

# Saturday Review

## SRI LANKA

Vol. 3 No. 6

24th March 1984

# Self-imposed ban on Saturday Review?

We are seriously thinking of suspending the publication of the SATURDAY REVIEW until the special consorship imposed on us by the Jayewardene Government is revoked.

*What is the use of publishing a newspaper from Jaffna when we are not free to report or comment frankly on what is actually happening in Jaffna today?*

And all the time our President waxes eloquent about the Press Freedom that is supposed to exist in Sri Lanka under his United National Party dispensation.

Addressing a public meeting recently Mr. Jayewardene reportedly said that complete Press Freedom existed in Sri Lanka and that Press Freedom was integral to democracy.

But what is the real position in Sri Lanka today?

The biggest newspaper company, which was brought under state control by Mrs.

Bandaranaike's regime in 1973, continues to be under the control of the Jayewardene Government.

Another company, which was nationalised by the Jayewardene Government shortly after the UNP's victory in July 1977, continues to be in state hands.

Two privately-owned newspaper companies are

kotowing to the Government to such an extent that sometimes their publications are more pro-Government than the state-owned or controlled media.

Only "The Island" and the "Diviyina", out of the "national dailies" published from Colombo, have had the courage to criticise the Government when criticism was necessary.

The two television networks continue to be under state control.

Now the Press Council, against whose establishment Mr. Jayewardene waged a valiant legal battle in 1973, is to be vested with more powers to prevent criticism of the Government even by inuendo!

And the SATURDAY REVIEW, of all newspapers published in Sri Lanka, continues to be treated like a "Paper Tiger"

Yet, our President has the gumption to claim that Press Freedom, as assured under

the Fundamental Rights provisions of the Constitution, does exist in Sri Lanka.

It seems to us that the term "Press Freedom" has acquired a new meaning since the UNP assumed office. That is all we can say under the present consorship rules, which could become even tighter after 1st April.

We repeat, we are seriously thinking of suspending publication of the SATURDAY REVIEW until the special censorship imposed on us is removed.

What say you, our dear Readers?

## ANOTHER BLUNDER BY GOVERNMENT

Each time a good public servant is appointed Government Agent of Jaffna—good in the sense of being efficient and fairminded—pressure develops to get him transferred out as soon as possible.

The pressures are exerted by individuals and groups, both in Jaffna and Colombo, who are more concerned about their personal interest than the public interest.

A classic illustration of this perverse tendency was the transfer out of Jaffna of Mr. Lionel Fernando who, as Government Agent, was doing a splendid job.

### NEW DISTILLERY

A Palmyrah Arrack Distillery set up at Thikkam, near Point Pedro, is to be opened next week by the Government Agent of Jaffna Mr. Devanesan Nesiah. The project, costing Rs. 2.5 million, has been funded in full by the decentralised budget.

Testimony to his efficiency and fair-mindedness was the fact that when his mother died in Jaffna more people attended the funeral than the numbers who attended the receptions to Mrs. Sirima Bandaranaike, as Prime Minister, and to Mr. J.R. Jayewardene, as the President of Sri Lanka, when they visited Jaffna.

Mr. Fernando was found guilty of the "crime" of becoming "too popular" in Jaffna and he paid the "penalty" of removal to another position.

He was replaced by a person who had contested the Kayts parliamentary constituency in 1977 and polled just around 700 votes. The irony—or was it tragedy?—was that the elected representatives of Jaffna, including the person elected as M. P. for Kayts, had to go before him to get things done! There could not have been a worse insult to

the people of Jaffna by the Jayewardene Government than the appointment of a defeated candidate to lord it over the representatives elected by the people who, according to the Constitution, are supposed to be sovereigns.

Now, Mr. Devanesan Nesiah is also going, after having served the people with acceptance as Government Agent for nearly three years.

This change at this stage, we say, is one of the biggest blunders that the Jayewardene Government has made in dealing with matters affecting Sri Lanka's biggest minority community.

We are constrained to ask who suggested that the change be made at this delicate stage in Sinhalese-Tamil relations.

We hope that the Government would change its mind even now in the national interest.

The SATURDAY REVIEW salutes Mr. Nesiah for the role he has played as a public servant in Jaffna, under very difficult conditions. By all accounts, it has been an exemplary service.

### Farewell to GA

A number of receptions were held in Jaffna this week to bid farewell to the Government Agent, Mr. D. Nesiah who is going on transfer on 31st March to take up another appointment in Colombo.

One of the biggest receptions was that organised by the Jaffna Municipal Commissioner, Mr. S. Sivagnanam at the Jaffna Town Hall on 22nd March.

### Bharatha Natyam

A Bharatha Natyam recital will be held at the John de Silva Memorial Theatre at 7 p.m. on Monday, 26th March, under the patronage of Mr. S.J.S. Chatwal, High Commissioner for India in Sri Lanka. This charity performance is in aid of the Ceylon Estate Workers Education Trust. The trust endows scholarship for children of estate workers in order to help them through school and college.

### SECURITY IN MULTI-ETHNIC SOCIETY

The concluding part of the paper presented by Mr. Martin Ennals at the closed-door seminar on "Security in a Multi-Ethnic Society" held at the Marga Institute appears on Pages 8 and 9.



## Saturday Review

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EDITOR

GAMINI NAVARATNE

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One silly socialite blamed her husband for not giving her a Mercedes to be driving about the city despite her having brought a fat dowry and despite the husband's income from his patrimony. "When you think of it, you fool, that woman had no dowry. Her husband had no patrimony or income and yet they have a Mercedes and a Toyota Corona. She looks a queen when she sits in it. We have only a Datsun".

Another female butterfly told her spouse "Honey, I agree with Diogenes that Sri Lanka is in rack and ruin. It is no place for our children. Let us beat it. Let us settle down in the States. If M.G.R. can host the Tamil leaders in South India, gift them houses and gift sarees to their wives, why can't Ronald Reagan welcome us. I am sure he will give us houses, cars, bras and clothes. He will put our children into Harvard and Yale. I am sure he will find you and me jobs and we can campaign for democracy in Asia.

"M. G. R. and Ronald are both going to the polls this year and, like the Tamil leaders, let us make the most of it. Let us each hitch our wagons to these two film stars and let the Sinhala and Tamil people go to hell". Diogenes indeed raised a Hornet's Nest.

On the other hand, the Master resumed his walks on

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# A MOMENT WITH DIOGENES

Galle Face Green. He was quite unaware of the impact made by his T. V. speech. The distinguished walkers on the Green paid some attention to him and some of them even bowed to him. But Diogenes took no notice of them.

Even the newspaper reporters approached him to get a few thoughts from him. He was pestered and when his patience was taxed he used to fob them off. On one occasion, one of them told him, "Diogenes, we come to you as an intellectual and we want your views".

The Master replied, "Who is an intellectual? I am not one. Why have you come to the Galle Face Green in search of an Intellectual? Why don't you go to the Marga Institute? There is a concentration of intellectuals there. Don't waste your time with a street loafer. What I say is understood by everybody. What I say can be said by anybody if he has commonsense and reason. I speak the common man's language. How can I be an intellectual? Leave me

alone. I have nothing to say which you do not know."

"Master, do you write books? "I don't", replied Diogenes. "I have no pen, paper or pencil. I don't have a table. Besides, I don't want intellectuals to borrow my commonsense thoughts and pass it off for wisdom. I do not consider myself wise. Like the great Greek philosopher, I do not know anything and I know that, I know nothing. That is all I know. If I write all these platitudes in a book, I will be only creating opportunities for intellectuals and researchers to present various theories on my thoughts and philosophies of which I have none."

"Master, what do you think of the Chief Justice's speech at Sinnathuray's Commercial Tutor?"

"It is out of place for a judge to enter with controversial issues in that way. His reference to the President's salary was irrelevant, unfair and not too original. Something like that was said by Sarojini Naidu in relation to Ghandi after the Round-

table Talks in London. 'You don't know how much it costs us to keep this man in poverty'. If at all judges want to exercise their jaws they must confine themselves to religion, philosophy, rule of law and literature.

"The public, and least of all Sinnathuray's students, need not have known what the Chief Justice's views were on the cost of living, M. P's chits, ethnic violence and the President's salary. He can express his views, of course, when they become relevant in the cases before him. When they did come up, I don't believe he has said all that. Anyway, you are the real mischief makers. You are not incapable of misreporting due to some misunderstanding. I do not doubt your bona fides but you should not have reported it. You may not have intended mischief but you have even unintentionally opened poor Pandora's Box. Why blame Pandora?"

"What do you think, Master, of Gamini Iriyagolle's offer to end Terrorism in six months' time if he is given a small army and a small navy?"

"This is another Gamini. I have heard of Gamini Dissanayake, Gamini Fonseka, Gamini Jayasuriya and last, but not the least, Gamini Navaratne.

"Yes, you asked me my comments on this offer of Gamini Iriyagolle. Don't take him seriously.

"It is like Gamini Dissanayake saying 'Give me a bat in one of these Test matches, I will knock a century with sixers and boundaries in 70 minutes and lead the Sri Lanka team to victory'.

"It is like Gamini Fonseka saying, 'Give me a lease of all the tea estates and in six months' time I will make Sri Lanka a Lipton's Tea Garden once again'.

"It will be like Gamini Jayasuriya saying 'Give me the water and I will export rice to the Moon'.

"It will be like Gamini Navaratne saying 'Remove the Censorship guidelines and constraints and I will make use of the SATURDAY REVIEW to create enough international public opinion to remove the threat of a nuclear war'.

"Poor Gamini Iriyagolle will never have a change to perform his feat. His wife and the home front will never allow him to go to the Battle Front. Anyway, he is a National Hero."

So saying, Diogenes started running away from the Newspapermen, musing "I brought all this on myself by going in borrowed clothes to the T. V. Studio."

