

SRI LANKA'S ETHNIC PROBLEM

PROCEEDINGS OF THE BISHOP LEO
MEMORIAL DIALOGUES ORGANISED
BY THE CENTRE FOR SOCIETY
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Editorial Board

Tissa Balasuriya O. M. I.

Ms. Bernadeen Silva

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with a

Note by Tissa Balasuriya o. m. i.

V. N. Wijayawardana

SRI LANKA'S

28/4/88

ETHNIC

PROBLEM

This issue is dedicated to the memory of the late Bishop Leo Nanayakkara, Bishop of Badulla and Co-founder of the 'Centre for Society and Religion', whose untiring efforts for Peace with Justice is not forgotten.

Born: 26th November 1917

Died: 28th May 1982

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A note by Tissa Balasuriya, o.m.i.

NEED OF A PEOPLE'S MOVEMENT FOR
PEACE WITH JUSTICE

In 1985 Sri Lanka is dangerously close to a Civil War - which is one of the most destructive forms of war. Conflict then comes into the lives of every person and every home.

War or military action is neither an adequate nor a desirable solution to our ethnic problems. Even if one side wins and succeeds in crushing or repulsing the other by the use of superior force, there will remain the roots of a permanent alienation and conflict of our two main ethnic groups; the Sinhala and the Tamil people.

Both in the short term and in the long term military operations will involve the country in much expenditure on armaments and on soldiers. This will be a source of continuing destruction of our infrastructure of houses, roads etc; a neglect of our development work, of food production - and above all of the destruction of human life.

Physically, psychologically and morally we will all be badly affected. Our peace of mind, sense of security and of being cared for and wanted will be replaced by war-like attitudes, constant insecurity and a cheapening of human life itself. Killing people, even innocent non-combatants, will be taken for granted. We will get habituated to violence. Robbery, arson, loot and rape are becoming or will become a way of life specially in the affected areas. Hatred and prejudices will get more ingrained in the minds and hearts of our people. The historical memory of our peoples will be marked by these con-

flicts. The children will grow up in society with a deep seated prejudice against the other ethnic group.

Our democratic way of life is gravely threatened and will be eroded if the present war-like policies and programmes continue. While their armed forces will be regarded as heroes by both sides, they will also set the tone to life in society. This will tend to give honour to violence of all forms. There is also the likelihood that democratic forms of Government will be replaced by military rule, not only in the areas of conflict but in the whole country.

It is important that we realize that it is not possible to wipe out the Tamil resistance in the same way that the 1971 insurrection was dealt with. In the present instance it is a whole people who are alienated. The soldiers of the State are unable to communicate with the local population due to the difference in language. The Sri Lanka army is unfortunately very much a Sinhala army. Tamils are not in the army in any significant numbers or positions. The closeness of India, the sympathy of many Tamil Nadu people to the Tamil militants, the forest areas to which militants can retreat, the highly skilled military training and determination of the youth militants all make an easy or early suppression by force of Tamil youth militancy unlikely.

The experience of the past five years should convince the Government and people of the South that "terrorism" as it is called cannot be wiped out by military might. Each escalation of violence by the State has led to an intensification of the activities of the militants. In 1979 the President gave an order that "terrorism" be exterminated in six months - but the end of the period saw an extension of the conflict. The "Prevention of Terrorism Act" of 1978 has not succeeded in reducing the activities of the militants though it has led to the ar-

rest and detention of thousands. The killing of several hundred Tamil civilians by the security forces has been given some type of legal coverage or excuse by this Act. The Army Commander in the North has stated clearly that the military can perform only a holding operation. The solution to the problem has to be at a political level. He has even gone so far as to state in an interview with a Reuter reporter that the defences of the army coincide more or less with the fences of their bases. Many recent events like the Chavakachcheri Police Station disaster and the kidnappings indicate some weaknesses of the defence forces. It is difficult for them to go into the by-ways and lanes of towns, the villages and the forests. They have to be constantly on the alert against an attack from enemies they cannot encounter or even detect. Hence they are under continual tension and this is part of the explanation of their being unable to control themselves when a bomb attack kills some of their number.

This indiscipline among the armed forces that has led to many deaths of innocent combattants profoundly alienates the ordinary people of the North and East. It dehumanizes the armed forces themselves, and gives the majority community and the State a bad public image. No solution has yet been found against this problem of violence and counter-violence.

The Tamil militant youth were for a long time careful to select security forces or State institutions as their target. But in recent times they too have begun to attack innocent civilians, and that in areas considered more or less the ethnic borders. The "lamp post" shootings by which they get rid of even Tamil persons considered inimical to them have also led to a certain diffidence concerning them among the Tamil people themselves. Such process of summary trial and capital punishment scares ordinary people as to what the future might be in case the militants win. Such activities dehumanize the Tamil militants who often profess the goal of a struggle for liberation from injustice.

The political leaders of the country have failed to agree on a political solution to the ethnic problem. They are so divided among themselves that they are one of the causes of the conflict and of its continuation. There is a feeling among the people that the present generation of political leaders have bequeathed to the country the terrible onus of this cancerous civil war. The political leaders of the Tamils have raised hopes among them of a separate sovereign State of Eelam. They are now themselves frightened of the use of force by their youth militants. The political leaders of the Sinhala people have been engaged in nearly 30 years of power struggle in which the party in opposition has prevented the party in power from resolving the ethnic issue by peaceful negotiation.

Even within the governing political party there are serious divisions concerning policies. These and the internal struggle for power also impede an early solution to this issue. Hence it is difficult to expect these leaders to be able to cope with this major issue unless there is a massive thrust from the people as a whole for peace with justice to all.

The religions are powerful motivating agencies that can inspire all Sri Lankans to peace with justice. But they have failed so far to bring about such a solution as the religious people themselves are influenced by the ethnic divisions. The prejudices of race are so deep rooted and roused by present realities that they are more effective in dividing the peoples than the religions may be in uniting them. The religions themselves are so affected by the conflict that some religious leaders consider themselves the guardians of the rights of one ethnic group against the inroads by another. This has become particularly articulate in recent times when some Sinhala religious leaders have felt that they have, at all costs to join in the struggle to safeguard the

country. There are other religious leaders among the Tamil people who feel they must so identify with the Tamil cause that they should support the activities of the youth militants.

The present position is that the religious leaders as such are hardly seen as a body that can bring about a peaceful solution to the present conflict. Sometimes some of them tend to be a force of disunity and conflict rather than agents for the peaceful resolution of the issues. This is a sad situation because the religious leaders have much more credibility among the people as a whole than political leaders.

The Mass Media of the press, radio and television too are far too one sided to be able to influence the people to peace. The Tamil sources of information organized by the militants also lack the objectivity that is required for fostering good understanding among our peoples here and abroad. Unfortunately this conflict has infected the media also.

A peace movement is necessary for Sri Lanka to be saved from the escalating violence and counter violence that are leading to mutual self destruction. Such a peace movement has to transcend differences of ethnicity, religions, languages, political parties, age groups and social classes. The danger of the whole civilized way of life being destroyed is so great that people of good will must get together across all these dividing lines. They must give a priority to peace and a negotiated solution. This must take precedence over military action, as it is only mutual understanding that can bring lasting peace based on justice and fairplay to all.

The argument that military action must precede moves for peace with justice is likely to lead our peoples headlong into civil war. There may be no peace for

several years. Or even if one side wins it may not result in justice or continued peace. Everything can be lost by war-like approaches. On the contrary, nothing is lost by peace which is the fruit of justice and understanding. Our humanity will gain by our ability to resolve problems peacefully. On the other hand violent conflicts will brutalize us all.

It is when the conflict is most acute that we must push for peace with justice, because it is at this stage that action for peace is most required. At the present time there is a danger that a mass hysteria will take over the peoples leading them on to an intense mood of violence. This hysteria can be based on a deep rooted fear and suspicion of each other. It can be fanned on each side by groups that see no solution by peaceful approaches. It can lead to people considering no sacrifice too great for preserving the identity, dignity and land base of one's race. One's sacrifice of life will be considered an honour to the family. Jingoism can be spread by all the means of communication and persuasion.

Those who work for peaceful solutions can then be seen as impractical, weak or even as traitors to the cause of one's race. The whole country can be in the grip of this mood of violence that can be a form of highly charged irrationality. Then whole peoples are regarded as enemies and the situation worsens with each act of violence. Blood is said to call for blood, and human beings behave as animals, or worse than animals, in an orgy of mass destruction.

In this sense the situation is fraught with greater danger now in December 1984 than in July 1983. For now the actions and reactions are more calculated and deliberate. There is a tendency to seek an exclusion of a people from one area or even an extermination of an ethnic group considered an enemy of one's race. This

is indeed a very sad situation for the Sri Lankan people to be in. Our proud record of 2500 years of culture and religious values is being challenged by the present manner of inhuman behaviour of so many of us.

Removing Ethnic Prejudices and Fears

The present impasse in the efforts towards a negotiated peaceful solution indicate, beyond the failures of political leaders, the deep seated nature of the fears and prejudices among the masses of the people - both Sinhala and Tamil. There are primal atavistic fears and primordial phobias that inhabit the conscious and subconscious mass psychology of our peoples. These have been bred and nurtured by the popular myths and readings of history. The minority consciousness of each group adds to the influence of mutual fears and suspicions.

The events of the past decade also add very much venom to these feelings. The mutual distrust has grown beyond any thing which has been known in the modern times at least since the arrival of the Europeans in 1505. We have thus reached a tragic point of ethnic relations that Sri Lanka has not seen for over 500 years.

The fears of the Sinhala people are fundamentally that they may be submerged by an onslaught from the North with implicit or explicit support by South Indians. The show of strength, stratagem, technology and determination by the Tamil youth militants has evoked the sub conscious fears among many Sinhala people almost to a paranoid extent. Some think there can be no future for the Sinhala people if the Tamil people are granted any measure of autonomy in their areas. This is a major obstacle to a political solution of the issue. The apparent tolerance shown by Indian authorities, even, of the Central Government to the Sri Lankan Tamil insurgents who are training militants and operating from Southern India has an effect of confirming the worst fears of many Sinhala people.

On the other hand many Tamil people have a gut feeling that the Sinhala leaders and people will never grant them a reasonable measure of self rule, unless they are compelled to do so. Hence they think there is no meaning in negotiating with the Sinhala leaders. The only way is to fight out the issue in military combat - hence they support, again implicitly, or explicitly, the youth militants.

Each escalation of violence and counter violence hardens such extreme positions and increases the numbers of their adherents. We have seen this take place almost visibly during the period June 1983 - December 1984.

An approach towards a solution has to be based on a conviction in the fundamental goodness of human nature among all of us, and an awareness that militarily both sides are in a "no - win" situation that can only harm everybody immeasurably and irretrievably.

In this situation the clear affirmation by many Sinhala, Tamil, Muslim and Burgher people that we "can and desire to live together in harmony and resolve our ethnic problem through dialogue with mutual respect and understanding in the spirit of our cultures and spiritual traditions" is a very valuable contribution towards an easing of this dangerously tense situation. It is essential that those who are for peace with justice must publicly bear witness to their faith in one another, in our culture, civilization and in human nature itself. Such an affirmation is far more significant than may appear at first sight. When people are killing each other it is important that the fighting be stopped, even if there is no agreement on the exact details of a subsequent solution. When the house is on fire, putting out the fire is a priority even if there is no agreement as to how exactly the house is to be reconstructed,

A campaign for peace with justice can at a given moment have peace as a priority, without of course ever neglecting the need of justice which is fundamental to any long term solution. It is essential, at the present time, that a peace movement be built up. Its very existence is an element of sanity and humanity when many others are beating the drums of war on either side, sharpening their knives and even beginning to gather rockets to attack even civilian objectives on a mass scale. Without a peace movement, the madness of civil war will overtake us. Such a movement is all the more essential as Sri Lanka has not been blessed with a national political leadership that expresses itself clearly as national and transcending the loyalties of race, religion and language.

Once there is a sufficient momentum set to and by a peace movement then public opinion can be geared towards a more detailed expression of the desire of all Sri Lankans to assuage the fears and suspicions that they have about one another. We are emphasizing the need of the building up of a people's peace movement because we do not see the likelihood of such a thrust coming from the present political leaders or the youth combatants. In the face of impending overall disaster the people as a whole must shout "Halt"! to the madness of self destruction.

In this the Women's Movement can be a very potent force for peace and rationality. Fortunately their voices are being raised through groups such as the "Mothers' Front" in Jaffna and the "Women for Peace" who announced a mass campaign of signatures for peace. When passions are roused in a war-like manner, the men tend to go forward to battle. They are incited to it. Women are more concerned with the preservation of human life, for they are more concerned with the generation of life. In this they are not only more sensible and human, but also more rational, for fighting is a surrender to irrationality,

however, scientific may be the means of murder used in a conflict.

A peace with justice movement should soon move towards the affirmation by Sinhala and Tamil people of trust in each other and take steps to give each other confidence in each other and remove their mutual fears. The Sinhala majority must convince the Tamil people that they are accepted as equal in dignity as human beings who have lived in this country from time immemorial. They must be assured of a measure of self Government that will ensure for them the means of looking after their affairs without any harm to the unity, integrity and independence of Sri Lanka as a country. On the other hand the Tamil people must give the Sinhala majority the assurance that they regard Sri Lanka as their motherland and do not seek to divide the country into two separate states, do not want to resort to arms for this, and will not use any measure of devolved authority in the North or East as a means of endangering Sri Lanka's sovereignty. They must clearly indicate that their cultural ties with South India do not in any way diminish their loyalty to a united Sri Lanka.

It is people's movements that can generate the expression of such healing perspectives, because the political leaders are too fearful of the peoples extreme positions. When passions are roused these extreme views seem more powerful than they really are or should be. A Peoples movement for peace with justice can administer a healing therapy to a nation going headlong into ethnic conflict due to mutual mistrust.

A People's movement in Sri Lanka can relate to the People's Movement in India and call on the Governments of India and Tamil Nadu to help positively in the peaceful negotiated solution of our problems. They can be requested to desist from helping in anyway the escalation of violence.

In this background we can offer some general reflections on peace with justice:

- Peace is not the mere absence of armed conflict or of violence. Peace requires the acceptance of each other, and of each other's rights as to life and to freedom. For peace to be successful it requires the acceptance of acceptance - that we accept each other and we know that we are accepted by the other. This is the way to overcome suspicion, jealousy and fear. In the absence of such a peace based on mutual acceptance there is distrust, conflict, embitterment, hatred, and the spiral of escalating violence.

- Like injustice, the lack of peace can be at different levels: in the family, village, ethnic groups, races, religions, countries or even whole groups of peoples as in the present division of the world among the super-powers.

- The violation of peace is often due to injustice. Violence erupts due to the conviction or feeling of inability to resolve problems peacefully. When people are convinced that they have fundamental grievances and that there are no structures for resolving them peacefully there is a tendency to resort to violence. This is worse when they feel that the attitudes of mind and heart are also lacking for peaceful solutions. Human beings do not normally opt for violence in large numbers and for a long time. If there is a large scale violence going on for a long time, that is an indication that there is something fundamentally wrong in such a society. Of course, the brainwashing of groups to the extent of making them fight is an important factor specially given the existence of prejudice and the tendency of those who control the media to manipulate such groups.

- For peace to be realized there must be peaceful methods of conflict resolution at the different levels. Violence should be made unnecessary at any level. This is the way in which we can advance as civilized persons and peoples. For these to be effective there should be a consciousness of the real issues that lead to divisions and conflict. Very often the issues are camouflaged behind myths or prejudices. Good analysis is essential for peace making.

- Peace requires reconciliation; and peace-makers need to be reconcilers. This requires going between the contenders, trying to understand each ones' point of view and to explain it to the other side. Fostering understanding is more difficult when the prejudices of a group are rooted in history, literature, myth, even religion and are often propagated by the educational system and the mass media of communication. Reconciliation requires the initiation of dialogue between the combatants and the reaching of agreements that resolve the issues non-violently without humiliating either side.

- Peace is a very difficult mission. In fact, in times of conflict, action for peace is more difficult than even action for justice. Action for justice as such can be in situations of peace, that is where there is no physical violence and war. But peace making during a war opens one to suspicion and accusations of disloyalty to one's group. It also brings the threat of physical harm - as when one has to go into the zones where the war is being fought. In situations of actual physical fighting, peace making involves going into the midst of groups that have temporarily given up rational attitudes and approaches and are bent

on destroying the other side - even unto total annihilation of whole groups of people.

- Efforts at peace making are difficult, dangerous and often times unpopular - at least at the time of conflict. It requires efforts at changes in mentalities of peoples and the structures of society at different levels.
- Peace with justice, implies right relationships to be realized and maintained peacefully. As we often see most violence is systemic violence, i.e. due to the structuration of relationships of violence in a legal form as to seem peaceful.
- Justice is the path to peace. Justice is the guarantee of peace. Where there is long standing injustice to a large number of people there will be no peace - or there is no real peace. The possibility of achieving justice and maintaining it through non-violent methods is the condition for peace. It may also be said that peaceful methods of conflict resolution are the way to justice. Otherwise it could easily be a situation in which might is right and power dominates.
- Peace is a mode of being, justice is the correct relationship. Justice is the goal and peace the means, understood in this way. In this the means and ends are interrelated, and interdependent. Hence our quest for peace with justice is a whole-some one as it is likely to be wholistic.
- Peace to be with justice must be integral and wholistic and must involve all persons and groups. (And eventually be planetary - i.e. be at the global level.) Justice to be peaceful must be through non-violent means. Hence even though a war may

'be considered just, it is not peaceful. Even class war in so far as it is war, is not peace. If we do not desire class war or any war there must be peaceful means of realizing justice - otherwise we are in effect not removing the causes of war and violence.

- Beyond both peace and justice and linking both at a higher level is love, (maitriya). It is love that should make us opt for justice as the goal, and for non-violence as the means. Love does not want to hate or to destroy anyone, but rather to overcome evil by good. In the social relations creative non-violence is an expression of love that while loving the enemy aims at getting rid of injustice. Justice without peace and love would end up in a new form of oppression as has happened with so many revolutions.

Action for Peace with Justice

Goals - To convince people that peace with justice is the way to a solution of our problems.

- To build peoples pressure on leaders and militants that a just peace is possible, desirable and the most effective resolution of our problems.

Means - Set up groups that campaign for peace with justice, or encourage existing groups to opt for it. Neighbourhood groups.

- Link such groups in the country across the barriers of geography, ethnicity, political parties, religions.
- Build such linkage with Sri Lankan groups in other countries - again on a multi ethnic basis.
- Study issues relating to peaceful solutions. Popularize concepts relevant to such solutions eg:

devolution of authority, necessity of guarantees of independence of Sri Lanka. Build peoples understanding concerning just solutions to problems of education, land, employment, economic development.

- Meetings, processions, prayer sessions, signature campaigns.
- Lobbying with opinion formers, political leaders.
- Evolve a spirituality of action for peace with justice based on religious and moral values, including readiness to suffer for peace, face risks, misunderstanding, perseverance despite long drawn out campaigns.
- Encourage a discourse that is peaceful, understanding and non-militant.
- Publicize news and information that does not get publicity in the national mass media.

One of the difficulties of a people's peace movement at present is that it has very few means of public expression of its views. Mass meetings are not feasible when there is such a frenzied atmosphere of distrust and violence - Emergency regulations add to the difficulty of such mass public action. The media seem to carry more readily stories of violence and efforts for defence than stories of action for peace. It is in this situation that the network of Citizens Committees grew up as a spontaneous expression of peoples concern for one another and the good of the country.

The Citizens Committees as Agents of Peace with Justice

The Citizens Committee for National Harmony (CCNH) was set up in Colombo on 10th August 1977 at the height of the communal violence of that time. The CCNH had from its beginnings an option for peace with justice and fair-

play to all. The Jaffna Citizens Committee was formed some time later with similar objectives. The Colombo and Jaffna groups have been related to each other during the past seven years. There were exchanges of visits by the groups to each other.

After July 1983 several Citizens Committees were begun in the Jaffna Peninsula to deal with the problems that people faced in their localities like Valvettithurai.They work in close relationship with the Jaffna Citizens Committee.

Visits from the CCNH to Trincomalee, Baddegama, Batticaloa, and Mannar led to the formation of Citizens Committees in these places during the course of 1984.

From September 1984 there have been monthly meetings of these Citizens Committees held in Colombo. They all felt the need of inter relations and of setting up a secretariat in Colombo to deal with issues relating to the Central Government Agencies. The Minister of National Security was interviewed by the Citizens Committees's separately and also met at the monthly session of 1st November 1984. The Minister agreed to the Citizens Committees having a function of liason between the citizens and the military and civil authorities.

After the meeting of 1st December 1984 the Citizens Committees issued a joint statement concerning the urgency of a political solution to the ethnical issues. This was summarized into four points for which signatures were obtained on a mass scale. Full page Newspaper advertisements were published in the English, Sinhala and Tamil Newspapers on 17.12.84; 19.12.84; 24.12.84 and 01.01.85 giving the names of 2,300 signatories to the resolution "We Urge Peace with Justice". The Citizens Committees are thus committed to work for peace with justice.

The formation of Citizens Committees in different areas with the participation of leading persons belonging to different ethnic, religious groups is one way in which people can unite transcending all divisions of political parties. The linkage of such Citizens Committees through the monthly meetings and the service of a common secretariat can lead to initiatives by the public in general for fostering peace with justice and other human values.

The Citizens Committees can bring together the religious leaders and lay persons who are concerned with human rights, justice, freedom and peace. They could combine the motivational ability of the religions with the professional skills of the competent laity.

The Citizens Committees can be a channel of communication between the different parts of the country. This is particularly valuable due to the inadequacies and one sidedness of the national mass media.

While the present crisis is the occasion for the formation of Citizens Committees they could serve in the long term as the basis of People's Movement for the realization of a just and free society in Sri Lanka.

December 1984

AN APPEAL

1. We wish to share with all Sri Lankans, here and abroad, our conviction that our peoples can and desire to live together in harmony and to resolve our ethnic problem through dialogue with mutual respect and understanding, in the spirit of our cultures and spiritual traditions.
2. We deeply deplore the escalating cycle of violence and counter violence bringing death to so many sons and daughters of Mother Lanka including hundreds of innocent civilians. We offer our sympathy to all the bereaved families everywhere. We appeal to all concerned to desist from violence, both in word and in action - for violence and military action cannot offer an adequate or a desirable solution to our problem. Hatred cannot be overcome by hatred.
3. We strongly urge the Government and all other political groups to get together immediately and agree on a negotiated solution that ensures peace with justice and fairplay to all.
4. We invite all peoples organizations and political groups to help generate the public consciousness required for a peaceful solution of this problem that threatens to destroy our civilized way of life and the future of our children.

The above appeal launched by the Colombo based Citizens Committee for National Harmony and the Citizens Committees of Jaffna, Trincomalee, Batticaloa, Mannar and Baddegama in conjunction with several other groups received over 2500 signatures from all communities and areas of the country by 25th of December 1984.

This campaign is being continued.

FEASIBLE SOLUTION OF ETHNIC PROBLEMS

IN SRI LANKA

A. AZIZ

(President - Democratic Workers Congress)

THE BACKGROUND UP TO 1977

There are in the main four ethnic groups in our country. The Sinhala, the Ceylon Tamils, Muslims (of whom 95% are Ceylon Moors) and Indian Tamils. All these four groups have their own aspirations, culture and language dialect and are similar at the level of economic, educational, political and social development. Even prior to independence from the British yoke, each group had its own claims and demands for their own development and fulfilment of their aspirations. From the time of the Donoughmore Constitution and thereafter while the Muslims agitated for adequate representation in the legislature of the country, they generally went along with the Sinhala community and accepted whatever representation they could get through the major political parties, and in the main did not get into confrontation with the majority community. The Ceylon Tamils, because of the contiguity of their territory, agitated for not only representation but also for adequate sharing of power and protection of their lands in what they called their traditional homeland (Northern and Eastern Provinces). The Indian Tamils had a different kind of problem, they were at the earlier stages struggling for recognition as citizens of the country and being by far and large a working class group were agitating for adequate wages and proper and human working conditions. Thus for the struggle for sharing of power by the minorities, the Ceylon Tamils came to play a leading role and thus the Sinhala Tamil confrontation began. On the eve of independence, the Ceylon Tamils asked for

what came to be known as 50 - 50 formula put forward by the All Ceylon Tamil Congress. By 50 - 50 it was meant that 50% of seats in the legislature should go to the majority community and 50% to all the three main minority communities. Mr. G.G. Ponnambalam as the President of the All Ceylon Tamil Congress was able to get minorities together on this demand. However, this minority front broke down because of lack of agreement on the question of distribution of 50% of the seats between the three minority groups of the country, viz. The Ceylon Tamils, the Muslims and the Indian Tamils.

