the social funds into a source for supplementing them.

The advocates of exit policy accuse trade unions of working against economic development and, consequently, against society. The true meaning of these accusations becomes obvious, however, if one asks some questions. If the exit policy is economically advisable, why should it bring benefits only to the owners and to the employees? Is a large mass of unused labour power profitable for society? Is society in a position to shoulder the burden of the maintenance of a large part of displaced workers, deprived of the opportunity to work? Would it not be more sensible to calculate the overall losses inflicted on the economy by the social disturbances engendered by mass laying off of millions of people? Answers to these questions are simple. The loss to society is inflicted not by those who try to achieve social and economic justice in the implementation of structural adjustment, but by those who, ignoring the effects, undermine the social foundations.

CONSULTATION, COMPROMISE AND CONSENSUS

Vinod Moonesinghe

On the fourth of June the clouds burst over the Colombo district. By dawn, the Colombo megapolis was inundated. 'The Water This Time' (to paraphrase that great newspaper columnist, Anuruddha Thilakasiri) thrust the issue of the environment under the collective nose of the elite, in the shape of floating debris and faecal matter.

For several weeks, the headlines of the national press displaced President Premadasa and Prabhakaran from the front pages in favour of Dr Obeysekera of the SLLRDC (better known by suburban residents as the 'Low Lying Corporation').

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What was never mentioned was the question of compensation for damage. Several thousands of people found their houses collapsing foundations subsiding, walls cracking due to the flood. These are poor people, their earnings lying in the Janasaviya bracket. The *Grama Sevakas* were apathetic about following up their claims for compensation. with good cause, as it turned out: the Government has still not paid compensation for last year's flood.

More matters are swept under the carpet as for instance, damage to the ecology caused by the uncontrolled filling up of marsh land. Where are the water retention areas? The residents of Marandan Kurunduwatte and Koswatte in Nawala, have been agitating for years to stop the filling up of the marsh between their 'wattes'. Opposite



Bandaranaikepura, a large stretch of marshlands, part of the traditional retention area, was filled up: one of the residents included a Cabinet Minister.

Then there is the question of drainage schemes such as the pumping out of flood water from the Wellawatte canal into the sea- thought of but not implemented.

The environmental issue is a touchy one. I suppose a great many individuals sin against ecology. We use non-biodegradable products, we burn all- and- sundry in bonfires, we are very anti-social in the disposal of our wastes. All these can at least be blamed on a lack of public education. But how can a Government plead guilty on the same grounds? The Sri Lanka Government has had a Central Environmental Authority for over a decade, it has had advisors and consultants on all manner of things. Can it honestly beg indulgence on the grounds of ignorance?

There is the long-standing controversy over the coal-fired thermal power plant, for example. The debate on this has centred on the ecological, rather than economical aspects: a proposal for a 900 megawatt (MW) plant at Trincomalee was shelved due to ecologist pressure. The proposal re-surfaced as a scaled down project for the Southern coast; but this too was submerged by environmentalist pressure. Finally, Power and Energy Minister Chandra Bandara told the people at the *Gam Udawa* festivities that the state had decided on a CFTPP in Trincomalee after all.

This time, the proposal seems to have received far less opposition than before. If we examine the total energy plan for the year 2000 in detail, however, we find a number of contradictions. The plan calls for a total of 800 MW in additional capacity in eight years.

This plan, we are told by the Minister, was formed after evaluating alternatives. However, the prime argument put forward for a CFTPP (which holds for all thermal power plant) was that Sri Lanka does not have the necessary hydro-electric potential for its energy needs by the year 2000. Yet, a full 25% of the additional power is to be supplied by hydro-electricity, while the total remaining hydrel potential is far in excess of the 800 MW addition that is contemplated.