### STUDY OF THE PAST

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# Chief Justice raises a hornet's nest

The July disturbances were not ethnic or racial. There was resentment building up among the people against the terrorists for the killings that went on and not against the Tamils. Anybody who kept his eyes and ears open could see the resentment building up not only against the terrorists but against the Establishment.

The Chief Justice Mr. Neville Samarakoon made these observations when he addressed the annual awards ceremony at a private factory in Colombo on 14th March. The following are extracts from the speech of the chief Justice.

It was only this morning that I was told that the press would be here. If I knew that I would have written out my speech. But I had no time to write and I hope the press would report me accurately.

I do not agree with the use of the word ethnic. Maybe I am the odd man out. I believe in most things and I am the odd man out.

But somehow they come around and agree with me later.

Ethnic means racial and I do not agree that what took place in July, last year, was racial in that sense.

I have been asked this question in India for the past ten days and everywhere I went all the judges I met asked me what all these racial riots and ethnic riots were. It is certainly not ethnic in nature.

Take your minds back, ladies and gentlemen, to the last two or three years when terrorism and the terrorists were very active in the North. There was resentment building up among the people against the terrorists and the killings that were being done by the terrorists. It was not against the Tamils.

And anybody who kept his eyes and ears open, who did not live in ivory towers, could see that resentment was building up, not only against terrorists but against the establishment itself that was not taking proper action against them.

And as a result what happened was that people were driven I think to take a hand themselves and in effect they told the terrorists "what you can do we can do better". And they did. And that stopped the kill-

ing of racialists.

They told the Establishment specially one man in the establishment 'if you can't stop it, we will stop it.' And they did it.

It is unfortunate that the means to an end to the end was racial. But I am sure if there was another way of doing it, it would have been done. And that is why I do not agree with this description that it is ethnic, that it is racial. Well that is politics. Let us leave it aside. I am not expected to talk politics in my job.

"But let me deal also with something else. I think lots of you who have passed out as qualified stenographers and typists I see a lot of certificates to that effect, will be looking out for job.

There is a demand for typists, English Sinhala and Tamil. Now I have about 1,500 to 2,000 people working in the judicial services section of which I am the head.

For the past one year we have been trying our best to fill about 492 vacancies. Several have been eyeing these jobs. But we have a ruling imposed on us that we should recruit only from a place called the Job Bank, I believe all you people have heard of this Job Bank. It is a bank of the government. It has no place, no buildings, it is only in name but it is a most powerful place because if I recruit somebody from outside I am surcharged for the salaries for one whole month or well over 18 months. I was trying to fill these vacancies.

The Job Bank send me once a month or so five or ten people who have got on to the Job Bank list through their MPs. Half of them are unemployed. Some of them are supposed to be typists but they cannot type a word, They can't spell. But we have to employ them. Some of them have the impertinence to bring letters from MPs which I throw to the waste paper basket. I cannot employ them and I am finding it very difficult to run the establishment.

I told the Government that to put an end to this I must be allowed to recruit from outside. They gave me permission to recruit from outside and you know what happened:

I got 10,522 applications for the whole year and a half

whereas they did not send me a hundred, I got 10,522 applications of whom 322 were graduates. I got 1,800 Sinhala stenos. I was able to fill all my vacancies in one month. I have a waiting list of an equal number. I have no worries on that score.

I am telling you all this to illustrate that the employable, educated youth of this country are unable to get jobs outside the Job Bank. The Job Bank is a fraud on the youth of this country. It is like the blood bank, you have to wait for the donor and the donor here is the MP. I like to tell this story that I have still vacancies for 12 Tamil stenos and five English stenos. I believe the next thing you will ask me is why, having filled the vacancies I have so many vacancies so soon.

The public service is a very niggardly service. They don't pay you. A clerk in the government service starts as I appoint him at Rs. 642 a month and he gets an additional allowance of Rs. 240. Then I found that my clerks were going as peons to banks and in these banks they start with Rs. 1,500 and get a bonus at the end of the year, including medical, EPF, which is a very good thing and various other benefits. Public servants have to wait for 10 years or 15 years to get a pension. It is eventually a niggardly pension because by the time he gets the pension the value of the money has declined so much. Today's pensioners of the 1960s are in dire straits.

The cost of living has been rising. I went to Australia in October. When I left the country at that time a coconut used to be Rs. 1-25 but after I returned in January it was Rs. 6-00. A loaf of bread which was 60 cents in 1977 is today Rs. 3-05. I believe. Correct me if I am wrong. Rice which was one or two rupees in 1977 is today eight rupees to eleven rupees.

I got those figures from my stenographers and my clerks because I wanted to find out why they were not taking rice. How can a man live like this? I have one minor employee who because of all the rising costs of living left Colombo and went back to his village in Kandy. He gets up at 2 o'clock in the morning and takes the train and come here at 8 o'clock takes the train back

at 5 o'clock and goes home at 10 o'clock. There are a number of them travelling from various parts of the country. Some of senior employees also travel from Galle because they can't afford to live here.

The cost of living today is not merely rising but is galloping. Galloping like a race horse, that has thrown its rider. And such a horse with no rider is out of control. That is what's happening today. The minor employees especially the government servants are in dire need. So if you want a job the only one, is in the mercantile sector.

It is certainly better. We must congratulate the Minister of Labour who had done so much to the employees of the private sector. I only hope that he would direct his attention inwards and look after the government employees. Today its only the rich and may be the MPs who can live well. It reminds me of the depression of 1930.

I don't think anybody here has gone through that. It was caused by the trade depression. Today they call it inflation. Some people call it something else. There are words created by politicians to hoodwink the people. I think they call it besides in-

flation something else. Recession. That is the word used when it suits any private recession or inflation.

Call it what you like but I must continue, about a girl not regular in her attendance. I found that she was a clerk. When she paid her boarding fee, living in Nugegoda she had hardly anything for herself. Her life is miserable. There are a number of them. You have to pay Rs. 6 or 10 for a cake of Lifebuoy soap. I paid 10 cents but I think you pay Rs. 6 or 11 for a measure of samba.

It is not easy for those who have no regular jobs. But the rich have always been alright. And so I want to tell you that the public service is good for me and good for those of us who are highly paid. Good for those who have free cars, free chauffeurs and petrol. We must be thankful for it.

I read sometime ago in the SUN paper that the President has said that his salary is a pauper's salary, and that he is living on the poverty line. I am surprised he is an elected representative of the people. He has all the powers. All the palaces in Nuwara Eliya and Kandy. They are paying a hell of a lot of money to keep

(Continued on page 10)

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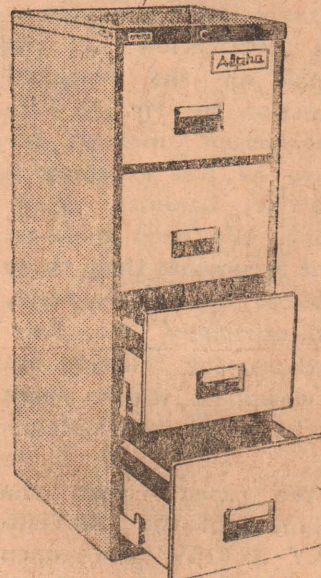
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# 'BANDA WAS FOR FEDERALISM AT ONE TIME'

The Editor,  
Saturday Review.

The writer of the article in the Saturday Review of 10th March under the title "Tamil Nationalism" makes out a case for a federal form of government for Sri Lanka.

In the mid-twenties, the late Mr. S. W. R. D. Bandaranaike put forward a proposal a federal government for Ceylon, as it was then called. But later, he not only abandoned it, for political gains, but vigorously opposed it when it was proposed by the late Mr. S. J. V. Chelvanayakam in 1949.

Mr. S. Nadesan, Q. C., too, as cited by your Staff Writer, had urged the setting up of a federal form of government for our country in 1955.

But the proposal was unwisely and unfortunately rejected. Had this proposal been accepted and implemented, our country and the people would not have gone through all the tragedies and miseries that we had gone through since the country gained independence, in the course bringing ignominy and shame to the country and the people, especially the people of the majority community who had the power in their hands to have avoided such a situation had they acted wisely.

A few months after the regrettable and shameful happenings of July last year, Mr. Dilesh Jayantha (a Sinhalese?) of Cambridge University wrote an article in the Sunday Observer of 2nd October in which he proposed a federal form of government for Sri Lanka and followed it up with another article. I am sending copies of these articles together with a letter written by me on the first article. I hope you will republish these articles in your paper so that it would be given due consideration again by the government and the people and a better solution to the ethnic problem of our country would be found.

Colombo 13,

## 'TAMILARAM'

Mr. M. Kanagarajanayagam,  
Director,  
New Era Publications Ltd.  
Jaffna.

My dear Kanagaraja,

Many thanks for remembering to send me a copy of "Thamilaram", I was happy to receive it and read it: It is an excellent publication, a fitting tribute to a very worthy and genuine man.

The great thing about Rev. Father Thaninayagam was his simplicity and humility.

You have chosen a very good photograph of him, charming and natural, as you and I knew him in Kandy when I had the privilege of meeting him at your place and sometimes sharing the "mothakam", so deliciously prepared by your wife, which I remember Rev. Father enjoyed very much. Those were happy days.

I now miss my visits to No. 105, Peradeniya Road, first with 'appu' (late Gate Mudaliyar N. Canaganayagam) then with the family.

But it was a consolation for me to meet you both and enjoy the company of people like Father also.

I enclose a cheque for Rs. 150 - Rs. 50/- for the book and Rs. 100/- as my donation to a worthy publication.

Yours sincerely,

C. Sankarakumaran

Kandy.

## MACARTHYISM!

This letter was sent to the state-owned Press by Mr. Desmond Fernando, Secretary of the Civil Rights Movement, after the publication of an attack on him as a "Communist" by the Jayewardene Government in relation to the "David Selbourne affair." (See SATURDAY REVIEW, 25th February 1984) It was not published.