The formula of "smaller the minority, greater the weightage" did not find favour with certain sections of the minority front and as a result, the minority front broke down. The provision in the Soulbury Report of 1944 for constituency representation on the basis of population and weightage for area was not accepted by the All Ceylon Tamil Congress which then was a representative organization of the Ceylon Tamils. In any case, the Soulbury Constitution was adopted by the Parliament of 1947 and on the 4th of February, 1948, Ceylon became an independent country.

Almost immediately after Independence, the United National Party Government introduced the Ceylon Citizenship Act. By this piece of legislation almost the entirety of the Indian population was decitizenized. By a subsequent amendment to the provision of franchise, the right of vote was restricted only to the citizens of Ceylon. Thus the Indian population was almost completely disfranchised. The last time the Indian worker exercised the right of vote was in the By-Election for Maskeliya in which I was returned to the Parliament. The Tamil Congress under the leadership of Mr. G.G. Ponnambalam voted against the Ceylon Citizenship Act. Thereafter came the Indian and Pakistani Residents Citizenship Act in 1949. By this time Mr. G.G. Ponnambalam had joined Mr. D.S. Senanayake's

Cabinet and as a result there came to be two Tamil Ministers in that Cabinet, viz. Mr. C. Sunderalingam who had joined the Cabinet almost at the inception of the formation of the Government and Mr. G.G. Ponnambalam. On the question of India and Pakistani Citizenship Act there was a division of opinion amongst the Ceylon Tamils; while Mr. Ponnambalam voted for the Indian and Pakistani Residents Citizenship Act, Mr. Sunderalingam left the Cabinet and voted against the BILL. There was also a split in the All Ceylon Tamil Congress and Mr. Chelvanayagam and few others left the Tamil Congress and formed the Federal Party. Thus for the first time there came to be formed a political group called The Federal Party along with a demand for a Federal Constitution for the country. After the death of Mr. D.S. Senanayake, there was a general election in 1952. As a result of disfranchisement of the Indian workers, in the second Parliament of the Soulbury Constitution, the Indian Tamils completely lost their representation. While in the first Parliament there were seven representatives of the Indian Community, in the second Parliament there was none. The Federal Party continued its agitation for a federal constitution for the country. In the year 1956 Mr. Chelvanayagam's group entered the Parliament with the largest number of Tamil seats under the flag of the Federal Party. During the period of this Parliament came the Sinhala Only Act by which Sinhala was made the official language of the country. This further accelerated the dispute between Sinhala and the Tamils. Mr. Bandaranaike as the Prime Minister of the country in that Parliament negotiated with the Federal Party and an Agreement was hammered out, this came to be known as the "Bandaranaike-Chelvanayagam Pact". According to this Pact, broadly speaking, Sinhala was accepted as the official language of the country and Tamil was to be given the status of the language of administration in the Northern and the Eastern Provinces. In this Pact there was also a provision for creation of regional councils with the powers to deal with land settlement. As we know, under the pressure from

the United National Party and a section of the Buddhist Clergy, Mr. Bandaranaike abrogated this Pact. As a result of this, confrontation between the two communities continued. During the period of 1960-64, Mrs. Bandaranaike was the Prime Minister of the country.

In October, 1964, she entered into a Pact with India which came to be known as "Srima-Shastri Pact". By this Pact India was to take back 525,000 persons and Ceylon was to grant citizenship for 300,000 persons of Indian Origin. The fate of the balance 150,000 persons of Indian Origin was left to be discussed at a later date. This was done sometime in 1973 between Mrs. Gandhi and Mrs. Bandaranaike. By this Pact 75,000 persons were to be given Sri Lanka Citizenship and the balance 75,000 were to be accepted by India. The Agreement was to be completed within 15 years. Originally the Agreement was to be completely implemented by 31st of October, 1979. This period was further extended to October, 1981.

In the year 1965, the Ceylon Tamil problem again took a new shape and there was the Dudley Senanayake-Chelvanayagam Pact, whereby District Councils were to be created in an attempt to solve the problem of power sharing in the country. Mr. Dudley Senanayake brought a District Council Bill but it never got through the Parliament and dissatisfaction and frustration continued among the Ceylon Tamil population. The matters came to a head in 1972 when Mrs. Bandaranaike's Government brought in the Republican Constitution. Over the question of language of administration in the Northern and Eastern Provinces and the language of the courts, the Federal Party walked out of the constituent assembly and disassociated itself from the 1972 constitution.

1977 ONWARDS

Finally, the Ceylon Tamils formed themselves into a Tamil United Liberation Front and in 1976 demanded a

Separate State. This further enhanced the confrontation between the two communities and resulted in a great loss of lives and property primarily among the Ceylon Tamils. During this entire period of confrontation, there has been concentration of armed forces in the Northern province resulting in clashes between the armed forces and the people. Mr. J.R. Jayawardene's Government entered into negotiations with the TULF and a kind of formula on the basis of the District Development Councils emerged. This arrangement also did not stand the test of time and the whole process or reconciliation broke down. The holocaust of July 1983 further pushed the Tamils into a sense of insecurity and strengthened their desire to have security through a set up in which they would manage the destinies of their own people. Through out this period while the Government was willing to consider decentralisation of administration, the Tamils wanted genuine devolution of power. It is in this background that the All Party Conference came to be summoned by His Excellency the President.

The original invitation was to all the registered political parties except the TULF, the JVP and the NSSP. At the preliminary meeting which was summoned, I believe, somewhere in November, 1983, All the Registered Political Parties asked the President to invite the TULF and some parties asked to invite also the JVP and the NSSP. Thereafter there was representation on behalf of the Buddhist Clergy and Muslim Organizations for representation at the All Party Conference. Finally, the President invited the TULF and Buddhist and Christian Clergies, representatives from Sinhala, Hindu and Muslim Organizations. The original invitation had two annextures "A" & "B". There was doubt whether the TULF would participate. Mr. G. Parthasarathy the representative of Mrs. Indira Gandhi came to Ceylon and negotiated between His Excellency the President and the TULF and as a result annexture "C" emerged, which became a part of the invitation to the conference. To save time I do not wish to go into the con-

controversies that arose over the question of annexure "C" and shall proceed to place before you the issues that emerged. In the proposals that the Government put forward, it appeared that they did not wish to go beyond decentralisation of administration through the District Development Councils. The Government has now proposed in addition the creation of a Second Chamber. The Tamil Organisations asked for the creation of a Regional Council on the basis of amalgamation of the Northern and the Eastern Provinces. In this proposal it was also implied that the District of Amparai may be separated from the Eastern Province. The compromise formula that emerged was the creation of provincial councils as the unit for Devolution of Power. The proposal of Regional Council as well as the Provincial Unit was on the basis of Devolution of Power. In my assessment of the All Party Conference, the two main issues were decentralization of administration or devolution of power:- Decentralization revolving around the District Development Councils and Devolution of Power around the Regional Council and the Provincial Unit. There are three main proposals. (1) The District Development Councils, (2) the Provincial Unit and (3) the Regional Council which is demanded by the Tamil Organizations. The United National Party, the Buddhist Clergy, the Buddhist Organizations and the Muslim league supported the District Development Councils. The Tamil Organizations supported the Regional Council by amalgamating the Northern and the Eastern Provinces, the Democratic Workers' Congress, the Council of Muslims and in an implied way the Christian Clergy supported the creation of provincial councils. The Communist Party by implication appeared to support the creation of provincial councils, while the LSSP appeared to be in favour of amalgamation of contiguous districts, which may even go beyond the provincial boundaries.

My understanding is that the LSSP and the CP did not clearly spell out their final position on the unit of devolution. They, however, appear to support devolution

of Power and not mere decentralisation of administration. In the view of the Democratic Workers' Congress, the most feasible solution is devolution of power to provincial units with powers of legislation to the provincial assemblies on agreed subjects. While we feel that the final settlement on the precise nature of powers to be devolved should be by negotiations, the centre should retain defence, foreign policy and foreign relations, currency and banking, communications, railway and air transport, and over all economic developments; the rest of the powers should go to the provincial assemblies. The question of state oriented land settlement should be a provincial subject; the details, however, can be a matter of negotiation at the All Party Conference. While the police may be a provincial subject, the over all internal security should be in the hands of the centre which should have an over all authority of supervision and handling of the internal security in the background of integrity and sovereignty of the nation.

TOWARDS A SOLUTION

We feel that the crux of the problem is devolution of power and not decentralization of administration.

I feel that the District cannot be a viable unit for devolution of power. First of all devolution of power would imply legislative authority, which means creation of legislatures in the units. For a small country like ours it would be far too much of a financial burden to create 25 legislative assemblies with legislative powers. Furthermore, for effective devolution of power the unit should be such that reasonably wide powers would be devolved on them. For economic development the unit should be large enough to be able to organize adequate resources; even in the matter of health, a province would be a viable unit which would have its basic health research coupled with hospitals and equipment to develop proper preventive

health care of the people. In the matter of education, each province can have its own university and formulate its own educational policies for development. In fact every branch of human activity would be better organized with sufficient allocation for development. A district would be far too small a unit to have adequate resources for development. In the proposal of creating provinces, apart from the question of solution of the ethnic problems, there is also a national dimension. In fact, the country has three problems.

One is the solution of all ethnic groups and not only of the problem of the Ceylon Tamils. As much as the Sinhala and Ceylon Tamils have their cultural, language and other problems so also the Muslims and the Indian Tamils have their own aspirations. While these two communities would, through Provincial Legislatures, seek solution of their peculiar problems, they also would be able to play their role adequately in the affairs of their region and the country. These two communities are scattered all over the country. Therefore, through a Provincial Legislative set up, while the country would be solving the ethnic problem of the Ceylon Tamils, the problem of these two minority communities would also be looked into and settled. Therefore, for this a Provincial set up is essential. Through a provincial legislative structure all ethnic groups would be able to play their role, in the affairs of their region as well as of the country.

The second question is that of adequate and closer participation of people in the affairs of their regions. Unitary Parliamentary system does not give an opportunity for an effective participation to people in the affairs of their regions. A provincial legislative system would make peoples' participation possible and would give them a greater role in managing the affairs of their region. This would apply to not only the Sinhala people but also to the minorities that are living in the different provinces of the whole country.

The third equally important aspect of this matter is development. Economic, Cultural, Social, Educational, Health and all other branches of human activities in the region will receive closer attention. When we look at the development set up in the country today, we find that except the Mahaveli Scheme, whatever development there is, is concentrated mostly in the Western province. Provinces like Uva, Sabaragamuwa, North Central, Eastern and Northern provinces are more or less backward without a hope of early solution of their several problems. Provincial legislatures and executives would be compelled to concentrate on their own problems and seek solutions to their needs of development. Thus in the provincial solution are contained the seeds of effective and positive solutions and above all of uniform development in the entire country.

Some people have fears that creation of provinces would lead to divisive tendencies in the country. On the contrary I feel that the principle of "unity in diversity" is a much surer way of keeping the country united and take it on to the path of uniform development. When I am referring to diversity, it is not only communal, racial or religious diversity but also diversity in development and progress.

A word with regard to the demand for amalgamation of the Northern and Eastern provinces. In my view this is not feasible. The Eastern province has a diverse population, - 42% are Tamils, 33% are Muslims and 25% are Sinhala. It is not possible for a Sinhala Government to hand-over 25% Sinhala population to the Northern Province. 33% Muslims would not agree to be amalgamated with the Northern province. Therefore, the most feasible solution is to devolve effective powers to the provinces of the country through legislative assemblies and executives.

Finally, with regard to the fresh proposals of the President for creation of a Second Chamber to solve the ethnic problem, I have not had the time to make an indepth study of this proposal. Furthermore, the Executive Committee of the D.W.C. has not yet examined the pros and cons of the proposed solution. My preliminary reaction, however, is that in the background of the District Development Councils a Second Chamber would not meet the demand for devolution of power to the Regions. A Second Chamber with Provincial legislative set-up would be entirely a different proposition and would meet the requirements of devolution of power. The crux of the ethnic problems is the need for devolution and not mere decentralization. However, whether this formula as offered by the President can be amended or modified and in what way it is to be modified is a matter that needs further and detailed study. The proposal as it is formulated now does not seem to approach the problem in a manner that circumstances in our country demand today.

An excerpt

FROM AN INTERVIEW WITH

A. Amirthalingam (TULF - General Secretary)

"SUNDAY OBSERVER" - 21st August 1983

"Ever since independence we have been agitating for a federal form of government so that we may within the orbit of a federal union manage our affairs. Successive Sinhalese governments came to agreements with us with regard to various forms of regional autonomy and decentralisation but never implemented any of those promises. On top of it, a virtual army of occupation was planted in the Tamil areas and harrassment by this army became so intolerable that in 1976 we took the decision that we had no alternative but to assert our right of self-determination and establish a sovereign state of our own which historically we were entitled to. So the present position of the TULF is: We were returned in the 1977 parliamentary elections on a mandate to work for the establishment of an independent sovereign state and government.

POLITICAL PERCEPTIONS OF THE TAMILS

KARTHIGESU SIVATHAMBY

(Lecturer in History - University of Jaffna)

I venture to speak on this subject at a place like this on the basis, that the role of committed intellectuals and those who are concerned with solving the problem relating to ethnic conflict, is to reveal in full the realities of the situation, however bitter they might be. If we do not familiarise ourselves with the feelings of both the Sinhalese and the Tamils, I think we will not be able to arrive at any lasting solution. I hope I am not misunderstood when I make some other observations on what I think or consider as genuine political perceptions found among the Tamils today.

These perceptions I refer to here, relate mainly to the Tamils of the North and to some extent to those of the East. I wish to reiterate that it is our duty as intellectuals to state the problems as objectively as possible. Nobody in power likes to know of anything distasteful. Having been close to a few of the second or third level leadership during the 1970-75 period, I know that those who are in power are often fed wrong impressions and that they want to know only the "Good News", not the bad ones.

Having said that, I will now raise the question "In the aftermath of the ethnic violences of 1981, 1982 and 1983 and now in the midst of proposals and counter-proposals for solving the problems and amidst the difficulties of conducting their day to day affairs in their own places, what really are the political perceptions of the Tamils?" This involves a study of social and political perceptions of the Tamils and the earlier a good study

is done the better it is for the country as a whole. In times of recess like this, stances turn into attitudes and attitudes into ideas and ideas into ideology - which thus comes to grip the entire thinking of a people.

Political behaviour has a cause and effect relationship with these political perceptions. But in trying to identify political behaviour I am quite aware of the fact that perceptions and behaviour arise out of social being and that as far as I am concerned has a class basis. I am not going into this aspect of the problem - nor has it been possible for us to go deeply into the class aspect of the ethnic problem. It has not been studied in its complexity. There have been attempts to take simplistic views which are more dangerous than not taking any views at all. As we are aware, ethnic consciousness has become a major factor cutting across even class barriers. One could, at the ethnic level, speak of certain behaviour patterns which are expressive of the perceptions people have.

DIFFERENT PERCEPTIONS

By "perception" I mean that level of consciousness which is distinguished on the one hand from sensation (apprehension of isolated sense qualities) and on the other hand from the higher ideational process of conceptualization and reasoning. By "perception" I mean how people try to understand at their level. Before I deal with these perceptions, let us know what the major characteristics or the major aspects are of the socio-political behaviour of the Tamils. By Tamils I refer here to the articulate Tamil groups.

Firstly, there is the exodus of families overseas. This is something interesting because this is done mostly for the sake of the children's education. Given the educational framework of this country and its emphasis on the Swabasha medium, deciding on a non-Sri Lankan education means that they are not interested in getting jobs here.

This means not just sending away children to a place where they are safe, but it also implies that in their opinion a Sri Lankan education will not be helpful to them in the future.

The second point, I would like to mention is that there is a general disinterestedness in what is happening in the South or what is considered the South. Earlier whatever happened concerning the left or progressive organisations or such organisations as the S.L.F.P., considered to be left of the Centre, were matters of important general interest in the North and the East. But now - I wish to emphasise this point - there is a general disinterestedness. Important developments are certainly taking place in the Sinhalese areas concerning anti-governmental forces whose character is undergoing a change. They are quite different from the earlier ones, but at the present time there is a total disregard for these developments in the North and the East - even in the branches of the national parties. If one were to verify this, I think one could check the "letters to the Editor" columns of newspapers. Earlier there were many letters from Tamil persons on matters of general interest. Now you hardly find any letters of that type.

Thirdly, and I think this too is an important point - The political atmosphere in the country has changed to the extent that it is difficult for any Tamil activist except perhaps for a former M.P., to reside within the country. When you have done something for which the police could come to your house and call for you, then for reasons of personal safety it is better that you do not stay at home any more. The only group of persons who can really operate are the former MPs and even among the former MPs too there are many who have left the country.

The above are three factors relating to the political behaviour of the Tamils. I have been referring to dif-

ferences and variations in the political perceptions among the people. I mentioned that there are variations in the political perceptions according to the social class to which they belong. I should refer to the families that are migrating to South India for the education of their children. They say that they are going there for their safety and security. I would categorise these people as those seeking the class benefits which Colombo provided at one stage and are not available in Jaffna. These benefits now are provided to them only in Madras. There is an additional argument that Madras could provide these benefits within a cultural context, unlike for instance England or Australia. So there is a class bias to some of these movements.

The most important is the difference seen in the perceptions of the youth and those of the older generation. This seems almost an unbridgeable gap. By the older generation I mean those of us who are used to living within a United Sri Lanka, working either in the State sector or in the private sector. The perceptions of the younger people are completely different. Tamil youth feel that they do not belong to a United Sri Lanka, whether they were brought up in Jaffna or Colombo or Batticaloa. I would like to emphasize the Colombo part of it - because, some of the present day young extremists are said to be from Colombo, that is those who have undergone the sufferings in July 1983.

What happens at the level of the Tamil peasants? The poor peasant who cannot afford to go to India or England does not matter at all in the political process of the day. He has no role in the political decision-making in the country. There is a complete alienation from the machinery of the state. He is conscious of the fact that he is a Tamil. His citizenship has no relevance to safety. He is driven into the hands of those who feel that enough is not being done in the cause of the Tamils.

Having mentioned this, let us now get on to identify the political perceptions of the more articulate class - the petty bourgeoisie, I think the perceptions of this group are hardening down as the view of the entire Tamil community.

The first perception is that inspite of your Sri Lankan citizenship - by this I mean the Sri Lankan Tamil nationality - you cannot be an equal of the Sinhalese in this country. This feeling is quite widespread and seen among all Tamils. Secondly, there is the perception that you are not part of Sri Lanka. I had some difficulty in trying to get this idea across. It is either that those areas are not yours or you do not belong to all the areas. You are either in the North or in the East, if you want to be safe. Other parts of the island do not consider you as belonging to them. The significance of 1983 I would say, is that it has shown that the Tamil man is no longer free in Colombo. In the great capital city in the metropolis where social mobility is assured and fortunes were made, the Tamil man is no more free. Tamils have been enjoying the benefits accruing from the capital city from the middle of the last century. It was in Colombo that fortunes were made and political influences were built. Leading Sri Lankan Tamil families came to be Colombo based. From Ramanathan to Chelvanayakam that was the case. From Nallatambys to Sellamuttus and from Sellamuttus to Gunaratnams, fortunes were made in Colombo. And suddenly all of that have ceased.

TRADITIONAL HOMELANDS

Prior to 1983 it was being demonstrated at each of the communal disturbances that as a Tamil, you have no dominant place in those areas. But Colombo the capital city was yet safe. July 1983 proved that even in Colombo with almost 50% of its population speaking Tamil, you are no more safe.

I would add further that, 1983 has no major significance. What do I mean by that? It has not touched on the problems as to how the Tamils should live within the North and the East. 1983 has only shown that you cannot live in other areas as an equal. As to how you are going to sort it out in the North and East is a matter to be decided on - perhaps the Round-table Conference is an attempt at that. The impact of 1983 cannot be over-rated from this point of view - it has only shown that you cannot live in certain areas. How are you going to live in your traditional areas is another problem. Because of the fact that you cannot be an equal of the Sinhalese in this country in education and employment - also regarding security there is a new dimension to the concept of traditional homeland. Earlier this idea of a traditional homeland was the slogan of only one party - the Federal Party. Many here would recall that this question of a traditional Tamil homeland and that all Tamils should live in that homeland were not favoured by most of the Tamils. It was laughed at by those Tamils living outside North and East.

But when the sense of insecurity crept in, the idea of the traditional homeland has gained popularity. This idea of the need for the traditional homeland has gained ground not only among people of Jaffna or Batticaloa but also among the plantation workers. This is so because a Tamil is safer in Vavuniya than in Badulla.

This has given added strength to the notion to hold onto the traditional areas because if you are thrown out from there too, where do you go? At this stage I would like to refer to the pan-Tamilian character of the Tamilian political consciousness that is emerging. Pan-Tamilianism implies that Tamils wherever they live should unite. This is the type of idea that is being actively fostered in South India now. At least about 15-20 years ago there was a violent reaction to this pan-Tamilian movement in Sri Lanka. At the cultural level certain as-

pects of Sri Lankan Tamil culture were presented as something different from the socio-religious culture of South India. There was also the claim that Jaffna spoke the better Tamil. That the Saiva traditions were fostered better here. These were all at the level of the classical culture. Then there was a group of young writers in the fifties who argued that Sri Lankan Tamils should evolve a more nationally oriented Tamilian culture and arts and not follow the South Indian pattern in literary creativity. They brought about a new consciousness in Sri Lankan Tamil writing. But with the increase of insecurity for Tamils in Sri Lanka today about seven or eight writers of this movement have also left for India.

Coming on to another aspect, I find that dependence on state employment is yet very great among the Tamils. It is the dependence on state employment and the need for security that one should have within the traditional homelands that have given the Round Table Conference an importance. In other words the Round Table Conference has become important from the point of view of those who have been working in non-Tamil areas and in state employment that is, it is of interest to those people who yet have some interest in the non-Tamil areas.

The concept of traditional homeland has become important, especially after 1983 when Tamils could not live in safety in non-Tamil areas. This has to be so because the Government has given the impression that the only division in the country is the one between the Tamils and Sinhalese; that the majority and minority division within Sri Lanka is based only on ethnicity. It is implied in the political speeches of those in charge of the government that there can be no other concept of majority and minority. The whole idea of citizenship as the basis of one's membership to a polity is being forgotten. It is told by implication that certain groups within this country would always be minorities and that the country in

spiritual and real terms belongs only to one ethnic group. This position cannot be overcome at any time. One is a permanent majority and the other is a permanent minority. No concept of democracy of nationhood would make the minority have equal rights with the majority. This is what is being told and this is what makes the Tamils feel very insecure. Nobody would like to live with an unalterable inability. By emphasizing ethnicity as the only basis of division and by saying that it should be ensured for all times, you are only emphasizing the need on the part of those thus permanently disabled to seek redress in Separation.

ATTITUDE OF THE NORTH

I think I should bring to your notice another aspect - the anti-Sinhala feeling prevailing in the North. I think I may be accused for saying this so openly and some of the Sinhalese may say "look here we have been telling that this is so". But I do refer to the anti-Sinhala feeling as an important political perception among the Tamils today. There is no denying of this feeling. But this is part and parcel of another feeling that things are not going to be easy for all the Sections of Tamils within an all - Tamil party polity. However anti-Sinhala feeling has today emerged as the dominant political feeling. I would like to point out that this anti-Sinhala feeling has been fostered through, the bureaucracy and the security forces. I think we tend to play down the role of the bureaucracy in alienating the Tamils or to put it from the Sinhala point of view - "Keep the Tamils in their places". Dr. Newton Gunasinghe of the University of Colombo has referred to this in one of his papers. He has shown that Sinhala and Tamil chauvinism has penetrated all levels of society.

One important point I wish to stress is that the Army has not acted as just an organ of the state. It has always acted in Jaffna as an organ of Sinhala power. To

put down the Tamils, to put down any Tamil dissent, to "teach" those concerned - these have been their areas of concern. If it had acted just as a state organ as it did in other areas, then possibly the course of development would have been different.

