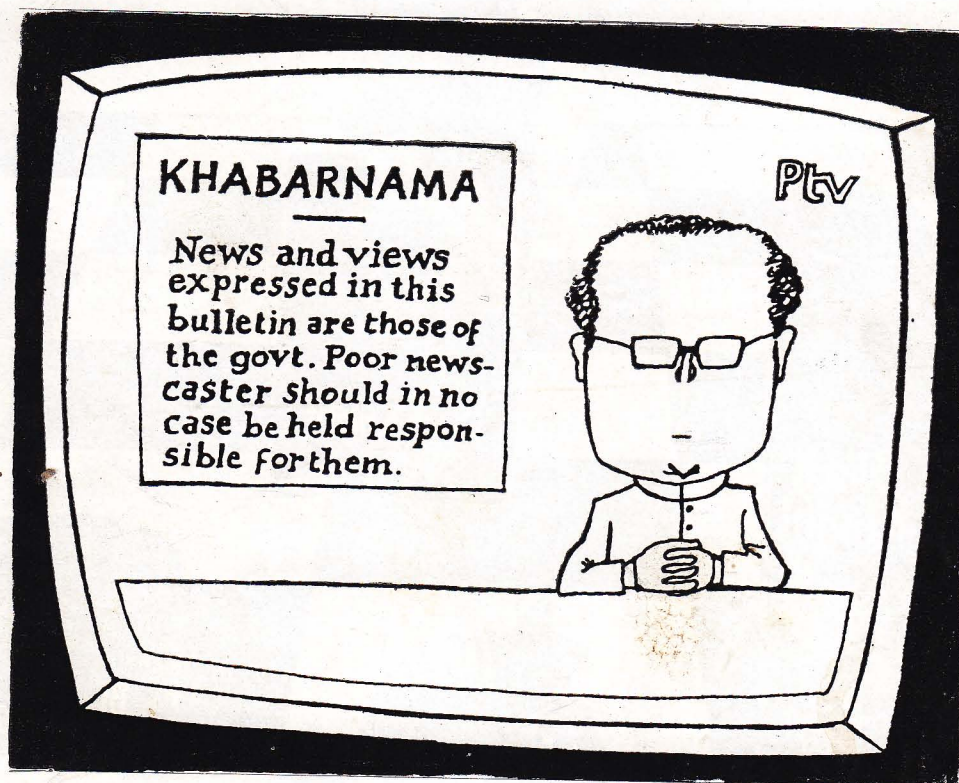


• SOUTH ASIA: POVERTY ALLEVIATION •

LANKA

GUARDIAN

Vol. 15 No. 17 January 1, 1993 Price Rs. 10.00 Registered at GPO, Sri Lanka QD/43/NEWS/92



1992: Year of the Press

— Mervyn de Silva

'TIGERS' AND 'GEIGERS'

— Serena Tennekoon

MANAGING THE MEDIA

— David Webster

FEDERALISM: Lessons from India

— Krishna K. Tummala



Black Knight
It's your move

TRENDS

Don't Influence Embassies, Ministers Told

Embarrassed by ministers and high state officials persisting in pressurizing embassies to issue visas to friends and relations, the government is reported to have warned them again to desist.

Embassies have apparently complained of attempts at undue influence in the obtaining of visas. There had been also complaints of abuses by some who had obtained visas this way.

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The Lanka Guardian

Wishes its readers,
contributors, advertisers and
all well-wishers a very
Happy New Year

Briefly...

ARMY CASUALTIES HIGH IN 1992

By Christmas eve the army death total rose to 1045 for the year with the killing of 42 regular soldiers in the Welioya area. The dead included two lieutenants, Gunatillake and Perera.

The attack party of about 250 Tigers had removed all weapons of the dead, including ammunition, grenades and communications equipment.

Other major attacks by the LTTE in 1992 were the killing of 52 soldiers at Katupotha, the seizure of the armoury at the Koddakadu camp after killing 13 soldiers, and the over-running of defence positions at Iddakadu in which 47 soldiers died.

Thondaman out of SC

Ceylon Workers Congress boss Saumyamurthi Thondaman (also Minister of Rural Industrial Development in the Premadasa Government) pulled out of the parliamentary Select Committee which is searching for ways to end the north-east conflict.

"I have to state with an agonising sense of frustration that the efforts of the CWC to forge a viable settlement of the ethnic problem have failed", Mr Thondaman said in a letter to Select Committee chairman Mangala Moonesinghe, copies of which were released to the press. Mr Thondaman has said that the thinking of the CWC is at complete variance with the thought process of the Select Committee.

"Devolution in a real sense to an unbifurcated North-East Province constituted the cornerstone of the (CWC's) proposals" but "Bifurcation of the receptacle became the overweening consideration of the Committee", the CWC boss has said in his letter of withdrawal.

HARD TIMES AHEAD

Further reductions in social welfare are due in 1993 in keeping with an agreement with the IMF running through to 1995. In education there are plans to "enhance cost recovery through user fees and further develop private education"; in health care there are plans to explore "alternative ways of financing care through insurance systems and fees".

The agreement with the lending agencies also includes: deregulation of bus fares, converting the Railways into a corporation, allowing foreign investors access to local financial markets, lower tax systems, and other "liberalisations" of the economy.

AL GORE PHONES PRESIDENT PREMADASA

President Premadasa said at the opening of a garment factory at Kaduwela that US Vice President-elect Alfred Gore had telephoned him and conveyed President-elect Bill Clinton's appreciation of Sri Lanka's efforts to develop the country.

"COMMON CANDIDATE WILL WIN"

DUNF leader Lalith Atulathmudali told a meeting at Kalutara that a common opposition candidate would undoubtedly win the next presidential election. He said that the people had no faith in the present government, that there was no other leader in the UNP and that lakhs of people were now joining the Democratic United National Front (DUNF).

PRESS FREEDOM: An unfinished battle

Mervyn de Silva

In this conflict-torn society, the ethnic strife which erupted in the early 80's to produce today's fierce clash of arms, continues to dominate and often determine political processes. Looking back at 1991, we note that the final issue of the *Lanka Guardian* (15/12/91) focussed on what we called 'the constitutional coup', that is the impeachment motion and its implications.

"Dissension, conflict and divisive tendencies are the most prominent feature of our national life and politics" said the concluding paragraph of that commentary which ended "The war in the north and the JVP insurgency were the most violent form of expression of this basic fact. Now the two major parties are also seized by this larger, powerful force of internal warfare".

On the latest expression of these divisive conflicts — the impeachment motion — the *L.G.* summed up:

"Same systems, same powers, same abuses — but because there is no two-thirds majority, very few fundamental changes... but different personality. And that's it. The westernised intelligentsia, which includes professions, bureaucracy, business, and the upper echelons of the Political Establishment, finds the man and his style offensive, an insolent challenge to their value-system and their interests. And this collective response embraces the top-crust of all the major parties. The Establishment Strikes Back..!"

The result? The failure of the manoeuvre, the constitutional coup, produced the DUNF. The *LG* had a comment to offer on Mr. Ronnie de Mel. "A third UNP frontbencher likely to join the DUNF leadership is ex-Finance Minister Ronnie de Mel..."

The *LG* was proved wrong on Mr. de Mel's political calculations in mid-December 1991. Mr. de Mel chose exile. But now in Dec. 1992, Mr. de Mel is back... his plans still uncertain.

In the same issue, we had a brief contribution from Dr. Chanaka Amaratunga, in which he presented a case for "an Independent Authority" to run the Sri Lanka Broadcasting Corporation. The main objective, it was obvious, was to 'liberate' radio, a communications system, with a much wider range than the print media, from State control and day-to-day government management.

In a series on the national media in Asia, the respected *Far Eastern Economic Review*, its special correspondent V.G. Kulkarni and its Colombo corr. Manik de Silva had this to say:

"To a casual visitor this varied fare in news and views gives the impression of a vibrant and thriving press in Sri Lanka. But a closer look unveils an unsavoury reality. The party organs have at best a combined circulation of a few thousand. At least two-thirds of the dailies and a sizeable part of the magazines' circulations come from the government-controlled publishing group..." Noting with regret the demise of the independent *TRIBUNE* of S. P. Amarasingham, correspondent de Silva concludes his report with a remark on this journal. Describing the *Lanka Guardian* as a lively fortnightly, it is aimed he notes at "the intelligentsia and often provides a platform for view points that are not reflected in the national daily press".

Since the *F.E.E.R.*'s Oct. 1986 report, the print media scene has seen sweeping changes. The *ISLAND* group has been joined by the Wijeya publishing house (*Sunday Times*, *Lankadeepa* and a host of journals) and by a half a dozen weeklies *RAVAYA*, *YUKTHIYA*, *LAKDIVA*, *RAJALIYA* which have an impressive readership that together can match any of the mass-circulation Sunday papers published by the three major groups.

In the print media field, there is thus an impression of evenly balanced contest. In this however the best we can do? The

situation is far from perfect. In fact, it is only a beginning of the long journey towards a lively, critical and responsible media.

"Agin the government" was banner of the press barons of Fleet Street as well as the independent journals. The enormous power of the State needs countervailing forces in order to acquire and expand democratic space. That was the thesis, the underlying assumption.

In a stable society, this makes sense. In wholly different conditions such as societies plagued by divisive conflicts, especially violent conflicts, a tacit acceptance of social responsibility is as vital as recognition of the fundamental right of free expression. In her well-researched essay on "Newspaper Nationalism" (*L.G.* Nov. 1 1992) Serena Tennekoon outlines the history of the Sinhala debate on the ethnic issue and the far from enlightened contribution it made through the pages of the free press. Was the freedom liberally used to inflame passions or to clarify issues in a way that would contribute to the understanding of the conflict, and pave the way for resolution?

Exposure of a regime's misdeeds, of corruption, of arbitrary acts, of gross abuse of power, and dictatorial tendencies etc is indeed a major function of an independent press. But a press that equates independence with total hostility to an elected administration has confused issues, to put it mildly. Waving the banner of press freedom only to serve its own commercial interests or the political interests of a particular party is also wrong. The manner in which a group of journalists converted former National Security Minister Lalith Athulathmudali — at the best of times, an improbable champion of liberty, — into an instant hero after his expulsion from the UNP, is an episode that taught the journalistic community many a valuable lesson.

Izeth Hussain who has written ex-

tensively on this topic in one of his many essays, concluded that "Sri Lanka has had no press freedom after 1970".... And then studying current trends, the ebb and flow, he used Robert Dahl and the US political scientist, Scalapino as 'guides' to a balanced approach on what really prevails, rather than the theory. "Actually the DUNF leaders deserve credit for making democracy a central issue. What they are subjectively is beside the point because what really matters is the objective situation which will make them behave democratically. However there is public cynicism about the democratic pretensions of the opposition parties."

Reflecting on the role of the press, Ajit Samaranayake (*LG* Sept. 1, '92) pinpoints the 'insularity' of the anglicised elite, and defends the Left parties 'which eschewed the extremes of communal politics', alas only to be branded as "traitors" to Sinhala and Buddhism, by those politicians, ideologues and newspapers that stood squarely against "a secular" approach to national politics.

A plethora of Sinhala weeklies specialising in exposure, scandal, and sensationalism have made the UNP and Mr. Premadasa in particular their principal target. In an island with such an exceptionally high literacy, it can hardly be argued that there is a State-monopoly. The Lake House press does the government's job while blasting away at the SLFP, DUNF etc. The non-Lake House papers reply in kind. This gives overall "balance" but it also robs both of the credibility that is attached to a truly independent media.

Democratisation is the new universal trend the *LG* took up the issue of press freedom because it has a vital contribution to make, perhaps even more vital than an independent judiciary. While the problem of the non-print media remains, we take a look in this issue on what's going on in the region, partly because events and trends in one country do have an impact on neighbours. The struggle for press freedom in Pakis-

tan, for instance, has many a valuable lesson. The cartoon on our cover is from the Pakistani newspaper *THE NATION*, a paper which suggests that the idea of

a free press is advancing swiftly in a country where military dictatorship, rather than civilian democratic government, has been the rule.

ARTHUR C. CLARKE: Explorer extraordinary

The story doubtless is apocryphal.

Scene: HONOLULU AIRPORT. Characters: Sri Lankan professor, Australian doctor.

JAL flight to Tokyo/Hong Kong.

Doctor: Going to Tokyo...?

Professor: No, Hong Kong.

Doctor: Live there, do you?

Prof: No, in Sri Lanka

Doctor: Aaah, where Arthur Clarke lives....

Sri Lanka, known by several other names, has attracted many famous visitors, from Vijaya to Anton Chekov, from Edward Lear to Andre Malraux but none from outer space, unless you count Soviet astronaut Yuri Gagarin, a brief two nights.

Arthur C. Clark, though a visitor too, is different. He IS a Sri Lankan. And proud of it. "Though I never left England until I was 33 years old, it is Ceylon, not England, that now seems home...no other place is wholly real to me" he wrote nearly 30 years ago.

Sri Lanka in turn has showered him with honour. The Centre for Modern Technologies at Moratuwa is named after the prophet of the Space Age, and pathfinder in the sphere of Communication Satellites, and famed Science fiction writer. He is the Chancellor of the University of Moratuwa. On his 75th birthday last month, President Premadasa paid personal tribute to "one of the most acclaimed visionaries of our time."