The Editor,  
SATURDAY REVIEW.

To attempt, by calling me a Communist, to discount criticism of the Government by organisations in which I am active or by individuals who have met me, is unworthy of persons in responsible positions. There have been several recent attempts of this kind. The latest is in the statement issued by the Press Secretary to the Ministry of Defence on the deportation of Mr. David Selbourne, one of the numerous academics and journalists who have sought the views of the Civil Rights Movement on the current human rights situation in Sri Lanka.

I do not seek to take up your space by commenting on all aspects of the Press Secretary's statement. But I do request you to publish my response on one matter. I am not a member or a sympathiser of the Communist Party, or of any other political party.

I have both in my personal capacity, and as an active member of various organisations, been critical of infringements of human rights by Governments of varying political complexions, both in Sri Lanka and elsewhere, including Communist and Communist-supported Governments.

These organisations include the Bar Council and the Bar Association (of which I was Secretary from 1970 to 1977), the Civil Rights Movement of Sri Lanka (founded 1971), and the local branch of Amnesty International.

The latter, incidentally, in accordance with the working rules of the international organisation, takes no position or action on human rights issues in its own country, but is active in respect of Governments in the rest of the world—rightwing leftwing or "middle-of-the-road".

It is, of course, true

that my late father-in-law was President of the Sri Lanka Communist Party. In this respect, the Defence Ministry's statement is accurate, but it bears no relation to my own political views.

Desmond Fernando  
Colombo 3.

## Pensioners' Plight

The Editor,  
"SATURDAY REVIEW"

I write this to you from experience. It was the payment of pensions at the Kachcheri last month. Pensioners young, old and very old had queued up as early as 8 a.m. but the payment did not commence till 11 a.m.

No one seemed to take any notice of those who had stood there for three to four hours. It was a very gruelling exercise and very exacting. Do the Kachcheri powers—that-be (be it the G.A., A.G.A. on anyone in authority) care?

Surely, something should be done to ease the plight of those who had served the government and are now in the evening of their lives.

Will someone in high authority supervise the payment of pensions?

This is a humane question, not a question of party politics.

I for myself, had to wait in the queue till 1 p.m. I was famished, hungry and thirsty, too.

B. Pushparajah

KOPAY.

## APPRECIATION

Mr. K. Saravanamuthu

The first time I met him was when the late Mr. P. Coomaraswamy introduced me to this strapper in khaki trousers with an imposing and impressive figure in spite of his humble bearing as the new secretary of the Vavuniya District Co-operative Bank. I never got the impression that he will become so close to me since that day in 1965.

A consoling soul, a cool man who can put everybody at ease, ever willing to shoulder the burdens as well as pinpricks for others. I remember once when one of his junior officers frantically contacted him over a personal brush with their common boss. He gently put the young man at ease by quoting reference to the

penal Code and saying that it is a comparatively minor offence compared to the verbal barrage the youngman was indulging in. This put him at ease and late in the evening the officer concerned dropped in and explained his problems in a more composed and rational manner and got his redress.

His bigness was well-matched in his physical appearance, his official reports and minutes as well as his associations in society. In office, as well as in the chummary, he was the real paternal "Baby" at heart. Not only his menial services, his hacked two-wheeler, his accounting ability but also his purse were at the disposal of those around him. Those around him hardly had anything to worry. He was always at their beck and call like a server.

Though he did not wind up as the conventional Assistant Commissioner, he has filled more important and higher positions than others of his kind or even his superior and above all he has carved a permanent niche in the very movement he worked for.

S.J.D. Chelliah

Model Market,

Jaffna.

## MORE LETTERS

ON PAGE 6

## "TAMILARAM"

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## Thank you

We have received quite a number of letters from readers in response to our request for suggestions to make SATURDAY REVIEW a still more interesting and worthwhile publication.

We are unable to publish all of them for lack of space but the suggestions made have been carefully noted.

A handful of readers, who include Mr. S. R. Asirvatham, have objected to the publication of the article on the National Question by Mr. N. Sanmugathasan merely because he has expressed a Marxist-Leninist viewpoint. We need more cogent arguments than those adduced by these readers, and especially Mr. Asirvatham, for shutting out a viewpoint which needs to be aired and discussed.

We repeat that the columns of the SATURDAY REVIEW are open to the expression of any point of view within the limits of law and reason and—for the present—the consorship rules.

— EDITOR



# Judiciary not arm of the Executive

(Continued from last week)

The State, therefore, takes a more positive part in the provision of social security and social welfare for the common man. The old concept of freedom and laissez faire have undergone and are undergoing revision here as well as in other democratic countries where the objective is a Welfare State. The state takes measures for regulating hours of work, for providing minimum wage for workers, for compensation in cases of accident and unemployment insurance and for settlement of industrial disputes. The state also takes greater part in regulation and supervision of basic economic enterprises. National planning is essential to achieve socialist objectives.

The central purpose of administrative law is to safeguard private interests against administrative arbitrariness or excess of power and also to ensure that public authorities efficiently carry out public policies designed to protect public interest in the modern welfare society. In this area the court's function is to provide the necessary check upon arbitrary exercise of power, not with a view to placing road-blocks on economic development but to constrain them to act according to and within the confines of the law. The principle of checks and balances is a healthy one. An official who is accountable will act more prudently.

## Misunderstanding

It is sometimes said that the court assumes power to overrule or control the actions of the servants of the Republic. This is a misconception. When an act of the executive is appropriately challenged in the courts as conforming to the constitutional mandate, the judicial branch has only one duty: to lay thesections of the statute which is invoked besides the administrative action which is challenged and to decide whether the latter squares with the former.

All that the court does or can do is to announce its considered judgment upon the question. The only power it has, if such it may be called is the power of judgement. The court neither approves nor condemns any executive or legislative policies.

A considerable amount of criticism levelled against the judiciary these days is misinformed and springs from lack of appreciation of its true role and functions. Is it not interfering with the executive functions of the Government? Those who pose such a question insinuate an affirmative answer to it. Is such an affirmative answer justified? To answer this question in the affirmative is to ignore and misunderstand the legitimate role and true function of the judiciary.

Take the role of the Supreme Court, for instance. Once it is appreciated that the provision relating to fundamentals rights in the Constitution have made the Supreme Court the protector and guarantor of basic rights and has assigned to it the role of a sentinel on the qui vive by casting on it the duty to keep the executive action within permissible bounds, the futility of the above criticism will become amply clear.

Judicial review is not at

Judges play no direct part in the political and executive processes that lead to the enactment of law, and legislators do not participate in or influence the course of adjudication. This is the credo of parliamentary democracy. This mutual difference stems from the separation of the Judiciary from the Legislative and the Executive branches of government.

It is in this context that we speak of the independence of the Judiciary and its identification with the Rule of Law as embracing impartial adjudication and consequent public confidence that the law will be administered by the courts without fear or favour, whoever be the parties before them.

It is not necessary to question the rationale for an independent Judiciary. There is moral as well as a political basis for an independent Judiciary. Citizens will have to be assured of equal treatment under the law and of equality before the law.

Closely related to the assurance of equal treatment and of equality is the impar-

and the culprits could have got away with impunity.

I trust that police vigilance and intelligence will not fall on the occasion of any future repetitions of such outrageous demonstrations and that the dignity of the courts and the inviolability of our Judges will be preserved. Justice can never be administered in an environment of fear and intimidation.

Judicial independence postulates that judges should discharge their duties without fear or favour, affection, ill-will or bias. Their judgments should be based solely on the merits of the case, uninfluenced by any personal considerations. Their conscience alone should be the guide and monitor. The conscientious and not the popular judge is the ideal judge.

In the process of judging, one may honestly err. That is pardonable. But one should never consciously deviate from the path of justice.

The question of independence of Judges arises particularly when the Government is a party to or is involved in litigation.

conform to the law. It has to be condemned, however much such judgments be unpalatable to the powers that be. The merit of the case is the sole criterion.

The prospect that the judgment may affect, for better or for worse, the power - that - be, or that the latter may get pleased or displeased with the author of the judgment, should never enter the calculation of the judge.

Independence does not, however, mean that one should always hold against the Government. Such an attitude reflects a biased mind unbecoming of a judge. Any such pre-disposition should not be mistaken for judicial independence which obliges one to hold the scales of justice evenly, whoever the parties be, without tilting the scale in favour of one or the other, merit alone being the touchstone.

Further, to be able to hold the scale evenly, one must be adequately equipped for the task: proficiency and competency are essential. Independence will be meaningless unless it is buttressed and sustained by knowledge of the law and ability to assimilate facts. Then only will judicial independence be respected.

Remember, each one of you is performing a divine function: you should equip yourself for that service, to enable you to impress your judgments with the stamp of independence and impartiality.

The Constitution carries a chapter on independence of the Judiciary. The architects of the Constitution were concerned about judicial independence and have inscribed provisions thereon ensuring

(Continued on next page)

by

Justice S. Sharvananda

war with the principles of free government. On the contrary, it is essential to its proper functioning. When it is said that the judicial review is an undemocratic feature of a political system it ought also to be remembered that the architects of the Constitution did not equate constitutional government with unbridled majority rule.

Out of their concern for political stability and security for private right, they designed this structure, the keystone of which was to consist of barriers to the untrammelled exercise of power by any agency.

In that perspective, the exercise of the powers of judicial review cannot be said to involve any conflict between the Executive and the Judiciary. In testing the validity of the impugned executive action. In the light of the constitutional provisions, the supreme court is merely discharging the function prescribed for it by the Constitution. It is constraining the executive to act within the framework of the Law.

ality of the tribunal. This impartiality can stem only from judicial independence.

As Justice Ratwatte, in his valedictory address observed, "an Independent Judiciary is a *sine qua non* of the democratic way of life; a Judiciary immune to political pressure or other influence."