What are the alternatives that have been considered? The Minister has not informed the public, except by mentioning solar power (in this case photo-voltaic cells). How is the public to know whether or not a correct evaluation has been made? The alternatives discussed in the press (we must rely on the press because there has been no revelation from the State), have only included the traditional fossil-fuelled

thermal power, large hydro-power, OTEC and solar-electric power options. However, we have a far larger range of options, such as Kinetic power (Hydro electric power, wind and wave power), substitution and conservation. There is mini-hydro power, for example, which is ignored by the Government (although several examples have been put forward in the state-owned press, regarding the inventive capabilities of Janasaviya-type inventors.)

The options for substitution and conservation are almost totally ignored. For example, there is refrigeration and air-conditioning, which must account for a significant proportion of commercial and industrial energy consumption (once again, there is a dearth of figures). A few years ago, it was reported that several ice-making plants had gone out of production due to the high cost of electricity (this was the time when the fisheries industry discovered the preservative qualities of formalin, a cheap alternative to ice). Yet our own professor Chinnappah pointed out the solution almost three decades ago: solar- absorption refrigeration (It is truly said that a prophet is not without honour, save in his own country- when last I heard, he was in that exile that Sri Lanka reserves for its most brilliant

innovators). Chinnappah's system would not only have lowered the cost of ice; in rural areas it could have provided the cool rooms needed for agricultural produce.

As far as conservation of energy is concerned, a prime example of the possibilities is in lighting. A fluorescent bulb (available at Rs.350), can lower one's electricity bills considerably. If locally made such a

bulb would be cheaper and save 2/3 the energy consumed in lighting. But no publicity is given to this option nor has a study been made of the effects of such a simple method of conservation.

Unless the State reveals its base for evaluation, therefore, the public cannot be sure whether or not the entire spectrum of possibilities has been examined. It is vital that the Ministry of Power and Energy reveal to the public the report on which its decision was based.

Another example is the Kandalama hotel proposal. Until the local Buddhist monk raised the question, very few members of the public were aware of the project at all. Whether opposition to the hotel is justified or not, the opponents of the project should be congratulated for raising the question. In his letter to the *Mahanayakes*, Prime Minister Wijetunge annexes the environmental report (this being the first time anyone has seen it). He reviles the opponents of the project as guest-house owners who give rooms out for immoral purposes etc.

... Consultation, Compromise and Consensus were to be the order of the day. The question is, consultation, compromise and consensus with whom? Without freedom of information and expression, the '3 Cs' are meaningless.



The very vehemence of the Government's riposte on the Kandalama issue brings into question its motives. This is definitely counter-productive. An example from overseas should be sufficient to establish this: when there was a pressure-group in England demanding the stoppage of a Motorway project, the Government instituted a Committee of Inquiry. Yet, in the case of Kandalama, the State openly refuses to appoint a Committee of Inquiry. Why?

This is not to argue against the Kandalama project. However, the issue has been raised within the community of the neighbourhood. It is therefore incumbent on the state to establish the bona fides of the project.

The unfortunate parallel to Kandalama is the Iranawila Hotel Project. The state did not institute a Committee of Inquiry into the effects of this project when the Catholic Church and the residents of the area opposed it (with good reason). It was incumbent on the state to inquire into the dispute. It did not do so. Instead, the Government took a unilateral decision to suspend the project. In the same way, it appears that the Government is taking a unilateral decision to proceed with Kandalama.

The point I wish to make here is that the Government is avoiding public discussion of issues concerning the public domain, such as environmental questions. What should be the bone of contention regarding Kandalama is not so much the issue itself, but the controversy surrounding it: why is the Government so secretive, so defensive? why can't it take its opponents at their face value? Why is it necessary to bring accusations of immorality and criminality against the opponents of projects?

Kandalama is important to the local residents, in that it has a direct effect on them: they have not been informed of the quantitative effect the hotel project will have on water supply and pollution. Similarly, the public has not been informed as to what effect the coal-fired thermal power plant will have or what kind of plant it will be. No definite quantitative data as to what exactly the emissions will be, what scenarios have been considered for emissions during the North-East Monsoon, how this will effect the paddy and tea crops etc has been presented.