I would also say that this anti-Sinhala feeling among the Tamils is inhibiting political vision of the Tamil Youth and their strategies of political action, because if one were to take the question of self-determination and the struggle for it, now that many parties at the national level have accepted it, the anti-Sinhala phase is going to be very short lived. Any positive action for the betterment of the Tamils has to be taken at a point beyond that. The anti-Sinhala feeling is helping some of the vested interests among the Tamils to hold on to the old forms of political power that of the feudal aristocratic type of power.

By showing the rigours of Sinhala power they are trying to go on without any change within the Tamil society. What I am saying is that there are forces within the Tamils that are trying to make a class use of the current anti-Sinhala feeling of the Tamils. These forces are not for any social transformation within the Tamil society, however slight that may be. There is one other feeling - I think that this is the most important, and I do not want to be misquoted on this - that is, there is a general perception that those whom the Tamils call 'boys' will one day deliver the goods. There is an identification of interests even though - all the people do not agree with all the actions of these groups. It would be very useful if somebody analyses as to how this position has come up.

POLITICAL SOLUTIONS OF THE TAMILS

Lastly, I would like to deal with the question 'what are the political solutions to this dilemma offered

on the Tamil side'. It is only then, we see that these perceptions have not been formulated into any worthwhile concepts. We get only two types of political activities among the Tamils today. One is the open, so to say 'TULF', activity and the other, what the government calls the 'terrorist' and what others prefer to call the underground. This underground movement cannot be an open political force. I think it is suffering due to this. Unless of course it salvages itself and becomes a political force it cannot do much in the long run. Not that it is not a political force now. It is very much so. But you cannot deal with it as with an open political force and get on to communicate with it openly; nor can it openly communicate with others. It is also known that the open political force has today no credibility whatsoever. Nobody believes anything they say, including themselves. Some of them have expressed this openly. So there is a sense of unreality about the whole thing when we say that political negotiations are taking place. I don't know what is there to negotiate and who is negotiating on whose behalf. Mushroom cultural organizations cannot be entrusted with the political destiny of a nation. It is at this stage I think that the role of mature national level organizations will matter in clarifying matters both for the government and also for the Tamils. I would like to commend the work that is being done by the Movement for Inter Racial Justice and Equality (MIRJE) Centre for Society and Religion and the Civil Rights Movement of Sri Lanka because these are the truly national forces that have highlighted the problems of the Tamils.

Any serious attempt at any political negotiation should also take into account the position of the youth militants. Whatever language one might use to describe them one should not forget that it is their role that has focussed attention on this problem. They could not have dramatised something which was not there. No mature person could overlook these facts. Polemics is one thing - earnest political solutions are another.

What I wish to emphasise is that what I have described as political perceptions, have a tendency to grow and get hardened as inflexible attitudes and entrenched positions. Anyone who has the truly national well-being at heart should be worried about this change.

And finally, I wish to repeat, that the role of the intellectual today is to identify the political reality and describe it truthfully so that right solutions could be found. This is not going to be a popular task. This calls for true commitment.

PROF. C. SURIYAKUMARAN
SAYS ON
COMMON NATIONHOOD

"This is the time. All other issues that have filled our minds - terrorists training, Tamil Nadu intervening, feeling bullied - will take a backseat. It is not them and their Truth or non-Truth but our own determined priorities that will become our concern and the issue. Given our own determination, there will soon be none for us to fear or worry about. For, in a sense, we created these fears for ourselves through our own past actions, and non-actions. It is for us to correct them ourselves. Otherwise, we may be letting ourselves in the trap of making it all 'too late and too futile', doing what others are leading us into, instead of what we want to, confusing, in both communities, symptoms and causes.

The happiest, of a step that gives to each other, what are due to each other, will be the people themselves. The vast numbers of them are tied in common bonds, of sweat, toil and hopes of a better life. From the rest, our 'educated elite', the people have a right to hope for the right leadership, through right thinking on the country's future and on the vast potentials that still exist in exchange of protracted confrontation for immediate solution."

Source: "The Island" - Saturday 5th May 1984

AN UNDERSTANDING OF THE BUDDHIST PERSPECTIVE

VEN. DR. HEVANPOLA RATANASARA

(President - Citizens Committee for National Harmony)

When the British took over this country under the Kandyan Convention of 1815, one of the major clauses of that Convention was that Buddhism and places of Buddhist worship were to be protected, and maintained. This was a written agreement in that Constitution. Even before this - in the areas where the Sinhalese people lived - it was not possible to separate these two things - Buddhism and Sinhala people. They were always together.

In a later period when the Courts were established to administer justice there were some villagers - as there are even now - who did not rely on the administration of justice by the courts, but would say 'Lets go to the temple and swear by the Jathaka Potha'. That means the people accepted the Law of Religion as being more powerful and binding than the normal law. This is an indication that religion has a great relationship to the Sinhala people. They do not like to think anything against that system or practice - that of Buddhism. Thus this is an important issue in this country.

This demand for a due place to the Buddhist religion was given heed to in formulating the first Constitution by the British, and when power was transferred back after independence this demand was adhered to, and the present Government must also give the due place or the place of priority to the Buddhist religion. At the same time the other religions were also adequately protected under the same article of the Constitution.

Another question raised concerning the All Party Conference (APC) was that the Buddhist monks had objected to any kind of devolution of power other than through the District Development Council (DDC). I would like to tell you that this is not the opinion of all the public. This is not the Buddhist opinion as such. But the opinion of a small group who call themselves the "Uttariitara Sangha Sabhawa", - the Supreme Council of Monks - this is not a body formally instituted - but a kind of ad hoc committee that gives interviews. There are of course many other views but they have not received enough publicity. There are restrictions placed on the press, which do not publish so many other views in the country. And only this kind of opinion is given publicity. But the Buddhist opinion speaks in quite a different way. They say that these people - the Government - they do not care much for the Buddhist opinion. This is their charge. Whenever the government is in trouble they say that the 'Maha Sangha' must come forward and so on but they do not listen to whatever Sangha says. They make use of this cry for their own safety.

Let me tell you the real nature of the Maha Sangha - what they should be. The Sangha is generally motivated by this view of compassion - karuna. They are very kind people. Loving kindness is a thought that prevails in the mind of a monk. You will see what the life of monk is if you visit a rural area. He has no peace - not that he is quarrelling. He will have to attend to a hundred and one things that are the needs of the people. Anyone falling sick - may be a woman, man or child. He has to come forward and help in such circumstances. They know and understand the misery of the people. It is not only for the Buddhist people they show this kind of consideration but to all people with whom they live. So the fear of the Sangha I feel is to a great extent not justified. Such an idea is not correct.

But there is also one thing I wish to mention. There are many young monks. They all are not duly ordained monks in that some have not received their higher ordination. There are some young elements among these monks who have affiliations with extremist groups. For instance there were many young bhikkhus who were followers of the Janatha Vimukthi Peramuna (JVP).

Generally Buddhist monks are ready to understand the difficulties and problems of other people. They are not afraid to speak out the truth. Though a small group of monks has spoken out against devolution, I say that it is not the opinion of the Maha Sangha. I say openly that devolution is something that should be welcomed. Present deadlock cannot be solved without granting some form of devolution.

The idea of devolution has been given much publicity by our "Citizens Committee for National Harmony", and I was able to get a group of young educated monks to support this and work further in developing this idea. It is true, it is difficult to find many monks who have the vitality and motivation to do this kind of work. However monks as such are not a group with hardened views.

An idea was expressed that the Sinhala and Tamil community would find it difficult to live together. We have never experienced such a situation ever in our history. This is an accident that we are witnessing today - an accident caused by politicians. It is not the fault of the people but the politicians. If you visit a Buddhist temple and look at the shrine rooms you will see that there is a place for the Hindu Gods like Vishnu, Kataragama and other lesser gods as well. This shows how tolerance is being practised by the Buddhists. Whatever the reason the Hindu gods are not insulted or removed and they are given a place in the Buddhist temples. By necessity Hindu gods need not have been tolerated in Buddhist

temples. Though Lord Buddha himself may have been born as a Hindu, he deviated from the usual path prevalent at the time and founded a new religious way. However, since there are people who have belief in the Hindu gods they have been given a place in the temples. Similarly, Sinhalese people go to Kataragama, worship and mix with the Tamil people. On the social level there is no difference between these two communities.

This is all a game of the politicians. They engage in this game to get votes. The politicians of both the Sinhala and Tamil people are to be blamed. The Tamil people for sometime have been expressing their grievances but the understanding shown by the Sinhala people to these problems has not been quite enough. They should have been more understanding of the problems. The attitude too has now changed. Rather than listening to the grievances and resolving them, it has come to a position - of course due to certain incidents - of open hostility or resentment. But if you go to some rural areas you will see that there is no idea about this whole struggle at all. We talk of this as if it is a big problem. In the villages people are not even aware of this problem. So it cannot be called an irreparable situation. And there is time to do something about this. It is not gone too far. My feeling is that even in Jaffna if you go and talk to the ordinary villagers you might find a feeling similar to that prevailing in the Sinhala villages. It is not impossible to bridge this gap.

The major problem is our misunderstanding of each other. Facts are not known fully by both sides. The other thing is - well, it is something like cutting your own nose to spite your face. You have to think in terms of the world. There is hardly anything to divide in this country. We must share everything in this country. Take all inhabitants of this land as Sri Lankans. Treat them on equal levels.

Once the country is divided it is not we, but outsiders who would come and create troubles. It is quite common in the world for such divisions to be used by other powers. We do not want to make this country another Vietnam or Lebanon. If the separation of the country is promoted I am sure that it will be our end.

So I think what is needed is an understanding of other peoples views, positions and problems. Although some people think of the role of religion as something derogatory, my idea is quite different. If anything is to be done to develop and save this country I think it should be through religion.

There is a very strong place for religion in this country. It is time for this emphasis on religion to take a new direction. It is not only the Buddhist religious groups but religious groups of all religions must unite and go ahead with a unifying programme. It is our duty and responsibility to guide the people of the country. If we create understanding between the different groups then I think we can bring peace to this country. These expectations we are promoting through the inter religious organization and other programmes. We should not be so frustrated and be fighting and killing each other. We must think of our humanity and humanity must take precedence over all other considerations.

The religious understanding in this country is a very mysterious thing. Even today Buddhist people have no understanding of Christianity. They always look on it with a suspicious eye. When I go with a Rev. Father they ask what are you doing? Can a Buddhist monk trust a Catholic father. This is the general opinion in the country. They are still identifying situations as in the good old colonial days. You have to admit that there was a great rivalry in the past. The colonial powers wanted to spread Christianity for consolidating their political power. This

is something that happened throughout the Empire. Christianity was an instrument of consolidating the colonial power. Some foolish missionaries came to this country and they challenged the Buddhists. It was due to an over-estimation. Their policy should have been to get friendly. Not to challenge the local people and their religion. But this kind of things happened in the past and of course there was rivalry. A kind of animosity developed and suspicion rose. Those feelings are still there. For Hindus and Buddhists there has been no such situation ever. Sinhala Buddhists and Tamil Hindus can easily mix together but with Christians it is somewhat difficult.

In my own way I am trying to change these attitudes. That is why I stayed in a Church on my recent visit to Jaffna. Some Buddhists asked me where are you staying? We have our temple. Even on the way in the train I was invited to stay in Buddhist places. But I said I am going with a Catholic priest who is on the delegation and will be staying at the Bishops House. So do not think that because there are many religions existing in this country they are seeing eye to eye. There are still misconceptions that have to be got rid of.

THE DHARMISHTA CONCEPT

The very first statement that His Excellency, the President made in 1977 from the sacred city of Kandy, when he became Prime Minister, was that the country would be ruled on the Dharmishta principles. However we see that though this was the publicly declared policy, the results are entirely different for we are today confronting violence from all sides. Violence is also met with violence which is most un-Buddhistic.

The question I would like to pose here is, "What is the kind of political system recommended in Buddhism? What is meant by the Dharmishta concept?"

A BUDDHIST LEADER

The Buddhist principle that is expected of a Buddhist leader or ruler is that he should have "Sammā ditthi". One of the important Buddhist guidelines common to all lay or clerical ruler or ruled is known as 'sammā ditthi' - right (view). It is one of the component parts of the noble eightfold Path which leads to final emancipation. In the present context, if the ruler does not have a right understanding of the situation already emerged or liable to emerge he fails in forming a correct view regarding them. Consequently the total administrative structure might collapse. The right understanding in the case of the leader of a community has a deeper significance and a broader application. He should approach all intricate situations of the day to day life of a people with an unequivocal grasp of the accurate which have led to a situation of that nature. If he has the right understanding of the situation he cannot be moved by emotional or distorted and garbled interpretations of prejudice and bigotry.

In the handling of the affairs of the state there are important guidelines to be followed - the four-fold treatments to be extended toward all his subjects. These rules are called 'satara sangraha wastu'. These four-fold rules are 'dana' (generosity) "priya wachana' (pleasant words) 'artha chariya' (useful behaviour towards the well being of the people) and 'samanathamatha' (equality). 'Dana' or generosity means all who are in need - thus food, clothing and shelter should be provided. 'Priya Wachana' means soft words and not harsh words have to be spoken. For example when there was this large-scale massacre in this country in July last year, the ruler should have been in a position to say that as the ruler

of this country he was very sorry for the loss of life. 'Artha chariya' is something constructive. To do constructive work the first requirement is to win the hearts of the people, not to antagonise people. 'Samanathmatha' - equality has to be observed towards all persons.

Then, we have the four-fold Buddhist guiding principles to be observed in the running of a government. Chanda, Dosa, Bhaya and Moha. Chanda means being impartial. Dosa means he should not act in anger. Anger has no place in a ruler's mind. Then 'Bhaya' is fear. A ruler need not fear, if he knows what he is doing is fair and just. The 'Moha' means confusion, stupidity and delusion. A ruler cannot rule or act with these attributes. If a person goes to extremes motivated by Chanda, Dosa, Bhaya and Moha, then he is not a real ruler. So these are the guiding factors for a Buddhist ruler.

There are some more guiding lines in the Buddhist faith. The three-fold basic considerations. They are called 'Alobha', 'Adwesa' and 'Amoha'. 'Alobha' which means non-greediness is contrary to a capitalist society, where hoarding of wealth and property is the greatest virtue. 'Adwesa' means non-hatred and 'Amoha' means non-delusion. So these are qualities to be cultivated by a ruler as well as by others.

There is another set of administrative constituents to be followed by a Buddhist ruler. They are known as das-
 raja-dharma which means ten fold monarchic duties, i.e. - "Danam silam, pariccagam, ajjavam, maddavam, tapam, akkodho, avihimsa ca khanti avirodhata" to quote from Buddhist scriptures. The explanation is as follows - Dana (generosity) Sila (moral conduct). The moral conduct has to be maintained at all levels - with the ordinary people, the army, navy and other forces; conduct in one's own cabinet; between the MPs officers etc. Now, you can ask yourself whether this Sila exists today! Pariccāga means,

the ruler should be prepared to sacrifice his own interests, privileges, comforts and even his life for the benefit of others. Then there is 'ajjava' which means a straightforward attitude in dealings, safeguarding the truth, justice and fairness. 'Maddawa' is the possession of a malleable heart that can be adapted to a given context. 'Tapan' - restraint in every aspect of life. 'Akrodha' - non-malice. 'Avihinsa' - non-violence. 'Kanthi' - forbearance. 'Avirodhata' is that the ruler should pay attention to public opinion, and not contradict what is good, just and moral.

What a wonderful set of principles these are for a ruler to follow. These are the principles which the Dharmishta concept covers and which the President declared as those which everyone should be guided by.

Today the situation in the country is tense and dangerous. The people of all communities are fed up with this tension and seek desperately for a solution. They are not interested in party power politics and will be ready to support any solution put forward in the interest of a United Sri Lanka. Caste considerations, certain social and religious practices and sectarianism all these have to change. We urge those in power to take immediate steps to solve this problem. The solution should be along the lines of Buddhist principles as the declared policy is to establish a Dharmishta society. If this Dharmishta policy is accepted and implemented, I am convinced that a solution can be had without much difficulty.

TOWARDS A SOLUTION TO THE ETHNIC PROBLEMIDENTITY OF PLANTATION TAMILS

P. DEVARAJAH

(Director - Congress of Labour Foundation)

The ethnic question and possible solutions to the problem are so much under discussion and yet we appear to be so far away from finding stable solutions. Our ideas about the problem itself have undergone considerable changes as a result of these discussions and concepts regarding the nature of the ethnic configuration in Sri Lanka are being explained in different ways and naturally this influences approaches to solutions.

Therefore at the outset I would like to place before you certain ideas as to how I perceive the ethnic configuration and then proceed to discuss the particular problems of the plantation Tamils.

We all know the strongly prevalent concept amongst perhaps the majority of the Sinhala people that Sri Lanka is a Sinhala country or perhaps a Sinhala Buddhist country. Even the protagonists of this view I am sure do not question the fact that there are other ethnic communities in the country. The essence of this concept is the emphasis on the pre-eminence of the Sinhala people, the fact that they are majority and so forth. Since the presence of other communities are recognized the multi-ethnicity of the Sri Lankan ethnic configuration is accepted even by this rather polarised view point.

One may clearly say that no one questions the fact that Sri Lanka is a multi-ethnic society.

The next important aspect to be emphasised is the fact that Sri Lanka is a country of two languages. The constitution itself recognises that Sinhala and Tamil are national languages and laws have been enacted regarding the use of the two languages throughout the country. The Tamil speaking people consist of three identity groups the Sri Lankan Tamils, Plantation Tamils and Sri Lankan Moors. Any solution to the ethnic problem has to take this basic position into consideration.

I might also mention here that Sri Lanka is linked to the world through the English language and our access to technology is through the English language and the importance of English is well recognized. The links that English has created between the different ethnic communities in the island must be noted.

When power was transferred by the British colonial power to the local ruling class Sri Lanka had already developed an integrated market and interaction between the different ethnic communities was well established.

The establishment of the plantation system and the growth of exports and imports resulted in the emergence of a large mercantile sector. A large public service also developed. Employment in these services was open to all ethnic communities. There was also the growth of the English educated elite whose boundary cut across all communities. The introduction of the plantation system created the phenomenal demand for labour which could only be satisfied by recruitment of labour from outside the island.

The ethno-demographic changes resulting from these developments may be briefly summarised as follows:-

- (1) The gradual disappearance of the differences between the Low country and Kandyan Sinhalese.
- (2) The stabilisation of the community identity of plantation Tamils

- (3) The growth of Colombo and other cities and the concentration of employment in these areas. This resulted in substantial urbanisation and therefore the movement of peoples from different areas to these centres. Today about 1/3rd of the Sri Lanka Tamils live outside the Northern and Eastern provinces.

The Sri Lankan Moors live both in the predominantly Tamil areas and in Sinhala areas. They are concentrated in some places but are also dispersed in some areas. They are Tamil speaking but the identity is sought on a religious basis.

Sri Lankan Tamils and Plantation Tamils both belong to the basic Tamil ethnic community. But in trying to understand the two groups the common features as well the distinct characteristics must be understood.

I am not going into the question of the Malay identity and about the mini ethnic groups and the problems of religious differences within communities.

The question of regional ethnicity as a factor influencing inter - ethnic relations in Sri Lanka may also be mentioned in passing.

The high level of development of the Sinhala and the Sri Lankan Tamil communities and the existence of a long established clearly demarcated territory of the Sri Lankan Tamils creates a binary situation even within the context of the multi-ethnicity of Sri Lanka.

I would say that there is a binary ethnic problem within a multi-ethnic society in which ethnic problems as a whole also will have to be solved.

Whatever may be the solution for the binary situation-federal, regional autonomy, devolution of power etc:- it cannot be done without at the same time working out solutions for the different ethnic communities in Sri Lanka. One cannot be solved without solving the other.

It is against this background that I would like to discuss the perceptions of the Plantation Tamils and their immediate problems.

I would now like to briefly refer to some developments in regard to the rights of plantation Tamils beginning from about the 30s. I take this period as the starting point because it was from this time that the so called 'Indo-Ceylon dispute' became a controversial issue in the politics of Sri Lanka. The two important factors that influenced the situation were:

- (i) The decision of the British government to introduce a new constitution.
- (ii) The depression of the 30s.

The extremely oppressive nature of the plantation system and the hierachical nature of its management relegated the workers to a state of semi-slavery. In the thinking of the elite and the bourgeoisie this near slave status of the plantation worker was an accepted one. As Kumari Jayawardene says in her article in the Lanka Guardian of June 1st.

"The plantation workers importance to the economy was recognized but of course they were not important for the political process" as conceived by the rising elite.

Kumari Jayawardene has given the following quotation from a speech by one V. de S. Wickremanayake a member of the legislature (Hansard 8th Nov. 1928).

"What I fear most is the Indian cooly on the estate rather than the Indian living in Colombo. The Indian labourer goes to work at 6 in the morning and returns to his cooly lines at 6 in the night; what does he know of events in the island? Therefore I say he is not fit or competent to give a vote on matters political..."

Before 1982 radical leaders like A.E. Gunasinghe and others had strongly supported voting rights for plantation Tamils workers. In the 30s the Marxist leaders stood up firmly for the legitimate rights of the plantation workers.

What is relevant to note about the Donoughmore constitution was that in its final form it accomodated the views of the Sinhala leadership of the time and restrictive tests were placed for registration of Indian origin Tamils as voters. Even under these restrictive tests 225,000 voters of Indian origin were in the register in 1939. Administrative steps were taken to reduce this number and it was brought down to 145,000.

Recognising that the status of the Indian origin people has to be determined and finalised discussions were held between Sri Lankan leaders and India in 1940 and 1941. These talks came to be known as the Senanayake - Bajpai talks. Although these talks ended inconclusively some measure of agreement was reached regarding qualifications. Due to the intervention of the war the talks were postponed. Normally speaking these talks should have been finalised before transfer of power and a determination about citizenship should have been made together with the British. However, this was not done.

The transfer of power in the case of Sri Lanka and subsequent development, were unique. Whereas in all other cases of transfer of power by the British power was transferred to citizens. In the case of India there was a con-

tinuous process. The guarantee contained in section 29(2) of the Soulbury Constitution was violated when the citizenship Acts was introduced. The argument that an independent country had a right to determine the composition of its citizens is questionable in this instance.

In this connection it is interesting to note that some of the documents concerning the transfer of power are still under embargo. This is not the case in regard to any other country to which power was transferred by the British.

The Ceylon Citizenship Act of 1948 was also a unique act. It allowed only those who were born on or before 15th November 1948 and who could establish the birth of his or her father or grandfather was entitled to citizenship. Dudley Senanayake frankly admitted in Parliament that on the basis of this test he could not have established his citizenship. Extremely few persons of Indian origin could satisfy this test.

The Indian and Pakistani Citizenship Registration Act of 1949 in many respects picked up the threads of the inconclusive discussions of 1940/1941. But much more rigid qualifications were contained in the act and India disagreed with the provisions. However, Sri Lanka unilaterally introduced the act.

If the act itself was unfair and rigid the implementation was worse. Applications were rejected on flimsy grounds and thousands of applications were rejected in an extremely unfair manner. When it was found that even under the extremely rigid procedures applicants were qualifying the government instructed the Deputy Commissioners who were semi-judicial officers to reject the applications on a mass scale.

The government subverted its own law.

Having been continuously subjected to discrimination the plantation Tamils saw in this blatant discrimination only an extension of the continuity.

This gross act of discrimination did not solve the problem.

In 1953 Dudley Senanayake had discussions with Jawarhal Nehru and tried to work out a solution. He thought that by a proper implementation of the Indian & Pakistani Residents (Citizenship) Act about 400,000 could be registered and some arrangements might be made about the rest. But he was not allowed to go ahead with his proposal. The Nehru-Kotelawela pact also met with failure.

SWRD Bandaranaike suggested after these failures that the best course would be to complete all registrations under the Indian & Pakistani Registration Act and then take up the question afresh with India. This was done by Mrs. Bandaranaike in 1964. According to the Srimavo-Shastri Pact and Srimavo-Indira accord a total of 375,000 were to be accepted as Sri Lankan citizens as against 600,000, by India. The natural increase was to be absorbed by both sides.

I am not going into the details of the working of this agreement except to mention the long delay in implementation.

As the situation stands now only 507,000 persons have applied for Indian citizenship leaving a residue of 93,000. We all know the Mahanayake of Malwatte has called for a final solution to this vexed problem by granting Sri Lankan citizenship to this residue. The president has repeatedly assured that legislation will soon be introduced to give effect to this decision. Let us hope that the promise is kept.

The solution of the citizenship problem is only one aspect of the problem. Long years of neglect has kept this community backward educationally, culturally and socially, upward mobility has been extremely slow.