The editorial of the Daily News endorsing Justice Ratwatte commented, in this connection: "It is significant that within two weeks of the outrageous demonstrations outside the homes of certain Judges of the Supreme Court, the capital city of Colombo, not to speak of many other parts of the Island, was burning."

## Police in Action

It is depressing that though the so called demonstration took place at 11 o'clock in the morning, in broad daylight, in the heart of Colombo, Police should have reported that not one of the six hundred demonstrators could be identified nor the buses which carried the demonstrators traced.

It is a sad reflection that such things did happen

The fact that one's judgment may affect, one way or the other, the Government of the day, should not be a factor influencing one's judgment.

The Judiciary is not an arm of the Executive and is not obliged to uphold its actions at the expense of the subject. It has to hold the balance between the Executive and the citizen and not be Executive-minded. If an executive action does not

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# Judiciary not arm of the Executive

(Continued from page 5)

judicial independence. But as "stone walls do not a prison make, nor iron bars a cage", the constitutional provisions alone will not generate independence in a person. The quality of independence is something essentially personal; it is a part of your character, it reflects your priorities.

Independence does not mean that the judge is entitled to act in an arbitrary manner. His duty is to interpret the law and the fundamental assumptions on which it rests and apply it to the facts of the case before him. The core of justice is the exclusion of arbitrariness. Equality before law and equal protection of the law are basic to the proper administration of Justice.

That like cases should be treated in like manner is implied in the very idea of a rule. "Injustice arises when equals are treated unequally, and also when unequals are treated equally," said Aristotle. As Aristotle explained justice or equality involves the principles that like cases should be treated in like manner and different cases differently.

Everyone is equally entitled to the protection of the law and no difference in capacity is relevant. Judicial independence calls for more than lip service to this principle of equality. Observance of this principle always is of paramount importance to proper administration of justice. The independence of the judiciary is vital for the proper working of this principle.

In a totalitarian regime none but the politically pliable judges can either attain or retain their office. They are expected to administer the law in accordance with what the leader wants, irrespective of statute or precedent. Formally, the judge may be independent, but in fact he could be dismissed or compulsorily retired if he does not satisfy the regime. His duty is to interpret the ideas of the people in the light of the fundamental principles laid down by the leader.

## All Freedom

The Constitution of the Democratic Socialist Republic of Sri Lanka of 1978, has given pride of place and has assured to "all people freedom, equality, justice, fundamental human rights and the independence of the Judiciary as the intangible heritage that guarantees the dignity and well-being of the succeeding generations of the people of Sri Lanka." According to the Constitution, sovereignty rests in the people. Article 4 of

the Constitution prescribes that the legislative power of the people shall be exercised by Parliament and by the people at a Referendum and the executive powers of the People shall be exercised by the President of the Republic and the judicial power of the People shall be exercised by Parliament through courts, tribunals and institutions created and established by the Constitution or by law, except in regard to matters relating to privileges, immunities and power of Parliament and of its members.

These provisions provoke the legitimate question why when the legislative power and the executive power, which are two components of the sovereignty of the People should be directly vested in Parliament and in the President of the Republic, respectively, the judicial power of the people, the third component of sovereignty, is significantly not directly vested in the Judiciary, which is the third principal organ of the State.

The argument that both Parliament and President are directly elected by the People does not afford justification for the Judiciary, whose independence and integrity is guaranteed by the Constitution to be reduced to the status of an instrument of Parliament.

## Real Sovereign

What is the justification for vesting the judicial power of the People in the Legislature, when that power can be exercised through the courts and through Judiciary only? Even though such vesting may be conceptual and practically not impair the independent status of courts why should the institution of the court, instead of being direct repository of the sovereign judicial power, be constituted only as an agency through which Parliament exercises the judicial power vested in it? No meaningful purpose is served by this process.

This de-routing serves only to lend colour to the assertion that the Judiciary is subordinate to the legislature and that the legislators are superior to judges. This arrangement is derogatory to the Rule of Law and the independence of the Judiciary. The supremacy of Parliament in the sphere of legislation is the norm and may well be provided for in a democratic Constitution. But why should be the Judicial power of the People stated to be channelled through Parliament to the courts, as if the judicial power of the courts is derived from Parliament and not from the People who are the real sovereign

under the Constitution. This provision in the Constitution impinges on the dignity and independence of the judiciary and tends to project the relationship between Parliament and the courts in the wrong perspective.

It is an interesting phenomenon that political parties in the opposition often turn out to be champions of judicial independence, but when in power they have reservations about it. A government while in office which eroded judicial independence cannot reasonably expect an independent judiciary when it is out of office. Likewise, an opposition which have suffered at the hands of the subservient judiciary cannot be expected to respect genuine independence when fortune changes.

Such attitudes on the part of the governments and politicians are bound to destroy judicial independence. For this situation, both the Government and the judges who succumb to blandishment or threat are equally responsible.

There can be no question of confrontation of the judiciary with Parliament. Parliament is supreme in the legislative sphere allotted to it by the constitution. Article 80 (3) of the Constitution provides that no court shall inquire into or call in question the validity of any enactment on any ground whatsoever after the President or the Speaker had given their certificates. This article precludes a court from pronouncing upon the validity of a statute.

Hence, the Judiciary can never be at collision with the legislature. Their provinces are different. The power of legislation remains with the legislature. Only the power of interpretation of the legislation is vested in the courts. The process of interpretation involves finding out the meaning and purpose of the legislation from the words and expressions used by the Parliament in the statute. If Parliament finds that the courts, interpretation does not accord with its intention, it may pass a mending legislation making manifest its true intention.

There is, on such occasion, no question of conflict between the Parliament and the courts. The courts apply the law enacted by Parliament. The independence of the Judiciary is not called in question in such a context nor is there any question of exercising supervisory powers over Parliament by the judiciary.

(To be Continued)

## LETTERS

### ENGLISH AGAIN?

The Editor,  
Saturday Review,

Today, some English newspapers give much prominence to articles demonstrating the urgency of making English the language of our former colonial masters—as the official language of our country to solve the ethnic problem.

Particularly, after the 1983 July communal holocaust, a fervent desire has been expressed by the elitist section of the population to enthroned English once again.

There are many countries in which the various nationalities without a specific official language, whether it be English or a local one, live in peace without unwanted problem in ours. We can easily find such situations in socialist countries like USSR, China, and Czechoslovakia.

Even in the capitalist camp for an example, tiny Switzerland has not lost anything but has gained much from having not one single official language but three—German, French and Italian.

And Tamils' hostility towards the Sinhala language was not inborn, but, stemmed exclusively from the artificial (forcible) implanting of that language.

Therefore, demanding to legislate English as the official language of our country is based on the outcome of fossil bourgeois way of thinking.

Why should our beautiful island though backward inhibit its prosperity by the retention of any kind of privilege for any one language? Should not the contrary be true, gentlemen? Should not Sri Lanka, if it wants to continue to be the Pearl of the Indian Ocean, put an end to every kind of privilege as quickly as possible, as completely as possible and as vigorously as possible?

V. Thanabalasingham,  
Karaveddy.

## COUNCIL OF RELIGIONS

The Editor,  
Saturday Review,

Peace and harmony are urgently needed not only in Sri Lanka but throughout the world.

A Council of Religions similar to the United Nations Organisation will be of great assistance to achieve this objective than any other forms of approach.

Though the religions of the world differ in susceptibilities and beliefs, it is not impossible for their leaders to assemble as a Council of Religions to promote goodwill, peace and harmony among people in common, irrespective of caste, creed and race, because all religions teach the same basic precepts, though in different ways, that ultimately lead to the betterment of mankind.

The Council should be composed of representatives of the clergy of all religions, members of various religious bodies all over the world and members from non political organisations, such as the Congress of Religions, Sarvodaya Movement, Human Rights Society, the Lions Club and the Rotary Club.

The members of the Council should try to eradicate all forms of racial discrimination, hatred and prejudices in their own countries by propagating their precepts and ideals. It would then become easier to pave the way for the promotion of peace and harmony throughout the world.

I wish to state that I made appeals in this connection in 1975 and 1981, through pamphlets and the Press, but there was little response. If proper action had been taken, probably the successive disturbances in Sri Lanka would have been averted.

I appeal to President Jayewardene to take the lead in the formation of a Council of Religions for the benefit of all countries in general and Sri Lanka in particular.

S. Thuraisingam  
Maviddapuram, Tellipalai.

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# THE RISE OF POLITICAL EXTREMISM AMONG TAMILS

(Continued from the issue of 10th March)

The economic changes have also been far-reaching. During the period of British rule, the Tamils came to be dependent on government employment, through their proficiency in English and their acquisition of professional skills. They exhibited a knack for particular professions involving mathematical and scientific skills and were concentrated disproportionately on certain types of employment. Such concentration was one of the factors of propaganda raised against them by Sinhalese extremist nationalists. After 1956, this imbalance was redressed by government action and a number of avenues of employment were closed to the Tamils.

This employment pattern had also caused a migration to Colombo and the South, thus drawing Tamil intelligentsia away from their homelands and creating conditions for an island-wide identification. Now this drift has been arrested and even a movement of return has begun.

The spread of Sinhalese in education and administration in a large part of the country has, in any case, made many Tamils unemployable. It has created an economic problem for the Tamils.

The chief motivating factor behind the search for government employment was the increasing pressure on the land in the densely populated villages of the Jaffna Peninsula. This land became one of the most intensely cultivated areas, though lacking in surface irrigation facilities. Through a long process of sub-division, it was tilled in small plots barely sufficient to support the families that depended on them. So when, during the nineteenth century, the opportunity to leave the land offered itself, many seized it.

Now the Tamils are thrown back to the land, willy-nilly, and the old conservatism that dissuaded migration from the ancestral village for permanent agricultural settlement elsewhere is dying down. Especially among the youth, if only for the sheer necessity of earning a living, there is a move to go South of the Peninsula into that broad, wooded but fertile area up to the frontiers of the Sinhalese villages. Professional men, employed in

Colombo or elsewhere, began to invest in land in this area after 1956 and a "back to the land movement," encouraging independence from government favours, has seized the population.