Let us go back to the recent flood. The SLLRDC told us that a project is in hand to drain the Greater Colombo area. Hitherto, no local authority has been informed of how the drainage scheme is to operate. The residents of 2nd lane, Koswatte, suddenly found a dredger digging into their boundaries. After much fuss, it was found that the drainage master plan involved destroying several of their houses, leaving the adjacent marsh intact. The Local authority, let alone the residents, was totally ignorant of the master plan. In short, the SLLRDC was instituting a project, the ramifications of which the public was totally unaware.

When President R. Premadasa came to power, he declared that the '3 Cs', Consultation, Compromise and Consensus were to be the order of the day. The question is, consultation compromise and consensus with *whom*? Without freedom of information and expression, the '3 Cs' are meaningless.

What are in fact required are the '4 Ds': Democracy, Discussion, Debate, and Decision. Or even ABCDEF: Analysis, Briefing, Consultation, Debate, Evaluation and Final decision. The point is not the alphabetical combinations that can be achieved but the degree to which the public is made aware of the issue and the public's ability to effect the outcome. From this point of view, the efficacy of the Swiss system of initiatives and referenda is instructive. Recently, there was a referendum in Switzerland as to whether or not the Armed forces were required. A further referendum is coming up to decide whether or not Switzerland requires new fighter aircraft.

For such a system to succeed, of course, it is requisite that the public be fully informed of the situation. In any issues, there will be figures open to debate. We simply do not know, for example, what effect a coal-fired thermal power plant will have on Sri Lanka. The facts should be presented to the people on such issues, on the lines of 'it is possible that we may lose our entire tea crop, or, on the other hand, that we may not.' Let the people decide. What is important is that the people should be made fully aware of all the facts and possibilities and that *they* should make the decisions.

In the next issue of *Pravada*

- Freedom of Expression in the Media
- Freedom of Expression and the Arts
- Hate Speech and Dilemmas of Press Freedom
- Indo-Lanka Accord in Retrospect

The second Annual meeting of the Mothers' Front was held at the New Town Hall in Colombo on 23 June, 1992. We reproduce below, the speech delivered by Dr Manorani Saravanamuttu on the occasion.

RIGHTEOUS ANGER

It is now over one year since we women met with you in this same hall.

I wonder whether any of you in this hall today have thought of, or even imagined, what it must be like to have a son or a husband or a brother or a daughter snatched away from you and not to know their fate. That is why I still say that I was one of the luckiest mothers - because I got my son's body back to mourn over. I could not even begin to imagine what it would have been like not to have ever known.

Many of these women here before you today do not know - and they have the "inalienable right" to know. The righteous anger and sorrow that stems from that right makes it impossible for them to forget. It is this righteous anger that binds them and weaves them into this political outcry. What I would like to say to them and to all of you here today is that this righteous outcry of anger and sorrow must in my opinion, also be translated and channelled into a social outcry. I strongly feel that the "Mothers' Front" and other similar organisations which have arisen out of the holocausts of the past few years, due to whichever agent of organisation, should and must demand not only justice for the extra-judicial arrests and/or killings of their loved ones, but most important of all must forge themselves into a cohesive movement with this end in view - a change in the social framework of this country. They must be aware not only of themselves but of the women of future generations. We women must therefore bind ourselves together in a movement that works towards and strives for social change.

To change the social framework of our land so that there will not and never will be another holocaust, as has occurred in certain parts of our country in the recent past and which still goes on in other parts of the country.

In all wars, in all man-made violent situations, the ultimate victims of the violence are the women - and through them the truly innocent victims, the children.

For this reason I say again, the "Mothers Front" together with women of other organisations should strive to make sure that the women and children of the future throughout the land do not suffer as we have done and are doing today.

But let no one forget - we demand our rights - the rights of every human being in this world - justice for the injustices that have been done to us outside the framework of the laws of this land and outside even God's laws. For these violations of our basic rights as human beings, let alone citizens of this land and of the world - we cry for justice. Then we will be free to strive and work for a better land, a better society in which to bring forth children and nurture them as is the right of all women in this world.

Pravada thanks Vivimarie VanDerPoorten for her help in bringing out this issue.