On July 15, the House of Commons paid rare tribute to this British pioneer. Prime Minister John Major and Parliamentary Space Committee (PSC) Chairman Sir Michael Marshall greeted Arthur Clarke who spoke to the MP's at the end of the reception. "In many ways" said Arthur Clarke "In many ways, it is space that holds the key to our future and I do not believe that the world's space agencies are active enough in bringing space to the ordinary people. There is a spiritual

element to space exploration too, and that is what counts."

When he dwells on his favourite topic, Arthur is always serious, sometimes solemn. But a boyish humour rarely deserts him. It was with a mischievous twinkle for instances, that Arthur replied to a solemn query by the Archbishop of Canterbury when the two met at the British High Commissioner's home Westminster House, last month. Canterbury inquired how Arthur was privy to see many secrets of the universe, and played prophet so successfully. "Communications" of course was the secret, Clark confided in Canterbury solemnly. You see, he had this direct line to God...a radio-telephone.

What's he up to now, I asked Arthur when I called on him at 25 Barnes Place to wish him for his birthday. "Mars is where the action..." says the prophet, repeating a message he has given the press at meetings cross the world.

In his Convocation Address at the Moratuwa University on December 14, the "prophet" chose to speak on SPACE AND SERENDIP, his two loves... serendip being the name that Horace Walpole chose for Sri Lanka, and the origin of the world 'serendipity' the faculty of finding things valuable accidentally. SERENDIP is also the code name for a new US project in which Dr. Cyril Ponnamperuma is involved. The name stands for SEARCH for EXTRA terrestrial Radio Emission from Nearby Developed Intelligent Populations....!—M.

Building Free Media

David Webster

Countries around the world that have recently emerged from authoritarian and totalitarian rule are discovering that a free political society cannot exist without free news media. Because democracy involves public debate and open decision-making, the free exchange of ideas, opinions, and information is essential. Newspapers, magazines, radio, and television serve as both forums for debate and sources of information on which decisions can be based.

Building an open society is never easy. If the world's new democracies are to preserve and extend their newfound freedoms, institutions that reflect and sustain free communication must be developed in both the public and private sectors. These new institutions can impose a heavy burden of responsibility both on journalists and on politicians. A distinguished Polish editor (who was formerly with an underground newspaper) bemoaned the difficulties of the new liberalized system. "What's the problem?" he was asked. "After years of repression you are now free to publish." "Yes," he responded, "but now we are supposed to find out whether it's true or not."

Journalists, politicians, and officials must learn the difficult lessons of how to interact in a free, open society. Even within long-established democracies this interaction is a struggle. In the emerging democracies, it is both more difficult and more urgent.

The level of freedom and independence of the media depends on three main factors. The first is regulation; the second, the presence of able managers and the ability to be economically viable in the new market; and the third, the degree to which professionalism and responsibility are exercised.

(For 8 years, the writer was on the BBC Board of Management)

"Without freedom of communication, the state is deaf and so are the people. . . ."

REGULATION OF THE MEDIA

In authoritarian societies, the media are largely controlled by the state. As countries around the world begin to liberalize their political and economic systems, the task confronting them is how to pry loose the print and electronic media from the grip of the state. Karol Jakubowicz, chairman of the Polish Broadcasting Reform Committee, described the problem this way:

This is not a question of deregulation. We never had any regulations, just a man in the back room who told us what to do. Now we have to create a structure of a law and regulation in which independent broadcasting, in both the public and the private sector, can be developed.

For the print media, the issue of regulation is simple. No regulation beyond the commonly accepted laws protecting copyrights and prohibiting libel and slander is necessary. Within these few guidelines, anyone who has the means to reproduce printed material should be allowed to do so. One country that has begun to free its print media is South Korea.

For their part, radio and television broadcasting have special technical constraints. The potential number of radio and television channels is limited by the size of the frequency spectrum. Someone must therefore decide who may broadcast over which frequency. The result is necessarily a degree of regulation.

Although regulation of broadcasting is required, such control should be as limited as possible if it is to support free communication. Broadcasting work best when it promotes, rather than

inhibits, the independence of public and private broadcasters. Requiring print or broadcast journalists to be licensed, for example, gives the state too large a role. The First Amendment to the Constitution of United States is the beacon: "Congress shall make no law . . . abridging the freedom . . . of the press."

A note issued by the Trans-Atlantic Dialogue on European Broadcasting concerning broadcasting in Eastern and Central Europe and the former Soviet Union is a good example of how to approach the problem of regulation.

Point drawn from a draft outline of an ideal regulatory law, written by the Trans-Atlantic Dialogue on European Broadcasting. This draft would have to be adapted for specific countries, but it does give examples of subjects to be addressed and suggests solutions.

Political control of the content of programming not only stifles liberty, but can also create farce. For example, when the German Government was pressing for the diplomatic recognition of Croatia, Croatian television authorities banned films about the First and Second World Wars in which Germany was shown in a bad light.

It is not easy to escape old biases favoring state control. Although Albania is attempting to liberalize its media, the 1991 debates surrounding a media law were based on the assumption that all media need to be regulated and that freedom of speech is something bestowed by the state to those who deserve it. The resulting draft law attempted to regulate everything, including magazines and books. It also required all activities to be licensed by the state, even though that license would be freely given. This draft has now been set aside, and new ones are being discussed. It is not yet clear, however, whether the final law will recognize that in an open democratic society, freedom of speech and press is a birthright, not something that

comes with a permit issued by a ministry.

MANAGEMENT AND THE MEDIA

The freedom to report and to express an opinion is only one link in the chain of communication in the written press and in the broadcast media. The other vital links are printing and distribution in regard to the print media and the acquisition of transmission facilities in regard to the broadcast media. These constraints involve economic more than political issues.

In some countries, printing plants are controlled by the state. The government can easily kill a publication through arbitrary pricing, claims of insufficient printing capacity, or scheduling difficulties. State management of the supply of newsprint can also create problems. In Uruguay, for instance, policies designed to protect domestic paper companies significantly raised the price of paper, making it difficult for small newspapers to survive. Mexico's state paper company, on the other hand, no longer has monopoly status. It is now trying to compete in the market by improving quality and adjusting prices.

In addition, the state often has a monopoly on distribution through the post office and through control of newsstands. Here, inefficiency, lack of capacity, or a straightforward refusal to distribute can also destroy the right to communicate, and thus effectively act as indirect censorship.

Once these restraints are removed, an even bigger problem looms for the print media, born not of state control but of the free market. There are more publications than the new markets can sustain, and there are too few managers with the skills to run profitable newspapers and magazines. Many publications are accustomed to operating with state or party subsidies. They may be unable to compete effectively in a new market system, even though they embrace democratic values. Some publi-

cations will survive by using sensationalism and other unattractive techniques used in the West. Others will adapt to the market. Still others, such as those in Hungary and Poland, will attempt to survive by engaging foreign partners. Inevitably, however, many will fail.

For broadcasting, the problems of independence are much greater than for the print media, and the political impact of broadcasting is likely to be even more important. As we have seen, there is a justifiable initial government involvement in broadcasting because of the need to manage a frequency spectrum. This can leave open the door for continued government interference. Almost all governments and politicians would like to control television, and some succeed in doing so. Television is a powerful medium, especially in countries where only a couple of channels exist and serve as the main means of communication with people in rural areas.

How then can one wrench the broadcasting system out of the hands of the state and create economically viable systems of independent private- and public-sector broadcasting? The first step of course is to end the state monopoly on broadcasting. One way to begin the process of diversifying the broadcasting media is to proclaim the right to free communication, such as appears in Article 10 of the European Declaration of Human Rights. Then a law, may be passed with the objective of protecting the independence of broadcasting in both the public and the private sectors.

Some form of private commercial broadcasting, introduced as quickly as possible, can facilitate the expression of a variety of voices and opinions. The easiest way to create diversity is through small radio stations, which have small capital requirements. In fact, all over Eastern Europe new broadcasters are receiving licenses. Large-scale commercial television, by contrast requires time to develop, for it needs a thriving market economy

to sustain it, since it relies on substantial advertising for income.

Foreign investment can help fund new radio and television broadcasters, but these broadcasters must eventually become profitable in their own right. They must not be dependent on never-ending injections of cash from foreign investors. Even the most noble-minded and courageous foreign investor will lose enthusiasm at the prospect of providing a permanent subsidy to a money-losing enterprise.

At the same time private commercial broadcasting is being introduced, the state broadcasting system must also be reformed. Some argue that all broadcasting should be private and that the marketplace alone should decide who will survive. This argument is not yet relevant for the newly emerging democracies, because their economies are not strong enough to sustain much commercial television broadcasting in the near future.

Others argue that the state broadcasting system should be left to collapse naturally. Such a collapse, however, could create a vacuum, and the only people likely to exploit it are foreign entrepreneurs. Foreign investors present no particular danger except when they are the only players. Broadcasting should reflect the society in which it operates. Therefore networks dominated by imported programming, where foreign or domestically owned, warrant some concern, particularly if they are the only networks.

The goal then is to transform the state broadcasting system, which is controlled both financially and editorially by the state, into an independent public-sector broadcasting system that receives some financial support from the government but is insulated as much as possible from political pressure. Yet more is required. Public-sector broadcasting, as experienced in authoritarian societies, is typically run by an inefficient and overmanned bureaucracy. It will not survive without radical changes that enable it to become

economically viable and to use limited resources in the most efficient way. It must be restructured and reduced in size in order to survive under new economic conditions. The managerial skills required to make this transition, however, are in short supply in the new market economies. A great deal of training and experience involving trial and error will be required to develop the necessary skills. It may even require a new generation of managers.

One way to create viable private-sector broadcasting in small and underdeveloped markets involves greater regional cooperation. Together, small countries can use economies of scale. By pursuing joint activities, they can acquire more "muscle" in the marketplace. Satellite technology offers the possibility of regional distribution in various languages. For instance, a satellite can send a network signal that would include one picture and audio tracks in several languages to hundreds of private local television stations. The local station can choose the language it wishes to use and rebroadcast the program on its local over-the-air frequency. These stations would otherwise have a difficult time providing a full schedule on the limited revenues available to them. Of course, for such a system to work, countries must have the political will to cooperate and must forgo the pursuit of some short-term national interests.

Models for cooperative arrangements exist in both the United States and the United Kingdom. The U.K. commercial television system, for example, uses a joint scheduling arrangement, in which 15 separate companies negotiate to develop a national television schedule. In the United States, each of the television networks is affiliated with hundreds of local stations to which it offers programming.

Another political imperative is to ensure that ethnic and linguistic minorities are fully served. Lithuania recently took a step in this direction when it granted

approval for the operation of a commercial radio station targeted at the Polish-speaking audience living in and around the capital of Vilnius. Potentially explosive issues related to minorities can only be exacerbated by their omission from the structure of broadcasting. Addressing these minority audiences is easier to do on a regional basis than on a national basis.

One step toward useful cooperation is a bilateral agreement such as that adopted by Poland and Belarus. In July 1992, Polish Television and Belarus Television signed an agreement concerning an exchange and coproduction of programming. According to the agreement, information and current-affairs programs, films, and entertainment programs will be exchanged free of charge. In Poland, some of the programming will be broadcast in Belarusian for the Belarusian national minority there, and in Belarus, some of the programming will be broadcast in Polish for the Polish ethnic minority in that country.

Among the most important issues to address in a new, more diverse broadcasting system are the problems of frequencies and of transmission. In most countries frequency management is regarded as a professional mystery, and many professionals would like to keep it that way. In the communist world, frequency management often was, in fact, a state secret.

New democracies can enhance freedom of communication by making the management of frequencies a transparent process, so that any citizen can challenge the process and the resulting decision. The regulatory body can begin by reassessing the overall capacity given to the country under international agreements and the allocation of that capacity within the country. For instance, has too much capacity been given to the military with too little remaining for civil and commercial broadcasting purposes? Next, regulators must consider how efficiently the spectrum

has been managed. Can more stations be squeezed in? The answer is usually "yes."

Transmission can be an equally important issue. In many countries, a ministry of communications controls all radio and television transmitting equipment and conducts all transmissions, charging broadcasters for the service. This arrangement has two major disadvantages: the broadcaster is subject to arbitrary pricing, and transmission can be cut off at the whim of the ministry. With the collapse of the totalitarian state, many ministries have tried to maximize their own revenues by arbitrarily raising transmission charges to broadcasters. This price rise has put an additional strain on existing broadcasters and made it more difficult for entrepreneurs to enter the media market.

Creating a free market for these services would not only increase efficiency but also encourage freedom from political interference. Within certain technical parameters, anyone, including broadcasters themselves, should be allowed to build transmitters and offer services. At the very least, those services offered by the state should be subject to rate review, as are public utilities such as water and electricity in the West. Under this system, the regulatory body would set rates for transmitting based on what it decides is a reasonable profit for the transmitter. The best solution, however, would be a free market in transmission services.

In programming, as in transmission, the basic aims are independence and diversity. Of course, given a limited frequency spectrum, not everyone can be a broadcaster. Even with the most efficient and enlightened management of the frequency spectrum, there is a limit. But there are other ways to encourage diversity. Many would-be television broadcasters, for instance, really want to be producers—that is, they want to make the programs to be broadcast—and they need easy access

to a broadcast market. One way to encourage diversity, therefore, is to ensure that broadcasters transmit not only programs that they themselves have made but also those made by independent producers.