The crisis in food supplies after 1970, caused by a serious shortage of foreign exchange to pay for imported foods, has given an opportunity which the Tamils have taken advantage of. This has staved off what might otherwise have been a severe unemployment problem among Tamil educated youth and might well become the nucleus for political discontent.

One long-term effect has been to encourage the separation from the Sinhalese, to entrench the demographic division of the island, and to make stronger the particularist loyalties and the feeling for defence of their own homelands.

This is the concluding part of Chapter XIV of the book entitled 'Nationalism in Sri Lanka and the Tamils'. This particular chapter was written by Prof. Arasaratnam.

Till 1970, Tamil political opinion was contained within bounds by the Federal Party and the Tamil Congress. Tamils sought solutions to their problems within the framework of the united nation-state.

They were thinking along the lines of the Indian experience where cultural diversity was recognised and protected in the constitution. In India no regional culture felt itself threatened because it had its own political entity within which it was supreme.

Though there was considerable cultural links with Tamil revivalism across the Palk Straits, there was no hint of extra-national political links with South Indian Dravidian groups. The Sinhalese fears of such links were always there, but these were unrealistic—being founded on ancient historical memories rather than hard contemporaneous data.

After 1970, this is no longer true. The absence of a political settlement of the Tamil problem, growing unemployment and the rise of political adventuresomeness of the style of the Guevarist insurrection of April 1971 have all contributed to the rise of political extremism among the Tamils.

Groups have appeared which are more extremist than the Federal Party, deny the commitment to united Sri Lanka and are not reluctant to seek support across the Straits. Secret terrorist groups have made their appearance among the Tamil Youths with an utopian dream of independence and the establishment of a separate state in the North and East.

## Lingering Hopes

The argument used is that economically the Tamil areas are very viable units, independent of the rest of the country, self-sufficient in their food requirements and with plenty of land for further development. Culturally it will mean the enthronement of the Tamil language and Tamil culture to the position of pre-eminence in the state. The Bangladesh crisis stirred up these ambitions further

and there is also the lingering hope of assistance from India in the event of a similar movement in Sri Lanka.

A view that is canvassed is that, in the event of a successful extreme left wing putsch in southern Sri Lanka, the Tamils would declare their independence with India's help. India's help in such an event, is assumed because the left wing groups in the South are known to be Maoist.

Trincomalee, a prize which major powers of the Indian Ocean would covet, could be traded by the Tamils in return for support and economic assistance. Thus Tamil independence would be won in the wake of great power rivalry. These and other such arguments, crazy and unrealistic a short while back, are now being bandied about as possibilities. Without subscribing to such alarmist notions, one must concede that a prolonged political crisis, a situation of armed insurrection or even a grave economic dislocation may find the country without a resilient national consciousness necessary to overcome these challenges.

The notion of a separate state has moved away from the wild imagination of the lunatic fringes in Tamil poli-

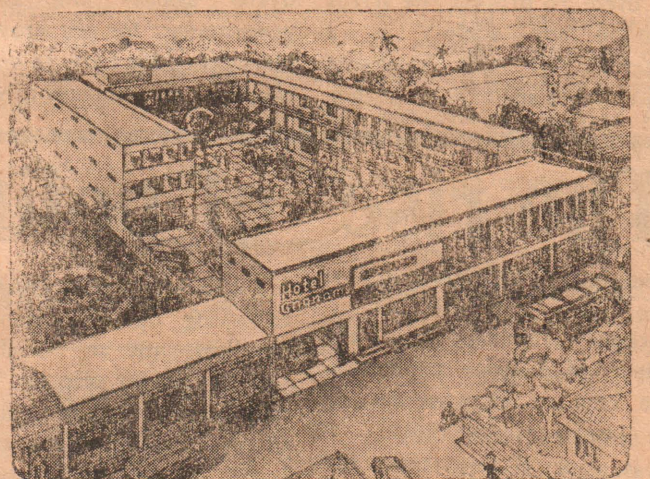
tics into the centre of Tamil political calculations from September 1973. The Tamil United Front, formed early in 1972 as a coalition of the major political parties and public opinion among the Tamils has moved to a new activism in support of Tamil demands for language and citizenship rights and devolution of power. A civil disobedience campaign was inaugurated on 2nd October 1973, with the public contravention of some selected laws of the country. The Federal Party, the major constituent unit of the Tamil United Front, has at its annual convention held in September 1973, resolved that the "Tamils are in

every way fully equipped to be regarded as a separate nation and to live as a separate nation and that the only path for them to follow is the establishment of their rights to self-rule in their traditional homelands based on the internationally recognised principle of the right to self-determination of every nation.

The stage is set for what will prove to be an uphill struggle for the Tamils, if they choose to follow their leaders and make the enormous sacrifice necessary for the realisation of their aim. In the context of a growing food crisis and threatening

(Continued on page 8)

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# Security Forces Servants of the Law

(Continued from last issue)

The National Council for Civil Liberties (NCCL) was founded by a group of journalists and writers, such as H.G. Wells, W. H. Auden, Kingsley Martin, and lawyers, such as D. N. Pritt, John Platts Mills, and a few others. Teams of well-known observers were dispatched to public meetings and demonstrations where police activities were thought likely to be harmful or provocative.

From that first public and all-party initiative of middle class intellectuals, sprang a movement which has struggled to defend the basic principles of democracy throughout the years. It has maintained its non-party political position and has criticised governments without regard for their political colour or stance. If it is possible to pinpoint the essence of democracy it is in the right to comment, observe, participate, think and speak in order to bring about change.

The way in which force is used to protect the status quo in any society is a measure of the weakness which that society, or rather

the government of that society, feels. At a time when trade unions were not allowed in the civil service, the civil servants rallied to the NCCL. If the present British government wins the battle which it is currently waging about the right to be members of a trades union in the civil service communications headquarters then one can imagine that something more of the 1930s will return to Britain and the concept of civil liberties will again be needing national and international solidarity and defence.

Progress, however, has been made internationally since the 1930s. In Europe exists the European Commission on Human Rights. This court is currently considering the case brought by a British antique dealer against the British government for not providing him protection from telephone tapping - an experience which

he suffered, was fortunate enough to be able to prove, and which is covered in the European Convention on Human Rights. Outside the 21 countries of Western Europe there is nothing comparable where an appeal can be made by an individual to a court with a power to bind governments by its decisions. There are however other channels open such as the conventions of the ILO (International Labour Organisation) which cover many aspects of civil liberties and areas of abuse, such as the right to belong to and form organisations to protect the interest of their members.

## UN COMMISSION

Similarly within the United Nations exists the Human Rights Committee and the Human Rights Commission. Those governments which have ratified the International Covenant on Civil and Political Rights are called upon to

report to the Human Rights committee on their implementation of these rights and governmental responsibilities. In front of this Committee of elected international human rights experts, governments can be questioned on their human rights record.

While there is no ultimate

ions are discussed.

The Sri Lanka government, for example, responded to the Commission of Human Rights at its 40th session in February 1984 in a note verbale dated 30th January 1984 on the "question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

This memorandum was submitted as a "voluntary action" by the Government of

by **Martin Ennals**

mate sanction (yet) within the United Nations between governments, international public disapproval is still a strong influence.

Governments, in a similar way to individuals, 'like to be liked'.

This applies equally to government representatives who frequent the corridors of conversation within the UN buildings and around the oval tables where such quest-

Sri Lanka in keeping with "its consistent policy of co-operating with and contributing to the United Nations activities in the field of Human Rights" (UN Economic and Social Council document E/CN.4/1984/10).

This is a public document and is presumably available to organisations and individuals in Sri Lanka as an

(Continued on page 9)

## The rise of political extremism...

(Continued from page 7)

national bankruptcy, the effect of such a conflict on the country as a whole may be imagined.

It took a long time for the Tamils of Sri Lanka to move towards this position of postulating a separate nationalism in the Island of Sri Lanka. The above review of the political evolution of the Tamil community has shown that, right till the very last phase of the island's politics, the Tamils had conceived of their political future within the framework of a united Sri Lanka. They had recognised their position as a national minority and sought to press for rights and safeguards that minority peoples all over the world strive for.

The most extreme demand of that earlier era, that of balanced representation, was itself symbolic of the desire to participate fully in a unitary polity. When the concept of federation was tentatively put forward for the first time in 1947, it was looked on with suspicion by the vast majority of Tamil intellectuals and did not catch on immediately with the masses either. It was the political campaign

of 1955-56 which served to swing opinion behind federalism, not so much as a well-thought plan for Tamil salvation but as a counter to the developments in the South, a show of unity to meet effectively the challenge from that direction.

It is interesting to contrast separatist sentiments and the growth of particularist movements in India and Sri Lanka. One basic difference is that no language-culture group feels itself a minority in relation to the totality of Indian polity. Each group feels it has an equal share, even if indeed it does not do so in reality because of the numerical preponderance of the Hindi-speaking bloc, and in any case it feels safe in the autonomy and inviolability of its own distinctly demarcated territory and its interests within that territory.

This is the reason why Tamil nationalism which upsurged in the 1960's and resulted in the enthronement of a party (DMK) which represented this nationalism, could achieve its ends and yet coexist within the umbrella of Indian nationalism and Indian unity. The extravagance of Tamil

nationalist sentiment and propaganda in India was not matched by extremism in action. Subsequently, other language-culture nationalisms have erupted - Punjab, Marathi and Telugu more significantly - and have been able to achieve their aims without the destruction of national unity.

The kind of sentiments and propaganda that aroused Tamil nationalism in South India in the '50's and early 1960's is beginning to make its appearance increasingly in Sri Lanka in the 1970's. Part of the explanation for this is that the social and economic climate is now more receptive to such ideas. The western-educated, unity conscious elite of the earlier era are gradually disappearing.