The present administrative and political structures are biased against the plantation Tamils. Can appropriate structures of devolution be established which will enable the plantation Tamils greater participation and making it possible for liberation from their present bondage and captivity in the plantation system?

During the various ethnic violences and particularly during the ethnic violence of July the small group from among the plantation workers who had against all odds made progress were most seriously affected. There is a sense of insecurity and despondency prevailing among several sections of the community.

A COMMENT ON STATE SCHOOL TEXT BOOKS

"A system of education that encourages and fosters ideas of racial superiority and domination among the majority community is no basis for national unity, or even for national peace...To adopt or sanction a two-faced educational policy by giving Sinhala and Tamil school children different conceptions of the relation between the two communities and their place in the national life is in fact to promote continuing discord, conflict and bitterness and to foster divisiveness and separation.

One pre-condition for any effort to build a sense of national identity is the re-writing of schoolbooks. Such a reform should be based on 'a new perspective on our history, culture and national life, free of unscientific racial myths and obsessions with the invasions and wars of another age and another society, and a recognition of the common elements that link the peoples of this country in shared experiences and mutual assimilation of elements from each other's cultures."

POWER SHARING: AND THE ETHNIC PROBLEM

RADHIKA COOMARASWAMY

(Associate Director - International Centre for Ethnic Studies)

HISTORICAL PRACTICE OF POWER-SHARING

1. The practice of power-sharing in political systems is by no means a recent phenomenon. Even the classical models of despotism contained a measure of power-sharing. The Magna Carta for example is a clear, early historical example of this phenomenon.
2. In India for eg: Romilar Thapar's studies of Ancient Indian civilization, Ikram's study on Muslim civilization, and Phillip Woodruff's two volume book on British India entitled *The Guardians* clearly show that political, economic and social power was shared, with local elites. A recent volume entitled the *Oxford Economic History of India* concludes that in fact actual economic and social power throughout Indian history rested with local-level elites and a true analysis of Indian history must be a material analysis of actual social and economic developments at the local level.
3. In Sri Lanka, Michael Roberts has put forward the argument that power both political, social and economic inspired by the Asokan ideal was highly centralized and that even in practice there was very little power-sharing, until the reforms of the 20th century under the British. However Prof. K.M. de Silva argues otherwise, he writes in an article on "Dilemmas of Decentralization" that unification, centralization, lack of power-sharing in practice is only a recent phenomenon in the perspective of Sri Lankan history and is really a product of British administrative policy.

4. In any event - we can come to the conclusion that due to factors of administrative convenience and the politics of war, power-sharing did in fact exist in practice before the birth of what is known as modern-day democracy. But the quality of power-sharing which was actually enjoyed depended on the arbitrary will of the sovereign or head of the larger political unit.

POWER SHARING AS A DEMOCRATIC RIGHT

5. Though the practice of power-sharing was widespread, the concept of power-sharing as an inherent aspect of political democracy, as a fundamental democratic right, is of recent origin. It has historically been linked to the on-going post World War II political debate on -

- a) the right of self-determination of peoples
- b) general ideas of "people's participation" and "grass root democracy" which are both part of "development studies lingo" of the third world, and "New Left movements" such as the Green movements in West Germany.

So it may be said that by the 1970's, power-sharing was no longer regarded, as only a convenient administrative tool dictated by the realities of power, but was increasingly seen as a collective right of certain groups. In fact UNESCO has just promulgated what is called the third generation of human rights, the first generation being political and civil, the second generation being social and economic and the third generation being collective rights of which power-sharing is one integral aspect.

CONSTITUTIONAL FORMS OF POWER-SHARING IN REPRESENTATIVE DEMOCRACIES

6. The concept of power-sharing as an aspect of Modern Democracy must find expression in constitutional forms

since as many commentators have pointed out "Constitutionalism" and politics at the Constitutional level is the mainstay of representative democracy. Today in Sri Lanka we may have moved away from that type of politics yet for those who still have hope it is important to understand what power-sharing means in the context of constitutional debate and in the light of current day ethnic conflict.

UNITARY MODEL AND CHECKS AND BALANCES

7. Essentially there are two distinct constitutional models of power-sharing. The first like the Sri Lankan Constitution is known as power-sharing within a unitary state. In such a state, sovereign power is absolute in one entity, but this Sovereign power is shared among political institutions:- here power-sharing is really a scheme of checks and balances at the national level. In Sri Lanka sovereign power rests with the nebulous term "the People" - the People of the whole country as one collective. The institutions among which this power is shared as specifically stated in the constitution are:-

- a) The Presidency - its base of support being "the people" as a collective;
- b) The Legislature - its base of support being "the people" as different constituencies;
- c) The Judiciary - its base being the written text of the Constitution.

All these are institutions at the national level, located in Colombo and have centralizing or centrifugal functions. This unitary system which may be referred to as also "the tight-fisted system" sees "the people" as one whole - one collective - the Presidential system and the Referendum are the best political expression of this Constitution concept of the people "as reflected in unitary structures. Underlying the legal

structure of this type of legal, constitutional system are the political values of majoritarian democracy:

Sri Lanka is one nation, one people where the characteristics of the numerical majority will be the characteristic of the state, territorial minorities may be protected by a Bill of Rights but they are not given the right to share power as a collective. They acquire a "protected" status not a "partner" status.

FEDERAL MODEL

8. The Second model of power-sharing is of course the federal state. In such a state sovereign power itself is shared among several entities which then work out a Constitution or a federal contract for co-existence. The essential difference between the unitary and federal models is that the latter has many sets of sovereign institutions with independent spheres of legislative and executive activity. Kept together by a Union Government which has a few, specified functions usually, defence, national economy and foreign affairs. The national level institutions of the Union Government cannot veto or abort legislative or executive functions of the federal units within their jurisdiction except in certain specified circumstances. This federal form which is referred to as the "solar system model" - with the Union Government being the Sun. - Sees diverse expressions of sovereignty within one nation state. The political values underlying this legal and constitutional system are those of pluralism and diversity and power-sharing between collectives. Though the units may be Ethnic based, it sometimes is purely political as in the United States of America.

THE LOCAL DEBATE

Though these are the well-known constitutional models of power-sharing, the actual language used in our lo-

cal debate on these ethnic issues are:-

a) devolution

b) autonomy

9. Devolution: as defined initially in the Welsh and Scottish context accepts the unitary state concept of unshared sovereignty, but within this scheme of unshared sovereignty, local level structures are created which will share institutional (not sovereign) power with the national level institutions of the executive and the legislature. Local level institutions then become part of a scheme of checks and balances not independent units of power. To retain the unitary nature of unshared sovereignty, national level institutions of the President and the legislature must retain the right to veto or abort laws and executive decisions which run contrary to their interests. This arrangement with institutionalized veto power by the centre may be characterized as "the long leash arrangement" but the length of the leash often depends on the good faith of the central Government - the longer the actual leash given in practice of the national government, the greater the federal characteristics and the resemblance of a sharing of sovereign power, the shorter the leash given in practice the more it will look like a strategy of administrative convenience within a unitary state nothing more. The DDC's fall clearly into this category of "Devolution" and the debate continues as to whether in practice the DDC's share power or are tools of administrative convenience. The Dissenting opinion to the Commission Report and parts of the legislation did envision the DDC's in the light of power-sharing, but their failure in operation has made most people feel that the "Leash" was never meant to be that long and that the central government lacked the good faith and the political will to implement a genuine scheme of power-sharing within a unitary State.

10. Autonomy is another concept which is also used in the current debate. The term "autonomy" in this context originated in the socialist constitutions of the USSR and China. But now has an independent significance. It is often read as an arrangement whereby the national central government provides the institutional and ideological parameters within which social, and cultural life at theological level can flourish. Because of Anglo-American influence on our constitutional language, autonomy is a political term, not a legal one. It is often described as the "padded room" arrangement - the ideological and institutional constraints are seen as padded walls within which local autonomy can flourish. The larger the room allowed by ideology the greater the resemblance to federalism, the smaller the ideological space the more autonomy resembles an unitary state.

THE CREATIVITY AND FLEXIBILITY OF DEVOLUTION AND AUTONOMY

11. Devolution and autonomy, unlike the terms unitary and federal do not have definite legal and constitutional connotations. In one sense this is a problem as they remain unclear, imprecise and perhaps nebulous concepts which may actually obfuscate the actual issues. On the other hand, their ambiguities may allow for greater flexibility and creativity in reaching a consensus on power-sharing between the two major ethnic communities of Sri Lanka. As their ambiguity leaves maximum room for negotiation, the All Party Conference had the potential of becoming a truly important and creative exercise if there was a political will to sit down and work out in good faith a binding social contract between the two major communities. If approached in a rational manner, the contours of power-sharing could easily be worked out with only minor differences. The legal constitutional concepts, and ideas, the model institutions etc., are all there for the asking and have been experimented with all over

the globe. It is well within the "art of the possible" for Sri Lankans to purposefully and in good faith use these tools and experiences to work out a political solution to our ethnic problem. What is lacking is political will and courage - not only the will and courage to actually enact these measures but the will and courage to educate the people as to the pros and cons of power-sharing without arousing fears. Such fears are usually based on a lack of understanding of the legal and technical aspects of constitutional documents which can be created to provide securities for the majority community and the nation-state while allowing territorial minorities a certain measure of autonomy.

ARGUMENTS AGAINST POWER-SHARING

12. I am not saying that there are no sound arguments against the concept of power-sharing. The main arguments are economic:- Development, theories in third World countries have traditionally accepted the tenets of central planning, even regional development, ideological unity, planned infrastructure development etc. as being self-evident. All development strategies accentuate the power of the central executive, especially in a Presidential system. Power-sharing then goes against the grain of development thinking as we accept it today. The question is whether the benefits of power-sharing - i.e. the satisfaction of regional aspirations, mobilization of local level resources, diverse sources for economic and social creativity, local level participation - will be worth the rethinking on economic and development issues. This rethinking is particularly important when the state is not seen as an impartial allocator of resources but acquires the characteristics of one ethnic group or of some regions over the others. In such a context, the objective criteria of economic planning which technocrats favour, will become politicized and favour

one group. Arrangements for power-sharing then becomes a way of redressing this imbalance in the character of the State apparatus in areas where the composition of the territorial population does not correspond to the actual character of the national state apparatus - for eg. 95% Tamil population in Jaffna having resources allocated in their areas by a 84% Sinhalese state sector. This is perhaps one of the reasons why statistics show that from 1977-1981 foreign aid utilization in the Jaffna District is 0%.

CLIMATE AND ACCOMODATION

13. What is really needed here is a climate which will allow for accomodation. Like many others I realize that I am talking against the grain of current reality. However to create a future climate, of accomodation it is necessary to educate people as to what autonomy, devolution, federalism actually mean and to educate them as to possible solutions which have succeeded elsewhere. I don't think we can get away with using terms, which try to convince the Sinhalese that future decentralisation is only a matter of administrative convenience while at the same time convincing the Tamils that they are getting power into their own hands. This exercise is no longer possible, both communities are aware and very sensitive. What is needed is to take people into one's confidence, to begin an honest debate and to accentuate the fact that:-

- a) We Sri Lankans are facing a crisis of unprecedented proportions which may make or break us as a nation;
- b) the present crisis is about sharing power between two ethnic communities - a majority community and a territorial minority;
- c) the standard constitutional device used throughout the world to meet this kind of social rea-

lity has been regional autonomy or power-sharing at local level.

If we can educate people as to the actual realities and actual arrangements which are possible and convince them that this is a question of national survival then we can provide a climate of accomodation which will allow for a peaceful resolution of our ethnic conflict.

CLASS & ETHNIC CONSCIOUSNESS

"It may be stated that communalism appeared from the time of the Buddhist revival onwards as a vicarious nationalism supported by the weak Sinhala bourgeoisie. This communalism was also prevalent among the Sinhala petty traders and the Sinhala rural small producers and other sections of the petty bourgeoisie who believed they had little chance of rising in the economic or political spectrum; ideological support for such views were provided by the Sinhala intelligensia and Buddhist monks who were keenly aware of the decline of traditional culture that had occurred under the impact of alien culture. The urban working-class being weak and not having developed a proletarian consciousness was also amenable to the petty bourgeois chauvinism of the time. This was no doubt aggravated by the fact that important sections of the working class, in the plantation and urban areas were non-Sinhala. In this context the Sinhala Buddhist who felt economically hemmed in, politically oppressed and culturally deprived, were to find succour in racist myths and legends and were to give vent to their frustrations in attacking ethnic and religious minorities, thereby espousing the retrograde ideology of communalism which Bipan Chandra has correctly described as 'the false consciousness of the historical process of the last 100 years'."

Kumari Jayawardena

Source: "ETHNICITY AND SOCIAL CHANGE IN SRI LANKA" -
p.91

THE ETHNIC CONFLICT AND THE CRISIS

IN THE SOUTH

DAYAN JAYATILLEKA

(Lecturer - University of Colombo)

PART (I)

POLITICAL CRISIS

Our topic today is the "Ethnic Conflict and the Crisis in the South" Here I would like to focus on the national question as it exists in the North and East of the country, and its inter-action with the crisis in the predominantly Sinhala areas.

THE NATIONAL CRISIS

I would like first of all to say that today we are enveloped in a 'general national crisis' to use Lenin's term, or what Antonio Gramsci calls an 'organic crisis.' I would like to deal first of all with the key characteristics of this organic crisis as well as the various responses to the organic crisis. This latter aspect we can call the conjunctural aspect of the organic crisis.

The crisis in Sri Lanka is one of relatively long duration. One could go back to 1971, but then that too was only a symptom of

a deep-seated malaise. You could really go back as far as 1963, with the rapid changes of Finance Ministers the formation of the United Left Front and the decision of the Left parties to join the SLFP government, which were all manifestations or responses to a crisis that was present in Sri Lankan society as far back as that time. So far the last two decades we have been "cooking in crisis" and it is against this backdrop that the ethnic question has manifested itself. We must understand that this crisis which is one of long duration is a structural crisis. This crisis derives from the crisis of the world capitalist system of which we are a peripheral part and also from the contradictions of our own dependent capitalism. The other characteristic of the crisis that I would like to remind you of that it is a multi-level crisis —it is not simply an economic crisis, nor a political or ethnic crisis as much. It operates at all these

levels of the social formation—each level is distinct, you cannot reduce the political crisis to the economic crisis — but they are inter-related and inter-active. Then we have the responses to this crisis on the part of the successive regimes and the masses. These responses themselves aggravate and change this or that aspect of the crisis.

Now what are the key characteristics of the organic crisis we find ourselves in? There are of course the economic and the political and military and the social aspects. I will dwell only very briefly on the economic aspect of the crisis as such: I have spoken twice within an year or so on the "World Capitalist Crisis and its Impact on the dependent capitalist economy of Sri Lanka". So I am deliberately avoiding dwelling at length on the economic crisis but you are welcome to ask questions in the course of the discussion.

I would just say that the economic crisis is a reflection of rapid dependent capitalist growth (particularly in the post-1977 Period) in the context of global crisis.

The examples of Iran, Philippines and Central America have brought home to us this social contradictions engendered by the rapid expansion of dependent capitalist relations. And this is all the more so when this takes place in the context of a global economic crisis and the burden of this crisis is transferred from the metropolitan centres to the periphery. So we see all these exacerbated social contradictions, increasing unemployment, which is

expected to reach 1 million in 1985, and inflation running at 22% — It may remind you that in Nicaragua just two years before the revolution inflation was running at only 11%. We have declining real wages estimated by top economists as 30% during the last few years. We have a massive, and mounting debt, and factory closures — the Wellawatte Spinning and Weaving Mills — and flight of capital. However, as I said, I am not going to dwell on the economic crisis and would much rather dwell on the political and the military aspects of the organic crisis of the Sri Lanka social formation.

I think the political crisis could be traced to what I would call the contradictions of maintaining a racist capitalism. Capitalism or the capitalist mode of production is supposed to have its own internal logic — the logic of capital accumulation. But what we have is not a pure capitalism — not that there can be such a thing but when what we have is not even a dependent capitalism with all its contradictions as in El Salvador, here we have a racist capitalism, where the need of the dominant sector is not just to preserve the bourgeois or class hegemony, but the hegemony of the Sinhala-Buddhist bourgeoisie. Therefore the political crisis I would reiterate is rooted in the contradictions of racist capitalism, and the need to preserve Sinhala bourgeois hegemony, and if one may be flippant, I would say that the political crisis would be summed up in two words — 'secession' and 'succession'. We have

succession crisis stop the crisis atop the crisis faced by the state due to the secessionist struggle.

Let us dwell a little more on the political crisis and try to identify and enumerate the components of this political crisis. In the first place we have a historical situation in which the representatives of the old ruling classes cannot rule 'in the old way'. The old way is the bourgeois democratic way or the bourgeois liberal way, the way of representing social tensions and containing them within an institutional frame work i.e. the Parliament. The Referendum, which I think is the culmination of a process beginning as far back as 1972 at the very least, was a watershed. It made it very clear that it was impossible for the dominant social groups to continue to maintain parliamentary democracy the way that we have known it. The student crisis of the past few weeks made it quite clear — the very low threshold of tolerance. The response to dissent in a very dissent in a very coercive fashion, I consider to be a sign of weakness.

If I remember right there were very few people killed — may be one or two — during the May 1968 upheaval in Paris. That was a sign of a system albeit in crisis which had a leadership which in turn still had considerable reserves. The leadership of course was of Gen. De Gaulle. But in Sri Lanka we have a situation in which the ruling classes have no other way of ruling than by firm domination. That is the first aspect I see of the political crisis. That, I reiterate, is a sign of weakness and not of strength.

Secondly, we have the phenomenon of internal fissures, factions, tendencies and divisions even nearing breaking point. This is a phenomenon everyone is quite well aware of. We observed two senior ministers of the government openly disagreeing on a fundamental principle of the foreign policy of our government — our relations with our biggest and closest neighbour. This is a clear sign of internal dissension. Another instance was when another minister albeit not of the UNP, took his place on the opposite side of a negotiating table from that of the government after leading a strike, as a representative of the estate workers. Several months ago Mr. Gamini Dissanayaka, had angry exchanges with Mr. Bill Devanayagam and Mr. S. Thondaman — this is yet another instance. So we have the inability of the regime to come up with a concerted response to the current crisis.

The third aspect of the current political crisis — this is one that impinges very directly on the ethnic conflict — is the inability to come up with the reform component of viable counter-insurgency strategy. Now I am deliberately not going to argue here on the rights and wrongs of Tamil self-determination.

A REFORMIST COMPONENT AS A COUNTER MEASURE

I am taking, momentarily, the stand-point of the incumbent regime itself. What I would say is that if a guerilla threat is to be defeated, if a viable counter-insurgency strategy is to be implemented, it

has to have, apart from the repressive component, a reformist component. This was most clear in one of the most successful counter-insurgency movements in the post-war period, that of Ramon Magsaysay of the Philippines, Magsaysay managed to defeat the insurgency of the Hukbalahap in the fifties by eliminating the military abuse of power — (torture) — by having free general elections by declaring an amnesty, by stealing in fact some of the planks of the platform of the guerillas — that of land reform. He offered an attractive package to guerillas who surrendered. A plot of land plus amnesty and financial inducements were part of the package offered, while opening political negotiations. Benigno Aquino the young Mayor of Tarlac was Ramon Magsaysay's envoy to meet Luis Tarlac, the guerilla leader in the mountains. But in Sri Lanka the regime has been unable to offer a strong reformist package that would win over the support base of the Tamil guerillas, at least neutralize the majority of Tamil people. In the absence of such a strategy the only strategy left would amount to nothing but genocide.

The dead-lock at the Round-Table Conference is another very, very clear indicator of the weakness of the regime. There is so much of shadow-boxing. It is not clear who they are afraid of. First we are told that the Sinhala people will not accept devolution. Who has asked the Sinhala people? A regime which has deprived the Sinhala people of everything they held dear, from the ration-book to the ballot, now seeks to

make the Sinhala people a scape-goat for its inability or unwillingness to come up with a solution, which would marginalize the guerillas and make it easier for the security forces to deal with them from a security point of view! Because of the reasons I mentioned earlier, the factional infighting, and also the inability to accommodate dissent, the inability to be flexible, and because it is perceived that any devolution of power would be construed as a sign of weakness — it is impossible for the regime to come up with a reformed component of a counter-insurgency strategy. It has mistaken brittleness for firmness and strength!

Then we have another aspect of the crisis discontent has been focussed at the apex. That is yet another sign of an unsuccessful political system. A successful system manages to deflect and diffuse discontent. Because we have a structure that intentionally concentrates all power at the apex, an apex that is "free from whims and fancies of the legislature", which is now rendered a rubber-stamp by the Referendum, we therefore have all discontent directed in a very unmediated fashion at the apex of power itself viz: the executive.

INSTITUTIONAL CRISIS

I would now like to bring into the picture, the institutional crisis. That means the crisis of the state apparatus — the **bourgeois** state apparatus. It is supposed to function according to a certain class logic.

The logic is that of the extension and the maintenance of bourgeois relations of production. What we have is a bourgeois state apparatus **that is cross-cut with ethnic divisions**. Therefore its class logic does not function in the relentless fashion that it does, say, in India. And of course you have a legal crisis. The rather sordid manoeuvring to frustrated magisterial inquiries concerning the student issue, the criticisms levelled by the Chief Justice a few months ago, the resolutions passed by the Bar Association, also indicates that the crisis is not only at the level of politics but also at the level of the state apparatus and juridical and institutions.

Summing up the crisis of the regime, I would agree with a definition that was popular for about ten years, for all the wrong reasons. My friend Dr. Wickramabahu Karunaratne who is at the moment giving a lecture at the new Town Hall on the occasion of the 4th anniversary of his proscribed party, was one of those who incessantly describes President Jayewardene as 'Bonapartist'.

Five years before that from about 1971 upto 1976 he and others like Rohana Wijeweera were describing Mrs. Bandaranaike as Bonapartist: I found the characterisation most non-rigorous, because 'Bonapartism', according to Marx and Engels is a very unstable and temporary situation characterized by an equilibrium between contending classes or contending factions of a single class. So by definition you cannot have a Bona-

partism from 1972 to 1984. However, right now, at this point of time, I feel that description is valid. Right now the Executive Presidency is engaged in a balancing act not between contending classes but between contending factions of the regime. In fact President Jayewardene reminds me of a juggler under whom the ground is moving. Or a juggler trying to run up a downward moving escalator. This situation of Bonapartism — Antonio Gramsci had another word for it, 'Caesarism', is best described using another Gramsci term as one of **catastrophic equilibrium**. I think that is a very exact description of the state of affairs today. A situation of catastrophic equilibrium, by definition cannot last long.

AN ALL ENVELOPING TOTAL CRISIS
NO COHERENT ALTERNATIVE

Now this is the political crisis as manifested at the level of the regime. What of the alternatives? I think that one of the chief defining characteristics of the present crisis is that it is not limited to the present regime. It is a total crisis. It is that which envelops the regime as well as the opposition. So this is not something that you can call a UNP crisis. It is an all-enveloping total crisis. And this is very clearly manifested in that there is no viable alternative. Because if there was a viable alternative, the crisis would not be that deep: The depth of crisis rests also in that there is no viable opposition that is making its presence felt. I don't know but there may

be somebody out there who may be thinking that he has the answer to the crisis. Nobody had heard of Rohana Wijeyeweera until 1970 but he had been working for a number of years by then. Certainly he or she has not made his or her presence felt as yet. But as far as the available political forces are concerned there is no viable **bourgeois** alternative. If you take the SLFP I think President Jayewardene was perfectly correct in saying as he did just before the Presidential Election that the SLFP has no alternative but to go along with the open economy. He said 'I have made economic changes which are irreversible'. The crisis in the SLFP is exactly that. The interests of the class — the national bourgeoisie — born in the fifties and which had arrived in the seventies as a dependent bourgeoisie in the path of dependent state capitalism, has its economic interests fulfilled in the UNP's economic project. One of the characteristics of an organic crisis according to Gramsci is that class factions detach themselves from their earlier political representatives. The SLFP also cannot shift leftwards. Mr. Anura Bandaranaike's ideology makes this very clear. The SLFP simply does not have an alternative to offer.