In the United Kingdom, for instance, 25 percent of the programming on all television networks must be independently produced. In fact, one channel (Channel 4) produces nothing of its own but relies solely on independent production companies for its programming.

The advantages of a healthy independent production industry are enormous. Not only does it provide diversity, but it also offers many entrepreneurial opportunities at comparatively low start-up costs. For example, after allowing a network to broadcast a program once or twice initially, producers can sell the rights to that program elsewhere, such as in foreign markets, on videocassette, and on airlines.

This independent entrepreneurial activity is an important part of free communication. It allows different voices to be heard and helps to protect broadcasting from political interference and assaults upon its independence, because it makes such assaults more complicated.

PROFESSIONALISM AND THE MEDIA

Many of the problems that confront freedom of communication in newly emerging democracies have little to do with the shortcomings of government and much to do with the inadequacy of journalists themselves. It would be unrealistic to expect journalists in newly free societies to have impeccable professional judgment. Societies that emerge from repression to the shock of the market typically have few accepted ethical standards. The legal foundation of civil society is weak; the opportunities for corruption are many. The notion of conflict of interest is unfamiliar and poorly understood, and in the struggle

for survival, public assets are often used for improper private gain. Some newspapers in Mexico, for instance, are starting to move away from a system in which reporters also sell advertising, an arrangement that creates serious conflict-of-interest problems. A law regulating the media cannot address all these issues. The enactment of general laws concerning, for instance, property rights, bankruptcy, and contracts is also essential.

In both print and broadcast journalism in the new democracies, freedom can be a heavy burden, for it involves responsibility. Inevitably, people will say, write, and broadcast ideas that are irresponsible and threaten to increase social and political problems. Efforts to address this problem should not rely upon repressive restrictions but rather focus on developing professional skills and sound judgment in journalists.

One example of an overly restrictive broadcast law comes from Romania. According to summaries, Article 2 states:

1. Freedom of audiovisual expression cannot prejudice a person's dignity, honor, and private life or a person's right to his or her own image.

2. Defamation of the country and of the nation; incitement to war or to national, racial, class, or religious hatred; incitement to discrimination, territorial separation, or public violence; as well as obscene attitudes contrary to good morals are forbidden by law.

3. Broadcast of information with according to the law is secret in nature or may prejudice national security is forbidden.

4. Civil responsibility for the contents of information broadcast by audiovisual means of communication through which material or moral damages have been caused rests, in the conditions of the law, with the owner of the broadcast license or with the owner of the station that broadcast the information.

The rules might be acceptable simply as a code of conduct, but the draft of Article 39, dealing with criminal penalties, states:

1. Programming and broadcasting of products violating provisions of Article 2 are an offense and punishable by six months to five years imprisonment.

2. If provisions of Article 2 (2) and Article 2 (3) are violated by programming and broadcasting of products, punishment is provided for by the penal law, increased by two years.

The fears of the Romanians are understandable. Ultimately, however, people cannot learn to be responsible unless responsibility is given to them. The poor decisions made by some imprudent journalist may infuriate, but they must be dealt with not by criminal penalties which extinguish freedom in the name of responsibility, but by exhortation, example, and training. (Many organizations now offer training for journalist in new democracies;)

In some new democracies, years of repression and underground pamphleteering can lead to a reliance on opinion rather than objective reporting. Moreover, some readers will miss being told what to think. Freedom brings new and different problems and should bring new standards. Objective reporting will call upon readers to examine the evidence and make up their minds.

In broadcasting, the confusion of liberty with license is even more likely. In television, whose powerful images can shape the opinions of vast numbers of people, lack of judgment, fairness, or balance can be particularly dangerous. If journalists and broadcasters do not make sound, defensible professional judgments, the clamor for restraint in the name of responsibility may become irresistible. Because broadcasters use a limited public resource and are, or should be, licensed to serve the

(Continued on page 16)

Dutugamunu: facing 'Tigers' with new 'Geigers'

Serena Tennekoon

It also refers obliquely to the traitorous foreign-funded social scientists attack earlier. The 'other' on this occasion are not only despicable, they are also polluted.

The anti-colonial campaign was closely linked to the Buddhist revival. In her essay Jayawardene had focused on the economic underpinnings and caste dimensions of the revival movement and its operations. She revealed that many leaders of the Buddhist revival belonged to the *goyigama* (cultivator) or *karava* (fisher) caste and had made their money in the arrack rental business, mining, and in coconut, cinnamon and rubber plantations. One of their chief targets was the colonial policy on liquor which was held responsible for the decline of Buddhist values.

Ven. Kahawatte Ananda saw Jayawardene's analysis as a sinister attempt to disparage the Temperance Movement and the Buddhist revival as an arrack renters' campaign. He also accused her for rousing casteism among the Sinhala by pointing to the caste affiliations of the revivalists. Finally, he declared that she exposed her ignorance of the revival movement by belittling the significance of the nationalist dimensions of Dharmapala's work.

While this defense of Dharmapala and the Buddhist revival represents a cultural response to the political crisis between Sinhala and Tamils, its main arguments are not unfamiliar. The Sinhala press—and the *Divayina* in particular—has frequently bemoaned the rapid commercialization and westernization of Sinhala society (produced by the 'Open Economy' policies introduced by the UNP government in 1977) and the

concomitant destruction of 'traditional' culture and moral values. In this respect the situation facing the Sinhala today becomes analogous to the colonial situation which Dharmapala attacked. Furthermore (as in the case of the Sinhala Culture debate) those social scientists who dared to question and criticize existing paradigms of traditional Sinhala-Buddhist culture by applying 'western' modes of inquiry, became the complicit agents of western culture and perpetrators of their own culture's destruction.

While Dharmapala is an important national hero for the Sinhala today, his fame is eclipsed in the popularity of that other controversial figure in this debate, King Dutugamunu. Artists and poets through the ages have retold the saga of Dutugamunu, changing the details to suit the tenor of their times. Accordingly, in recent years, politicians, monks, and occasionally academics, have contributed their versions of Dutugamunu which reflect modern nationalist politics. In the modern Sinhala consciousness, Dutugamunu symbolizes the epitome of Sinhala-Buddhist nationalism: he had saved his nation (*jatiya*) and religion (*Buddha sasana*) from an invader alien in 'race' as well as religion. And his war against the South Indian king Elara, is a paradigmatic reaffirmation of Lanka as Dhammadipa and Sihadipa.

Leading up to the July riots, Dutugamunu's heroism and nationalism bore distinctly anti-Tamil overtones. However, since then, and particularly through the latter half of 1984 when Tamil militancy increased, Sinhala politicians began to reinterpret Dutugamunu's relevance for the present. They were particularly anxious to dissociate him from any racist implications and instead

emphasized his successful unification of ancient Sri Lanka. It is within this web of shifting interpretations that the *Divayina* exchange on Dutugamunu must be analysed.

Dutugamunu was brought into the discussion by Ven. Kahawatte Ananda. He objected to the treatment of the king in *ESC*, and alleged that Dutugamunu's nationalism had been distorted as racism. The guilty social scientists were then denounced as 'traitors':

All their intellectual efforts are aimed at attacking the Sinhala... Although (these social scientists) engage in intellectual perversions for their own enjoyment and to receive foreign funding, they commit traitorous acts against the people of this country.

According to Ven. Ananda, Susantha Goonatillake had committed just such an intellectual perversion in his essay in *ESC*, when he observed that, 'Dutugamunu himself marched in war with a Buddhist relic in his spear, as complete a symbolic act as could occur illustrating the use of religion to defend the state's power at the expense of even a fundamental reversal of the teaching'. Ven. Kahawatte Ananda did not quarrel with this 'fact': after all, it is stated in the *Mahavamsa* (35:1). Neither did he appear to object (on this occasion) to Goonatillake's argument that the king exploited Buddhism to buttress state power. Instead, he picked on a seemingly innocuous detail, namely, that the (original) Pali word, *kanthaya* was mistranslated as 'spear' and not, properly, as 'mace'.

What was at issue here was not an alleged mistranslation but a dispute between a section of the Sinhala-educated intelligentsia represented by Ven. Kaha-

watte Ananda and the bilingual but mainly English-speaking intelligentsia of the Social Scientists' Association. According to the former, the latter were unqualified to interpret Sinhala socio-cultural reality by virtue of their English-language fluency and their choice of expression in that language. Furthermore, this was also a quarrel over reclaiming Sinhala identity from a neo-colonial class of (English-writing) intellectuals who — like the Tamil nationalist propagandists — were apparently bent on denigrating the Sinhala. Ultimately, the issue of (mis) translations manifested shame and status concerns: Anglicized intellectuals were accused of building their fame and fortunes on the shame and ruination of the Sinhala. Thus, the *Divayina* debates represented a forum where tables could be turned: Sinhala honour could be vindicated and the traitorous culprits publicly shamed.

Linguistic distortions of history were soon linked to more serious, allegedly deliberate, distortions of Sinhala identity. Ven. Ananda referred to another essay in *ESC*, by W. I. Siriweera, which dealt with the historical permutations of the encounter between Dutugamunu and Elara. He rejected Siriweera's critical assessment of some recent chauvinist representations of the myth, with the accusation: 'these social scientists are attacking the majority community and Buddhism with a vigour unmatched even by the Eelamists'.

Ven. Ananda's comments drew support from like-minded defenders of Dutugamunu. For example, Minuwangoda D. Liyanage flung his accusations not only at today's social scientists but also at an older generation of scholars including the late Sinhala historian, G. C. Mendis. According to Liyanage, Mendis had dismissed the Dutugamunu episode — and the Mahavamsa itself — as myth devoid of any historical value. He mused on the irony that it took a foreign scholar, Wilhelm Geiger (the German translator of the Maha-

vamsa) to teach the Sinhala to appreciate their own history. Like Ven. Ananda, Liyanage too symbolically lumped the 'traitorous' social scientists undermining Sinhala identity with Tamil militants. He lamented sarcastically 'unfortunately, we no longer have Geigers from foreign lands to tell us about ourselves. Instead of Geigers, today we have Tigers!'.

Or, as another participant in the debate, Vijita Karunaratne, preferred (drawing his analogy directly from the story of Dutugamunu), academics who belittled the hero-king were modern-day Elaras. Karunaratne also made vivid symbolic connections between Dutugamunu's war against Elara and the Sinhala-Tamil confrontations of the 1980s:

Dutugamunu united the country and destroyed Elara, an invader who ruled just one part of the country. Is this racism? If it is, then won't the anti-terrorist measures taken today also be considered racist? In this case, since it will be racist also to kill Tamils in the possible event of an invasion from Tamil Nadu, must we curl up and remain silent?

In this passage, a hypothetical invasion from Tamil Nadu wears the face of Elara, the Tamil ruler from the second century BC. And in the image of silently curling up is conjured a well-known anecdote from Dutugamunu's childhood. According to the Mahavamsa, when King Kakavannatissa ordered his two sons to promise that they would never fight the Tamils, the young Prince Gamani refused and curled up in bed. To his anxious mother he complained that he could not stretch out as long as there were Tamils to the north and the ocean to the south.

None of the contributors to *ESC* had claimed that Dutugamunu was a racist. Indeed as R. A. L. H. Gunawardana argued, the meaning of Sinhala identity has changed over several centuries and ideas of 'race' and 'ethnicity' as we understand them

today are modern fabrications. Siriweera — and others who discussed Dutugamunu — pointed to how the king used Buddhism to legitimize state power and how later interpreters of the Dutugamunu saga imbued it with nationalist and racist innuendos suited to their own times.

In symbolic transformations such as those recounted above, the ethnic polarization of the present is defined in terms of past rivalries, and in that process, the past itself is rearranged in terms of the policies of the present. History/myth is of the past but not in that past; it is rooted and flourishes in the present.

There were other recitations of the Dutugamunu myth in the *Divayina* which did not address the *ESC* essays directly but were obvious ramifications of this controversy. In general, these writers were concerned with locating the myth within the historical context of the Mahavamsa, and rationalizing Dutugamunu's war against Elara as a war of unification, rather than a Sinhala-Tamil conflict. In their effort to exonerate him from any implications of racism, they invariably raised the issue of Dutugamunu's conscience.

Ven. Dediawela Tilakasiri's article titled, 'Was the author of the Mahavamsa a racist?', was one such intervention. He referred to the Mahavamsa account of Dutugamunu's conscience, which was troubled by the carnage of Tamils in the war against Elara. According to the Mahavamsa, *arahats* had comforted the king, arguing that he was only responsible for taking one-and-a-half (Buddhist) lives — for only 'one' had observed the Five Precepts and the 'half' had sought the Three Refuges. Critical of this numerical sophistry, Ven. Tilakasiri observed.

The Mahavamsa author has tried to console the King using a weak argument based on the Five Precepts and Three Refuges. It is obvious that his arithmetic is faulty. However,

we should not be so foolish as to suggest that, therefore, the Mahavamsa must be consigned to the flames. We should study it in its proper context.