The king-pins of the administrative and professional bureaucracy, the Tamil civil servants, legal officials, medical specialists, engineers and university professors, are now being displaced by the new Sinhalese elite. Certain classes of occupation, by virtue of the language qualification are barred to Tamils. Because of recruitment from the two language media - Sinhala and Tamil - it is possible to ma-

intain unwritten communal quotas in employment.

Of most telling effect are the regulations adopted since 1970 to impose quotas on university admissions. This had served to shut out from tertiary education a number of Tamil youths with qualifications which in most countries would have readily earned them university places. There is created a group of youths employed at levels below their ability, denied promotions because of the language barrier or denied further education because of the restricted admissions policy. To this must be added the large army of school-leavers who now find it far more difficult than their Sinhalese counterparts to secure jobs.

There is, thus, substantial fodder for communal discontent. It could be remembered that college and high school youths were important agents of the Tamil nationalism of South India and continue to be guardians of Tamil language and cultural interests today. It is left to be seen whether the Tamil youth of Sri Lanka develop such roles in that society.

The foundations of Ceylonese nation are yet to be laid. The secular, territorial nationalism was obviously a western model and hence was discarded as elitist and reactionary. What has taken its place is fissiparous though populist, is restrictive horizontally, though penetrating vertically. The Tamils possess many of the characteristics that contribute to modern nationhood. They have a shared historical experience, a continuous linguistic and cultural tradition, a common way of life, the result of a traditional system of beliefs and values dominated by Saivism and, most important of all, a defined territory as homeland. Far from breaking down sectionally loyalties, recent Ceylonese history has strengthened them and correspondingly weakened the all-island identity. Sinhala nationalism which seeks to pose as Ceylonese nationalism incorporates nothing of the Tamil tradition and is even seen to be in conflict with it. A graduated scale of nationalism, with concentric circles of loyalties, the larger subsuming the smaller without being in conflict with it, is yet to evolve in Sri Lanka.



# Security Forces Servants of the Law

(Continued from page 8)

swer by the government to "allegations of discrimination", and to other issues which had been raised before the "UN Sub-Commission on Prevention of Discrimination and Protection of Minorities". Reports had been received from international non-governmental organisations, and a resolution has been passed which invited the "government of Sri Lanka to submit information on the recent communal violence in Sri Lanka including its efforts to investigate the incidents and to promote national harmony...".

The Commission of Human Rights and its sub-commission are concerned with any allegations which appear substantiated, of gross violations of human rights or which reveal a consistent pattern of violation of human rights. In this way, although individual cases of violations of human rights are not taken up, cases can be raised within the UN to illustrate a pattern of alleged governmental conduct, which does not accord with agreed international standards. This is a move in the direction of international monitoring of human rights and civil liberties in member states of the UN.

## SLOW PROGRESS

The document quoted above was not presented by the Sri Lanka Government within the framework of the International Covenant and its implementation machinery, but instead was under the general procedure applicable to all UN members. As a document in general distribution within the UN it is available for scrutiny by national as well as international organisations and by individuals with special interest in these matters. The UN monitoring, therefore, should help to bring back into the domestic arena, issues which are often controversial and which, in some countries where repression is practiced, are effectively debarred from public debate. The multi-national and transnational interest in Human Rights and their violation is one of the positive elements in UN experience in the past 40 years.

Progress in all these areas of international and national monitoring is slow and sometimes involves acute sacrifices on the part of the exponents of the philosophy underlying human rights. In the USSR, for example, monitoring groups which were established by individuals to keep a watch upon the implementation of the human rights guaranteed by the governments signatory to the

Helsinki Agreements, have mostly been arrested, charged with various offences under the laws of the USSR and have been sent to prison and exile for long periods.

Human Rights activists in the UK are frequently called "trouble makers" because they try to insist that human rights should be protected, even when those whom they seek to protect are unpopular and their causes controversial. Police tend to be rather resentful of "monitoring" and other interference with what they consider to be their duty. It is a very sophisticated government which is willing to agree that those who defend the right of people to espouse unpopular causes or minority problems are fulfilling their civic duty and should be praised, not buried.

The United Nations, and its member governments, are committed to carrying out programmes of education and human rights awareness among their citizens. Unfortunately, very few governments place a high priority on such programmes, although funds are available - within the budgets of such bodies as the UN itself and UNESCO - to assist governments to translate texts, and provide copies of codes of conduct to all law enforcement officials, and the rules relating to prisoners, to all prison officers, and indeed to the prisoners themselves. The Amnesty International 1983 report to the Government of Sri Lanka included recommendations that the Government translate the international codes of conduct and rules into national languages and distribute them to security personnel and to prisoners and those in detention.

## IRISH SITUATION

In the United Kingdom, experience is that few efforts are made by the government (any government, not only the present one) to tell people of their rights. In some countries people have been penalised for systematically collecting public information about violations of human rights and there was one case comparatively recently in the United Kingdom where a journalist was charged under the Official Secrets Act for bringing together and collating information which was embarrassing to the Government and the police.

He was found not guilty, but the new Police and Criminal Evidence Bill before Parliament in 1984 will provide additional powers to the police and thus break down even further the protections which most people think the laws provide. In

these circumstances where effective power lies with the Executive it may well be that the international forum may become the testing ground for national legislation and practice.

The British (and Irish) experience in Northern Ireland is long. The solution to the problems must be political rather than through security forces. There are many conclusions that can be drawn about the dangers, and follies, of creating an artificial frontier based on vocal groups of vested interests; of integrating a geopolitical entity; of trying to repress a minority by force and of trying to effect political change through violence. Not all the lessons will be learnt in the same way and the conclusions drawn will be different according to the political and religious or other inclinations of the individuals and groups drawing them.

## SPECIAL POWERS

There are, however, from the point of view of the human rights activist or civil libertarian concerned with human values, clear indicators of where security becomes self-defeating and where violence by security forces can be as sinister a corrupting of society as the violence of the terrorist what also portrays himself as a 'freedom fighter'.

The British have tried a series of techniques in Northern Ireland (and later on the mainland,) to try to bring violence under control and to catch the criminals (terrorists, IRA, Nationalists, extremists) who plant bombs and maim civilians and engage in para-military activities. They initially relied on a protestant police force Royal Ulster Constabulary to protect the protestant majority in the 6 Irish countries which remain a part of the United Kingdom.

Inevitably, this led to abuse of authority, resentment, increasing disorder and the bringing in of the British Troops. Military occupation is rarely the answer to civil disturbance and the political temperature rose still further as the British soldiers became again identified with the protestant dominated power structure and against the minority catholic population which, while not endorsing necessarily the methods of the IRA, nevertheless sympathised sufficiently and consistently with its members to provide the type of co-operation which defeats any alien army.

Special powers of detention without trial have been tried and have failed. Special powers to arrest, detain in-

communicado for prolonged periods of interrogation for up to 7 days, have been tried and failed. Such measures for the 'Prevention of Terrorism' have even been extended to the mainland of Britain and have yet again failed. The victims of violence are also those who are arrested and detained, subjected to violent interrogation amounting in some instances to cruel and inhuman treatment and indeed torture. Violence escalates.

The arguments are advanced that one cannot give in to terrorism: that politicians must be firm, and that newer powers of restraint and coercion are required.

Coercion and officially endorsed violence leads to more aggression and more determination on the part of those who have resorted to violent means of expression. The victims of this type of escalation are not only those who are killed and maimed and tortured with increasing brutality. The victims are the vast majority of people whose security and peace of mind is thus threatened by the methods of the security forces themselves.

The civil rights movement has a function in such situations. Its role is to expose the abuses of authority and to insist on the inviolable rights endorsed by governments. Among these human rights from which there can be no derogation, is the right not to be tortured, or to be subjected to cruel, inhuman, or degrading treatment or punishment.

## ROLE OF COURTS

The UN Declaration makes it clear that it is the responsibility of Government to Control excesses to of those who serve as the security forces. In Britain, police who have transgressed are frequently transferred and promoted in a false gesture of solidarity among the police themselves. Political support from government ministers, may in other circumstances be expressed by quick parliamentary responses which aim to reassure the security forces, but in fact undermine law and order by creating one law for citizen and another for the the police or army.

The courts, too, have their role in dealing fairly and firmly with those who are shown to have tortured or used other illegitimate means of extracting confessions. Such confessions should preferably be excluded from evidence and security forces who are guilty of extortion should be punished. Here again, go-

vernment is by definition, bound to uphold the courts when they take decisions which appear to be critical of authority. Ministers in many governments have been known to comment on the conduct of the courts when their policies are felt to be implicitly criticised by the even handed administration of justice.

In all of these circumstances, there is need for standards, rules, and a means of implementing and monitoring their implementation.

It is not easy for a Government to accept such limitations. The security forces often resent this apparent incursion into their own field of professionalism. But no one can be allowed to be a professional torturer. No individual should be detained without legal protection. To quote again from the Preamble to the Universal Declaration of Human Rights, "it is essential... that human rights be protected by the rule of law..."

## MANY HORRORS

In Northern Ireland, the civil rights movement has experienced difficulties and abuse. One of the recommendations, however, published in a review based on research carried out on behalf of the NCCL and published in 1980 included a 'draft Code of Interrogation Practice'. It is appended to this paper along with the UN Declaration on Torture. It is hoped that its contents may provide help to other movements and governments confronted with problem which, as in the United Kingdom, have their expression in abuse of power, surrender of civil rights, abandonment of the principles and practice of the rule of law and the creation of yet more victims among a population which is multi-ethnic, multi-cultural, plural in its religious composition and divided in its political orientation.

In the time available it has not been possible to examine in depth any of the problem areas which may have common interest for the peoples and Governments of the United Kingdom and of Sri Lanka. We all know only our own areas of experience. But international experience is the accumulation of many atrocities, many horrors and the heartfelt need to find ways and means of preventing repetitions in other countries.