As far as the new opposition block led by the Mahajana Party is concerned, it is demonstrated in the context of the student struggle, its inability to convert itself into a mass movement, using political or economic clout to wrest democratic concessions from the regime. What I am trying to say is that the opposition bloc led by the Mahajana Pakshaya, has

not been able to do what the opposition parties have been able to do in the Philippines. I am not talking of the New Peoples Army (i. e. the Communist movement) in the Philippines. I am talking of businessmen, professors, lawyers and beauty queens and film stars i. e. the liberal bourgeois opposition, who were able to take to the street and to trigger enough alarms in Washington to get Washington to put enough pressure on Marcos to hold an election. Neither the SLFP nor the four party bloc have been capable of this. As for the revolutionary anti-systemic alternative, if it exists, it has not made its presence felt on the terrain of mass politics.

So we have a situation of catastrophic equilibrium or Bonapartism, if you like, as far as the regime is concerned and inability of the opposition forces to present a coherent alternative. We had a deafening silence as far as the Allen affairs was concerned on the part of the regime, and we have had a more deafening silence on the part of the opposition parties as far as the ethnic conflict is concerned'.

PART (II)

THE MILITARY CRISIS

Now from the political I would like to move to the military aspect of the current crisis. We have a situation of low morale in the armed forces. Also lower discipline. The Golden Temple episode is a very instructive counter-point, where you had a Sikh general among the three generals who commanded the forces, and also Sikh soldiers. In other words the logic of the capitalist state transcended ethnic loyalty, despite sporadic mutinies. Professionalism and discipline are very necessary for successful implementation of a strategy. You have to have an instrument to implement your strategy. When the instrument itself is in not very good shape, then of course you have a real problem. Of course we all wonder if there is a sudden escalation of Tamil guerilla activity in the North and East in the coming months, whether the armed forces would go berserk. It would not be possible to stop that. There has been, as far as I know, no severe and exemplary disciplinary action to ensure restraint and discipline on the part of the Forces.

Then you have the different attitudes on the lower, middle and upper most sections of the forces. There is a well trained and educated cadre of young officers who were in the field in 1971, and

have received foreign training since then. There are Majors, Lt. Colonels and Colonels who are quite professional. You have lower ranks recruited on the MP's chits — either UNP or SLFP MPs — for the last ten years. These latter sections are absolutely incapable of understanding that if one joins the army there is at least the possibility of being shot at. Then you have the upper echelons, perceived by the lower and middle ranks, as being closely tied to the regime. But I must say that there have so far not been any identifiable factions within the armed forces. It has not come to that. But it is not a very happy situation for those who are concerned with the security of the capitalist state.

There has been an escalation of the war—from the Oberoi to Amparai. The war has come South. This has hit the tourist industry. The attack on the Central camp police station at Amparai means there has been an extension of hostilities, geographically. It is widely known that Amparai is regarded by most Sinhalese as Sinhalese territory. It is of course largely due Mr. D. S. Senanayake's colonisation policy in 1948. According to the 'SUN', the attackers had disappeared via Padiyatallawa to the central highlands. I don't know how far this is true, but

If its true then it is some think significant. That means that the reach of the Tamil guerillas has now lengthened. What the regime was presenting as essentially a peninsular phenomenon has definitely extended outwards. I think the crux of the military crisis is that it also is in a situation of stalemate. A stalemate in guerilla war is quite different from a stalemate in politics or in a game. As Dr. Kissinger has pointed out — he is not the only one who has pointed this out, but he has done so most recently in the bi-partisan Kissinger Report on Central America — that in a guerilla war, a stalemate means in fact victory for the guerillas. If the regime does not win, then in fact they are losing. On the other hand if the guerillas have not lost, they are winning. Time is on the side of the guerillas. This is the nature of a war of attrition, a protracted war. A war of the incremental accretion of strength. A war of wearing down the enemy, of depleting the enemies economic resources and so on. So we have the situation in which, simply because the Tamil guerillas have not lost, they are winning. That is the nature of guerilla war. They have the inherent advantages that guerillas usually have, a degree of support, or understanding, sympathy, from the people of the area. This is an advantage that the government armed forces lack. In this case the **Armed Forces do not have a social support base in the area of operations.** This is one advantage that the guerillas have, and the other is that of surprise. Now here we are waiting

anxiously for the anniversary of the 'unfortunate events' of last July. You cannot guard every inch of rail track, you cannot guard every police station, you cannot guard every government installation and do it round-the-clock, too. So the guerilla chooses his target and his time. The military crisis has deepened and I don't think that the regime has managed to turn it around, qualitatively.

FOREIGN POLICY CRISIS

Next we have the foreign policy crisis. As regards foreign policy I don't aim to go into all aspects but will only remark that our foreign policy has caused the diplomatic isolation of Sri Lanka. The fact that India chose to take up the case of the ex-SAS trainers and Mossad with Britain, and that Geoffrey Howe and Maggie Thatcher chose to reply, — they could have asked what business is it of India's — is significant. India chose to make a issue of a third country problem. It is not as if India asked the US what planes they were selling Pakistan, India's traditional foe. This is a question she had asked concerning Sri Lanka which is not a traditional foe. And Britain had chosen to reply. This morning papers say that Howard Schaffer of the US State Department had told a visiting Tamil Nadu delegation that the US had expressed concern about the human rights situation in Sri Lanka and that a Congressional Sub-Committee will take it up next month. Due to massive strategic mistakes on the part of

the regime, foreign policy mistakes—like the Israeli affaire—we have a situation in which Sri Lanka is being diplomatically contained. According to opposition sources we are in trouble with at least 3 Arab states—the Iraq Ambassador is supposed to have gone away, the Saudi Ambassador has not come. Our relations with Arab countries cannot certainly be improving!

Let us not forget that ‘international mavericks’ like Libya, and South Yemen cannot do much damage against big countries like Britain, but against a state like Sri Lanka, a couple of million dollars worth of Kalashnikovs or whatever can do a deal of damage. It isn't intelligent for Sri Lanka to antagonize a country like Libya, which is not normally constrained by the conventional modes of conduct of the inter-state system. So much for foreign policy. In a couple of years if not months, our rulers might echo Cardinal Wolsey and say ‘If we had served the non-aligned foreign policy with half the zeal with which we served Asean and Israel, the international Community would not have left us naked to our enemies’.

SOCIAL CRISIS

Concerning the social crisis, I should observe first that there is an ethnic axis of fissure—the Tamil ethnic formation, the Sinhala ethnic formation and now increasingly the Muslim ethnic formation are drifting apart. And of course in the vertical dimension there is much social dissent, from the Chief Justice to the plantation workers.

THE INTERACTION OF ALL THE CRISES

What I want to dwell on is the intertwined and inter-active nature of all these crises. The economic, political—in its domestic and international aspects—the military and the social crisis. Let me give three examples.

The political crisis means instability, flight of capital and therefore the enhancement of the economic crisis. The economic crisis means greater burdens on the masses and that means greater social discontent, and the worsening social crisis also causes a worsening of the political crisis.

Let us also see the relationship between the military crisis and foreign policy. Let me be very cold-blooded. One possible short term way out—and this is being said by many in private conversations—is, ‘another 1971’. After all, if about 5,000 Sinhalese young men, women and Buddhist monks could be killed, why can't the UNP do the same to the Tamils? Why don't the Forces just go in, seal off the peninsula and zap them? The fact that the Tamil issue has been internationalised on the one hand because of the Tamil diaspora and the ethnic and human rights nature of the conflict, (it is not an overtly ideological conflict), and on the other hand has also been internalised in India's internal politics, means that the regime cannot adopt scorched earth tactics. It cannot adopt ‘strategic hamlets’, napalm bombing and other sort of quasi—genoci-

dal methods that many regimes adopt. The SLFP did adopt such methods to a degree in 1971. Someone can of course try. But then the repercussions in Tamil Nadu will be such that Delhi will be forced to take extreme action.

So here we have the interactive nature of foreign policy and the military crisis.

Then you have the inter-action of the military crisis and the economic crisis. The military build up and the maintenance of the military presence in the North and East regime is a great drain on our economic resources. Then the government has to ask the people to tighten their belts. This would mean again social discount. So the whole situation is one several crises feeding on one another.

RESPONSES TO THE CRISIS

So what are possible responses to this crisis? One of the responses is that of the opposition—the populist response that all this is the fault of the 'open economy', that everything would be all right if we go back to the golden era of 1970s when we were on the road to socialism. One thing that is clear from the Presidential elections of 1982 is that the masses in their wisdom don't consider that era as one of great progress comfort. They were fairly keen to avoid a reversion to the state—capitalist closed economy of unequal hardships and privation.

More seriously, the Sri Lankan economy during the last few years

has been so tightly integrated into the world capitalist system and a reversion to import substitution will cause tremendous turmoil. People are so hooked on to consumerism that if you try to put the clock back I am sure there will be riots. So a populist state capitalist option is really a non—option.

So we have a much more serious possibility which I think we should consider more closely: **A re-composition of the power-bloc and a reorganisation of the state apparatus.** To be more specific I am referring to what social scientists in Latin America call the **State of National Security.** The Chilean social scientist says Ruy Mauro Marini calls the counter-insurgency state. I am not going into this question, but what it means is the placing of the state apparatus on a permanent state of war and the militarization of society. The decision making being done by a National Security Council and the dictates of National Security as perceived by the regime taking precedence over almost all the other considerations.

This could really happen. Given the crisis in our situation we could really have a 'creeping coup' or 'internal coup'. It is not the classic coup scenario, rather it is a scenario in which the increasing accommodation of the military into our national political decision making processes. I was horrified a couple of weeks ago by posters similar to the "Uncle Sam wants you" type—urging the people not to aggravate the student agitation as the

armed forces were busy containing terrorism in the north. That appeal coming from a civilian politician is understandable. But when you have a direct appeal either by the armed forces or by somebody on their behalf that is a significant and ominous sign. One does not know whether the present crisis will lead to this type of creeping coup. This might come about in order to implement a specific project with regard to the ethnic conflict. But will that solve anything?

In other words could we have an authoritarian regime, but one which is rational? One which will effect some kind of devolution and after that go and kill off whoever is opposing it. Since the Sinhala people are opposed to it they cannot have elections. So a dictatorial regime could cut itself off from any kind of electoral constraints but engage in some kind of 'engineering' or crisis — management as the Malaysians do and put into place some kind of compromise between the Sinhala and Tamil bourgeois. Will a re-composition of the power block succeed in defusing the ethnic crisis? If so there was to be a strong reformist component to their package. Then I can imagine a condominium of the United States and India which would support the individual or sectors who put that into operation. But I have serious problems in thinking that would work. In the first place this is a reshuffling of the power bloc or a re-composition. The same people and the same institutions who are actors in the present crisis and who are not coming up with a

solution, are going to be the people in this recomposed power bloc. I don't know whether they are able or willing to come up with a solution some way down the road when they are frustrating any solution at the moment. To be more specific, whether or not they will have a strong reformist package in this bureaucratic — authoritarian solution depends on a cluster of variables. It depends on the strength of the clergy — who are opposed to a political solution of this crisis — and to what extent they are involved in this state apparatus. Whether such bureaucratic authoritarian solution would be a secular one I greatly doubt. I think the clergy is too locked in to the state apparatus and the bourgeoisie for that to happen. It also depends on the strength of the right wing chauvinism in the military and will they agree to any serious devolution of power? It will depend on the strength of the secessionist movement. It has been possible for the guerilla movements of the world to frustrate this kind of palliative, this kind of milk and water reforms. Camp David does not work. The Sandinista movement was able at critical times to outflank any reformist movements in the course of the revolutionary upsurge.

So can you get the military to support these moves? Which factions of the regime will support such a measure? There is a whole cluster of variables. This includes the very real racism within the ruling class itself. To give an example reading Mr. N. U. Jayawar-

dene who writes in the Sunday Island ad infinitum, it strikes me that even top capitalists in this country are not just capitalists but also racial and religious chauvinists. So given the racism of the ruling class and their religious chauvinism I don't think they will be able to go through with anything except very cosmetic reforms such as enhanced DDC's or whatever. So it does not seem possible that a recomposition of the power bloc will be able to come up with a solution unless it is an **externally propelled recomposition of the power bloc.**

In other words if there is no local actor, no endogenous force capable of refashioning the power bloc in such a manner as to resolve this ethnic conflict, and if the ethnic conflict escalates to such a pitch that it is intolerable to our great and friendly neighbour then it is possible that our great and friendly neighbour might take a somewhat more active hand in the proceedings. In such an event one could envisage this **externally propelled or induced recomposition of the power bloc.** To put it much plainer fashion some kind of national consensus achieved by cracking a couple of heads together. A Round-table Conference kind of constellation of forces and Annexure "C" implemented. Implementation needs a degree of coercion and if the local state apparatus is incapable of providing that coercion, **perhaps the element of coercion brought to bear will be external.** So that is one scenario that I would want us to bear in mind very clearly.

Really the only way I can think of resolving this crisis is through a process of democratisation. Devolution in the North and democratisation in the South. Call it electoral decompression. 'Decompression' because what we have now is a pressure cooker. The system needs a leader — a number of leaders — with the courage and flexibility a General De Gaulle to effect such a decompression. It is a calculated risk. Any leader will have to make this subtle calculus of risks. Do you allow electoral discontent? Do you allow your 5/6th majority in parliament to be eroded? Then do you take your chances cobbling together some kind of coalition in Parliament? Take those chances and let the ethnic tensions drain out and other socio economic issues will surface. (Keep the lid on and you risk tremendous explosion.

CONCLUSION

Let us in conclusion remember that we have here a Sri Lankan crisis against the backdrop of a deepening global crisis. So we have in Sri Lanka, economic crisis on the one hand 'internal war' on the other. If you cast your eye back on all the revolutions from the Russian revolution onwards you will see that there is either one or both of these variables.

We have other salient factors as well — internal fissures of the regime, inability of the regime to rule in the old way — the recourse to open domination, the increasing inability of the exploited masses to

live in the old way due to the deepening economic crisis and the disruption of the normal way of life (bombs going off here and there). The classic ingredients for mass upheaval. If the system is not capable of coming up with a solution or recomposing the kind of power bloc to implement a solution. Then one of two things are possible — either an externally propelled solution or a challenge to the system itself. Even an externally propelled solution

is not likely to be long lasting — Lebanon is a case in point. As for a challenge to the system, this is not a immediate possibility but if the ethnic conflict aggravates and more and more are killed and neither Govt or the opposition comes up with a solution, so there may be people who would realize that friendship between the nations can be achieved only by some macro-level systemic change.

FROM COMMUNALISM TO RACISM

"Communalism had grown out of a soured nationalism which, having failed to wrest power from the British through an anti-colonial struggle uniting the various communities, turned them (the communities) to wresting it from each other when it was thrown to them like a bone. The trappings of bourgeois democracy had decreed that that power should reside in the majority. Such a majority was already waiting in the wings. All it needed was the sanction of government and the blessing of religion to define it as Sinhala and Buddhist. And those it had found by 1958. What Sinhala communalism was still to find, though, before it took on the dimensions of racism, was its institutionalisation in the apparatuses - legislative, executive and judicial of the state. And that was to come in the 'reign' of the two SLFP governments, 1960-65 and 1970-77, and more particularly in the second, which was a coalition of the SLFP, LSSP and CP known as the United Front. But in between, both the UNP and the SLFP (and its allies), depending on which party was in opposition at the time kept up a barrage of Sinhala-Buddhist propoganda to bring down the other's government, and 'communalised' the electorate in the process."

A. Sivanandan

"Racism and the politics of underdevelopment"
(Race & Class - Summer 1984)

A RESOLUTION OF THE ETHNIC CONFLICT
THROUGH HUMAN RIGHTS

NIHAL JAYAWICKRAMA

(Associate Director - Marga Institute)

I. THE SRI LANKAN PERCEPTION OF HUMAN RIGHTS

When the question is posed as to whether a solution to the ethnic problem could be found through respect for human rights, it presupposes that a human rights consciousness already exists in this country, and that what is now required is to let that perception permeate into the area of ethnic relations. But that presupposition or premise is open to question, and I would venture to suggest that far from being human rights conscious, we as a people have since Independence displayed a consistent pattern of apathy towards our own rights and freedoms.

Our three Constitutions have provided, in varying degree, for the judicial protection of some human rights. Our Supreme Court has occasionally intervened to offer that judicial protection, as it did, for instance, in 1951 in the case of Agnes Nona, when it reminded the Executive that every officer who acted unlawfully was subject to the jurisdiction of the Courts, be he a clerk or Minister, and that there was no distinction between a 'slight' interference with the judiciary, and a 'major' interference, since in each case the independence of the judiciary would be compromised; or in 1962 when a bench of 'three judges nominated by the Minister of Justice told a powerful Parliament, in the case of The Queen v. Douglas Liyanage, that a law enacted by that Parliament, at a time of national emergency, was such that the ordinary or reasonable man would be justified in harbouring the impression that Parliament had intended thereby to improperly interfere with

the course of justice, and that accordingly that law must be struck down, or in the cases of Aseerwatham v. Permanent Secretary to the Ministry of Defence and Gooneratne v. Permanent Secretary to the Ministry of Defence (the "travel cases" of 1964) when an activist Court told the Government of the day that it had no authority to interpose itself and obstruct the freedom of movement of a citizen who possessed a valid passport and a pre-paid ticket and wished to avail himself of both. But these were isolated instances; each an oasis in a sprawling barren desert.

At Independence, with very little effort and much less sacrifice and no loss of sweat or blood of any significance, we inherited a nation that was politically, economically and socially viable. In two generations, we have succeeded in transforming a vibrant political democracy into a mere caricature of the original; in substituting for self-reliance, a growing dependence upon others to such an extent that we actually seem to take pride in the extent of our indebtedness to the financial institutions of the western world; in re-moulding that one nation in the image of two in such a fashion that our political leadership now believes that only the devil can bring together what man had let slip asunder.

Let us, however, not point the accusing finger only in the direction of our political leadership. Let us, as others have said in different contexts, turn the searchlight inwards, and ask ourselves how much we have contributed to bring about the condition in which we find ourselves today. There is no need to stretch our memories to breaking point. A look at the events of the past six or seven years would suffice, although it must be stressed that this cavalier indifference to human rights began much earlier. In July 1977, when the mob proceeded to attack the homes of candidates who had contested and lost parliamentary seats, as well as the homes of their prominent supporters, how many of us who were not directly affected by the violence

showed any real concern about it? In August of that year, when mob violence was permitted to turn against Tamil homes and shops in the heart of Colombo, how many Sinhalese actually came on to the streets to confront the mob? In October of that year, when the mob broke up a public meeting which an opposition party attempted to hold at Hyde Park, how many of the other parties thought it necessary to intervene in the cause of political freedom? When in 1978, through the device of the Special Presidential Commission of Inquiry, political opponents of the government in office were publicly maligned and humiliated and then stripped of their civic rights, how many saw it as destroying the 'consensus' between competing political forces which is an essential prerequisite of parliamentary democracy? When in the same year, Members of Parliament voted to restore the umbilical cord that binds them to their respective political parties and to abolish by-elections, did any among them really believe that they were thereby furthering the cause of democracy? When the Supreme Court was reconstituted in September of that year by excluding eight judges whose security of tenure had previously been constitutionally guaranteed, who among those who acquiesced in that exercise by continuing to serve realised that the sanctity of the Court once violated was capable of being violated again and that they in turn might well be subjected to similar violence? In 1979, when a Minister of the Government was authorised by law to detain a person for 18 months without any charge being laid against him, how many civic organizations in this country thought it necessary to protest? In 1980, when a Member of Parliament who had been duly elected at a general election was expelled from Parliament by the votes of fellow-Parliamentarians, which among those who voted in favour of that expulsion gave any thought to the inconsistency of that step with the principle of franchise which the Constitution tells us is in the People and is inalienable, or foresaw that such a step once taken could well be repeated, as indeed it was, barely one year later?

Have the 38 per cent of the electorate who in 1982 voted to deny to themselves and to others the right to genuine periodic elections, and the 100,000 who abstained on the issue in Colombo Central alone, yet realised that men and women from the Philippines to Chile, Argentina and El Salvador have actually laid down their lives in order to obtain for others that right which they so freely surrendered? Was it only in July last year, when mob violence reached their own doorsteps, that the Colombo-based affluent Tamils felt and experienced the heat that must surely have been generated when Jaffna was set ablaze two years previously?

Therefore, when we begin to consider whether respect for human rights can provide a solution to the ethnic problem, we must recognize the fact that here in Sri Lanka, we, as a human community, have been grossly apathetic to our own status and position as human beings. Despite twenty-five centuries of exposure to the humanising influence of Buddhist philosophy, despite a remarkably high standard of literacy, despite a long familiarity with the application of English common law concepts which include elements which today form part of international human rights law, despite over a century of experimentation with constitutional forms and techniques, we are still incredibly unreceptive to a whole new system of values which most of the civilized world has already accepted as forming the legal framework within which they must conduct their domestic affairs.

II. THE INTERNATIONAL HUMAN RIGHTS REGIME

When the flagships of the Sri Lanka merchant navy, which I presume are Lanka Athula and Lanka Srimani, commute between different ports of call, they scrupulously observe the international maritime laws. Air Lanka, even when it flies an ageing Quantas 747 with a life expectancy of 25,000 flying hours, will not penetrate someone else's air space or land in someone else's airport, without ob-

serving the internationally accepted aviation laws. The resources of the sea, the sea bed and the sub-soil thereof may now be utilised only in accordance with the new international regime of the sea towards the establishment of which the late Ambassador Shirley Amerasinghe contributed so much. So it is in the matter of the treatment by a State of the people who are subject to its jurisdiction. A government's behaviour towards its own nationals is now no longer a matter of only domestic concern. That theory has been buried deep. The international law of human rights, which is a product of the last quarter of the Twentieth Century, has broken down national frontiers and penetrated the veil of sovereignty behind which a government often took refuge when an accusing finger was pointed in its direction. Today, a regime of human rights exists; a new international legal order based upon the observance of human rights. Within that legal order, States have assumed obligations which are met when, and only when, national laws and institutions are so re-fashioned to meet the minimum international standards. The aggrieved individual, now a 'subject' of international law, is entitled to a remedy not only in his own country, but has the opportunity of taking his government to some of the highest international tribunals.

Let me briefly identify the sequence of events that culminated in the establishment of a regime of human rights:

1. In 1948, the General Assembly of the United Nations proclaimed the Universal Declaration of Human Rights. That document, at that time, had no legal force or status. It was intended to be a common standard of achievement for all peoples and all nations. Of course, a number of countries borrowed some or all of its provisions and incorporated them in their own law. That was a different exercise. But in itself, its strength lay only in its moral force. It was not the product of one man's brain. It had no father in

the sense that Ivor Jennings fathered the much maligned section 29 of our Independence Constitution. It was the work of literally thousands of people, representing many points of view and many different political philosophies. Prof. John Humphrey, who was Director of the UN Human Rights Division at the time, says that although western influences were undoubtedly the strongest, both Marxist-Leninist theory and communist practice were important, as were the claims of the politically and economically dependant countries. Indeed, if you examine the Dhammapada, you will find that many of the basic tenets of Buddhism are reflected in that Declaration.

2. In 1966, the UN General Assembly adopted two Covenants - the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. These two Covenants are binding treaties. A State which ratifies a Covenant undertakes to comply with its provisions. That is a commitment which is made to the international community. In regard to civil and political rights, the obligation of the State is to give immediate effect to those rights by legislative or other measures. In regard to economic, social and cultural rights, the State accepts the responsibility to achieve them progressively. Compliance with the Covenants is secured by a regular reporting procedure. Additionally, in respect of civil and political rights, a Human Rights Committee has been established, to which both States and individuals may complain against governmental action or inaction.
3. Both before and between these two events, as well as after, a number of Conventions dealing with specific human rights have been adopted by the UN General Assembly. These deal with:

- (a) the prevention and punishment of the crime of genocide;
- (b) the elimination of all forms of racial discrimination;
- (c) the status of refugees;
- (d) the status of stateless persons;
- (e) the reduction of statelessness;
- (f) the political rights of women;
- (g) the nationality of married women;
- (h) the consent to marriage, minimum age for marriage, and registration of marriages;
- (i) the abolition of slavery, the slave trade and institutions and practices similar to slavery;
- (j) the suppression of the traffic in persons and of the exploitation of the prostitution of others;
- (k) the suppression and punishment of the crime of apartheid;
- (i) the elimination of all forms of discrimination against women.