Lionel Sarath was similarly concerned that it was not Dutugamunu but his interpreters who were racist. He asserted that the prominence accorded to Dutugamunu's campaign in the Mahavamsa was motivated by political considerations of his time.

Others not only attempted to exonerate Dutugamunu from racism but also idealized his nationalism. Both Nalin de Silva and Robert Alagiyawanna used King Dutugamunu as a model against whom today's politicians were evaluated and found wanting.

The emphasis on Dutugamunu's alleged racism, his unification of ancient Lanka and his troubled conscience is neither accidental nor pre-determined solely by the 'objective' imperative of history. Certainly, the reproduction of these highlights of the Dutugamunu myth was made possible by their prior existence in Sinhala historical consciousness. However, as Obeyesekere has argued, there is a close link between cultural and political attitudes and myth-making. He demonstrates that the historical development of the motif of the king without a conscience coincided with the prevalence of anti-Tamil attitudes among the Sinhala.

While Obeyesekere's analysis of the recent reinterpretations of Dutugamunu may be accurate for the period up to July 1983, the redefinition of Dutugamunu in the *Divayina* as well as in political speeches from 1984 onward suggests that attempts are well under way to restore the king's troubled conscience. In rehabilitating Dutugamunu, his apologists have created a symbolic equivalence between this national hero and the Sinhala nation. By highlighting the motif of the virtuous king who reunited a politically fractured Lanka, they have rationalized the war against Tamil separatism. Through this mythic dis-

course, they have rescued the much-maligned moral integrity of Sinhala identity and strenuously revived nationalism. Therefore, the literary act of expunging racist connotations from Dutugamunu resembles symbolically a collective exorcism of the stigma of racism attributed to the Sinhala particularly since — and because of — the July riots.

The dialectics of nationalist discourse.

In this chapter I have explored in detail how three newspapers debate focusing on cultural issues refracted the current political antagonisms and anxieties of the Sinhala. In these debates, culture (as it entwines historical, religious and linguistic strands) and politics are dialectically engaged. It is apparent that political convulsions — such as ethnic conflict — do not merely spark cultural controversies; nor do the former only provide the turbulent background for the latter. Rather, politics is *figured* prominently in culture. In turn, these politically textured reaffirmation of culture and history are evoked to bestow legitimacy on preferred political arrangements. It is in this dialectical engagement of culture and politics that nationalism is (re)generated.

The nationalist discourse explored in this paper is a past-oriented one. Since this orientation is situated in and informed by the present, the selection and interpretation of the past is contingent on the present. As was often demonstrated in each of the debates, it was the crisis of Sinhala identity in the 1980s that found such impassioned expression in Sinhala cultural history. This is not to deny that, to a certain extent, the past (as both myth and history) is independent of present exigencies and yields common features through interpretations ventured over time. Nevertheless, the past can be imagined only through some present, just as each present is also shaped by past presents. In general then, both past and present are mutually constitutive.

On a more specific level, as the *Divayina* debates reveal, the past is what the present is not but was and should be. The recent resurgence of popular interest in the thirteenth-century kingdom of Jaffna, the origins and definitive features of Sinhala culture, the lives and works of national heroes, historical relations between Sinhala and Tamils, and the real relevance of the Mahavamsa, all provide complex models of the past for the present and future.

The preoccupation with the past-as-paradigm trends to be inversely related to an orientation to the present, and by extension, also to the future. The less satisfactory the present the greater the desire to perfect it in the image of a preferred past. Such a paradigmatic orientation to the past is hardly peculiar to the Sinhala, as scholars of other ancient mytho-historical traditions (for example, Judaism) will attest. But be that as it may, the Sinhala predilection for past-ward forms of discourse is firmly grounded in that culture's own historical consciousness.

Within the mytho-historical tradition of the Sinhala chronicles, an ideal Buddhist socio-political order formed the frame of reference for historical interpretation. Thus, epic heroes such as Dutthagamani Abhaya of the Mahavamsa were intended to serve as model kings for the chronicler's royal patron, as well as to inspire future leaders. The assumptions underlying this narrative technique were probably similar to those which informed the didactic temporal structure of the Jataka tales — present to past to present. In these tales, the Buddha links a specific problem in his present to its karmic antecedent. The present is made intelligible, and therefore rendered changeable, through the proper understanding of its preconditions.

The past-ward mode of discourse through which contemporary issues of ethnicity and nationalism were debated in the

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India's federalism under stress

Krishna K Tummala

The last straw fell on January 23, 1991, when the speaker of the state assembly suspended all but eight of the AIADMK legislators (who were not present in the House at the time) for alleged misbehavior. On losing what little power she had in the legislature, Jayalalitha kept up the pressure on Rajiv Gandhi who, in turn, issued an ultimatum to Chandra Shekhar to invoke Article 356 and dismiss the Karunanidhi government. However, it was clearly established that Governor, S. S. Barnala, who was called to New Delhi, was not asked for his report. This was admitted by Law Minister Subramaniam Swamy, who went on brazenly to claim in the Parliament that "the national and international ramifications" of the situation were beyond the governor of the state.⁹ Instead, the chiefs of the Research and Analysis Wing (RAW) and the Intelligence Bureau (IB) were brought to the meeting with the governor by the Union home minister and the law minister. What evidence was shown and how it was verified, if at all, are not clear, but the governor refused to oblige and vehemently opposed the dismissal. It was thus beyond his authority that the Karunanidhi government was dismissed on January 30, 1991.

This was not the first time that a Karunanidhi government had been dismissed; it also occurred in 1976 during the Indira Gandhi Emergency. Nor was Governor Barnala new to this game, as his own government in the Punjab was dismissed in May 1987 by Rajiv Gandhi's government because of alleged failure to maintain law and order. Barnala always maintained that the takeover in the Punjab by the president had never improved the law and order situation, but had worsened it instead.¹⁰ Despite the snub of dismissing the government of his state without his

"report" and against his will, Barnala continued as governor of Tamil Nadu until he was asked to take over as governor of Bihar a few weeks later. He refused the appointment and resigned in protest. Barnala's assignment to Bihar was in itself the result of stranger political happenings. Governor Mohammad Yusuf Saleem of Bihar was dismissed by the Chandra Shekhar government on grounds of "constitutional impropriety" after he criticized the dismissal of the DMK government in an address to the Bihar legislature. Saleem, in his defense, simply stated that he was only reading the speech written for him by the government of Bihar headed by Lalu Prasad Yadav, whose Janata Dal Party was a constituent of the National Front government that Chandra Shekhar had replaced.

The support of Karunanidhi's government for LTTE was not a secret, as he supported the Tigers even they were fighting the Indian Peace Keeping Force (IPKF) in Sri Lanka. But on the other hand, when he requested the Border Security Force (BSF) and the Central Reserve Police Force (CRPF) to deal with the law and order problem in the state, the prime minister had stated that they could not be provided in the strength requested.¹¹ If the situation was so desperate, why the center did not come to the rescue of the chief minister is an imponderable. That Chandra Shekhar's government was totally dependent upon Rajiv Gandhi's support had continuously pressured the former in every way needs no documentation. The final act of withdrawing support and bringing the Shekhar government down, leading to the general elections in 1991, is proof enough. The cozy relationship between the AIADMK party of Jayalalitha and the Congress of Rajiv Gandhi, if it needs any proof, may be seen in the 1991 elec-

toral adjustments made between the two.¹²

It is clear from the above analysis that the emergency powers granted under Article 356 were used capriciously and for political purposes by the center to end an otherwise legally elected government in Tamil Nadu. The prestigious south Indian English-language daily, *The Hindu*, called it an outrage and "a clear mockery of democratic norms and a blatant abuse of power vested in the Centre."¹³ That the RAW and IB were used here for political purposes — a dangerous practice — was also clear. And that the chief minister of Bihar used a speech by the governor to grind his own political axe against the dismissal of the Tamil Nadu government is an equally bad use of the position of governor. *The Hindu* editorialized: "To have used the Governor's address to attack the President's action in relation to another State was certainly not proper even with an involved explanation of its relevance to the working of the federal system. . . . For the Governor to have blindly followed the script unmindful of the propriety or the implications was indeed strange."¹⁴

It should be reiterated here that this was not the first occasion when a state government was dismissed without receiving a report from the governor. Neither was the intolerance of the center toward opposition states the monopoly of the Congress (I). The Janata government, when it came to power in 1977, dismissed nine Congress state governments, and when Indira Gandhi's Congress came to power, it returned the favor in 1983 by dismissing the opposition state governments (see Table 1). Looking at the two lists, one can discern that in six of the nine cases, state governments that were in power and enjoyed majority support in the respective state assemblies were dismissed by a succeeding central government formed by the erstwhile opposition. In other words, the new government

TABLE 1

Dismissal of State Governments by the Center

<i>1977, Janata Rule</i>	<i>1980, Congress Rule</i>
Uttar Pradesh	Uttar Pradesh
Bihar	Bihar
Rajasthan	Rajasthan
Madhya Pradesh	Madhya Pradesh
Punjab	Punjab
Orissa	Orissa
West Bengal	Tamil Nadu
Haryana	Gujarat
Himachal Pradesh	Maharashtra

at the center conveniently got of those state governments that were selected by its predecessor. The political abuse of emergence powers is obvious. Even the National Front, which came to power in 1990 on the premise of "value-based politics," was guilty of misusing these powers.

Panchayati Raj

People's participation is a *sine qua non* of a democracy, and decentralization of power is meant to be an effective tool in this regard. It is worthwhile to note here what the Indian constitution makers thought of village self-government. Mahatma Gandhi wanted village self-sufficiency to be the aim of independent India, but only lip service was paid to the concept of village *panchayats* in the Constituent Assembly. Jawaharlal Nehru, for his part, had reservations about the village being the nucleus unit of the new system. Writing to the Mahatma on October 9, 1945, he observed: "I do not understand why a village should necessarily embody truth and non-violence. A village, normally speaking, is backward intellectually and culturally and no progress can be made from a backward environment. Narrow-minded people are much more likely to be untruthful and violent."¹⁵ B. R. Ambedkar, who piloted the draft constitution through the Constituent Assembly had scant respect for the village and villagers, and his language was more strident in this regard.

Thus, it was almost as an afterthought that an amendment by K. Santhanam was added to Article 31 of the draft that read: "The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government." Ambedkar accepted it after only one short speech, and it became Article 40 as part of the Directive Principles of State Policy of the Constitution, which is not justiciable.¹⁶

But the Balwantray Mehta Committee, appointed in 1957, recommended what popularly came to be known as Panchayati Raj in an effort to play down the role of bureaucracy, bolster the position of locally elected representatives, and enhance political participation. It foresaw a three-tier system of local self-government below the state level: the *gram panchayat* at the lowest village level, the *samithi* at the block or intermediate level, and the *zilla parishad* at the district level. These were all to be organically linked together, as representatives elected at lower levels would, in turn, elect higher level officials. These bodies were to be entrusted with all planning and development work. The Indian government accepted the recommendation, but left implementation of the scheme to the governments as local administration is their domain. The result was a variety of patterns of the decentralization scheme. First introduced in Rajasthan in 1959, the scheme

eventually covered 98.3% of the villages and 97.5% of the rural population in the country.¹⁷

The crucial and imposing position of District Collector understandably evoked much criticism from local politicians who were supposed to be the front-runners under Panchayati Raj. It was also expressed that because of the remoteness and insular nature of the position and the control exercised, the collectors might tend to be autocratic. But the collectors found themselves to be in a none too enviable position. On the one hand, they were subject to local political pressures, and on the other, they were frequently transferred, particularly if they crossed the path of an influential local/state politician, or worse, ran afoul of the central development policies. This vulnerability crimped the style of many a collector, smothering initiative.¹⁸ On the other hand, the civil servants, by virtue of their higher education, tenure in office and traditional feeling of superiority and prestige as administrators, often tended to resent the politician whose nature it is to interfere in the administrative process in the name of representation. However, it should be noted that access to the politician is often restricted to the select few and not to all the voters, and thus, the participatory value of decentralization is totally lost.

There were other problems with Panchayati Raj, among them the association of members of state legislatures and Parliament (from that geographical unit) with the respective Panchayati Raj institutions. Legislators from the locality are entitled to participate in the *samithi* and *parishad* meetings, and while they do not have the right to vote, the fact that they are from a higher political level and have connections means they may bring their weight to bear upon the local situation. Such a possibility, in fact, was deplored by no other than the father of the scheme, Balwantray Mehta. Paucity of resources was another problem

as the Panchayati Raj institutions were invested with very few independent financial powers to start with. With the proliferation of politics, some contended, the idyllic village life itself was destroyed.¹⁹

However, the Panchayati Raj scheme made some significant contributions both in terms of decentralization of power and administration, and of the nation's politics in general. For one, decentralization contributed to a diminution of the awe previously inspired by the government and its bureaucracy by bringing them closer to their clientele. The scheme also became a training ground for a new genre of leaders, and the regional elite found an outlet for their talents and aspirations. Given the independent powers conferred upon them, the presidents of *samithis* and chairs of *parishads* have come to be persons of considerable importance locally, often in competition with state-level politicians as well as administrators. Having constituted these bodies into "vote banks," the leaders needed to be appeased and wooed.