The first thing a government does after a revolution (Continued on page 10)



## Security..

(Continued from page 9)

tionary change is to open its prisons and reveal the depravity of its predecessors. What is at stake is to prevent that depravity from taking place by institutionalising the role and responsibility of the international community in human rights as much as in world poverty and world peace. Outside intervention in human rights is possible even when inside protests are stifled.

Governments should therefore welcome and not resent the developing system of international observation, monitoring and reporting on human rights.

### Sign of Strength

Governments should consider it a sign of strength, not weakness, to invite international observers to courts, prisons, and other places where human rights are at risk. The International Convention of Torture and the proposed Optional Protocol providing for random visits to places of detention by independent commissions should be welcomed and introduced.

International standards which have been endorsed should be widely known, translated and distributed among those who must introduce and implement them and those whom they are designed to protect.

The rule of law is paramount in the protection of human rights and an independent judiciary is therefore at the core of human and civil rights.

Security forces are the servants of the law, the people and the authorities. In the United States the Presidential Commission on Civil Rights published a report on 'who Guards the Guardians'. The question is relevant in all societies and needs a strong and independent answer.

Minorities whether they be ethnic, religious, or otherwise defined by age of experience, are part of the community in which they live and are entitled to the same protection of the rule of law against the violence of prejudice and discrimination, whatever the alleged or real provocation.

Finally, human rights are the flesh and bone of any community. The achievement of high living standards, commonwealth, health for all; low infant mortality and greater longevity are the central targets of human ambition. Strong movements civil and political rights provide the means whereby these targets can be reached. Deprivation of civil and political rights inevitably leads to a diversion from the path towards economic development.

## SPORTS

by Victor Kiruparaj

# Two century knocks

Two swashbuckling centuries, one by Skipper V. Sutharshanan 110 (n.o) and the other by Mathivathanan 100 (n.o) saw the Centralites not only race up to 281 for 2 wickets but also dismiss Manipay Hindu twice for 125 and 37 in a "friendly" played recently.

Scores:

**Jaffna Central - 1st Innings 281 for 2 wkts. (dec.)**  
V. Sutharshanan 111 (n.o)  
S. Mathivathanan 100 (n.o)  
K. Karunraj 39, P. Raviraj 23, Jeyaseelan 2 for 136.

**Manipay Hindu - 1st Innings 125.** Jeyaseelan 20, Uthayasanthiran 42, V. Sutharshan 5 for 36, Terry Mahan Ganeshalingam 2 for 27.

**Manipay Hindu 2nd Innings 37.** Jeyaseelan 20 (n.o)  
V. Sutharshanan 4 for 9,  
T. Raviraj 2 for 9, Terry Mahan Ganeshalingam 2 for 14.

## Chief Justice's...

(Continued from page 3)

him in poverty. It costs the country a hell of a lot of money to keep me in poverty on my paupers salary. But we are class by ourselves, I know it is difficult now even to join the public sector or the private sector to maintain ourselves the way we should be maintained. I am referring to this as I find our people are taking bribes. I cannot blame them.

I ask you ladies and gentlemen when you get a job be honest by your employer. Be honest in your dealings with your fellow men. I believe I took too long. When I was at the bar I was paid to talk and the more I talked the more I was paid and now I am paid to keep my mouth shut I suppose that I am permitted to open my mouth some times I hope you will take into consideration what I have said.

(SUN - 16th March 1984)

The Chief Justice's speech has sparked a controversy, with members of the Government alleging that it went beyond the limits of propriety of a person holding such a high office.

At the time of going to Press, there was reports that the matter would be raised in Parliament and there were indications in some newspapers to indicate that the Government might decide to impeach the Chief Justice.

## Time saves

### Jaffna College

Time saved Jaffna College from an innings defeat at the hands of Jaffna Central when the former were reeling at 98 for 8 wickets in the second essay, chasing a target of 155.

Scores:

**Jaffna Central - 1st Innings 242.** S. Mathivathanan 52, K. Manojkumar 58, V. Sutharshanan 52, K. Rajasekar 23, K. Karunraj 17, P. Raviraj 16, A.F. Gratien 12, M. Paramalingam 1 for 61, M. Suthaharan 1 for 1, M. Balachandran 1 for 11, D. Balashankar 3 for 37.

**Jaffna College - 1st Innings 87.** M. Suthaharan 12, M. Paramalingam 11, N. J. Gnanathilakam 13, V. Selvaratnam 19, V. Sutharshanan 5 for 32, T. Raviraj 5 for 19.  
**Jaffna College - 2nd Innings 98 for 8 wkts.** M. Paramalingam 10, N. Balashankar 11, J. Ranjan 35, P. Raviraj 2 for 22, V. Sutharshanan 3 for 38, Terry Mahan Ganeshalingam 1 for 9.

# Judges need Special Protection: CRM

The Civil Rights Movement of Sri Lanka, in a telegram sent to President Jayewardene, has lodged a strong protest over the proposed amendment to the Parliamentary Powers and Privileges Act to permit publication in the Press of parliamentary debates notwithstanding that such publications would be contempt of court.

CRM stated in its protest that "the need to protect the Judiciary from public and political pressures must prevail. At issue is not the right of any individual to protection against defamation, where admittedly the overriding need to permit unrestricted publication of Parliamentary proceedings prevails, but the proper and impartial working of the judicial system."

"Judges need special protection because their role is special. They have a function different from any other public officers. They are arbiters not merely between citizen and citizen but also between citizen and the State."

"Under our Constitution, they further have the specific

# Iriyagolle's 'Solution'

This report appeared in 'THE ISLAND' on 15th March.

Mr. Gamini Iriyagolle, attorney-at-law, has indicated to President Jayewardene that, given the opportunity, he would be able to suppress the terrorist activities in the North and the East "within six months".

He has requested the President to afford him this opportunity, stating further that he would undertake the responsibility of restraining the terrorist movement in the North.

Mr. Iriyagolle told The Island that he had requested the President to send him to the North with full civil and army powers and also with certain limited political power for the purpose.

Mr. Iriyagolle had informed

the President that he would submit a plan to curb the terrorist movement and that a hand-picked team of Army, Navy, Air Force and civil officers should be sent to the North along with him.

He had added that all facilities requested by him should be provided after an estimate of the expenditure to be incurred on this exercise was submitted and that a team of officers from the three Forces had already expressed their willingness to accompany him to the North.

Mr. Iriyagolla had further said that he was volunteering to undertake this responsibility particularly in view of the fact that the government administration had failed in some areas of the island.

When he made this request it appears that the President had raised the possibility of being killed by the terrorists as a result of this proposal and Mr. Iriyagolle had replied that he was prepared for such an eventuality.

Mr. Iriyagolle graduated in law from the Ceylon and Cambridge Universities and is a practicing lawyer. He entered the Sri Lanka Administrative Service in 1959 and was appointed Civil Administrator of Jaffna during the emergency and the Hartal organised there in April 1961. He commands wide administrative experience, having served as Commissioner of Lands in the Northern and Eastern Provinces and also as the head of the Kandyan Peasantry Rehabilitation Commission.

Note by Editor:

We wonder whether Mr. Gamini Iriyagolle was talking through his hat or .....

private machinery under the Constitution for investigating allegations of misconduct by judges as a prelude to their possible removal. However, any such machinery must be designed to protect against publicity for any allegations of misconduct until and unless they are found proved after a proper judicial investigation as envisaged by the Constitution."



# Majority of repatriates living below poverty line

(Continued from last issue)

This community has also been historically subjected to economic, social and cultural deprivations. Alcoholism is quite high and this act as a drain not only on economic resources, but also on the average level of health. It also leads to broken homes and provides a bad example for children. The community also spends a lot on non essential items like weddings, funerals and religious festivals.

This socio-economic situation is closely related to the educational advancement leads to upward social mobility and a better standard of living, poor educational attainments result in a fatalistic attitude towards life and contributes to demoralisation. No wonder, most of these workers are unable to decide for themselves about the options available to them in India.

### Rehabilitation Aid

The Government of India provides rehabilitation assistance to the repatriates under the following heads:- (1) Employment in government owned tea, rubber and cinchona plantations and state farm corporations. under these schemes employment is provided to two members of the family. (2) Employment in factories. Like spinning mills, sugar mills and transport corporations. Only one member in a family in the group of 18-35 is given employment.

The table given below illustrates the progress of repatriation to India.

REPATRIATION FROM SRI LANKA—PROGRESS

Year	Number of persons arrived	Cumulative Total	Number expected to arrive
1968	4,565	4,565	140,000
1969	5,876	10441	175,000
1970	10,156	20,597	210,000
1971	26,051	46,648	245,000
1972	32,713	79,361	280,000
1973	40,979	120,840	315,000
1974	44,940	165,280	350,000
1975	26,028	191,308	385,000
1976	45,785	237,093	420,000
1977	39,800	276,893	455,000
1978	29,400	306,293	490,000
1979	22,119	328,412	525,000
(Oct.'79) .....	.....	.....	.....

Source : A REPORT ON THE SURVEY OF REPATRIATES FROM SRI LANKA, 1980 APPENDIX II.

(3) Settlement in land colonies and land assigned for cultivation (4) Loan for the purchase of land cultivation (5) Business loans of Rs. 5,000 per family for self-employment (6) Financial aid for housing at the rate of Rs. 6,000 in cities and Rs. 3,000 in rural areas. (The housing grant has been recently raised to Rs. 8,000 in urban areas and Rs. 4,000 in rural areas).

According to Tamilnadu Government, "normally two-thirds of the families coming are found eligible for assistance". As on 28th February 1981, out of 86,805 families who have come from Sri Lanka, 63,401 families have received rehabilitation assistance. of the families rehabilitated, 59,979 or 94.6 per cent are absorbed in Tamilnadu and 3,422 or 5.4 per cent in Kerala, Andhra Pradesh and Karnataka.