4. Apart from these international treaties, there are also regional treaties. In Europe, there is the European Convention on Human Rights of 1950 which has established the European Commission and the European Court of Human Rights, both of which function from Strasbourg, and have so far dealt with thousands of complaints from States and individuals of a large number of western European countries. In Latin America and the Caribbean, there is the American Convention on Human Rights of 1969 which has created both a Commission and a Court, on lines broadly similar to the European institutions. In Africa, in 1981, the Organisation of African Unity adopted the African Charter on Human and Peoples' Rights which, I believe, has not yet come into force. In Helsinki, in 1975, at the historic Conference on Security and Co-operation in Europe, all the sovereign States of eastern and western Europe, with the single exception of Albania,

together with the Soviet Union, the USA and Canada, accepted the obligations set out in the two Human Rights Covenants.

Such then, is the manner in which a regime of human rights has been established. It is no different from laws that Parliaments make, and the network of courts and tribunals that are established to enforce such laws. It is immaterial whether or not Sri Lanka has ratified any of these treaties, because if Sri Lanka chooses not to, then Sri Lanka has chosen to remain outside the framework of the new international legal order; to become an international outcast. But, in fact, Sri Lanka is anything but an outcast. In the past three years, Sri Lanka has ratified the three most important treaties in the field of human rights: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination. Additionally, Sri Lanka has recognized the competence of any other State to complain to the Human Rights Committee that the government is violating human rights in Sri Lanka. We have also sought and obtained representation on the Human Rights Committee in order that we may thereby monitor the human rights performance of other countries.

III. APPLICATION OF HUMAN RIGHTS LAW TO THE ETHNIC PROBLEM

Since the question before us today is whether a solution to the ethnic problem lies through respect for human rights, it is useful to remind ourselves that minority communities no longer have to depend upon the 'tolerance' or 'goodwill' of the majority for their existence or livelihood. They have rights in common with, and no less than, everyone else. Indeed, by reason of the need to protect the distinctive character and identity of minority communities, which is after all what constitutes the cultural mosaic of the world in which we live, they some-

times enjoy additional rights. If we understand this position correctly, it will become apparent that minority grievances in Sri Lanka are basically human rights violations.

The constitutional settlement of 1946, on the basis of which the minority communities agreed to subject themselves to majority rule in an independent Sri Lanka, and in consideration of which Independence was granted, consisted of three primary components:

- (1) a second chamber - the Senate;
- (ii) an independent Public Service Commission vested with the power of appointment, transfer, dismissal and disciplinary control of public officers; and
- (iii) section 29 of the Constitution which prohibited the use of legislative power to restrict or prohibit the free exercise of any religion, or to make persons of any community or religion liable to disabilities or restrictions to which persons of other communities or religions were not made liable, or to confer on persons of any community or religion any privilege or advantage which was not conferred on persons of other communities or religions.

Implicit in this constitutional settlement was the recognition of three human rights basic to any minority group: the right to participate in the decision-making process at the national level, the right of access on general terms of equality to public service in the country, and the right to freedom from discrimination. The background to this settlement was a resolution previously passed by the State Council - in fact, six weeks before the appointment of the Soulbury Commission was announced - that Sinhala and Tamil should be made the official languages of Sri Lanka within a reasonable number of years. In keeping with the spirit of this settlement, Sri Lanka's first Prime Minister, D.S.Senanayake, included in his Ca-

binet two Tamil politicians - the Members of Parliament for Mannar and Vavuniya, and later invited the Member for Jaffna, who was also the leader of the All Ceylon Tamil Congress, to accept a portfolio.

That was 1946. Thirty years later, on 14th May 1976, at Vaddukoddai, the Tamil United Liberation Front declared that the Tamils of Ceylon were a separate nation, distinct and apart from the Sinhalese, and resolved to establish the separate State of Tamil Eelam. What is it that happened in the intervening thirty years that impelled the large majority of the Tamil-speaking people of the Northern province to endorse that declaration at the general election held in July 1977? I venture to submit that it was primarily a gross denial of human rights. Apart from the fact that the constitutional settlement of 1946 was abrogated by the majority community in 1972 when a new constitution was drafted and enacted without any corresponding safeguards acceptable to the minorities, an examination of the Vaddukoddai Declaration itself reveals that many of the grievances enumerated therein are alleged infringements of human rights.

Let me examine very briefly three areas in which the Tamil community has been subjected, in my view, to discrimination on grounds of race, language, national or social origin:

CITIZENSHIP

The Citizenship Act of 1948 accorded Sri Lankan citizenship to a person born in Sri Lanka only if his father had been born in Sri Lanka. If he had been born outside Sri Lanka, it was necessary that his father and his paternal grandfather should have been born in Sri Lanka. It was an extremely rigid law. India, for instance, granted citizenship at about the same time to all persons born in India and to those who had been ordinarily resident in India during the five preceding years. Both those elements were

absent in the Sri Lankan law. Neither birth in this country, nor residence however long, were qualifying factors. The effect of our law was to render stateless and disfranchise practically the whole of the Indian Tamil community in Sri Lanka which then accounted for 11.7 of our total population. Did this law, by prescribing a two-generation link with Sri Lanka as a prerequisite for citizenship, in full knowledge of the fact that the Indian Tamil community would not have been able to establish such a link, make persons of that community liable to a disability to which persons of other communities were not made liable? In other words, did that law discriminate against the Indian Tamil community? In my view, it appears to have, and despite the existence of section 29 of the Constitution, both the Supreme Court and the Privy Council, in what bore the stamp of classic political judgements of the day, upheld the action of Parliament on the ground that it was "a perfectly natural and legitimate function of the legislature of a sovereign country to determine the composition of its nationals". While that may well be so, both these Courts overlooked the fact that our Constitution specifically provided that in performing that function, Parliament must not discriminate against a particular community already resident in the country. Thereby, both Courts failed to accord the minorities the protection they had sought at Independence, and rendered nearly a million people stateless.

LANGUAGE

The Official Language Act of 1950 provided that the Sinhala language shall be the one official language of Sri Lanka. One of its consequences was that Sinhala alone became the language of administration, and public servants were required to obtain proficiency in Sinhala in order to earn their increments, and, eventually, even to survive in the service. Did this law discriminate against the non-Sinhala-speaking people of Sri Lanka? This is no longer

a matter for argument since the District Court of Colombo, before which that question was fully argued in the case of Kodeeswaran v. The Attorney General, held that it did, and that it was therefore a law which Parliament was not competent to make in view of section 29 of the Independence Constitution. Despite the fact that successive governments have chosen not to act upon that judicial pronouncement, that judgement remains unreversed to this day, and is the only authoritative pronouncement on the subject.

EDUCATION

In 1970, the process of selection of students for higher education was modified and a system of standardisation was introduced in the hope that it would thereby secure a more equitable distribution, media and district-wise, of the limited number of places available in the universities. The effect of this policy, and the enormity of the injustice it caused to the Tamil community, raises this issue to the level of a major human rights problem. For instance, in 1975, the admissions on a district basis into the medical faculty were 29 from Galle and 29 from Jaffna, whereas on the basis of merit only 18 had qualified from Galle as against 61 from Jaffna. Similarly, on a district basis, Galle and Jaffna each secured 20 places in the science and engineering faculties, while on the basis of merit, 24 should have entered from Galle and 56 from Jaffna. It will be interesting to know how many of those students from Jaffna who in that year were shut out of universities unjustly, and denied the right to education and employment, and diverted out of the mainstream of life in the country, today belongs to that category which our political leadership describes as "murderers, rapists and kidnappers".

The application of human rights to the ethnic problem will reveal not only the three aberrations that I have

already referred to. They were merely examples picked out at random. If I were preparing a more comprehensive list, I would probably add:

- (a) the failure to provide a proper system of local government to the North since about 1973; the postponement of the Kankasanturai by-election from 1973 to 1975; the interference with elections to District Development Councils in 1981; the extension of the life of Parliament in 1982 contrary to the wishes of the majority of voters of the Northern Province; and the virtual proscription of the TULF in 1983 by the Sixth Amendment to the Constitution, as acts which appear to have infringed the right of self-determination;
- (b) the district quota system of admission to universities in force since 1977; the prohibition on the establishment of private schools imposed by the Assisted Schools and Training Colleges (Supplementary Provisions) Act of 1961; the exclusion of Tamil lawyers from original courts in the South by reason of the operation of the Language of the Courts Act of 1961 and the Constitutions of 1972 and 1978; the systematic acquisition of control by a predominantly Sinhalese government of the national newspapers, radio and television, coupled with the frequent closures of the Suthanthiran and Saturday Review newspapers published in Jaffna under the Public Security Ordinance; and the withdrawal of the traditional safeguards of criminal procedure by means of special laws and emergency regulations directed primarily at the Northern Province, as acts which appear to have infringed the right to freedom from discrimination;
- (c) the interference with the conference of the International Association of Tamil Research held in Jaffna in 1974, and the burning of the Jaffna Library in

1981, as acts which appear to have infringed the right of minorities to the enjoyment of their own culture;

- (d) the motion of no-confidence in the leader of the TULF moved in Parliament by government backbenchers in 1981, and the dissemination in Sinhalese areas of inflammatory speeches made on that occasion by Ministers and Members of Parliament; the events of May 1958, August 1977, July 1981 and July 1983, and the failure of the State to afford adequate protection to persons and properties belonging to the Tamil community; and the conduct of service personnel in the Northern Province vis-a-vis civilians, otherwise than in the course of hostilities, as acts which appear to have infringed the right to security.

IV. A SOLUTION THROUGH RESPECT FOR HUMAN RIGHTS

I have attempted to demonstrate how, during the past thirty years, while the international community, with the active encouragement of successive Sri Lankan Governments, kept moving towards an international regime of human rights, a new legal order based upon respect for human rights, here in Sri Lanka the human rights of the Tamil minority community appears to have been progressively and systematically violated. Our general apathy in this regard appears to have been jolted into action by the traumatic events of July 1983, and we now see the phenomenon of the All Party or Round Table Conference. Whatever else that conference may offer, it appears to me difficult to envisage how, without an absolute commitment to human rights, an atmosphere of confidence and security could be created among the people of the Northern Province, sufficient in strength to persuade them to re-enter the mainstream of political, social and economic life in Sri Lanka. But any serious attempt to protect human rights must be based upon an influence more constant than the ebb and flow of public or political opinion. It must be grounded

in the relative stability of a legal process and the rule of law. It must be supported and confirmed by the consciousness of a people themselves committed to that objective.

How then can a Sri Lankan Government make a commitment to human rights? It is suggested that it could begin by restoring local government at the village and town levels; by a genuine devolution of power to elected district or provincial assemblies; and by a re-structuring and re-constitution of the institutions of central government so as to ensure that all shades of political thought and all ethnic, religious and linguistic groups are able to participate in the decision making processes. It could fulfil its international obligations by prohibiting any incitement to racial hatred and violence against an ethnic group, and by offering the country a comprehensive Bill of Rights capable of being enforced in respect of executive, legislative and judicial action, as well as against the private and corporation sectors and private individuals. The Bill of Rights could be supplemented with a Race Relations Act similar in form to that in the United Kingdom, and with a Human Rights Commission on the lines of those established in Canada and in Australia. It could demonstrate its good faith and create an immediate climate of trust and confidence by repealing the Sixth Amendment to the Constitution and the Prevention of Terrorism (Temporary Provisions) Act, and by diverting even a fraction of the funds allocated for military operations in the North into the expansion of university education in the country.

I think this Centre and like-minded organizations should take the initiative to educate public opinion and awaken public conscience to take a positive stand in favour of a political solution to the ethnic problem instead of chasing that illusory hope of peace through terrorism or a military victory. It is only through an educative

process that a human rights consciousness could be created in this country. Reach out and educate, first our religious leaders, then our political leaders, and finally the common people of the land in the simple truth which is common to all our religions that freedom, justice and peace can be founded only upon a recognition of the inherent dignity and of the equal and inalienable rights of all the members of the human family.

HISTORY AND ETHNICITY

"The history of ethnic formation in Sri Lanka can be seen as a complex process involving, in the first instance, the convergence of various pre-and protohistoric developments into the formation of the major ethnic group associated with the evolution of Sri Lankan history and culture, the Sinhalese; and, in the second instance, the parallel or mostly subsequent emergence in historic times of other major or minor communities; third, in modern times, the convergence of this historically complex multiplicity of ethnic groups into a larger, more comprehensive, if still incipient, Sri Lankan nation. Despite the survival of traditional ethnic differentiation and of contradiction and conflict between ethnic groups, there is in modern Sri Lanka society and culture, a distinct similarity of cultural patterns, from area to area and group to group covering both material and spiritual realms and across ethnic barriers. Although we live at a time which may seem to be one dominated by heated inter-ethnic contradictions and endemic ethnic and caste rivalries, the unities that have been established in the daily life of Sri Lanka society in the late 20th century clearly show a pathway to the future. A study of Sri Lankan history, stripped of its myths and distortions and free of communalist bias. On one side or the other can do much to contribute to the historic process of the formation of an integrated, poly-ethnic modern nation."

Senake Bandaranayake

Source: "ETHNICITY AND SOCIAL CHANGE IN SRI LANKA" -
p.A xviii

THE ETHNIC ISSUE INTERNATIONAL DIMENSIONS

MERVYN DE SILVA
(Editor - Lanka Guardian)

PART (I)

THE MAROONED ELITE

My subject has been announced as "The Ethnic Issue International Dimensions". Although I would have preferred the title to read "the Sri Lankan crisis.....international dimensions", I am certain there'll be general agreement that the ethnic conflict is the core issue of that crisis; at any rate, that our acute consciousness, the sense of crisis, is a post-July phenomenon.

My point of departure is a natural one, and readily at hand - a statement published in yesterday's papers. It is an observation of the National Security Minister, Mr. Lalith Athulathmudali, the occupant of a new Cabinet post, itself a by-product and a symbol of this crisis.

Mr. Athulathmudali has said that in July "the whole world teamed up against us". That is not an accurate statement of fact, of course, and I don't believe Mr. Athulathmudali expected us to take it literally. It remains however quite a graphic and terse description of our state of mind in the aftermath of the July violence.

Naturally, none of us can claim to speak for 'the vast faceless and silent majority'. We can only rely on sentiment and opinion publicly expressed at different levels of our society, and filtered through the mass media.

Lét's note straightaway that this media, given both its collective character as well as the editorial policy of each component unit, is no passive spectator, unemotional recorder or register. The media and the personnel who guide and influence its day-to-day operations are very much a part of our society; committed rightly or wrongly, to its views, governed by its own beliefs, values, and attitudes, and greatly concerned about its interests, often commercial success, and frequently tempted to play up or play up to certain opinion trends, prejudices and so on.

Judging by that reflected opinion, Sri Lanka appears to have felt isolated, lonely and friendless, in a hostile world. Whether the large mass of Sri Lankans - and we are now speaking of course of the majority Sinhalese - shared such feelings, I really cannot say and there's no reliable opinion surveys to support this or that veiw. Without too much hesitation, however, we can speak of the state of mind of dominant opinion - leading groups'. What emerged from the flames and smoke of July was the image of a confused, helpless and petrified elite; the picture of a political leadership psychologically marooned in a desert island which only the previous week had been an island paradise.

This state of mind found ready expression in the antic confusion which prevailed in the aftermath of July. And that at the highest levels. Though expressions however muted or oblique, of sorrow, horror, shame and guilt were to be heard later, the immediate reactions produced a mighty credibility gap between the leadership and the people. When such declarations were not pure hysteria, they were flights of a fevered imagination. Nothing carried conviction.

An able and experienced politician, only recently honoured with a doctorate of literature by a local univer-

sity could actually claim that "black July" was a thesis written in blood by three university lecturers. The people were next informed of a Machiavellian three stage master plan ... an attack on Tamils first, Moslems second (and nobody had spoken of interests sections then) and Christians third, followed by a state of anarchy and a bloody revolution aided and abetted by sinister foreign forces, unnamed but thinly veiled in official pronouncements.

Between the official utterance and initial explanation and what the people knew or strongly suspected, there opened a yawning credibility gap. These suspicions have surely been fortified by the failure to hold an independent, public inquiry. If an explanation and an accounting were necessary and vital, evidently no attempt at investigating and revealing the truth was possible.

While a communication gap opened between the power elite and the people, the self same Sri Lankan elite (and to some extent, the whole country) became the casualty of the modern communications revolution.

Sri Lanka experienced an instant, worldwide, high exposure in the international media. Americans like to call Vietnam their "television war". The Sri Lankans, thanks partly to the technological benefits of the "open economy", went through their first "television crisis". Feed-back followed instantly : reports of media coverage (particularly images on TV screens), newspaper articles and despatches, private phone calls (IDD), accounts of demonstrations abroad and some minor communal confrontations, frantic messages from our embassies and trade missions severe moral censure in press and parliament in more than a dozen countries and the disconcerting tales brought home by Sinhalese expatriates returning (and some fleeing in embarrassment) to Colombo. The world was bombarding us with queries, demands, rebukes.

The message, if harsh, was clear. Were we, the Sinhalese, no better than any of those "outside the pale of civilisation" (the psychological legacy of colonialism) Third World peoples so prone to blood-letting and butchery? Were we, in terms of our own assumed moral and cultural superiority, now being lumped together with some savages from the African bush?

A communications - dominated world system had created yet another gap, perhaps the most painful to bear : the large vacant space between our cherished self-image and the image now reflected in the mirror of world opinion.

That self-image has been fashioned and sustained by both heritage and modern achievement. It was a self-esteem supported by the felt approbation of the international community.

A rich cultural heritage, an orderly transition to political independence, a lively democratic system, an admirable scheme of social welfare (the fashionable PQLI criteria made us necessary beneficiaries of donor countries and aid agencies) an impeccable record in non-alignment and a relatively untainted performance in diverse fields such as social peace and military spending.

The crippling blow to this self-image shattered the self-confidence of the power elite, robbing many other segments of our society of their long undisturbed sense of security.

July had "internationalised" our ethnic discontent and the deeper crisis of which it was a manifestation. Suddenly we were rudely awakened to the world outside, and jolted into a compelling awareness of our environment, to the neighbourhood, to geo-political realities.

Yet, all our initial responses exposed an inability or unwillingness to grasp the nettle ... the ugliness of July and its grim implications...and to take a firm grip on the problem, its dual nature, the internal and the external and the integral connection between the two.

Sri Lanka's "tarnished image" was all that our collective mental effort could yield by way of conscious recognition. Since that appeared to be the basic problem, all that was needed was to clean up a muddied image. And for that exercise, who better than an internationally known advertising firm which had made its mark on the global P.R. market by hawking the charms of the "Singapore Girl" or the political virtues of Maggie Thatcher!

The problem was not that what happened, had happened; the problem was that what happened had been exposed to the world. So the answer lies with the world media ... the classic confusion of cause and effect.

Unable to summon the full resources of its vaunted intelligence or its political will to meet the formidable challenges issued by an unprecedented crisis, the elite presented other bizarre exhibitions of helplessness, bewilderment and naivete that were soon to be imitated by the middle class intelligentsia.

"The Pakistanis are sure to help us..."

"The marines will come..."

"For God's sake give them Trinco..."

And finally, "The Chinese are bound to come..."

As we now know from an unimpeachable source, nobody was ready to respond to the S.O.S. of a governing class that had suddenly lost its sense of security, psycholo-

gical and even physical. So we found a refuge of the last resort, now under censorship, the sacrosanct Unmentionable...!

The headline of a commentary of those weeks will surely remain memorable. It read :

"Nonalignment has left us naked..."

Behind the ennobling and evocative trace of Wolseyan remorse was a line of argument which taken to its logical conclusion would have had Sri Lanka serve the Cowboy God with at least half the zeal it had served the nonalignment King. Then we would not have been left naked to our Injun enemies, poor Bashir Gemayel Beirut, notwithstanding.

PART (II)

WINDOWS OF VULNERABILITY

If the first dramatic signal to the Sri Lankan leadership that it would soon have to cope with the modern phenomenon of terrorism or what has now developed into "the guerrilla warfare in the north" in President Jayewardene's phrase, was Mayor Durayyappah's murder, let us then note that a decade has passed by. Secondly, let us not also ignore two unalterable facts of our modern political history.

Major initiatives to reach a negotiated settlement on the national question were thwarted in 1958 and 1966 by the crass irresponsibility and opportunistic politic-

king of our leading political parties. At the same time, let's remind ourselves that the UNP's election manifesto openly admitted "the long standing grievances" of the Tamil minority and having spelt these grievances out in the most frank and explicit terms, promised a Roundtable Conference. What happened? We had the post-election violence of 1977 where the UNP's vanquished opponents took the brunt of the beating and then the 1979 eruption where the victims were Tamils of both communities, the so-called Jaffna Tamil and the plantation worker.

Having beaten all known and likely opponents into submission ... students, workers, trade unionists, opposition activists, intellectuals etc ... the UNP turned its attention and those special techniques of coercion and regimentation which it had perfected in three years of haughty rule, to a Tamil North which, unlike the Sinhala South, had stood up to the UNP on the battleground of the ballot, free and open. We refer to the DDC elections; that is, to elections to those popularly elected councils that was the UNP's answer to the demands for devolution. However inadequate, however limited in its reach towards genuine grassroots participation and participatory democracy, however disappointing to the Tamils with "their long standing grievances", the DDC was the UNP's own chosen instrument of policy, its own solution.

What happened? The JSS juggernaut and the gauleiters went up north. A senior Minister told parliament that the police mutinied after terrorists had killed some policemen. There followed other killings, the burning of the Jaffna library, the disappearance of ballot boxes. Thus did the UNP destroy its own child, the DDC.

TERRORISM

In short then "terrorism" of all kinds, from different sources, is the consequence of the failure of policy, of peaceful parliamentarism, the failure ultimately of political leadership.

As recent as early this year, the government's most authoritative spokesman on the subject, the Defence Secretary was quoted by a foreign correspondent as placing the number of armed Tamil militants at "not more than three to four hundred" ... hardly a serious threat to a State or its armed forces IF, and this is the big IF, policies over the years had not alienated a whole community.

This fact together with the immediate and proximate causes of the July anti-Tamil eruption must be steadily borne in mind before we consider the external aspects which are inseparably linked to the internal crisis and are in fact an extension of that crisis and not an intrusion.

What has come to be popularly termed "black July" was NOT a Sinhala uprising. It was NOT a Sinhala-Tamil clash. Those who seek to present it in such terms in order to safeguard their vested interests or serve their ideological prejudices, do a great disservice to the Sinhala people. The guilt does not fall on the Sinhala masses but on those racist goon squads who took to the streets in July. And their connections are too well known.

But there is another, deeper cause for this eruption, the most shattering breakdown of law and order this country has witnessed. The best explanation for that fearful fact was offered by Prof. Gananath Obeysekera who wrote of "the institutionalisation of political violence" in the recent past.

July produced over 150,000 refugees. Of this number, 30 to 40,000 are now in Tamilnadu.

NON ALIGNMENT

Nonalignment and a foreign policy centred on friendship and mutual understanding and respect with our neighbours, almost all of them much bigger and stron-

ger than us, constituted our forward defence perimeter. The environment was secure; nobody in our neighbourhood was hostile to us. At no stage in the past thirty five years did the people of Sri Lanka feel that their security was threatened. Only a rash fool or neurotic ever uttered the words "invasion" or military intervention. To argue therefore that our post-July sense of insecurity is the result of Sri Lanka's pursuit of a nonaligned foreign policy is to make a mockery of ordinary fact and logic.

Despite any atavistic fears ... a history punctuated by armed incursions and interventions from across the Palk Strait ... and despite any "small island syndrome" or big nation fixations and phobias, the post-independence period produced no moment when feelings of real and immediate danger invaded and occupied our minds. Whatever the changing nuances in foreign policy under successive regimes and fluctuations in this or that phase, the basic commitment to nonalignment was never abandoned.

If that is regarded as the realm of "theory" or "the abstract" as acting Foreign Minister Mr. Tyrone Fernando was seeking to establish the other day, then let's dwell on what is undeniably real. We did not invite hostile attentions of any neighbour or of any major external power-hostile enough, that is, to pose a "threat". For this singular achievement the people of Sri Lanka owe a debt to the post-independence leadership and a small group of officials and diplomats which, in spite of limited resources, strengthened the policy-making process with a commendable professionalism.

Judging by the tenor of post-July debate it would appear that our foreign policy was in total disarray. Those who share such a view are obliged to seek the causes, and in doing so, face up to the obvious questions.

An independent nation enjoys the sovereign right to take its own foreign policy decisions in what is commonly called "its enlightened self-interest". But that hoary maxim does presuppose "enlightenment" - an intelligent recognition of what is helpful and advantageous, and what is harmful and likely to prove self-defeating. As in family and social life, so in the community of nations; as in the conduct of our affairs in the particular neighbourhood in which we have chosen to live or are compelled to live, so in the geo-political environment which is not of our choosing but ordained by geography.