It is not often realized, however, that Panchayati Raj could, and indeed did give rise to parochial as well as machine politics. By decentralizing power, it provided a very useful tool for the consolidation of power at the grass-roots, in particular when the organizational setup is hierarchically and organically linked, as already mentioned.²⁰ The government's dependency on local elites for program execution only accentuated this. Parochial politics are further compounded when the several levels of government—center, state, and sub-state—are controlled by different and opposing political parties. Not only do the clients suffer, but civil servants also become pawns in the political game of one-upmanship. This competition in turn is reinforced by the patronage and punitive powers obtained by the local elite under the decentralization scheme. Thus, while Panchayati Raj devolved

power to lower levels, it simultaneously provided a means to the local elite to control the masses and served as a source of enrichment, politically and otherwise. Consequently, the general verdict on Panchayati Raj is mixed.

However, the system remains intact, mostly in form if not necessarily in substance, in its various ramifications in several states. In others, it has fallen into disuse as regular elections to the local bodies have not been conducted. The Janata government, which came to power after the defeat of Indira Gandhi in 1977, appointed the the Ashok Mehta Committee to take a fresh look at the decentralization scheme, but with the fall of Janata in 1979, the committee report was shelved. In the interim, several non-Congress (I) governments in various states such as Karnataka, Andhra Pradesh, and West Bengal²¹ have carried out successful reforms.

The Sixty-Fourth Amendment

Following the successes in these states, the Rajiv Gandhi government embarked on a Panchayati Raj Bill. It should be reiterated that the Constitution envisaged a "Union of States" and (in list II, item 5) empowered the states to enact laws pertaining to local government. Thus, if the center were to intervene in a nationwide decentralization setup, it would be necessary to amend the Constitution. Hence, the introduction (Sixty-Fourth Amendment) Bill, 1989. Another measure, the Nagarapalika Bill, covering municipalities was introduced as the Sixty-Fifth Amendment.

The "Statement of Objects and Reasons" of the proposed Sixty-Fourth Amendment Bill declared: "A review of the working of Panchayati Raj institutions has shown that in many States they have become weak and ineffective owing to a variety of reasons, including the failure to hold regular and periodical elections, prolonged suppressions,

inadequate representation to the weaker sections like the Scheduled Tribes and women, lack of financial resources and inadequate devolution of powers and responsibilities on them." In pursuit of Article 40 (Directive Principles), this bill proposed to establish a three-tier system of local government in an ascending order: the village *panchayat* at the lowest level, an intermediate level and the district at the top, with officials at all the levels directly elected by the Members of the Lok Sabha and the Legislative Assembly from the area would continue to be members but with no right to vote, as had been the case. Each *panchayat* would be elected for a fixed term of five years unless dissolved earlier by the governor. A chairperson may be removed by a no-confidence motion carried by a majority of total elected members of a *panchayat*, which should also be two-thirds of those present and voting.

The bill also provided for reservation of seats, with the Scheduled Castes and Tribes represented in proportion to their population, but always at least one member of each. Perhaps the most noteworthy clause is that providing for 30% of the total reserved seats for women from SC/ST; if only two seats are reserved, at least one would be a woman. Moreover, 30% of all the elected members must be women (which includes the SC/ST women).

The paucity of local governments' financial resources had been one of the main impediments to their successful working in the past. For example, S. R. Maheshwari documented the average annual per capita income in Bihar and Uttar Pradesh as twenty paise, and in Gujarat between three and four rupees.²² This means an average *panchayat* in UP or Bihar with a population of 500 would have an income of barely Rs. 100 (a little over four dollars) per annum, not even adequate to employ the lowest rung person in the *panchayat* for a week. To offset this hurdle, the *panchayats* would

levy and collect appropriate taxes, duties, tolls, and fees, and the state could also provide grants-in-aid from the Consolidated Fund. Every five years the governor would appoint a finance commission to review and advise the state on the principles governing devolution of funds to the *panchayats*. The respective state governments also would devolve power to the *panchayats* to prepare plans for economic development and social justice.

The Panchayati Raj Bill, if it had succeeded, would indeed have led to a revolution. By incorporating it into the Constitution, the bill would have legitimized local units as sub-national governments. With the transfer of power accompanied by financial resources, the local units would have been viable, and as their elections were to be conducted under the supervision of the central Election Commission, they would have been less corrupt. (At least, they would have been on a par with the general elections, although there is no way of telling how much control the commission would have exercised at the remote local level.) Finally, as their accounts were subject to comptroller and auditor-general audits, a measure of financial integrity would also have been established, as these two officers of the Constitution are far removed from easy control by the center and the prime minister. Surely it was recognized that the work load of these agencies would increase, but it was felt that it would be difficult to estimate the extent of such increase or its cost.

The independence of the local units also would have been further guaranteed, insofar as their dependence on, and control by the state governments would have been eliminated. For a recent example, prior to the 1991 general elections, the Left Democratic Front (LDF) government in Kerala conducted elections to the *panchayats* and got control of these bodies. But after the 1991 elections, the United Democratic Front (UDF)

came to power in the state, thus threatening the LDF-controlled local governments. To assuage feelings of insecurity, the UDF government had to give assurances that it would not interfere with the local units and their functioning (assuming it would keep its word). Under the proposed bill, this would not have been necessary, as the local units would have been protected by their constitutional presence. Thus, the bill would have guaranteed subnational and substate governments, and with so much more division of power, federalism would have been enhanced. But by circumventing the states, the very principle underlying federalism would have been subverted. As the center would deal with the *panchayats* directly, it would have transferred some state powers to the center, but the bill made no mention of what powers of the center might devolve to the states.

However that may be, the timing of the bill (general elections were to be held in December 1989, barely seven months later) made the bonafides of Rajiv Gandhi highly suspect. Similarly, his own and his Congress (I) Party's commitment to democratic norms and decentralization of power also were questioned. Given the fact that so many state governments were controlled by opposition parties, the bill was attacked as a veiled attempt by the center not only to bypass the state governments but also directly control the village *panchayats*. It should be remembered that over 450 of the 542 seats in the Lok Sabha are predominantly from rural areas. There are as many as 225,000 village *panchayats* in the country already, and this bill would have given the center free and direct access to them, despite the fact that local government is a state prerogative.

Initially, the thinking was that a governor alone could dissolve a *panchayat*. The provision was deleted from the draft bill after criticism by opposition parties that governors had tended to be agents of the centre. Simi-

larly, the roles played by the Election Commission and the comptroller and the auditor-general in the scheme were thought to be an intrusion by the centre. This measure, taken together with the *Jawahar Rozgar Yojana* inaugurated on April 28, 1989, combining two previously unsuccessful programs (Rural Landless Employment Guarantee Program and National Rural Employment Program) that would pump over 21 billion rupees into all the districts in India, was considered to be a nefarious attempt by Rajiv Gandhi's central government to shut out state governments.

The espousal by the prime minister of the Panchayati Raj Bill was itself considered to be opportunistic, even hypocritical by some. Addressing the chief ministers' conference on May 5, 1989, Gandhi commended the bill thus: "We are on the threshold of a mighty revolution... It is a revolution based on maximum democracy and maximum devolution."²³ But the Karnataka Panchayati Raj Bill, sent for the president's assent in late 1983, was not recommended for his signature for twenty months until a state minister threatened to go on a hunger strike. Thus, critics commented that the Sixty-Fourth Amendment Bill was "fraudulent in intent, ill-thought out on details, and wholly unmindful of the potential for mischief."²⁴ Even the otherwise staid *Hindu* commented in an editorial that the way the bill was approached by the Rajiv government "has smacked of narrow, singularly partisan motivations." Even if the bill were to be defeated, it was thought to be advantageous to the Prime Minister Gandhi. The editorial continued: "In having opted to let the two prestigious Bills be defeated, rather than earnestly getting them to serve the cause of strengthening democratic units at the grass-roots level by the removing the irritants in the Bills and thus making them widely acceptable, it (the Congress (I) Party) seems to be nurturing hopes of drawing some

mileage in the coming Parliamentary elections by charging the Opposition of coming in the way of devolving power and funds to the people.²⁵ Combined with the voting age reduced to 18 years, several opposition leaders saw the bill as a rather apparent, even desperate attempt to capture not only the rural populace but also the young, the Scheduled Castes and Tribes, and women and bring them into Congress (I) fold by Gandhi who, during the first two years of his office, had exhibited a pro-rich and pro-urban image.²⁶

Moreover, while some states controlled by the opposition parties had introduced innovative and effective local self-government institutions, it was states controlled by the Congress (I) that gave only lip service, or none at all, to decentralization. In some states such as Uttar Pradesh, no elections to local bodies were held for over a decade and a half. The suspect commitment of the party to democratic values is also evident from the fact that there had been no organizational elections within the Congress (I) since 1972, despite Rajiv Gandhi's declarations that he would conduct them! (Party elections were conducted in March 1992 under the aegis of the new Congress (I) prime minister, P. V. Narasimha Rao, although how democratic they were is highly debatable.) Similarly, the 30% reservation for women completely contradicted Gandhi's previously held position about women's participation, in 1985 he had thought that reservations for women would only be an insult to their dignity.²⁷

On top of all this, there were several procedural flaws in the bill and constitutional issues that need to be considered.²⁸ For one, the Parliament was truncated with the *en masse* resignation of opposition members from the Lok Sabha (on a different issue). While surely their resignation was political, should the government have put such an important amendment

through the legislature with only the Congress (I) members present? There was also talk that a joint session could be called to deal with the amendment, in which case whatever majority the opposition had in the Rajya Sabha would be neutralized by the Congress (I) majority in the Lok Sabha in the absence of its opposition members. There is also the overall constitutional issue of whether the amendment, if passed, would have attracted the stricture laid down in the 1973 *Keshavananda* decision when the Supreme Court decided that the "basic structure" of the Constitution cannot be altered by any amendments.

No protagonist of democracy should under normal circumstances have a reason to contest such a laudable objective as decentralization, which is what the ostensible intent of the bill was. But the facts, the timing, and politics cast a long shadow. Despite all criticisms, the Rajiv government went ahead with the bill, which died in Parliament for lack of the requisite majority. The subsequent defeat of the Congress (I) government in the 1989 elections, in effect, ended the attempt. (The Narasimha Rao government has proposed to resurrect the Panchayati Raj Bill as the Seventy-Second Amendment and the Nagar-Palika Bill as the Seventy-Third Amendment.)

Conclusion

The above analysis shows, that in one case, important constitutional emergency provisions that were designed as a safety value to ensure the continuance of the Union were thoroughly abused. In the other, the decentralization case, the issue was so badly politicized that important democratic and federal principles were buried.

There are, in general, two arguments made with regard to the Constitution of India. On the one hand, it is felt that the very constitutional arrangements made initially are unsuitable unless the same party is ruling both at the centre and in the states. On the other

hand are those who believe that there is nothing wrong with the Constitution itself, it is the people who failed,²⁹ as they had not developed the healthy conventions on which so much trust was placed by the founding fathers. The truth is that in absence of idealism, when politics pervade human behavior and power dictates, a piece of parchment may not be of much use. While the founding fathers had the best of intentions as they wrote the Constitution — and they all agreed on the need for a strong center — they would probably be surprised at the arbitrary and capricious way some of the powers have been used by the center over the states, particularly those governed by opposition parties. It is thus proved that *amplumischief* was caused by using some of the provisions of the Constitution for partisan reasons, and the federal form as envisaged was given short shrift.

Notes

9. *Ibid.*, February 23, 1991, p. 2.
10. Barnala was appointed governor of Tamil Nadu by the V. P. Singh government as part of the large-scale reshuffle of governors. He continued to be on the best of terms with the succeeding Prime Minister Chandra Shekhar who himself maintained intimate contacts with all the Sikh leaders.
11. *The Hindu* (international weekly edition), January 5, 1991, p. 2.
12. The AIADMK won 163 of the 168 seats contested while the Congress (I) won 61 of 66 seats in a House of 232. The sole seat won by the DMK was that of former Chief Minister Karunanidhi, who then resigned from the Assembly. While a serious analysis of these results is yet to be made, it is contended that the assassination of Rajiv Gandhi just prior to the elections swept both the constituent parties back into power.
13. *The Hindu* (international weekly edition), February 9, 1991, p. 8.
14. *Ibid.*, February 23, 1991, p. 8.
15. Jawaharlal Nehru, *A Bunch of old Letters* (New York: Asia Publishing House, 1960), p. 508.