The Institute for Techno-Economic Studies (ITES) and the CRNIEO point out that even those, who, for various reasons, have not come under the purview of government assistance, are not well-off and they should also be brought under the repatriation schemes.

The major burden of rehabilitation has fallen on Tamilnadu. Only limited opportunities are available for rehabilitation in Kerala, Karnataka and Andhra Pradesh. Even those who were assigned to these states get dissatisfied soon and are flocking to Tamilnadu. About

one hundred families originally settled in a cardamom plantation near Vandiperiar in Kerala were rendered jobless as the plantations were closed. They subsequently came to Tamilnadu requesting the authorities to provide them employment in Tamilnadu itself. Similarly, number, of repatriate families who found initial employment in some spinning mills in Andhra Pradesh and Karnataka come to Madras in March 1982 and demonstrated before the office of the Director of Rehabilitation.

### Business loan

Business loan is the most popular from of rehabilitation assistance and is also, at the same time, the classic illustration of the Indian Government's apathy towards repatriates. 76.8 per

by Prof. V. Suryanarayanan

cent of those rehabilitated in Tamilnadu fall under this category. For the officials in the Indian High Commission in Kandy, sanctioning a business loan is the easiest way to get rid of a repatriate. Even those who are assigned others forms of assistance are persuaded in the Mandapam camp to accept business loans when other job opportunities are not open to them.

The repatriates would not have come to this sorry state of affairs, if the Government had taken into consideration their socio-economic background. Most of them hail from the plantations, where they depended on the management for practically everything—from jobs and housing to education and health facilities. They lack initiative, drive and the ability to take risks which are essential for a successful business operation. They agree for the business loan because they have no other available option. Since they are also not serious of starting a business, the loan becomes easy money, a Government dole which could be squandered at will.

The loan is given in two instalments. The first instalment ranging from Rs. 2,000 - 3,000 is given in the

Mandapam camp. The second instalment is paid after the utilisation of the initial loan. It is paid after inspection by an official and production of two sureties worth Rs. 5,000/-. The terms and condition of the loan are very attractive. Only 7½ per cent interest is charged which is far lower than the market rate. The repayment starts after four years and it is to be repaid in twelve equal instalments.

Though the government maintains that the first instalment is paid immediately on arrival in the Mandapam camp, it generally takes three to four weeks before the repatriate receives the money. Agents and touts promise to do the necessary liaison work. The touts also give some loans to the needy repatriates on the understand-

ing that it would be repaid on the receipt of the loan. Repatriates often complain that due to the connivance of the government officials and touts, they do not receive the full amount due to them. No advice or guidance is given to the repatriates regarding business operations and no supervision is exercised on the utilisation of the loan. The indiscriminate manner in which the business loans are sanctioned has been high lighted by the ITES, "Instances are not wanting when more than twenty loans were advanced for grocery shop in a village with a population of less than 2,000.

The sample surveys conducted by the CRNIEO and

ITES bring out clearly that the repatriate's entry into the business line had been an unqualified disaster. The business ventures, which they have started, could be broadly divided into three categories : 1) Production and sales-dairying, tea stalls 2) Retail tradegrocery shops petty shops, vessel shops, dry fish, cloth shop and vegetable shop and 3) Service category-bullock carts, shops, cycle shops, tailoring and laundry. Most of them are concentrated in the district of Nilgiris followed by valparai in Coimbatore district and Kodaikanal in Madurai district. They migrated to these places not because of business opportunities, but because of climatic conditions which were smiliar to the plantation ranges in Sri Lanka. According to the survey conducted by the CRNEEO, only 12. per cent of those who received business loans" have utilised the amount in one trade or other". All others have failed miserably. The report of the ITES mentions that only 3. 75 per cent of the repatriates who have taken business loans are above the proverty line.

4. 9 per cent of the repatriates have been rehabilitated under the Agricultural Land colonisation. Under this Scheme, each repatriate family is allotted three acres of dry land with a financial assistance for bullocks, seeds implements and fertilisers. The family is also given a house site and a loan of Rs. 4,000/- for construction. The loan is repayable in eight equal instalments commencing from the third year of cultivation.

(To be continued)

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# Saturday Review

SRI LANKA

## JR BLAMES PUBLIC

President Jayewardene, addressing the Government Parliamentary Group meeting on 6th March, said the biggest obstacle faced by the Government in tackling terrorism in the North and the East was the lack of infor-

mant's of the crimes committed.

The President said that even if they arrived at a solution at the All-Party Conference on ethnic issues, he did not think that terro-

rism would stop. The aim of such terrorist acts was to create dislocation and unrest.

He said he had given all the powers needed to the Army and the Police to tackle the situation. He admitted there had been occasions when such powers had been misused.

# Opportunity for youth

The recent disturbances have seen the influx into the Jaffna Peninsula of Tamil families which had hitherto lived in Colombo or its suburbs and in various other parts of Sri Lanka.

A big percentage of the persons affected are youths—unemployed youths, temporarily employed youths and students who were following various courses of study, such as accountancy, computer science, law, surveying, draughtsmanship and apprenticeships in various industries.

Most of the students concerned have passed the G.C.E.

Advance Level) in science subjects.

Apart from them there are a number who have qualified for admission to universities in Colombo, Katubedde and Peradeniya but have been unable to take up residence in those areas.

Parents have spent a good part of their earnings in their education and with the disturbances lost what was left of their savings and belongings.

It is really a stark and dismal situation which requires the sympathy and under-

standing of every citizen interested in the welfare of the younger generation.

Because of geographical conditions, the people of the North have as an ethnic group been compelled to enter the professions, Government employment or seek employment in the estates or in the mercantile sector. Though a few have engaged themselves in business, the majority have been overseers, surveyors, draughtsmen, irrigation and forest officers, apothecaries, pharmacists, postal, telecommunication and technical officers; some have been engineers, account-

ants, lawyers, doctors, assistant medical practitioners, administrators and clerical servants.

The recent practice in the Government sector of granting employment on ethnic group proportions has limited such opportunities. The admission to universities of our youths has also been limited. With the 1983 July disturbances, it is difficult for many of our youths to work in areas outside the Northern Peninsula.

It is, therefore necessary to channel our school-leavers into useful fields of training which could secure them jobs abroad or help them set themselves up in self-employment.

Some members of the medical, legal and educational professions and other citizens who are interested in the welfare of the youth have, after serious deliberation, come to the conclusion that the immediate relief that could be given is to provide them with training, leading to diplomas of sufficiently high standard that could be recognised internationally, in middle level skills such as medical laboratory technology, cardiac technology, pharmacy nursing, physiotherapy, radiology, technology, and mechanical work.

Besides being trained for useful employment, the successful trainees will be of service to the community. They have in mind the establishment of an Institute of scientific studies comprising two schools:— (a) Para-Medical School and (b) School of Technology.

With this in view, they have drawn up a project which would initially involve a capital expenditure of Rs.5 million for buildings, equipment and a library.

A board of directors and academic committees for the various courses have been appointed. Applications have been called from prospective students and provisionally 70 students have been selected. Temporary arrangements have been made to give grant, on long lease, 10 lachchams of land to establish the institute.

If this venture proves to be successful, the establish-

ment, eventually, of a private school will be a possibility.

It is a very ambitious plan and unless it has the whole-hearted support of the public it cannot be brought to fruition. The institute will be a non-profit one and will have to be subsidised in the early stages. Once it is well established, it would run with the fees collected from the students.

A board of Directors, comprising the following members, will manage the affairs of the institute: **Dr. V. Krishna Rajah**, Surgeon, General Hospital, Jaffna; **Dr. V. S. Pathmanathan**, Pathologist, General Hospital, Jaffna; **Dr. N. Sivarajah**, Lecturer in Community Medicine, Faculty of Medicine, Jaffna; **Dr. T. Gangadharan**, "Van West Clinic", Jaffna; **Dr. (Mrs) L. G. Selvadurai**, McLeod Hospital, Inuvil; **Prof. C. Sivagnanasunderam**, Dean, Faculty of Medicine, University of Jaffna; **Prof. N. Sreeharan**, Professor of Medicine, University of Jaffna; **Prof. V. K. Ganesalingam**, Prof. of Zoology, Univ. of Jaffna; **Mr. R. Balasubramaniam**, Attorney-at-Law, Wyman Road Jaffna; **Mr. V. Oharmalingam**, ex-M. P. for Manipay; **Mr. S. Gnana-pragasam**, Assistant Commissioner, Co-operative Development; **Mr. S. Sivamaharajah**, President, National Council of Co-operatives; **Miss P. Veerathipillai**, Tutor, Nursing School, Jaffna; **Mr. M. S. Kandiah**, Vice-President, Moolai Co-operative Hospital; **Mr. R. Rajalingam**, Jaffna Private Hospital; and **Mr. S. Poopalendra**, Co-operative Hospital, Tellipalai.

The institute would welcome contributions from philanthropists, business magnates and citizens who have the interests of the younger generation in their hearts to make this venture a success by generous donations and contributions.

They may send their contributions to **Mr. S. Sivamahendrarajah**, Treasurer of the Institute, C/O The National Co-operative Council, Veerasingham Hall, Jaffna. (Cheques may be made out in favour of the Institute of Scientific Studies, Jaffna). All contributions would be acknowledged in the Press.

## JAFFNA COLLEGE TECHNICAL INSTITUTE VADDUKODDAI

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(a) Computer programming & information processing	CGLI — 747
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Students who have studied up to G. C. E. (O/L), physically fit and have aptitude to learn an Engineering Trade is eligible for admission. Courses are of one year duration and conducted in Tamil medium with lessons in English and Engineering Drawing.

Course	Fees	Deposit
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(b) Foundry Practice	500-00	500-00
(c) Machine Shop Practice	500-00	200-00

Apply on forms available at Office (Rs 3) and send your application to Director, Jaffna College Technical Institute, Vaddukoddai before closing date.