The weaker, the more vulnerable, the individual or nation, the greater surely should be the care and intelligence with which choices of action, courses of conduct that incur suspicion and hostility, or are perceived by more powerful neighbours as hostile to their "self-interest". It is "enlightened self-interest" which dictates such commonsense in our approach to our foreign policy problems and options.

DEVIATION

The question which then invites the closest attention of the student concerns recent trends in foreign policy. Has Sri Lanka in any way deviated from the traditional path of nonalignment? Has a single act or a series of acts raised doubts and fears in others and adversely affected traditionally cordial relations or are such misgivings, if they exist, the result of misunderstanding and misperceptions on their part? Has there been a change of direction? Has there been an erosion of what we once regarded ... and in turn was respected by the international community ... as our "impeccable non-alignment"?

A prominent government politician has said that post-July foreign policy was "real" whereas Sri Lanka's foreign policy before July was "abstract" and "theoretical".

Right or wrong, the statement is a direct admission of a break, a rupture from the non-alignment of the past. Are these questions abstract, or purely academic? I doubt that very much.

My impression is just the opposite. They are very real, acquiring a keener edge and a demanding urgency in view of one undeniable, overwhelming reality - one of the primary causes of the current crisis (the ethnic conflict) has been externalised. True, it is a domestic issue - the felt grievances of the island's biggest minority - but its spill-over effects, its external entanglements (Colombo/Madras) and the foreign policy interaction (Colombo/Delhi) are so visible and so large that the question can no longer be confined within our borders or within the contours of the domestic debate.

A recent seminar report concludes: "While the asymmetries of size, population and economic power in the regional context imposes on India a special obligation to help ensure the independence and integrity of each neighbour, and the stability of the South Asian sub-system in general, any failure to reduce the growing misunderstanding and friction between Sri Lanka and India could only endanger Sri Lanka's own stability, advancement and social progress.

"In conditions of instability, other conflicts and rivalries, both regional and superpower, could intrude in a manner that would further complicate domestic issues, weaken Sri Lanka's declared resolve to resist all forms of foreign interference and its political will and capacity to seek national solutions to national problems.

"The widely and publicly stated view of influential sections of Sri Lankan opinion that domestic conflicts have led to greater US involvements in Sri Lankan affairs, and a supportive Indian conviction that such involvement,

direct or indirect, would be hostile to India's interests have tended to aggravate the island's present discontent and thus undermined any united effort at seeking a political settlement of the ethnic issue."

NODAL POSITION

The island's "Nodal position" in the Indian Ocean and of course, Trincomalee nourished the comforting conviction that Sri Lanka was the hub of the universe, and we ourselves a coveted prize that major external powers (external to the region) with their substantial global and regional interests, will be only too eager to satisfy our whims even at the risk of their demonstrably larger interests.

Trinco, the Indian Ocean, the Indo-Soviet Treaty, Afghanistan the Gulf war ... clickety-click went the poor mind-sets of our middle class intelligentsia their innermost thoughts of security, their confident and cherished assumptions of timely rescue and ultimate salvation, voiced with a rowdy exhibitionism by the new exponents of "real" foreign policy and a new-look non-alignment a la Kirkpatrick. Now these nonsenses and naivetes are yesterday's grand illusions.

All our requests for the kind of assistance we thought we urgently needed were turned down. Quoting his favourite hero, Napoleon, President Jayewardene spoke of "nations of shop-keepers". India, after all, said Mr. Jayewardene is a 700 million market. If President JR put economic interest first - and rightly so - a myopic intelligentsia which was given an instant education in geopolitics seemed to need a lesson also in elementary geography. Sri Lanka is not in America's backyard and military aid of the Central American kind is out of the question.

Is our foreign policy "real" as we are now being informed from ruling party stalwarts? It is so "real" that we saw an unprecedented move by the censor - a total blackout of news, views, and articles on the Israeli issue (except favourable reports and comments of course) and on the agitation it provoked in another local community. Time will show how "real" the economic consequences of this decision will prove in terms of trade, aid and employment prospects.

If Sri Lanka had been a "closed" society like Burma, for instance, the instant, world-wide media exposure about which I spoke at the outset would not have created that "tarnished image" which was to become our immediate obsession. The "open economy" has made us even more dependent on the outside world. No more is it only a question of trade and aid but official aid, loans from international agencies and commercial banks, foreign investment, and of course our new hope, tourism, competing with the remittances of migrant Sri Lankan workers, for No. 2 place as foreign exchange earner.

In those countries where public opinion and electoral considerations constitute a significant foreign policy input, NGO's women's organisations, human rights and church groups are a formative factor of policy. It is these self-same countries which are Sri Lanka's principal aid constituency. Black July made a tremendous emotional impact on many of these societies and Finance Minister Mr. Ronnie de Mel is the best witness to that fact. Our dependence has now been extended to a new sphere, the area of security assistance, arms, expertise, technology, training.

MILITARISED

As lack of progress at the political level becomes palpably plain, there may well be a serious shift from the political to the military in a broad strategy which

is still defined as "politico-military". We have a new Ministry of National Security, a move not difficult to understand. But will our thinking and our idiom be "militarised" too. One observes certain trends. If this trend persists and fortifies itself, then "National Security" can emerge as the all-pervasive factor in both internal and foreign policy. Latin America has given birth to the concept of "the State of National Security". Will Lanka acquire some at least of its structural characteristics.

The "open Economy" and the ethnic conflict have combined to open new "window of vulnerability" to borrow a kissingerian phrase.

Cut away from its moorings, Sri Lankan foreign policy is adrift. Its self-assurance shattered, the Sri Lankan elite seems to have lost its bearings. The "security" that it thought it saw was a mirage in the desert. It now gropes for security, eyeless in Gaza.

FROM: ETHNICITY, PREJUDICE & THE WRITING
OF HISTORY

(G.C. MENDIS MEMORIAL LECTURE - 1984)

C. R. de Silva

"The efforts to justify current policies through appeals to the past distorts history and the distortion of history in turn exacerbates ethnic tension. It also leads to a prejudice against the study of history itself...The arguments against the historian who has claimed to reconstruct what really happened have been debated for long. William Dray has cogently summarised them in "Perspectives of History". In the first place the historian's knowledge of what he studies is necessarily indirect. He 'sees' history through the medium of documentation. Secondly, his knowledge is incomplete. As Charles Beard argued, 'In most cases he makes a partial selection or a partial reading of a partial record of...the actuality with which he is dealing.' The historian tries to construct a complete view of the past from this incomplete evidence. Finally, historical accounts are said to be value-laden for the historian remains always, 'a creature of time, place, circumstances, interests, predilections, culture..' "The Noble Dream".

THE NON-VIOLENT ALTERNATIVE

JEHAN PERERA

(Student - Harvard Law School)

THE HUMAN CONDITION

Psychological and historical studies have shown that inextricably intertwined in the human psyche are the instincts of the savage and saint. To use the metaphor of the Sinhalese historical chronicle, the Mahavamsa, we are the offspring of the lion and the princess. The instinct of the savage is easier to tap than that of the saint, for the former has been in existence millions of years while the latter is the product of but a few thousands. The leaders of great historical movements have known this and used it to accomplish awesome tasks.

Thus, Hitler manipulated the grievances of the German people to so arouse what was elemental and base in them, that the German armies smashed through almost all of Europe, and six Million Jews were exterminated. His experiences led him to say, "All great movements are popular movements, volcanic eruptions of human passion and emotional sentiments, stirred either by the cruel goddess of Distress or by the firebrand of the word hurled at the masses." He led a great nation to destruction. On the other hand, Gandhi appealed to the dignity of the Indian people, poor and uneducated as they were, to bring out what was noble in them. His insight into human nature led him to say of the people he led by the uncountable millions, "Let not their leaders distrust them, theirs is an amazingly responsive nature." He led a sub-continent to independence. The means employed can never be detached from the ends achieved. In seeking a solution to the communal problem this must not be forgotten.

The inhumanities perpetrated last July appalled many who, before they were Sinhalese or Tamil, were thinking and feeling human beings. Truly, there was then a crisis of civilization when fragile human values built up over the centuries collapsed before the elemental tide of a Sinhalese communal identity under threat. Yet in our collective psyche struggled the instincts of savage and saint. Matching those Sinhalese who sought to loot and destroy were Sinhalese who gave refuge and protection. The great majority wavered somewhere in-between caught up in a vacuum that moral leadership did not fill. This majority can, and must, be won over to the path of right-thinking and right-action. To quote the American Civil Rights leader, Martin Luther King, "The past is strewn with the ruins of the empires of tyranny, and each is a monument not merely to man's blunders, but to his capacity to overcome them."

It is interesting to think that had the political and religious leaders of this island stressed that moral imperatives applied to all, the carnage of July, and what preceded it, would not have taken place. Would people have seen each other as human beings, cornered and frightened, and not as symbols of a Tamil collectivity or of the state to be burnt, looted or shot? The heritage of 2500 years of civilization might have been strained, but it need not have shattered under stress.

FACTS AND ILLUSIONS

It is not easy to maintain a detached perspective when discussing matters that have meant, and continue to mean, life or death to many. However, while an appeal to emotion is often the most effective way to break through layers of encrusted prejudice and fixed opinions, it must not cloud one's judgement of facts. All problems have some sort solution. Finding the best is an opportunity for creativity and growth. The communal problem, intractable as it has proved to be, is one that

can be effectively solved with rationality provided it is seen in its correct light. The sun will then rise upon a wiser and more mature Sri Lanka.

Two interesting articles on the communal problem appeared recently in "The Island" that illustrate the importance of seeing matters in their correct perspective. Written by Mr. C. Sivanesan and Mr. Edward Perera from contrasting viewpoints they nevertheless shared two key arguments. The first was the need for a political solution to the communal problem on the basis of regional autonomy. The second was the denial of the basic opposition inherent in the communal identities of the Sinhalese and Tamils. It may be reassuring to view the Sinhalese-Tamil relationship down the centuries in a positive light, but the consequences of such an argument are grave if they dilute the need for a genuine restructuring of the polity which is the cornerstone of future communal harmony.

The compelling need for political autonomy for the predominantly Tamil areas stems precisely from the fact of a strong Tamil identity that revolts against continued rule by governments beholden to a Sinhalese voters base in a communally divided society. Today, after 36 years of independence in an unitary state where strong governments have been formed without the support of the north especially, the idea of regional autonomy is inseparable from that of communal harmony.

But on the other hand, if there is no real difference in the identity of the Sinhalese and Tamils because the two communities amicably lived with and ruled each other in the past, or if the Tamils are but Tamil-speaking Sinhalese, then the communal problem is an artificial and exaggerated affair that ought to be readily solvable by means of a proper education and correction of economic imbalances. However, education can only influence the conscious part of the mind. It cannot influence, other than

marginally, the subconscious patterns of thought that lead people to act irrationally and roam about in mobs. Neither is the primary cause economic as the Tamil Congress learnt to its cost when it lost heavily to the Federal Party which considered Tamil autonomy as distinct from economics to be of the foremost importance.

PERSISTENT IDENTITY AND OPPOSITIONAL PROCESSES

The communal problem is one wherein communities with distinct identities interpret the same reality from sometimes contending viewpoints as distinct and separate as their identities. Thus, to the Sinhalese the will of the majority means democracy, but to the Tamils it means the tyranny of a fixed communal majority. To the Sinhalese the militant extremist youth are "terrorists", but to the Tamils they are "our boys". The quota system of university admissions is viewed favourably by most Sinhalese as the righting of historical injustices, and by the Tamils as discrimination. The victory of Dutugemunu was the defeat of Elara. Inherent in these contrasting views is the opposition in the Sinhalese and Tamil identities.

The significance of communal identity stems from the fact that it is related to matters concerning the mysteries of who one is, and what one's place in the world is in relation to others. The anxiety provoked by such questions can be reduced when shared with others. This is best done within the womb of the community of culture, language and blood ties. Just as the root of individual conflict lies in the determination of the individual to be in charge of his life, so in society communal conflict arises when the will of the community to determine the course of its life is thwarted. This is the crux of the communal problem. If it is understood and accepted as such the necessity for a political solution based upon a major devolution of power on the lines of regional autonomy to dissatisfied territorially concentrated communities becomes obvious.

In order to reach the best solution to the communal conflict it is necessary to appreciate correctly the nature of the problem. According to the American sociologist Edward Spicer, "The oppositional process frequently produces intense collective consciousness and a high degree of internal solidarity within the persistent identity." Two central concepts may be discerned in this statement which are of the utmost relevance to a proper understanding of the Sinhalese-Tamil conflict; first, the persistent identity and second, the oppositional process.

The Sinhalese, Tamil, Irish, Jewish, and Basque identities are examples of the persistent identity. Each of these has an ancient history and survived prolonged periods of outside rule. Pressures to force political or religious incorporation failed to succeed, and continue to do so. However, the resistance to these pressures has developed within the communities cited above well-defined symbols of identity that differentiate them from the outside communities. Such symbols include language, religion, flags, articles of dress, art and culturally significant customs.

THE SINHALESE OPPOSITIONAL RESPONSE

The oppositional process is a factor of the greatest significance in the identity of the Sinhalese. In the sacred history of the Mahavamsa the beleaguered nature of the Sinhalese community and its isolation are central themes. In it is shown how the efforts of kings like Dutugemunu and Vijayabahu I saved Buddhism and its followers, the Sinhalese, from absorption by the invading South Indian Hindus. Today, in the symbolic value attached to the memory of Dutugemunu the same factor that caused the 6th century chronicler of the Mahavamsa to transform what was essentially a feudal battle fought more than 600 years earlier into the type of communal and religious war more appropriate to his own time still persists: it is the fear of absorption by the larger and more powerful Tamil pre-

sence that extends beyond the shores of the island to populous South India. Hence, the deeply rooted feeling among many Sinhalese that Sri Lanka is the land of the Sinhalese to be preserved from alien encroachments.

It was in fact similar fears of absorption that provided the driving force behind the Muslim separatist movement in British India. Indian leaders, including Mahatma Gandhi, did not recognize the duality of a separate Hindu and Muslim identity present in India. Gandhi, for instance, saw a mystical unity of India as the goal of all Indian striving. This essentially Hindu idea of union found an obliging political expression for him in the abstract framework of western political theory of the unified and centralized nation-state.

As a result, instead of trying to build the union of the two communities on the basis of their separateness, Hindu Indian leaders sought unity on, what was to Muslims, an unacceptable Hindu basis. When the Muslim leader Jinnah charged that the Hindu Indian leadership wanted a Hindu Raj in India, the reply given to him by Gandhi clearly demonstrates the very all-absorbing nature of the Hindu identity that the Muslims feared. Gandhi said, "He is utterly wrong. That is absurd. I am a Muslim, a Hindu, a Buddhist, a Christian, a Jain, a Parsi".

Thus, submerged in the mass Muslim consciousness was the fear that the Hinduism that had absorbed the Vedas, the Upanishads, the Gita and disposed of Buddhism would, in a Hindu-dominated independent India, engulf the Koran likewise and dispossess Islam as surely as it had Buddhism. The fundamental requirement for the development of national unity is security and the recognition of their unique identity to component communities. But Indian leaders like Nehru realized this too late to stem the tide of communalism, and India was bloodily partitioned. We in Sri Lanka must learn this lesson of history and apply it to our own country. But time runs short.

MUTUALLY REINFORCING OPPOSITIONS

Where identities have been formed in opposition to one another, the threat of being overwhelmed and absorbed into the other has always loomed large. Historically almost all the invasions of the island came from South Indian kingdoms. Opposing the Sinhalese identity was the Tamil. In the 7th century, and in the periods that followed, this became particularly intense with the rise and expansion of a militant Hinduism in the South Indian kingdoms that displaced both Buddhism and Jainism. In the collective memory of the Sinhalese and Tamils the long periods of peace and cooperation were forgotten and the periods of warfare and destruction were highlighted. In the case of the ancient Sinhalese several conditions helped them to resist Tamil incorporationist pressures effectively. The chief among these were their geographical situation on an island, economic independence because they were never alienated from their land, and the unifying ideology of Buddhism. Owing to the great efforts of warrior-kings like Dutugemunu, Vijayabahu I and Parakramabahu I, Sri Lanka today offers to the world the heritage of a Theravada Buddhist civilization despite the fact that Buddhism was reabsorbed into Hinduism in the land of its birth. Consequently, however, permeating the Sinhalese subconscious of today lurks the shadowy fears of the past. These are reinforced by the common lore passed down the generation and school text books prepared by the state which depict the Tamils as enemies and rivals of the Sinhalese, and not as the citizens of one country shared together.

In times of tension these subconscious fears can be reactivated by leaders to mobilize popular support and communal solidarity. Thus, although in 1919 the national independence movement, the Ceylon National Congress, was formed by both Sinhalese and Tamils, it split along communal lines a mere two years later. The Sinhalese felt threatened by the large Tamil and non-Sinhalese presence

in the civil service and business while the Tamils felt vulnerable as a numerical minority, and each wanted a political instrument that would protect its own interests. Tamils fears which were concretized by the formation of a pan-Sinhalese Board of Ministers even prior to independence in 1936 finally found expression in the formation of the Federal Party in 1951. But the FP's demand for autonomy in the Tamil areas in turn fed the perception of threat among the Sinhalese of a Tamil separatist movement that would link up with South India.

Language disputes have shaken the unity of countries as diverse as India, Spain, Sudan and Canada. This is because language is a key marker of distinctive identity and consequently is a focus of communal loyalty. Therefore, the Sinhala - only Act of 1956, and the emotion associated with it, were seen by Tamils as a threat not only to their jobs but also to their culture and identity. On the other hand, had the Tamil leaders made a determined effort to consolidate the gains of the Bandaranaike-Chelvanayakam pact negotiated the following year instead of generating further emotion by agitating for the removal of the "Sri" Number plates, it is possible that moderate Sinhalese opinion, the leader of which was Prime Minister S.W.R.D. Bandaranaike, would have triumphed. But the Tamil leaders eager to whip up Tamil support did little to reassure the Sinhalese about what they wanted.

For instance, it should have been stressed that Tamils wanted the right to transact business with the state in their own language, and not to impose their language on the Sinhalese. Instead came the anti-"Sri" campaign and the tarring of state vehicles soon after the signing of the politically sensitive pact which had put the government on the defensive against opposition from within even its own ranks. In a similar fashion the demand for federalism too was left deliberately vague in order to maximize bargaining strength and win Tamil support.

But in the process opponents of autonomy were left with a free hand to play upon the fears of the Sinhalese.

Thus, in 1958 there were no terrorists or a demand for Eelam, yet the Sinhalese and Tamils clashed bloodily in island-wide rioting. The chief threat then to the Sinhalese was language, and the doubt was whether the Sinhala language could survive in competition with the more universal Tamil language. The hardline Sinhalese political response denied in practice to the Tamil language even its reasonable use. Further, the attitude of the Sinhalese political leadership to the peaceful, though ill-timed, protests of the Tamils, epitomized by the utterance of the Prime Minister who on seeing wounded and bandaged Tamil MPs in Parliament enquired of them "Honourable wounds of war?" made clear to the more self-respecting Tamils that their membership in the country as equal citizens was very much in doubt.

The evidence from a number of countries affected by communal problems (the Spanish Basque region, the Indian Punjab and Southern Sudan) indicates that feelings of political powerlessness and lack of status are more closely related to communal action than economic constraints. Although communal leaders might make complete their case with reference to economics and legalisms the core of that appeal remains psychological.

Today the demand for a separate state and the adoption of terrorism by militant Tamils is the radical response of a community conscious of its rights and dignity do the threat of being shut out of the mainstream of political life and marginalized. But in their efforts to obtain redress the Tamils have consistently adopted strategies and framed their demands in a manner designed to reawaken the elemental Sinhalese fears lurking in the background. Even where Tamil demands were not in themselves excessive, the manner of their framing often enabled Sinhalese leaders to make them out to be so.

THE TAMIL OPPOSITIONAL RESPONSE

The oppositional process has motivated the Tamils into protecting their communal identity from absorption into a Sri Lankan identity that is equated with the Sinhalese. While it is true that a common western oriented life-style in the urban areas and the common struggle for independence has created a certain Sri Lankan identity, at least among a section of the people, it cannot be denied that the chief symbols of state are exclusively Sinhalese: the official language, the state religion, the "lion" flag, and the names given to regiments of the armed forces. Thus, what is seen by Sinhalese as Tamil disloyalty to the country and cliquishness is largely the product of Tamil efforts to preserve their communal identity. But along with such internal factors to which the state has contributed there have been factors external to the state and to the Sinhalese that have moulded the Tamil identity.

The foremost among these is the fact that South India has been an important, if not primary, focus of attachment to the Tamils. According to Professor K. Kailasapathy of Jaffna University, "The cultural and linguistic consciousness of the Tamil community in Sri Lanka has always been influenced by developments in India in general and South India in particular". This is a perception shared by many Sinhalese. It is perhaps a recognition of this link with the many millions of Tamils on the other side of the northern shore that has led many influential Tamils to claim that there are "two major communities" on the island. But in fact there are four major communities (the Sinhalese, Tamils, Muslims and Indian Tamils) or looking at it from another viewpoint a majority community comprising three quarters of the country's population and three minority communities making up the balance quarter.

The disenfranchisement of the Indian Tamils in 1948 and the Sinhala-only legislation of 1956, however, brought home to the Tamils that whatever the bonds that existed between the Tamils of Sri Lanka and those of South India these were located in two separate countries. Thus, in post-independence Sri Lanka, to quote Professor Kailasapathy, "Although South India continued to be looked upon as the 'mainland', it was nevertheless gradually receding into the background. "But again this process has been reversed, since 1975, as a result of terrorist, mob and state violence involving the Tamils, who as a politically powerless minority are being forced to look to South India for support and protection.

Territorial concentration, expatriate and South Indian assistance and the powerful motivating force of persecution have become, in terms of the oppositional process, the main props of Tamil resistance. The threat of political irrelevance and exclusion from national political life has further accentuated their resistant posture. Herein is a national tragedy that Sri Lankan citizens, who as a community have contributed much to the development of the country, are being forced by a vicious cycle of political manoeuvring, errors and primeval fears into being hostile to the land of their birth.

It is opportune at this stage to ponder the words of Martin Luther King about the blacks in America. He said, "The negro is in dire need of a sense of dignity and a sense of pride, and I think Black Power is an attempt to develop pride. And there is no doubt about the need for power - he cannot get into the mainstream of society without it". King acknowledged, however, the weakness of the blacks' position and the need to join forces with other concerned and aggrieved sections of the population. He continued, "But the use of the phrase Black Power gives the feeling that the negro can do it alone and that he does not need anybody but himself. We have to keep remembering that we are only 10 or 11% of the population."

Thus, persistent identities locked into an opposition derived from mutual and self-reinforcing threat perceptions epitomizes Sinhalese-Tamil relations. Such conflicting perceptions and fears make a political resolution of the communal problem extremely difficult. Yet this is the only way out. There is no military solution. Today the armed forces are fighting a battle they cannot win, and which is not theirs to fight. They confront opponents who hide among civilians, and after shooting from behind disappear among civilians. The vicious cycle must be broken. The question is how? A first step has to be taken. The question is by whom?

TOWARDS COMMUNAL HARMONY

Despite the workings of the oppositional process, at the religious and cultural level there has been over the centuries a joining together of Sinhalese and Tamil, Buddhist and Hindu. Thus, in the courtyard of nearly every Buddhist temple there are shrines dedicated to the deities. Shrine worship came into the Theravada Buddhist practices of Sri Lanka through the influence of Hinduism and Mahayana Buddhism. Foremost among the numerous deities of the Buddhist pantheon are Nata, Vishnu, Kataragama and Pattini. The first is a Mahayana deity and the rest are Hindu. These are living links between Sinhalese-Buddhists and Tamil-Hindus. The common religion of Christianity furnishes yet another link. Then again, organizations such as Sarvodaya have shown themselves capable of transcending communal barriers. But the opportunities these have provided for the forgoing of a transcending Sri Lankan identity have been chipped away in the political sphere.

In 1984 the Sinhalese are the dominant community in Sri Lanka. They control absolutely the executive, legislative, judicial and military arms of government. They possess a more prosperous and greater population, pre-

sently 12 million, than at any time in their history. Yet the twin insecurities of isolation and historical deprivation have clung onto the Sinhalese subconscious and induced them to see a threat to themselves in legitimate Tamil demands. Three such are the demands for equal status as citizens, for language rights and for local power in their own areas.