16. B. R. Ambedkar said: "That they (the villages) have survived through all vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived. Surely, on a low, selfish level. I hold that these village republics have been the ruination of India. I am therefore surprised that those who condemn provincialism and communalism should come forward as champions of the village. What is the village but a stink of localism a den of ignorance, narrow-mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit." (*Debates of the Constituent Assembly*, 7:1, p. 39.) T. Prakasam, later to be chief minister of Andhra, was happy that the amendment was accepted but he chastised the Assembly, saying that "we should have tried to introduce this at the very beginning of the framing of the Constitution." (*Debates*, p. 521.)
17. The one best source for explanation of the various patterns is ARC study Team, *Report on District Administration*, vol. 2 (September 1967). A brief assessment of the scheme may be seen in S. V. S. Juneja, "Panchayati Raj: A Survey," *Indian Journal of Public Administration (IJPA)*, 19:1 (January-March 1973), pp. 54-81; also, R. B. Jain, ed., *Panchayati Raj* (New Delhi: Indian Institute of Public Administration, 1981).
18. Abhimanyu Singh, "Changing Role of the District Collector," *IJPA*, 32:2 (April-June 1986), pp. 251-67.
19. Balwantray Mehta, "Some Recent Trends in Panchayati Raj in India," *IJPA*, 8:4 (October-December 1962), pp. 456-59; for the role played by political parties in Panchayati Raj institutions, see special issue, *IJPA*, 8:4 (October-December, 1962), pp. 602-20.
20. For example, in a study of Raipur District, it was shown that efforts of mass-based programs ended up with "pockets of development and progress" at the elite level and "little changes" at the wider societal level. V. R. Gaikwad, B. L. Tripathi, and S. M. S. Haque, as reported in *Hindustan Times*, New Delhi, July 22, 1973.
21. V. S. Prasad, "Panchayati Raj Reforms in Andhra Pradesh and Karnataka: A Comparative Study," in M. Kistiah, ed., *Administrative Reforms in a Developing Society* (New Delhi: Sterling Publishers, Pvt. Ltd., 1990), pp. 78-85, 1-77, and Prabhat Kumar Dutta, "Democratizing Rural Administration: The West Bengal Experience," *Indian Journal of Administrative Science*, 1:1 (January-June 1990), pp. 144-64.
22. S. R. Maheshwari, *Local Government in India* (New Delhi: Orient Longman, 1971), p. 95.
23. Quoted by Era Sezhiyan, "Perfidious Panchayat Bill," *Indian Express* (New Delhi), July 7, 1989, p. 3.
24. N. S. Jagannathan, "The Coarsening of Politics," *Indian Express* (New Delhi), June 26, 1989, p. 8.
25. "Electoral Stunts," *The Hindu* (international weekly edition), October 21, 1989, p. 8.
26. "Panchayati Raj: From Doon to 'Dehat'," *India Today*, May 31, 1989, pp. 18-21.
27. *Hindustan Times*, August 20, 1985.
28. See, Krishna Tummala, "India at Cross Roads in 1989," *Asian Profile*, 18: 14 (August 1990), pp. 354-63.
29. See N. A. Palkhivala, *We, the People: India the Largest Democracy* (Bombay: Strand Book Stall, 1984), p. 43.



Building...

(Continued from page 7)

public interest, sound editorial judgment is vital to sustain editorial freedom.

Of course, freedom must include the freedom to make mistakes. It will take years of training and repeated errors to bring about responsible, objective journalism. During this process journalist must be educated about the demands and expectations of politicians and officials, and politicians and officials must try to appreciate the professional demands of journalists. One promising approach is the use of small seminars using role-playing techniques with hypothe-

tical situations to explore issues of public policy for journalists, government officials, and politicians.

The line between a proper complaint about the content of a newspaper or television program and improper pressure on publishers and broadcasters is a fine one. The ability to identify this line is crucial, and since it cannot be defined by law, it can probably be learned only by experience. There are many ways in which groups within a society can influence the media and in which those in the media can learn to be more responsive to public concerns. For example, media organizations can accept letters to the editor. In addition, a number of newspapers (and occasionally television stations) in the United States, Canada, Italy, Sweden, Brazil, and elsewhere have hired ombudsmen to make their organizations more accountable to the public. Sometimes called "reader advocates," ombudsmen investigate complaints from readers and news sources about accuracy and fairness, commonly publishing the results of their research. The writings are generally free from internal editorial review, allowing them to act as independent in-house critics.

Conclusion

Even if the independent of the media has been established, the press has adapted to the free market, and journalists are upholding standards of responsibility, the battle has not been won. People must learn to live with a free press and broadcasting on a day-to-day basis. They must learn how to resolve the differences without placing the acceptance of the idea of free editorial judgement under too great a strain.

It is not easy to live with this free exchange of ideas, especially where this tradition is absent. The rewards of this freedom, however, are great. Only with freedom of communication is a democratic society possible. Without freedom of communication, the state is deaf and so are the people.

Duckspeak on Meritocracy

Izeth Hussain

Mr Nimal Siripala de Silva of the SLFP deserves some cheers for exploding the Government's pretensions about its merit-system in which all state-sector jobs are given on the basis of merit and nothing else. He raised an oral question in Parliament which provoked a response showing clearly that the Government is practising duckspeak on meritocracy.

Before proceeding further, we must explain what is meant by duckspeak as it is not so well known as the other brilliant neologisms in George Orwell's novel 1984, such as "doublethink" and "newspeak". The epilogue to that novel contains the following, "Ultimately it was hoped to make articulate speech issue from the larynx without involving the higher brain centres at all. This aim was frankly admitted in the newspeak word duckspeak, meaning to quack like a duck. Like various words in the B vocabulary, duckspeak was ambivalent in meaning. Provided that the opinions which were quacked out were orthodox ones, it implied nothing but praise, and when the *Times* referred to one of the orators of the Party as a doubleplus good duckspeaker it was paying a warm and valued compliment."

Orwell was writing of a project to replace properly human speech with a mindless quacking so that the people could be subjected to absolute totalitarian power on a permanent basis. Many a power-elitist's heart will leap up at the prospect, like the poet's on beholding the rainbow, but it is doubtful that the project can ever be realized.

However several Governments, though not the people, have scored triumphs in duckspeak, notably our 1977 Government.

Clear examples of duckspeak are the claim that the famous Referendum in lieu of General Elections was an exercise in democracy, or the claim that the hooligans who threatened Supreme court judges were exercising their right to freedom of expression. And so of course was all that quacking about the establishment of a Dharmista society, that is just society, by a Government that was deeply devoted to injustice. Double-plusgood duckspeakers flourished in the Sri Lanka of the 1977 Government as nowhere else.

The triumphs in duckspeak of the present Government are not half as impressive as those of the last one, except on meritocracy. The last Government could not have gone further in showing contempt for merit, but at least it forbore from boasting about having established a meritocracy. The present Government quacks about it incessantly.

According to the *Island* of 5 December, 1992, Mr Siripala de Silva raised a question in parliament about the appointment of Mrs I. A. K. Peiris, an attorney-at-law, to the post of Second Secretary (Education) in our Embassy at Washington. It was apparent from the replies given by the Government spokesman that Mrs Peiris was appointed on a request made by her, without applications for the post being called. After divulging that fact the Government spokesman went on to claim, that "appointments are made on merit and suitability". Shocking!

It is evident that abuse of power in state-sector appointments has gone so far under successive regimes that the present Government does not seem to understand the first thing about what is meant by appointment on merit. What it means can be explained simply and briefly. The sole applicant for a post may be suitable, but it cannot

be claimed that he/she is appointed on merit unless other qualified persons are allowed to apply for the post and she is established as the most suitable. Nothing of the sort happened. The claim is therefore "duckspeak".

The SLFP MP's performance in exposing the Government's pretensions on meritocracy was in striking contrast to the usual lackadaisical performance of the opposition parties, as shown for instance by the recent budget debate on the Foreign Ministry vote. He deserves some cheers but we will raise only two cheers for him, not three, because there is an ambiguity in his position.

It is known that since 1977 our Governments have been making political appointments in the Foreign Service sector, with contempt for merit, at all levels and not just the Ambassador level as used to be the case before 1977. Why, then, was the case of Mrs Peiris singled out? We are not here concerned with the truth or otherwise of that allegation. Mrs. Peiris' appointment may seem particularly heinous to some for the alleged reason, but the point is that all state sector appointments outside the merit-system have to be regarded as heinous. There are several reasons for this, which will be discussed below, all of them of the greatest importance for the future of Sri Lanka. Mr de Silva must therefore now proceed to take the next step, even if he fails to galvanize his Party into action on this matter, of asking the Government for an accounting of all the political appointments made in the Foreign Service sector since 1977. He will then earn the full three cheers and more.

SINHALA BIAS

Political appointments of this kind are not reconcilable with democracy though they are perfectly reconcilable with nonsense democracy, and in the Foreign Service sector they have shown a communal bias. Political appointments are those

(A senior career officer, the writer was Sri Lanka's Ambassador in Manila.)

made on the basis of political, familial, caste, religious, provincial or other affiliations, and not strictly on merit. The money for such appointments comes from the people, not from party funds and is therefore money held in trust to be expended for the benefit of the people as a whole, not to reward favourites. You are at perfect liberty to use your own money to appoint whomever you like, without the slightest regard for merit, to jobs in a privately owned estate or a business firm, but not to jobs in the state sector because the money utilized for that purpose is not yours. An elected government cannot behave like a MAFIA.

Political appointments, as we have said, cannot be reconciled with democracy more specifically liberal democracy which has the two ideals of liberty and equality. The latter is relevant to our discussion here. De Tocqueville writing in the nineteenth century noted that the egalitarian ideal had been spreading since the thirteenth century and predicted that it would come to cover the entire globe. He was probably right, judging from the extraordinary power of the democratic idea in the contemporary world. Sri Lanka is no exception as the egalitarian ideal is certainly there behind the mass rebellions we have been witnessing, however deplorable they may seem.

Included in this ideal, among other things, is the "career open to the talents", accommodating the aspirations to upward mobility of everyone, not just the favoured few. It means that jobs which come from the people and not just the favoured few, should be given on the basis of merit. The Government by making political appointments in the Foreign Service sector goes against one of the fundamentals of democracy and declares, beyond any question, its commitment to nonsense democracy.

The further reason why these political appointments have to

be regarded as heinous is that they have displayed a communalist bias. The writer can attest from first-hand observation while in the Foreign Service that the major beneficiaries of the political appointment under the last Government, excluding the show-piece appointments of minority members were Sinhalese. Among the most notable babooneries committed were the following. Two ladies who did not even have the O'level qualifications were sent as First Secretaries to our Embassies in Washington and London, where their kids were being educated, while young lady was posted to our missions in New York and Ottawa to pursue her own education. A chauffeur was appointed to a diplomatic post in Canada. The beneficiaries in all those cases were Sinhalese. It is unthinkable that in such cases the beneficiaries could have been minority members.

The writer, is in retirement, cannot attest at first-hand to continuing communalism in political appointments under the present Government. But according to various accounts it appears that the beneficiaries are disproportionately Sinhalese, that is disproportionately in terms of ethnic population ratios. In other words it is being charged that communalism continues under the present Government. There is no point in the Government getting hot and bothered over these charges. On the principle of accountability, required by nonsense democracy, it should try to refute the charges by releasing to the public details of political appointments in the Foreign Service sector since 1977.

OPPOSITION ROLE

But of course the Government is not going to do anything of the sort, and this brings us to the responsibilities of the opposition parties.

We have argued that political appointments cannot be reconciled with democracy, and we have argued in an earlier article that the opposition parties have

to establish their own democratic credentials because there is a widespread notion that they are just as devoted to nonsense democracy as the Government itself. This is important for their own prospects of coming to power because there is no earthly reason why the Government should hold democratic elections to hand over power to alternative devotees of nonsense democracy. Mr Siripala de Silva has convincingly demonstrated one way of establishing democratic credentials, and the opposition parties must now proceed further to ask for a full and proper accounting of all political appointments in the Foreign Service sector since 1977.

Unfortunately our two foremost champions of democracy, the DUNF and the Liberal Party, are not represented in Parliament. But that in no way absolves them from the responsibility of exposing the Government's pretensions on meritocracy. Otherwise they also can be seen as doubleplusgood duckspeakers on democracy.

As for communalism, surely the point hardly needs arguing that we will get nowhere near a solution to our ethnic problems while charges about communalism continue. The opposition should not fight shy about taking up the charge of communalism in the belief that it will offend the communalism of the people. Mrs Chandrika Kumaramthunga has reported some time ago as saying that eighty percent of the Sinhalese people are not communalist. The writer disagrees because he has come to believe, after decades of interaction with the Sinhalese people at all levels, that well over ninety percent of them are not communalist. Communalism in Sri Lanka is a deadly elitist mania. The opposition parties are not going to lose any popular support by asking for an accounting on the communalist charge.

In arguing that the opposition parties must take effective action over political appointments, we

(Continued on page 21)

Poverty Alleviation (2)

Chapter 5: Strengthening Organisations of the Poor and Releasing Their Creative Energies

The discussion under this agenda item was based on a paper prepared by Mr. Shoaib Sultan Khan, the description of BRAC in the book entitled "The Quiet Revolution" and the case profiles and lessons for building organisations of the poor in the Study "Women, Poverty and Resources" by Dr. Ponna Wijnaraja and the recent United Nations University Study by a group of South Asian scholars and activists entitled "Participatory Development: Learning from South Asia".

Building organisations of the poor is an essential pre-requisite for their participation as subjects and for sustaining the process. The poor need to organise themselves in a manner that best suits their interests. Organisations of the poor and NGO activity are not always identical.

The organisations of the poor are also essential to build countervailing power against dependency and exploitation, where the contradictions are sharp.

A "harmony" model where everyone works for the good of the poor paternalistically is not sufficient, as well as, permit them through these organisations to assert the right to resources due to them. The poor cannot do this individually. It is also through their organisations that savings are generated, experiences are exchanged and a mutual learning process is initiated and common problems are solved.

A second issue that was discussed was the methodology of participatory development which permitted the poor to be subjects and not objects of the process. Sometimes a participatory process was generated spontaneously, sometimes it had to be catalysed by an animator or a facilitator. In a participatory process the poor people's creativity and energy that can be tapped is the starting point.

As subjects in the process, they investigate their reality and deepen their understanding of their problems and what they can do about it. This implies exploration of possibilities for action through either new organisations or existing organisations. They move from development action to further reflection and evaluate the development actions through a participatory process correcting mistakes as they go along. They also assess the benefits that accrue to them and continue to improve the quality of their actions. As this process of self development takes place people will begin to improve their capacities to conceive development ideas, and plan and carry out development actions.

It is important that whenever an outside animator catalyst initiates the process, the catalyst should withdraw allowing the poor themselves to continue with the participatory process. The training and sensitisation of these catalysts becomes a critical part of the preparation for participatory development.

Chapter 6: Lead Role of the State

The discussion on this subject was led by Mr. Venugopal on the basis of a written paper. The Members came to the broad conclusion that the State has to play a dual role in relation to the strategic option for poverty alleviation. It has to articulate the strategic thrust and provide the "political space" for the policy changes that are required. In SAARC countries, the magnitude of the task is too great to be left to NGO's and grassroots organisations alone. The States in south Asia are looked upon to provide the necessary leadership in such a fundamental policy change. The lead role of the State also stems from its dominant command over the resources of the country and its undisputed control over the formal support system.

The successful implementation

of a separate plan for the poor required not only total commitment of the States to the underlying principles but also the ability to mobilise and channel the required resources through a sensitised support system. The State has itself to provide "sensitive" support and resources through its line Ministries along with the Banks, NGO's and others to re-inforce the initiatives of the poor.

It is imperative that the strategies and action programmes of the industrialisation modernisation thrust (the first leg) are in empathy with the separate plan for the poor. The State is thus required to ensure that any possible impediments are cushioned by damage limitation programmes and eventually the development strategy as a whole moves in a co-ordinated and coherent fashion.

The lead role of the State is all the more important as the separate plan for the poor goes beyond charity, paternalism, delivery of fragmented inputs to the poor in a top down fashion and "safety nets" and "adjustment with a human face", and requires all encompassing policy shifts which puts poor people in the centre as subjects of the process.

Chapter 7: Strengthening Other Sensitive Support Systems for Initiatives of the Poor

The essential features and lessons from South Asian experiences on the ground indicate that a sensitive support system is indispensable to bring the Initiatives of the Poor to fruition. These help to catalyse a range of important functions as sensitising organising homogeneous groups at the village level to meet common needs and to provide or obtain services through collective action, mobilise new activities and knowledge, enhance net incomes, create assets and ensure that the real poor are the beneficiaries.

The support system comprising of government organisations, semi-government institutions, banks, academic institutions, private sector bodies and people's organisations have to be sensi-

tised on the need for total commitment to the separate plan for the poor. This requires a great deal of detailed collaboration and exchange of information between the support system and the poor.

In most SAARC countries the support systems have to be re-oriented, strengthened and sensitised to comprehend and accept the new process involving poverty alleviation, savings mobilisation, income generation, skills development, social awareness creation, investment and marketing activities. All this has to be integrated into a process of creating a self-actualizing and self-reliant community. The support system has to abandon the conventional project delivery approach and function with a great deal of flexibility and new norms.

The existing innovative grass-roots NGO's and participatory organisations of the poor need to be strengthened and new groups organised at village level for participatory development activities. The existing delivery mechanisms of the Government need to be strengthened by sensitising the bureaucracy at all levels, especially at the district level and below. The procedures have to be made more flexible and oriented to trusting the poor.

The credit institutions have to be re-oriented for mobilisation of local savings and supporting small income generating activities of the poor, with flexible procedures and strengthening innovative credit windows. The banking system itself which has been instrumental in reversing the flow of resources from poor to rich, rural to urban, etc., have to be re-oriented and may have to create "special windows" to support activities of the poor. They have to recognise that the poor save, are bankable and successfully create wealth and growth.

In building up and strengthening a sensitive support system training in innovative approaches is a critical part of institution building for multiplication. A range of intermediaries, facilitators, government officials and donor agency staff need innova-

tive training and sensitisation. This training itself has to be participatory and not confined to formal lecture methods. It has to adopt experiential learning methods.

In strengthening and sensitising the support system, it is important to recognise that the old framework of development is deeply rooted in their current operations and requires a de-learning process, before the re-orientation can begin.

Chapter 8: A Separate Plan for the Poor

The following elements in the separate plan for the poor flowed from the discussion in Chapter 4 on the Perspective and Chapters 5, 6 and 7 on Transitional Policies and Mechanisms:

Towards a Holistic Approach: Selected "Entry Points"

- (i) Basic Education
- (ii) Food Security/Daal Bhaat
- (iii) Primary Health Care
- (iv) Shelter
- (v) Alternative Banking
- (vi) Alternative Marketing

Institution Building

- (i) Organisations of the Poor
- (ii) Re-orienting Support Systems
- (iii) Training the Catalysts and Other Intermediaries for Social Mobilisation

Sources and Allocation of Resources

- (i) Natural
- (ii) Human
- (iii) Financial

This will form a major recommendation in the Report and will be discussed further at the Poverty Commission Meeting in Dhaka. No specific recommendations are being made for individual countries. This pro-poor planning framework can, however, be adapted to suit the requirements of each country and different socio-political circumstances within countries.

Chapter 9: The New Social Contract between the Poor and the State in South Asia

As early as the 1970's warning signals began to emerge that South Asia was a region in

deep crisis. In the 1980's, South Asian countries began to face an even more critical crisis of development with the global system itself in disarray and the structures and institutions of South Asian nation states unable to cope with the twin crises of development and democracy.

Despite the rhetoric of development, democracy and regional co-operation there was a steady slide of these societies towards anarchy and destabilisation. Individually no country would be able to stem the slide. But collectively there was a possibility of having an impact on some of the critical problems.

It was in this spirit that the Male Summit called for SAARC to move into core areas of co-operation and the Colombo Summit identified Poverty Alleviation as a core area and established the Independent South Asian Commission on Poverty Alleviation. This was not another inter-governmental study group. It is being led by an eminent political leader in the region and is expected to have a wider vision and take a political approach to the problem of poverty.

A second major recommendation of the Commission is being proposed as a response to this challenge. The specific recommendation for a pro-poor and separate poverty plan has to be re-inforced by a major political declaration and reflects the commitment of the seven Heads of States/Governments to a total mobilisation approach to poverty alleviation in South Asia within a given time frame.

The details to be incorporated into this recommendation and how it is to be presented to the Summit has to be further considered at the Dhaka Meeting. What was clear was that this major commitment should not merely be subsumed under the more formal resolutions at the Dhaka Summit, but should be a special declaration with a historical significance and a collective commitment by the Heads of States/Governments to the South Asian poor.

Chapter 10: Poverty Watch — Independent Monitoring of the Strategic Options and the Management of Change

The Members of the Commission felt that the Strategic Option being recommended, the pro poor perspective and the innovative separate plan for the poor had to be translated into detailed plans at the country level. While much of this work would continue country by country, it was advisable to have an Independent South Asian Group to monitor the follow-up process over the next two to three years.

Duckspeak...

(Continued from page 18)

have to counter some objections. It can be asked. What action have they taken over the babooneries mentioned earlier, which made the public retch in disgust. They just made some passing remarks, and no more. It can be asked further, In which country in the world where opposition parties are allowed their say in Parliament will they refrain from demanding that the miscreants responsible be declared unfit for public office. It can be argued with some cogency that effective action on such matters cannot be expected in Sri Lanka because Sri Lankan politics are unique.

Our counter-argument begins by noting that the Sri Lankan people's perceptions and attitudes are very different on such matters from those of the Government and the opposition. This view can be put to a straightforward and convincing pragmatic test. Let the reader ask members of the public, not the bigwigs but the average wholesome Sri Lankans, and it will be found that they certainly want effective action to stop political appointments. And they certainly want the miscreants responsible for the babooneries to be punished. Our counter-argument is that the will of the people will prevail sooner rather than later, and therefore the sooner the opposition follows

The complex process of poverty alleviation monitoring and evaluation, as was seen in Chapter 1, is still in its infancy. The political commitment can not be allowed to flag. New institutions have to be built. A social transformation of considerable magnitude has to be initiated as South Asian societies move on two fronts towards a development paradigm where growth, human development and equity are not trade offs. Hence the recommendation for the establishment of an Independent Monitoring Group or a Poverty Watch is essential.

the lead given by Mr Siripala de Silva the better.

ROPE DANCE

The SLFP more than the other parties has special responsibility in this matter because it did, after all, maintain some standards in the Foreign Service which could be respected. The babooneries mentioned, as well as corrupt and sexually sordid behaviour, would have been unthinkable under Mrs Bandaranaike. The SLFP can therefore speak out without looking hypocritical.

We would like to end on a positive note because governments that are not over-fond of freedom of expression, more particularly the ones under which journalists are thrashed and cameras are smashed, invariably protest that they are impatient only over purely negative criticism, not constructive criticism. We have a constructive suggestion to make.

The Government seems to be in a bit of a dilemma. On the one hand we have a people who demand upward mobility on the basis of merit, a manifestation of the egalitarian principle which has been spreading around the globe like the plague as foreseen by Tocqueville. On the other hand, the Government has inherited the anti-merit principle which became sacrosanct under the 1977 Government. The di-

This recommendation needs to be discussed further at the Dhaka Meeting, as this kind of "think group" constitutes an innovation in the South Asian context. However, it is within the invitation issued at the SAARC Summit at Male for Scholars, Academics and Professionals to help re-inforce the official SAARC process. It should not be an official SAARC body, but can have the "blessing" of the Governments. The Independent Group, through the SAARC Secretariat would periodically address position papers, studies, make suggestions, etc., to the Heads of State/Governments and other major actors in the process.

lemma is how to accommodate the egalitarian thrust without throwing overboard the anti-merit principle.

Is there a way of allowing the hoi-polloi of Sri Lanka, not just the favoured few, to serve their country abroad without allowing the claims of merit? It seems an impossible dilemma. But a solution might be possible on the principle of appointment by rope-dance.

It is reported in Jonathan Swift's *Gulliver's Travels* that in the kingdom of Lilliput "When a great office is vacant either by death or disgrace (which often happens), five or six of those candidates petition the Emperor to entertain his Majesty and the Court with a dance on the rope, and whoever jumps the highest without falling succeeds in the office. The sentence preceding it says that the candidates were "not always of noble birth or liberal education," which shows that something like the great egalitarian principle was already at work over two and a half centuries ago in Lilliput. Swift's book was originally published in 1726. Echoing Swift, the present writer must declare that in making his modest proposal he has been inspired only by his devotion to the public good, without any thought of private gain as he himself is well past the age for nimble footwork on the tight-rope.

A New Europe and its responsibilities

Horace Perera

Yugoslavia and more recently Somalia have turned the spotlight on "humanitarian intervention", "preventive diplomacy" etc by the United Nations, or the E.C., the US., often under the U.N. umbrella.

When the "lame duck" President George Bush ordered 28,000 US troops to Somalia, Henry Kissinger said the objective was "noble" but questioned the timing and "the unilateral nature" of the US mission.

In most other situations the "conflict is not as simple as Somalia, e.g. Yugoslavia where the EC took the lead only to produce the ghastly Bosnian mess. It is separatist violence and civil war which now attract world attention, the major powers, and the U.N., where decisions are made by a Security Council, controlled more or less by the United States. "A foreign policy of unqualified support for national self-determination could result in enormous world disorder" warns Prof. Joseph Nye of the Harvard Centre for International Affairs.

This paper by Horace Perera the wellknown Sri Lankan teacher, and Hony. President of the World Federation of U.N. Associations was presented to a recent international conference.

The overall theme of the Conference, in speaking "A" New Europe and "its" responsibilities etc., seems to imply that there is today one Europe. Unfortunately this is not so in spite of the Helsinki Final Act of 1975 and the subsequent efforts to promote the CSCE process. Hence caution must be exercised in considering the role of the "New Europe" in the UN and in World Affairs. An overall glance at the political configuration of the Continent will reveal that there is more than one Europe.

To begin with there is what is loosely called "Western Europe". This term broadly covers all of Europe — including some Mediterranean islands — which were outside what till recently was called the "Communist Block", in which it was customary to include Albania and the former Yugoslavia, though they were not subservient to Moscow. The countries of "Western Europe" have, over the years after World War II, grouped together for various reasons. There are at

present two economic groupings, namely the European Economic Community and the European Free Trade Association. There is considerable economic co-operation within each group and between the two groups themselves. For the protection of human rights and freedoms, some have ratified the European Convention on Human Rights and have accepted the jurisdiction of European Court. There are also military alliances such as NATO, considered to be a defensive alliance against what was recently the "Soviet Empire", and the recently formed "Western European Union" which has a membership of nine and is likely to increase to twelve with the admission of one member and two associates. Efforts have been made over the years by the European Community to promote the formation of a political, economic and monetary union. It was assumed last year that this was achieved when leaders of the Community signed the Maastricht Treaty. For the present, Maastricht has been derailed by the hair fine negative vote of the Danish people,

the wafer thin "OUT" of the French Referendum and the delay to ratify the Treaty by the United Kingdom. It is anticipated that an enlarged Single European Market will emerge by the end of this year when the Single European Act comes into force. It is evident from popular reactions to the Maastricht Treaty that nationalism is still a factor to be reckoned with in "Western Europe", particularly after the fragmentation of the "Soviet Empire." But, with a few exceptions, it is a nationalism which has got used to settling disputes by negotiation rather than by ultimate or force.