As the majority community in control of the levers of state, the Sinhalese, by definition the more responsible party, ought to take the first step towards reconciliation with the Tamils. But the burden of the past, and the present perception of threat, renders the shouldering of such a responsibility a near impossibility. Terrorism and the Tamil campaign for separation have resurrected too many Sinhalese fears. Thus, when totally unfounded rumours of a major terrorist attack on Colombo and Badulla spread through the country, Sinhalese panicked and fled for the safety of their homes or hid in tea bushes. Elara and the tyrant Magha of ancient times, and the more recent Tigers and Karunanidhi merged into one alarming possibility. The fears may be unfounded in the modern context, but they do exist.

In 1960 the Christians of this country clashed with the state and the Buddhists on the issue of the take-over of private schools. But before the conflict could reach serious proportions saner counsel prevailed and the Christians decided to compromise with the state. Today under admittedly more difficult circumstances a similar decision by the Tamils could evoke a similar spirit of reconciliation among the Sinhalese: it is to renounce separation and to call a truce to the use of violence.

Many Tamils would aver, however, that it is precisely such political violence, or terrorism, that has focussed attention onto their grievances, whereas for over 25 years their peaceful protests went unheeded. This is true in

much the same way that the diseased state of the human body is brought to the attention of its owner by an ulcer. Like an ulcer, terrorism has broadcast its message that a situation of acute societal distress exists in the body politic. Like an ulcer, terrorism should not be aided but should be cured before it perforates and endangers the entire body.

By remorselessly killing "traitors" and "anti-social elements" terrorism now devours its own, the young as well as the very old. The inner logic of terrorism drives it towards the destruction of the very ideals it espoused and sought to obtain. Nevertheless it must not be forgotten that those who have become terrorists today are not simply "devils", but are as much the children of this land as the 1971 Sinhalese insurgents whom the country finally treated with a compassion not often seen in the world.

TERRORISM IN SOUTH AMERICA

The contrasting experiences of two South American countries is worth mentioning at this point. There are important lessons that both Sinhalese and Tamils can learn. One is the danger to both a civilian government and rebels of inviting a military backlash by resorting to violence to solve what are essentially political problems. The other is the crucial need to have the active support of the people in accomplishing societal reform. In the early 1960s Uruguay was one of the most democratic countries in South America. But this was also a period of revolutionary ferment on the continent. The Cuban revolution had taken place, and charismatic revolutionaries such as Che Guevara gathered the discontents of the poor and oppressed into tenacious guerilla movements that attacked the state from strongholds in the countryside.

However, with the death of Guevara in 1967 the locus of the battle shifted away from the countryside to the cities. Theorists of urban terrorism such as Regis

Debray rose to prominence. Unlike the revolutionaries of the past ages, such as Lenin and Mao, they believed that the uninhibited violence of a vanguard few could destabilize the state more effectively and rapidly than mass movements. In Uruguay Marxist revolutionaries calling themselves the Tupemaros began their operations in 1968. Spectacular bombings, kidnappings and killings soon followed that gripped the attention of the world.

To deal with the extraordinary crisis that had destabilized the entire society the powers of the armed forces were enormously boosted. But when the situation deteriorated still further the military, in order to obtain absolute power, deposed the civilian government. In the all-out war against terrorism that followed national security became the paramount consideration and repression reached a peak. The cities of Uruguay became enormous graveyards, but by 1973 the Tupemaros together with democracy were completely wiped out. The Tupemaros who fought the state for the sake of the oppressed masses only succeeded by their terrorism in destroying both themselves and the democracy they had sought to improve upon.

A contrary picture from the same continent is presented by Nicaragua. Here the Sandanista movement was formed by revolutionaries in 1961 to overthrow the state. The Sandanistas engaged in sporadic terrorism, but suffered heavy defeats, especially in 1967, at the hands of the armed forces until they recognized their main error: isolation from the people. Consistent success rewarded their efforts only after they accepted the need for mass organization. Tomas Borge, one of the Sandanista leaders, called this period an "accumulation of forces in silence." The new policy required much greater effort and time than did terrorism. It evoked general state repression that alienated even the previously uncommitted. Alienated as it was from the mass of the people on both the right and left, the dictatorship fell to the military arm of the Sandanistas in 1979.

THE CASE AGAINST TERRORISM

The Russian revolutionary leader Lenin opposed sporadic acts of terrorism. He saw that it diverted energies away from the main task of building-up a powerful mass movement by causing people to hope for salvation to come the easy way through the efforts of a few individuals. Trotsky, who headed the Red Armies in the Russian civil war, was even more strongly opposed to terrorism by the revolutionary movement. He saw that the movement would become subordinate to the terrorist arm. Today is this not what has happened to the Tamil movement? The struggle of the Tamils for a recognition of their grievances and equal place as citizens of this country is overshadowed by an increasingly cruel and irrational terrorism that reflects poorly on the great civilization of the Tamils, the heirs to the tradition of the Arya Chakravarties, Ananda Coomaraswamy, Arumugam Navalar and the Ponnambalam brothers.

Terrorism is above all a source of fear. It does not permit an opposition that might point out a better way. The actions of terrorists, the presence of extremists, and the ambivalence of moderates who fear to take open positions cannot but lead to a lack of trust on the Sinhalese side. When this is combined with the heritage of the Sinhalese communal identity the result is an unwillingness to compromise.

However, violent youth is not a phenomenon limited to Sri Lanka. In 1967 the American President Lyndon Johnson appointed a Commission to investigate the white-black racial problem and the large-scale rioting that had necessitated intervention by the armed forces. The Commission described the typical black rioter in the following terms: "He was proud of his race, extremely hostile to both whites and middle-class negroes and, although informed about politics, highly distrustful of the political system." Add to this the fact that the Commission also

found the typical rioter to be "somewhat better educated than his non-rioting negro neighbour" and what we have is the counterpart of the Sinhalese insurgent of 1971 and the Tamil terrorist of the post-1975 period.

Although there is a difference between communally motivated and ideologically motivated violence, Tamil terrorism arose, as did the Sinhalese insurgency, out of the acute frustration of youth at the hopelessness of a situation that was perceived to be irredeemable. Far reaching economic reforms followed the suppression of the insurgency. But far reaching political reforms need to precede the suppression of terrorism because the prerequisite for a successful anti-terrorist campaign, if such will be needed at all following a political settlement, is to alienate the terrorists from the peaceful civilian population among whom they now operate. This is the only practical and humane way to get rid of terrorism, given the constraints of the situation.

THE TAMIL ROLE

Separation is not a realistic goal. It will be resisted to the last, with great effort, by the Sinhalese. For better or for worse the Sinhalese and Tamils have to live together on this island. From this point of view the Tamils must disavow separation and cease to support terrorism, either openly or tacitly, as being positively harmful to reaching the goal of peaceful and mutually advantageous coexistence. This can relax, or even reverse, the oppositional process.

Such a course of action would enable the Sinhalese to make a more rational evaluation of the communal problem and its best solution. The Sinhalese communal identity would no longer be under threat, and this in turn will enable moderate Sinhalese leaders to reassert their influence. But this does not mean a regression to passivity on the part of the Tamils. Like individuals, govern-

ments too do not like to make definite choices, especially when there are conflicting pulls from powerful groups.

The reason why the peaceful Tamil protests of the past failed to achieve any worthwhile result was that they did not win the sympathy of other important sections of society, were not done on a large enough scale, and neither embarrassed the government nor came to the attention of all Sri Lankans. A course of action possessing these qualities would be difficult to organize, and would require great qualities of character, but it is surely worth the effort.

The TULF leadership has stated that it intends, and is preparing, to launch a civil disobedience campaign in the north and east. But two conditions must be fulfilled for such a campaign to have a constructive effect: one is that terrorism and the demand for separation must cease; and the other is that in addition to the north and east, the rest of the country too must become involved in such mass action. Since the Tamils are a small minority outside of the Northern and Eastern provinces, it is therefore essential that other communities including the Sinhalese be won over to a just cause that is not seen narrowly as a Sinhalese-Tamil conflict, but as a reform movement that will bring peace and human-rights to all.

Violence and instability have a tendency to propagate themselves, and what is today the misfortune of the north may tomorrow, or even today, begin to afflict the south. It is essential that we wake up, or be woken up, to take note of the flames that consume the country. The intelligentsia together with religious and cultural organizations and the independent mass media must educate the people about the urgency of a political settlement that brooks no delay.

WHAT MASS ACTION CAN MEAN

In opposition to terrorism a brief discussion on what Gandhi meant by mass action would be instructive. Those who do not properly know how to use it scorn it, yet mass action, used by Gandhi chiefly in the form of Satyagraha, triumphed over Imperial Britain with army generals such as Dyer who, in 1919, ordered his troops to fire at unarmed demonstrators trapped in a public square. While people screamed and pleaded, British and Gurkha troops fired for a full 10 minutes into the crowd with their guns. 1516 Indians fell dead or wounded. Dyer then marched his troops away, declared a curfew and claimed he had done "a jolly good thing."

To Gandhi mass action excluded the use of violence because, as he asserted, "Man is not capable of knowing absolute truth and therefore is not competent to punish." His aim was not simply to make demands but also to create new possibilities while compelling the adversary to make a choice. The essential idea was to-transform-the-existing relationship with the adversary so that a more favourable and just relationship could emerge.

Thus, in Gandhi's thinking, non-violence did not mean a meek submission to the will of the adversary, but rather called for the pitting of one's whole energies against the adversary's will. Hence, mass action called for the ancient Yogic law of self-restraint and discipline undertaken towards arriving at an agreement of truth that would resolve the dispute and therefore lead to the moral coercion of the adversary. This was the essential element in the Gandhian technique of mass action that compelled compliance to its cause, not merely by mobilizing superior numbers or force, but by mobilizing a general awareness and recognition of the justice of the cause for which it was being used.

In the case of the Sinhalese-Tamil conflict, the Tamils must seek to change the Sinhalese perception of them as an upstart minority demanding too much and therefore a threat to be combatted. The Tamil demands for equal status as citizens, language rights and local autonomy are just, and must be shown to be so in an open, yet non-threatening manner.

When faced with a seemingly irreconcilable clash of interests it is natural, and primeval, to resort to physical force. But Gandhi saw that the use of violence inevitably led to passions and deeds that destroyed the ability to reach the highest truth. Mass action as practiced by Gandhi can awaken the best in an adversary by relaxing the oppositional response, and can help to bridge the gap that presently separates the Sinhalese and Tamils who labour under their heavy burdens of fear, suspicion and bitterness.

India is not the only example of a successful campaign of mass action. The United States of America is another.

THE BLACK CIVIL RIGHTS MOVEMENT IN THE U.S.A.

In 1955 segregation held sway in the southern states of the United States. Thus, a black person could not sit next to a white person in a bus. At the bus terminal he had to wait in a separate room designated "For Coloreds Only". He could not attend the schools and universities that whites did. But Martin Luther King's initial campaign to win seats for blacks on buses finally ended with the winning of a worthy place for the poor, both black and white, in the United States. Today the U.S.A. is almost unique to the world in that human-rights and relations between races and communal groups steadily grow better.

Having adapted the methods of Mahatma Gandhi to the realities of the southern United States where the blacks were a powerless and oppressed minority, Martin Luther King weaved a difficult path between the extremes of "tokenism" and the "Black Muslims." The proponents of the former were black moderates who, in 1910, had established the National Association for the Advancement of Colored People which sought to bring about change through the courts by obtaining favourable legal decisions. However, in 1964, 10 years after one such legal decision, the desegregation of public schools, only 1% of black children in the southern attended the same schools as whites. The improvement in the condition of blacks through the courts was chiefly a symbolic one that lacked substance.

The extreme reaction to such "tokenism" was represented by the Black Muslims who converted their adherents to Islam, and declared all whites to be inferior "devils." The Black Muslims believed in establishing a separate black state and in the launching of a terror campaign against "white America."

King, however, saw his path as lying in the mobilization of the masses. Assessing the power of the forces arrayed against the blacks he did not see the 'slightest prospect of victory" in the violent approach. He also rejected the reliance on court decisions. He chose non-violent but direct confrontation that deliberately created tensions and crises. He called such tensions "creative" because by showing their determination to achieve inalienable human rights a new climate could be created for negotiations aimed at abolishing unjust laws and practices.

King's first campaign, in 1955, was to win blacks equal seating rights in buses in the city of Montgomery in the state of Alabama. Approximately 1/3 of the city's population and 3/4 of the bus service's passengers were

black. For 381 days the blacks boycotted the buses. They arranged their own transport to work. The city authorities struck back by arresting 90 black activists for organizing "illegal" transport. Bombs were thrown at King's house. But the following year the Supreme Court gave blacks the right, by law, to sit wherever they wished to in the bus.

From boycotts to sit-down strikes to marches and demonstrations the movement grew. Thus, in 1963, over a period of 4 months a million Americans, black and white, took part in over 800 protest marches and demonstrations in the course of which about 14,000 people were arrested. Whites who joined with the blacks were vilified as "traitors" and in some instances beaten and killed. But numbers were no longer the most important factor. What was important was the fact that these were no longer brief isolated incidents, but a national movement that included workers, sharecroppers, students, professors and Hollywood stars.

The paradox of King's strategy was that the success of non-violence was usually linked to violence from the other side. This broke down indifference and enabled a new factor to enter the confrontation on the side of those struggling for equal rights - public opinion, the news media and ultimately the Central Government.

There are significant differences between the situation that existed in India and the U.S.A. and Sri Lanka. In India, Gandhi's strategy matured over a period that exceeded 3 decades. Further the cause he canvassed was supported by the totality of Indians at a time when Great Britain was exhausted by two world wars. In the United States the Civil Rights movement under King took off with almost no preparation in a bitterly divided but rights conscious society in which blacks constituted less than 11% of the population. But the topmost political leadership including President Kennedy and his successor President Johnson were actively in favour of the movement for

equal rights. In Sri Lanka some of these positive conditions are lacking, but others exist, and it is the task of genuine political leadership to evolve the strategies that make apparently unfavourable conditions favourable.

THE SINHALESE ROLE

If communal harmony is to return to the country it is essential that not only the territorial integrity of Sri Lanka be assured and terrorism cease, but also that the Tamils be given their due rights. For a Sri Lankan identity to develop that transcends the mutually exclusive communal identities, first and foremost security must be provided to the latter. This is the right of the Tamils, and this is also what S.W.R.D. Bandaranaike meant in 1939, though about the Sinhalese, when he said, "firstly, unity among the Sinhalese; and secondly, while unifying the Sinhalese to work for the higher unity, the unity of all communities". The question is how best to provide that security to communities that have for centuries seen themselves in opposition to one another. The two major steps are to provide the Sinhalese with security by the cessation of violence aimed at dividing the country, and to change the political framework that has shunted the Tamils out of the mainstream of political life.

It may well be true that the Tamil political leadership is chiefly responsible for the turmoil the country is in today, even moreso than the Sinhalese leadership. It may be true that they gave their people false expectations. It may also be true that they could still have joined the mainstream, as the Muslims did, 30, 50 or a 100 years ago. But today the fact is that this is a communally divided society. The past is now behind and cannot be changed. But the mistakes of the past have given rise to present day problems, and these have to be solved.

In this respect as well, Sri Lanka is not unique for many other countries have faced similar problems and

dealt effectively with them. There are well-designed and proven methods of constitutionally easing communal problems. The experiences of other countries, such as Spain, Yugoslavia, Sudan and Canada and Sri Lanka's own communal and territorial composition strongly suggest that the best solution would be one along the lines of devolution that gives considerable political autonomy to the Tamil areas.

It is sometimes argued that regional autonomy is not an economically viable form of government for Sri Lanka. Regional autonomy would entail economic costs caused, for instance, by the duplication of government services and bureaucracy. But regional autonomy also means smaller regional governments closer and more sensitive to the needs of the people of the area. Thus, there would be considerable benefits resulting from the greater scope for the targetting of economic resources to where they are most needed. To this, of course, must be added the huge saving on military expenditures. When the political imperative is added to these economic arguments, the case for regional autonomy is an extremely strong one.

The question concerning the areas that would have either their own local rule or direct rule from Colombo must be answered democratically by means of district-wise referendums. Every district that at a referendum expresses its wish to form an autonomous unit with other like-minded districts must be given the right to do so. However, any district that expresses a majority decision against such a link-up must not be forced to do so. This is the essence of democratic practice.

The Tamils of the north and east have a right to insist on political autonomy not only because they are a territorial majority in the north and parts of the east, but also because without that political power they will fail to get their due share as equal citizens of jobs, education, and land. For instance, when an UNP government

gets elected it looks after UNP supporters and generally neglects everyone else. Likewise when an SLFP government is elected it looks after SLFP supporters and generally neglects everyone else. Under the prevailing system of political patronage neither party has an interest in looking after the TULF supporters. In this present political set-up where strong governments can be, and have been, formed with primarily Sinhalese votes, the politicians are naturally inclined to first look after those who voted them in. Only after can they look into the needs of the Tamils of the north and east. But by that time, in the context of a poor economy, there is nothing left to give. Thus although there is no Cabinet decision to discriminate against Tamils in favour of Sinhalese, the end effect of the patronage system is precisely that. The Tamil demand for political autonomy is not the demand of an egotistical and unpatriotic community, but is the response of people who want equal treatment in getting jobs, education and land in the country of their birth.

Ironically the Sinhalese voters themselves have shown a willingness to satisfy the demands of the Tamils for language rights and local power. The original "Sinhala-only" legislation was initially narrowed down to accomodate the "reasonable use of Tamil" and today has been further narrowed by the upgrading of Tamil to the status of a national language. Yet the proper implementation of these laws approved by Sinhalese back-benchers in Parliament has been stalled by successive governments. Likewise the attempt to devolve power to the districts while approved by Sinhalese voters was once again stalled because of the reluctance of the political leadership to give expression to the will of the people. As regards today's crisis, it is apparent that the militancy of important sections of the government is matched, not by a corresponding militancy among the great majority of Sinhalese, but by a willingness to seek a just and negotiated political accomodation with the Tamils.

At this critical juncture of our history it is important that we reflect deeply and ask why this gap between the people and the politicians exists? Why is it that the channels of peaceful protest are blocked so that university students and aggrieved minorities feel impelled to resort to violence that is met by state violence? There are no easy answers. But for answers to be found an awareness must exist that these are indeed questions.

WHAT REGIONAL AUTONOMY MEANS

Political autonomy on a regional basis does not mean the division of the country. If it did then countries such as the USA, USSR, Spain, Belgium, India, Switzerland and Yugoslavia would be divided countries, which is absurd. Regional autonomy simply means greater scope for democracy. It means that if a village wants tube wells instead of a conference hall it can say so to government officials whose offices are 10 miles away instead of 200. Regional autonomy means that people look after the affairs of their own region while the central government looks after the affairs of the entire country. Thus, while the regional government will have control over education, law courts, police, economic development and cultural affairs in its own area, the central government will have absolute control over foreign affairs (aid, trade and customs), immigration and emigration, the Central Bank and money supply, the Supreme Court and armed forces (army, navy, air force).

In countries threatened by separatist movements and civil war (Canada, Spain and Sudan for instance) methods of regional autonomy have helped to diffuse the crises and restore communal harmony. In no instance has the granting of regional autonomy led to separation against the wishes of the state. However, countries that denied such autonomy to dissatisfied territorial groups have ended up being partitioned (British Ireland in 1920, Pakistan in 1971 and Cyprus in 1982). The message of history

is a compelling one to be ignored at great risk. It is because so little is known about what regional autonomy actually means that fanciful fears are easily aroused.

THEORY AND PRACTICE

It may be objected that reasonable as the foregoing may sound it is yet theoretical and does not take into account scores of practical difficulties. By its very nature, any solution written on paper is ideal and allowance has to be made for this in reality. But such a solution can point out the way for practical-minded people, like politicians, to clear.

One of the practical difficulties to be overcome is the fact that Sinhalese fear that the grant of regional autonomy to the Tamil areas would strengthen the Tamil position to wage terrorism and undermine the state. Here there are two points to be noted. The first is to note the essentially conservative nature of the Tamil community. Once the Tamils obtain the local autonomy that they have been agitating for since Independence, it is extremely unlikely that they will wish to rock the boat any further and bring greater misery upon both themselves and the rest of the country. This is also not the experience of other countries. Even in India, the State of Tamil Nadu which sought to secede during the time of Nehru, abandoned that demand after its basic demands were met. Secondly, a clause can be written into the regional government to work for the unity of the country. Thus, if it is found that instead of promoting the unity of the country the regional government is undermining it, then the central government can take the necessary steps, including the abrogation of the agreement, to stabilize the situation.

Likewise the Tamils fear that should violent agitation for their rights cease, then the government, although now fully awake to their demands, would be tempted to turn

the Nelsonian blind-eye to them as it did until the outbreak of terrorism. But this would not be a problem if the Tamils should prepare themselves for a campaign of mass action that will keep the government awake to their unresolved grievances.

For such practical problems to be solved pragmatism and goodwill are required. Perhaps a 6 month mutually observed ceasefire that would reassure both Sinhalese and Tamils accompanied by serious dialogue and negotiation that includes the Tamil militants will suffice to break the present vicious cycle of violence, counter-violence and the mutual hardening of attitudes. When a mutually satisfactory solution is reached the ceasefire will become permanent. These will be great steps but yet first steps to national reconciliation. For so long as people see themselves as separate from their fellow humans, conflict in its various manifestations (individual, communal, class and religious) will remain inherent in society. This is indeed the message of the great religions.

The research I have been conducting in towns and villages in the Sinhalese areas offers convincing evidence that a significant majority of Sinhalese, particularly those in the rural areas, want a political accommodation with the Tamils. They are aware that the millions of rupees currently being swallowed by the armed struggle in the north deprives them of electricity, water and subsidies. It is also a fact that the majority of Tamils concur with their Sinhalese fellow citizens that a political settlement to this problem, which has caused so much of misery and sorrow, is most desirable.

This is not remarkable, and is indicative of the deep rooted desire among people for harmony in the face of the continuous barrage of adverse propaganda that adds to the store of half-truths and fans the flames of communal discontent.

It is imperative that the masses of Sinhalese and Tamil people demand of their respective leaders a mutually acceptable political solution that will bring peace to this strife-torn land. The fact that the politicians hold the master-key to communal harmony cannot be denied. With their control over the sources of information and propaganda, the newspapers, radio and television they have an enormous educative power. With their control over the state finances and armed forces they have an immense material power. This power is much more readily musterable than that which can be summoned by the diffuse and often contradictory efforts of non-political organizations and the intelligentsia. Yet this power can be used for good or bad, or not at all. If their political leaders do not heed the voice of the people, either for opportunistic reasons or simply because they lag behind the people in political consciousness, then the people must replace them. Communal harmony is the responsibility of all Sri Lankans, and it must be fought for with courage, not with fire, swords and guns, but with minds hearts and votes.

FOR UNDERSTANDING DECENTRALISATION

"Few Sri Lankan statesmen and politicians of the post-independence era have stopped to ask themselves when it was that a Sinhalese last ruled over the whole island. When they did think of it at all they turned to the kandyan Kingdom -- the last independent Sinhalese Kingdom -- which had been ceded to the British in 1815 and they were inclined to regard themselves as its successors if not heirs. But in doing so they missed the point that they were heirs to much more than the Kandyan rulers had ever controlled for these latter ruled over a land-locked state while the island's littoral regions were under foreign rule.

(Contd. to the overleaf)

It was as long as the first half of the 15th century that a Sinhalese ruler last had effective control over the whole island. But even this did not amount to a decisive reversal of the centrifugal tendencies in the Sri Lankan political system, the inevitable result of several centuries of turmoil, instability and intermittent periods of foreign invasion. Indeed one had to look further back into the past to find a period when Sinhalese rulers had control over the whole island, to the second half of the 11th century and the 1st half of the 12th. But even this had been, in effect, an interlude of indigenous rule sandwiched between two phases of South Indian domination of Sri Lankan politics.

Thus the years 1815-8 during which the British established control over the whole island were a decisive turning point in the history of Sri Lanka. The unification attempted in 1818 was merely political. The British did not set up a unified administrative system over the whole island till 1832, in which year the maintenance of two administrations, for the maritime region and the Kandyan areas respectively, was a key feature, gave place to a unified structure for the whole island."

From a talk by Prof. K.M. de Silva on
SRI LANKA: THE DILEMMAS OF DECENTRALISATION
 (December - 1983)

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