Two comments may not be out of place here. One wonders whether, taking a page out of the history of German unification in the last century, the Single European Market should not have preceded Maastricht. By 1884 a Customs Union (Zollverein) including most States was in place. It demonstrated to all the inconveniences of differences of tariffs, currencies, weights and measures and economic policy between individual German States and thereby contributed, inter alia, to the unification of Germany proclaimed in Versailles in 1871. One also wonders how leaders of long standing democracies in the West expected to secure, in their states, popular support for Maastricht without involving their peoples, through adequate information programmes, in the decision making process which led to the signing of the Treaty.

Another European consists of the three Baltic Republics and the Commonwealth of Independent States. The events which followed the collapse of the Ottoman Empire and later of the Austro-Hungarian Empire make it seem inevitable that, when an empire maintained by force collapses its territories

fragment into a profusion of small states driven by a strong sense of freedom and a surge of aggressive nationalism which can threaten the rights of minorities living within their borders. This has now happened with the disintegration of Soviet Empire. In almost all these new states there are unassimilated minorities and one sees the interesting phenomenon of the case with which "dyed in red" communists of yesterday have become ardent nationalists of today claiming the right to "selfdetermination." This is indeed a great right provided that in efforts to secure it the rights of other nationalities to "selfdetermine" are not ignored or even destroyed. This is the phenomenon one is witnessing in "Yugoslavia" and one cannot rule out similar trends in most of the new states, particularly those with ethnic Russian minorities. Leaders of ethnic Russians, like Mikhail Gorbachev in Estonia, are appealing to the Russian army to intervene to protect them from discrimination by nationalist Estonians. Some chauvinist leaders of the defanged Russian army are backing them. Yeltsin has so far resisted such demands and, except for the intervention of the 14th. Russian army on behalf of the Russian minority in the Trans-Dniester region of Moldavia (a republic in which 75% of the population is non-Russian), he has acted with courage and caution. How long he'll be able to do so is anybody's guess. One way for the "West" to help is for it to champion the rights of 25 million Russian-speaking people in the Baltic and other post-Soviet states. Such action can help these Russians to feel that their rights are a priority for the West and that they will not need the aid of the Russian army. It will also help to reduce considerably the pressure to which Yeltsin is being subjected. Unfortunately the West is not likely to be of such help gripped, as it is, by domestic political cowardice that has prevented it from taking an

effectively strong position in the former Yugoslavia. One almost hears from the leadership of the "West" the famous, or rather infamous, words of Chamberlain in reference to the dismemberment of Czechoslovakia in 1938. "It is a quarrel in the far off country between people of whom we know nothing."

This brings us to the former Yugoslavia. Aggressive nationalisms have touched off a confused and horrendous war situation accompanied by an ethnic and cultural "cleansing" reminiscent of the brutal and bestial barbarities of Hitler's and Stalin's policies towards peoples of other nationalities. Political commentators have expressed fears that this nightmarish situation could spread to Kosovo bringing in Albania; to Vojvodina causing deep concern in Hungary for the 500,000 Hungarians dwelling there, and to Macedonia, in all probability involving Bulgaria and Greece. Should these fears materialise Europe can find itself confronted, on its South-eastern doorstep, with a barbaric war accompanied with the pathetic sight of a never-ending stream of refugees provoking, as has been seen, racial riots of an increasingly dangerous magnitude even in countries with liberal asylum laws. The blood from the Balkans is seeping under Europe's doors but Europe seems unable to staunch it. Europe seems to be waiting for the USA to give the lead, but the USA is too absorbed with its presidential election for the candidates or their advisers to spare attention to "a quarrel in a far off country between a people of whom they (we) know nothing about."

Two contradictory messages seems to be going out of the former Yugoslavia to other state members of the erstwhile Soviet Empire, which are on the brink of ethnic conflict.

(a) Avoid recourse to violence as the situation may spiral out and get out of control.

(b) As the West" is not likely to intervene effectively, vio-

lence can help chauvinist groups to successfully achieve their ends.

For the present it appears as if the second message is getting through. If this second message is picked up strongly enough an apocalyptic situation can develop in a major part of the former USSR. That is, in the three Baltic states and the members of the Commonwealth of Independent States and it may be too late for the "WEST" to do anything.

As for the so called "satellites" of the former Soviet Empire, matters seem to be generally stable. The GDR has incorporated into Germany and therefore needs no attention here. Apart from streaks of anti-Semitism, strongly condemned and opposed by the Government, Poland appears a stable country unified largely by strong religious ties. Hungary also appears quite settled except for its justifiable concern for the rights of ethnic Hungarian in neighbouring states. Romania's problem lies with recognizing fully the rights of half a million ethnic Hungarians living largely in Transylvania and the rights of its Gipsy communities. Things are likely to remain tolerably calm in Bulgarian provided that "ethnic cleansing" does not spread from the former Yugoslavia to Macedonia. If that were to happen Bulgaria may be compelled to intervene. Czechoslovakia, following the June elections held this year, is separating into two republics. This separation may have consequences for Central Europe and elsewhere.

The peaceful nature of the divorce of Czechoslovakia into a Czech and a Slovak republic seems to have blinded that West to the possible geopolitical consequences of the separation. As a matter of fact, they are already appearing. In order to achieve self-sufficiency in energy the Slovak republic has begun diverting the Danube to create a riverbed in its own territory. Hungary has already protested that Slovakia's action constitutes

a unilateral alteration of state borders and is in contravention of Article III of Part I of the Final Act. Hence it accuses Slovakia of territorial and ecological violations. Capitalizing on this political dispute a chauvinist campaign has begun in Hungary calling on the Government to intervene and protect the rights of their "Oppressed brethren" (namely about 500 thousand ethnic Hungarians) in Slovakia. The Czech republic may soon also have a problem to face. Strengthened by the fact that a weak Czech republic lies by the side of an enlarged and powerful Germany. Sudeten Germans are demanding a renegotiation of the western borders of Bohemia. One hopes that these two issues can be diffused. If, on the other hand, territorial changes are made, however peacefully there can be a chain reaction in Central Europe and elsewhere. Ethnic Hungarians in Transylvania (Romania), Vojvodina (former Yugoslavia) and in the Ukraine may seek similar solutions to their ethnic problems. Romania, on the hand, while resisting any attempts to incorporate Transylvania into Hungary, might consider that the protection of ethnic Romanians in Moldavia (about 65% of the total population) is its responsibility. In the Balkans, Serbia may feel that it is its "duty" to "cleanse" Kosovo of ethnic Albanians. One could go along like this. To make what may be a long story short, it suffices to point out that with considerations of this kind one cannot rule out a wave of aggressive nationalisms spreading over Central Europe and else where.

All that has been said in paragraph 7 regarding the possible geopolitical consequences of the Czechslovakian divorce may be regarded as alarmist speculations. So did governments treat the warning of likely conflict in the former Yugoslavia when the first elections after the demise of communism in that country showed clearly and stridently that voting had been

definitely on ethnic lines. Had these warnings not been dismissed with cynical scepticism by Europe's leaders it is possible that the present situation in the former Yugoslavia might not have developed.

The time has come for the Security Council and the Secretary-General to resort to the "Preventive Diplomacy" as well as "Peacemaking" and "Peacekeeping" operations so clearly explained in "Agenda for Peace." One can only hope that the members of the Security Council, severally and collectively, have the political will to discharge their international obligations and not sedated by considerations of the next round of national elections.

One can only hope that the Geneva talks under the co-presidency of Cyprus Vance and Lord Owen will help to resolve the conflict in Yugoslavia. Should they fail the CSCE process will, in all probability grind to a halt, the establishment of a European order could be seriously jeopardised and the much vaunted New World Order would have ended before it had become. Europe has much to do to put its own house in order. Till that is done the consideration of its responsibilities in the UN and in world affairs will be just an academic exercise; even an exercise in futility. Until there is a European order each European state, or each group of states, will view

its responsibilities, not from the global perspectives of the United Nations Charter, but from narrow nation of regional interests. That is certainly not the overall objective of this Conference. The overall purpose is to strengthen the CSCE process with a view to securing stability and promoting co-operation within and among states in Europe so that agreement could be reached among them as to measures which they, as a body, could take to discharge their responsibilities in the United Nations and in world affairs. It is for each and every European UNA to strive, in co-operation with other national NGOs, for the realisation of this aim.

Dutugamunu: . . .

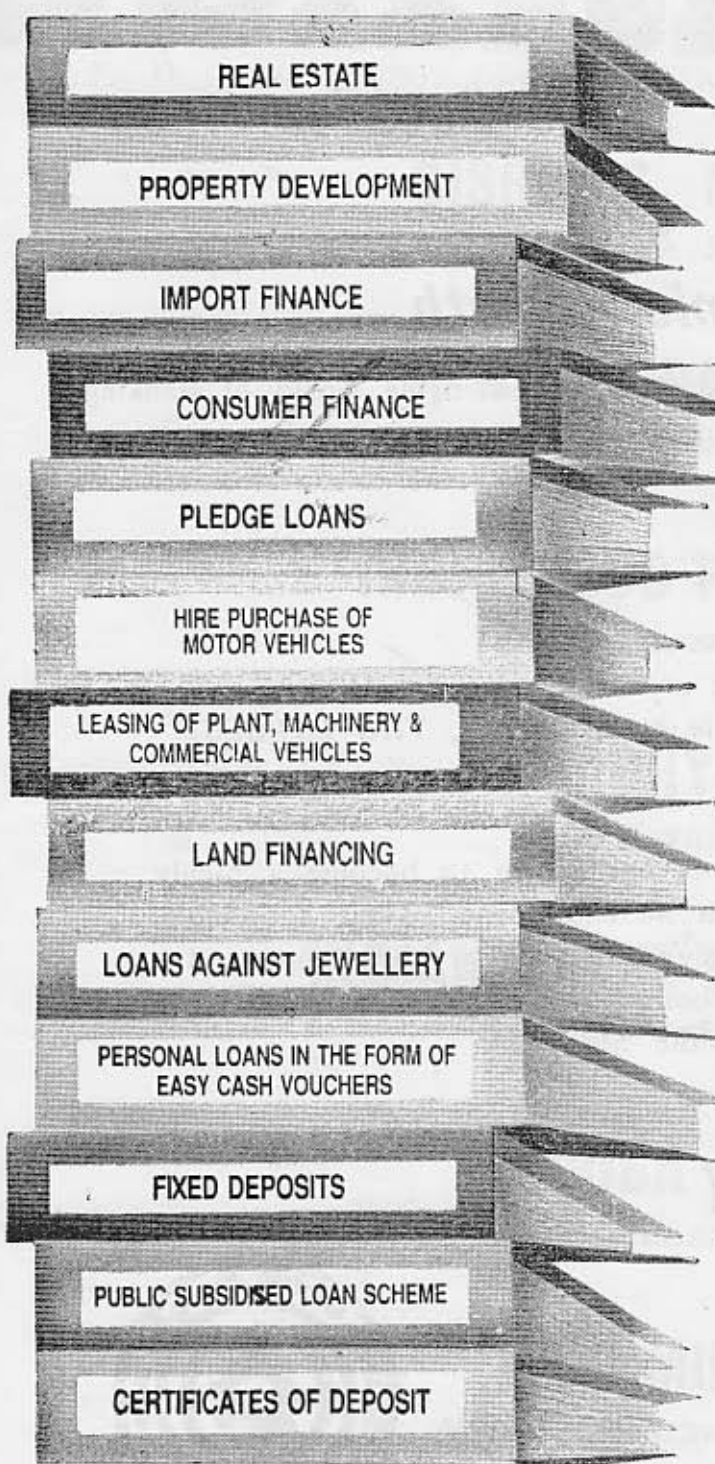
(Continued from page 10)

Divayina controversies represent a modern manifestation of this Sinhala historical consciousness. The extent to which such modes of discourse produce inclusive (rather than exclusive) and progressive (in contrast to regressive) forms of nationalism hinges not on evocations of the past *per se*, but on the motivations and manipulations of monks, politicians, scholars, newspaper editors and readers. For it is they who, though widely available and influential media such as newspapers, reinterpret the past to recharge nationalism with varying symbolic significance.

THE DEMOCRATIC PROCESS

All over the World, at once, what moved them
Those angry young of the seventies
What set them marching
In revolt against their own empty affluence?
Nay, the white fire of the names they chanted
Canonized at the ends of the earth
Che and Uncle Ho, could not redeem them
They were going the other way really
Trying to steal the thunder on a parallel track
Now comes the lethal fall out of their bid
To escape the world, be free and easy
Remain idle, unkempt and gay,
Stall aid to Vietnam, then leaving Dubcek to the tanks
Scramble on the midnight train from Prague.
Mediamen for Mesqualine, Marijuana and finally Aids
They are back, no matter, the Polit bureau proclaims.
They are the heroes of this decade.

U. Karunatilake



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